

HR 3161

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Agriculture and Food

Introduced: Jul 24, 2007

Current Status: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Cale

Latest Action: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 331. (Aug 3, 2007)

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Sponsor

Name: Rep. DeLauro, Rosa L. [D-CT-3]

Party: Democratic • **State:** CT • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jul 25, 2007

Subjects & Policy Tags

Policy Area:

Agriculture and Food

Related Bills

Bill	Relationship	Last Action
110 HRES 595	Related bill	Sep 6, 2007: Pursuant to the provisions of H. Res. 633, H. Res. 595 is laid on the table.
110 HRES 622	Related bill	Aug 4, 2007: Referred to the House Committee on Rules.
110 HRES 623	Related bill	Aug 4, 2007: On motion to table the measure Agreed to by the Yeas and Nays: 216 - 182 (Roll no. 833).
110 HRES 609	Related bill	Aug 3, 2007: WITHDRAWAL OF PRIVILEGED RESOLUTION - Mr. Hoyer asked unanimous consent that the privileged resolution be withdrawn. Agreed to without objection.
110 HRES 611	Related bill	Aug 3, 2007: Motion to reconsider laid on the table Agreed to without objection.
110 HRES 612	Related bill	Aug 3, 2007: On motion to table the measure Agreed to by the Yeas and Nays: 211 - 178, 12 Present (Roll no. 822). (text: CR H9695-9696)
110 HRES 599	Procedurally related	Aug 2, 2007: Motion to reconsider laid on the table Agreed to without objection.
110 HRES 581	Procedurally related	Jul 31, 2007: Motion to reconsider laid on the table Agreed to without objection.
110 S 1859	Related bill	Jul 24, 2007: Placed on Senate Legislative Calendar under General Orders. Calendar No. 282.

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 - **Title I: Agricultural Programs** - Appropriates FY2008 funds for the following Department of Agriculture (Department) programs and services: (1) Office of the Secretary of Agriculture (Secretary); (2) executive operations; (3) National Appeals Division; (4) Office of Budget and Program Analysis; (5) Homeland Security Staff; (6) Office of the Chief Information Officer; (7) Office of the Chief Financial Officer; (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 Community Advancement Program; (3) rural development salaries and expenses; (4) Rural Housing Service; (5) Rural Business-Cooperative Service; and (6) 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) Agricultural Trade Development and Assistance Act of 1954 (P.L. 480) program account, title I ocean freight differential grants, and title II grants; (3) Commodity Credit Corporation export loans program account; and (4) McGovern-Dole international food for education and child nutrition program grants.

Title VI: Related Agencies and Food and Drug Administration - Appropriates funds for the following: (1) Food and Drug Administration (FDA); (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. 706) Prohibits funds under this Act from being used 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 20% of total federal funds provided under each award.

(Sec. 709) Prohibits the use of funds under this Act for the Safe Meat and Poultry Inspection Panel.

(Sec. 715) Prohibits funds from being used to relocate a state Rural Development office until cost and operation

effectiveness have been determined.

(Sec. 716) Authorizes the Secretary to use up to 22% of competitive research funds under this Act for a competitive grants program similar to the initiative for future agriculture and food systems.

(Sec. 717) Limits funds for the environmental quality incentives program.

(Sec. 718) Limits funds made available in FY2008 or preceding fiscal years under P.L. 480 to reimburse the Commodity Credit Corporation (CCC) for the release of certain commodities under the Bill Emerson Humanitarian Trust Act.

(Sec. 719) Prohibits fund use for CCC-funded rehabilitation of certain dams.

(Sec. 720) States that specified amounts of funds derived from interest under the cushion of credit program (section 313 of the Rural Electrification Act of 1936): (1) shall not be obligated; and (2) are rescinded.

(Sec. 721) Prohibits funds under this Act from being used 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.

(Sec. 722) Requires that funds made available in the current fiscal year be used to cover only obligations made in such fiscal year for the following Food Security Act of 1985 programs: (1) ground and surface water conservation program; (2) conservation reserve program; (3) wetlands reserve program; (4) conservation security program; (5) farmland protection program; (6) grassland reserve program; (7) environmental quality incentives program; and (8) wildlife habitat incentives program.

Requires that funds made available in FY2004-FY2008 for federal crop insurance education and management assistance under the Federal Crop Insurance Act be used to cover only obligations made in such fiscal years, except that FY2008 funds shall be available for new obligations.

Limits fund use for such assistance.

(Sec. 723) Prohibits funds under this Act from being used to require rural status recertification for rural electrification and telecommunication loan program borrowers.

(Sec. 724) Prohibits fund use under this Act by any executive branch entity to produce a prepackaged news story for U.S. broadcast or distribution unless it contains audio or text notice that it was produced or funded by such executive entity.

(Sec. 725) Appropriates additional funds for specialty crop block grants, of which up to 5% may be used for administrative expenses.

(Sec. 726) Prohibits funds under this Act from being used to prevent a person not in the prescription drug importing business, a wholesaler, or a pharmacist from importing complying prescription drugs.

(Sec. 727) Prohibits, without specific congressional authorization, funds under this Act from being used to study or enter into a contract with a private party for competitive sourcing activities relating to rural development or farm loan programs.

(Sec. 728) Rescinds specified amounts of unobligated balances and amounts available under the Act of August 24, 1935 to encourage exportation and domestic consumption of agricultural products.

(Sec. 729) Prohibits funds under this Act from being used to: (1) grant a waiver of a financial conflict of interest

requirement under the Federal Food, Drug, and Cosmetic Act for any voting member of an FDA advisory committee or panel; or (2) make a certification that the need for an individual's services outweighs the potential for a conflict of interest for any such voting member.

(Sec. 730) Sets forth funding allocations for the expanded food nutrition and education program.

(Sec. 731) Prohibits funds under this Act from being used to allow the U.S. importation of poultry products from the People's Republic of China (PRC).

(Sec. 732) Rescinds specified amounts of unobligated balances in the high energy cost grant program.

(Sec. 733) Prohibits funds under this Act from being used to implement the risk-based inspection program until specified issues are resolved.

(Sec. 734) Limits fund use under the Federal Crop Insurance Act for: (1) program compliance, including the data mining project; and (2) the common information management system.

(Sec. 735) Directs the Secretary to continue the water and waste systems direct loan program under the authority and conditions provided by the Continuing Appropriations Resolution, 2007.

(Sec. 736) Amends the Richard B. Russell National School Lunch Act to revise summer food service programs for children in service institutions provisions.

(Sec. 737) Appropriates funds to remain available until September 30, 2009, for a fresh fruit and vegetables in school program in states not currently served by such program.

(Sec. 738) Prohibits funds under this Act from being used to inspect horses for slaughter purposes.

(Sec. 739) Rescinds a specified amount of unobligated funds from the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) reserve account.

(Sec. 740) Appropriates additional amounts for the Bill Emerson and Mickey Leland Hunger Fellowships.

(Sec. 741) Rescinds a specified amount from non-mandatory funds transferred to the Department of Homeland Security (DHS) upon its establishment.

(Sec. 742) Repeals, effective as of May 25, 2007, section 9012 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28). (Such section requires forage producers, in order to receive crop disaster and livestock assistance compensation for a crop year under title IX [Agricultural Assistance] of such Act, to have participated in the crop insurance pilot program or the Non-Insured Crop Disaster Assistance Program during the crop year for which such assistance compensation is received.)

(Sec. 743) Includes West Virginia in the program for at-risk children.

(Sec. 744) Makes unexpended commodity assistance program funds available for: (1) the commodity supplemental food program; and (2) the emergency food assistance program.

(Sec. 745) Considers until receipt of the 2010 Census: (1) Alamo, Texas, Mercedes, Texas, Weslaco, Texas, Donna, Texas, and La Feria, Texas (including individuals and entities with projects within the cities) eligible for rural business and

cooperative development loans and grants; (2) Bainbridge Island, Washington, and Havelock, North Carolina, (including individuals and entities with projects within the cities) eligible for rural community program loans and grants; (3) Freeport, Illinois, Kitsap County (except the City of Bremerton), Washington Atascadero, California, and Paso Robles, California, (including individuals and entities with projects within the cities) eligible for loans and grants funded through the rural housing insurance fund program account and the rural housing assistance grants account; and (4) Canton, Mississippi, (including individuals and entities with projects within the city) eligible for rural utilities program loans and grants.

(Sec. 746) Prohibits funds under this Act for the FDA from being used to authorize health claims for conventional foods.

(Sec. 747) Prohibits funds under this Act from being used to contract with an entity that does not participate in the pilot program for employment eligibility confirmation.

(Sec. 748) Prohibits funds under this Act from being used for the Canaan Valley Institute in Thomas, West Virginia.

(Sec. 749) Prohibits funds under this Act from being used to terminate or consolidate any of the FDA's 13 field laboratories or 20 District Offices (or any of the inspection or compliance functions of such District Offices) functioning as of January 1, 2007.

(Sec. 750) Prohibits funds under this Act from being used to purchase light bulbs that do not have the "ENERGY STAR" or "Federal Energy Management Program" designation.

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Actions Timeline

- **Aug 3, 2007:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 331.
- **Aug 2, 2007:** Rule H. Res. 599 passed House.
- **Aug 2, 2007:** Considered as unfinished business. (consideration: CR H9606-9639)
- **Aug 2, 2007:** Ms. DeLauro moved that the Committee rise.
- **Aug 2, 2007:** On motion that the Committee rise Agreed to by voice vote.
- **Aug 2, 2007:** Committee of the Whole House on the state of the Union rises leaving H.R. 3161 as unfinished business.
- **Aug 2, 2007:** Considered as unfinished business. (consideration: CR 8/3/2007 H9641-9652)
- **Aug 2, 2007:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Aug 2, 2007:** DEBATE - Pursuant to the provisions of H. Res. 599, the Committee of the Whole proceeded with 10 minutes of debate on the Sessions amendment.
- **Aug 2, 2007:** DEBATE - Pursuant to the provisions of H. Res. 599, the Committee of the Whole proceeded with 10 minutes of debate on the Hensarling amendment.
- **Aug 2, 2007:** DEBATE - Pursuant to the provisions of H. Res. 599, the Committee of the Whole proceeded with 10 minutes of debate on the Hensarling amendment.
- **Aug 2, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hensarling amendment the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Hensarling demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Aug 2, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Kingston amendment the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Kingston demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Aug 2, 2007:** DEBATE - Pursuant to the provisions of H. Res. 599, the Committee of the Whole proceeded with 10 minutes of debate on the Kingston amendment.
- **Aug 2, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Sessions amendment the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Sessions demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Aug 2, 2007:** DEBATE - Pursuant to the provisions of H. Res. 599, the Committee of the Whole proceeded with 10 minutes of debate on the Jordan amendment.
- **Aug 2, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Jordan amendment the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Jordan demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Aug 2, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Flake amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Flake demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Aug 2, 2007:** DEBATE - Pursuant to the provisions of H. Res. 599, the Committee of the Whole proceeded with 10 minutes of debate on the Flake amendment.
- **Aug 2, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Flake amendment the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Flake demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Aug 2, 2007:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3161.
- **Aug 2, 2007:** The previous question was ordered pursuant to the rule. (consideration: CR 8/3/2007 H9649)
- **Aug 2, 2007:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Aug 2, 2007:** Mr. Lewis (CA) moved to recommit with instructions to Appropriations. (consideration: CR 8/3/2007 H9649; text: CR H9649)
- **Aug 2, 2007:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Lewis(CA) motion to

recommit with instructions. The instructions contained in the motion seek to report the same back to the House promptly with an amendment that prohibits any funds in the Act(including grant funds) from being used to employ an alien who is not authorized to be employed in the United States and prohibit any funds in the Act for rental housing assistance programs to provide assistance to an alien not authorized to receive such assistance pursuant to 213A of the Immigration and Nationality Act.

- **Aug 2, 2007:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR 8/3/2007 H9650)
- **Aug 2, 2007:** On motion to recommit with instructions Failed by the Yeas and Nays: 212 - 216 (Roll No. 814). (consideration: CR 8/3/2007 H9650)
- **Aug 2, 2007:** Mr. Hoyer moved to reconsider the vote.
- **Aug 2, 2007:** On motion to reconsider the vote Agreed to by the Yeas and Nays: 238 - 12, 55 Present (Roll no. 815).
- **Aug 2, 2007:** On motion to recommit with instructions Failed by voice vote. (consideration: CR 8/3/2007 H9651-9652)
- **Aug 2, 2007:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 237 - 18, 13 Present (Roll no. 816).
- **Aug 2, 2007:** On passage Passed by the Yeas and Nays: 237 - 18, 13 Present (Roll no. 816).
- **Aug 2, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Aug 1, 2007:** Rules Committee Resolution H. Res. 599 Reported to House. Rule provides for consideration of H.R. 3161 with 30 minutes 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. Specified amendments are in order. The rule provides that the amendments printed in part A of the Rules Committee report shall be considered as adopted in the House and in the Committee of the Whole. No further amendment shall be in order except those printed in part B of the Rules Committee report.
- **Jul 31, 2007:** Rule H. Res. 581 passed House.
- **Jul 31, 2007:** Considered under the provisions of rule H. Res. 581. (consideration: CR H9231-9251, CR 8/1/2007 H9253-9268; text of Title I as reported in House: CR H9248, CR 8/02/2007 H9606-9609; text of Title II as reported in House: CR 8/02/2007 H9609-9610; text of Title III as reported in House: CR 8/02/2007 H9610-9612; text of Title IV as reported in House: CR 8/02/2007 H9612; text of Title V as reported in House: CR 8/02/2007 H9612-9613; text of Title VI as reported in House: CR 8/02/2007 H9613; text of Title VII as reported in House: CR 8/02/2007 H9613-9615)
- **Jul 31, 2007:** Rule provides for consideration of H.R. 3161 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 31, 2007:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 581 and Rule XVIII.
- **Jul 31, 2007:** The Speaker designated the Honorable Xavier Becerra to act as Chairman of the Committee.
- **Jul 31, 2007:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3161.
- **Jul 31, 2007:** DEBATE - The Committee of the Whole proceeded with debate on the Gingrey amendment under the five-minute rule.
- **Jul 31, 2007:** Mr. Price (GA) moved that the Committee rise.
- **Jul 31, 2007:** Floor summary: POSTPONED PROCEEDINGS - The Chair put the question on the adoption of the motion to rise and by voice vote announced that the noes had prevailed. Mr. Price (GA) demanded a recorded vote and pending that made a point of no quorum. The Chair announced that a quorum was not present and ordered a call in Committee.
- **Jul 31, 2007:** On motion that the Committee rise Failed by recorded vote: 172 - 231 (Roll no. 776).
- **Jul 31, 2007:** DEBATE - The Committee of the Whole resumed debate on the Gingrey amendment under the five-minute rule.
- **Jul 31, 2007:** Mr. Jackson (IL) raised a point of order. A member was engaging in irrelevant debate. The Chair sustained the point of order.
- **Jul 31, 2007:** Mr. Shadegg appealed the ruling of the Chair. The question was then put on sustaining the ruling of the Chair. Mr. Shadegg demanded a recorded vote.
- **Jul 31, 2007:** On sustaining the ruling of the Chair. Agreed to by recorded vote: 220 - 178 (Roll no. 777).
- **Jul 31, 2007:** Mr. Hoyer moved that the committee rise.
- **Jul 31, 2007:** On motion that the committee rise Agreed to by recorded vote: 235 - 153 (Roll no. 778).
- **Jul 31, 2007:** Committee of the Whole House on the state of the Union rises leaving H.R. 3161 as unfinished business.

Jul 27, 2007: Rules Committee Resolution H. Res. 581 Reported to House. Rule provides for consideration of H.R. 3161 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 24, 2007:** Introduced in House
- **Jul 24, 2007:** Referred to the House Committee on Appropriations.
- **Jul 24, 2007:** The House Committee on Appropriations reported an original measure, H. Rept. 110-258, by Ms. DeLauro.
- **Jul 24, 2007:** Placed on the Union Calendar, Calendar No. 166.