To exempt from sequestration certain fees of the Food and Drug
Administration.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2013

Mr. Pryor (for himself, Mr. Blunt, Mr. Franken, Mr. Moran, and Mr.
Coats) introduced the following bill; which was read twice and referred
to the Committee on the Budget

A BILL

To exempt from sequestration certain fees of the Food and
Drug Administration.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “FDA User Fee Protec-
tion Act”.

SEC. 2. EXEMPTING FROM SEQUESTRATION CERTAIN USER
FEES OF FOOD AND DRUG ADMINISTRATION.

The Balanced Budget and Emergency Deficit Control
Act of 1985 is amended—
(1) in section 255(g)(1)(A) (2 U.S.C. 905(g)(1)(A))—

(A) by inserting after “Financial Agent Services” the following new item:

“Food and Drug Administration, Salaries and Expenses, but only the portion of appropriations under such account corresponding to fees collected under the Federal Food, Drug, and Cosmetic Act and section 354(r)(1) of the Public Health Service Act (75–9911–0–1–554).”; and

(B) by inserting after “Reimbursement to Federal Reserve Banks” the following new item:

“Revolving Fund for Certification and Other Services (75–4309–0–3–554).”; and

(2) in section 256(h)(4) (2 U.S.C. 906(h)(4)), by adding at the end the following new subparagraph:

“(G) The portion of administrative expenses incurred by the Food and Drug Administration that are funded through fees collected under the Federal Food, Drug, and Cosmetic
Act and section 354(r)(1) of the Public Health Service Act.”.