

## HR 4766

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** Economics and Public Finance

**Introduced:** Jul 7, 2004

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Appropriations.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Appropriations. (Jul 22, 2004)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-bill/4766>

### Sponsor

**Name:** Rep. Bonilla, Henry [R-TX-23]

**Party:** Republican • **State:** TX • **Chamber:** House

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jul 7, 2004
Appropriations Committee	Senate	Referred To	Jul 22, 2004

### Subjects & Policy Tags

*No subjects or policy tags are listed for this bill.*

### Related Bills

Bill	Relationship	Last Action
108 HR 4818	Related bill	<b>Dec 8, 2004:</b> Became Public Law No: 108-447.
108 S 2803	Related bill	<b>Sep 14, 2004:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 694.
108 HRES 719	Related bill	<b>Jul 15, 2004:</b> Motion to reconsider laid on the table Agreed to without objection.
108 HRES 710	Procedurally related	<b>Jul 12, 2004:</b> Motion to reconsider laid on the table Agreed to without objection.

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005 - **Title I: Agricultural Programs** - Appropriates FY 2005 funds for the following Department of Agriculture (Department) programs and services: (1) Office of the Secretary of Agriculture (Secretary); (2) executive operations; (3) Homeland Security Staff; (4) Office of the Chief Information Officer; (5) Common Computing Environment; (6) Office of the Chief Financial Officer; (7) working capital fund; (8) Office of the Assistant Secretary for Civil Rights; (9) Office of Civil Rights; (10) Office of the Assistant Secretary for Administration; (11) agriculture buildings and facilities and rental payments; (12) hazardous materials management; (13) departmental administration; (14) Office of the Assistant Secretary for Congressional Relations; (15) Office of Communications; (16) Office of the Inspector General; (17) Office of the General Counsel; (18) Office of the Under Secretary for Research, Education, and Economics; (19) Economic Research Service; (20) National Agricultural Statistics Service; (21) Agricultural Research Service; (22) Cooperative State Research, Education, and Extension Service; (23) Office of the Under Secretary for Marketing and Regulatory Programs; (24) Animal and Plant Health Inspection Service; (25) Agricultural Marketing Service; (26) Grain Inspection, Packers and Stockyards Administration; (27) Office of the Under Secretary for Food Safety; (28) Food Safety and Inspection Service; (29) Office of the Under Secretary for Farm and Foreign Agricultural Services; (30) Farm Service Agency; (31) Risk Management Agency; (32) Federal Crop Insurance Corporation Fund; and (33) Commodity Credit Corporation Fund.

**Title II: Conservation Programs** - Appropriates funds for the following: (1) Office of the Under Secretary for Natural Resources and Environment; and (2) Natural Resources Conservation Service.

**Title III: Rural Development Programs** - Appropriates funds for the following: (1) Office of the Under Secretary for Rural Development; (2) rural development salaries and expenses; (3) Rural Housing Service; (4) Rural Business-Cooperative Service; and (5) Rural Utilities Service.

**Title IV: Domestic Food Programs** - Appropriates funds for the following: (1) Office of the Under Secretary for Food, Nutrition and Consumer Services; and (2) Food and Nutrition Service.

**Title V: Foreign Assistance and Related Programs** - Appropriates funds for the following: (1) Foreign Agricultural Service; (2) P.L. 480 program account, title I ocean freight differential grants, and title II grants; (3) McGovern-Dole international food for education and child nutrition program grants; and (4) Commodity Credit Corporation (CCC) export loans program account.

**Title VI: Related Agencies and Food and Drug Administration** - Appropriates funds for the following: (1) Food and Drug Administration; (2) Commodity Futures Trading Commission; and (3) Farm Credit Administration.

**Title VII: General Provisions** - Specifies certain uses and limits on or prohibitions against the use of funds appropriated by this Act.

(Sec. 709) Prohibits the use of funds under this Act to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 25 percent of total Federal funds provided under each award.

(Sec. 714) Prohibits the use of funds under this Act for the Safe Meat and Poultry Inspection Panel.

(Sec. 718) Prohibits fund use for the initiative for future agriculture and food systems, with an exception for administration of prior grants and obligations. Cancels FY 2005 initiative funds.

(Sec. 720) Prohibits fund use to relocate a State Rural Development office until cost and operation effectiveness have been determined.

(Sec. 721) Makes additional appropriations for Bill Emerson and Mickey Leland Hunger Fellowships.

(Sec. 722) Provides that any balances and recoveries available to carry out title III of the Agricultural Trade Development and Assistance Act of 1954 may be used to carry out title II of such Act.

(Sec. 723) Amends the Consolidated Farm and Rural Development Act to increase obligated funding for the national sheep industry improvement center revolving fund.

(Sec. 724) Prohibits the use of funds under this Act to collect from the lender at the time of issuance a guarantee fee of less than two percent of the principal obligation of guaranteed single-family housing loans administered by the Rural Housing Service.

(Sec. 725) Considers as eligible for rural development mission area assistance: (1) Salinas, California; (2) Watsonville, California; (3) Hollister, California; (4) Ulster, New York; (5) Cleburne County, Alabama; (6) Coachella, California; (7) Casa Grande, Arizona; (8) Creedmoor, North Carolina; (9) Eureka, California; (10) Clarksdale, Mississippi; (11) Vicksburg, Mississippi; (12) Wewahitchka, Florida; (13) Horseshoe Beach, Florida; and (14) Carbondale, Illinois.

(Sec. 726) Directs the Natural Resources Conservation Service to provide financial and technical assistance through the watershed and flood prevention operations program to: (1) the DuPage County, Illinois, Kress Creek Watershed Plan; and (2) Rockhouse Creek Watershed, Leslie County, Kentucky.

(Sec. 727) Prohibits funds under this Act from being transferred to any Federal entity unless authorized by an appropriations Act.

(Sec. 728) Authorizes the Secretary to use up to 20 percent of competitive research funds under this Act for a competitive grants program similar to the initiative for future agriculture and food systems.

(Sec. 729) Prohibits fund use to: (1) carry out CCC-funded rehabilitation of certain dams; (2) carry out the rural strategic investment program under the Consolidated Farm and Rural Development Act; and (3) carry out the rural firefighters and emergency personnel grant program.

(Sec. 732) States that the Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration shall not be required to establish obligations and outlays for purchases of interest bearing investments outside of the Treasury under specified circumstances.

(Sec. 733) Authorizes the Secretary to use specified food stamp funds for commodity processing, storage, transporting, and distribution.

(Sec. 734) Limits: (1) wetlands reserve program enrollment acreage for 2005; and (2) funds for the environmental quality incentives program.

(Sec. 736) Authorizes the Secretary to permit Department employees to carry and use firearms for personal protection in remote locations in the performance of their official duties.

(Sec. 737) Prohibits fund use for renewable energy system and energy efficiency improvements assistance.

(Sec. 738) Prohibits fund use for access to broadband telecommunications in rural areas. Cancels specified funds for such use.

(Sec. 739) Prohibits fund use to carry out the value-added market development grant program. Cancels specified funds for such use.

(Sec. 740) Directs the Secretary, with lender consent, to structure the annual fee payment schedule for rural electrification and telephone bond and loan guarantees so as not to exceed an average of 30 basis points per year for the term of the loan in order to ensure fund availability to pay related subsidy costs.

(Sec. 741) Limits fund use for: (1) the conservation security program; (2) the grazing, wildlife habitat incentive, source water protection, and Great Lakes Basin programs; and (3) the farmland protection program.

(Sec. 744) Directs the Secretary to provide assistance to commercial citrus and lime growers in Florida for tree replacement and for lost production for certain trees removed to control citrus canker, and for certified citrus nursery stocks within the citrus canker quarantine areas.

(Sec. 745) Prohibits fund use to carry out the rural business investment program.

(Sec. 746) Prohibits the use of funds under this Act: (1) in violation of PL 105-264 (Travel and Transportation Reform Act of 1998); (2) to revise a proposed rule (July 8, 2003) respecting cost-sharing for animal and plant health emergency programs of the Animal and Plant Health Inspection Service; and (3) without specific congressional authorization, to study or enter into a contract with a private party for competitive sourcing activities relating to rural development or farm loan programs.

(Sec. 749) Authorizes the Secretary to enter into cooperative aircraft lease agreements under the Animal and Plant Health Inspection Service.

(Sec. 750) Limits fund use for the bioenergy program.

(Sec. 751) Amends the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs Appropriations, 2004 to make Delta Regional Authority grants available for any rural community advancement program purpose.

(Sec. 752) Rescinds specified funds from the: (1) rural housing assistance grant program; and (2) rural housing insurance fund program.

(Sec. 754) Makes specified FY 2002 through 2005 conservation program funds under the Food Security Act of 1985 available until expended.

(Sec. 755) Prohibits funds available under this Act for the Food and Drug Administration to be used to prevent an individual not in the business of importing a prescription drug, wholesalers, or pharmacists from importing a complying prescription drug.

(Sec. 756) Amends the Housing Act of 1949 to include the guarantee fee in the principal obligation determination under the farm housing and farm service buildings loan program.

(Sec. 757) Amends the Agricultural Trade Development and Assistance Act of 1954 to rename the John Ogonowski Farmer-to-Farmer program as the John Ogonowski and Doug Bereuter Farmer-to-Farmer program.

**Title VIII: Additional General Provisions** - (Sec. 801) Prohibits funds available under this Act for: (1) the environmental quality incentives program, the wildlife habitat incentive program, the grassland reserve program, or the farmland protection program to be used to provide technical assistance under the conservation reserve program or under the wetlands reserve program; (2) the conservation reserve program to be used to provide technical assistance under the wetlands reserve program; and (3) the wetlands reserve program to be used to provide technical assistance under the conservation reserve program.

(Sec. 802) Prohibits the use of funds under this Act to: (1) make tobacco price support or tobacco quota payments; (2) provide agricultural credits or credit guarantees for commodities for use in Iraq in violation of specified credit restrictions under the Agricultural Trade Act of 1978; (3) pay food stamp program administrative costs for operations outside the United States; and (4) restrict to prescription use a contraceptive that has been determined to be safe and effective.

(Sec. 806) Prohibits funds available under this Act to the Department to be used to acquire new information technology systems or significant upgrades without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board.

## Actions Timeline

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- **Jul 22, 2004:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jul 21, 2004:** Papers returned from Senate
- **Jul 20, 2004:** Message received in Senate and held at desk: House requests return of papers with respect to H.R. 4766 pursuant to the provisions of H. Res. 719.
- **Jul 20, 2004:** Senate Committee on Appropriations discharged by Unanimous Consent.
- **Jul 20, 2004:** Senate Committee on Appropriations discharged by Unanimous Consent.
- **Jul 20, 2004:** Returned papers pursuant to the provisions of H. Res. 719.
- **Jul 15, 2004:** House requested return of papers pursuant to H. Res. 719.
- **Jul 14, 2004:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jul 13, 2004:** ORDER OF PROCEDURE - Mr. Hyde asked unanimous consent that, during consideration of H.R. 4766, pursuant to House Resolution 710, the amendment printed in House Report 108-591 may be offered at any time. Agreed to without objection.
- **Jul 13, 2004:** Considered as unfinished business. (consideration: CR H5552-5581; text of Title I as reported in House: CR H5552, H5554, H5558, H5560, H5567, H5569-5571; text of Title II as reported in House: CR H5571-5572; text of Title III as reported in House: CR H5572-5573, H5574-5575; text of Title IV as reported in House: CR H5575; text of Title V as reported in House: CR H5575-5576; text of Title VI as reported in House: CR H5576; text of Title VII as reported in House: CR H5576-5578)
- **Jul 13, 2004:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 13, 2004:** DEBATE - Pursuant to the provisions of House Resolution 710 the Committee of the Whole proceeded with 20 minutes of debate on the Hyde amendment, as modified.
- **Jul 13, 2004:** DEBATE - The Committee of the Whole proceeded with debate on the Bonilla amendment under the five minute rule.
- **Jul 13, 2004:** DEBATE - The Committee of the Whole proceeded with debate on the Baca amendment under the five-minute rule, pending reservation of a point of order.
- **Jul 13, 2004:** DEBATE - The Committee of the Whole proceeded with debate on the Kaptur amendment under the five-minute rule.
- **Jul 13, 2004:** DEBATE - The Committee of the Whole proceeded with debate on the Hooley amendment under the five-minute rule.
- **Jul 13, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hooley amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Hooley demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 13, 2004:** DEBATE - The Committee of the Whole proceeded with debate on the Weiner amendment under the five-minute rule, pending reservation of a point of order.
- **Jul 13, 2004:** DEBATE - The Committee of the Whole proceeded with debate on the Weiner amendment under the five-minute rule.
- **Jul 13, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Weiner amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Weiner demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 13, 2004:** DEBATE - Pursuant to a unanimous consent agreement, the Committee of the Whole proceeded with 20 minutes of debate on the Blumenauer amendment.
- **Jul 13, 2004:** Committee of the Whole House on the state of the Union rises leaving H.R. 4766 as unfinished business.
- **Jul 13, 2004:** ORDER OF PROCEDURE - (In the House) Mr. LaHood asked unanimous consent to limit the universe of available amendments to H.R. 4766 during further consideration with a list provided to the desk. Agreed to without objection.
- **Jul 13, 2004:** Considered as unfinished business. (consideration: CR H5574-5581)
- **Jul 13, 2004:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 13, 2004:** Mr. Davis, Tom raised a point of order against the content of the measure. Section 717 seeks to impose new duties and constitutes legislation in an appropriations bill. The Chair sustained the point of order.

- Jul 13, 2004:** Mr. Goodlatte raised a point of order against the content of the measure. Section 751 of the bill seeks to change existing law and constitutes legislation in appropriations bill. The Chair sustained the point of order.
- **Jul 13, 2004:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
  - **Jul 13, 2004:** Committee of the Whole House on the state of the Union rises leaving H.R. 4766 as unfinished business.
  - **Jul 13, 2004:** Considered as unfinished business. (consideration: CR H5581-5615)
  - **Jul 13, 2004:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
  - **Jul 13, 2004:** DEBATE - The Committee of the Whole proceeded with debate on the Lucas (OK) amendment under the five-minute rule.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Baca amendment.
  - **Jul 13, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Baca amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Baca demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Tancredo amendment.
  - **Jul 13, 2004:** DEBATE - At the conclusion of debate on the Tancredo amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Ms. Kaptur demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Chabot amendment.
  - **Jul 13, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Chabot amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Chabot demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 14 minutes of debate on the Sanders amendment.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 40 minutes of of debate on the Flake amendment, pending reservation of a point of order.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with twenty minutes of debate on the Kaptur amendment.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with ten minutes of debate on the Hinchey amendment.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with twenty minutes of debate on the Kaptur amendment.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with twenty minutes of debate on the Kaptur amendment.
  - **Jul 13, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Kaptur amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Kaptur demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with ten minutes of debate on the Tiahrt amendment.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with forty minutes of debate on the Maloney amendment.
  - **Jul 13, 2004:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with ten minutes of debate on the Obey amendment.
  - **Jul 13, 2004:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 4766.
  - **Jul 13, 2004:** The previous question was ordered pursuant to the rule.
  - **Jul 13, 2004:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.

- **Jul 13, 2004:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 389 - 31 (Roll no. 370).
- **Jul 13, 2004:** On passage Passed by the Yeas and Nays: 389 - 31 (Roll no. 370).
- **Jul 13, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 12, 2004:** Rule H. Res. 710 passed House.
- **Jul 12, 2004:** Considered under the provisions of rule H. Res. 710. (consideration: CR H5501-5515)
- **Jul 12, 2004:** Rule provides for consideration of H.R. 4766 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **Jul 12, 2004:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 710 and Rule XVIII.
- **Jul 12, 2004:** The Speaker designated the Honorable Charles F. Bass to act as Chairman of the Committee.
- **Jul 12, 2004:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 4766.
- **Jul 12, 2004:** Committee of the Whole House on the state of the Union rises leaving H.R. 4766 as unfinished business.
- **Jul 8, 2004:** Rules Committee Resolution H. Res. 710 Reported to House. Rule provides for consideration of H.R. 4766 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **Jul 7, 2004:** Introduced in House
- **Jul 7, 2004:** The House Committee on Appropriations reported an original measure, H. Rept. 108-584, by Mr. Bonilla.
- **Jul 7, 2004:** The House Committee on Appropriations reported an original measure, H. Rept. 108-584, by Mr. Bonilla.
- **Jul 7, 2004:** Placed on the Union Calendar, Calendar No. 350.