

state assessments have been collected under a Memorandum of Understanding between the USDA and state commodity commissions.

Recently, wheat growers in Washington and California voted to increase their support of commodity activities through an assessment increase. USDA has claimed that it lacks the statutory authority to honor a Memorandum of Understanding if the assessment rate is changed. This decision has the potential to cause serious impact to state commissions and disadvantage to growers that depend on their work. The use of funds is very important during times of low prices and oversupply, when the need for expanding markets increases.

This legislation introduced by my friend and colleague from Washington, Mr. NETHERCUTT and myself will authorize the USDA to continue to collect state commodity assessments in the event of forfeiture of a commodity to the federal government.

I urge my colleagues to support this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HAYES) that the House suspend the rules and pass the bill, H.R. 4620, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to confirm the authority of the Secretary of Agriculture to collect approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAYES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4620.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PROVIDING FOR NATIONAL PLAN FOR CONTROL AND MANAGEMENT OF SUDDEN OAK DEATH

Mr. HAYES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4569) to provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen *Phytophthora ramorum*, and for other purposes.

The Clerk read as follows:

H.R. 4569

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL PLAN FOR CONTROL AND MANAGEMENT OF SUDDEN OAK DEATH.

(a) DEVELOPMENT OF NATIONAL PLAN.—Subject to the availability of appropriated funds

for this purpose, the Secretary of Agriculture, acting through the Animal Plant and Health Inspection Service, shall develop a national plan for the control and management of Sudden Oak Death, a forest disease caused by the fungus-like pathogen *Phytophthora ramorum*.

(b) PLAN ELEMENTS.—In developing the plan, the Secretary shall specifically address the following:

(1) Information derived by the Department of Agriculture from ongoing efforts to identify hosts of *Phytophthora ramorum* and survey the extent to which Sudden Oak Death exists in the United States.

(2) Past and current efforts to understand the risk posed by *Phytophthora ramorum* and the results of control and management efforts regarding Sudden Oak Death, including efforts related to research, control, quarantine, and hazardous fuel reduction.

(3) Such future efforts as the Secretary considers necessary to control and manage Sudden Oak Death, including cost estimates for the implementation of such efforts.

(c) CONSULTATION.—The Secretary shall develop the plan in consultation with other Federal agencies that have appropriate expertise regarding the control and management of Sudden Oak Death.

(d) IMPLEMENTATION OF PLAN.—The Secretary shall complete the plan and commence implementation as soon as practicable after the date on which funds are first appropriated pursuant to the authorization of appropriations in subsection (e) to carry out this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HAYES) and the gentleman from Iowa (Mr. BOSWELL) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I yield myself such time as I may consume.

Since Sudden Oak Death syndrome was first detected in California in 1995, the disease has killed tens of thousands of oaks and tanoaks in 12 coastal California counties and affected shrubs and trees in small areas of Curry County, Oregon, and King County, Washington. In addition, isolated cases of the European mating type of SOD have been found in Washington, Oregon, and British Columbia.

Sixty plant species are known to be hosts or associated hosts of the pathogen responsible. There are no chemical treatments currently available to eliminate the disease in nursery stock.

□ 1730

Following confirmation of a discovery of the SOD pathogen in March at Monrovia Nurseries in Los Angeles County, California, USDA's APHIS plant protection and quarantine staff have been working with other Federal and State authorities to address the situation. APHIS mobilized its rapid response teams, and the California Department of Food and Agriculture placed hold orders on all shipments of host plant materials from confirmed positive facilities. Likewise, the Forest Service is coordinating with APHIS,

spending \$1.3 million this fiscal year to monitor areas near confirmed infestations to see if the pathogen is spreading from nurseries to forests.

Despite the efforts of USDA and State agriculture departments, by the end of April, positive cases had been confirmed in nurseries from at least 10 States. As of September 29, 2004, the total number of confirmed positive locales from the trace forward, national and other survey finds was 160 in 21 States, including Alabama, three; Arkansas, one; Arizona, one; California, 53; Colorado, one; Florida, six; Georgia, 18; Louisiana, five; Maryland, two; North Carolina, nine; and so on.

I am concerned about the potentially devastating impact of SOD on eastern hardwood forests and support all efforts at improving planning and coordination of our control and management programs. The legislation introduced by the gentleman from Georgia (Mr. BURNS) and 19 other Members is an attempt to refocus efforts at controlling and managing outbreaks of SOD. In particular, the bill authorizes appropriations for development of a national strategy for sudden oak death syndrome.

I would urge all Members to support the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BOSWELL. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 4569, a bill to provide for the development of a national plan for control of sudden oak death, a disease that has threatened oak stands in California but is now potentially a threat to trees in other parts of the country. While we work to contain this disease, it is important that the necessary commerce in oak nursery stock be permitted to continue within reasonable bounds. This bill should help advance both of these important goals.

Our success in this matter is important to all Americans. Whether you are in the forest land business or just enjoy the shade of a majestic oak gracing your lawn, we all have an interest in this important issue. I want to commend my colleagues from Georgia (Mr. BURNS) and (Mr. SCOTT) in particular, for their work in bringing this legislation before us today. I encourage all Members to vote for the passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HAYES. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. BURNS) who has been very active in this matter from the beginning.

Mr. BURNS. Mr. Speaker, I thank the gentleman for yielding me this time. I thank the chairman and the ranking member of the Committee on Agriculture for moving this rapidly through the committee and to the floor of the House.