

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG
ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2021

JULY 13, 2020.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. BISHOP, from the Committee on Appropriations,
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 7610]

The Committee on Appropriations submits the following report in
explanation of the accompanying bill making appropriations for Ag-
riculture, Rural Development, Food and Drug Administration, and
Related Agencies for fiscal year 2021.

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OVERVIEW

The Agriculture, Rural Development, Food and Drug Administra-
tion, and Related Agencies Subcommittee has jurisdiction over the
U.S. Department of Agriculture (USDA) except for the Forest Serv-
ice, the Food and Drug Administration (FDA), the Commodity Fu-
tures Trading Commission (CFTC), and the Farm Credit Adminis-
tration (FCA). The Subcommittee’s responsibility covers issues that
impact Americans every day of the year.

The fiscal year 2021 discretionary spending in this bill totals \$23,980,000,000 which is \$487,000,000 above the fiscal year 2020 enacted level and \$4,107,803,000 above the President's budget request for fiscal year 2021.

In this report, "the Committees" refers to the Committees on Appropriations of the House of Representatives and the Senate.

Prior to the suspension of congressional activities due to the COVID-19 pandemic, the Subcommittee held six hearings related to the agencies it funds. Those hearings were:

1. USDA Inspector General—February 11, 2020
2. Farm Credit Administration—February 12, 2020
3. HHS Inspector General—February 27, 2020
4. Member Day—March 3, 2020
5. USDA FY 2021 Budget Request—March 10, 2020
6. Food and Drug Administration FY 2021 Budget Request—March 11, 2020.

Advertising expenditures.—The Committee understands that, as the largest advertiser in the United States, the federal government should work to ensure fair access to its advertising contracts for small disadvantaged businesses and businesses owned by minorities and women. The Committee directs each department and agency to include the following information in its fiscal year 2022 budget justification: expenditures for fiscal year 2020 and expected expenditures for fiscal years 2021 and 2022, for (1) all contracts for advertising services; and (2) contracts for the advertising services of (a) socially and economically disadvantaged small businesses concerns (as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637 (a)(4)); and (b) women- and minority-owned businesses.

Federal Law Enforcement.—The Committee notes that the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2021 directs the Attorney General to establish a training program to cover the use of force and de-escalation, racial profiling, implicit bias, and procedural justice, to include training on the duty of Federal law enforcement officers to intervene in cases where another law enforcement officer is using excessive force, and make such training a requirement for Federal law enforcement officers. The Committee further notes that several agencies funded by this Act employ Federal law enforcement officers and are Federal Law Enforcement Training Centers partner organizations. The Committee directs such agencies to adopt and follow the training program established by the Attorney General, and to make such training a requirement for its Federal law enforcement officers. The Committee further directs such agencies to brief the Committees on their efforts relating to training no later than 90 days after the Attorney General has established such a training program.

In addition, the Committee directs such agencies, to the extent that they have not already done so, to submit their use of force data to the Federal Bureau of Investigation (FBI)'s National Use of Force Data Collection database. The Committee further directs such agencies to brief the Committees no later than 90 days after enactment of this Act on their current efforts to tabulate and submit its use of force data to the FBI.

Performance Measures.—The Committee directs USDA and FDA to comply with title 31 of the United States Code, including the development of their organizational priority goals and outcomes such

as performance outcome measures, output measures, efficiency measures, and customer service measures. The Committee looks forward to receiving a briefing from these agencies on the implementation plan for measures within 60 days of enactment of this Act.

TITLE I
AGRICULTURAL PROGRAMS
PROCESSING, RESEARCH AND MARKETING
OFFICE OF THE SECRETARY
(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$46,139,000
2021 budget estimate	47,836,000
Provided in the bill	47,638,000
Comparison:	
2020 appropriation	+1,499,000
2021 budget estimate	-198,000

The following table reflects the amount provided by the Committee for each office and activity:

(Dollars in thousands)

	FY 2020 enacted	FY 2021 estimate	Committee provision
Office of the Secretary	5,051	5,143	5,118
Office of Homeland Security	1,496	1,336	1,329
Office of Partnerships and Public Engagement	6,211	1,957	6,508
Office of the Assistant Secretary for Administration	875	887	883
Departmental Administration	21,376	27,161	22,509
Office of the Assistant Secretary for Congressional Relations and Intergovernmental Affairs	3,869	3,941	3,921
Office of Communications	7,261	7,411	7,370
Total, Office of the Secretary	46,139	47,836	47,638

COMMITTEE PROVISIONS

For the Office of the Secretary, the Committee provides an appropriation of \$47,638,000.

The Committee provides an increase of \$1,000,000 for Departmental Administration (DA) to proactively address hiring challenges facing USDA agencies. The Committee remains concerned about staffing shortages impacting effective program delivery and urges DA to make efficient hiring processes a priority.

The Committee provides \$6,508,000 for the Office of Partnerships and Public Engagement (OPPE) and rejects the reductions proposed in the budget request. The Committee strongly supports the Outreach and Assistance for Socially Disadvantaged Farmers and Veterans program and restores the funding provided in fiscal year 2020 for grants. In addition, the bill provides \$5,000,000 for the Farming Opportunities Training and Outreach Program as authorized by the 2018 Farm Bill. This funding is in addition to the \$35,000,000 in total mandatory funds available in 2021. OPPE is directed to use not more than five percent of this sum for administrative costs. The Committee provides a total of \$1,000,000 for the Office of Tribal Relations.

The Committee notes that the fiscal year 2021 budget requested funding in excess of \$60,000,000 for activities in various offices in Executive Operations that are already underway and being funded outside of annual appropriations bills. The bill does not fund those activities because the budget justification did not provide sufficient reason to do so.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) provided \$9,500,000,000 to the Office of the Secretary for assistance to agricultural producers impacted by the coronavirus health emergency.

Asian American, Native Hawaiian, and Pacific Islander Farmers.—The Committee is interested in the actions the USDA has taken to recruit and outreach to Asian American, Native Hawaiian, and Pacific Islander farmers. Within 120 days of the enactment of this Act, the Committee directs the USDA to provide a report on its outreach and recruitment activities, and a list of available required resources in additional Asian American and Pacific Islander languages.

CCC Report.—The Committee directs the Secretary to provide a report on November 15, 2020, and May 18, 2021, on planned uses of funding under the authorities of Section 4 and Section 11 of the CCC Charter Act.

Commodity Credit Corporation (CCC) Obligations and Commitments.—The Secretary is directed to notify the Committees in writing 15 days prior to any announcement on the use of funds from the CCC or to the obligation or commitment of any emergency funds from the CCC.

Communication from USDA.—A collaborative working relationship between the Committee and USDA is necessary to ensure efficient and effective implementation of Congress’ funding decisions. USDA is directed to ensure that the Committee is notified of major changes to existing policies and any significant developments in its operations, before providing non-governmental stakeholders such information, before making the changes public and before implementing them.

COVID–19 and Agricultural Farmworker.—The Committee recognizes the risks posed by the COVID–19 pandemic to our nation’s essential farm workforce as they continue to ensure the availability of the food supply. As such, the Department is encouraged to prioritize COVID–19 related financial assistance to employers of farmworkers who comply with CDC requirements for employers to plan and respond to COVID–19, such as ensuring adequate social distancing and sanitation.

Customer Service.—The Committee continues to support efforts to improve customer service in accordance with Executive Order 13571—Streamlining Service Delivery and Improving Customer Service. The Committee directs the Secretary to develop standards to improve customer service and incorporate the standards into the performance plans required under 31 U.S.C. 1115. The Department is further directed to brief the Committee, within 60 days of the passage of this Act, on its efforts in this regard.

Diet-related Chronic Diseases.—The Committee is aware that the Government Accountability Office (GAO) is currently working on a review of the prevalence, direct medical costs, and mortality of selected diet-related chronic diseases; what federal agency diet-re-

lated efforts aim to reduce Americans' risk of diet-related chronic disease; and the extent to which federal agencies effectively collaborate on these efforts. The Committee is very concerned about these issues as well, particularly the potential fragmentation among these programs, and looks forward to GAO's findings in its upcoming report. The Committee directs the Secretary of Agriculture and the Commissioner of the Food and Drug Administration, working with the other members of the Interagency Committee on Human Nutrition Research (ICHNR), to convene a meeting within 30 days of the release of the GAO report to address any shortcomings identified by GAO in how the various federal agencies and departments currently collaborate and utilize federal resources to reduce and eliminate diet-related chronic disease. Lastly, the Committee directs the USDA and FDA to provide a joint briefing to the Committees on the corresponding strategic plan within 60 days of the release of the GAO report.

Disclosures Under the Agricultural Foreign Investment Disclosure Act.—The Committee recognizes the national security risk posed by foreign investment in domestic agricultural land. For this reason, the Committee urges USDA to prioritize the tracking and reporting of foreign investment in agricultural land and verifying the accuracy of filings made by foreign investors who acquire, transfer or hold an interest in U.S. agricultural land.

Emissions Reduction Plan.—The Committee recognizes the urgent necessity of reducing greenhouse gas emissions in order to mitigate the impacts of global climate change and the important role the agriculture sector can play in that effort. The Committee encourages USDA to consider climate impacts and emissions reductions centrally in its activities and directs USDA to provide not later than 180 days after the enactment of this Act a report outlining its plans to reduce greenhouse gas emissions.

ERS/NIFA Move.—It has been almost exactly two years since the Secretary announced the decision to relocate ERS and NIFA outside of the greater Washington, D.C. area. Despite objections from the Committee, members of the House and Senate, numerous current and former staff of both agencies, and stakeholders who depend on the information and support provided by each agency, the Department relocated both agencies, starting in the summer of 2019. The Committee reiterates its frustration at the repeated difficulties it experiences in getting basic information about the move from the Department. One of the stated reasons for the move was to improve the Department's ability to attract and retain highly qualified staff. At the time of the relocation announcement, both ERS and NIFA *each* had close to 300 employees. Today, the total number of employees for each agency is below 150. ERS and NIFA are shells of their former selves and the loss of institutional knowledge each agency has suffered will take years to overcome. The Committee requests the National Academies of Sciences, Engineering, and Medicine to conduct symposia to elucidate the effects of the relocation of each agency. The symposium on ERS shall include an examination of the policy-oriented work conducted by ERS both before and after the relocation and identify any gaps in output that might adversely affect the quality and quantity of data and analysis available to the agency's stakeholders. The symposium on NIFA shall include a discussion of the grants management, time to

completion of grants processing and issuance of letters of funding, and panel review processes and associated costs of the agency both before and after the relocation and documentation of delays that have occurred post-relocation. The Committee expects the symposia to clarify the consequences of relocation on the capacity of the agencies to deliver their programs and to explore remedial actions that could be taken to address any deficiencies that arise from the relocation and from attendant disruptions to agency functions and personnel.

Explanatory Notes.—The Committee appreciates receiving the detailed information provided in the Explanatory Notes prepared by the Department and relies heavily on this information when considering budget proposals. Without consultation with or approval from the Committee, the Department changed the format of these materials for the fiscal year 2021 budget request. For fiscal year 2022 and future years, the Department is directed to present Explanatory Notes in a format consistent with the presentation used for the fiscal year 2020 Budget, with similar display and narrative and table contents. The Explanatory Notes should also put the accounts in the same order as the accounts in the bill. Any deviations from that format are to be approved in advance by the Committee.

The justifications for the fiscal year 2021 budget request are also insufficient. Much of the justification materials is a restatement of the proposed changes and not an explanation or rationale to justify the changes. The Committee cannot support proposals in the budget submission that include significant changes with no justification and basis. The Committee strongly encourages the Department to improve the quality of its budget justifications.

Goodfellow Federal Center.—The Committee provides a total of \$38,700,000 to start relocating USDA employees from the Goodfellow Federal Center in St. Louis, MO. Due to the potential environmental hazards at the complex identified in the April 2019 GSA Inspector General report, USDA has made provisions to move its employees from the facility. The Committee understands that USDA is working with GSA to obtain relief for buildout and relocation expenses, including furniture and equipment costs, for USDA occupants compelled to leave the facility for the continued health, safety, and welfare of its employees. The Committee directs USDA to continue working with GSA to help offset future relocation costs and to report regularly on this effort. The Committee awaits this information and further progress on the search for appropriate facilities before appropriating additional funds.

Grain Terminals.—The Committee notes the ongoing contract negotiations between West Coast grain terminal operators and the International Longshore and Warehouse Union and recognizes the importance of reaching an agreement that works for both parties. A failure to reach an agreement could result in an interruption in grain terminal service that would negatively impact the nation's grain exports. The Committee urges all parties to continue negotiating in good faith to ensure an equitable outcome for both grain terminal operators and their workers is expeditiously reached.

Hemp.—The Committee is aware of the difficulty farmers face in trying to control the legal tetrahydrocannabinol (THC) content of their hemp. The Committee recognizes that these challenges are exacerbated by lack of information, best practices, and tools to con-

trol the hemp content of THC. The Committee directs USDA to report to Congress on the number of acres of hemp, by state that have been required to be destroyed because the crop exceeds the limit 0.3 percent THC content; the number of producers, by state, who are found to have a negligent violation of the 0.3 percent limit; and the total number, by state, of producers whose hemp has been tested for THC.

Loan and Grant Programs.—The Committee directs that if an estimate of loan activity for any program funded in Titles II and III of this bill indicates that a limitation on authority to make commitments for a fiscal year will be reached before the end of that fiscal year, or in any event when 75 percent of the authority to make commitments has been utilized, the Secretary shall promptly notify the Committees through OBPA. The Committee directs the Department, through OBPA, to provide quarterly reports to the Committees on the status of obligations and funds availability for the loan and grant programs provided in this bill.

Lobsters.—The Committee is aware of the President’s memorandum on protecting the United States lobster industry, which is suffering from trade disruptions and the impact of COVID-19. The Committee directs the Secretary to review the memorandum and prioritize appropriate assistance to the lobster industry.

National Finance Center.—The National Finance Center (NFC) is the largest designated Federal Government Payroll Shared Service Provider and it provides integrated payroll and personnel services for over 640,000 Federal employees. To ensure that thousands of Federal employees’ pay and human resources services are not interrupted or adversely impacted by major organizational changes, the Committee has modified requirements under current law relating to NFC payroll and shared services operations, missions, personnel, and functions. The Committee also directs the USDA to provide quarterly reports on full-time equivalent (FTE) levels for each of the current NFC divisions, operations, and functions, as well as each of the Office of the Chief Financial Officer (OCFO) and Office of the Chief Information Officer (OCIO) divisions, operations, and functions currently co-located with the NFC. The reports also are to include a detailed breakdown of the FTEs for each and any of these same divisions, functions, or operations for the NFC and the co-located OCFO and OCIO functions compared to those during FY 2017 and 2018.

Native Plant Use Preference.—The Committee continues to support the use of locally adapted native plant materials in the undertaking of land management activity on Federal lands under the jurisdiction of the Department of Agriculture, including in maintenance and in restoration in response to degradation caused by human activity or natural events (such as fire, flood, or infestation). The Committee directs that it be the policy of the USDA that preference shall be made, to the extent practicable, for the use of locally adapted native plant materials in these cases.

New Initiatives.—The Committee is concerned about the Department’s tardiness in implementing new initiatives funded in the annual appropriations Acts. No later than 60 days after enactment, the Department is requested to submit an execution strategy for each new initiative funded in this Act. This strategy should include, but is not limited to, the steps necessary to make funding

available, the timeline thereof, targeted beneficiaries, and expected results. The Committee requests quarterly reports on these initiatives until the initiative has been fully implemented.

Notification Requirements.—The Committee reminds the Department that the Committee uses the definitions for transfer, reprogramming, and program, project, and activity as defined by the Government Accountability Office (GAO). As noted in the 2020 Joint Explanatory Statement, a program, project, or activity (PPA) is an element within a budget account. PPAs are identified by reference to include the most specific level of budget items identified in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Act, 2020, accompanying Committee reports, explanatory statements, and budget justifications. The Committee notes that the most specific level of budget items in the USDA budget justifications is not limited to tables titled “Project Statement”.

One Health Initiative.—USDA has partnered with the U.S. Fish and Wildlife Service, the Food and Drug Administration, the Centers for Disease Control and Prevention, the National Institutes of Health and the Environmental Protection Agency to leverage its resources to address health risks to human and animals. The Committee requests a briefing on what USDA is currently doing with respect to this initiative.

Pay Costs.—The Committee provides the requested pay cost and FERS costs for all offices and agencies of USDA funded in this bill.

Performance Management.—The Committee is aware of the Department’s intention to transition from a five-tier performance rating system to a two-tier system in the coming months. The Committee is concerned about the short comment period provided for such a potentially significant shift in policy. Prior to finalizing any change to performance management policy, the Committee directs the Department to survey employees and to reopen the comment period to seek additional comments from the public. The Department is further directed to brief the Committee within 30 days after the end of the comment period. The briefing shall include, but not be limited to, results of the employee survey; all comments received; plans to address concerns; and data and analysis supporting any changes from the current system.

Protecting Animals with Shelter Grants Program.—The Committee provides \$3,000,000 for the program. It directs the Secretary of Agriculture to continue coordinating with other federal agencies to efficiently implement the grant program for providing emergency and transitional shelter options for domestic violence survivors with companion animals.

Review of Nutrition Programs.—The Committee encourages the Secretary to review Department-wide nutrition programs, with the full participation of Indian tribes and tribal organizations, to consider ways in which more Native foods can be incorporated into these programs where possible and the possibility of allowing tribes to provide input into federal nutritional guidance that reflects unique Indian tribal need.

Rural Broadband.—The Committee continues to support the Re-Connect program to increase access to broadband connectivity in unserved rural communities. The Committee continues to direct the Department to target grants and loans to areas of the country

with the largest broadband coverage gaps. These projects should utilize technology that will maximize coverage of broadband with the most benefit to taxpayers and the rural communities served. Technologies to consider should include, but are not limited to, fiber, cable modem, fixed wireless, and television white space. The bill includes funding for broadband deployment through the Broadband Loan program, Community Connect grant program, Distance Learning and Telemedicine program and \$990,000,000 for the ReConnect program.

Small Producers.—The Committee recognizes that local farms are eager to sell to the emergency food system and contribute to the food security of their communities. However, small producers face significant barriers acquiring federal third-party food safety audits such as Good Agricultural Practices and Good Handling Practices. The Committee directs the Secretary to make assistance available to small producers to assist them in taking the steps necessary to participate in federal food programs.

Spending Plans.—The bill continues a provision in Title VII that requires USDA to submit spending plans to the Committee within 30 days of enactment. Previous versions of these plans have not included adequate details that would be useful for Committee oversight. Beginning with the fiscal year 2021 plans, the Committee requests that the USDA spending plans include for each program, project, or activity: (1) a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and (2) a clear, concise, and informative description/justification. The Committee reminds USDA of notification requirements, also included in Title VII, for all applicable changes.

Status of House and Senate Report Language.—The Department is directed to include in its fiscal year 2022 Congressional Justification, as a single exhibit, a table listing all deliverables, with a column for due dates if applicable. The Office of Budget and Program Analysis (OBPA) is directed to provide updates on the status of House and Senate reports upon request from the Committees.

USDA and the Environmental Protection Agency (EPA) Data Sharing Efforts.—The Committee recognizes that the EPA Motor Vehicle Emissions Simulator (MOVES) emission modeling system is used to estimate emissions for mobile sources for air pollutants, greenhouse gases, and air toxics. The Committee encourages USDA to work with EPA on sharing and gathering blended fuels data necessary for future updates to the MOVES model.

USDA-owned Vehicles.—The Committee awaits the report requested in the fiscal year 2020 report on how the Department plans to better manage its vehicle fleet.

USDA presence in Puerto Rico.—The Committee recognizes the work undertaken by the National Agricultural Statistics Service (NASS) and the Agricultural Marketing Service (AMS) to compile data that informs farmers and producers in U.S. jurisdictions. The Committee further recognizes the importance of their presence in Puerto Rico to have a complete understanding of the role of agriculture in Puerto Rico's economy and food availability. The Committee notes that the fiscal year 2020 House report directed NASS to explore reestablishing a physical presence in Puerto Rico and re-

port back to the Committees; the Committee looks forward to receiving this report. The Committee directs the Department to submit a report on the efforts and personnel of NASS and AMS in Puerto Rico not later than 60 days after the enactment of this Act.

Vacancy Rates.—The Committee remains concerned with the rising number of technical staff and research vacancies at all agencies within the Research, Education, and Economics Mission Area and strongly encourages USDA to fill these vacancies expeditiously.

Victory Gardens.—The Committee recognizes the pressure the COVID-19 pandemic is putting on our food supply chain and on vulnerable families. During World War I and World War II, Americans grew “Victory Gardens” as a patriotic means of ensuring food security. The Committee encourages the Secretary to use the model of the “The People’s Garden” and use available funds to promote a new “Victory Garden” campaign across the country to citizens and schools in food insecure regions. Funding should be used for seeds and gardening education materials.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

2020 appropriation	\$24,013,000
2021 budget estimate	20,857,000
Provided in the bill	21,251,000
Comparison:	
2020 appropriation	– 2,762,000
2021 budget estimate	+394,000

COMMITTEE PROVISIONS

For the Office of the Chief Economist, the Committee provides \$21,251,000, including an increase of \$500,000 for the U.S. Drought Monitor.

OFFICE OF HEARINGS AND APPEALS

2020 appropriation	\$15,222,000
2021 budget estimate	15,533,000
Provided in the bill	15,448,000
Comparison:	
2020 appropriation	+226,000
2021 budget estimate	– 85,000

COMMITTEE PROVISIONS

For the Office of Hearings and Appeals, the Committee provides \$15,448,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

2020 appropriation	\$9,525,000
2021 budget estimate	20,660,000
Provided in the bill	9,666,000
Comparison:	
2020 appropriation	+141,000
2021 budget estimate	– 10,994,000

COMMITTEE PROVISIONS

For the Office of Budget and Program Analysis (OBPA), the Committee provides \$9,666,000. The Committee does not include direct funding for activities currently funded through other re-

sources such as the Working Capital Fund. The Committee also does not approve the requested increases for additional staff. Most of these new positions are for new responsibilities the office is performing during fiscal year 2020 that were not described in the 2020 budget request. The Committee reminds OBPA of notification requirements under section 716(d)(3) of the fiscal year 2020 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act.

OFFICE OF THE CHIEF INFORMATION OFFICER

2020 appropriation	\$66,580,000
2021 budget estimate	142,812,000
Provided in the bill	73,354,000
Comparison:	
2020 appropriation	+6,774,000
2021 budget estimate	-69,458,000

COMMITTEE PROVISIONS

For the Office of the Chief Information Officer, the Committee provides an appropriation of \$73,354,000. The Committee has provided full funding for the costs expected to be incurred in fiscal year 2021 for the Goodfellow move. No funds are provided for additional staff because of the absence of sufficient justification.

OFFICE OF THE CHIEF FINANCIAL OFFICER

2020 appropriation	\$6,028,000
2021 budget estimate	11,104,000
Provided in the bill	6,137,000
Comparison:	
2020 appropriation	+109,000
2021 budget estimate	-4,967,000

COMMITTEE PROVISIONS

For the Office of the Chief Financial Officer, the Committee provides an appropriation of \$6,137,000. The Committee does not provide an increase for activities that have historically been funded through other means. It also does not provide an increase for policy staff in the absence of a sufficient justification of need.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

2020 appropriation	\$901,000
2021 budget estimate	914,000
Provided in the bill	910,000
Comparison:	
2020 appropriation	+9,000
2021 budget estimate	-4,000

COMMITTEE PROVISIONS

For the Office of the Assistant Secretary for Civil Rights, the Committee provides an appropriation of \$910,000.

OFFICE OF CIVIL RIGHTS

2020 appropriation	\$24,206,000
2021 budget estimate	20,633,000
Provided in the bill	22,875,000
Comparison:	
2020 appropriation	- 1,331,000
2021 budget estimate	+2,242,000

COMMITTEE PROVISIONS

For the Office of Civil Rights, the Committee provides an appropriation of \$22,875,000. This includes rent savings from the Office's planned move to the South Building of \$1,690,000. The Committee rejects the inaccurate savings estimate included in the budget.

OFFICE OF SAFETY, SECURITY, AND PROTECTION

2020 appropriation	---
2021 budget estimate	\$24,978,000
Provided in the bill	23,218,000
Comparison:	
2020 appropriation	+23,218,000
2021 budget estimate	- 1,760,000

COMMITTEE PROVISIONS

For the Office of Safety, Security, and Protection, the Committee provides an appropriation of \$23,218,000. This includes funding previously provided in other accounts that is now carried in this account, following a recent reorganization. It also includes an increase, as reflected in information provided by USDA, for all security needs for the safety of USDA personnel, of \$2,665,000. This increase is for an emergency communication center, contract security guards, physical security assessments, and other security assessments. No funds are provided for additional staff because of the absence of sufficient justification.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$128,167,000
2021 budget estimate	152,830,000
Provided in the bill	108,186,000
Comparison:	
2020 appropriation	- 19,981,000
2021 budget estimate	- 44,644,000

COMMITTEE PROVISIONS

For Agriculture Buildings and Facilities, the Committee provides an appropriation of \$108,186,000. The Committee strongly supports the One Neighborhood initiative for which a large increase was requested; however, the budget justification did not provide sufficient justification to fund it in full.

HAZARDOUS MATERIALS MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$4,503,000
2021 budget estimate	3,523,000
Provided in the bill	7,518,000
Comparison:	
2020 appropriation	+3,015,000
2021 budget estimate	+3,995,000

COMMITTEE PROVISIONS

For Hazardous Materials Management, the Committee provides an appropriation of \$7,518,000. The Committee directs the Hazardous Materials Management Program and the Hazardous Waste Management Program to coordinate their work to ensure there is no duplication.

OFFICE OF INSPECTOR GENERAL

2020 appropriation	\$98,208,000
2021 budget estimate	100,389,000
Provided in the bill	99,791,000
Comparison:	
2020 appropriation	+1,583,000
2021 budget estimate	– 598,000

COMMITTEE PROVISIONS

For the Office of Inspector General, the Committee provides an appropriation of \$99,791,000.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$750,000 for OIG to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Animal fighting.—The Committee is very concerned about illegal animal fighting activity. The OIG is encouraged to increase its efforts to combat this illegal activity and to investigate animal fighting as soon as it has any evidence of such illegal activity. The Committee also encourages the OIG to audit and investigate USDA enforcement of the Animal Welfare Act, the Horse Protection Act, and the Humane Methods of Slaughter Act to help improve compliance with these important laws.

OFFICE OF THE GENERAL COUNSEL

2020 appropriation	\$45,146,000
2021 budget estimate	45,878,000
Provided in the bill	45,579,000
Comparison:	
2020 appropriation	+433,000
2021 budget estimate	– 299,000

COMMITTEE PROVISIONS

For the Office of the General Counsel, the Committee provides an appropriation of \$45,579,000.

OFFICE OF ETHICS

2020 appropriation	\$4,136,000
2021 budget estimate	4,222,000
Provided in the bill	4,198,000
Comparison:	
2020 appropriation	+62,000
2021 budget estimate	– 24,000

COMMITTEE PROVISIONS

For the Office of Ethics, the Committee provides an appropriation of \$4,198,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

2020 appropriation	\$800,000
2021 budget estimate	813,000
Provided in the bill	6,109,000
Comparison:	
2020 appropriation	+5,309,000
2021 budget estimate	+5,296,000

COMMITTEE PROVISIONS

For the Office of the Under Secretary for Research, Education, and Economics, the Committee provides an appropriation of \$6,109,000. The Committee does not provide the requested appropriation for the Office of the Chief Scientist as it has been historically funded through inter-agency agreements with the agencies in the mission area.

Agriculture Advanced Research and Development Authority (AGARDA).—The Committee notes that Section 7132 of the 2018 Farm Bill directed the Office of the Chief Scientist to complete a strategic plan for AGARDA that demonstrates USDA's vision for AGARDA. The Committee directs USDA to complete this strategic plan not later than 180 days after the enactment of this Act. The plan should include a discussion of how AGARDA can work in collaboration with ongoing research programs operating in ARS and the National Institute of Food and Agriculture (NIFA).

Enhancing Land-Grant Coordination.—The Committee encourages USDA to align the Science Blueprint and the Agriculture Innovation Agenda as a method to effectively address key challenges facing American agriculture, especially with regard to competitive grants. The Committee provides \$300,000 for USDA to convene a blue-ribbon panel to acknowledge the important role that land-grant universities, including 1890 Institutions, play in food security in the U.S. and around the world. The result of the plan should be to evaluate the overall structure of research and education through the public and land-grant universities to define a new architecture that can integrate, coordinate, and assess economic impact of the collective work of these institutions. New focuses should be on sustainable agriculture production, innovation for small and large farming, integration of best practices for land management to support carbon capture, and markets to lead to better farmer outcomes and incomes.

Farm of the Future.—The Committee directs the Under Secretary to collaborate with NIFA, ARS, and the Office of the Chief Economist to issue a competitive grant to an institution in the land-grant

university system to establish a Farm of the Future testbed and demonstration site. The Farm of the Future will integrate applied research in precision agriculture, smart automation, resilient agricultural practices, applied socioeconomics, and improved crop varieties from advanced genomics and phenotyping. The site will develop data-driven solutions to increase productivity, integrate technology, create value added agricultural products, and enhance connectivity and resilience for thriving rural communities. The Committee includes \$4,000,000 for the Farm of the Future competitive grant program.

Nutritional Value of Food.—As USDA develops a comprehensive innovation strategy for U.S. agriculture, the Committee encourages USDA to fund research efforts assessing the nutritional value of agricultural crops in a changing climate. In addition, the Committee directs USDA to provide not later than 180 days after the enactment of this Act a plan to coordinate ongoing and future research efforts at ARS and NIFA related to the effects of rising atmospheric carbon dioxide levels on the nutritional value of food through USDA's Agriculture Innovation Agenda.

Pollinators and Colony Health Research.—The bill includes funding for a pollinator research coordinator as authorized by the 2018 Farm Bill.

Public Access to Research.—The Committee commends USDA on issuing its Implementation Plan to Increase Public Access to Results of USDA-funded Scientific Research in November of 2014. However, the Committee notes that there is still no implementation date. The Committee urges USDA to issue an implementation date and continue its efforts to fully enact its plan and requires an update be included in USDA's fiscal year 2022 budget request.

Public-Private Partnership on Open Data Standards.—The Committee recognizes the need for neutral data repository solutions to preserve and share the big data generated by technological advancements in the agriculture industry. The Committee includes \$1,000,000 for the Under Secretary of Research, Education, and Economics to develop a public-private cooperative framework based on open data standards for the preservation and curation of this data in collaboration with land-grant universities. This data would eventually support the development of advanced technologies and practices to meet the increasingly complex agricultural challenges of farmers and ranchers.

Screening Technologies.—The Committee encourages the development of technologies that will provide rapid, portable, and facile screening of food fish species at port sites and wholesale and retail centers.

Soil Health and Greenhouse Gas.—The Committee directs USDA to establish a Soil Health and Greenhouse Gas Subcommittee under the National Agriculture Research, Education, Extension, and Economics Advisory Board to provide recommendations on the feasibility of establishing reliable outcomes-based measurement systems, existing technology that provides reliable measurement data, standards for data collection and dissemination, farmer data management and privacy, and other issues the Under Secretary deems necessary.

Supervisory Jurisdiction of ARS Sites in Colorado.—The Committee encourages the Department to conduct a study to determine

the effects of moving the ARS Akron, Colorado, site under the supervisory jurisdiction of the ARS Fort Collins, Colorado, site. The study should consider the impact to rural communities in Northeast Colorado and their ability to preserve their local research capabilities.

ECONOMIC RESEARCH SERVICE

2020 appropriation	\$84,757,000
2021 budget estimate	62,109,000
Provided in the bill	86,703,000
Comparison:	
2020 appropriation	+1,946,000
2021 budget estimate	+24,594,000

COMMITTEE PROVISIONS

For the Economic Research Service (ERS), the Committee provides an appropriation of \$86,703,000. The Committee rejects the request to significantly reduce ERS' research activities. The Committee includes a total increase of \$946,000 for pay and retirement contributions.

Benefits of Conservation and Soil Health Practices.—The Committee notes that the environmental benefits of participating in voluntary conservation practices such as those administered by the Farm Service Agency and the Natural Resources Conservation Service have been studied but the long-term economic dividends of these practices are not well understood and may not be readily apparent to those who are eligible and considering enrollment. The Committee directs ERS to produce a study on the relationship between conservation and soil health practices, farm financial health, and crop yield variability rates.

Cover Cropping and Livestock Integration.—The Committee directs ERS to produce a study detailing the projected long-term economic impacts for farmers on the potential economic and environmental benefits of integrating livestock into cover cropping systems as a way of increasing soil health.

Data for Puerto Rico.—The Committee directs ERS to take all reasonable steps to publish data on farm cash receipts, farm income, and agricultural exports for Puerto Rico based on the quinquennial estimates provided through the Census of Agriculture. The Committee directs ERS to provide not later than 180 days after the enactment of this Act a report on its efforts to accomplish this goal.

Impact of Foreign Tariffs.—The Committee is concerned by the impact foreign tariffs on agricultural commodities have had on our nation's agricultural producers. The Committee directs ERS to provide not later than 180 days after the enactment of this Act a report detailing, by state and commodity, the average amount of revenue lost by agricultural producers as a result of foreign tariffs on agricultural commodities.

Recovering Value from Animal Waste.—The Committee notes that last year's House Report directed ERS to issue a report on recovering value from animal waste. The Committee looks forward to an update on these efforts.

Soil Health Experts.—The Committee encourages ERS to hire staff with expertise in soil health, an area of continued importance to U.S. farmers and the food and agriculture industry.

NATIONAL AGRICULTURAL STATISTICS SERVICE

2020 appropriation	\$180,294,000
2021 budget estimate	177,465,000
Provided in the bill	183,434,000
Comparison:	
2020 appropriation	+3,140,000
2021 budget estimate	+5,969,000

COMMITTEE PROVISIONS

For the National Agricultural Statistics Service (NASS), the Committee provides an appropriation of \$183,434,000, of which \$46,300,000 is for the Census of Agriculture. The Committee includes a total of \$2,140,000 for pay and retirement contributions.

The Committee does not accept any proposed eliminations or reductions of ongoing activities, including Acreage, Crop Production and Grain Stocks; Barley acreage and production estimates; the Bee and Honey Program; the Chemical Use Data Series; the Floriculture Crops Report; and Fruit and Vegetable Reports, including in-season forecasts for non-citrus fruit and tree nut crops such as pecans. The funding provided will allow NASS to resume or begin completion of these reports at the frequency levels assumed in fiscal year 2020. NASS is directed to resume all of these reports immediately upon enactment of this Act.

NASS Pilot Study.—The Committee includes no funding for the NASS Pilot Study proposed in the budget request. While the Committee supports the goals of the study, the budget justification did not provide sufficient information to support the funding. The Committee would like to better understand the tools already available to NASS to analyze and match data with detailed imagery for improved predictions of harvested acres and production. The Committee expects NASS to provide a briefing to the Committee on how the goals of the NASS Pilot Study can be achieved through better coordination with other USDA agencies.

Tenure, Ownership, and Transition of Agricultural Land (TOTAL) Survey.—The Committee notes that the next TOTAL survey is part of planned NASS activities in the next Census of Agriculture. The Committee expects the next TOTAL survey to provide comprehensive data on land ownership, tenure, landowners' transition plans, and lease agreements available to beginning and socially disadvantaged farmers to understand the trends that lead to secure land tenure and thriving farm businesses. The Committee encourages the program to look at emerging trends in land acquisition connected to innovations in farming on small acreage. The Committee also encourages collaboration with ERS so that new data provided on the economics of the farm of the future can be better utilized.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

2020 appropriation	\$1,414,366,000
2021 budget estimate	1,367,970,000
Provided in the bill	1,453,712,000
Comparison:	
2020 appropriation	+39,346,000
2021 budget estimate	+85,742,000

COMMITTEE PROVISIONS

For Salaries and Expenses of the Agricultural Research Service (ARS), the Committee provides an appropriation of \$1,453,712,000, including a total increase of \$12,846,000 for pay and retirement contributions.

The Committee does not accept the President's budget request regarding the reduction or termination of extramural and intramural research and expects that extramural and intramural research be funded at no less than the fiscal year 2020 levels, unless otherwise specified.

The Committee accepts the redirection of \$35,000,000 to support new research initiatives in precision agriculture, long-term agroecosystems research, artificial intelligence innovations for agricultural production, and managing excess water and controlling erosion, as proposed in the President's budget request. The Committee notes that the redirections will not reduce overall research funding at any ARS facility but will refocus ongoing research activities to support these new initiatives while maintaining each participating ARS facility's current funding level.

1890s Partnerships.—The Committee recognizes the importance of 1890s Land Grant Institutions and the collaborative relationships that have developed with ARS research facilities over the years. The Committee directs ARS to explore expanding partnerships with 1890s Land Grant Institutions on ongoing and new research to ensure future beneficial collaborations.

Aerial Application.—The Committee recognizes the importance of aerial application to control crop pests and diseases and to fertilize and seed crops and forests. Aerial application is useful not only to ensure overall food safety and food security, but also to promote public health through improved mosquito control and public health application techniques. The ARS Aerial Application Technology Program conducts innovative research making aerial applications more efficient, effective, and precise. This program has yielded more effective public health control programs, as well as increased efficiencies and greater crop production. Research for aerial application serves the public interest as a vital tool for the future.

Agricultural Research Facilities.—The Committee directs ARS to explore ways in which its labs could be better utilized, in cooperation with non-profits, consortiums, and land grant universities, to achieve new scientific goals that benefit the nation's food and agriculture system. In addition, the Committee encourages ARS to work with the entities listed above to develop a smart agriculture industry technology roadmap. This research strategy can help guide the future development of technology in the agriculture industry and maintain U.S. leadership.

Agriculture Software Tools.—The Committee notes the importance of the ARS-developed AgCROS tool and encourages ARS to ensure consistency, access, and interoperability of strategic research sets from sites across the nation and facilitate the development of precision, data-driven tools and models.

Alfalfa Research.—The Committee supports an additional \$2,000,000 above the fiscal year 2020 level for research into alfalfa seed and forage systems, which hold the potential to maximize crop yields, increase milk production, and improve genetics.

Animal Research.—The Committee directs ARS to ensure that each of its facilities housing animals is adhering to the Animal Welfare Act at all times and to submit quarterly reports that include both all violations found by APHIS during that quarter and the specific actions that will be taken to prevent their recurrence.

Areawide Integrated Pest Management.—The Committee supports ARS' efforts on areawide integrated pest management and encourages continued efforts to design and implement programs across the country.

Avocado Lace Bug.—The Committee encourages ARS to coordinate research efforts with NIFA and APHIS to address the impact of the avocado lace bug and the Queensland longhorn beetle.

Barley Pest Initiative.—The Committee provides \$1,000,000 to strengthen the capacity of the barley research infrastructure to address major insect, viral, bacterial, and fungal threats to the production of high-quality barley.

Biomass to Fuels.—The Committee encourages ARS to research new approaches for using biomass in ways that can optimize carbon removal in a manner consistent with advancing traditional food and fiber mission objectives.

Bovine Pleuropneumonia.—The Committee is concerned about the potential harm to the cattle industry from contagious bovine pleuropneumonia and encourages ARS to partner with academia to develop improved diagnostic tests and vaccines for this harmful disease.

Cattle Fever Ticks.—The Committee directs ARS to coordinate development of its long-term cattle fever tick research program with APHIS efforts under the Cattle Fever Tick Eradication Program. Additionally, the Committee encourages ARS to develop safe and effective compounds to combat cattle fever ticks.

Cercospora Leaf Spot Disease.—The Committee is concerned about the prevalence of the cercospora leaf spot, a destructive disease that impacts sugar beet production and results in significant losses in root yield and sugar content. The Committee supports the work being done by ARS and provides \$500,000 for its continued efforts to develop management solutions to combat cercospora leaf spot disease.

Chronic Wasting Disease.—The Committee recognizes the importance of a live test for cervids potentially affected with chronic wasting disease and provides an additional \$500,000 above the fiscal year 2020 level for continued funding for research dedicated to the development of such a test, research on pathways of transmission, and methods to slow or stop contraction of the disease.

Citrus Greening Disease Research.—The Committee commends ARS' research efforts on citrus greening disease and encourages the agency to continue working to develop methods to reduce trans-

mission and enhance immunity in citrus trees and to work with industry, universities, growers, and other partners to develop effective control mechanisms. The Committee also encourages ARS to coordinate its efforts with the Huanglongbing Multi-Agency Coordination (HLB MAC) group.

Coffee Plant Health Initiative.—The Committee supports the research goals of the Coffee Plant Health Initiative.

Cranberry Research.—The Committee encourages ARS to establish a National Center of Excellence in Cranberry Research to further ongoing multi-university partnerships. In addition, the Committee provides an additional \$500,000 above the fiscal year 2020 level to address research challenges regarding disease control, growing productivity, and nutrient management.

Crops and Soils Research.—The Committee supports novel year-round cropping systems developed by ARS and their importance to promoting pollinator nutrition and wellbeing, soil health, and water quality. The Committee provides an additional \$500,000 above the fiscal year 2020 level to further these research activities.

Dietary Manipulation in Broiler Production.—The Committee encourages ARS to continue efforts to understand the dietary effects of consuming products fed with antibiotic growth promoters, particularly poultry products.

East Coast Shellfish Research.—The Committee provides an additional \$500,000 above the fiscal year 2020 level to advance genetic and physiological research for the development of families that are regionally adapted to the wide variety of conditions throughout the range of the entire East and Gulf Coasts, and to collaborate with industry on technology transfer and improved stocks.

Energy-Water Nexus.—The Committee recognizes the importance of the Energy-Water Nexus, and as part of that effort, encourages USDA to work with the Department of Energy to further research collaborations to develop safe, affordable, deployable, energy- and water-efficient technologies for food production platforms in order to achieve more energy efficient agriculture platforms that could better serve both rural and urban communities.

Fertilizer Innovation Research.—The Committee supports research in fertilizer innovations for grain crops to reduce costs and volume and minimize runoff. The Committee provides an additional \$1,000,000 above the fiscal year 2020 level to support research on new technologies that can produce equal or higher crop yields, be cost effective, reduce nitrogen losses in the form of ammonia and NO_x, and reduce nutrient losses of nitrogen and phosphate, and new fertilizer production technologies with reduced waste streams and energy costs. The Committee encourages ARS to partner with public and land grant universities in pursuit of these technologies.

Floriculture and Nursery Research Initiative.—The Committee recognizes the economic importance of the floriculture and nursery sector of agriculture and the industry's need for continued innovation. The Committee encourages ARS to support the goals of the Floriculture and Nursery Research Initiative to secure a more efficient and productive floriculture and nursery industry.

Fruit Fly and Exotic Pest Control.—The Committee provides an additional \$500,000 above the fiscal year 2020 level for additional

support and capacity to prevent the spread of fruit flies and other exotic pests.

Genetic Oat Research.—The Committee recognizes the potential genetic oat research has to improve disease resistance (especially rusts and viruses), genetics, increase yields, and develop crop rotation systems that include oats, which will enhance the value of oats and provide benefits to producers and consumers. The Committee supports and encourages ARS to continue its research on oat germplasm, genomics, phenomics, disease resistance, and enhanced yields.

Germplasm Enhancement of Maize.—The Committee continues to support germplasm enhancement of maize projects and encourages continued cooperation between existing ARS maize germplasm programs, industry, and large-scale public sector efforts to investigate the interaction of maize genome variation and environments.

Greenhouse Technology Research.—The Committee recognizes the importance of advancing greenhouse technology with research on pest management and plant nutrients as well as the importance of reducing energy costs for greenhouse and controlled environment agriculture. The Committee directs ARS to continue work on pest management and plant nutrients and also develop controlled environment demonstration projects aligned with existing ARS technical units focused on greenhouse agriculture to provide data on savings and productivity.

Healthy Soil-Healthy Food-Healthy People.—The Committee supports efforts within ARS to encourage the study of enhanced food nutritional quality through the Healthy Soil-Healthy Food-Healthy People initiative.

Hemp Whole-Genome Bioinformatics.—The Committee encourages ARS to conduct genomics and bioinformatics research in collaboration with capable institutions to elucidate the genetic control of key production and product quality traits of the hemp plant. In addition, the Committee also encourages ARS to partner with institutions already engaged in such research to conduct hemp genetic improvement research and breeding with new breeding and editing techniques.

Hops Research.—The Committee recognizes that the U.S. hops industry has experienced unprecedented expansion due to the brewing industry's economic growth over the past decade. To sustain this growth, new varieties of hops are needed to prevent disease and expand production throughout the country. The Committee directs ARS to continue to focus on these efforts to advance new disease-resistant public hop varieties.

Horticultural Trade.—The Committee provides \$1,000,000 to conduct research on postharvest methyl bromide alternatives as well as postharvest losses caused by diseases and physiological disorders to ensure that high-quality, pest-free goods can access markets effectively and lead to an expansion of trade of U.S. grown horticultural crops.

Human Nutrition Research.—The Committee notes that maintenance of health throughout the lifespan along with prevention of obesity and chronic diseases via food-based recommendations are the major emphases of human nutrition research. The Committee encourages ARS to address gaps in current research at the critical

intersections among agriculture, economic sustainability, and human nutrition and health.

Industrial Hemp Germplasm.—The Committee recognizes the increasing demand for industrial hemp for a variety of uses and its growing importance as a crop for U.S. farmers. The Committee provides an additional \$1,500,000 above the fiscal year 2020 level to maintain the hemp germplasm repository.

Livestock Protection.—The Committee recognizes the challenges caused by infectious disease problems arising from wildlife-domestic animal agriculture interactions, particularly between domestic sheep and wild bighorn sheep. Researchers have recently produced an experimental vaccine to protect bighorn populations from disease, but much work is still required. The Committee encourages ARS to pursue work to determine the role of domestic sheep in causing die-offs of bighorn sheep from respiratory disease and develop methods to reduce transmission and enhance immunity in domestic and bighorn sheep.

Long-Term Agro-ecosystem Research.—The Committee notes that total funding for the Long-Term Agroecosystem Research (LTAR) network allows ARS to provide an equal amount to all the LTAR sites.

Lower Mississippi River Basin.—The Committee recognizes the groundwater problems in the Lower Mississippi River Basin and encourages ARS, in collaboration with university research, extension scientists and local stakeholders, to identify gaps in water management research and focus efforts on the development of conservation and irrigation techniques to reduce water usage in agriculture production while maintaining crop quality and yield.

National Agricultural Library.—The Committee encourages ARS to maintain a focus on agriculture-related legal issues within the National Agricultural Library. The Committee notes that as the agriculture sector faces increasing financial stress, there is a necessity that agriculture-related legal issues be addressed on an increasingly frequent basis. Further, agriculture-related legal issues are increasingly complex, and the impact of these legal issues continues to broaden in scope. The Committee recommends that the National Agricultural Library play an important role in assisting all stakeholders with understanding these issues.

National Arboretum Public Access.—The Committee is aware of ongoing efforts to develop a new strategic plan for the National Arboretum to carry out its missions of research, education, and public display gardens. The Committee expects that such plan will address necessary security and safety enhancements and new signage to enhance public access of the National Arboretum. In addition, the Committee directs ARS to explore entering into agreements with the District of Columbia and private sector partners to fulfill these public access improvements.

National Bio and Agro-Defense Facility (NBAF).—The Committee provides funding for Operations and Maintenance consistent with the fiscal year 2020 level. The fiscal year 2020 Appropriations Act included language directing the Department to develop a ten-year strategic plan for NBAF. The Committee looks forward to understanding the expected cost drivers for future operations and maintenance activities at NBAF. However, the Committee does include the requested \$8,000,000 in research at NBAF. This funding can

immediately be used to strengthen ongoing research capabilities focused on foreign, emerging, and zoonotic animal diseases that pose a threat to U.S. animal agriculture and public health.

National Soil Dynamics Laboratory.—The Committee directs the National Soil Dynamics Laboratory to coordinate with academic and industry partners to conduct research to develop sustainable forage-based beef production systems aimed at increasing the volume of beef forage products. The research should be designed to achieve continued economic and environmental sustainability in forage-based beef production systems.

Optimizing Facility Operations.—The Committee notes the significant capital investments for new and replacement research facilities ARS has received over the past few years. As construction nears completion for several of these facilities, the Committee directs ARS to coordinate ongoing research operations to ensure that when new facilities come online, ARS is positioned to fully utilize the new space for research activities. In addition, the Committee directs ARS to provide not later than 30 days after the enactment of this Act a briefing outlining how ARS will optimize operations at new facilities and take full advantage of the research capabilities that these investments will enable.

Peanut Research.—The Committee provides an additional \$1,500,000 above the fiscal year 2020 level to support research activities to mitigate aflatoxin contamination in peanuts. The Committee directs ARS to enhance ongoing collaborations with land grant institutions to further advance research efforts.

Pecan Genetic Research.—The Committee provides an additional \$1,500,000 above the fiscal year 2020 level to maintain and further pecan genetic diversity and cultivar breeding and to advance novel genomic approaches that tap into the unique pecan genetic resources held by ARS.

Pecan Processing Research.—The Committee recognizes the need for new pecan processing technologies, in particular pasteurization and cracking/shelling technologies, and the importance of pasteurization processes for food safety and in continuing export growth. The Committee provides an additional \$1,500,000 above the fiscal year 2020 level to support pecan processing research activities to address these issues.

Rangeland Research.—The Committee provides an additional \$500,000 above the fiscal year 2020 level for rangeland research.

Regional Climate Hubs.—The Committee supports the role of USDA's Climate Hubs and how they supplement ongoing work at ARS. The Committee provides an additional \$1,000,000 above the fiscal year 2020 level to enable better links in USDA research programs and the delivery of timely and authoritative tools and information to agricultural producers and professionals.

Roseau Cane.—The Committee continues to direct ARS to work with the Animal and Plant Health Inspection Service (APHIS) and stakeholders to develop an integrated management program for control of the scale insect pest infestation that is destroying Roseau cane in the Mississippi River's Delta region along the Gulf of Mexico.

Rural Food Safety Modernization.—The Committee encourages ARS to work with institutes of higher education in rural communities to address and facilitate the rapid and cost-effective mod-

ernization of food safety and related pathogen or contamination detection practices with the goal of reducing and raising awareness of food-borne diseases in rural communities and local and regional rural food systems.

Sclerotinia Initiative.—The Committee is aware of the importance of controlling *Sclerotinia* in sunflowers, soybeans, canola, edible beans, peanuts, peas, lentils, and chickpeas and encourages ARS to continue its support of this initiative.

Small Fruits Research.—The Committee provides an additional \$500,000 above the fiscal year 2020 level to improve the ability to forecast pest and disease spread, implement precision management strategies, mitigate invasive insects, and to improve the overall quality of fruit.

Small Grain Genomics.—The Committee supports research on small grain genomics to address national genomic and breeding needs for U.S. crops to keep small grains and feed as viable crops and continue their substantial contributions to the agricultural economy.

Soft Wheat Falling Numbers Test Research.—The Committee recognizes the emerging crisis surrounding wheat starch degradation, as detected by the Hagberg-Perten Falling Numbers Test, and encourages ARS to continue researching the accuracy of the test and the environmental, storage, and genetic conditions leading to this quality loss.

Sorghum.—The Committee recognizes the growing significance of sorghum due to water conservation traits and increased utilization and supports further research to initiate gene flow and pest resistance.

Specialty Crop Production.—The Committee supports increasing research activities focused on specialty crop production.

Spittle Bug.—The Committee encourages ARS to coordinate research efforts with NIFA and APHIS to address the impact of the spittle bug.

Sugarcane Research Program.—The Committee provides an additional \$500,000 above the fiscal year 2020 level to the Sugarcane Research Program to support breeding and pathology research for the development of high-yielding, biotic and abiotic stress resistant cultivars resistant to emerging pests and diseases that threaten the sugarcane industry.

Tropical and Subtropical Research.—The Committee directs ARS to coordinate with NIFA, the Forest Service, APHIS, and the USDA Climate Hubs to provide to the Committees on Appropriations of both Houses of Congress not later than 180 days after the enactment of this Act a report on research relevant to and efforts to assist Hawaii, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands in the following research areas: (1) land and forest resource management; (2) enhancing the viability and sustainability of local food production systems; (3) biology and control of invasive insects, plant diseases, weedy plant species, and the development of integrated pest management strategies to control them; (4) molecular biology and bioengineering advancements on agricultural production and human and ecosystem health in tropical and subtropical areas; and 5) the application of precision agriculture technologies, data, and tools to increase cost efficiencies.

Urban Agriculture.—The Committee recognizes the value of the U.S. Botanic Garden (USBG) in supporting the evolution of urban agriculture. The Committee directs ARS to collaborate with the USBG to support its efforts to host and serve as an educational and training location for local and national audiences on topics such as: productive and sustainable urban agriculture, food handling and preparation, and nutrition.

U.S. Sheep Experiment Station (USSES).—The Committee recognizes the unique and valuable contributions the USSES makes toward increasing the production efficiency of sheep and improving sustainable rangeland ecosystems. The Committee is pleased by the collaboration of a diverse variety of stakeholders on the use of pastures, monitoring of wildlife interactions, and studies of mutual interest. The Committee encourages ARS to engage directly with stakeholders and state and federal agencies with biological expertise to expand research programs and urges ARS to continue engaging collaborators to ensure the station functions as an agricultural research facility while also evaluating opportunities through a domestic livestock/wildlife collaboration.

U.S. Wheat and Barley Scab (USWBS).—The Committee continues to recognize the importance of the research carried out through the USWBS Initiative. *Fusarium* head blight is a major threat to agriculture, inflicting substantial yield and quality losses throughout the U.S.

Whitefly.—The Committee recognizes that whiteflies are an emerging pest as a result of developing resistance to many pesticides making chemical control difficult and climate variability resulting in warmer winters and lower seasonal die off. The Committee remains concerned with the whitefly, *Bemisia tabaci*, epidemic which is severely impacting vegetable and cotton production in the Southeast United States. The Committee provides an additional \$1,000,000 above the fiscal year 2020 level in support of these research efforts.

Wildfire Smoke Taint Research on Winegrapes.—The Committee supports research to identify the compounds responsible for smoke taint, establish science-based threshold levels of smoke compounds that cause smoke taint, develop mitigation methods to reduce or eliminate smoke taint, and study compounds that can act as a barrier between the grapes and smoke compounds. In addition, the Committee supports research to establish standard methodologies for sampling and testing of smoke exposed grapes and smoke affected wines. The Committee provides an additional \$1,000,000 above the fiscal year 2020 level in support of these research efforts.

BUILDINGS AND FACILITIES

2020 appropriation	\$192,700,000
2021 budget estimate	50,000,000
Provided in the bill	11,200,000
Comparison:	
2020 appropriation	– 181,500,000
2021 budget estimate	– 38,800,000

COMMITTEE PROVISIONS

The Committee provides \$11,200,000 for Buildings and Facilities. The Committee recognizes the national importance of the research performed by ARS facilities that are not owned by ARS. Ongoing

efforts to upgrade ARS facilities to be on par with the critical research done by the agency has not addressed ARS research done by ARS employees at non-ARS facilities. Accordingly, the Committee directs ARS to provide to the Committees on Appropriations of both Houses of Congress not later than 180 days after the enactment of this Act a long-term, multi-year plan to guide capital asset and construction decisions for new agricultural research facilities focused on regionally and nationally important research topics, including plant breeding and genetics research and plant germplasm preservation.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

2020 appropriation	\$962,864,000
2021 budget estimate	1,067,986,000
Provided in the bill	997,729,000
Comparison:	
2020 appropriation	+34,865,000
2021 budget estimate	– 70,257,000

COMMITTEE PROVISIONS

For Research and Education Activities, the Committee provides an appropriation of \$997,729,000.

Agricultural Research Enhancement Awards.—The Committee continues to direct that not less than 15 percent of the competitive research grant funds be used for USDA’s agriculture research enhancement awards program, including USDA–EPSCoR, in accordance with 7 U.S.C. 450i.

Agriculture and Food Research Initiative (AFRI).—The Committee strongly supports the AFRI program. The Committee notes that projects that characterize protein functionality from crops to assess their sustainability for use as alternatives to conventional animal products are eligible for competitive awards in the AFRI program. In addition, the Committee supports the sustainable agricultural systems and foundational and applied science programs in AFRI and notes that projects that focus on research in food science and technology in pursuit of food innovation are also eligible for competitive awards. The Committee supports the continued research goals of the AFRI program.

Agroecology and Sustainable Food Systems.—The Committee recognizes the potential that the fields of agroecology and food systems have to increase food security, food self-sufficiency, sustainable economic development, public health, and weather resiliency. The Committee supports research focused on agroecology and sustainable food systems and encourages NIFA to explore strategic partnerships, interdisciplinary educational programming, applied research, policy analysis, outreach, and scholarships in these fields as part of its ongoing research efforts.

Alfalfa Seed and Alfalfa Forage Systems.—The Committee notes that research into alfalfa seed and alfalfa forage systems holds the potential to increase yields, increase milk production, and improve genetics. The Committee supports this research and its continued focus on enhancing existing breeding programs that can improve yields, harvesting, water conservation, and create new uses.

Blockchain Food Traceability.—The Committee notes the potential of blockchain technology to revolutionize the practice of food traceability, tracking food products from origin through every point of contact on the journey to the consumer. The Committee is interested in how blockchain technology can be utilized to accurately trace food and mitigate the risks associated with food contaminated outbreaks and to develop effective strategies for controls. The Committee encourages NIFA to coordinate research to reduce the risk of foodborne illness through the application of blockchain technology.

Childhood Obesity.—The Committee recognizes that NIFA has supported important and effective programs that address childhood obesity in remote areas and among native and underserved populations. The Committee encourages NIFA to continue funding these programs to address childhood obesity prevention and community health promotion in remote areas and among native and underserved populations.

Citrus Disease Research Program.—The 2014 Farm Bill established the Emergency Citrus Disease Research and Extension Program, which is intended to discover and develop tools for early detection, control, and eradication of diseases and pests that threaten domestic citrus production and processing. The 2018 Farm Bill reauthorized this program and established the Emergency Citrus Disease Research and Development Trust Fund to provide \$25,000,000 per year in mandatory funding for the program. The Committee believes research projects funded under this authority should be prioritized based on the critical threat of citrus greening and encourages NIFA, to the maximum extent practicable, to follow the recommendations of the National Agricultural Research, Extension, and Education Advisory Board's citrus disease subcommittee and to collaborate with the HLB MAC group.

Continuous Living Cover Practices.—The Committee recognizes the need to adapt to challenging economic and weather conditions by expanding the use of practices that make farms more economically and environmentally resilient. The Committee encourages NIFA to support research that leverages multi-institution efforts to develop continuous living cover techniques.

Crop Degradation.—The Committee is aware of crop degradation issues harming agricultural producers. For example, starch degradation in Pacific Northwest soft white wheat crops led to significant value losses for producers in late 2016. The Committee encourages NIFA to conduct research through AFRI into soft white wheat crop quality loss to mitigate its impact on producers.

Genome to Phenome.—The Committee recognizes the value of leading public and land-grant universities with unique high-throughput phenotyping and greenhouse facilities and expertise for plant science innovation, root and rhizome innovation, and food for health. The Committee directs NIFA to use a competitive process to issue awards in the Genome to Phenome program and urges additional focus on root stocks that increase carbon capture and can support grain crop covers.

Grants for Insular Areas.—The Committee recognizes NIFA efforts to strengthen capacity at land-grant institutions in the U.S. territories in the areas of instruction, distance education, facilities and equipment, and research. The Committee emphasizes the im-

portance of continuing the support for these institutions and provides an increase to help address plant disease and invasive species priorities in the territories.

Interagency Research Programs.—The Committee recognizes the important contributions of the Dual Purpose with Dual Benefit program jointly managed by NIFA and the National Institutes of Health (NIH). The Committee urges continued partnership between NIFA, NIH and other relevant federal research agencies to develop the next generation interagency program using agriculturally important large animal species. The Committee supports continuation of cooperative programs to further strengthen ties between human medicine, veterinary medicine, and animal sciences.

Livestock and Poultry Waste Research.—The Committee recognizes the benefits of improved methods of managing animal waste in livestock and poultry production and encourages NIFA to support research and development of innovative technologies, particularly those that are operationally and economically feasible and have a high probability of widespread implementation. The Committee notes that direction was included in the fiscal year 2019 House report requiring a report from NIFA on next steps to develop a comprehensive approach to all value chains of manure management to include energy production, energy credits, nutrient credits, and mineral supplements, taking into consideration the full range of livestock production to include cattle, poultry, and swine. The Committee has yet to receive this report and expects NIFA to immediately rectify this unacceptable delay.

Multifaceted Tools for Controlling Harmful Algal Blooms (HABs) and Huanglongbing.—The Committee encourages NIFA to continue research into the use of potent antimicrobials through the use of environmentally-friendly integrated nano-delivery systems for the purpose of controlling both HABs and Huanglongbing. In addition, the Committee encourages NIFA to fund research grants that help promote scientific progress towards preventing and controlling HABs, including research to determine the effectiveness of existing nutrient treatment technologies, evaluate the scale-up of emerging nutrient treatment technologies and develop new technologies, and develop best management practices to help both rural and urban communities control nutrients in their watersheds.

Organic Research and Extension Initiative.—The Committee notes that farming without the use of pesticides through various agricultural practices or genetic modifications may offer yields equal to or greater than farming with pesticides. The Committee directs NIFA to submit within 180 days of the enactment of this Act a report on ongoing research activities, funding opportunities, and implementation grants for scientists and farmers seeking to understand and implement pesticide-free agricultural practices.

Sensor Technologies.—The Committee encourages NIFA to work cooperatively with non-profit institutions, consortia, and land-grant universities to conduct research on advanced sensor manufacturing techniques to improve the agricultural industry.

Soil Health Experts.—The Committee encourages NIFA to hire staff with expertise in soil health to better support expanded efforts in the soil health and sustainability area and to support more education and outreach efforts.

Soil Health Research.—The Committee recognizes that agriculture and land management have important roles to play in the development of sustainable practices to address increasing concentrations of atmospheric carbon dioxide. The Committee urges NIFA to increase its support for research and education regarding healthy soils that yield increased productivity and increase carbon sequestration capacity.

Specialty Crop Research Initiative.—The Committee recognizes the importance of the Specialty Crop Research Initiative (SCRI) in addressing the needs of the specialty crop industry through research and extension activities. The Committee encourages NIFA to address successive planting production and extension as part of ongoing SCRI activities.

U.S.-Haiti Cooperation.—The Committee recognizes the importance of the U.S.-Haiti relationship and encourages NIFA to explore further partnerships to build capacity in international agricultural research, extension, and teaching, including improving agricultural research by encouraging research that addresses problems affecting food production and security, human nutrition, agriculture, forestry, livestock, and fisheries, including local challenges; and supporting and strengthening national agricultural research systems in developing countries. The Committee notes the importance of strengthening the U.S. relationship with Haiti and other developing nations in our hemisphere to further international market development opportunities.

Weed Science Research.—The Committee supports the establishment of a National Program Leader dedicated to Weed Science Research and Management in the U.S. Department of Agriculture National Institute of Food and Agriculture.

The following table reflects the amounts provided by the Committee:

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE—RESEARCH AND EDUCATION ACTIVITIES
[Dollars in Thousands]

Program/Activity	Authorization	2020 enacted	2021 estimate	Committee provision
Hatch Act	7 U.S.C. 361a–i	\$259,000	\$243,238	\$259,000
McIntire-Stennis Cooperative Forestry Act	16 U.S.C. 582a through a–7	36,000	28,867	38,000
Research at 1890 Institutions (Evans-Allen Program).	7 U.S.C. 3222	67,000	53,817	73,000
Payments to the 1994 Institutions	7 U.S.C. 301 note	4,000	3,439	4,500
Education Grants for 1890 Institutions	7 U.S.C. 3152(b)	23,009	19,336	26,000
Scholarships at 1890 Institutions	7 U.S.C. 3222a	5,000	10,000	10,000
Education Grants for Hispanic-Serving Institutions.	7 U.S.C. 3241	11,200	9,219	13,000
Education Grants for Alaska Native and Native Hawaiian-Serving Institutions.	7 U.S.C. 3156	3,194	— — —	3,194
Research Grants for 1994 Institutions	7 U.S.C. 301 note	3,801	3,800	4,000
Capacity Building for Non-Land-Grant Colleges of Agriculture.	7 U.S.C. 3319i	5,000	— — —	5,000
Grants for Insular Areas	7 U.S.C. 3222b–2, 3362 and 3363.	2,000	— — —	2,000
Competitive Program for Native Alaskans, Native Hawaiians, and Insular Area Institutions.	.....	— — —	5,000	— — —
Agriculture and Food Research Initiative	7 U.S.C. 3157	425,000	600,000	435,000
Veterinary Medicine Loan Repayment	7 U.S.C. 3151a	8,000	8,000	9,000
Veterinary Services Grant Program	7 U.S.C. 3151b	3,000	— — —	3,000
Continuing Animal Health and Disease Research Program.	7 U.S.C. 3151a	4,000	— — —	4,500

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE—RESEARCH AND EDUCATION ACTIVITIES—
Continued
[Dollars in Thousands]

Program/Activity	Authorization	2020 enacted	2021 estimate	Committee provision
Supplemental and Alternative Crops	7 U.S.C. 3319d	1,000	— — —	1,000
Multicultural Scholars, Graduate Fellowship and Institution Challenge Grants.	7 U.S.C. 3152(b)	9,000	— — —	9,000
Secondary and 2-year Post-Secondary Education	7 U.S.C. 3152(j)	900	— — —	900
Aquaculture Centers	7 U.S.C. 3322	5,000	— — —	5,000
Sustainable Agriculture Research and Education	7 U.S.C. 5811, 5812, 5831, and 5832.	37,000	37,000	39,000
Farm Business Management	7 U.S.C. 5925f	2,000	2,000	2,000
Sun Grant Program	7 U.S.C. 8114	3,000	— — —	3,000
Research Equipment Grants	7 U.S.C. 3310a	5,000	— — —	5,000
Alfalfa and Forage Research Program	7 U.S.C. 5925	3,000	— — —	3,000
Minor Crop Pest Management (IR-4)	7 U.S.C. 450i(e)	11,913	17,000	15,000
Special Research Grants:	7 U.S.C. 450i(c) .....	.....	.....	.....
Global Change/UV Monitoring .....	.....	1,405	— — —	1,405
Potato Research .....	.....	2,750	— — —	2,750
Aquaculture Research .....	.....	2,000	— — —	2,000
Total, Special Research Grants .....	.....	6,155	— — —	6,155
Necessary Expenses of Research and Education Activities:				
Grants Management Systems .....	.....	7,830	7,924	7,924
Federal Administration—Other Necessary Expenses.	.....	11,862	19,346	11,556
Total, Necessary Expenses .....	.....	19,692	27,270	19,480
Total, Research and Education Activities.	.....	\$962,864	\$1,067,986	\$997,729

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

2020 appropriation	(\$11,880,000)
2021 budget estimate	(11,857,000)
Provided in the bill	(11,857,000)
Comparison:	
2020 appropriation	— 23,000
2021 budget estimate	— — —

COMMITTEE PROVISIONS

For the Native American Institutions Endowment Fund, the Committee provides \$11,857,000.

EXTENSION ACTIVITIES

2020 appropriation	\$526,557,000
2021 budget estimate	484,832,000
Provided in the bill	538,557,000
Comparison:	
2020 appropriation	+12,000,000
2021 budget estimate	+53,725,000

COMMITTEE PROVISIONS

For Extension Activities, the Committee provides an appropriation of \$538,557,000.

21st Century Extension.—The Committee recognizes that changes to traditional extension programs are necessary to meet the needs of today's farmers, natural resource challenges, and food systems. The Committee directs NIFA to develop a framework to incentivize

the next generation of digitally sophisticated agricultural extension programs in consultation with land-grant universities, producers, technology and agricultural industry stakeholders, and policy-makers.

Beginning Farmer and Rancher Development (BFRD) Program.—The Committee encourages NIFA to create partnerships and linkages between BFRD and its extension programs to assist urban agricultural production in food insecure and nutrient short communities across the country.

Farm and Ranch Stress Assistance Network.—The Committee directs NIFA and the Department's Rural Health Liaison to coordinate with the Department of Health and Human Services to gather and utilize existing data sets prepared by the Centers for Disease Control and Prevention on farmer and rancher mental and behavioral health. Further, the Committee directs NIFA and the Rural Health Liaison to work together to provide a report on farmers' and ranchers' mental health status, access to behavioral health care, as well as geographic and demographic factors that are associated with higher rates of substance use, suicide, and job dissatisfaction. The report should also discuss barriers to the Department in collecting or accessing this information. The Committee directs the Department to provide the report not later than 180 days after enactment.

Farming Opportunities Training and Outreach (FOTO) Program.—The Committee urges NIFA, in coordination with NRCS, to include training on conservation practices, including farming principles and practices that increase biodiversity, enrich soils, improve watersheds, and enhance ecosystem services for FOTO and BFRD program materials.

New Technologies for Agricultural Extension.—The Committee includes an additional \$2,000,000 to better serve the Cooperative Extension System by adopting new tools, technology, training, and services that will increase entrepreneurial opportunities and e-commerce in rural communities where sufficient high-speed broadband exists. This effort will allow Extension educators to make connections with entrepreneurs in rural communities and identify rural service opportunities, especially in the areas of health care, education, manufacturing, and farming. Examples of the types of activities supported include community demonstration days, development of a digital literacy curriculum, student and volunteer service opportunities, and development of online resources.

Rural Health and Safety Education Programs.—The opioid abuse epidemic is one of the greatest threats facing rural America today, and the Committee supports all efforts to address this problem through improved health and safety education and outreach. Within available funds, \$1,000,000 shall be for competitive external grants for eligible institutions to support collaborations with academic medical schools to utilize the extension programs to address children's wellness, infant mortality, cancer prevention and opioid addiction in rural areas.

The following table reflects the amounts provided by the Committee:

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE—EXTENSION ACTIVITIES

[Dollars in Thousands]

Program/Activity	Authorization	FY 2020 enacted	FY 2021 estimate	Committee provision
Smith-Lever Act, Section 3(b) and (c) programs and Cooperative Extension.	7 U.S.C. 343(b) and (c) and 208(c) of P.L. 93–471.	\$315,000	\$299,430	\$315,000
Extension Services at 1890 Institutions ..	7 U.S.C. 3221	57,000	48,620	62,000
Extension Services at 1994 Institutions ..	7 U.S.C. 343(b)(3)	8,000	6,446	8,500
Facility Improvements at 1890 Institutions.	7 U.S.C. 3222b	20,500	19,730	23,000
Renewable Resources Extension Act	16 U.S.C. 1671 et. seq.	4,060	4,060	4,060
Rural Health and Safety Education Programs.	7 U.S.C. 2662(i)	4,000	3,000	4,000
Food Animal Residue Avoidance Database Program.	7 U.S.C. 7642	2,500	— — —	2,500
Women and Minorities in STEM Fields	7 U.S.C. 5925	400	400	400
Food Safety Outreach Program	7 U.S.C. 7625	8,000	8,000	10,000
Food and Ag Service Learning	7 U.S.C. 7633	1,000	— — —	1,000
Farm and Ranch Stress Assistance Network.	7 U.S.C. 5936	10,000	8,000	10,000
Smith-Lever Act, Section 3(d):	7 U.S.C. 343(d) .....	.....	.....	.....
Food and Nutrition Education .....	.....	70,000	69,000	70,000
Farm Safety and Youth Farm Safety Education Programs.	.....	4,610	4,610	4,610
New Technologies for Agricultural Extension.	.....	1,550	1,550	3,550
Children, Youth, and Families at Risk.	.....	8,395	8,395	8,395
Federally Recognized Tribes Extension Program.	.....	3,200	3,039	3,200
Total, Section 3(d) .....	.....	87,755	86,594	89,755
Necessary Expenses of Extension Activities:				
Agriculture in the K–12 Classroom	7 U.S.C. 3152(j)	552	552	552
Federal Administration—Other Necessary Expenses for Extension Activities.	.....	7,790	— — —	7,790
Total, Necessary Expenses .....	.....	8,342	552	8,342
Total, Extension Activities.	.....	\$526,557	\$484,832	\$538,557

INTEGRATED ACTIVITIES

2020 appropriation	\$38,000,000
2021 budget estimate	38,000,000
Provided in the bill	39,000,000
Comparison:	
2020 appropriation	+1,000,000
2021 budget estimate	+1,000,000

COMMITTEE PROVISIONS

For Integrated Activities, the Committee provides an appropriation of \$39,000,000.

Crop Protection and Pest Management Program.—The Committee supports the development and implementation of areawide integrated pest management (AIPM) projects. The Committee directs NIFA to establish within the Crop Protection and Pest Management Program an organizational framework and funding plan to implement AIPM projects that are to be planned in coordination with ARS, APHIS, and other federal agencies and implemented by

cross-institutional teams, including farmers, ranchers, and land managers, at the local level.

Food and Agriculture Defense Initiative.—The Committee recognizes the importance of plant health and early detection and diagnostics of new and emerging plant diseases and pathogens and the importance of the National Plant Diagnostic Network in achieving these goals.

Organic Transition Program.—The Committee recognizes that the shortage of organic knowledge transfer presents a major barrier for farmers seeking to transition to organic. Additional funding above last year's level shall be used to amplify cooperative extension activities to transfer technical results from proposed projects and assist conventional farmers in transitioning to organic.

The following table reflects the amounts provided by the Committee.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE—INTEGRATED ACTIVITIES
[Dollars in Thousands]

Program/Activity	Authorization	FY 2020 enacted	FY 2021 estimate	Committee provision
Methyl Bromide Transition Program	7 U.S.C. 7626	\$2,000	\$2,000	\$2,000
Organic Transition Program	7 U.S.C. 7626	6,000	6,000	7,000
Regional Rural Development Centers	7 U.S.C. 450i(c)	2,000	2,000	2,000
Food and Agriculture Defense Initiative ..	7 U.S.C. 3351	8,000	8,000	8,000
Crop Protection/Pest Management Program.	7 U.S.C. 7626	20,000	20,000	20,000
Total, Integrated Activities .....	.....	\$38,000	\$38,000	\$39,000

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND
REGULATORY PROGRAMS

2020 appropriation	\$800,000
2021 budget estimate	914,000
Provided in the bill	809,000
Comparison:	
2020 appropriation	+9,000
2021 budget estimate	– 105,000

COMMITTEE PROVISIONS

For the Office of the Under Secretary for Marketing and Regulatory Programs, the Committee provides an appropriation of \$809,000. The Committee directs USDA to promptly issue the final Origin of Livestock rule as required by Section 756 of P.L. 116–94.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$1,042,711,000
2021 budget estimate	1,032,988,000
Provided in the bill	1,069,817,000
Comparison:	
2020 appropriation	+27,106,000
2021 budget estimate	+36,829,000

COMMITTEE PROVISIONS

For the Animal and Plant Health Inspection Service, Salaries and Expenses, the Committee provides an appropriation of \$1,069,817,000. This includes a total increase of \$9,689,000 for pay and retirement contribution.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$55,000,000 for APHIS to prevent, prepare for, and respond to coronavirus, domestically or internationally.

The Committee provides increases for the following programs: \$2,300,000 for Equine, Cervid, and Small Ruminant Health; \$3,000,000 for Veterinary Biologics; \$2,000,000 for Zoonotic Disease Management; \$3,717,000 for Cotton Pests; \$1,000,000 for Horse Protection; and \$5,400,000 for Specialty Crop Pests.

Within the amount included for Specialty Crop Pests, the Committee includes \$64,278,000 for fruit fly exclusion and detection; \$61,415,000 for citrus health, including \$3,000,000 for the Huanglongbing Multi-Agency Coordination efforts; \$21,138,000 for the glassy-winged sharpshooter; \$6,450,000 for the pale cyst nematode; \$2,521,000 for the light brown apple moth; \$5,009,000 for the European grapevine moth; \$8,075,000 for the navel Orangeworm; \$5,000,000 for agricultural canine inspection teams; and \$16,066,000 for spotted lanternfly.

The following table reflects the amounts provided by the Committee:

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(Dollars in Thousands)

	FY 2020 enacted	FY 2021 estimate	Committee provision
Animal Health Technical Services	\$37,857	\$42,285	\$38,167
Aquatic Animal Health	2,253	2,289	2,278
Avian Health	62,840	63,517	63,331
Cattle Health	104,500	97,797	105,441
Equine, Cervid, and Small Ruminant Health	26,500	21,129	29,039
National Veterinary Stockpile	5,725	5,744	5,739
Swine Health	24,800	25,200	25,090
Veterinary Biologics	17,417	20,694	20,618
Veterinary Diagnostics	57,340	52,063	57,654
Zoonotic Disease Management	16,523	16,699	18,651
Subtotal, Animal Health	355,755	347,417	366,008
Agricultural Quarantine Inspection (Appropriated)	32,330	33,350	33,070
Cotton Pests	11,520	11,659	15,338
Field Crop & Rangeland Ecosystems Pests	13,826	12,037	13,979
Pest Detection	27,446	27,967	27,824
Plant Protection Methods Development	20,686	21,045	20,946
Specialty Crop Pests	192,013	183,079	198,912
Tree & Wood Pests	60,000	56,336	60,600
Subtotal, Plant Health	357,821	345,473	370,669
Wildlife Damage Management	109,756	109,991	110,928
Wildlife Services Methods Development	18,856	19,199	19,106
Subtotal, Wildlife Services	128,612	129,190	130,034
Animal & Plant Health Regulatory Enforcement	16,224	16,542	16,455
Biotechnology Regulatory Services	18,875	27,638	19,066

SALARIES AND EXPENSES—Continued

(Dollars in Thousands)

	FY 2020 enacted	FY 2021 estimate	Committee provision
Subtotal, Regulatory Services	35,099	44,180	35,521
Contingency Fund	470	484	480
Emergency Preparedness & Response	40,966	41,512	41,363
Subtotal, Emergency Management	41,436	41,998	41,843
Agriculture Import/Export	15,599	15,822	15,761
Overseas Technical & Trade Operations	24,115	24,265	24,224
Subtotal, Safe Trade	39,714	40,087	39,985
Animal Welfare	31,310	31,947	31,772
Horse Protection	1,000	721	2,012
Subtotal, Animal Welfare	32,310	32,668	33,784
APHIS Information Technology Infrastructure	4,251	4,251	4,251
Physical/Operational Security	5,146	5,159	5,155
Rent and DHS Payments	42,567	42,567	42,567
Subtotal, Agency Management	51,964	51,977	51,973
Total, Direct Appropriation	\$1,042,711	\$1,032,988	\$1,069,817

Agricultural Imports.—The Committee recognizes that there may be a need to update APHIS physical facilities, staff capabilities, and processes due to the increased volume of agricultural imports. The Committee requests a plan to address the needs of the programs, including steps to collaborate with stakeholders on supplemental inspection and pathogen identification services and to improve the transparency of the importation process.

Agriculture Quarantine Inspections.—The Committee recognizes that prevention of infestations of pests and diseases is much more cost effective than subsequent control or eradication. This is an important Federal responsibility and the Committee provides \$33,070,000 for the agricultural quarantine inspections (AQI) function, including pre-departure and interline inspections.

Animal Care Program.—The Committee is deeply concerned by how the Animal Care program is being managed. To address these concerns, the Committee directs Animal Care to ensure that each noncompliance observed by a USDA inspector under the Animal Welfare Act, is documented on an inspection report.

Antimicrobial Resistance.—The Committee provides \$3,000,000 and directs APHIS to work with a public-private partnership focused on combating the global threat of antimicrobial resistance across humans, animals, and the environment to explore the development of an antimicrobial resistance dashboard tool for livestock management, research, risk, and stewardship. As part of this work, APHIS must explore the feasibility of developing an antimicrobial resistance dashboard tool that ensures full compliance with the confidentiality protections of the Confidential Information Protection and Statistical Efficiency Act. The dashboard should securely track the emergence and spread of antimicrobial resistant pathogens in livestock production systems, validate systematic genetic and management strategies to reduce antibiotic use, and build understanding of relationships between livestock genetics, the environment, management practices, and the dynamics and frequencies of pathogen emergence in microbial populations.

Asian Longhorned Beetle (ALB).—Within the amount provided for Tree and Wood Pests, the Committee maintains funding and cost share rates for ALB at the 2020 level.

Biological Control Program.—The Committee maintains the FY 2020 level for the Biological Control Program within Plant Protection Methods Development to continue efforts to suppress pest populations.

Blackbird Predation.—APHIS is responsible for providing Federal leadership in managing problems caused by wildlife. The Committee is aware of the economic importance of controlling blackbird depredation, which affects sunflowers and other agricultural crops. The Committee encourages APHIS to take action to reduce blackbird depredation in the Northern Great Plains.

Canine Detection and Surveillance.—The Committee recognizes the important role APHIS' canines program plays in invasive species and disease detection and provides an increase of \$5,000,000 to support these efforts. The Committee encourages APHIS in collaboration with ARS to study the feasibility of using canines to detect coffee leaf rust. In addition, USDA is directed to enter into cooperative agreements with State departments of agriculture and other partners to conduct agricultural canine detection and surveillance activities.

Cattle Health.—The Committee maintains the 2020 increased funding level for Cattle Health to continue to fund initiatives related to eradication of fever ticks for livestock and wildlife hosts including but not limited to research, data management, infrastructure, and treatment. The Committee is concerned that the cattle fever tick quarantine area is expanding despite efforts to constrain their spread. To prevent movement of livestock and game animals outside of the quarantined or high-risk premises, the Committee encourages APHIS to use available funds for a cost-share program for the construction and repair of livestock or game fencing on private lands. The Committee directs USDA, in conjunction with state animal health commissions, to develop a strategy to exclude wildlife from areas at highest risk of tick spread and identify areas that qualify for funds within these areas. The Committee reminds USDA that the report on these efforts requested in House Report 116–107 is overdue and requests its submission immediately.

Dipping is an approved treatment option for cattle fever tick. Within the amount provided, APHIS is urged to continue supporting the staffing, cost recovery, record keeping, and operation of existing dipping vats as well as to provide funding for the staffing of two additional dipping vats at livestock markets.

The Committee also notes that large dense stands of non-native carrizo cane occupy the banks and floodplains of the Rio Grande River, providing favorable habitat for agriculturally damaging cattle fever ticks and threatening water supplies for agriculture due to its high evapo-transpiration capacity. The Committee understands APHIS has been working with ARS on biological controls and the U.S. Customs and Border Protection (CBP) for mechanical controls. The Committee provides \$5,000,000 for APHIS to continue to coordinate with ARS, CBP, Department of the Interior, the International Boundary and Water Commission, the Texas State Soil and Water Conservation Board, and other stakeholders on control efforts.

Center for Veterinary Biologics.—The Committee provides an additional \$3,000,000 to support the Center for Veterinary Biologics with the hiring of new employees to fill vacancies that will assist with the regulatory responsibilities under the Virus Serum Toxin Act.

Chronic Wasting Disease (CWD).—Funding is continued in Equine, Cervid, and Small Ruminant Health for the national, voluntary Herd Certification Program (HCP) and regulations for the interstate movement of farmed or captive deer, elk, and moose. The cervid industry continues to participate in the agency's HCP, which supports the domestic and international marketability of U.S. cervid herds. Funds are to be used for a combination of surveillance, research, and indemnification for culling herds where CWD infection has been found. Currently the only reliable test is a brain biopsy. The agency is encouraged to utilize resources to help speed up the development of a live test for CWD that would greatly decrease the need for indemnity. The Committee encourages APHIS to maintain its commitment to the HCP and the cervid industry, and directs the agency to spend no less than \$11,000,000 for cervid health activities. Within the funds provided, APHIS should give priority to indemnity payments to remove infected animals and affected herds as expeditiously as possible.

The Committee is concerned about the growing threat of CWD and its impact on free ranging deer populations. Of the amount provided for cervid health activities, no less than \$7,000,000 is provided for APHIS to allocate funds directly to State departments of wildlife and State departments of agriculture to further develop and implement bovine tuberculosis in cervids and CWD management and response activities including surveillance and testing as part of an overall management plan. In allocating these funds, APHIS shall give priority to States that have experienced a recent incident of CWD, have a CWD monitoring and surveillance program, and have a diagnostic laboratory system certified for CWD testing.

Citrus Health Response Program (CHRP).—CHRP is a national effort to protect the U.S. industry from the ravages of invasive pests and diseases. These funds are designed to partner with state departments of agriculture and industry groups to address the challenges of citrus pests and diseases. In addition to the funds provided in this account, the Committee encourages APHIS to utilize the funds available in the Plant Pest and Disease Management and Disaster Prevention Programs account to the greatest extent possible in an attempt to sustain the economic viability of the citrus industry.

Coffee Berry Borer.—The Committee recognizes the destructive effects brought by infestation of the Coffee Berry Borer insect on coffee production, and the negative impact this has on the agricultural sector of Puerto Rico. The Committee directs APHIS to actively design a Hierarchical Environment for Research Modeling of Ecological Systems, known as the Hermes model, to control the prevalence of the Coffee Berry Borer pest in this U.S. jurisdiction. The Committee further directs USDA to assign the necessary funds to accomplish project objectives. APHIS shall submit a report to Congress that includes project accomplishments and obstacles by no later than November 30, 2021.

Cogongrass.—The Committee continues to provide \$3,000,000 for APHIS to partner with state departments of agriculture and forestry commissions in states considered to be the epicenter of infestations, to assist with control and treatment of cogongrass in order to slow the advancing front of this invasive plant-pest species and its impact on forest productivity, wildlife habitat, and private landowners.

Cotton Pests.—The bill provides \$15,338,000 for the joint Cotton Pests Program. The Committee encourages APHIS and the cotton industry to make every effort to ensure the boll weevil does not reinfest areas of the U.S. where it has been successfully eradicated. The Boll Weevil Eradication Program, an outstanding example of a public-private partnership, has successfully eradicated the boll weevil from all U.S. cotton-producing regions except for the extreme lower parts of Texas in the Lower Rio Grande Valley (LRGV) bordering Tamaulipas, Mexico. Growers in the LRGV, with assistance from APHIS and the support of the entire industry, continue to conduct an active program to eradicate the boll weevil. The LRGV serves as the barrier between boll weevil infested areas of Mexico and boll weevil-free areas of the United States.

Disease Surveillance.—Recognizing the importance of disease surveillance among APHIS-inspected animals, the Committee encourages APHIS to continue to explore partnerships with veterinary medicine programs to establish a formal disease surveillance network.

Emergency Outbreaks.—The Committee continues to include specific language relating to the availability of funds to address emergencies related to the arrest and eradication of contagious or infectious diseases or pests of animals, poultry or plants. The Committee expects the Secretary to continue to use the authority provided in this bill to transfer funds from the CCC for the arrest and eradication of animal and plant pests and diseases that threaten American agriculture. By providing funds in this account, the Committee is enhancing, not replacing, the use of CCC funding for emergency outbreaks.

Emergency Preparedness and Response.—The Committee continues to provide funding for the Animal Care Program to coordinate with the Federal Emergency Management Agency on the National Response Plan and to support state and local governments' efforts to plan for protection of people with animals and incorporate lessons learned from previous disasters.

Feral swine.—The Committee maintains the 2020 funding level for feral swine eradication efforts. The Committee encourages APHIS Wildlife Services to use all approved measures as a force multiplier and prioritize states with the highest population of feral swine.

Final rule on horse protection.—The Secretary is strongly urged to reinstate and publish the final rule, Horse Protection; Licensing of Designated Qualified Persons and Other Amendments (Docket No. APHIS–2011–0009), as it was finalized and displayed in advance public notice in the Federal Register on January 19, 2017, with effective dates adjusted to reflect the delay in implementation.

HLB MAC Group.—The Committee recognizes the significant economic impact of this disease on the citrus industry, which is especially acute in Florida and a growing concern in both Texas and

California. The Committee also understands that growers are requesting the right to try treatments that have begun to show success in early stages of testing. The Committee encourages the HLB MAC group to explore and identify new methods to expedite the delivery of promising treatments directly to willing growers, regardless of the phase of observation the treatment is at within the research pipeline. Finally, the Committee expects any funds which are redirected from existing HLB MAC projects be repurposed to other priority HLB MAC projects that are showing promising results in order to ensure these critical funds remain committed to help facilitate the design and implementation of the rapid delivery pathway to growers.

Horse Protection Act.—The Committee provides \$2,000,000 for enforcement of the Horse Protection Act of 1970 and reminds the Secretary that Congress granted the agency primary responsibility to enforce this law.

Huanglongbing Emergency Response.—The Committee maintains the 2020 funding levels for HLB emergency response within the Specialty Crop Pests line item. The Committee encourages APHIS to allocate sufficient resources in order to continue vital management, control, and associated activities to address citrus greening. The disease, for which there is no cure, has caused a reduction in citrus production by over 70 percent since 2007 in Florida alone. All citrus producing counties in Texas are under quarantine, and California has found the Asian Citrus Psyllid, the vector of the disease, in several areas of the state, and citrus greening in some residential trees. The spread of this disease has called into question the future of the domestic citrus industry, costing thousands of jobs and millions of dollars in lost revenue. The agency is encouraged to support priorities and strategies identified by the HLB MAC group which will benefit the citrus industry. The agency should appropriately allocate resources based on critical need and maximum effect to the citrus industry.

The Committee also provides \$8,500,000 for citrus health to support priorities and strategies identified by the HLB MAC group. The HLB MAC is focused on solutions to help the citrus industry, and the cooperative nature of federal, state, and industry representatives in this group is expected to result in the development of tools and techniques to address this devastating disease. The MAC has been an effective resource in helping growers explore new possible solutions. The agency should appropriately allocate resources based on critical need and maximum impact to the citrus industry. These citrus health activities directly protect citrus production on approximately 765,000 acres in the United States worth more than \$11 billion in total.

In and Out Bound Market Access Report.—The Committee awaits the report from APHIS on U.S. out-bound and foreign in-bound agricultural market access.

Inspection Reports.—The bill provides \$31,772,000 for the Animal Welfare program in order to ensure that minimum standards of care and treatment are provided for certain animals bred for commercial sale, used in research, transported commercially, or exhibited to the public.

This level includes funding to support the agreement between APHIS and ARS, under which APHIS conducts compliance inspec-

tions of ARS facilities to ensure compliance with the regulations and standards of the Animal Welfare Act. The Committee directs APHIS to conduct inspections of all such ARS facilities and to post the resulting inspection reports on line in their entirety without redactions except signatures. The Committee continues to direct APHIS to transmit to the Committees all inspection reports involving ARS facilities, including pre-compliance inspections. These facilities involve federal funds over which this Committee has oversight responsibilities. APHIS is directed to include every violation its inspectors find and never to frustrate the Committee's oversight activities by using so-called "teachable moments" or other means of not reporting ARS facility violations.

National Animal Health Laboratory Network (NAHLN).—The laboratories within the NAHLN network are on the frontline for detection of newly identified and reemerging animal diseases. NAHLN laboratories provide a critical contribution to animal and public health. The bill continues to provide funding for NAHLN through both APHIS and NIFA at approximately \$12,700,000 and \$4,300,000, respectively, resulting in a total investment of no less than \$17,000,000 for fiscal year 2021. This amount is in addition to mandatory funding provided through the 2018 Farm Bill for Animal Disease Prevention and Management. The Committee encourages the Department to provide robust funding from the 2018 Farm Bill for NAHLN. These laboratories were invaluable during the 2015 outbreak of HPAI, which significantly increased testing needs. At the same time, NAHLN laboratories must also continue testing for other animal diseases of concern.

National Clean Plant Network (NCPN).—Of the funds made available for the National Clean Plant Network (NCPN), appropriate consideration shall be provided for equipment purchases to ensure the establishment of a redundant diagnostic and therapy center for the NCPN-Berries. Further, funding for the NCPN-Berries diagnostic center shall be no less than the FY 2020 level. The Committee also expects a full report within 90 days of enactment detailing the history of the NCPN-Berries program, the complete plan for future work, and the effort to establish adequate diagnostic and therapeutic redundancy.

National Honeybee Disease Survey Report.—The Committee continues funding the survey at the 2020 level. Since 2009, a national survey of honeybee pests and diseases has been funded annually by APHIS along with other federal and non-federal partners to document which bee diseases, parasites, or pests of honeybees are present and/or likely absent in the U.S. This information will help place current and future epidemiological studies in context and thus may indirectly help investigations of emerging conditions.

Pacific Ants.—Congress encourages APHIS, ARS, and the Forest Service to lead the revision of the Biosecurity Plan for Invasive Ants in the Pacific, in collaboration with U.S. and international partners. The plan should include (1) research; (2) the development of technologies and methodologies for prevention, eradication and control of invasive ants; and (3) the collaborative implementation of projects to prevent, monitor and control invasive ants in affected Pacific islands.

Pale Cyst Nematode Eradication.—The Committee includes funding to maintain resources for the pale cyst nematode eradication

program at the 2020 level in order to continue with successful efforts to eradicate this pest. If left untreated, this pest could spread, affecting other crops.

Roseau Cane.—The Committee remains concerned with the invasive species-scale insect pest that is destroying Roseau cane in the Mississippi River Delta region along the Gulf of Mexico. The Committee directs APHIS to continue to work with ARS and stakeholders and continues to provide no less than \$2,000,000 within Field Crop and Rangeland Ecosystems Pests to further develop an integrated management program for control of the Roseau cane scale insect pest infestation.

Searchable databases.—The Committee directs APHIS to ensure that the searchable databases in Section 788 of P.L. 116–94 are searchable at least to the same extent that they were on January 30, 2017 in terms of both function and content.

Spotted Lanternfly.—The Committee continues to be concerned about the recent Spotted Lanternfly outbreak and provides an increase of \$4,000,000 to support efforts in combatting this pest.

Wildlife Services.—The Committee is aware that Wildlife Services has worked with landowners to deploy nonlethal strategies, e.g., fladry, electric fencing, and livestock guardian dogs, to reduce predator depredation on livestock. In FY 2020, the Committee provided an increase of \$1,380,000 for Wildlife Services to hire personnel exclusively to: (1) promote and implement nonlethal livestock-predator conflict deterrence techniques in selected states; and (2) assist in providing training in these techniques to agricultural producers, landowners, and other agency personnel in collaboration with the National Wildlife Research Center. This would include research on monitoring methods for efficacy of non-lethal control methods implemented to reduce predation. The Committee is maintaining this level of funding for this purpose in FY 2021.

BUILDINGS AND FACILITIES

2020 appropriation	\$3,175,000
2021 budget estimate	2,574,000
Provided in the bill	3,175,000
Comparison:	
2020 appropriation	— — —
2021 budget estimate	+601,000

COMMITTEE PROVISIONS

For Buildings and Facilities of the Animal and Plant Health Inspection Service, the Committee provides \$3,175,000.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

2020 appropriation	\$186,936,000
2021 budget estimate	148,440,000
Provided in the bill	188,891,000
Comparison:	
2020 appropriation	+1,955,000
2021 budget estimate	+40,451,000

COMMITTEE PROVISIONS

For Marketing Services of the Agricultural Marketing Service (AMS), the Committee provides an appropriation of \$188,891,000.

This amount includes an increase of \$2,000,000 to fund the National Organic Standards program at \$18,000,000, doubling the program in just five years. The bill also includes \$8,000,000 for the Farmers Market and Local Food Promotion Program authorized under the Local Agriculture Market Program (LAMP) in the Agriculture Improvement Act of 2018. Together with the Value-Added Producer Grant Program, the bill provides a total of \$20,000,000 for LAMP. This amount is in addition to \$50,000,000 of mandatory funds available for LAMP in fiscal year 2021. The bill maintains funding for the Acer Access and Development Program at \$6,000,000. The bill also provides a total increase of \$1,809,000 for pay and retirement contribution.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$45,000,000 for AMS to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Current Oversupply of Fresh Potatoes.—The committee encourages AMS to pursue purchases of fresh potatoes, including those that can also be used for processing and for frozen potato products.

National Organic Program (NOP).—There continues to be concern about fraud in the organic program, especially among imports. AMS is directed to continue providing the Committee with timely updates on investigations of fraud in organic markets. The Committee requests that additional funding provided in the bill for NOP be focused on proactive risk-based investigations and oversight, enhanced training for certifiers, and standards development.

Organic Production and Market Data Initiative.—The Committee notes that the 2018 Farm Bill provides \$5,000,000 for the Organic Production and Market Data Initiative. Accurate data for the production, pricing and marketing of organic products is essential to maintaining stable markets, identifying fraud, creating risk management tools, and tracking production trends. The National Organic Program should require mandatory reporting by accredited certifying agents on aggregate production area certified by crop and location in order to accurately calculate organic acreage and yield estimates on a country-by-country basis. USDA shall report to Congress within one year on the department’s current collection and publication of organic data and identify gaps in the reporting or collection of organic specific data.

Shelf Stable Items in Farmers to Families Program.—The Committee encourages USDA to consider purchasing shelf stable items, such as dehydrated potatoes, during any expansion of the program.

LIMITATION ON ADMINISTRATIVE EXPENSES

2020 limitation	(\$61,227,000)
2021 budget limitation	(60,982,000)
Provided in the bill	(61,227,000)
Comparison:	
2020 limitation	— — —
2021 budget limitation	+245,000

COMMITTEE PROVISIONS

The Committee provides a limitation of \$61,227,000 on Administrative Expenses of the Agricultural Marketing Service.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY
(SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	(\$20,705,000)
2021 budget estimate	(20,705,000)
Provided in the bill	(20,705,000)
Comparison:	
2020 appropriation	-- --
2021 budget estimate	-- --

COMMITTEE PROVISIONS

For the Marketing Agreements and Orders Program, the Committee provides a transfer from Section 32 funds of \$20,705,000. The following table reflects the status of this fund:

ESTIMATED TOTAL FUNDS AVAILABLE AND BALANCE CARRIED FORWARD FISCAL YEARS 2020–2021
(Dollars in Thousands)

	FY 2020 enacted	FY 2021 estimate	Committee provision
Appropriation (30% of Customs Receipts)	\$15,123,425	\$22,696,566	\$22,696,566
Less Transfers:			
Food and Nutrition Service	– 13,535,592	– 21,081,566	– 21,081,566
Commerce Department	– 183,833	– 184,000	– 184,000
<i>Total, Transfers</i>	– 13,719,425	– 21,265,566	– 21,265,566
Budget Authority, Farm Bill	1,404,000	1,431,000	1,431,000
Appropriations Temporarily Reduced—Sequestration	0	0	– 71,136
<i>Budget Authority, Appropriations Act</i>	1,404,000	1,431,000	1,359,864
Less Obligations:			
Child Nutrition Programs (Entitlement Commodities)	485,000	485,000	485,000
State Option Contract	5,000	5,000	5,000
Removal of Defective Commodities	2,500	2,500	2,500
Disaster Relief	5,000	5,000	5,000
Additional Fruits, Vegetables, and Nuts Purchases	206,000	206,000	206,000
Fresh Fruit and Vegetable Program	179,000	183,000	183,000
Estimated Future Needs	392,667	487,049	415,913
<i>Total, Commodity Procurement</i>	1,275,167	1,373,549	1,302,413
Administrative Funds:			
Commodity Purchase Support	35,853	36,746	36,476
Marketing Agreements and Orders	20,705	20,705	20,705
<i>Total, Administrative Funds</i>	56,558	57,451	57,451
<i>Total Obligations</i>	\$1,331,725	\$1,431,000	\$1,359,864

Cranberry Purchases.—The Committee remains concerned about low cranberry commodity prices and associated farm losses that US cranberry producers have incurred over the past three years. Retaliatory tariffs in major export markets coupled with high yields across major producing areas have negatively impacted efforts by the industry and USDA to expand new markets and address current pressures on farm income. The Committee expects USDA to continue closely monitoring the cranberry industry markets and to initiate a Section 32 purchase of cranberry products if an economic analysis supports such a buy and if there are recipients who can accept the products.

PAYMENTS TO STATES AND POSSESSIONS

2020 appropriation	\$1,235,000
2021 budget estimate	— —
Provided in the bill	1,235,000
Comparison:	
2020 appropriation	— —
2021 budget estimate	+1,235,000

COMMITTEE PROVISIONS

For Payments to States and Possessions, the Committee provides an appropriation of \$1,235,000.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

2020 limitation	(\$55,000,000)
2021 budget limitation	(55,000,000)
Provided in the bill	(55,000,000)
Comparison:	
2020 limitation	— —
2021 budget limitation	— —

COMMITTEE PROVISIONS

The Committee includes a limitation on inspection and weighing services expenses of \$55,000,000.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

2020 appropriation	\$800,000
2021 budget estimate	813,000
Provided in the bill	809,000
Comparison:	
2020 appropriation	+9,000
2021 budget estimate	— 4,000

COMMITTEE PROVISIONS

For the Office of the Under Secretary for Food Safety, the Committee provides an appropriation of \$809,000.

FOOD SAFETY AND INSPECTION SERVICE

2020 appropriation	\$1,054,344,000
2021 budget estimate	1,092,405,000
Provided in the bill	1,088,552,000
Comparison:	
2020 appropriation	+34,208,000
2021 budget estimate	— 3,853,000

COMMITTEE PROVISIONS

For the Food Safety and Inspection Service (FSIS), the Committee provides an appropriation of \$1,088,552,000. This amount includes \$7,300,000 for the relocation of the Mid-Western Laboratory, \$4,684,000 for Information Technology modernization investments, \$1,000,000 for the inspection of wild caught invasive species in the order siluriformes and family Ictaluridae, including blue catfish in the Chesapeake Bay, and resources for the Consumer Safety Inspection Conversion.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$33,000,000 for FSIS to prevent, prepare for, and respond to coronavirus, domestically or internationally.

The following table reflects the Committee's recommendations for fiscal year 2021:

FOOD SAFETY AND INSPECTION SERVICE
[Dollars in Thousands]

Federal Inspection	\$970,197
Public Health Data Communication Infrastructure System	34,580
International Food Safety and Inspection	17,045
State Food Safety and Inspection	66,730
Total, Food Safety and Inspection Service	\$1,088,552

Beef Inspection.—The Committee is concerned about FSIS' consideration of line-speed waivers for beef slaughter plants. The Committee objects to any process that bypasses the longstanding process of public notice and input. The Committee directs any proposed changes to the beef inspection system go through the normal regulatory process and be published in the Federal Register.

COVID-19 Response.—FSIS is responsible for ensuring the safety of the nation's meat and poultry supply, while ensuring the safety of its inspectors. During the COVID-19 outbreak, FSIS has tragically failed to protect its workforce. At least four FSIS inspectors have died from COVID-19. USDA failed to promptly provide Personal Protective Equipment to inspectors. Additional mitigation measures to protect inspectors from COVID-19 risks should have been implemented much more quickly, including mandatory social distancing and increased screening measures in establishments to reduce the spread of COVID-19. FSIS also relocated inspectors from closed establishments that had had COVID-19 outbreaks to other establishments, potentially increasing the spread of the disease and placing other people at risk. FSIS is directed, effective when this bill is reported by the full committee, to publish on its website the number of confirmed COVID-19 cases and deaths among FSIS inspectors and to update those numbers within five business days of receiving any updated numbers.

FSIS Rulemaking.—The Committee has reviewed the Inspector General's (IG) recent report on the rulemaking process relating to worker safety analysis that was used to develop the modernized swine slaughter rule. The Committee is deeply concerned with the IG's findings about the shortcomings in meeting transparency requirements and determining the reliability and quality of worker safety data used in the rulemaking. The Committee directs FSIS to expeditiously implement all recommendations identified in the IG report. The agency shall brief the Committee within 60 days of enactment on updates to the internal procedures on rulemaking and communication efforts with the public on the data used in developing the rule.

Humane Methods of Slaughter.—The Food Safety and Inspection Service shall ensure that all inspection personnel conducting humane handling verification procedures receive robust initial training and periodic refresher training on the FSIS humane handling regulations, FSIS humane handling and slaughter directives, and proper use of the Humane Activities Tracking System. The Committee directs the agency to resume preparation and online posting

of the Humane Handling Quarterly Reports, to include: (1) the number of humane handling verification procedures performed, (2) the number of administrative enforcement actions taken, (3) time spent on Humane Handling Activities Tracking System activities, and (4) comparisons of these measurements by plant size and FSIS district.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

2020 appropriation	\$901,000
2021 budget estimate	1,141,000
Provided in the bill	916,000
Comparison:	
2020 appropriation	+15,000
2021 budget estimate	– 225,000

COMMITTEE PROVISIONS

For the Office of the Under Secretary for Farm Production and Conservation (FPAC), the Committee provides an appropriation of \$916,000.

Acreage Adoption Initiative.—The Committee recognizes the conservation benefits of USDA’s new pilot program, CLEAR30. The Committee encourages USDA, through the Lake Erie Basin Project, to explore creating a similar pilot project that allows farmers to adopt an acre of land around the basin to survey and research soil nutrient outcomes, through experiments with cover crops, phosphorus, carbon dioxide, and nitrogen. The Committee directs NRCS to inform the Committee of the pilot program’s feasibility.

Agricultural Labor.—The Committee is concerned with the lack of available domestic agricultural workers and the increasing demand for agricultural labor across the United States. For this reason, the Committee encourages the Secretary to report to the Committee on the size of the agricultural workforce in the United States. The report should include the number of workers in the current agricultural labor force and the number of agricultural job vacancies in the United States. The report should assess both year-round and seasonal agricultural labor.

Information Technology Briefing.—The Committee directs the Under Secretary to provide briefings during fiscal year 2021 on the development and combination of information technology systems, specifically farm program modernization and the latest updates to the farmers.gov website.

Livestock Indemnity Payments.—The Committee is concerned the current process for producers to apply for reimbursement due to attacks by animals under the Livestock Indemnity Program is burdensome and does not fully compensate producers for their loss. The Committee directs the Secretary to provide a report to the Committee within 180 days of enactment on factors contributing to producers’ challenges in the application process for the Livestock Indemnity Program. The report shall examine ways to streamline, simplify, and improve the application process for producers, and

make recommendations on possible methods to fully and fairly compensate producers for direct and indirect costs of eligible attacks.

Livestock Indemnity Payments for Adverse Weather.—The Committee is aware that millions of farmed animals die each year due to the effects of adverse weather. Extreme weather events are occurring at increased frequency, putting additional livestock at risk. The Committee recognizes the importance of disaster planning and directs the Department to work with producers that want to voluntarily develop disaster plans to prevent livestock deaths and injuries.

Watershed Projects.—The Committee directs the Secretary to report on the status of all federally funded watershed projects throughout the States and territories that remain unfinished or incomplete due to lack of funds. The Committee encourages the Department to focus on active projects that are over 50 percent complete and where participating states and territories have contributed their share of the project costs.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

2020 appropriation	\$203,877,000
2021 budget estimate	243,602,000
Provided in the bill	232,194,000
Comparison:	
2020 appropriation	+28,317,000
2021 budget estimate	– 11,408,000

COMMITTEE PROVISIONS

For the Farm Production and Conservation Business Center (FPAC BC), the Committee provides an appropriation of \$232,194,000. While the Committee strongly supports FPAC's digital records initiative request, especially efforts to improve the efficiency and effectiveness of field offices by eliminating paper forms, it is concerned with the large lapsing balances in the FPAC Mission Area at the end of fiscal year 2019. The Committee will continue to monitor these balances to determine appropriate funding levels.

Process Modernization.—The Committee recognizes that implementing the requirements of the 21st Century Integrated Digital Experience Act will enable the FPAC BC to improve digital service delivery for farmers, ranchers and internal workflows. The Committee supports FPAC BC's efforts to modernize its internal and external digital services and encourages FPAC BC to continue focusing on requirements that will most effectively modernize farmer-facing services, including modernizing its paper-based forms.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

	Appropriation	Transfer from program accounts	Total, FSA S&E
2020 appropriation	1,122,837,000	(291,377,000)	1,414,214,000

	Appropriation	Transfer from program accounts	Total, FSA S&E
2021 budget estimate	1,104,684,000	(294,114,000)	1,398,798,000
Provided in the bill	1,152,323,000	(294,114,000)	1,446,437,000
Comparison:			
2020 appropriation	+29,486,000	+2,737,000	+32,223,000
2021 budget estimate	+47,639,000	— — —	+47,639,000

COMMITTEE PROVISIONS

For Salaries and Expenses of the Farm Service Agency (FSA), the Committee provides an appropriation of \$1,152,323,000 and transfers of \$294,114,000 for a total program level of \$1,446,437,000.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$3,000,000 for the Farm Service Agency to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Dryland Farming.—The Committee recognizes the importance of the authority granted to the Secretary in the 2018 Farm Bill to permit dryland agricultural uses on land enrolled under a Conservation Reserve Enhancement Program (CREP) agreement and encourages the use of this discretion to permit dryland agriculture within new or modified CREP projects where irrigated agriculture is currently taking place.

Heirs Property.—The Committee acknowledges and appreciates the listening sessions conducted by the FSA on heirs property issues and encourages the FSA to continue to work with local persons knowledgeable about heirs property issues and to implement the program in such a way that it is accessible to those who could benefit. The Committee directs FSA to inform the Committee on how it will implement input from the listening sessions. The Committee also directs the FSA to create a strategic plan that addresses issues that could prevent heirs property owners from accessing and benefiting from the program, including the difficulties of collateralization for those with limited assets and credit history.

Noninsured Crop Disaster Assistance Program (NAP) Fairness.—The Committee is aware of the recent ruling from the USDA National Appeals Division finding that the FSA did not follow its own rules while attempting to adjust the approved yields for farmers and ranchers in Rio Arriba County, NM. Within 120 days of the enactment of this legislation, USDA shall review the Farm Service Agency’s actions, consistent with this ruling, and provide a report to the Committee on which counties in the United States may have been impacted by similar decisions from State FSA directors and what mitigating actions the Agency plans to take. The Committee directs the USDA to provide equitable relief to the impacted farmers and ranchers and directs USDA to make reforms to the NAP policies and procedures to ensure farmers and ranchers are held harmless when errors are discovered.

Small Farms.—The Committee is concerned that a majority of financial and technical assistance goes to larger farmers. The Department should make every effort to reach smaller farmers. The committee awaits the report on small farms as directed by House Report 116–107.

Staffing Levels.—The Committee is concerned about staffing shortages at FSA offices. No later than 90 days from the enactment of this Act, the Committee directs the Secretary to submit a report to Congress with an administrative breakdown of allotment levels by State, current full-time equivalents, current on-board permanent employees by State, and funded ceiling levels by State.

STATE MEDIATION GRANTS

2020 appropriation	\$5,545,000
2021 budget estimate	6,914,000
Provided in the bill	6,914,000
Comparison:	
2020 appropriation	+1,369,000
2021 budget estimate	— — —

COMMITTEE PROVISIONS

For State Mediation Grants, the Committee provides an appropriation of \$6,914,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

2020 appropriation	\$6,500,000
2021 budget estimate	— — —
Provided in the bill	6,500,000
Comparison:	
2020 appropriation	— — —
2021 budget estimate	+6,500,000

COMMITTEE PROVISIONS

For the Grassroots Source Water Protection Program, the Committee provides an appropriation of \$6,500,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

2020 appropriation	\$500,000
2021 budget estimate	500,000
Provided in the bill	500,000
Comparison:	
2020 appropriation	— — —
2021 budget estimate	— — —

COMMITTEE PROVISIONS

For the Dairy Indemnity Program, the Committee provides an appropriation of such sums as may be necessary (estimated to be \$500,000 in the President's fiscal year 2021 budget request).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

ESTIMATED LOAN LEVELS

2020 loan level	\$8,431,016,000
2021 budget estimate	8,906,698,000
Provided in the bill	8,932,176,000
Comparison:	
2020 loan level	+501,160,000
2021 budget estimate	+25,478,000

COMMITTEE PROVISIONS

For the Agricultural Credit Insurance Fund program account, the Committee provides a loan level of \$8,932,176,000.

The following table reflects the loan levels for the Agricultural Credit Insurance Fund program account:

AGRICULTURE CREDIT PROGRAMS—LOAN LEVELS

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Farm Loan Programs:			
Farm Ownership:			
Direct	\$1,875,000	\$2,119,000	\$2,119,000
Unsubsidized Guaranteed	2,750,000	2,750,000	2,750,000
Farm Operating:			
Direct	1,550,133	1,633,333	1,633,333
Unsubsidized Guaranteed	1,960,000	2,118,482	2,118,482
Emergency Loans	37,668	37,668	37,668
Indian Tribe Land Acquisition Loans	20,000	20,000	20,000
Conservation Loans:			
Unsubsidized Guaranteed	150,000	150,000	150,000
Indian Highly Fractionated Land	10,000	— —	10,000
Boll Weevil Eradication	60,000	60,000	60,000
Relending Program	18,215	18,215	33,693
Total	8,431,016	8,906,698	8,932,176

ESTIMATED LOAN SUBSIDY AND ADMINISTRATIVE EXPENSES LEVELS

[Dollars in Thousands]

	Direct loan subsidy	Guaranteed loan subsidy	Administrative expenses
2020 appropriation	\$58,440	\$20,972	\$317,068
2021 budget estimate	38,710	23,727	307,344
Provided in the bill	38,710	23,727	307,344
Comparison:			
2020 appropriation	— 19,730	2,755	— 9,724
2021 budget estimate	— — —	— — —	— — —

The following table reflects the costs of loan programs under credit reform:

AGRICULTURE CREDIT PROGRAMS—SUBSIDIES AND GRANTS

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Farm Loan Subsidies:			
Farm Operating:			
Direct	\$58,440	\$38,710	\$38,710
Unsubsidized Guaranteed	20,972	23,727	23,727
Emergency Loans	2,023	207	207
Indian Highly Fractionated Land	2,745	— —	1,484
Boll Weevil Eradication	60	— —	— —
Relending Program	5,000	2,703	5,000
Total	89,240	65,347	69,128
ACIF Expenses:			
FSA Salaries and Expenses	290,917	294,114	294,114
Program Administrative Expenses	10,070	13,230	13,230
FPAC Business Center Salaries and Expenses	16,081	— —	— —
Total, ACIF Expenses	\$406,308	\$372,691	\$376,472

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

2020 appropriation	\$58,361,000
2021 budget estimate	59,440,000
Provided in the bill	59,374,000
Comparison:	
2020 appropriation	+1,013,000
2021 budget estimate	– 66,000

COMMITTEE PROVISIONS

For the Risk Management Agency, the Committee provides an appropriation of \$59,374,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

2020 appropriation	\$829,628,000
2021 budget estimate	830,186,000
Provided in the bill	833,785,000
Comparison:	
2020 appropriation	+4,157,000
2021 budget estimate	+3,599,000

COMMITTEE PROVISIONS

For Conservation Operations, the Committee provides an appropriation of \$833,785,000.

The Committee provides \$11,715,000 for the Snow Survey and Water Forecasting Program; \$9,559,000 for the Plant Materials Centers; and \$79,665,000 for the Soil Surveys Program. The Committee provides \$732,846,000 for Conservation Technical Assistance. The Committee provides \$2,458,500 for the farmers.gov Customer Experience Portal program.

Composting.—The Committee encourages NRCS to explore creating a composting practice within the Conservation Stewardship Program and the Environmental Quality Incentives Program. A composting practice may include an activity to produce compost from organic waste that is generated on a farm or brought to a farm from the nearby community and use of compost on a farm to improve water retention and soil health, subject to the condition that such use complies with applicable Federal, State, and local laws.

Conservation Data Collection.—The Committee directs the Department to conduct a study to assess data collected from producers, across all USDA agencies, related to conservation practices and describe how that data can be used to increase and improve conservation efforts. The report should consider and share what additional data would improve the ability to better quantify the benefits of these practices. The Committee directs the Department to share its findings with the Appropriations Committees no later than one year after enactment of this Act.

Cover Crop Management.—The Committee provides \$1,000,000 from within funds provided and directs the NRCS to bolster ongoing efforts of the Soil Health Initiative working to link soil health and cover crop management with an On-Farm Research Network in conjunction with public and private sector partners. This work examines the challenges facing producers to increase cover crop

practices and better understand the benefits of cover crop performance across different regions, management scenarios, climatic zones and soil types. This project would further develop a decision-support platform to help producers establish a cover crop expert network to help producers in corn producing states establish and manage cover crops, increase their use and measure the benefits of soil health.

Critical Conservation Areas.—The Committee supports Critical Conservation Areas and the collaborative regional approach to address common natural resources goals while maintaining or improving agricultural productivity. The Committee encourages NRCS to provide Conservation Technical Assistance additional funds to Critical Conservation Areas to address conservation planning backlogs.

EQIP Outreach.—The Committee understands the value of carbon capture and sequestration for the health of regenerative soil. Therefore, the Committee directs NRCS to increase awareness and outreach of the Environmental Quality Incentives Program (EQIP) to farmers in distressed watersheds, to incentivize farmers to improve soil carbon capture for improved land and water health.

Forestry and Wetlands.—The Committee recognizes the importance of wetlands and forests as effective land cover for maintenance of water quality. The Committee directs NRCS to study the ability and effectiveness of managed forestry best practices to aid in combating and mitigating waste runoff and toxic elements in affected large water sources and watersheds where overapplication of toxins and manure is harming freshwater drinking supplies. NRCS should seek input from forestry experts. The Committee directs NRCS to report back on its findings, within 180 days of the enactment of this Act.

Harmful Algal Blooms (HABs).—The Committee recognizes soil erosion as a leading cause of nutrient runoff, which substantially increases the frequency, size, and intensity of HABs. The Committee strongly directs NRCS to continue funding NRCS's ongoing work to reduce nutrient loading from agricultural sources that can contribute to the growth of harmful algal blooms. The funding shall be used for targeting of watersheds where harmful algal blooms pose a threat and implementing a variety of conservation systems to address all transport pathways of phosphorus from agricultural land uses. NRCS shall coordinate efforts to address harmful algal blooms with other federal partners through the Interagency Working Group on Harmful Algal Blooms and Hypoxia Research Control Act as authorized by Public Law 115–423. Further, within one year of enactment, the Committee directs NRCS, in collaboration with the Great Lakes Restoration Initiative to report back on comparisons between soil health, water quality, and HABs presence in the Great Lakes.

Mississippi River Basin.—The Committee recognizes that the Mississippi River basin from Minnesota to Louisiana is a vital American waterway. The Committee urges the Department to participate and coordinate as an essential federal stakeholder with the Environmental Protection Agency on developing a Mississippi River restoration and resiliency strategy focused on improving water quality, restoring habitat and natural systems, improved naviga-

tion, eliminating aquatic invasive species, and building local resilience to natural disasters.

Office of Urban Agriculture and Innovative Production.—The Committee directs NRCS to maintain grants to support urban agriculture outreach and innovation and encourages NRCS to consider expanding the number of grant programs available. To this extent, the Committee provides an additional \$7,000,000 for this office. Of this amount, \$1,000,000 is for pilot programs under section 222(d)(2) of Subtitle A of the Department of Agriculture Reorganization Act of 1994, as amended by section 12302 of P.L. 115–334. The Committee also acknowledges the need for expanded research in support of urban agriculture in food-insecure communities. Communities that lack access to fresh produce face growing epidemics of obesity-related diseases. The Committee believes urban farming and food production closer to the home is a viable solution to these challenges and encourages the Department to create partnerships and, with its extension programs, to assist urban agricultural production.

Resource Conservation and Development Councils (RC&Ds).—The Committee recognizes RC&Ds have been valuable partners in conservation and encourages NRCS to continue working with local councils, as appropriate, to ensure conservation programs meet local resource needs.

Sage Grouse Initiative.—The Committee supports NRCS's sage grouse conservation efforts. Through the initiative, NRCS provides technical and financial assistance to help landowners conserve sage grouse habitat on their land. The initiative is an integral part of efforts by federal agencies, several western states, and private landowners to help preclude the listing of the sage grouse as an endangered species.

Soil Health and Food Nutrients.—The Committee understands different regions of the country have different soil needs to optimize food nutrient density. The Committee directs NRCS to conduct targeted regional studies on carbon capture related to nitrate and phosphorus to the soil components in restoring regenerative soils and their impact on nutrients in vegetables, fruits, and farm products, particularly in agricultural regions where human health has been placed at risk.

Soil Health on Federal Lands.—The Committee directs the Secretary, in coordination with the Department of the Interior to conduct a study on the state of soil health on Federal lands in the United States and provide a report on its findings 180 days after enactment. This study should include an analysis of the impact grazing, wildfire, recreation, and invasive species have on the soil; and it should include recommendations for legislative or regulatory action to improve soil health, increase carbon sequestration, and improve community benefits of soil health programs on Federal lands.

Soil Restoration in Watersheds.—The Committee is concerned about soil quality near watersheds such as the Great Lakes Basin, Salton Sea, Lake Okeechobee, and the Chesapeake Bay. Water from these sources, used for agriculture, affects crop production and soil health, and through groundwater and surface water runoff, the health of the soil in turn affects adjacent water sources. Therefore, the Committee directs NRCS to evaluate outcomes of

watershed and cropland projects implemented through its Conservation Effects Assessment Project, and report back to the Committee within 180 days of enactment on the results and effectiveness of conservation program practices. Emphasis should be placed on regenerative soil findings, soil health standards that can be established, and means to improve water quality.

WATERSHED AND FLOOD PREVENTION OPERATIONS

2020 appropriation	\$175,000,000
2021 budget estimate	— —
Provided in the bill	155,000,000
Comparison:	
2020 appropriation	— 20,000,000
2021 budget estimate	+155,000,000

COMMITTEE PROVISIONS

For the Watershed and Flood Prevention Operations, the Committee provides an appropriation of \$155,000,000.

WATERSHED REHABILITATION PROGRAM

2020 appropriation	\$10,000,000
2021 budget estimate	— —
Provided in the bill	12,000,000
Comparison:	
2020 appropriation	+2,000,000
2021 budget estimate	+12,000,000

COMMITTEE PROVISIONS

For the Watershed Rehabilitation Program, the Committee provides an appropriation of \$12,000,000.

CORPORATIONS

FEDERAL CROP INSURANCE CORPORATION FUND

2020 appropriation	\$9,959,000,000
2021 budget estimate	8,716,000,000
Provided in the bill	8,716,000,000
Comparison:	
2020 appropriation	— 1,243,000,000
2021 budget estimate	— —

COMMITTEE PROVISIONS

For the Federal Crop Insurance Corporation Fund, the Committee provides an appropriation of such sums as may be necessary (estimated to be \$8,716,000,000 in the President's fiscal year 2021 budget request).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$26,309,033,000
2021 budget estimate	25,553,096,000
Provided in the bill	25,553,096,000
Comparison:	
2020 appropriation	— 755,937,000
2021 budget estimate	— —

COMMITTEE PROVISIONS

For Reimbursement for Net Realized Losses to the Commodity Credit Corporation, the Committee provides such sums as may be necessary to reimburse for net realized losses sustained but not previously reimbursed (estimated to be \$25,553,096,000 in the President's fiscal year 2021 budget request).

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

2020 limitation	(\$5,000,000)
2021 budget estimate	(15,000,000)
Provided in the bill	(15,000,000)
Comparison:	
2020 limitation	+10,000,000
2021 budget estimate	— —

COMMITTEE PROVISIONS

For Hazardous Waste Management, the Committee provides a limitation of \$15,000,000. The Committee directs the Hazardous Materials Management Program and the Hazardous Waste Management Program to coordinate their work to ensure there is no duplication.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

2020 appropriation	\$800,000
2021 budget estimate	1,036,000
Provided in the bill	812,000
Comparison:	
2020 appropriation	+12,000
2021 budget estimate	— 224,000

COMMITTEE PROVISIONS

For the Office of the Under Secretary for Rural Development, the Committee provides an appropriation of \$812,000.

Appropriate Technology Transfer for Rural Areas (ATTRA).—The Committee continues to support ATTRA's work with military veterans.

Climate Adaptation.—The Committee recognizes that the impacts of climate change—including sea level rise and more frequent and severe coastal hazards—pose a significant threat to infrastructure and economic development opportunities in rural communities. Therefore, the Committee encourages Rural Development to partner with USDA's Climate Hubs to better leverage existing USDA programs to provide resources to communities to invest in infrastructure improvements that will enhance resilience to future impacts of climate change.

Healthy Food Financing Initiative (HFFI).—HFFI, through the National Fund Manager, invests in projects that will increase the supply of and demand for healthy foods in underserved communities, through loans, grants, and by providing technical assistance. In order to improve access to healthy food, particularly in rural

areas and Tribal communities, the Agriculture Improvement Act of 2018 expands eligible projects to include healthy food enterprises. These food enterprises include businesses or organizations along the food supply chain such as food hubs; food producers, distributors, processors, and manufacturers; commercial kitchens and food business incubators; mobile markets; and other direct to consumer markets.

High-Cost Universal Service Fund (USF) Recipients with Minimum 25/3 Buildout Obligations.—ReConnect funding for service areas where High-Cost USF recipients under the CAF–II auction have buildout obligations of 25/3 Mbps or greater for fixed terrestrial broadband can only be requested by the entity that is receiving such USF support. Project sponsors that receive USF support in those areas may only apply for funds that serve those areas from the 100% loan funding category under the ReConnect Program. For purposes of clarification, this limitation on eligibility shall only apply to those areas (e.g., study areas or census blocks) for which the USF CAF–II recipient is subject to a buildout obligation of 25/3 Mbps or greater for fixed terrestrial broadband.

Hub Communities.—The Committee encourages the Department to consider the mission and scope of all program applicants, including community colleges, hospitals and other regional public service entities and their ability to effectively address rural depopulation struggles. These entities are often located in regional “hub” communities larger than the program population limits, yet without these critical services many of the surrounding smaller towns could not exist and prosper. The Committee encourages the Secretary to make grants and loans available to these institutions, located in rural areas as defined by current law, and serve rural areas.

Industrial Hemp.—The intent of Congress in Public Law 115–334 was for industrial hemp to be eligible for all USDA programs, including Rural Development. Industrial hemp can significantly benefit struggling rural economies. The Committee encourages Rural Development to ensure that industrial hemp is eligible for all competitive grant programs.

Persistent Poverty Areas.—The Committee supports targeted investments in impoverished areas, particularly in persistent poverty counties. To understand how programs funded through the Department are serving these areas, the Committee requested the Department submit a report to the Committees on Appropriations of the House and Senate on the percentage of funds allocated by each rural development program in fiscal years 2017, 2018 and 2019 and estimates for fiscal year 2020 serving individuals living in persistent poverty counties. The Committee awaits this report.

Qualified Opportunity Zones.—The Committee recognizes that Qualified Opportunity Zones were created to incentivize greater private-sector investments in rural and economically distressed communities. Given the critical role that USDA Rural Development programs play in supporting economic development opportunities in these communities, the Committee encourages the Under Secretary for Rural Development to develop strategies to leverage existing RD resources to support greater investment in communities located in or adjacent to a Qualified Opportunity Zone.

ReConnect Program.—The Committee provides an additional \$990,000,000 for the ReConnect program to increase access to

broadband connectivity in unserved and underserved rural communities, targeting areas of the country with the largest broadband coverage gaps, including those with mountainous terrain.

Renewable Energy.—The Committee provides \$10,000,000 to establish a pilot program to provide grants to support the use of renewable energy.

Rural Energy Savings Program (RESP).—The Committee supports RESP and the opportunity it provides to launch or expand energy efficiency financing programs. The Committee urges the Department to conduct outreach to co-ops to build awareness of the program.

Rural Health.— The Committee encourages USDA to support development of infectious disease prevention infrastructure in rural communities, including by investing in infectious disease training and supplies for rural medical providers, syringe services programs, supplies for rural community-based organizations, and mobile health care delivery.

Telemedicine Services.—The Committee continues to support Distance Learning and Telemedicine and Broadband grant programs that assist rural communities in connecting to the rest of the world and overcoming health disparities that affect rural communities. The Committee urges the Under Secretary for Rural Development to continue supporting the utilization of existing telehealth networks to provide additional access using telemedicine through partnerships with hub medical centers. The Committee also encourages focus on Tele-Emergency Medical Service and Tele-ECG program for use in building sustainable models for advanced critical care in populations in rural areas by improving critical care interventional outcomes and decreasing the wait time between original access and treatment for rural populations.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

	FY 2020 enacted	FY 2021 estimate	Committee provision
Appropriations	\$247,835,000	\$483,480,000	\$311,942,000
Transfers from:			
Rural Housing Insurance Fund Program Account	412,254,000	240,000,000	412,254,000
Rural Development Loan Fund Program Account	4,468,000	— — —	4,468,000
Rural Electrification and Telecommunications Loan Program Account	33,270,000	38,000,000	33,270,000
Total, RD Salaries and Expenses	\$697,827,000	\$761,480,000	\$761,934,000

COMMITTEE PROVISIONS

For Salaries and Expenses of the Rural Development mission area, the Committee provides an appropriation of \$311,942,000. Of the amount provided, \$30,000,000 is for the relocation of staff from the Goodfellow location. The Committee also includes \$4,000,000 for modernization of the loan origination platform (“UniFi”) and for continued development of a modern platform for Single-Family Direct Housing and \$7,000,000 for the OneRD guaranteed project for improvement of loan origination and servicing.

Placemaking: Revitalization of Rural Livable Places.—The Committee provides an additional \$2,000,000 to expand or enhance cooperative agreements begun in fiscal year 2020 that utilize public-private partnerships involved in the “Placemaking Initiative”. Awards should take advantage of current or future highspeed broadband investments from the Rural Utilities Service’s ReConnect program. Selection criteria must include geographic and ethnic diversity as well as such factors as the revitalization and shaping of future town centers, community and county wellbeing and economic vitality, and the enhancement of full community participation in creating growth strategies. Where possible, the three main areas of Rural Development should support such efforts to help create greater social and cultural vitality in these livable rural communities. USDA shall report back to the Committee on how the Placemaking Initiative can help develop a tool kit that will allow other rural communities in the future to replicate the successful drivers of making a rural place more livable.

Rural Development Staffing.—The Committee is concerned by the pace of operations at the Rural Development (RD) state offices due to reported staffing shortages. With authority over sizable financial resources, these programs are uniquely poised to provide essential services to and increase the economic competitiveness of underserved rural areas. However, the Committee is aware that a lack of staff at program offices has created a cyclical backlog of applications. Such delays and uncertainty deter potential applicants and fundamentally undercut the programs’ potential impact. The Committee directs the Department to maintain support of 4,566 total staff years.

Rural Hospitals.—Many rural hospitals have closed in recent years, with many more vulnerable. Rural hospitals are an essential pillar of their communities and are necessary to create the economic growth that is direly needed in rural communities. USDA has the experience and expertise to help struggling rural hospitals negotiate, reorganize, and revitalize. Providing assistance to strengthen their sustainability will protect taxpayer investments and help preserve the future of rural health care. The Committee includes \$2,000,000 for technical assistance to vulnerable hospitals in the Community Facilities portfolio to protect the government funds already expended and preserve access to health care in rural communities. In addition, where appropriate, the Committee directs the Department to provide technical assistance to those hospitals that seek to refinance their debt under the new provision for refinancing certain hospital debt as authorized by Section 6103 of the 2018 Farm Bill, in order to protect the investment of government funds expended for this purpose.

Single Family Home Loans.—The Committee continues to provide the resources to meet demand to assist low and very low-income applicants obtain decent, safe and sanitary housing in rural areas. The Committee is aware of possible issues with small rural communities across the country that may be ineligible for the USDA Single-Family Housing programs because they are included in a nearby Metropolitan Service Area (MSA). The Committee directs USDA to consider a proper definition of rural, so that cities with low populations and low incomes may be eligible for this program or other USDA programs that require a rural designation.

RURAL HOUSING SERVICE
RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)
[Dollars in Thousands]

	Loan level	Subsidy level	Administrative expenses
2020 Appropriation	\$25,346,000	\$116,685	\$412,254
2021 Budget Estimate	24,240,000	40,000	240,000
Provided in the Bill	25,346,000	77,920	412,254
Comparison:			
2020 Appropriation	— — —	— 38,765	— — —
2021 Budget Estimate	+\$1,106,000	+\$37,920	+\$172,254

COMMITTEE PROVISIONS

For the Rural Housing Insurance Fund program account, the Committee provides a loan level of \$25,346,000,000.

The following table reflects the loan levels for the Rural Housing Insurance Fund program account:

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Rural Housing Insurance Fund Loans			
Direct	\$1,000,000	— — —	\$1,000,000
Unsubsidized Guaranteed	24,000,000	\$24,000,000	24,000,000
Housing Repair (sec. 504)	28,000	— — —	28,000
Rental Housing (sec. 515)	40,000	— — —	40,000
Multi-family Guaranteed (sec. 538)	230,000	230,000	230,000
Site Development Loans	5,000	— — —	5,000
Credit Sales of Acquired Property	10,000	10,000	10,000
Self-help Housing Land Development Fund	5,000	— — —	5,000
Farm Labor Housing	28,000	— — —	28,000
Total, Loan Authorization	\$25,346,000	\$24,240,000	\$25,346,000

The following table reflects the costs of loan programs under credit reform:

ESTIMATED LOAN SUBSIDY AND ADMINISTRATIVE EXPENSES LEVELS

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Rural Housing Insurance Fund Program			
Account (Loan Subsidies and Grants):			
Single Family Housing (sec. 502):			
Direct	\$90,000	— — —	\$33,300
Housing Repair (sec. 504)	4,679	— — —	2,215
Rental Housing (sec. 515)	12,144	— — —	6,688
Multifamily Housing Revitalization	— — —	40,000	30,000
Farm Labor Housing	8,739	— — —	5,093
Site Development (sec. 524)	546	— — —	355
Self-Help Land (sec. 523)	577	— — —	269
Total, Loan Subsidies	116,685	40,000	77,920
Farm Labor Housing Grants	10,000	— — —	10,000
RHIF Expenses:			
Administrative Expenses	\$412,254	\$240,000	\$412,254

RENTAL ASSISTANCE PROGRAM

2020 appropriation	\$1,375,000,000
2021 budget estimate	1,450,000,000
Provided in the bill	1,450,000,000
Comparison:	
2020 appropriation	+75,000,000
2021 budget estimate	---

COMMITTEE PROVISIONS

For the Rental Assistance Program, the Committee provides a program level of \$1,450,000,000. This provides the estimated amount to fully fund the program. This amount includes \$40,000,000 for the rural housing voucher program.

MUTUAL AND SELF HELP HOUSING GRANTS

2020 appropriation	\$31,000,000
2021 budget estimate	---
Provided in the bill	31,000,000
Comparison:	
2020 appropriation	---
2021 budget estimate	+31,000,000

COMMITTEE PROVISIONS

For the Mutual and Self-Help Housing program, the Committee provides an appropriation of \$31,000,000.

RURAL HOUSING ASSISTANCE GRANTS

2020 appropriation	\$45,000,000
2021 budget estimate	45,000,000
Provided in the bill	45,000,000
Comparison:	
2020 appropriation	---
2021 budget estimate	---

COMMITTEE PROVISIONS

For the Rural Housing Assistance Grants program, the Committee provides an appropriation of \$45,000,000, including \$15,000,000 for rural housing preservation grants.

The Committee encourages USDA to consider utilizing resources to address families or individuals that have straight-pipe septic systems or an individual sewage treatment system that fail to meet state or federal requirements.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$49,000,000
2021 budget estimate	60,000,000
Provided in the bill	49,000,000
Comparison:	
2020 appropriation	---
2021 budget estimate	- 11,000,000

COMMITTEE PROVISIONS

For the Rural Community Facilities Program Account, the Committee provides an appropriation of \$49,000,000. The Committee does not accept the proposal to establish a cohort for 'non-con-

forming' loans under the Community Facilities Direct Loan program.

Community Facility Loans.—The Committee directs the Department to report on the Community Facilities Direct Loan and Grant and Community Facilities Guaranteed Loan programs portfolio within 180 days of enactment of the bill. The report shall include the number of approved and non-approved applications for fiscal years 2017–2020 within the North American Industry Classification System.

Community Facility Projects.—The Committee notes that the Agriculture Improvement Act of 2018 established a selection priority under Community Facilities loans and grants for projects that combat substance use disorder in rural America. The statutory priority emphasizes prevention, treatment, and recovery, and the Committee encourages the Department to fund community-based facilities, not projects that would increase the number of jail beds in a community.

Rural Courthouses.—The Committee recognizes the importance of courthouses in rural impoverished communities, particularly persistent poverty counties, and notes that renovation and repair of these courthouses are an eligible activity under the Community Facilities Direct Loan and Grant program.

The following table provides the Committee's recommendations as compared to the budget request:

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Loan Levels:			
Community Facility Direct Loans	(\$2,800,000)	(\$2,500,000)	(\$2,800,000)
Community Facility Guaranteed Loans	(500,000)	(500,000)	(500,000)
Subsidy and Grants:			
Community Facility Direct Loans	— — —	20,000	— — —
Community Facility Grants	32,000	30,000	32,000
Rural Community Development Initiative	6,000	— — —	6,000
Economic Impact Initiative	6,000	— — —	6,000
Tribal College Grants	5,000	10,000	5,000
Total, Rural Community Facilities Program Subsidy and Grants	\$49,000	\$60,000	\$49,000

RURAL BUSINESS COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$66,500,000
2021 budget estimate	7,400,000
Provided in the bill	62,200,000
Comparison:	
2020 appropriation	— 4,300,000
2021 budget estimate	+54,800,000

COMMITTEE PROVISIONS

For the Rural Business Program Account, the Committee provides an appropriation of \$62,200,000. The Committee does not accept the proposed changes to the Business and Industry Guaranteed Loan Program.

The Committee provides resources to operate programs under the Rural Business-Cooperative Service (RBS). RBS programs complement lending activities of the private sector by promoting economic prosperity in rural communities through improved access to capital and economic development on a regional scale.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$20,500,000 for the Business and Industry Guaranteed Loan Program to provide up to \$1,000,000,000 in loans.

Arts in rural communities.—The Committee recognizes the valuable role of the arts in the economic and community development of rural communities across the country. In providing grants and assistance under this title, Rural Development shall continue to support individuals, nonprofits and small businesses in the arts through these traditional economic development tools, including business incubators, and economic development planning and technical assistance.

The following table provides the Committee’s recommendations as compared to the budget request:

(Dollars in Thousands)

	FY 2020 enacted	FY 2021 estimate	Committee provision
Loan Level:			
Business and Industry Guaranteed Loans	(\$1,000,000)	(1,500,000)	(1,000,000)
Subsidy and Grants:			
Business and Industry Guaranteed Loans	20,500	7,400	16,200
Rural Business Development Grants	37,000	— — —	37,000
Delta Regional Authority/Appalachian Regional Commission/Northern Border Regional Commission	9,000	— — —	9,000
Total, Rural Business Program Subsidy and Grants	\$66,500	\$7,400	\$62,200

The following programs are included in the bill for the Rural Business Program account: \$500,000 for rural transportation technical assistance and \$4,000,000 for Federally Recognized Native American Tribes, of which \$250,000 is for transportation technical assistance.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

(Dollars in Thousands)

	Loan level	Subsidy level	Administrative expenses
2020 Appropriation	\$18,889	\$5,219	\$4,468
2021 Budget Estimate	— — —	— — —	— — —
Provided in the Bill	18,889	2,939	4,468
Comparison:			
2020 Appropriation	— — —	— 2,280	— — —
2021 Budget Estimate	+18,889	+2,939	+4,468

COMMITTEE PROVISIONS

For the Intermediary Relending Program Fund Account, the Committee provides for a loan level of \$18,889,000.

For the loan subsidy, the Committee provides an appropriation of \$2,939,000. In addition, the Committee provides \$4,468,000 for administrative expenses.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

2020 appropriation	\$50,000,000
2021 budget estimate	— —
Provided in the bill	50,000,000
Comparison:	
2020 appropriation	— —
2021 budget estimate	+50,000,000

COMMITTEE PROVISIONS

For the Rural Economic Development Loans Program Account, the Committee provides for a loan level of \$50,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

2020 appropriation	\$26,600,000
2021 budget estimate	\$3,000,000
Provided in the bill	26,600,000
Comparison:	
2020 appropriation	— —
2021 budget estimate	+23,600,000

COMMITTEE PROVISIONS

For Rural Cooperative Development Grants, the Committee provides an appropriation of \$26,600,000. This total includes \$2,800,000 for a cooperative agreement for the Appropriate Technology Transfer for Rural Areas program and \$12,000,000 for the Value-added Agricultural Product Market Development Grant Program under the Local Agriculture Market Program in the 2018 Farm Bill.

RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

2020 appropriation	\$6,000,000
2021 budget estimate	— —
Provided in the bill	6,000,000
Comparison:	
2020 appropriation	— —
2021 budget estimate	+6,000,000

COMMITTEE PROVISIONS

For the Rural Microentrepreneur Assistance Program (RMAP), the Committee provides an appropriation of \$6,000,000. RMAP provides loans and grants to non-profit organizations, community-based financial institutions, and local economic development councils, which in turn provide technical assistance services and microloans to rural owner-operated small businesses and aspiring entrepreneurs. These funds support the economic development needs of rural communities and make up for the end of mandatory Farm Bill funding.

RURAL ENERGY FOR AMERICA PROGRAM

2020 appropriation	\$706,000
2021 budget estimate	— —
Provided in the bill	476,000
Comparison:	
2020 appropriation	— 230,000
2021 budget estimate	+476,000

COMMITTEE PROVISIONS

For the Rural Energy for America Program, the Committee provides a loan level of \$20,000,000 and an appropriation of \$476,000 for the loan subsidy to make loans as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107).

Renewable Technologies.—The Committee encourages the Department to establish a reserve fund for under-utilized renewable technologies.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$659,480,000
2021 budget estimate	614,070,000
Provided in the bill	610,980,000
Comparison:	
2020 appropriation	— 48,500,000
2021 budget estimate	— 3,090,000

COMMITTEE PROVISIONS

For the Rural Water and Waste Disposal Program Account, the Committee provides an appropriation of \$610,980,000. Rural areas continue to face immense needs and challenges in attaining safe and clean water, and this program provides targeted and coordinated support for these communities and is essential for the delivery of safe, dependable and affordable water and wastewater to rural America.

Domestic Preference.—The bill includes language specifying that RUS' Rural Water and Waste Disposal program account projects utilizing iron and steel shall use iron and steel products produced in the United States. RUS shall apply the Environmental Protection Agency's definition of public water systems while implementing the domestic preference provision.

Open Access Infrastructure.—The Committee is aware that public entities have invested in open access fiber infrastructure that is facilitating the delivery of high-speed broadband services by licensed telecommunications providers, including the model pioneered by public port authorities. The Committee understands that while particular open access fiber projects may be eligible for RUS grants and loans, more generally, there exist significant barriers to government backing for these types of open access investments. The Committee believes RUS programs should support financially feasible open access infrastructure projects that meet program goals. The Committee urges RUS to ensure the agency's criteria and application processes provide for fair consideration of open access projects by accounting for the unique structures and opportunities

such projects present in advancing broadband deployment in unserved and underserved communities.

Sewage Management.—The Committee supports the development of a multi-faceted solution to the problem of raw sewage discharge in rural communities.

Technical Assistance and Training Grant Program.—The Committee provides \$35,000,000 for water and waste technical assistance and training grants. Up to \$5,000,000 of these resources shall be made available, on a competitive basis, to support the national apprenticeship/workforce development program to ensure a future pipeline of workers to provide clean and safe water for the public.

The following table provides the Committee's recommendations as compared to the budget request:

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Loan Levels:			
Water and Waste Direct Loans	(\$1,400,000)	(\$1,270,000)	(\$1,400,000)
Water and Waste Guaranteed Loans	(50,000)	(58,333)	(50,000)
Subsidy and Grants:			
Direct Subsidy	63,840	— — —	— — —
Guaranteed Subsidy	70	70	60
Water and Waste Revolving Fund	1,000	1,000	1,000
Water Well System Grants	5,000	1,000	5,000
Grants for the Colonias and AK/HI	68,000	68,000	68,000
Water and Waste Technical Assistance Grants	30,000	40,000	35,000
Circuit Rider Program	19,570	19,000	19,570
Solid Waste Management Grants	4,000	4,000	4,000
High Energy Cost Grants	10,000	— — —	— — —
Water and Waste Disposal Grants	443,000	463,350	463,350
306A(i)(2) Grants	15,000	15,000	15,000
Emergency Community Water	— — —	2,650	— — —
Total, Subsidies and Grants	\$659,480	\$614,070	\$610,980

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

[Dollars in Thousands]

	Loan level	Subsidy level	Administrative expenses
2020 Appropriation	\$6,940,000	\$3,795	\$33,270
2021 Budget Estimate	6,190,000	4,554	38,000
Provided in the Bill	6,940,000	2,277	33,270
Comparison:			
2020 Appropriation	— — —	— 1,518	— — —
2021 Budget Estimate	+750,000	— 2,277	— 4,730

COMMITTEE PROVISIONS

For the Rural Electrification and Telecommunications Loans Program Account, the Committee provides a loan level of \$6,940,000,000. In addition, the Committee provides \$33,270,000 for administrative expenses.

The following table reflects the loan levels for the Rural Electrification and Telecommunications Loans Program Account:

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Loan Authorizations:			
Electric:			
Direct, FFB	\$5,500,000	\$5,500,000	\$5,500,000
Guaranteed Underwriting	750,000	— — —	750,000
Subtotal	6,250,000	5,500,000	6,250,000
Telecommunications:			
Direct, Treasury Rate	345,000	690,000	345,000
Direct, FFB	345,000	— — —	345,000
Total, Loan Authorizations	\$6,940,000	\$6,190,000	\$6,940,000

BROADBAND PROGRAM

[Dollars in Thousands]

	FY 2020 enacted	FY 2021 estimate	Committee provision
Broadband Program:			
Loan Authorization	\$11,179	— — —	\$11,179
Loan Subsidy	2,000	— — —	1,884
Grants	35,000	30,000	35,000
Distance Learning and Telemedicine:			
Grants	50,000	44,000	50,000
Total, Loan Subsidy and Grants	\$87,000	\$74,000	\$86,884

COMMITTEE PROVISIONS

For the Broadband Program, the Committee provides an appropriation of \$1,884,000 for a loan authorization level of \$11,179,000.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$100,000,000 for the Re-Connect Loan and Grant Program and \$25,000,000 for Distance Learning and Telemedicine Grants to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Broadband Mapping.—The Committee recognizes the Department’s active engagement on accurate mapping, but still has concerns about maps produced by the Federal Communications Commission (FCC) to determine eligibility for broadband programs. These maps may be outdated and do not use the most accurate and granular data available. This puts rural communities at a disadvantage, as applicants are unable to qualify for grants and loans when these maps show their community, farm, or business has access to a level of service that they in fact do not. Until Congress and the FCC are able to produce higher quality maps, the Committee encourages USDA to explore alternative map options which use more accurate information to determine eligibility. The Committee also encourages the Department to conduct a study of how it can improve its eligibility standards to accurately reflect the availability of broadband service in the applicant’s proposed service area in order to fairly and effectively determine eligibility for any loans, grants, or other USDA programs.

Broadband Technologies.—The Committee expects broadband investments that utilize varying broadband technologies to maximize coverage of broadband with the most benefit to taxpayers and the rural communities served. The Department shall submit a report

to the Committees on Appropriations of the House and Senate no later than 180 days from enactment of the bill detailing the progress of the ReConnect program, including technologies used and communities served.

Indian Country Broadband.—The Committee urges the USDA to responsibly and efficiently take action to increase access to broadband on rural Tribal lands and supports consultation with federally recognized Indian Tribes, Alaska Native villages and corporations, and entities related to Hawaiian homelands.

Precision Agriculture.—The Committee encourages the Department to identify opportunities for public-private partnerships to address the scale of the challenge of broadband infrastructure and Next Generation Precision Agriculture technology deployment. The Committee also directs the Secretary to publish a report on their efforts to aggregate local initiatives and private partnerships in order to develop the best strategies, and the most effective strategies used by rural communities to deploy internet infrastructure.

ReConnect Participation.—The Committee notes that in administering the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141), the Secretary of Agriculture shall, for purposes of determining entities eligible to receive assistance, allow entities using any form of corporate organization to apply, including partnerships of corporations or other properly organized entities. Additionally, the Department shall permit awardees flexibility to offer service to end-users through affiliates, where doing so would facilitate completion of the funded projects, provided that the federal interest in the funded facilities is adequately secured, whether through a lien, a letter of credit, a right to recoup payments (in the case of awardees the Secretary deems to be low-risk), or some alternate security.

Telehealth Technologies.—The Committee directs USDA to develop strategies that utilize telehealth technologies to improve the care of our rural seniors, expectant mothers and infants.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

2020 appropriation	\$800,000
2021 budget estimate	813,000
Provided in the bill	809,000
Comparison:	
2020 appropriation	+9,000
2021 budget estimate	–4,000

COMMITTEE PROVISIONS

For the Office of the Under Secretary for Food, Nutrition, and Consumer Services, the Committee provides an appropriation of \$809,000.

Dietary Guidelines for Americans.—The Committee reminds USDA and HHS of the importance of a transparent process and the use of strong evidence-based science when formulating the 2020 Dietary Guidelines for Americans (DGA). It is critical that the members of the advisory committee remain unbiased in their review of

science and consider all relevant, evidence-based science available through the 2020 DGA process.

Farmers' Market Nutrition Programs.—The Committee recognizes the success of the Senior Farmers' Market Nutrition Program (SFMNP) and the WIC Farmers' Market Nutrition Program (FMNP). The Committee directs FNS to research the backlog of states requesting SFMNP and FMNP funding and to deliver their findings to the Committees within 180 days of enactment.

Food Recovery.—The Committee recognizes the importance of preventing edible food from going to waste and encourages FNS to make The Emergency Food Assistance Program (TEFAP) State agencies aware of ways in which TEFAP can be leveraged to support food recovery efforts, including ensuring that TEFAP State agencies know that TEFAP administrative funds can be used for costs related to picking up and delivering privately donated foods. This will assist by encouraging and strengthening efforts to provide food to underserved regions.

Local Food.—The Committee recognizes the growing demand for locally and regionally produced food. The Committee encourages all nutrition programs, to the extent possible, to engage local agriculture producers to enhance small farmers and regional producers.

National Waivers.—The Committee urges the Secretary of Agriculture to issue a nationwide waiver as soon as possible that extends the current Area Eligibility and Non-Congregate Feeding waivers and allows school districts to use Summer Foodservice Program and the Seamless Summer Option regulations for the duration of the 2020–2021 school year.

Public Release of Information.—The Committee directs FNS to continue making all policy documents related to the WIC program (including, but not limited to, instructions, memoranda, guidance, and questions and answers) available to the public on the Internet within one week of their release to WIC state administrators.

Supplemental Nutrition Assistance Program (SNAP).—The Committee remains aware of the challenges people face when transitioning out of incarceration, including finding employment. Access to nutrition assistance is critical to successfully reentering society as it offers temporary assistance to ex-offenders as they search for stable employment. The Committee continues to direct the Department to research and report ways states, especially those who have lifted or modified the SNAP drug felony ban, can best serve this population, such as but not limited to pre-release applications for SNAP and employment and training programs for this population and make such findings available online for the public to utilize.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$23,615,098,000
2021 budget estimate	25,040,911,000
Provided in the bill	25,131,440,000
Comparison:	
2020 appropriation	+1,516,342,000
2021 budget estimate	+90,529,000

COMMITTEE PROVISIONS

For the Child Nutrition Programs, the Committee provides \$25,131,440,000, which includes \$35,000,000 for school meals equipment grants, \$50,000,000 for the Summer Electronic Benefits Transfer (EBT) for Children Demonstration, and \$1,000,000 for technical assistance related to sodium.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$8,800,000,000 for Child Nutrition Programs to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Added Sugars in School Meals.—Within one year of enactment, the Committee requests a report posted publicly on FNS’s website on the amount of added sugars in school meals, based on the most recent existing data. Specifically, the Committee is interested in the proportion of meals and competitive foods that would meet an added sugar standard consistent with the 2015–2020 Dietary Guidelines for Americans that no more than 10 percent of calories from the meal or competitive food item come from added sugars.

Cost of School Meals.—The Committee reminds FNS that it is interested in understanding the cost of school meals in Guam, American Samoa, Puerto Rico, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands. It directs FNS to include all territories, including those that receive block grants, in any studies it does on the Child Nutrition Programs.

Cost of School Meals in Alaska and Hawaii.—The Committee directs the USDA to update its 1979 calculation of the national average payment adjustments in Alaska and Hawaii, which was required in P.L. 96–627, to reflect the 2021 cost of producing a school lunch and a school breakfast.

Lead in Water.—The Committee recognizes that communities across the nation struggle with water access, affordability, and quality, which can exacerbate nutritional deficiencies. The Committee recognizes good nutrition can help prevent or minimize the absorption of lead in the body and encourages USDA to improve access to nutritional resources in communities facing lead contamination in their water.

Length of School Meals.—The Committee is aware that providing adequate time to eat healthy school meals increases the consumption of fruits and vegetables and minimizes food waste. The Committee encourages the Department to work with the Department of Education to help develop materials encouraging adequate meal-times.

Local Food in the National School Lunch Program (NSLP).—The Committee recognizes the NSLP could do more to support local economies and businesses through increased participation with local producers and encourages efforts to increase local food purchases for the NSLP sourced from in-state or geographically local growers and producers.

Nutrition Guidelines for Older Adults.—The Committee recognizes that more resources are needed to support the older adult day care component of the Child and Adult Care Food Program (CACFP). The Committee directs the Administrator of the Food and Nutrition Service (FNS) to take steps to better disseminate existing information that could help state and local entities involved

in providing CACFP meals meet the varying nutritional needs of older adult participants, as well as to continue to identify additional promising practices or other information on meal accommodations to share with CACFP entities. The Committee directs the FNS Administrator to report on its progress to the Senate and House Appropriations Committees within 180 days of enactment of this Act.

Nutrition Innovation and Support.—The Committee recognizes that consistent access to fresh and nutritious food is vital to children's health and development. The Committee encourages the Secretary to provide technical assistance to States pursuing efficient, flexible, innovative, and data informed delivery models within the Summer Food Service Program. The Committee also encourages the Secretary to provide technical assistance to schools in preparing fresh fruits and vegetables.

Pulse Crop Products Program.—Adding more pulse crops in the school meal programs may provide a high quality, affordable, and versatile source of nutrition for our children. The Committee encourages FNS to build greater awareness in the number and variety of pulse crop products and pulse ingredients available and served to children in school.

School Breakfast Expansion Grants.—The Committee remains concerned that while participation in the School Breakfast Program is increasing, many children who are eligible for the School Breakfast Program are not participating. Therefore, the Committee provides \$15,000,000 for grants for expansion of the School Breakfast Program, of which \$2,000,000 is dedicated to the U.S. territories.

School Nutrition Standards.—Within 120 days of enactment, the Committee directs the Department to publish on its website data on the compliance of school food authorities with respect to the nutritional requirements under section 9(f) of the Richard B. Russell National School Lunch Act. The data reported should include the total number of school food authorities in each state, the number of school food authorities in compliance with the requirements, and the percentage of school food authorities in compliance with the requirements by state.

Sodium Reduction.—The Committee recognizes the need for additional support for schools to meet the sodium-reduction targets and, of the funds made available for Team Nutrition, provides \$1,000,000 for technical assistance. Within one year of enactment, the Committee requests a report to be publicly posted on the agency's website on the use of the funds to provide schools with technical assistance, training resources, and mentoring to meet the sodium-reduction targets. Further, the Committee requests information on USDA's plans to update the sodium-reduction targets consistent with the 2020 Dietary Guidelines for Americans recommendations on sodium. The Committee strongly encourages USDA to work with industry and other stakeholders to ensure there is a wide variety of lower-sodium options on the market from which schools can procure.

Summer EBT.—The Committee recognizes the benefits the Summer Electronic Benefits Transfer (EBT) program has had on reducing childhood hunger. The Committee provides increased funding to serve more children and directs the Department to expand the Summer EBT program into new areas while also continuing to

serve areas that have received such funding in prior years. The Committee encourages the Secretary to prioritize Summer EBT projects through the SNAP model because this model has been shown to have higher levels of participation and benefit redemption among children included in the demonstration.

Team Nutrition.—The Committee supports the promotion of nutritional health of school children by establishing team nutrition networks to promote physical fitness awareness and obesity prevention programs, and to establish programs such as school gardens. The Committee directs the Secretary to submit a report no later than 180 days after the enactment of this Act on the program's impact on physical wellness, environmental awareness, and nutrition.

Training for School Food Service Personnel.—The Committee recognizes the value of webinars, conference calls, and online courses in expanding the reach of trainings for school food service personnel. For any in-person trainings for school food service personnel, all efforts should be made to ensure those trainings are held during normal working hours and in the event such a training is scheduled outside working hours, all efforts should be made to inform food service personnel of the necessity of the training.

Yogurt.—The Committee is aware that after soliciting Requests for Information on the food crediting system for the school lunch and breakfast programs, FNS decided to maintain the current crediting standard for strained, high-protein yogurt. The Committee encourages the Secretary to continue evaluating how strained, high protein yogurt is credited based on the best available science and provide an update to the Committee.

The following table reflects the Committee recommendations for the child nutrition programs:

[Dollars in Thousands]

Child Nutrition Programs:	
School Lunch Program	\$13,539,797
School Breakfast Program	5,039,086
Child and Adult Care Food Program	4,015,116
Summer Food Service Program	551,944
Special Milk Program	7,309
State Administrative Expenses	317,044
Commodity Procurement	1,460,769
Food Safety Education	2,988
Coordinated Review	10,000
Computer Support and Processing	19,366
Training and Technical Assistance	34,214
CNP Studies and Evaluations	15,299
CN Payment Accuracy	11,427
Farm to School Team	4,077
Team Nutrition	18,004
School Meals Equipment Grants	35,000
Summer EBT Demonstration	50,000
Total	25,131,440

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS,
AND CHILDREN (WIC)

2020 appropriation	\$6,000,000,000
2021 budget estimate	5,451,501,000
Provided in the bill	5,750,000,000
Comparison:	
2020 appropriation	– 250,000,000
2021 budget estimate	+298,499,000

COMMITTEE PROVISIONS

For the Special Supplemental Nutrition Program for Women, Infants, and Children, the Committee provides an appropriation of \$5,750,000,000. The Committee provides \$90,000,000 for the breastfeeding peer counselor program and \$14,000,000 for infrastructure.

The Families First Coronavirus Response Act (P.L. 116–127) included \$500,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children program.

USDA data shows that WIC participation rates have decreased steadily since fiscal year 2010. The President’s budget request includes a projection of an average monthly participation rate of 6.2 million women, infants, and children for fiscal year 2021.

USDA is estimating recovery and carryover funds to be higher than average. Furthermore, the Secretary has a WIC contingency reserve fund as a safety net to meet unexpected demand. With lower participation rates, higher carryover funds, and an ample reserve fund, the Committee provides funding that will ensure all eligible participants will be served. Further, the Committee notes that any unspent funds from the Families First Coronavirus Response Act would be available for use in meeting fiscal year 2021 needs.

The Committee recognizes that, due to COVID–19, funding needs might change before the final 2021 bill is enacted. The Committee is steadfast in its commitment to fully fund WIC and will continue to monitor WIC participation, the status of funds appropriated in the Families First Coronavirus Response Act, carryover funds, and food costs, and it will take additional action as necessary to ensure that funding provided in fiscal year 2021 remains sufficient to serve all eligible applicants.

Breastfeeding Rates.—The Committee is interested in understanding how to improve breastfeeding rates, especially as higher rates have been linked to lower childhood obesity. The Committee also recognizes that there are many barriers to breastfeeding as detailed in CDC’s 2018 Breastfeeding Report Card. Each year, FNS awards some state agencies bonus awards for their successful efforts in promoting and supporting breastfeeding among WIC participants. The Committee directs FNS to review the work of awardees from previous years to look for commonalities and trends.

COVID–19 Outreach and Education.—The Committee encourages the Department, through the WIC program, to share education and outreach materials which provide guidance to pregnant women on the effects and management of COVID–19.

Maternal Mortality Data.—The Committee directs the Secretary to conduct a review of existing evidence and develop a plan to build evidence on the impact of the WIC Program on reducing maternal mortality among specific populations of mothers with the highest

maternal mortality rates in the U.S., which includes African American, Native Hawaiian/Pacific Islander, and Indigenous (American Indian and Alaskan Native) mothers. An emphasis should be placed on the needs of disadvantaged communities of color. Within 180 days of the enactment of this Act, the USDA shall submit to the Committee a report setting forth a timeline and process for reviewing existing evidence, building new evidence, and analyzing data, disaggregated by race and ethnicity, for all the main categories of indicators tracked, and for publishing an annual, publicly available report describing the methodology and the results of the analysis as well as a summary of the data.

WIC Food Package.—The Committee recognizes that up-to-date food packages, comprised of a diversity of foods and reflective of community preferences results in women and children consuming healthy diets. The Committee encourages the Secretary to propose updates not less than eighteen months following the scientific review of the WIC food package options.

WIC Study.—The Committee directs FNS to publish state level estimates of the percentage of pregnant women, infants, and children under 5 participating in the Supplemental Nutrition Assistance Program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) but not in this program and the percentage of pregnant women, infants, and children up to age 5 participating in the Medicaid program (42 U.S.C. 1396 et seq.) with income less than the limit in section 17(d)(2)(A)(i) of the Child Nutrition Act of 1966 but not in this program.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

2020 appropriation	\$67,886,285,000
2021 budget estimate	68,281,364,000
Provided in the bill	68,277,362,000
Comparison:	
2020 appropriation	+391,077,000
2021 budget estimate	–4,002,000

COMMITTEE PROVISIONS

For the Supplemental Nutrition Assistance Program, the Committee provides \$68,277,362,000. The total amount includes \$3,000,000,000 for a contingency reserve to be used only in the amount necessary.

In addition, the Families First Coronavirus Response Act (P.L. 116–127) included \$100,000,000 to provide nutrition assistance grants to Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands, and \$400,000,000 for the Emergency Food Assistance Program (TEFAP) to prevent, prepare for, and respond to coronavirus.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$15,500,000,000 in additional funding for SNAP, \$450,000,000 for TEFAP, \$200,000,000 to provide nutrition assistance grants to Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands, and \$100,000,000 in additional funding for the Food Distribution Program on Indian Reservations to prevent, prepare for, and respond to coronavirus domestically or internationally.

The President’s budget request includes a projection of an average monthly participation rate of 37.2 million participants for fiscal

year 2021. Due to COVID-19, the Committee is aware this projection will likely change and is dedicated to fully funding SNAP.

The Committee strongly condemns USDA's continued efforts to restrict access and limit eligibility for SNAP. The Committee recognizes SNAP is one of the most effective forms of economic stimulus and is dedicated to removing barriers to participation. Thus, the Committee includes bill language to block the Able-Bodied Adults Without Dependents rule (ABAWD) and the Standard Utility Allowance rule (SUA), and strongly encourages the Secretary to withdraw the Broad-Based Categorical Eligibility rule (BBCE). These three rules would take away SNAP benefits from nearly 4 million people and the Committee believes this will worsen the unprecedented economic uncertainty among our nation's most vulnerable populations.

College Hunger.—The Committee remains concerned that SNAP-eligible students who are food-insecure lack proper information about resources available to them. The Committee continues to direct FNS to make information available on its website regarding student SNAP eligibility requirements easier to understand and more accessible. The Committee further directs FNS regional offices to collect and review information about existing SNAP flexibilities and examples of approaches state SNAP agencies are taking to assist eligible college students to access SNAP benefits and share such information with state SNAP agencies. It also directs the Secretary to work with the Department of Education to share these best practices with higher education institutions. Finally, it directs USDA to develop and submit to the Committee a funding proposal to address college hunger, especially at the community college level.

Food Distribution Program on Indian Reservations (FDPIR) Demonstration Project for Tribal Organizations.—The Committee continues to support FDPIR and the ability of tribal organizations to enter into 638 self-determination contracts for the procurement of FDPIR foods, which would promote tribal sovereignty and allow tailoring of this vital program to meet specific tribal cultural and local needs. The Committee provides \$3,000,000 for the 638 Tribal Self Governance Demonstration Program for Tribal Organizations as described in Section 4003 of P.L. 115-334. The Committee encourages FNS, in collaboration with AMS, to provide information to the FDPIR community on how tribal vendors can sell foods to USDA for use in food distribution programs. The Secretary is directed to notify the Committee of the Department's efforts to engage tribes in the demonstration program and tribal participation in fiscal year 2020.

Nutrition Assistance Program (NAP) Transparency.—The Committee recognizes the importance of transparency and data availability for Puerto Rico's Nutrition Assistance Program (NAP). The Committee continues to direct the Secretary to publish information regarding monthly enrollment, issuance data and the Commonwealth's State Plan of Operations for NAP on the Department's web site.

SNAP Payment Integrity.—The Committee directs the Secretary to continue reviewing and evaluating the verification process of earned income at certification and recertification of applicant households for the SNAP program using electronic data matching.

The fiscal year 2020 Bill provided \$2,000,000 for this purpose and the Committee looks forward to reviewing the results of the evaluation.

The following table reflects the Committee recommendations for SNAP:

(Dollars in Thousands)

Supplemental Nutrition Assistance Program Account:	
Benefits	\$56,152,245
Contingency Reserve	3,000,000
Administrative Costs:	
State Administrative Costs	5,313,427
Nutrition Education and Obesity Prevention Grant Program	448,000
Employment and Training	625,778
Mandatory Other Program Costs	278,934
Discretionary Other Program Costs	998
Administrative Subtotal	6,667,137
Nutrition Assistance for Puerto Rico (NAP)	1,971,415
American Samoa	7,917
Food Distribution Program on Indian Reservations	134,000
TEFAP Commodities	322,500
Commonwealth of the Northern Mariana Islands	12,148
Community Food Project	5,000
Program Access	5,000
Subtotal	2,457,980
Total	\$68,277,362

COMMODITY ASSISTANCE PROGRAM

2020 appropriation	\$344,248,000
2021 budget estimate	80,700,000
Provided in the bill	390,700,000
Comparison:	
2020 appropriation	+46,452,000
2021 budget estimate	+310,000,000

COMMITTEE PROVISIONS

The Committee provides an appropriation of \$390,700,000 for the Commodity Assistance Program. The recommended funding level for the Commodity Supplemental Food Program is \$290,000,000. The Committee recognizes the importance of the CSFP, which improves the health of low-income elderly persons at least 60 years of age by supplementing their diets with nutritious foods. The amount provided fully funds expected caseload.

The Committee recommendation includes \$20,000,000 for the Farmers' Market Nutrition Program, an increase of \$1,452,000, and maintains the 2020 levels of \$79,630,000 for administrative funding for The Emergency Food Assistance Program (TEFAP) and \$1,070,000 for the Food Donations Programs for Pacific Island Assistance.

TEFAP Handling and Distribution Costs.—In addition to grant funds supporting commodity handling and distribution costs, the bill permits states to use up to 20 percent of the funds provided for purchasing TEFAP commodities to help with the costs of storing, transporting, and distributing commodities. The Committee expects state agencies to consult with their emergency feeding organizations on the need for the conversion of such funds.

NUTRITION PROGRAMS ADMINISTRATION

2020 appropriation	\$155,891,000
2021 budget estimate	155,251,000
Provided in the bill	156,368,000
Comparison:	
2020 appropriation	+477,000
2021 budget estimate	+1,117,000

COMMITTEE PROVISIONS

For Nutrition Programs Administration, the Committee provides \$156,368,000, including \$2,000,000 to continue the Congressional Hunger Center Fellows Program.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN
AGRICULTURAL AFFAIRS

2020 appropriation	\$875,000
2021 budget estimate	891,000
Provided in the bill	887,000
Comparison:	
2020 appropriation	+12,000
2021 budget estimate	– 4,000

COMMITTEE PROVISIONS

For the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, the Committee provides an appropriation of \$887,000.

Program Flexibilities.—The Committee supports expanding the utilization of various modalities, including vouchers, monetary transfers, and locally and regionally procured assistance, in addition to in-kind contributions from the United States, in order to address hunger and assist those in emergency situations around the globe with the most appropriate, efficient, and timely means available. The Committee recognizes that protocols are in place to assist in determining which modality response is most appropriate for each situation. This modality decision tool incorporates factors such as market suitability, context-specific restraints to success and identified objectives, and cost efficiency. Given the level and scale of complex international humanitarian disasters, and the fact that population needs and contexts differ widely among crises, the Committee encourages the Department to utilize whatever modality responses are most appropriate, including use of local or regional procurement, cash transfers, vouchers, and in-kind contributions from the United States.

OFFICE OF CODEX ALIMENTARIUS

2020 appropriation	\$4,775,000
2021 budget estimate	4,817,000
Provided in the bill	4,805,000
Comparison:	
2020 appropriation	+30,000
2021 budget estimate	– 12,000

COMMITTEE PROVISIONS

For the Office of Codex Alimentarius, the Committee provides an appropriation of \$4,805,000.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

	Appropriation	Transfer from export loan account	Total
2020 appropriation	\$215,513,000	\$6,063,000	\$221,576,000
2021 budget estimate	193,703,000	6,063,000	199,766,000
Provided in the bill	222,243,000	6,063,000	228,306,000
Comparison:			
2020 appropriation	+6,730,000	— — —	+6,730,000
2021 budget estimate	+28,540,000	— — —	+28,540,000

COMMITTEE PROVISIONS

For the Foreign Agricultural Service, the Committee provides an appropriation of \$222,243,000 and a transfer of \$6,063,000 for a total appropriation of \$228,306,000.

The Committee provides increases in funding of \$1,540,000 for International Cooperative Administrative Support Services, \$258,000 for Capital Security Cost Sharing, \$2,500,000 for locally employed staff, \$727,000 for rightsizing, and \$1,705,000 for pay and retirement contributions.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116 136) included \$4,000,000 to relocate FAS employees and their dependents from overseas.

Farmer-to-Farmer.—The Committee notes that last year’s House report directed USDA to provide a briefing to the Committee on how USDA can maximize its participation in the John Ogonowski and Doug Bereuter Farmer-to-Farmer program (Farmer-to-Farmer). As part of the brief, the Committee directs USDA to include a list of recommendations for how to enhance its participation in Farmer-to-Farmer, including a discussion of how Farmer-to-Farmer can work collaboratively with other USDA-funded programs such as 4–H, the Cooperative Extension System, the McGovern-Dole International Food for Education and Child Nutrition Program, and other government agencies such as U.S. Fish and Wildlife Service. In addition, the Committee directs USAID to coordinate with USDA on incorporating the role of the agricultural officer to maximize the efficacy of the Farmer-to-Farmer program.

International Agricultural Education Fellowship.—The Committee provides \$1,000,000 for this program as authorized in the 2018 Farm Bill. The Committee notes that last year’s House Report directed USDA to brief the Committees on how the International Agricultural Education Fellowship program will work in collaboration with other ongoing Foreign Agricultural service program to achieve USDA’s goals. The Committee expects this brief to also include a discussion of how this program will work in collaboration with other USDA-funded programs such as 4–H, the Cooperative Extension System, the McGovern-Dole International Food for Edu-

cation and Child Nutrition Program, and other government agencies such as U.S. Fish and Wildlife Service.

Technical Assistance.—The Committee recognizes the challenge of global hunger and the need to improve the delivery of assistance to meet food security requirements and to improve nutritional standards for underserved populations. The Committee encourages the Department to provide technical assistance to international entities and organizations that develop and improve food and nutrition safety net systems. The Committee directs the Department to provide to the Committees on Appropriations of both Houses of Congress, not later than 180 days, after the enactment of this Act a briefing on its ongoing and previous technical assistance efforts described above.

U.S.-Central America, Mexico Cooperation.—The Committee directs FAS to work with its counterparts in Central America and Mexico to develop agricultural working groups focused on improving the efficiency of the agricultural inspection process and agricultural trade facilitation issues. In addition, FAS shall use existing programs for academic exchanges in agriculture-related fields of study in this region. The Committee notes that last year's House Report directed the Department to brief the Committees on these efforts. The Committee looks forward to receiving this report.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS
PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

2020 appropriation	\$142,000
2021 budget estimate	112,000
Provided in the bill	112,000
Comparison:	
2020 appropriation	– 30,000
2021 budget estimate	– – –

COMMITTEE PROVISIONS

For administrative expenses to carry out the credit program of Food for Peace Title I, Food for Peace Act, and the Food for Progress Act, the Committee provides an appropriation of \$112,000.

FOOD FOR PEACE TITLE II GRANTS

2020 appropriation	\$1,725,000,000
2021 budget estimate	– – –
Provided in the bill	1,775,000,000
Comparison:	
2020 appropriation	+50,000,000
2021 budget estimate	+1,775,000,000

COMMITTEE PROVISIONS

For Food for Peace Title II grants, the Committee provides \$1,775,000,000.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD
NUTRITION PROGRAM GRANTS

2020 appropriation	\$220,000,000
2021 budget estimate	— — —
Provided in the bill	235,000,000
Comparison:	
2020 appropriation	+15,000,000
2021 budget estimate	+235,000,000

COMMITTEE PROVISIONS

For McGovern-Dole International Food for Education and Child Nutrition Program Grants (“McGovern-Dole”), the Committee provides an appropriation of \$235,000,000.

Nutrition Targets.—The Committee directs the Department to submit to the Committees on Appropriations of both Houses of Congress not later than 180 days after the enactment of this Act a report on nutrition outcomes achieved by the McGovern-Dole program.

School Year Considerations.—The Committee recognizes the importance of making McGovern-Dole program assistance available at the start of the school term and encourages the Department to take special efforts to ensure school feeding programs and the school year begin together.

COMMODITY CREDIT CORPORATION EXPORT (LOANS)

CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

2020 appropriation	\$6,381,000
2021 budget estimate	6,381,000
Provided in the bill	6,381,000
Comparison:	
2020 appropriation	— — —
2021 budget estimate	— — —

COMMITTEE PROVISIONS

For administrative expenses of the Commodity Credit Corporation Export Loans Credit Guarantee Program Account, the Committee provides an appropriation of \$6,381,000.

TITLE VI
 RELATED AGENCIES AND FOOD AND DRUG
 ADMINISTRATION
 DEPARTMENT OF HEALTH AND HUMAN SERVICES
 FOOD AND DRUG ADMINISTRATION
 SALARIES AND EXPENSES

[Dollars in Thousands]

	Appropriation	User fees	Total, FDA S&E
2020 Appropriation	\$3,159,678	\$2,612,764	\$5,772,442
2021 Budget Estimate	3,206,564	2,690,735	5,897,299
Provided in the bill	3,200,506	2,690,735	5,891,241
Comparison:			
2020 Appropriation	+40,828	+77,971	+118,799
2021 Budget Estimate	— 6,058	— — —	— 6,058

The Committee provides an appropriation of \$3,200,506,000 in new budget authority for the FDA. In addition, the Committee recommends the following user fee amounts: \$1,119,188,000—prescription drugs; \$238,595,000—medical devices; \$526,039,000—human generic drugs; \$42,998,000—biosimilar biologicals; \$31,306,000—animal drugs; \$20,609,000—animal generic drugs; and \$712,000,000—tobacco products.

The combination of new budget authority and definite user fees provides the FDA with a total discretionary salaries and expenses level of \$5,891,241,000. This total does not include permanent, indefinite user fees for: the Mammography Quality Standards Act; Export Certification; Priority Review Vouchers for Pediatric Disease; Food and Feed Recall; Food Reinspection; Voluntary Qualified Importer Program; Third-Party Auditor Program; Outsourcing Facilities; and Over-the-Counter Monograph.

The Committee recommendation includes a net increase of \$40,828,000, including increases for the following programs or initiatives: Strengthening Response Capabilities for Foodborne Outbreaks; Cannabis and Cannabis Derivatives; Artificial Intelligence and Other Emerging Technologies; Transform Medical Device Safety, Cybersecurity, Review, and Innovation; Compounding; and Modernizing Influenza Vaccines.

The Committee recommendation does not include proposed user fees that are not authorized.

Because it was not in the budget request, the Committee does not include funding for a civilian pay increase across the agency. Should the President provide a civilian pay increase for fiscal year 2021, it is assumed that the cost of such a pay increase will be absorbed within existing appropriations for fiscal year 2021.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) and the Coronavirus Preparedness and Response Supplemental Act, 2020 (P.L. 116–123) included a total of \$142,000,000 for the Food and Drug Administration to prevent, prepare for, and respond to coronavirus, domestically or internationally. In addition, the Paycheck Protection Program and Health Care Enhancement Act (P.L. 116–139) included a transfer of \$22,000,000 for FDA activities associated with COVID–19 tests.

Allergen Labeling.—The Committee provides an increase of \$1,500,000 to the Center for Food Safety and Applied Nutrition (CFSAN) for work related to allergen labeling. The Committee remains concerned about limited action to date requiring labeling for sesame. Sesame allergy is close in prevalence and higher in severity than some of the major allergens currently required to be labeled in the United States, and a greater fraction of adults with sesame allergy reported an emergency room visit related to food allergy in the past years than adults with any other major food allergy. Yet sesame is not labeled on food packages and can be hidden as a spice or natural flavor. The Committee urges the FDA to act swiftly to address this risk by requiring labeling for sesame, the same as other major food allergens.

Animal Drug Compounding.—The Committee wants to ensure that GFI #256 on animal drug compounding, which FDA issued on November 20, 2019, does not create the same issues that resulted in withdrawal of the previous draft guidance, GFI #230. The Committee expects that any finalized guidance on compounding for animal health will preserve treatment options available to veterinarians, will reflect public input, and will recognize the need for compounded medications by pet owners, animal shelters, zoos and other stakeholders.

Animal Health Products.—The Committee notes livestock and pets need innovative animal health products to address unmet health and nutrition needs and encourages the FDA Center for Veterinary Medicine to prepare ideas for modernizing the innovation review process in the next Animal Drug User Fee Act reauthorization.

Animal Testing.—The Committee is encouraged by FDA efforts to develop alternatives to the use of live dogs in veterinary drug testing and allow drug sponsors to use these alternative non-animal tests in regulatory submissions. The Committee urges the FDA to expand on these efforts and provide not later than 60 days after the enactment of this Act a report on current FDA policies and procedures that allow the submission, consideration, and approval of drug safety data obtained using human-relevant alternative test methods and on the processes by which stakeholders and Congress are notified of proposed changes to FDA animal testing requirements before and after implementation.

Antimicrobial Resistance.—The Committee provides \$1,000,000 in additional funding to the Food and Drug Administration for use by the Center for Veterinary Medicine (CVM) to carry out work combating antibiotic resistance. In particular, the Committee requests the additional funding be used to support implementation of FDA's 5-year plan for supporting antimicrobial stewardship in animals, which includes steps to mitigate antibiotic resistance by ensuring that medically important antibiotics for use in food-producing animals have clearly defined durations of use. The Committee expects the agency to issue draft guidance describing a strategy for clearly defining durations of use that are consistent with existing regulations and guidance in order to protect public health by the end of fiscal year 2021.

Automated Compounding.—The Committee encourages FDA to review policies, regulations, and guidance to incorporate and

incentivize the use of automation technology to enhance safety, improve accuracy, and facilitate compliance in drug compounding.

Automated Microbial Detection.—The Committee is aware of automated microbial detection systems in health care manufacturing and their ability to mitigate risks to the safety of the American drug supply due to expanding reliance on global supply chains. The Committee encourages FDA to understand how these critical technologies can increase the efficiency and safety of the domestic medical product manufacturing and supply chain.

Bacterial Risk Control Strategies for Blood Collection.—The Committee is pleased that FDA finalized its guidance document on Bacterial Risk Control Strategies for Blood Collection Establishments and Transfusion Services. The Committee remains concerned about this risk and urges FDA to ensure future approvals and clearances consistent with this guidance for industry are supported by strong patient safety data.

Biofilm Regulatory Science Research.—Within available funds for the National Center for Toxicological Research, the Committee provides \$500,000 to increase regulatory research activities to improve the understanding of biofilms and the regulatory science of biofilms associated with FDA work on medical devices, especially devices that may be used multiple times within a health care setting, drug delivery, and public health.

Blood Donor Procedures.—The Committee recognizes the need for scientifically sound, evidence-based policy which recognizes the importance of specific behavioral-risk factors for blood borne illness relative to FDA blood donor guidelines. The Committee directs FDA to continue to evaluate the current time-based blood donation deferral policy and consider alternative procedures that would maintain the current level of safety and reduce the risk of HIV transmission through blood and blood components.

Cancer Immunotherapy Clinical Trials.—The Committee is encouraged by FDA's ongoing efforts to accelerate the review and approval of cancer immunotherapies. In anticipation of an influx of new clinical trials involving combination regimens, the Committee urges FDA to work with and provide guidance to the research community and pharmaceutical industry surrounding standardized clinical trial design considerations for immunotherapy-based combinations in order to help clinicians better select optimal treatment options for their patients, as well as expedite regulatory review of novel regimens.

Cannabidiol Enforcement.—The Committee provides an increase of \$5,000,000 for enforcing the law to protect patients and the public while also providing a potential regulatory pathway for cannabis and cannabis derived products. The Committee maintains its concern about the proliferation of foods and dietary supplements marketed in violation of the Federal Food, Drug and Cosmetic Act (FFDCA), including products containing cannabis and cannabis-derived ingredients. Non-FFDCA-compliant products continue to pose potential health and safety risks to consumers through unsubstantiated and misleading claims such as treating a wide-range of life-threatening diseases and conditions. The Committee expects the FDA to continue to prioritize consumer-safety through application of the law.

Canned Tuna.—The Committee is concerned that FDA has not revised the standard of identity for canned tuna to adopt the drained weight fill of container standard despite having received two citizens petitions, as far back as 1994. FDA is directed to provide an update on the status of its review of the citizen petitions related to the standard of identity for canned tuna within 90 days.

Center for Food Safety and Applied Nutrition Centers of Excellence.—The Committee is aware of the important contribution of the FDA Center for Food Safety and Applied Nutrition's Centers of Excellence (COEs) program in supporting critical basic research as well as facilitating the implementation of the FDA Food Safety Modernization Act. The Committee encourages the Agency to continue to fully utilize the COEs to accomplish these goals.

Center for Tobacco Products.—The Committee is aware that the Family Smoking Prevention and Tobacco Control Act requires new tobacco products to undergo a product review by the Food and Drug Administration to ensure that they meet the applicable standard for authorization (e.g., appropriate for the protection of public health). The Committee also knows that manufacturers of e-cigarettes and other deemed tobacco products already on the market as of the effective date of the deeming rule were required to submit product applications to the Food and Drug Administration by September 9, 2020. Given that the Food and Drug Administration and Surgeon General have called youth use of e-cigarettes an epidemic and a recent Surgeon General report concluded that there is presently inadequate evidence to conclude that e-cigarettes, in general, increase smoking cessation, it is the view of the Committee that any e-cigarette that has increased or is likely to increase youth initiation of nicotine or tobacco products cannot meet the public health standard required under the Tobacco Control Act. It is also the expectation of the Committee that the Food and Drug Administration will promptly take enforcement action to remove from the market any new deemed tobacco product on the market as of August 8, 2016, for which a manufacturer has not submitted a pre-market tobacco application, a substantial equivalence (SE) report, or an SE exemption request by September 9, 2020. The Committee also directs the FDA, consistent with all applicable disclosure laws and regulations, within 180 days of enactment to provide the Committee a list of all e-cigarettes and other deemed tobacco products on the market as of August 8, 2016, for which marketing applications were submitted by September 9, 2020 and a report on the effect that its January 2, 2020 guidance, which prioritized enforcement against certain flavored ENDS on the market, is having on youth, including whether youth are switching to flavored ENDS that are not subject to prioritized enforcement under the guidance.

Chemicals in Cosmetics.—The Committee expresses concern over the effect of toxic chemicals in cosmetics. The Committee requires a report from the Commissioner within 180 days on the health effects of talc, asbestos and lead.

Clinical Trials Reporting Requirements.—The Committee is aware of direction in the 21st Century Cures Act on activities the FDA must take to encourage compliance with ClinicalTrials.gov data bank registration and results submission requirements. The Committee looks forward to reviewing these upcoming reports.

Compounding Center of Excellence.—The Committee supports the development of the Compounding Center of Excellence, which expands engagement with outsourcing facilities regarding good manufacturing practices, thereby helping these facilities adhere to the quality standards needed to protect patient health and support sector growth in small, underserved communities. The Committee encourages FDA to make concerted efforts to advise small compounders on how best to navigate regulations concerning distributing and dispensing practices, so these businesses may continue to adequately service local communities and individual patient needs.

Cosmetic Safety.—The Committee remains concerned over the importance of ensuring the safety of cosmetics and reminds the FDA of its commitment to work with stakeholders and Congress to modernize the regulatory framework for cosmetics. The Committee reminds the FDA of its requirement in P.L. 116–94 to report to the Committee on a path to establishing Good Manufacturing Practices for cosmetics, as a way to further ensure cosmetic safety.

COVID–19 Response.—The Committee has been closely following FDA’s activities in response to the COVID–19 pandemic. The FDA is the nation’s final check on whether a medical device or product is safe and effective for its intended usage prior to entering the marketplace. The COVID–19 pandemic has highlighted the importance of that final step and the difficult balance FDA must strike between moving quickly and still maintaining the highest standards of public safety. During the early days of the COVID–19 response, the FDA’s efforts were narrowly focused on a single diagnostic test, resulting in unfortunate delays to engaging and fully utilizing the nation’s existing testing capabilities. The Committee highlighted some of these concerns and subsequent testing delays during a budget hearing in March. The revisions to FDA policy guidance documents regarding serological tests and the two-month window between first announcing the policy and revising it created an opportunity for numerous entrants in a market with poor quality control and raised concerns about the effectiveness of these tests. These are just two examples of how difficult it is to judge the balance between speed and accuracy, and which is the most appropriate response at any given time. The Committee recognizes the difficulty FDA faces and the enhanced scrutiny placed on each of the agency’s decisions during this pandemic. However, while the Committee understands that this pandemic has created an unprecedented event, the true tragedy will exist if FDA does not learn from its mistakes as it moves forward. Therefore, the Committee directs FDA to contract with an independent entity to provide to the Committee not later than 180 days after the enactment of this Act a comprehensive assessment of its COVID response, highlighting failures and successes, to better understand how the agency can improve its response capabilities and enhance its ongoing activities to protect the public health. The assessment shall also include a section regarding the Emergency Use Authorization (EUA) process for COVID–19 tests and how the agency prioritized the processing of the applications, the comprehensiveness of the diagnostic result, and existing FDA-approved methods.

Dairy Standard of Identity.—The Committee is pleased that the FDA has begun a deliberative process to review how it will enforce

the standards of identity for dairy products as described in 21 Code of Federal Regulations parts 131, 133, and 135. The Committee urges the FDA to continue its work toward ultimately enforcing standards of identity for dairy products.

Dietary Supplements.—The Committee supports FDA's enforcement actions against manufacturers of dietary supplement products that are adulterated or misbranded. The Committee has been pleased with the agency's efforts to strengthen regulation of dietary supplements including through the use of the Dietary Supplement Ingredient Advisory List and encourages the continuation of increased enforcement activities and interagency collaborations with the Department of Justice to remove illegal dietary supplements from the market. The Committee expects FDA will continue to update the Committee explaining how the agency carries out risk-based enforcement of dietary supplement product manufacturers and the resources it uses for these activities.

Donor Human Milk.—The Committee urges the FDA to develop a plan for classifying all donor human milk. It further urges FDA to continue to regulate human milk-derived products that meet the statutory definition of infant formula and that are intended for consumption by low birth weight infants or those infants who otherwise have unusual medical or dietary problems as exempt infant formulas, and to regulate them as specified by the Infant Formula Act.

Drug Compounding and Final MOU.—The Committee recognizes the FDA recently finalized the MOU for pharmacy compounding. The Committee requests that FDA engage further with stakeholders to address concerns and to ensure that all or nearly all states can sign this important document.

Drug Compounding Pharmacist on Pharmacy Compounding Advisory Committee.—The Committee recognizes that the Pharmacy Compounding Advisory Committee established under the Drug Quality and Security Act (DQSA) needs to adequately represent the interests and needs of providers and patients who use and depend on compounded medications. Compounding is often practiced in community settings. It is therefore vital that voting members of PCAC have a thorough understanding of compounding in a community setting in order to appropriately advise FDA. The Committee encourages FDA to appoint qualified voting members with recent, actual, and diverse experience in the preparation, prescribing, and use of compounded medications.

DQSA Implementation.—The Committee is aware of concerns about FDA's implementation of the DQSA as it relates to USP dietary supplement monographs. Last year's House Report directed the FDA to brief the Committee with an update on the issue, the Committee looks forward to receiving the briefing.

Electronic Nicotine Delivery Systems (ENDS) Testing Standardization.—The Committee directs the FDA, within available funds for the Center for Tobacco Products, to conduct research focusing on developing standardized testing protocols that generate accurate and reliable testing data on ENDS and their use. The Committee supports FDA's plan to include \$5,000,000 toward these efforts. Laboratories that study these products currently employ numerous methodologies for studying the devices and compounds in e-liquids and the aerosols that they emit. The development of standardized

protocols for testing ENDS products, as has been done for testing combusted tobacco products, would provide accurate and reliable data that could better determine the effects of ENDS on human health. The Committee encourages FDA to work within the national or international research community to conduct research and make recommendations on the standardization of testing protocols for ENDS, including e-liquids.

FDA Partnerships under FSMA.—The purpose of FSMA is to reform the nation's food safety laws to ensure a safe public food supply. As FDA continues implementation of FSMA, the Committee encourages FDA to work in partnership with existing government food safety programs through MOUs to verify compliance with FSMA rules once they are finalized as a way to eliminate duplication of activities under the law.

Foreign Unannounced Inspections Pilots.—The Committee is concerned that FDA's drug inspection program continues to fall behind the levels needed to match the growth in foreign drug manufacturing facilities. The Committee recognizes that FDA's drug inspection program has responded to the shifting global market by implementing a risk-based approach that prioritizes limited inspection resources. However, the Committee notes that FDA's regular practice of preannouncing foreign drug inspections well in advance of an inspection, raises serious questions about parity with domestic inspections, which are almost always unannounced. The Committee is aware that in 2014 the FDA created a pilot program in India that eliminated advance notice of inspections and instead used short notice or unannounced visits but that this pilot was shut down in 2015. The Committee directs the FDA to restart the pilot in India and establish an additional pilot in China to improve workforce development activities and include unannounced and short notice inspections. The Committee includes an additional \$5,000,000 to implement these pilots.

Food Additives.—The Committee requests an update on the effects of direct and indirect food additives currently listed as generally recognized as safe on the behavioral health of children.

Food Traceability.—The Committee provides an increase of \$1,240,000 to investigate and prevent foodborne outbreaks. The Committee is encouraged by the work the FDA has put forth in developing a comprehensive food traceability system. The Committee directs FDA to continue to work with stakeholders on a wide-scale traceability system that could help companies and government agencies more rapidly access data crucial to tracking foods implicated in disease outbreaks and subject to recall through their New Era of Food Safety Initiative. The Committee looks forward to the FDA's Blueprint that is expected to outline how this modern approach will address public health challenges, ranging from being able to trace sources of contaminated foods to using new predictive analytics tools like artificial intelligence to assess risks, and to help prioritize the Agency's work and resources. This Blueprint is to be made available on the FDA website within 60 days of the date of enactment of this Act. Further, the Committee recommends the research, investment, and implementation of artificial intelligence and other emerging technologies to assist with these aims.

Foreign High-Risk Inspection.—The Committee maintains funding for the evaluation of foreign high-risk sites to allow FDA to

continue efforts to develop and utilize a targeted, risk-based, and efficient inspection model that incorporates commercially available information, including onsite facility verification, about all foreign establishments for the purpose of regulatory compliance and surveillance of manufacturing quality management practices. FDA is directed to provide the Committees with an update on these efforts, including estimated efficiencies and concerns and plans to continue or expand this effort in the future. In addition, the funding can be used to support the Centers' ongoing efforts to improve the scientific evaluation of manufacturing for risk-based surveillance. The Committee expects this effort to provide FDA with data-driven models that will help it target its overseas inspection activities in a global economy.

FSMA Partnerships.—The Committee encourages FDA to work in partnership with existing government food safety programs and industry to share and coordinate information and data with industry partners and state and local government entities to better coordinate before, during, and after outbreaks occur.

Generic Competition.—The Committee recognizes the important role generic drug competition plays in the U.S. health care marketplace. The Committee encourages FDA to continue its efforts to foster competition among generic drugs.

Gluten in Drug Products.—In 2017, FDA issued Draft Guidance concerning gluten in drug products and associated labeling recommendations. While some manufacturers have labeled their drugs in accordance with this draft guidance, it has not been implemented consistently, leading to uncertainty among consumers. The Committee encourages FDA to consult with stakeholders to consider the views of these consumers, and to work expeditiously to publish a final guidance document.

Heparin Shortage.—The Committee is aware of the threat of heparin shortage from the 2008 contaminant crisis and other risk factors such as African swine fever. The Committee directs FDA to provide not later than 60 days after the enactment of this Act an update on what the FDA is doing to assure domestic supply of heparin and how it is engaging U.S. heparin suppliers and manufacturers.

High-Risk List.—The Committee expects FDA to release a list designating high risk foods in September 2020 as required by FSMA. FSMA also requires that foods designated as high-risk will be subject to more stringent recordkeeping requirements in order to improve traceability efforts during foodborne outbreaks. The Committee encourages FDA to ensure that any additional recordkeeping and traceability requirements are required throughout the supply and distribution chain as FDA continues to develop rules and regulations for compliance with FSMA.

Homeopathic Draft Guidance.—The Committee urges FDA to consider the views of commenters, including patients, proponents of homeopathy, and other stakeholders, in its approach to finalizing its revised draft guidance entitled “Drug Products Labeled as Homeopathic Guidance for FDA Staff and Industry.”

Human-Based Nonclinical Approaches.—The Committee is aware that nonclinical approaches that do not involve use of animals to evaluate new pharmaceuticals are being developed and might better predict some human outcomes and reduce animal testing. The

Committee directs FDA to review and modify its regulations to clearly reflect the FDA's discretion to accept valid nonclinical approaches. The Committee also directs FDA to consider expanding its Drug Development Tools Qualification Program to include a program for evaluating and integrating in vitro computational approaches. The Committee requests FDA report back on steps taken not later than September 30, 2021.

IBD Clinical Trials.—The Committee strongly encourages FDA to continue to engage with IBD research and patient communities to identify and address barriers to clinical trial participation for both adult and pediatric populations. To address a key barrier for pediatric populations, the Committee urges FDA to identify approaches for using real-world evidence to support reviews of candidate therapies that are already approved for use by adults with IBD. The Committee requests that FDA provide a briefing on these activities within 180 days of enactment of this Act.

Innovative Food Products.—The Committee is encouraged that the FDA recognizes the rising public health needs for oversight of innovative food products, and directs the FDA to brief the Committee, within 90 days of enactment, describing the challenges the agency faces in ensuring that innovative food ingredients are safe and their plans to address those challenges.

In-Home Drug Disposal.—The Committee directs the FDA to evaluate and consider updating current drug disposal guidance to reflect the availability of in-home disposal technology intended to deactivate and dispose of prescription drugs in a manner that renders the controlled substance unavailable and unusable for all practical purposes. The Committee also encourages the FDA to closely consider whether opioid labeling, REMS materials, and other prescriber information should include language on co-dispensing of in-home drug disposal technology, particularly for prescriptions connected to acute pain such as post-surgical pain.

Inspections at Land Ports of Entry.—A record volume of FDA-regulated commodities are being introduced for import inspection at the U.S.-Mexico border. The Committee is concerned that this is outpacing the Administration's processing operations resources at Land Ports of Entry, and has resulted in increased cargo backlogs or, otherwise, compromised the Administration's ability to detect and seize violative products. In order to improve and streamline the inspection process and expedite the release of compliant products, the Committee directs FDA to support increased import operations at Land Ports of Entry, near the U.S.-Mexico border.

Laboratory Developed Tests.—The Committee notes the past work between Congress, stakeholders, and the FDA on regulation of clinical laboratory diagnostic tests, including in-vitro diagnostic test kits. The Committee encourages FDA to continue to work with Congress to pass legislation that addresses a new regulatory pathway for laboratory diagnostic tests.

Listeria Prevention.—The Committee is aware that FDA is in the process of finalizing guidance regarding *Listeria monocytogenes* (Lm) in foods under its jurisdiction. Reducing incidence of listeriosis is an important public health goal and the Committee supports efforts to accomplish this objective. The Committee urges FDA to define Not Ready To Eat foods in guidance in a manner that aligns with the approach of FSIS and to ensure that the guid-

ance is protective of public health and is science-based, practical, and achievable. The Committee also urges FDA to consider comprehensive risk assessment data in finalizing compliance policy guidance that would regulate any final action level of Lm in Ready To Eat foods.

Lower-Cost Insulin Products and Transition to the Biologics Price Competition and Innovation Act Approval Pathway.—The Committee encourages the FDA to ensure timely review of proposed biosimilar and interchangeable insulin products and expects the FDA to provide additional guidance, including by publishing draft, revised draft, or final guidance, that will provide clarity and may help increased development of biosimilar products and integration of biosimilars into the biological products market.

The Committee also directs the FDA to provide, not later than 180 days after the enactment of this Act, a report providing an update on the following items: the number of new biologic license applications for insulin products, the number of new applications for biosimilars that use insulin as a reference product, trends in the total numbers of brand (biologic) and generic (biosimilar) insulin products on the market, trends in launch and list prices of new market insulin products compared to those currently in the market, the overall competitiveness of the insulin market, and any changes to accessibility and to the affordability of insulin.

Medical Device Supply Chain Management.—The Committee is concerned by vulnerabilities in our medical device supply chain that have been brought to light by the spread of COVID-19. The Committee directs FDA to work with Congress on ensuring they have the necessary tools and resources to prevent drug and device shortages. The Committee directs FDA to provide a briefing to the Committee on the state of the drug and medical device supply chain and any additional authorities or capabilities that are needed to assist FDA in mitigating shortages or identifying potential disruptions of these medical products.

Medical Gas.—The Committee directed FDA to issue final separate medical gases regulations in the fiscal year 2017 Consolidated Appropriations Act. Should FDA not issue proposed regulations by December 31, 2020, the Committee directs FDA to submit a report explaining the status of the rulemaking and the reasons for the delay.

Menstrual Product Labeling.—The Committee is concerned with the lack of labeling requirements for menstrual hygiene products and directs FDA to revise existing guidance for industry to include recommendations concerning menstrual hygiene product labeling and material lists, including recommendations that ingredient lists be included on packaging.

Modernizing Prescription Drug Development.—The Committee encourages FDA to expand efforts that support new approaches to improve product manufacturing and quality, including both innovator and generic drug sectors. The Committee encourages FDA to partner with academia to pilot innovative tools that can improve innovator and generic drug manufacturing efficiencies and strengthen product quality.

Naloxone to Treat Over-usage of Opioids.—Prescribers including dentists and other primary care providers have an opportunity to become more attuned to the risks of all opioids through the consid-

eration of co-prescribing naloxone with each opioid prescription. The Committee continues to encourage FDA to develop a strategy to test this hypothesis and assess the benefit for enacting such a policy as a national strategy.

Natural Cosmetics.—The Committee encourages FDA to work with consumer protection stakeholders and the scientific community to consider a definition of the term natural when natural claims are made in the labeling of cosmetics. The Committee asks FDA to update the Committee on those discussions, including the process and timeline for creating and enforcing a definition, as appropriate, within 90 days of the enactment of this Act.

Nephrotic Syndrome.—The Committee recognizes the collaboration from FDA in continuing to support key clinical trials for patients with nephrotic syndrome. The Committee encourages FDA to continue collaborating with stakeholders on therapy access that has led to meaningful development of new treatments.

Net Weights.—The Committee encourages FDA to continue devoting appropriate efforts to address economic integrity issues, particularly with respect to net weights, and treatment of seafood. The Committee believes these short-weighted labeled products are violating FDA laws and that, despite industry reporting such violations, FDA has not prioritized enforcement. The Committee requests a briefing from FDA on its efforts to enforce net weight requirements with respect to seafood product.

Neurodegenerative Collaborations.—The Committee supports ongoing collaborations between the medical product centers related to the development of treatments for neurodegenerative diseases, including public outreach efforts and the development of policy, guidance, and educational training. The Committee directs FDA to provide a briefing updating the Committee on efforts to date and plans for future collaborations to combat neurodegenerative diseases.

Non-Human Primates.—The Committee looks forward to receiving the report requested in last year's House Report regarding a strategy and timeline for reducing intramural primate research. The Committee continues to encourage the FDA to reduce primate testing, prioritize alternative research methods, and seek opportunities to relocate primates to sanctuaries. The Committee requests an update be included as part of the FDA's fiscal year 2022 budget request.

Nutrient Value of Fish During Pregnancy.—The Committee recognizes the directive included in section 773 of Division B of the Consolidated Appropriations Act, 2019 (P.L. 116–6), and directs the FDA to continue coordinating with the Environmental Protection Agency to reissue the final fish consumption advice for pregnant women provided in the notice of availability entitled 'Advice About Eating Fish, From the Environmental Protection Agency and Food and Drug Administration; Revised Fish Advice; Availability (82 Fed. Reg. 6571 (January 19, 2017))'. The reissuance of this advice will assist pregnant women in making informed decisions on fish consumption during pregnancy, especially as it relates to the positive cognitive development of children.

Office Use Compounding.—The Committee continues to hear concerns that FDA has implemented and enforced the DQSA through guidance for industry documents rather than through the notice and comment rulemaking procedure called for by the underlying

statute and the Administrative Procedures Act. The Committee looks forward to receiving a briefing from FDA on this issue.

Olive Oil Standards of Identity.—The Committee directs the FDA to continue working to establish a separate U.S. Standard of Identity for different grades of olive oil (e.g. extra virgin, virgin, and refined) and olive-pomace oils. The Committee remains particularly concerned with the number of different oil state standards for olive oils in the U.S. and believes it is important to determine if establishing a uniform set of the standards would better inform and protect consumers. The FDA is directed to consult and meet with domestic producers and importers of olive oil to develop a science-based Standard of Identity for extra virgin olive oil and olive oil to ensure the integrity of these products for U.S. consumers. The Committee directs the Commissioner of the FDA to brief the Committee by December 31, 2020 on the status of the agency's progress in developing a U.S. Standard of Identity for different grades of olive oil.

Opioid Abuse.—The Committee continues to be pleased that, with the Opioids Action Plan, Opioid Policy Steering Committee, and several significant regulatory actions, FDA is doing its part to help stem the tide of abuse. The use of opioids as first-line therapies for any form of pain has led to over-prescribing, and the CDC has made clear that clinicians should consider opioid therapy only if expected benefits for both pain and function are anticipated to outweigh the risks to the patient. The Committee hopes that FDA will continue to support the development of alternative and non-addictive alternatives to opioid analgesics and, when opioids are medically necessary, will continue to incentivize development and use of abuse-deterrent formulations. The Committee notes that every patient's treatment regimen should be tailored by his or her doctor to his or her unique needs. The federal government, therefore, should promote the full suite of available treatment options, including abstinence-based models and non-opioid medications. Finally, the Committee continues to be supportive of naloxone distribution among trained, licensed health care professionals and emergency responders. When considering the appropriateness of providing naloxone over the counter, the Committee urges the FDA to ensure that the administration of naloxone serves as a point of intervention to spur an honest conversation between the patient and his doctor about addiction and treatment.

OTC Acetaminophen Dosing Information for Children.—The Committee continues to be concerned that the lack of dosing information for children ages six months to two years may lead to dosing errors, adverse events, and inadequate treatment of fever and pain. The FDA is urged to provide to the Committee not later than 30 days after the enactment of this Act an update on the timing of amending the monograph label for acetaminophen to include weight-based dosing instructions for children ages six months to two years.

Outreach to Small Farmers.—The Committee expects the FDA to adequately fund efforts to provide outreach, training, and technical assistance to farmers for compliance with the FSMA Produce Safety Rule. The Committee expects CFSAN to provide funding for critical outreach and training services at not less than the level specified in the Fiscal Year 2020 agreement.

Patient Experience in Drug Reviews.—The Committee is aware the FDA is implementing policies to encourage the collection and utilization of patient experience data, such as patient preferences and patient-reported outcomes, under the patient-focused drug development framework. The Committee encourages FDA to include in its report assessing the use of patient data in regulatory decision-making, as required in Sec. 3004 of Public Law 114–255, information related to its review of patient experience data and information on patient-focused drug development tools.

Pediatric Devices.—The Committee recognizes the success of the FDA’s Pediatric Device Consortia (PDC) and the Center for Devices and Radiological Health’s (CDRH) interest in developing a collaborative community related to pediatric devices. The Committee notes that the fiscal year 2020 Agriculture Appropriations bill provided an increase of \$1,000,000 for the PDC program to improve infrastructure for conducting pediatric device trials and the planning of a related Pediatric Device collaborative community.

Pesticide Residues in Imported Human Food.—The Committee is concerned that imported human food continues to have higher pesticide violation rates than domestically produced food. The Committee recognizes that identifying a high violation rate for an imported commodity attests to FDA’s sampling design. However, such differences between domestic and import violation rates are concerning. The Committee directs FDA to analyze data in preparation of its next annual report to assess whether giving special attention to certain imported products with significantly higher rates of violations compared to domestic products would change the planning of the pesticide sampling plan for future years.

Pet Food Contamination.—The Committee is aware that certain brands of pet food contain unacceptable amounts of adulterated ingredients harmful to animals. Products with such ingredients have reached store shelves and infected countless pets before being recalled. Out of concern for animal health and consumer education, the Committee directs the FDA to provide a briefing within 180 days of enactment on FDA’s efforts to prevent adulteration of pet food.

Plant Product Labeling.—The Committee notes the increase of plant-based products labeled and marketed with meat, dairy, eggs, seafood and other animal food product terminology that may be advertised as a more healthful alternative to conventional animal-based food products. Such representations may cause consumer confusion. As FDA works to modernize standards of identity and evaluate related product labeling, the Committee directs the Commissioner to consult with FSIS to prevent misleading labeling of these food products that do not contain any animal-based ingredients and to continue to engage with stakeholders and the public on this issue.

Predictive Toxicology Roadmaps.—The Committee supports FDA efforts to advance new alternative methods for predictive toxicology testing when evaluating drugs and chemicals in order to improve human health and safety and to potentially replace, reduce, and/or refine animal testing. The Committee directs FDA to continue to work with stakeholders to promote the development and evaluation of suitable alternative methods.

Premarket Tobacco Applications (PMTA) Transparency.—The Committee urges FDA to make public a list of products for which PMTAs, requests for exemption from substantial equivalence, or substantial equivalence reports, were received on or before September 9, 2020.

Prescription to Over-the-Counter Switches.—The Committee is concerned with the multiple delays in FDA’s promulgation of a proposed regulation that may broaden the types of products that may be approved for use in a nonprescription setting. The Agency initiated its Nonprescription Drug Safe Use Regulatory Expansion initiative in 2013 and issued draft guidance in 2018 as a first step, promising sponsors and patients additional regulatory options through rulemaking in the near future. The Committee strongly encourages the Agency to issue this important proposed rule as soon as possible. The Committee also requests an update within 30 days after enactment of this Act on the timing of its issuance.

Radiation Exposure in Medical Imaging.—The Committee urges FDA to collaborate with the medical imaging industry and radiological professional societies to address the safety of all x-ray imaging modalities and promote the use of international consensus standards and alternative technologies when appropriate.

Rare Cancer Therapeutics.—The Committee includes an additional \$2,500,000 to address gaps in the system, streamline resources, accelerate the development of rare cancer therapies and advance the field of cancer research overall, mirroring the efforts of the National Cancer Institute’s Developmental Therapeutics Program. FDA is directed to build lines of communications and processes between these two agencies in order to expedite review of rare cancer therapies. Further, the Committee directs FDA to provide a briefing on what FDA has done to achieve the goals listed above, not later than 90 days after the enactment of this Act.

Safeguarding Pharmaceutical Supply Chains.—The Committee is concerned about America’s increased reliance on foreign-based sources of active pharmaceutical ingredients, their chemical components, and off-shore drug production. The Committee directs FDA to develop a report that addresses the vulnerabilities of the U.S. medical supply chain. This report should include recommendations on the following: (1) an identification of finished drugs and their essential components including raw materials, chemical components, and active ingredients necessary for the manufacture of medicines where supply is dependent on a single or limited number of providing countries; (2) recommendations for how to diversify supply away from predominant dependency on sources of supply in other countries and how to further the adoption of U.S.-based advanced manufacturing for active pharmaceutical ingredients and chemical precursors; (3) discussion of legislative, regulatory, and policy changes necessary to close gaps in the FDA’s ability to assess critical supply chain risks and encourage domestic manufacturing, including advanced manufacturing, of critical components and finished drug products; and (4) discussion of any differences between the FDA’s policy and that of the Customs and Border Protection on a requirement for drug companies to list active pharmaceutical ingredients and their countries of origin on labels of imported and domestically produced finished drug products.

Seafood Product Labeling.—The Committee notes that certain foods are labeled as a fish or seafood product when the products are highly-processed plant-based foods rather than derived from actual fish or seafood. The Committee directs the FDA to continue to assess products on the market to determine whether action is necessary to ensure consumers are not misled regarding such product labeling.

Skin Lightening.—The Committee is concerned about the availability of illegal skin lightening products containing dangerous levels of mercury and hydroquinone that are available to consumers, particularly through online retailers. With the passage of the CARES Act, FDA has new authorities to address the safety and effectiveness of OTC drug products, including those containing hydroquinone. The Committee encourages the Office of Cosmetics and Colors, within CFSAN and the Office of Non-Prescription Drugs within CDER to collaborate to combat online sales of illegal skin lightening products, including testing to determine compliance with FDA content limits. The Committee provides an increase of \$1,000,000 to FDA's Office of Minority Health and Health Equity to educate the public on the dangers of cosmetics containing these ingredients, including partnering with community-based organizations with records of reaching out to communities. The FDA should coordinate with the National Institute of Health's National Institute on Minority Health and Health Disparities to ensure any potential interventions or educational efforts are complementary and not duplicative.

Sodium Reduction.—The Committee is aware that U.S. Food and Drug Administration (FDA) is in the process of issuing guidance regarding voluntary sodium reduction targets in foods. The Committee encourages FDA to publish an updated draft of the short-term guidance for a 30-day comment period prior to finalization. Furthermore, within 120 days of enactment, the Committee requests the FDA provide a status update to the Committee on the publication of the short-term Final Guidance to Industry For Voluntarily Reducing Sodium, first published as draft in the Federal Register on June 2, 2016 (81 Fed. Reg. 35363).

Standard of Identity Activities for Foods.—Not later than 30 days after the date of enactment of this Act, and annually thereafter, the FDA shall submit to the Committees, and make publicly available online, a report outlining its progress on modernizing its standards of identity regulations.

Sunscreen Ingredients.—The Committee continues to track the actions of the FDA related to sunscreen ingredients. The Committee recognizes the agency's efforts in generating and posting consumer and public health resources regarding health benefits of sunscreen use. The Committee is encouraged by FDA's improvements in clarifying its messaging around the importance of sunscreen use as a skin cancer prevention tool in the context of its research on sunscreen. In addition, the Committee continues to encourage FDA to work with stakeholders, including the Environmental Protection Agency, especially in light of new authorities provided in the CARES Act.

Thalassemia.—Recent studies have shown that the length of time between when blood is donated and transfused does not impact outcomes for patients in need of an emergency blood transfusion. How-

ever, the Committee is aware that these studies do not determine the impact on chronically transfused patients, such as those with thalassemia, in which administration of older red cells may exacerbate iron loading and contribute to worse outcomes. The Committee urges FDA to review scientific literature on this issue and provide a brief to the Committees on potential steps to address safety.

Track and Trace.—Public Law 111–31 required FDA to implement a national track and trace system on the manufacture and flow of tobacco products to ensure compliance with tobacco product standards and disrupt illicit trade and counterfeiting. The fiscal year 2020 Agriculture Appropriations Act directed FDA to issue a report on the status of track and trace rulemaking as it applies to tobacco products, including electronic nicotine delivery devices and nicotine components. The Committee looks forward to reviewing the report.

Women and Minorities in Clinical Trials.—The Committee is concerned with the underrepresentation of women and minorities in clinical trials. The Committee is aware of the ongoing work that FDA is doing towards efforts to address this underrepresentation, in particular, its work on greater participation of female mice, inclusion of women and minorities in population studies, representational data on differences in female and male responses to medications, including sex-specific biomarkers in simulation models, and transparency in addressing biological differences. The Committee requests not later than 180 days after the enactment of this Act a briefing on FDA’s efforts in this space.

Youth E-cigarette Use.—The Committee is troubled by the dramatic increase in youth of ENDS products and notes that flavors are the most common reason youth use e-cigarettes. The Committee urges FDA to expedite the pre-market review of e-cigarettes and other newly deemed tobacco products that were on the market as of August 8, 2016 and to remove from the market any deemed tobacco product introduced after August 8, 2016 that has not submitted an application for pre-market review.

BUILDINGS AND FACILITIES

2020 appropriation	\$11,788,000
2021 budget estimate	13,788,000
Provided in the bill	11,788,000
Comparison:	
2020 appropriation	— — —
2021 budget estimate	– 2,000,000

COMMITTEE PROVISIONS

For Buildings and Facilities of the Food and Drug Administration, the Committee provides \$11,788,000.

FDA INNOVATION ACCOUNT, CURES ACT

2020 appropriation	\$75,000,000
2021 budget estimate	70,000,000
Provided in the bill	70,000,000
Comparison:	
2020 appropriation	– 5,000,000
2021 budget estimate	— — —

COMMITTEE PROVISIONS

For the FDA Innovation Account as authorized in the 21st Century Cures Act, the Committee provides an appropriation of \$70,000,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

2020 appropriation	\$315,000,000
2021 budget estimate	304,000,000
Provided in the bill	304,000,000
Comparison:	
2020 appropriation	– 11,000,000
2021 budget estimate	– – –

COMMITTEE PROVISIONS

For the Commodity Futures Trading Commission (CFTC), the Committee provides an appropriation of \$304,000,000.

Market surveillance oversight.—Last year, the Committee requested CFTC to look into the aluminum futures market. The Committee remains interested in CFTC's review of aluminum futures markets and its impact on pricing for aluminum end users and directs CFTC to provide a report to the House and Senate Committees on Appropriations within 60 days of the review's completion. The Committee expects CFTC's market surveillance branch to take prompt action, if warranted, to ensure that aluminum end users are protected from fraud, manipulation and abusive practices that are prohibited by the Commodity Exchange Act.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

2020 limitation	(\$77,000,000)
2021 budget estimate	(80,400,000)
Provided in the bill	(80,400,000)
Comparison:	
2020 limitation	+3,400,000
2021 budget estimate	– – –

COMMITTEE PROVISIONS

For the limitation on the expenses of the Farm Credit Administration, the Committee provides \$80,400,000.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Section 701.—The bill includes language regarding passenger motor vehicles.

Section 702.—The bill includes language regarding the Working Capital Fund of the Department of Agriculture.

Section 703.—The bill includes language limiting funding provided in the bill to one year unless otherwise specified.

Section 704.—The bill includes language regarding indirect cost share.

Section 705.—The bill includes language regarding the availability of loan funds in Rural Development programs.

Section 706.—The bill includes language regarding new information technology systems.

Section 707.—The bill includes language regarding fund availability in the Agricultural Management Assistance program.

Section 708.—The bill includes language regarding Rural Utilities Service program eligibility.

Section 709.—The bill includes language regarding funds for information technology expenses for the Farm Service Agency and the Rural Development mission area.

Section 710.—The bill includes language relating to first-class airline travel.

Section 711.—The bill includes language regarding the availability of certain funds of the Commodity Credit Corporation.

Section 712.—The bill includes language regarding funding for advisory committees.

Section 713.—The bill includes language regarding computer networks.

Section 714.—The bill includes language regarding Section 32 activities.

Section 715.—The bill includes language regarding user fee proposals without offsets.

Section 716.—The bill includes language regarding the reprogramming of funds and notification requirements.

Section 717.—The bill includes language regarding fees for the guaranteed business and industry loan program.

Section 718.—The bill includes language regarding the appropriations hearing process.

Section 719.—The bill includes language regarding pre-packaged news stories produced by government agencies.

Section 720.—The bill includes language regarding details and assignments of Department of Agriculture employees.

Section 721.—The bill includes language regarding eligibility or level of program assistance for Rural Development programs.

Section 722.—The bill includes language requiring spend plans.

Section 723.—The bill includes language regarding nutrition programs.

Section 724.—The bill includes language related to population limits for water and waste programs.

Section 725.—The bill includes language regarding certain USDA loan program levels.

Section 726.—The bill includes language regarding credit card refunds and rebates.

Section 727.—The bill includes language regarding the definition of the term “variety” in SNAP.

Section 728.—The bill includes language regarding the Secretary’s authority with respect to the 502 guaranteed loan programs.

Section 729.—The bill includes language regarding electronically available information for prescribing healthcare professionals.

Section 730.—The bill includes language regarding inspections of certain ARS facilities.

Section 731.—The bill includes language regarding the Food for Peace program.

Section 732.—The bill includes funding for the Rural Energy Savings Program.

Section 733.—The bill includes language related to a Supplemental Nutrition Assistance Program final rule.

Section 734.—The bill includes language related to a Supplemental Nutrition Assistance Program proposed rule.

Section 735.—The bill includes language related to the Animal Welfare Act.

Section 736.—The bill includes language regarding U.S. iron and steel products in public water or wastewater systems.

Section 737.—The bill includes language regarding lobbying.

Section 738.—The bill includes language relating to the use of raw or processed poultry products from the People's Republic of China in various domestic nutrition programs.

Section 739.—The bill includes language related to the Federal Meat Inspection Act.

Section 740.—The bill includes language related to persistent poverty counties.

Section 741.—The bill includes language regarding funding for an agriculture business innovation center.

Section 742.—The bill provides funding for the Farm to School program.

Section 743.—The bill provides funding for the Healthy Food Financing Initiative.

Section 744.—The bill provides funding for activities related to citrus greening.

Section 745.—The bill includes language related to investigational use of drugs or biological products for certain purposes.

Section 746.—The bill includes language related to the growing, harvesting, packing and holding of certain produce.

Section 747.—The bill includes language related to certain school food lunch prices.

Section 748.—The bill provides funding for grants to enhance farming and ranching opportunities for military veterans.

Section 749.—The bill includes language related to the school breakfast program.

Section 750.—The bill includes language related to environmental assessment documents.

Section 751.—The bill includes language related to line speed waivers.

Section 752.—The bill provides funding for certain centers of excellence.

Section 753.—The bill provides funding for rural hospital technical assistance.

Section 754.—The bill provides funding for grants under the section 12502 of Public Law 115–334.

Section 755.—The bill provides funding to carry out section 1621 of Public Law 110–246.

Section 756.—The bill includes language related to contingency plans for Animal Welfare Act licensees.

Section 757.—The bill provides funding to carry out section 4003(b) of Public Law 115–334.

Section 758.—The bill provides funding to carry out section 3307 of Public Law 115–334.

Section 759.—The bill includes language related to certain matching fund requirements.

Section 760.—The bill provides funding to carry out section 23 of the Child Nutrition Act of 1966.

Section 761.—The bill includes language related to biotechnology risk assessment research.

Section 762.—The bill provides funding to carry out section 12302 of Public Law 115–334.

Section 763.—The bill provides funding to carry out section 12504 of Public Law 115–334.

Section 764.—The bill provides funding to carry out section 4208 of Public Law 115–334.

Section 765.—The bill provides funding to carry out section 7209 of Public Law 115–334.

Section 766.—The bill provides funding to carry out section 12301 of Public Law 115–334.

Section 767.—The bill provides funding to carry out section 7120 of Public Law 115–334.

Section 768.—The bill provides funding to carry out section 7208 of Public Law 115–334.

Section 769.—The bill includes language related to potable water.

Section 770.—The bill provides funding to carry out section 4206 of Public Law 115–334.

Section 771.—The bill provides funding to carry out section 12513 of Public Law 115–334.

Section 772.—The bill provides funding for rural broadband.

Section 773.—The bill includes language related to certain reorganizations within the Department of Agriculture.

Section 774.—The bill provides funding for renewable energy.

Section 775.—The bill includes language changing the due date of a study.

Section 776.—The bill includes language related to the rural broadband program.

Sec. 777.—The bill includes language related to watershed programs.

Sec. 778.—The bill includes language related to shrimp exported to the United States.

Sec. 779.—The bill includes language related to hemp.

Sec. 780.—The bill includes language related to milk.

Sec. 781.—The bill includes language related to FDA-regulated products.

Sec. 782.—The bill includes language related to the ReConnect program.

Sec. 783.—The bill includes language related to the Dietary Guidelines.

Sec. 784.—The bill includes language related to drug recalls.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those against, are printed below:

The bill and report were amended and reported out of Committee with a quorum present and without a roll call vote.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

PROGRAM DUPLICATION

No provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

TRANSFERS OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following list includes the transfers included in the accompanying bill:

- *Office of the Secretary.*—The bill allows funds within the account to be transferred among the offices included in the account, as well as reimbursements for certain expenses and transfers outside the account for certain activities.
- *Hazardous Materials Management.*—The bill allows the funds within the account to be transferred to any agency of the Department.
- *Animal and Plant Health Inspection Service.*—Authority is included to enable the Secretary of Agriculture to transfer from other appropriations or funds of the Department such sums as may be necessary to combat emergency outbreaks of certain diseases of animals and plants.
- *Funds for Strengthening Markets, Income, and Supply.*—The bill limits the transfer of section 32 funds to purposes specified in the bill.
- *Farm Production and Conservation (FPAC) Business Center.*—The bill allows certain funds to be merged with the salaries and expenses account for the FPAC Business Center. The bill also provides that funds provided to other accounts in the agency shall be transferred to and merged with the salaries and expenses account of the Farm Service Agency.
- *Dairy Indemnity Program.*—The bill authorizes the transfer of funds to the Commodity Credit Corporation, by reference.
- *Agricultural Credit Insurance Fund Program Account.*—The bill provides funds to be transferred to the Farm Service Agency and for certain funds to be transferred within the account.
- *Commodity Credit Corporation.*—The bill includes language allowing certain funds to be transferred to the Foreign Agricultural

Service Salaries and Expenses account for information resource management activities.

- *Rural Housing Insurance Fund Program Account*.—The bill includes language allowing funds to be transferred from the Multi-Family Housing Revitalization Program Account to this account and for funds to be transferred from this account to the Rural Development Salaries and Expenses account.

- *Rental Assistance Program*.—The bill includes language allowing funds to be transferred from the Multi-Family Housing Revitalization Program Account to this account.

- *Intermediary Relending Program Fund Account*.—The bill provides funds in this account to be transferred to the Rural Development Salaries and Expenses account.

- *Rural Electrification and Telecommunications Program Account*.—The bill provides funds in this account to be transferred to the Rural Development Salaries and Expenses account.

- *Child Nutrition Programs*.—The bill includes authority to transfer section 32 funds to these programs.

- *Foreign Agricultural Service, Salaries and Expenses*.—The bill allows for the transfer of funds from the Commodity Credit Corporation Export Loan Program Account.

- *Food for Peace Title I Direct Credit and Food for Progress Program Account*.—The bill allows funds to be transferred to the Farm Production and Conservation Business Center, Salaries and Expenses account.

- *Commodity Credit Corporation Export Loans Program*.—The bill provides for transfer of funds to the Foreign Agricultural Service and to the Farm Production and Conservation Business Center, Salaries and Expenses account.

- *Food and Drug Administration, Salaries and Expenses*.—The bill allows funds to be transferred among certain activities.

- *Food and Drug Administration, FDA Innovation Account, Cures Act*.—The bill allows funds to be transferred from the 21st Century Cures Act to the Food and Drug Administration, Salaries and Expenses account.

- *Commodity Futures Trading Commission*.—The bill allows certain funds to be transferred to a no-year account in the Treasury.

- *General Provisions*.—Section 702 of the bill allows unobligated balances of discretionary funds to be transferred to the Working Capital Fund. Section 761 of the bill allows transfers to USDA for certain research programs.

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following lists the rescissions included in the accompanying bill:

<i>Program or activity</i>	<i>Amount</i>
USDA FNS (prior year balances)	\$1,000,000,000

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED
SPENDING ITEMS

Neither the bill nor this report contains any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill that directly or indirectly change the application of existing law.

The bill includes a number of provisions which place limitations on the use of funds in the bill or change existing limitations and that might, under some circumstances, be construed as changing the application of existing law:

Office of the Secretary.—Language is included to limit the amount of funds for official reception and representation expenses, as determined by the Secretary and to reimburse Departmental Administration for travel expenses incident to the holding of hearings.

Agricultural Research Service.—Language is included that allows the Agricultural Research Service to grant easements at the Beltsville, MD, agricultural research center and to grant easements at any facility for the construction of a research facility for use by the agency.

National Institute of Food and Agriculture, Integrated Activities.—The bill includes language limiting indirect costs.

Animal and Plant Health Inspection Service.—Language is included to limit the amount of funds for representational allowances.

Animal and Plant Health Inspection Service.—The bill includes language regarding state matching funds and the brucellosis control program.

Animal and Plant Health Inspection Service.—Language is included to allow APHIS to recoup expenses incurred from providing technical assistance goods, or services to non-APHIS personnel, and to allow transfers of funds for agricultural emergencies.

Agricultural Marketing Service, Limitation on Administrative Expenses.—The bill includes language to allow AMS to exceed the limitation on administrative expenses by up to 10 percent with notification to the Appropriations Committees.

Agricultural Marketing Service, Inspection and Weighing Services.—The bill includes authority to exceed the limitation on inspection and weighing services by up to 10 percent with notification to the Appropriations Committees.

Food Safety and Inspection Service.—Language is included to limit the amount of funds for representational allowances.

Dairy Indemnity Program.—Language is included by reference that allows the Secretary to utilize the services of the Commodity Credit Corporation for the purpose of making dairy indemnity payments.

Agricultural Credit Insurance Fund Program Account.—Language is included that deems the pink bollworm a boll weevil for the purposes of administering the boll weevil loan program.

Risk Management Agency.—Language is included to limit the amount of funds for official reception and representation expenses.

Watershed and Flood Prevention Operations.—Language is included that limits the application of certain activities in watersheds of a certain size.

Commodity Credit Corporation Fund.—Language is included to allow certain funds transferred from the Commodity Credit Corporation to be used for information resource management.

Hazardous Waste Management.—Language is included which limits the amount of funds that can be spent on operation and maintenance costs of CCC hazardous waste sites.

Rural Development Salaries and Expenses.—Language is included to allow funds to be used for advertising and promotional activities.

Rental Assistance Program.—Language is included that provides that agreements entered into during the current fiscal year be funded for a one-year period. Language also is included to renew contracts once during any 12-month period.

Rural Electrification and Telecommunications Loans Program Account.—The bill includes language related to loan rates on renewable energy loans.

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).—Language notwithstanding section 17(h)(10)(B)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 171786), as it relates to management information systems. Language is included to purchase infant formula except in accordance with law and pay for activities that are not fully reimbursed by other departments or agencies unless authorized by law.

Office of Codex Alimentarius.—Language is included to limit the amount of funds for official reception and representation expenses.

Foreign Agricultural Service.—Language is included to enable the agency to use funds received by an advance or by reimbursement to carry out its activities. The bill also limits the amount of funds for representation expenses.

McGovern-Dole International Food for Education and Child Nutrition Program Grants.—Language is included to specify the amount of funds available to purchase commodities described by subsection 3107(a)(2) of the Farm Security and Rural Investment Act of 2002.

Food and Drug Administration, Salaries and Expenses.—Language is included to limit the amount of funds for official reception and representation expenses and to limit the usage of certain user fees.

FDA Innovation Account.—The bill provides additional transfer authority.

Commodity Futures Trading Commission.—Language is included to limit the amount of funds for official reception and representation expenses. Language is also included to allow the Commission to record prior year lease obligations and to liquidate certain obligations.

Farm Credit Administration.—The bill includes authority to exceed the limitation on assessments by 10 percent with notification to the Appropriations Committees and to allow certain banks to exceed the statutory cap on export financing.

General Provisions.—

Section 701.—The bill includes language regarding passenger motor vehicles.

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Section 735.—The bill includes language related to the Animal Welfare Act.

Section 736.—The bill includes language regarding U.S. iron and steel products in public water or wastewater systems.

Section 737.—The bill includes language regarding lobbying.

Section 738.—The bill includes language relating to the use of raw or processed poultry products from the People's Republic of China in various domestic nutrition programs.

Section 739.—The bill includes language related to the Federal Meat Inspection Act.

Section 740.—The bill includes language related to persistent poverty counties.

Section 745.—The bill includes language related to investigational use of drugs or biological products for certain purposes.

Section 746.—The bill includes language related to the growing, harvesting, packing and holding of certain produce.

Section 747.—The bill includes language related to certain school food lunch prices.

Section 749.—The bill includes language related to the school breakfast program.

Section 750.—The bill includes language related to environmental assessment documents.

Section 751.—The bill includes language related to line speed waivers.

Section 756.—The bill includes language related to contingency plans for Animal Welfare Act licensees.

Section 759.—The bill includes language related to certain matching fund requirements.

Section 761.—The bill includes language related to biotechnology risk assessment research.

Section 769.—The bill includes language related to potable water.

Section 772.—The bill provides funding for rural broadband.

Section 773.—The bill includes language related to certain reorganizations within the Department of Agriculture.

Section 774.—The bill includes language related to renewable energy.

Section 775.—The bill includes language changing the due date of a study.

Section 776.—The bill includes language related to the rural broadband program.

Sec. 777.—The bill includes language related to watershed programs.

Sec. 779.—The bill includes language related to hemp.

Sec. 782.—The bill includes language related to the ReConnect program.

Sec. 784.—The bill includes language related to drug recalls.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned:

Agency or program	Last year of authorization	Authorization level	Appropriation in last year of authorization	Appropriation in this bill
Farmers' Market Nutrition Prog.	2015	Such sums	\$16,548,000	\$20,000,000
CNP State Administrative Expenses	2015	Such sums	263,686,000	317,0440,000
Summer Food Service Program	2015	Such sums	495,521,000	551,944,000
WIC	2015	Such sums	6,623,000,000	5,750,000,000
School Breakfast Expansion Grants	2015	Such sums	0	15,000,000
Farm to School Grants	2015	Such sums	0	12,000,000
Multi-family Revitalization Program	2016	Such sums	28,000,000	30,000,000
Broadband Telecommunications Program	2016	Such sums	35,000,000	35,000,000
Commodity Futures Trading Commission	2013	Such sums	205,294,000 *	304,000,000

* Reduced by an across the board cut and sequestration to \$194,556,000.

COMMITTEE HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—

The following hearings were used to develop or consider the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2021:

The Subcommittee held a budget hearing on February 11, 2020, on the Fiscal Year 2021 budget request for the Department of Agriculture Office of Inspector General. The Subcommittee received testimony from:

- Phyllis Fong, Inspector General, USDA
- Ann Coffey, Deputy Inspector General, USDA
- Gil Harden, Assistant Inspector General for Audit, USDA
- Peter P. Paradis, Sr., Acting Assistant Inspector General for Investigations, USDA Office of Inspector General

The Subcommittee held a budget hearing on February 12, 2020, on the Fiscal Year 2021 budget request for the Farm Credit Administration. The Subcommittee received testimony from:

- Glen R. Smith, Chairman and CEO, Farm Credit Administration
- Jeffery S. Hall, Chairman, Farm Credit System Insurance Corporation

The Subcommittee held an oversight hearing on February 27, 2020, on the work of the Office of Inspector General, Department of Health and Human Services, on the Food and Drug Administration. The Subcommittee received testimony from:

- Suzanne Murrin, Deputy Inspector General for Evaluation and Inspections, Department of Health and Human Services, Office of Inspector General

The Subcommittee held a hearing on March 3, 2020, entitled “Member Day.” The Subcommittee received testimony from:

- The Honorable Scott Perry, Member of Congress
- The Honorable Jenniffer Gonzalez-Colon, Resident Commissioner
- The Honorable Jim Hagedorn, Member of Congress
- The Honorable Kim Schrier, M.D., Member of Congress
- The Honorable Rodney Davis, Member of Congress

The Subcommittee held a budget hearing on March 10, 2020, on the Department of Agriculture Budget Request for Fiscal Year 2021. The Subcommittee received testimony from:

- The Honorable Sonny Perdue, Secretary, U.S. Department of Agriculture
- Robert Johansson, Chief Economist, U.S. Department of Agriculture
- Erica Navarro, Budget Officer, U.S. Department of Agriculture

The Subcommittee held a budget hearing on March 11, 2020, on the Food and Drug Administration Budget Request for FY 2021. The Subcommittee received testimony from:

- Stephen M. Hahn, M.D., Commissioner, Food and Drug Administration

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT

* * * * *

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 9. (a)(1)(A) Lunches served by schools participating in the school lunch program under this Act shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research, except that the minimum nutritional requirements—

(i) shall not be construed to prohibit the substitution of foods to accommodate the medical or other special dietary needs of individual students; and

(ii) shall, at a minimum, be based on the weekly average of the nutrient content of school lunches.

(B) The Secretary shall provide technical assistance and training, including technical assistance and training in the preparation of lower-fat versions of foods commonly used in the school lunch program under this Act, to schools participating in the school lunch program to assist the schools in complying with the nutritional requirements prescribed by the Secretary pursuant to subparagraph (A) and in providing appropriate meals to children with medically certified special dietary needs. The Secretary shall provide addi-

tional technical assistance to schools that are having difficulty maintaining compliance with the requirements.

(2) FLUID MILK.—

(A) IN GENERAL.—Lunches served by schools participating in the school lunch program under this Act—

(i) shall offer students a variety of fluid milk. Such milk shall be consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341);

(ii) may offer students flavored and unflavored fluid milk and lactose-free fluid milk; and

(iii) shall provide a substitute for fluid milk for students whose disability restricts their diet, on receipt of a written statement from a licensed physician that identifies the disability that restricts the student's diet and that specifies the substitute for fluid milk.

(B) SUBSTITUTES.—

(i) STANDARDS FOR SUBSTITUTION.—A school may substitute for the fluid milk provided under subparagraph (A), a nondairy beverage that is nutritionally equivalent to fluid milk and meets nutritional standards established by the Secretary (which shall, among other requirements to be determined by the Secretary, include fortification of calcium, protein, vitamin A, and vitamin D to levels found in cow's milk) for students who cannot consume fluid milk because of a medical or other special dietary need other than a disability described in subparagraph (A)(iii).

(ii) NOTICE.—The substitutions may be made if the school notifies the State agency that the school is implementing a variation allowed under this subparagraph, and if the substitution is requested by written statement of a medical authority or by a student's parent or legal guardian that identifies the medical or other special dietary need that restricts the student's diet, except that the school shall not be required to provide beverages other than beverages the school has identified as acceptable substitutes.

(iii) EXCESS EXPENSES BORNE BY SCHOOL FOOD AUTHORITY.—Expenses incurred in providing substitutions under this subparagraph that are in excess of expenses covered by reimbursements under this Act shall be paid by the school food authority.

(C) RESTRICTIONS ON SALE OF MILK PROHIBITED.—A school that participates in the school lunch program under this Act shall not directly or indirectly restrict the sale or marketing of fluid milk products by the school (or by a person approved by the school) at any time or any place—

(i) on the school premises; or

(ii) at any school-sponsored event.

(3) Students in senior high schools that participate in the school lunch program under this Act (and, when approved by the local school district or nonprofit private schools, students in any other grade level) shall not be required to accept offered foods they do not

intend to consume, and any such failure to accept offered foods shall not affect the full charge to the student for a lunch meeting the requirements of this subsection or the amount of payments made under this Act to any such school for such lunch.

(4) PROVISION OF INFORMATION.—

(A) GUIDANCE.—Prior to the beginning of the school year beginning July 2004, the Secretary shall issue guidance to States and school food authorities to increase the consumption of foods and food ingredients that are recommended for increased serving consumption in the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(B) RULES.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall promulgate rules, based on the most recent Dietary Guidelines for Americans, that reflect specific recommendations, expressed in serving recommendations, for increased consumption of foods and food ingredients offered in school nutrition programs under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

(C) PROCUREMENT AND PROCESSING OF FOOD SERVICE PRODUCTS AND COMMODITIES.—The Secretary shall—

(i) identify, develop, and disseminate to State departments of agriculture and education, school food authorities, local educational agencies, and local processing entities, model product specifications and practices for foods offered in school nutrition programs under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to ensure that the foods reflect the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341);

(ii) not later than 1 year after the date of enactment of this subparagraph—

(I) carry out a study to analyze the quantity and quality of nutritional information available to school food authorities about food service products and commodities; and

(II) submit to Congress a report on the results of the study that contains such legislative recommendations as the Secretary considers necessary to ensure that school food authorities have access to the nutritional information needed for menu planning and compliance assessments; and

(iii) to the maximum extent practicable, in purchasing and processing commodities for use in school nutrition programs under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), purchase the widest variety of healthful foods that reflect the most recent Dietary Guidelines for Americans.

(5) WATER.—Schools participating in the school lunch program under this Act shall make available to children free of charge, as nutritionally appropriate, potable water for con-

sumption in the place where meals are served during meal service.

(b)(1)(A) Not later than June 1 of each fiscal year, the Secretary shall prescribe income guidelines for determining eligibility for free and reduced price lunches during the 12-month period beginning July 1 of such fiscal year and ending June 30 of the following fiscal year. The income guidelines for determining eligibility for free lunches shall be 130 percent of the applicable family size income levels contained in the nonfarm income poverty guidelines prescribed by the Office of Management and Budget, as adjusted annually in accordance with subparagraph (B). The income guidelines for determining eligibility for reduced price lunches for any school year shall be 185 percent of the applicable family size income levels contained in the nonfarm income poverty guidelines prescribed by the Office of Management and Budget, as adjusted annually in accordance with subparagraph (B). The Office of Management and Budget guidelines shall be revised at annual intervals, or at any shorter interval deemed feasible and desirable.

(B) The revision required by subparagraph (A) of this paragraph shall be made by multiplying—

(i) the official poverty line (as defined by the Office of Management and Budget); by

(ii) the percentage change in the Consumer Price Index during the annual or other interval immediately preceding the time at which the adjustment is made.

Revisions under this subparagraph shall be made not more than 30 days after the date on which the consumer price index data required to compute the adjustment becomes available.

(2)(A) Following the determination by the Secretary under paragraph (1) of this subsection of the income eligibility guidelines for each school year, each State educational agency shall announce the income eligibility guidelines, by family size, to be used by schools in the State in making determinations of eligibility for free and reduced price lunches. Local school authorities shall, each year, publicly announce the income eligibility guidelines for free and reduced price lunches on or before the opening of school.

(B) APPLICATIONS AND DESCRIPTIVE MATERIAL.—

(i) IN GENERAL.—Applications for free and reduced price lunches, in such form as the Secretary may prescribe or approve, and any descriptive material, shall be distributed to the parents or guardians of children in attendance at the school, and shall contain only the family size income levels for reduced price meal eligibility with the explanation that households with incomes less than or equal to these values would be eligible for free or reduced price lunches.

(ii) INCOME ELIGIBILITY GUIDELINES.—Forms and descriptive material distributed in accordance with clause (i) may not contain the income eligibility guidelines for free lunches.

(iii) CONTENTS OF DESCRIPTIVE MATERIAL.—

(I) IN GENERAL.—Descriptive material distributed in accordance with clause (i) shall contain a notification that—

(aa) participants in the programs listed in subclause (II) may be eligible for free or reduced price meals; and

(bb) documentation may be requested for verification of eligibility for free or reduced price meals.

(II) PROGRAMS.—The programs referred to in subclause (I)(aa) are—

(aa) the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

(bb) the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(cc) the food distribution program on Indian reservations established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)); and

(dd) a State program funded under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(3) HOUSEHOLD APPLICATIONS.—

(A) DEFINITION OF HOUSEHOLD APPLICATION.—In this paragraph, the term “household application” means an application for a child of a household to receive free or reduced price school lunches under this Act, or free or reduced price school breakfasts under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), for which an eligibility determination is made other than under paragraph (4) or (5).

(B) ELIGIBILITY DETERMINATION.—

(i) IN GENERAL.—An eligibility determination shall be made on the basis of a complete household application executed by an adult member of the household or in accordance with guidance issued by the Secretary.

(ii) ELECTRONIC SIGNATURES AND APPLICATIONS.—A household application may be executed using an electronic signature if—

(I) the application is submitted electronically; and

(II) the electronic application filing system meets confidentiality standards established by the Secretary.

(C) CHILDREN IN HOUSEHOLD.—

(i) IN GENERAL.—The household application shall identify the names of each child in the household for whom meal benefits are requested.

(ii) SEPARATE APPLICATIONS.—A State educational agency or local educational agency may not request a separate application for each child in the household that attends schools under the same local educational agency.

(D) VERIFICATION OF SAMPLE.—

(i) DEFINITIONS.—In this subparagraph:

(I) ERROR PRONE APPLICATION.—The term “error prone application” means an approved household application that—

(aa) indicates monthly income that is within \$100, or an annual income that is within \$1,200, of the income eligibility limitation for free or reduced price meals; or

(bb) in lieu of the criteria established under item (aa), meets criteria established by the Secretary.

(II) NON-RESPONSE RATE.—The term “non-response rate” means (in accordance with guidelines established by the Secretary) the percentage of approved household applications for which verification information has not been obtained by a local educational agency after attempted verification under subparagraphs (F) and (G).

(ii) VERIFICATION OF SAMPLE.—Each school year, a local educational agency shall verify eligibility of the children in a sample of household applications approved for the school year by the local educational agency, as determined by the Secretary in accordance with this subsection.

(iii) SAMPLE SIZE.—Except as otherwise provided in this paragraph, the sample for a local educational agency for a school year shall equal the lesser of—

(I) 3 percent of all applications approved by the local educational agency for the school year, as of October 1 of the school year, selected from error prone applications; or

(II) 3,000 error prone applications approved by the local educational agency for the school year, as of October 1 of the school year.

(iv) ALTERNATIVE SAMPLE SIZE.—

(I) IN GENERAL.—If the conditions described in subclause (IV) are met, the verification sample size for a local educational agency shall be the sample size described in subclause (II) or (III), as determined by the local educational agency.

(II) 3,000/3 PERCENT OPTION.—The sample size described in this subclause shall be the lesser of 3,000, or 3 percent of, applications selected at random from applications approved by the local educational agency for the school year, as of October 1 of the school year.

(III) 1,000/1 PERCENT PLUS OPTION.—

(aa) IN GENERAL.—The sample size described in this subclause shall be the sum of—

(AA) the lesser of 1,000, or 1 percent of, all applications approved by the local educational agency for the school year, as of October 1 of the school year, selected from error prone applications; and

(BB) the lesser of 500, or $\frac{1}{2}$ of 1 percent of, applications approved by the local educational agency for the school year, as of October 1 of the school year, that provide a case number (in lieu of income information) showing participation in a program described in item (bb) selected from those approved applications that provide a case number (in lieu of income information) verifying the participation.

(bb) PROGRAMS.—The programs described in this item are—

(AA) the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(BB) the food distribution program on Indian reservations established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)); and

(CC) a State program funded under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) that the Secretary determines complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995.

(IV) CONDITIONS.—The conditions referred to in subclause (I) shall be met for a local educational agency for a school year if—

(aa) the nonresponse rate for the local educational agency for the preceding school year is less than 20 percent; or

(bb) the local educational agency has more than 20,000 children approved by application by the local educational agency as eligible for free or reduced price meals for the school year, as of October 1 of the school year, and—

(AA) the nonresponse rate for the preceding school year is at least 10 percent below the nonresponse rate for the second preceding school year; or

(BB) in the case of the school year beginning July 2005, the local educational agency attempts to verify all approved household applications selected for verification through use of public agency records from at least 2 of the programs or sources of information described in subparagraph (F)(i).

(v) ADDITIONAL SELECTED APPLICATIONS.—A sample for a local educational agency for a school year under clauses (iii) and (iv)(III)(AA) shall include the number of additional randomly selected approved household applications that are required to comply with the sample size requirements in those clauses.

(E) PRELIMINARY REVIEW.—

(i) REVIEW FOR ACCURACY.—

(I) IN GENERAL.—Prior to conducting any other verification activity for approved household applications selected for verification, the local educational agency shall ensure that the initial eligibility determination for each approved household application is reviewed for accuracy by an individual other than the individual making the initial eligibility determination, unless otherwise determined by the Secretary.

(II) WAIVER.—The requirements of subclause (I) shall be waived for a local educational agency if the local educational agency is using a technology-based solution that demonstrates a high level of accuracy, to the satisfaction of the Secretary, in processing an initial eligibility determination in accordance with the income eligibility guidelines of the school lunch program.

(ii) CORRECT ELIGIBILITY DETERMINATION.—If the review indicates that the initial eligibility determination is correct, the local educational agency shall verify the approved household application.

(iii) INCORRECT ELIGIBILITY DETERMINATION.—If the review indicates that the initial eligibility determination is incorrect, the local educational agency shall (as determined by the Secretary)—

(I) correct the eligibility status of the household;

(II) notify the household of the change;

(III) in any case in which the review indicates that the household is not eligible for free or reduced-price meals, notify the household of the reason for the ineligibility and that the household may reapply with income documentation for free or reduced-price meals; and

(IV) in any case in which the review indicates that the household is eligible for free or reduced-price meals, verify the approved household application.

(F) DIRECT VERIFICATION.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), to verify eligibility for free or reduced price meals for approved household applications selected for verification, the local educational agency may (in accordance with criteria established by the Secretary) first obtain and use income and program participation information from a public agency administering—

(I) the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(II) the food distribution program on Indian reservations established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));

(III) the temporary assistance for needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

(IV) the State medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

or

(V) a similar income-tested program or other source of information, as determined by the Secretary.

(ii) **FREE MEALS.**—Public agency records that may be obtained and used under clause (i) to verify eligibility for free meals for approved household applications selected for verification shall include the most recent available information (other than information reflecting program participation or income before the 180-day period ending on the date of application for free meals) that is relied on to administer—

(I) a program or source of information described in clause (i) (other than clause (i)(IV)); or

(II) the State plan for medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) in—

(aa) a State in which the income eligibility limit applied under section 1902(l)(2)(C) of that Act (42 U.S.C. 1396a(l)(2)(C)) is not more than 133 percent of the official poverty line described in section 1902(l)(2)(A) of that Act (42 U.S.C. 1396a(l)(2)(A)); or

(bb) a State that otherwise identifies households that have income that is not more than 133 percent of the official poverty line described in section 1902(l)(2)(A) of that Act (42 U.S.C. 1396a(l)(2)(A)).

(iii) **REDUCED PRICE MEALS.**—Public agency records that may be obtained and used under clause (i) to verify eligibility for reduced price meals for approved household applications selected for verification shall include the most recent available information (other than information reflecting program participation or income before the 180-day period ending on the date of application for reduced price meals) that is relied on to administer—

(I) a program or source of information described in clause (i) (other than clause (i)(IV)); or

(II) the State plan for medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) in—

(aa) a State in which the income eligibility limit applied under section 1902(l)(2)(C) of

that Act (42 U.S.C. 1396a(l)(2)(C)) is not more than 185 percent of the official poverty line described in section 1902(l)(2)(A) of that Act (42 U.S.C. 1396a(l)(2)(A)); or

(bb) a State that otherwise identifies households that have income that is not more than 185 percent of the official poverty line described in section 1902(l)(2)(A) of that Act (42 U.S.C. 1396a(l)(2)(A)).

(iv) EVALUATION.—Not later than 3 years after the date of enactment of this subparagraph, the Secretary shall complete an evaluation of—

(I) the effectiveness of direct verification carried out under this subparagraph in decreasing the portion of the verification sample that must be verified under subparagraph (G) while ensuring that adequate verification information is obtained; and

(II) the feasibility of direct verification by State agencies and local educational agencies.

(v) EXPANDED USE OF DIRECT VERIFICATION.—If the Secretary determines that direct verification significantly decreases the portion of the verification sample that must be verified under subparagraph (G), while ensuring that adequate verification information is obtained, and can be conducted by most State agencies and local educational agencies, the Secretary may require a State agency or local educational agency to implement direct verification through 1 or more of the programs described in clause (i), as determined by the Secretary, unless the State agency or local educational agency demonstrates (under criteria established by the Secretary) that the State agency or local educational agency lacks the capacity to conduct, or is unable to implement, direct verification.

(G) HOUSEHOLD VERIFICATION.—

(i) IN GENERAL.—If an approved household application is not verified through the use of public agency records, a local educational agency shall provide to the household written notice that—

(I) the approved household application has been selected for verification; and

(II) the household is required to submit verification information to confirm eligibility for free or reduced price meals.

(ii) PHONE NUMBER.—The written notice in clause (i) shall include a toll-free phone number that parents and legal guardians in households selected for verification can call for assistance with the verification process.

(iii) FOLLOWUP ACTIVITIES.—If a household does not respond to a verification request, a local educational agency shall make at least 1 attempt to obtain the necessary verification from the household in accord-

ance with guidelines and regulations promulgated by the Secretary.

(iv) CONTRACT AUTHORITY FOR SCHOOL FOOD AUTHORITIES.—A local educational agency may contract (under standards established by the Secretary) with a third party to assist the local educational agency in carrying out clause (iii).

(H) VERIFICATION DEADLINE.—

(i) GENERAL DEADLINE.—

(I) IN GENERAL.—Subject to subclause (II), not later than November 15 of each school year, a local educational agency shall complete the verification activities required for the school year (including followup activities).

(II) EXTENSION.—Under criteria established by the Secretary, a State may extend the deadline established under subclause (I) for a school year for a local educational agency to December 15 of the school year.

(ii) ELIGIBILITY CHANGES.—Based on the verification activities, the local educational agency shall make appropriate modifications to the eligibility determinations made for household applications in accordance with criteria established by the Secretary.

(I) LOCAL CONDITIONS.—In the case of a natural disaster, civil disorder, strike, or other local condition (as determined by the Secretary), the Secretary may substitute alternatives for—

(i) the sample size and sample selection criteria established under subparagraph (D); and

(ii) the verification deadline established under subparagraph (H).

(J) INDIVIDUAL REVIEW.—In accordance with criteria established by the Secretary, the local educational agency may, on individual review—

(i) decline to verify no more than 5 percent of approved household applications selected under subparagraph (D); and

(ii) replace the approved household applications with other approved household applications to be verified.

(K) FEASIBILITY STUDY.—

(i) IN GENERAL.—The Secretary shall conduct a study of the feasibility of using computer technology (including data mining) to reduce—

(I) overcertification errors in the school lunch program under this Act;

(II) waste, fraud, and abuse in connection with this paragraph; and

(III) errors, waste, fraud, and abuse in other nutrition programs, as determined to be appropriate by the Secretary.

(ii) REPORT.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Com-

mittee on Agriculture, Nutrition, and Forestry of the Senate a report describing—

- (I) the results of the feasibility study conducted under this subsection;
- (II) how a computer system using technology described in clause (i) could be implemented;
- (III) a plan for implementation; and
- (IV) proposed legislation, if necessary, to implement the system.

(4) DIRECT CERTIFICATION FOR CHILDREN IN SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM HOUSEHOLDS.—

(A) IN GENERAL.—Subject to subparagraph (D), each State agency shall enter into an agreement with the State agency conducting eligibility determinations for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(B) PROCEDURES.—Subject to paragraph (6), the agreement shall establish procedures under which a child who is a member of a household receiving assistance under the supplemental nutrition assistance program shall be certified as eligible for free lunches under this Act and free breakfasts under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), without further application.

(C) CERTIFICATION.—Subject to paragraph (6), under the agreement, the local educational agency conducting eligibility determinations for a school lunch program under this Act and a school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) shall certify a child who is a member of a household receiving assistance under the supplemental nutrition assistance program as eligible for free lunches under this Act and free breakfasts under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), without further application.

(D) APPLICABILITY.—This paragraph applies to—

- (i) in the case of the school year beginning July 2006, a school district that had an enrollment of 25,000 students or more in the preceding school year;
- (ii) in the case of the school year beginning July 2007, a school district that had an enrollment of 10,000 students or more in the preceding school year; and
- (iii) in the case of the school year beginning July 2008 and each subsequent school year, each local educational agency.

(E) PERFORMANCE AWARDS.—

(i) IN GENERAL.—Effective for each of the school years beginning July 1, 2011, July 1, 2012, and July 1, 2013, the Secretary shall offer performance awards to States to encourage the States to ensure that all children eligible for direct certification under this paragraph are certified in accordance with this paragraph.

(ii) REQUIREMENTS.—For each school year described in clause (i), the Secretary shall—

(I) consider State data from the prior school year, including estimates contained in the report required under section 4301 of the Food, Conservation, and Energy Act of 2008 (42 U.S.C. 1758a); and

(II) make performance awards to not more than 15 States that demonstrate, as determined by the Secretary—

(aa) outstanding performance; and

(bb) substantial improvement.

(iii) USE OF FUNDS.—A State agency that receives a performance award under clause (i)—

(I) shall treat the funds as program income; and

(II) may transfer the funds to school food authorities for use in carrying out the program.

(iv) FUNDING.—

(I) IN GENERAL.—On October 1, 2011, and each subsequent October 1 through October 1, 2013, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary—

(aa) \$2,000,000 to carry out clause

(ii)(II)(aa); and

(bb) \$2,000,000 to carry out clause

(ii)(II)(bb).

(II) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this clause the funds transferred under subclause (I), without further appropriation.

(v) PAYMENTS NOT SUBJECT TO JUDICIAL REVIEW.—A determination by the Secretary whether, and in what amount, to make a performance award under this subparagraph shall not be subject to administrative or judicial review.

(F) CONTINUOUS IMPROVEMENT PLANS.—

(i) DEFINITION OF REQUIRED PERCENTAGE.—In this subparagraph, the term “required percentage” means—

(I) for the school year beginning July 1, 2011, 80 percent;

(II) for the school year beginning July 1, 2012, 90 percent; and

(III) for the school year beginning July 1, 2013, and each school year thereafter, 95 percent.

(ii) REQUIREMENTS.—Each school year, the Secretary shall—

(I) identify, using data from the prior year, including estimates contained in the report required under section 4301 of the Food, Conservation, and Energy Act of 2008 (42 U.S.C. 1758a), States that directly certify less than the required percentage of the total number of children in the State who are eligible for direct certification under this paragraph;

(II) require the States identified under subclause (I) to implement a continuous improvement plan to fully meet the requirements of this paragraph, which shall include a plan to improve direct certification for the following school year; and

(III) assist the States identified under subclause (I) to develop and implement a continuous improvement plan in accordance with subclause (II).

(iii) FAILURE TO MEET PERFORMANCE STANDARD.—

(I) IN GENERAL.—A State that is required to develop and implement a continuous improvement plan under clause (ii)(II) shall be required to submit the continuous improvement plan to the Secretary, for the approval of the Secretary.

(II) REQUIREMENTS.—At a minimum, a continuous improvement plan under subclause (I) shall include—

(aa) specific measures that the State will use to identify more children who are eligible for direct certification, including improvements or modifications to technology, information systems, or databases;

(bb) a timeline for the State to implement those measures; and

(cc) goals for the State to improve direct certification results.

(G) WITHOUT FURTHER APPLICATION.—

(i) IN GENERAL.—In this paragraph, the term “without further application” means that no action is required by the household of the child.

(ii) CLARIFICATION.—A requirement that a household return a letter notifying the household of eligibility for direct certification or eligibility for free school meals does not meet the requirements of clause (i).

(5) DISCRETIONARY CERTIFICATION.—Subject to paragraph (6), any local educational agency may certify any child as eligible for free lunches or breakfasts, without further application, by directly communicating with the appropriate State or local agency to obtain documentation of the status of the child as—

(A) a member of a family that is receiving assistance under the temporary assistance for needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) that the Secretary determines complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995;

(B) a homeless child or youth (defined as 1 of the individuals described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(C) served by the runaway and homeless youth grant program established under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

(D) a migratory child (as defined in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399)); or

(E)(i) a foster child whose care and placement is the responsibility of an agency that administers a State plan under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq.); or

(ii) a foster child who a court has placed with a caretaker household.

(6) USE OR DISCLOSURE OF INFORMATION.—

(A) IN GENERAL.—The use or disclosure of any information obtained from an application for free or reduced price meals, or from a State or local agency referred to in paragraph (3)(F), (4), or (5), shall be limited to—

(i) a person directly connected with the administration or enforcement of this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) (including a regulation promulgated under either Act);

(ii) a person directly connected with the administration or enforcement of—

(I) a Federal education program;

(II) a State health or education program administered by the State or local educational agency (other than a program carried out under title XIX or XXI of the Social Security Act (42 U.S.C. 1396 et seq.; 42 U.S.C. 1397aa et seq.)); or

(III) a Federal, State, or local means-tested nutrition program with eligibility standards comparable to the school lunch program under this Act;

(iii)(I) the Comptroller General of the United States for audit and examination authorized by any other provision of law; and

(II) notwithstanding any other provision of law, a Federal, State, or local law enforcement official for the purpose of investigating an alleged violation of any program covered by this paragraph or paragraph (3)(F), (4), or (5);

(iv) a person directly connected with the administration of the State medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or the State children's health insurance program under title XXI of that Act (42 U.S.C. 1397aa et seq.) solely for the purposes of—

(I) identifying children eligible for benefits under, and enrolling children in, those programs, except that this subclause shall apply only to the extent that the State and the local educational agency or school food authority so elect; and

(II) verifying the eligibility of children for programs under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.); and

(v) a third party contractor described in paragraph (3)(G)(iv).

(B) LIMITATION ON INFORMATION PROVIDED.—Information provided under clause (ii) or (v) of subparagraph (A) shall be limited to the income eligibility status of the child for whom application for free or reduced price meal benefits is made or for whom eligibility information is provided under paragraph (3)(F), (4), or (5), unless the consent of the parent or guardian of the child for whom application for benefits was made is obtained.

(C) CRIMINAL PENALTY.—A person described in subparagraph (A) who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by Federal law (including a regulation), any information obtained under this subsection shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both.

(D) REQUIREMENTS FOR WAIVER OF CONFIDENTIALITY.—A State that elects to exercise the option described in subparagraph (A)(iv)(I) shall ensure that any local educational agency or school food authority acting in accordance with that option—

(i) has a written agreement with 1 or more State or local agencies administering health programs for children under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.) that requires the health agencies to use the information obtained under subparagraph (A) to seek to enroll children in those health programs; and

(ii)(I) notifies each household, the information of which shall be disclosed under subparagraph (A), that the information disclosed will be used only to enroll children in health programs referred to in subparagraph (A)(iv); and

(II) provides each parent or guardian of a child in the household with an opportunity to elect not to have the information disclosed.

(E) USE OF DISCLOSED INFORMATION.—A person to which information is disclosed under subparagraph (A)(iv)(I) shall use or disclose the information only as necessary for the purpose of enrolling children in health programs referred to in subparagraph (A)(iv).

(7) FREE AND REDUCED PRICE POLICY STATEMENT.—

(A) IN GENERAL.—After the initial submission, a local educational agency shall not be required to submit a free and reduced price policy statement to a State educational agency under this Act unless there is a substantive change in the free and reduced price policy of the local educational agency.

(B) ROUTINE CHANGE.—A routine change in the policy of a local educational agency (such as an annual adjustment of the income eligibility guidelines for free and reduced price meals) shall not be sufficient cause for requiring the local educational agency to submit a policy statement.

(8) COMMUNICATIONS.—

(A) IN GENERAL.—Any communication with a household under this subsection or subsection (d) shall be in an understandable and uniform format and, to the maximum ex-

tent practicable, in a language that parents and legal guardians can understand.

(B) ELECTRONIC AVAILABILITY.—In addition to the distribution of applications and descriptive material in paper form as provided for in this paragraph, the applications and material may be made available electronically via the Internet.

(9) ELIGIBILITY FOR FREE AND REDUCED PRICE LUNCHES.—

(A) FREE LUNCHES.—Any child who is a member of a household whose income, at the time the application is submitted, is at an annual rate which does not exceed the applicable family size income level of the income eligibility guidelines for free lunches, as determined under paragraph (1), shall be served a free lunch.

(B) REDUCED PRICE LUNCHES.—

(i) IN GENERAL.—Any child who is a member of a household whose income, at the time the application is submitted, is at an annual rate greater than the applicable family size income level of the income eligibility guidelines for free lunches, as determined under paragraph (1), but less than or equal to the applicable family size income level of the income eligibility guidelines for reduced price lunches, as determined under paragraph (1), shall be served a reduced price lunch.

(ii) MAXIMUM PRICE.—The price charged for a reduced price lunch shall not exceed 40 cents.

(C) DURATION.—Except as otherwise specified in paragraph (3)(E), (3)(H)(ii), and section 11(a), eligibility for free or reduced price meals for any school year shall remain in effect—

(i) beginning on the date of eligibility approval for the current school year; and

(ii) ending on a date during the subsequent school year determined by the Secretary.

(10) No physical segregation of or other discrimination against any child eligible for a free lunch or a reduced price lunch under this subsection shall be made by the school nor shall there be any overt identification of any child by special tokens or tickets, announced or published list of names, or by other means.

(11) Any child who has a parent or guardian who (A) is responsible for the principal support of such child and (B) is unemployed shall be served a free or reduced price lunch, respectively, during any period (i) in which such child's parent or guardian continues to be unemployed and (ii) the income of the child's parents or guardians during such period of unemployment falls within the income eligibility criteria for free lunches or reduced price lunches, respectively, based on the current rate of income of such parents or guardians. Local educational agencies shall publicly announce that such children are eligible for free or reduced price lunch, and shall make determinations with respect to the status of any parent or guardian of any child under clauses (A) and (B) of the preceding sentence on the basis of a statement executed in such form as the Secretary may prescribe by such parent or guardian. No physical segregation of, or other discrimination against, any child eligible for a free or reduced price lunch under this paragraph shall be

made by the school nor shall there be any overt identification of any such child by special tokens or tickets, announced or published lists of names, or by any other means.

(12)(A) A child shall be considered automatically eligible for a free lunch and breakfast under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), respectively, without further application or eligibility determination, if the child is—

(i) a member of a household receiving assistance under the supplemental nutrition assistance program authorized under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(ii) a member of a family (under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)) that the Secretary determines complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995;

(iii) enrolled as a participant in a Head Start program authorized under the Head Start Act (42 U.S.C. 9831 et seq.), on the basis of a determination that the child meets the eligibility criteria prescribed under section 645(a)(1)(B) of the Head Start Act (42 U.S.C. 9840(a)(1)(B));

(iv) a homeless child or youth (defined as 1 of the individuals described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(v) served by the runaway and homeless youth grant program established under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

(vi) a migratory child (as defined in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399)); or

(vii)(I) a foster child whose care and placement is the responsibility of an agency that administers a State plan under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq.); or

(II) a foster child who a court has placed with a caretaker household.

(B) Proof of receipt of supplemental nutrition assistance program benefits or assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) that the Secretary determines complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995, or of enrollment or participation in a Head Start program on the basis described in subparagraph (A)(iii), shall be sufficient to satisfy any verification requirement imposed under this subsection.

(13) EXCLUSION OF CERTAIN MILITARY HOUSING ALLOWANCES.—The amount of a basic allowance provided under section 403 of title 37, United States Code, on behalf of a member of a uniformed service for housing that is acquired or constructed under subchapter IV of chapter 169 of title 10, United States Code, or any related provision of law, shall not be considered to be income for the purpose of determining the eligibility of a child who is a member of the household of the mem-

ber of a uniformed service for free or reduced price lunches under this Act.

(14) COMBAT PAY.—

(A) DEFINITION OF COMBAT PAY.—In this paragraph, the term “combat pay” means any additional payment under chapter 5 of title 37, United States Code, or otherwise designated by the Secretary to be appropriate for exclusion under this paragraph, that is received by or from a member of the United States Armed Forces deployed to a designated combat zone, if the additional pay—

(i) is the result of deployment to or service in a combat zone; and

(ii) was not received immediately prior to serving in a combat zone.

(B) EXCLUSION.—Combat pay shall not be considered to be income for the purpose of determining the eligibility for free or reduced price meals of a child who is a member of the household of a member of the United States Armed Forces.

(15) DIRECT CERTIFICATION FOR CHILDREN RECEIVING MEDICAID BENEFITS.—

(A) DEFINITIONS.—In this paragraph:

(i) ELIGIBLE CHILD.—The term “eligible child” means a child—

(I)(aa) who is eligible for and receiving medical assistance under the Medicaid program; and

(bb) who is a member of a family with an income as measured by the Medicaid program before the application of any expense, block, or other income disregard, that does not exceed 133 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section)) applicable to a family of the size used for purposes of determining eligibility for the Medicaid program; or

(II) who is a member of a household (as that term is defined in section 245.2 of title 7, Code of Federal Regulations (or successor regulations) with a child described in subclause (I).

(ii) MEDICAID PROGRAM.—The term “Medicaid program” means the program of medical assistance established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(B) DEMONSTRATION PROJECT.—

(i) IN GENERAL.—The Secretary, acting through the Administrator of the Food and Nutrition Service and in cooperation with selected State agencies, shall conduct a demonstration project in selected local educational agencies to determine whether direct certification of eligible children is an effective method of certifying children for free lunches and breakfasts under section 9(b)(1)(A) of this Act and section 4(e)(1)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(e)(1)(A)).

(ii) SCOPE OF PROJECT.—The Secretary shall carry out the demonstration project under this subparagraph—

(I) for the school year beginning July 1, 2012, in selected local educational agencies that collectively serve 2.5 percent of students certified for free and reduced price meals nationwide, based on the most recent available data;

(II) for the school year beginning July 1, 2013, in selected local educational agencies that collectively serve 5 percent of students certified for free and reduced price meals nationwide, based on the most recent available data; and

(III) for the school year beginning July 1, 2014, and each subsequent school year, in selected local educational agencies that collectively serve 10 percent of students certified for free and reduced price meals nationwide, based on the most recent available data.

(iii) PURPOSES OF THE PROJECT.—At a minimum, the purposes of the demonstration project shall be—

(I) to determine the potential of direct certification with the Medicaid program to reach children who are eligible for free meals but not certified to receive the meals;

(II) to determine the potential of direct certification with the Medicaid program to directly certify children who are enrolled for free meals based on a household application; and

(III) to provide an estimate of the effect on Federal costs and on participation in the school lunch program under this Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) of direct certification with the Medicaid program.

(iv) COST ESTIMATE.—For each of 2 school years of the demonstration project, the Secretary shall estimate the cost of the direct certification of eligible children for free school meals through data derived from—

(I) the school meal programs authorized under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.);

(II) the Medicaid program; and

(III) interviews with a statistically representative sample of households.

(C) AGREEMENT.—

(i) IN GENERAL.—Not later than July 1 of the first school year during which a State agency will participate in the demonstration project, the State agency shall enter into an agreement with the 1 or more State agencies conducting eligibility determinations for the Medicaid program.

(ii) WITHOUT FURTHER APPLICATION.—Subject to paragraph (6), the agreement described in subparagraph (D) shall establish procedures under which an

eligible child shall be certified for free lunches under this Act and free breakfasts under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773), without further application (as defined in paragraph (4)(G)).

(D) CERTIFICATION.—For the school year beginning on July 1, 2012, and each subsequent school year, subject to paragraph (6), the local educational agencies participating in the demonstration project shall certify an eligible child as eligible for free lunches under this Act and free breakfasts under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), without further application (as defined in paragraph (4)(G)).

(E) SITE SELECTION.—

(i) IN GENERAL.—To be eligible to participate in the demonstration project under this subsection, a State agency shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(ii) CONSIDERATIONS.—In selecting States and local educational agencies for participation in the demonstration project, the Secretary may take into consideration such factors as the Secretary considers to be appropriate, which may include—

(I) the rate of direct certification;

(II) the share of individuals who are eligible for benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) who participate in the program, as determined by the Secretary;

(III) the income eligibility limit for the Medicaid program;

(IV) the feasibility of matching data between local educational agencies and the Medicaid program;

(V) the socioeconomic profile of the State or local educational agencies; and

(VI) the willingness of the State and local educational agencies to comply with the requirements of the demonstration project.

(F) ACCESS TO DATA.—For purposes of conducting the demonstration project under this paragraph, the Secretary shall have access to—

(i) educational and other records of State and local educational and other agencies and institutions receiving funding or providing benefits for 1 or more programs authorized under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.); and

(ii) income and program participation information from public agencies administering the Medicaid program.

(G) REPORT TO CONGRESS.—

(i) IN GENERAL.—Not later than October 1, 2014, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the

Committee on Agriculture, Nutrition, and Forestry of the Senate, an interim report that describes the results of the demonstration project required under this paragraph.

(ii) FINAL REPORT.—Not later than October 1, 2015, the Secretary shall submit a final report to the committees described in clause (i).

(H) FUNDING.—

(i) IN GENERAL.—On October 1, 2010, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out subparagraph (G) \$5,000,000, to remain available until expended.

(ii) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subparagraph (G) the funds transferred under clause (i), without further appropriation.

(c) School lunch programs under this Act shall be operated on a nonprofit basis. Commodities purchased under the authority of section 32 of the Act of August 24, 1935, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in the school lunch program under this Act as well as to other schools carrying out nonprofit school lunch programs and institutions authorized to receive such commodities. The requirements of this section relating to the service of meals without cost or at a reduced cost shall apply to the lunch program of any school utilizing commodities donated under any provision of law.

(d)(1) The Secretary shall require as a condition of eligibility for receipt of free or reduced price lunches that the member of the household who executes the application furnish the last 4 digits of the social security account number of the parent or guardian who is the primary wage earner responsible for the care of the child for whom the application is made, or that of another appropriate adult member of the child's household, as determined by the Secretary.

(2) No member of a household may be provided a free or reduced price lunch under this Act unless—

(A) appropriate documentation relating to the income of such household (as prescribed by the Secretary) has been provided to the appropriate local educational agency so that the local educational agency may calculate the total income of such household;

(B) documentation showing that the household is participating in the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 has been provided to the appropriate local educational agency;

(C) documentation has been provided to the appropriate local educational agency showing that the family is receiving assistance under the State program funded under part A of title IV of the Social Security Act that the Secretary determines complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995;

(D) documentation has been provided to the appropriate local educational agency showing that the child meets the criteria specified in clauses (iv) or (v) of subsection (b)(12)(A);

(E) documentation has been provided to the appropriate local educational agency showing the status of the child as a migratory child (as defined in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399));

(F)(i) documentation has been provided to the appropriate local educational agency showing the status of the child as a foster child whose care and placement is the responsibility of an agency that administers a State plan under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq.); or

(ii) documentation has been provided to the appropriate local educational agency showing the status of the child as a foster child who a court has placed with a caretaker household; or

(G) documentation has been provided to the appropriate local educational agency showing the status of the child as an eligible child (as defined in subsection (b)(15)(A)).

(e) A school or school food authority participating in a program under this Act may not contract with a food service company to provide a la carte food service unless the company agrees to offer free, reduced price, and full-price reimbursable meals to all eligible children.

(f) NUTRITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Schools that are participating in the school lunch program or school breakfast program shall serve lunches and breakfasts that—

(A) are consistent with the goals of the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341); and

(B) consider the nutrient needs of children who may be at risk for inadequate food intake and food insecurity.

(2) To assist schools in meeting the requirements of this subsection, the Secretary—

(A) shall—

(i) develop, and provide to schools, standardized recipes, menu cycles, and food product specification and preparation techniques; and

(ii) provide to schools information regarding nutrient standard menu planning, assisted nutrient standard menu planning, and food-based menu systems; and

(B) may provide to schools information regarding other approaches, as determined by the Secretary.

(3) USE OF ANY REASONABLE APPROACH.—

(A) IN GENERAL.—A school food service authority may use any reasonable approach, within guidelines established by the Secretary in a timely manner, to meet the requirements of this subsection, including—

(i) using the school nutrition meal pattern in effect for the 1994–1995 school year; and

(ii) using any of the approaches described in paragraph (3).

(B) NUTRIENT ANALYSIS.—The Secretary may not require a school to conduct or use a nutrient analysis to meet the requirements of this subsection.

(4) WAIVER OF REQUIREMENT FOR WEIGHTED AVERAGES FOR NUTRIENT ANALYSIS.—During the period ending on September 30, 2010, the Secretary shall not require the use of weighted averages for nutrient analysis of menu items and foods offered or served as part of a meal offered or served under the school lunch program under this Act or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(g) Not later than 1 year after the date of enactment of this subsection, the Secretary shall provide a notification to Congress that justifies the need for production records required under section 210.10(b) of title 7, Code of Federal Regulations, and describes how the Secretary has reduced paperwork relating to the school lunch and school breakfast programs.

(h) FOOD SAFETY.—

(1) IN GENERAL.—A school participating in the school lunch program under this Act or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) shall—

(A) at least twice during each school year, obtain a food safety inspection conducted by a State or local governmental agency responsible for food safety inspections;

(B) post in a publicly visible location a report on the most recent inspection conducted under subparagraph (A); and

(C) on request, provide a copy of the report to a member of the public.

(2) STATE AND LOCAL GOVERNMENT INSPECTIONS.—Nothing in paragraph (1) prevents any State or local government from adopting or enforcing any requirement for more frequent food safety inspections of schools.

(3) AUDITS AND REPORTS BY STATES.—**[For fiscal year 2020]** *For fiscal year 2021*, each State shall annually—

(A) audit food safety inspections of schools conducted under paragraphs (1) and (2); and

(B) submit to the Secretary a report of the results of the audit.

(4) AUDIT BY THE SECRETARY.—**[For fiscal year 2020]** *For fiscal year 2021*, the Secretary shall annually audit State reports of food safety inspections of schools submitted under paragraph (3).

(5) SCHOOL FOOD SAFETY PROGRAM.—

(A) IN GENERAL.—Each school food authority shall implement a school food safety program, in the preparation and service of each meal served to children, that complies with any hazard analysis and critical control point system established by the Secretary.

(B) APPLICABILITY.—Subparagraph (A) shall apply to any facility or part of a facility in which food is stored, prepared, or served for the purposes of the school nutrition programs under this Act or section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(i) SINGLE PERMANENT AGREEMENT BETWEEN STATE AGENCY AND SCHOOL FOOD AUTHORITY; COMMON CLAIMS FORM.—

(1) IN GENERAL.—If a single State agency administers any combination of the school lunch program under this Act, the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773), the summer food service program for children under section 13 of this Act, or the child and adult care food program under section 17 of this Act, the agency shall—

(A) require each school food authority to submit to the State agency a single agreement with respect to the operation by the authority of the programs administered by the State agency; and

(B) use a common claims form with respect to meals and supplements served under the programs administered by the State agency.

(2) ADDITIONAL REQUIREMENT.—The agreement described in paragraph (1)(A) shall be a permanent agreement that may be amended as necessary.

(j) PURCHASES OF LOCALLY PRODUCED FOODS.—The Secretary shall—

(1) encourage institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to purchase unprocessed agricultural products, both locally grown and locally raised, to the maximum extent practicable and appropriate;

(2) advise institutions participating in a program described in paragraph (1) of the policy described in that paragraph and paragraph (3) and post information concerning the policy on the website maintained by the Secretary; and

(3) allow institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), including the Department of Defense Fresh Fruit and Vegetable Program, to use a geographic preference for the procurement of unprocessed agricultural products, both locally grown and locally raised.

(k) INFORMATION ON THE SCHOOL NUTRITION ENVIRONMENT.—

(1) IN GENERAL.—The Secretary shall—

(A) establish requirements for local educational agencies participating in the school lunch program under this Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) to report information about the school nutrition environment, for all schools under the jurisdiction of the local educational agencies, to the Secretary and to the public in the State on a periodic basis; and

(B) provide training and technical assistance to States and local educational agencies on the assessment and reporting of the school nutrition environment, including the use of any assessment materials developed by the Secretary.

(2) REQUIREMENTS.—In establishing the requirements for reporting on the school nutrition environment under paragraph (1), the Secretary shall—

(A) include information pertaining to food safety inspections, local wellness policies, meal program participation, the nutritional quality of program meals, and other information as determined by the Secretary; and

(B) ensure that information is made available to the public by local educational agencies in an accessible, easily understood manner in accordance with guidelines established by the Secretary.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this subsection such sums as are necessary for each of fiscal years 2011 through 2015.

(1) **FOOD DONATION PROGRAM.**—

(1) **IN GENERAL.**—Each school and local educational agency participating in the school lunch program under this Act may donate any food not consumed under such program to eligible local food banks or charitable organizations.

(2) **GUIDANCE.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall develop and publish guidance to schools and local educational agencies participating in the school lunch program under this Act to assist such schools and local educational agencies in donating food under this subsection.

(B) **UPDATES.**—The Secretary shall update such guidance as necessary.

(3) **LIABILITY.**—Any school or local educational agency making donations pursuant to this subsection shall be exempt from civil and criminal liability to the extent provided under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

(4) **DEFINITION.**—In this subsection, the term “eligible local food banks or charitable organizations” means any food bank or charitable organization which is exempt from tax under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).

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SEC. 26. INFORMATION CLEARINGHOUSE.

(a) **IN GENERAL.**—The Secretary shall enter into a contract with a nongovernmental organization described in subsection (b) to establish and maintain a clearinghouse to provide information to nongovernmental groups located throughout the United States that assist low-income individuals or communities regarding food assistance, self-help activities to aid individuals in becoming self-reliant, and other activities that empower low-income individuals or communities to improve the lives of low-income individuals and reduce reliance on Federal, State, or local governmental agencies for food or other assistance.

(b) **NONGOVERNMENTAL ORGANIZATION.**—The nongovernmental organization referred to in subsection (a) shall be selected on a competitive basis and shall—

(1) be experienced in the gathering of first-hand information in all the States through onsite visits to grassroots organizations in each State that fight hunger and poverty or that assist individuals in becoming self-reliant;

(2) be experienced in the establishment of a clearinghouse similar to the clearinghouse described in subsection (a);

(3) agree to contribute in-kind resources towards the establishment and maintenance of the clearinghouse and agree to provide clearinghouse information, free of charge, to the Secretary, States, counties, cities, antihunger groups, and grassroots organizations that assist individuals in becoming self-sufficient and self-reliant;

(4) be sponsored by an organization, or be an organization, that—

(A) has helped combat hunger for at least 10 years;

(B) is committed to reinvesting in the United States; and

(C) is knowledgeable regarding Federal nutrition programs;

(5) be experienced in communicating the purpose of the clearinghouse through the media, including the radio and print media, and be able to provide access to the clearinghouse information through computer or telecommunications technology, as well as through the mails; and

(6) be able to provide examples, advice, and guidance to States, counties, cities, communities, antihunger groups, and local organizations regarding means of assisting individuals and communities to reduce reliance on government programs, reduce hunger, improve nutrition, and otherwise assist low-income individuals and communities become more self-sufficient.

(c) AUDITS.—The Secretary shall establish fair and reasonable auditing procedures regarding the expenditures of funds to carry out this section.

(d) FUNDING.—Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall pay to the Secretary to provide to the organization selected under this section, to establish and maintain the information clearinghouse, \$200,000 for each of fiscal years 1995 and 1996, \$150,000 for fiscal year 1997, \$100,000 for fiscal year 1998, \$166,000 for each of fiscal years 1999 through 2004, and \$250,000 for each of fiscal years [2010 through 2021] 2010 through 2022. The Secretary shall be entitled to receive the funds and shall accept the funds, without further appropriation.

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FOOD AND NUTRITION ACT OF 2008

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APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS

SEC. 9.

(a) AUTHORIZATION TO ACCEPT AND REDEEM BENEFITS.—

(1) APPLICATION.—

(A) IN GENERAL.—Regulations issued pursuant to this Act shall provide for the submission of applications for approval by retail food stores and wholesale food concerns which desire to be authorized to accept and redeem benefits under the supplemental nutrition assistance program and for the approval of those applicants whose participa-

tion will effectuate the purposes of the supplemental nutrition assistance program.

(B) FACTORS FOR CONSIDERATION.—In determining the qualifications of applicants, there shall be considered among such other factors as may be appropriate, the following:

(i) the nature and extent of the food business conducted by the applicant;

(ii) the volume of benefit transactions which may reasonably be expected to be conducted by the applicant food store or wholesale food concern;

(iii) whether the applicant is located in an area with significantly limited access to food;

(iv) any information, if available, about the ability of the anticipated or existing electronic benefit transfer equipment and service provider of the applicant to provide sufficient information through the electronic benefit transfer system to minimize the risk of fraudulent transactions; and

(v) the business integrity and reputation of the applicant.

(C) CERTIFICATE.—Approval of an applicant shall be evidenced by the issuance to such applicant of a nontransferable certificate of approval.

(D) VISIT REQUIRED.—No retail food store or wholesale food concern of a type determined by the Secretary, based on factors that include size, location, and type of items sold, shall be approved to be authorized or reauthorized for participation in the supplemental nutrition assistance program unless an authorized employee of the Department of Agriculture, a designee of the Secretary, or, if practicable, an official of the State or local government designated by the Secretary has visited the store or concern for the purpose of determining whether the store or concern should be approved or reauthorized, as appropriate.

(2) The Secretary shall issue regulations providing for—

(A) the periodic reauthorization of retail food stores and wholesale food concerns; and

(B) periodic notice to participating retail food stores and wholesale food concerns of the definitions of “retail food store”, “staple foods”, “eligible foods”, and “perishable foods”.

(3) AUTHORIZATION PERIODS.—The Secretary shall establish specific time periods during which authorization to accept and redeem benefits shall be valid under the supplemental nutrition assistance program.

(4) ELECTRONIC BENEFIT TRANSFER EQUIPMENT AND SERVICE PROVIDERS.—Before implementing clause (iv) of paragraph (1)(B), the Secretary shall issue guidance for retail food stores on how to select electronic benefit transfer equipment and service providers that are able to meet the requirements of that clause.

(b)(1) No wholesale food concern may be authorized to accept and redeem benefits unless the Secretary determines that its participation is required for the effective and efficient operation of the supplemental nutrition assistance program. No co-located wholesale-

retail food concern may be authorized to accept and redeem benefits as a retail food store, unless (A) the concern does a substantial level of retail food business, or (B) the Secretary determines that failure to authorize such a food concern as a retail food store would cause hardship to households that receive supplemental nutrition assistance program benefits. In addition, no firm may be authorized to accept and redeem benefits as both a retail food store and as a wholesale food concern at the same time.

(2)(A) A buyer or transferee (other than a bona fide buyer or transferee) of a retail food store or wholesale food concern that has been disqualified under section 12(a) may not accept or redeem benefits until the Secretary receives full payment of any penalty imposed on such store or concern.

(B) A buyer or transferee may not, as a result of the sale or transfer of such store or concern, be required to furnish a bond under section 12(d).

(c) Regulations issued pursuant to this Act shall require an applicant retail food store or wholesale food concern to submit information, which may include relevant income and sales tax filing documents, purchase invoices, records relating to electronic benefit transfer equipment and related services, transaction and redemption data provided through the electronic benefit transfer system, or program-related records, which will permit a determination to be made as to whether such applicant qualifies, or continues to qualify, for approval under the provisions of this Act or the regulations issued pursuant to this Act. The regulations may require retail food stores and wholesale food concerns to provide written authorization for the Secretary to verify all relevant tax filings with appropriate agencies and to obtain corroborating documentation from other sources so that the accuracy of information provided by the stores and concerns may be verified. Regulations issued pursuant to this Act shall provide for safeguards which limit the use or disclosure of information obtained under the authority granted by this subsection to purposes directly connected with administration and enforcement of the provisions of this Act or the regulations issued pursuant to this Act, except that such information may be disclosed to any used by Federal law enforcement and investigative agencies and law enforcement and investigative agencies of a State government for the purposes of administering or enforcing this Act or any other Federal or State law and the regulations issued under this Act or such law, and State agencies that administer the special supplemental nutrition program for women, infants and children, authorized under section 17 of the Child Nutrition Act of 1966, for purposes of administering the provisions of that Act and the regulations issued under that Act. Any person who publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by Federal law (including a regulation) any information obtained under this subsection shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both. The regulations shall establish the criteria to be used by the Secretary to determine whether the information is needed. The regulations shall not prohibit the audit and examination of such information by the Comptroller General of the United States authorized by any other provision of law.

(d) Any retail food store or wholesale food concern which has failed upon application to receive approval to participate in the supplemental nutrition assistance program may obtain a hearing on such refusal as provided in section 14 of this Act. A retail food store or wholesale food concern that is denied approval to accept and redeem benefits because the store or concern does not meet criteria for approval established by the Secretary may not, for at least 6 months, submit a new application to participate in the program. The Secretary may establish a longer time period under the preceding sentence, including permanent disqualification, that reflects the severity of the basis of the denial.

(e) Approved retail food stores shall display a sign providing information on how persons may report abuses they have observed in the operation of the supplemental nutrition assistance program.

(f) In those areas in which the Secretary, in consultation with the Inspector General of the Department of Agriculture, finds evidence that the operation of house-to-house trade routes damages the program's integrity, the Secretary shall limit the participation of house-to-house trade routes to those routes that are reasonably necessary to provide adequate access to households.

(g) EBT SERVICE REQUIREMENT.—An approved retail food store shall provide adequate EBT service as described in section 7(h)(3)(B).

(h) PRIVATE ESTABLISHMENTS.—

(1) IN GENERAL.—Subject to paragraph (2), no private establishment that contracts with a State agency to offer meals at concessional prices as described in paragraphs (3), (4), and (9) of section 3(k) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the private establishment is required to meet a documented need in accordance with section 11(e)(25).

(2) EXISTING CONTRACTS.—

(A) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State has entered into a contract with a private establishment described in paragraph (1) and the Secretary has not determined that the participation of the private establishment is necessary to meet a documented need in accordance with section 11(e)(25), the Secretary shall allow the operation of the private establishment to continue without that determination of need for a period not to exceed 180 days from the date on which the Secretary establishes determination criteria, by regulation, under section 11(e)(25).

(B) JUSTIFICATION.—If the Secretary determines to terminate a contract with a private establishment that is in effect on the date of enactment of this subsection, the Secretary shall provide justification to the State in which the private establishment is located for that termination.

(3) REPORT TO CONGRESS.—Not later than 90 days after September 30, 2014, and 90 days after the last day of each fiscal year thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the effectiveness of a program under this subsection using any information received from States under section

11(e)(25) as well as any other information the Secretary may have relating to the manner in which benefits are used.

(i) REVIEW OF PROGRAM OPERATIONS.—

(1) REVIEW BY THE SECRETARY.—The Secretary—

(A) shall review a representative sample of currently authorized facilities referred to in section 3(k)(3) to determine whether benefits are properly used by or on behalf of participating households residing in such facilities and whether such facilities are using more than 1 source of Federal or State funding to meet the food needs of residents;

(B) may carry out similar reviews for currently participating residential drug and alcohol treatment and rehabilitation programs, and group living arrangements for the blind and disabled, referred to in section 3(k);

(C) shall gather information, and such facilities, programs, and arrangements shall be required to submit information deemed necessary for a full and thorough review; and

(D) shall report the results of these reviews to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than 18 months after the date of the enactment of the Agriculture Improvement Act of 2018, along with recommendations regarding—

(i) any additional requirements or oversight that would be appropriate for such facilities, programs, and arrangements; and

(ii) whether such facilities, programs, and arrangements should continue to be authorized to participate in the supplemental nutrition assistance program.

(2) LIMITATION.—Nothing in this subsection shall authorize the Secretary to deny any application for continued authorization, any application for authorization, or any request to withdraw the authorization of any such facility, program, or arrangement based on a determination that residents of any such facility or entity are residents of an institution prior to **December 31, 2020** *December 31, 2021*.

(j) INCENTIVES.—

(1) DEFINITION OF ELIGIBLE INCENTIVE FOOD.—In this subsection, the term “eligible incentive food” means—

(A) a staple food that is identified for increased consumption, consistent with the most recent dietary recommendations; and

(B) a fruit, vegetable, dairy, whole grain, or product thereof.

(2) GUIDANCE.—

(A) IN GENERAL.—The Secretary shall issue guidance to clarify the process by which an approved retail food store may seek a waiver to offer an incentive, which may be used only for the purchase of an eligible incentive food at the point of purchase, to a household purchasing food with benefits issued under this Act.

(B) GUIDANCE.—The guidance under subparagraph (A) shall establish a process under which an approved retail

food store, prior to carrying out an incentive program under this subsection, shall provide to the Secretary information describing the incentive program, including—

- (i) the types of incentives that will be offered;
- (ii) the types of foods that will be incentivized for purchase; and
- (iii) an explanation of how the incentive program intends to support meeting dietary intake goals.

(3) **NO LIMITATION ON BENEFITS.**—A waiver granted under this subsection shall not be used to carry out any activity that limits the use of benefits under this Act or any other Federal nutrition law.

(4) **EFFECT.**—Guidance provided under this subsection shall not affect any requirements under section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517), including the eligibility of a retail food store to participate in a project funded under such section.

(5) **REPORT.**—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report describing the types of incentives approved under this subsection.

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CONSOLIDATED APPROPRIATIONS ACT, 2018

(Public Law 115-141, division A)

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DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

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TITLE VII

GENERAL PROVISIONS

* * * * *

SEC. 779. For an additional amount for “Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program”, \$600,000,000, to remain available until expended, for the Secretary of Agriculture to conduct a new broadband loan and grant pilot program under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.): *Provided*, That for the purpose of the new pilot program, the authorities provided in such Act shall include the authority to make grants for such purposes, as described in section 601(a) of such Act: *Provided further*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That at least 90 percent of the households to be served by a project receiving a loan or grant under the pilot program shall be in a rural area without sufficient access to broadband, defined for this pilot program as 10 Mbps downstream, and 1 Mbps upstream, which shall be reevaluated and redeter-

mined, as necessary, on an annual basis by the Secretary of Agriculture: *Provided further*, That an entity to which a loan or grant is made under the pilot program shall not use the loan or grant to overbuild or duplicate broadband expansion [efforts made] *service provided* by any entity that has received a broadband loan from the Rural Utilities Service: *Provided further*, That in addition to other available funds, not more than four percent of the funds can be used for administrative costs to carry out this pilot program and up to three percent may be utilized for technical assistance and pre-development planning activities to support the most rural communities, which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”: *Provided further*, That the Rural Utility Service is directed to expedite program delivery methods that would implement this section: *Provided further*, That for purposes of this section, the Secretary shall adhere to the notice, reporting and service area assessment requirements set forth in sections 6104(a)(2)(D) and 6104(a)(2)(E) of the Agricultural Act of 2014 (7 U.S.C. 950bb(d)(5), and 950bb(d)(8) and 950bb(d)(10)).

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FEDERAL FOOD, DRUG, AND COSMETIC ACT

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CHAPTER V—DRUGS AND DEVICES

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SUBCHAPTER E—GENERAL PROVISIONS RELATING TO DRUGS AND DEVICES

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SEC. 569D. NOTIFICATION, NONDISTRIBUTION, AND RECALL OF DRUGS AND CONTROLLED SUBSTANCES.

(a) ORDER TO CEASE DISTRIBUTION AND RECALL.—

(1) IN GENERAL.—If the Secretary determines there is a reasonable probability that a *drug or* controlled substance would cause serious adverse health consequences or death, the Secretary may, after providing the appropriate person with an opportunity to consult with the agency, issue an order requiring manufacturers, importers, distributors, or pharmacists, who distribute such *drug or* controlled substance to immediately cease distribution of such *drug or* controlled substance.

(2) HEARING.—An order under paragraph (1) shall provide the person subject to the order with an opportunity for an informal hearing, to be held not later than 10 days after the date of issuance of the order, on whether adequate evidence exists to justify an amendment to the order, and what actions are required by such amended order pursuant to subparagraph (3).

(3) ORDER RESOLUTION.—After an order is issued according to the process under paragraphs (1) and (2), the Secretary shall, except as provided in paragraph (4)—

(A) vacate the order, if the Secretary determines that inadequate grounds exist to support the actions required by the order;

(B) continue the order ceasing distribution of the *drug or* controlled substance until a date specified in such order; or

(C) amend the order to require a recall of the *drug or* controlled substance, including any requirements to notify appropriate persons, a timetable for the recall to occur, and a schedule for updates to be provided to the Secretary regarding such recall.

(4) RISK ASSESSMENT.—If the Secretary determines that the risk of recalling a *drug or* controlled substance presents a greater health risk than the health risk of not recalling such *drug or* controlled substance from use, an amended order under subparagraph (B) or (C) of paragraph (3) shall not include either a recall order for, or an order to cease distribution of, such *drug or* controlled substance, as applicable.

(5) ACTION FOLLOWING ORDER.—Any person who is subject to an order pursuant to subparagraph (B) or (C) of paragraph (3) shall immediately cease distribution of or recall, as applicable, the *drug or* controlled substance and provide notification as required by such order.

(b) NOTICE TO PERSONS AFFECTED.—If the Secretary determines necessary, the Secretary may require the person subject to an order pursuant to paragraph (1) or an amended order pursuant to subparagraph (B) or (C) of paragraph (3) to provide either a notice of a recall order for, or an order to cease distribution of, such *drug or* controlled substance, as applicable, under this section to appropriate persons, including persons who manufacture, distribute, import, or offer for sale such product that is the subject of an order and to the public. In providing such notice, the Secretary may use the assistance of health professionals who prescribed or dispensed such *drugs or* controlled substances.

(c) NONDELEGATION.—An order described in subsection (a)(3) shall be ordered by the Secretary or an official designated by the Secretary. An official may not be so designated under this section unless the official is the Director of the Center for Drug Evaluation and Research [or an official senior to such Director] *or the Director of the Center for Biologics Evaluation and Research (or an official senior to either such Director)*.

(d) SAVINGS CLAUSE.—Nothing contained in this section shall be construed as limiting—

(1) the authority of the Secretary to issue an order to cease distribution of, or to recall, any drug under any other provision of this Act or the Public Health Service Act; or

(2) the ability of the Secretary to request any person to perform a voluntary activity related to any drug subject to this Act or the Public Health Service Act.

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CHAPTER VIII—IMPORTS AND EXPORTS

IMPORTS AND EXPORTS

SEC. 801. (a) The Secretary of the Treasury shall deliver to the Secretary of Health and Human Services, upon his request, samples of food, drugs, devices, tobacco products, and cosmetics which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Secretary of Health and Human Services and have the right to introduce testimony. The Secretary of Health and Human Services shall furnish to the Secretary of the Treasury a list of establishments registered pursuant to subsection (i) of section 510 or section 905(h) and shall request that if any drugs, devices, or tobacco products manufactured, prepared, propagated, compounded, or processed in an establishment not so registered are imported or offered for import into the United States, samples of such drugs, devices, or tobacco products be delivered to the Secretary of Health and Human Services, with notice of such delivery to the owner or consignee, who may appear before the Secretary of Health and Human Services and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that (1) such article has been manufactured, processed, or packed under insanitary conditions or, in the case of a device, the methods used in, or the facilities or controls used for, the manufacture, packing, storage, or installation of the device do not conform to the requirements of section 520(f), or (2) such article is forbidden or restricted in sale in the country in which it was produced or from which it was exported, or (3) such article is adulterated, misbranded, or in violation of section 505 or the importer (as defined in section 805) is in violation of such section 805, or prohibited from introduction or delivery for introduction into interstate commerce under section 301(l), or *is a drug or controlled substance subject to an order under section 569D*, or (4) the recordkeeping requirements under section 204 of the FDA Food Safety Modernization Act (other than the requirements under subsection (f) of such section) have not been complied with regarding such article or (5) such article is being imported or offered for import in violation of section 301(cc), then any such article described in any of clauses (1) through (5) shall be refused admission, except as provided in subsection (b) of this section. If it appears from the examination of such samples or otherwise that the article is a counterfeit drug, such article shall be refused admission. With respect to an article of food, if importation of such food is subject to, but not compliant with, the requirement under subsection (q) that such food be accompanied by a certification or other assurance that the food meets applicable requirements of this Act, then such article shall be refused admission. If such article is subject to a requirement under section 760 or 761 and if the Secretary has credible evidence or information indicating that the responsible person (as defined in such section 760 or 761) has not complied with a requirement of such section 760 or 761 with respect to any such article, or has not allowed access to records described in such section 760 or 761, then such article shall be refused admission, except as provided in subsection (b) of this section. The Secretary of the Treasury shall cause the destruction

of any such article refused admission unless such article is exported, under regulations prescribed by the Secretary of the Treasury, within ninety days of the date of notice of such refusal or within such additional time as may be permitted pursuant to such regulations, except that the Secretary of Health and Human Services may destroy, without the opportunity for export, any drug refused admission under this section, if such drug is valued at an amount that is \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation pursuant to section 498(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1498(a)(1)) and was not brought into compliance as described under subsection (b)). The Secretary of Health and Human Services shall issue regulations providing for notice and an opportunity to appear before the Secretary of Health and Human Services and introduce testimony, as described in the first sentence of this subsection, on destruction of a drug under the sixth sentence of this subsection. The regulations shall provide that prior to destruction, appropriate due process is available to the owner or consignee seeking to challenge the decision to destroy the drug. Where the Secretary of Health and Human Services provides notice and an opportunity to appear and introduce testimony on the destruction of a drug, the Secretary of Health and Human Services shall store and, as applicable, dispose of the drug after the issuance of the notice, except that the owner and consignee shall remain liable for costs pursuant to subsection (c). Such process may be combined with the notice and opportunity to appear before the Secretary and introduce testimony, as described in the first sentence of this subsection, as long as appropriate notice is provided to the owner or consignee. Neither clause (2) nor clause (5) of the third sentence of this subsection shall be construed to prohibit the admission of narcotic drugs, the importation of which is permitted under the controlled substances Import and Export Act.

(b) Pending decision as to the admission of an article being imported or offered for import, the Secretary of the Treasury may authorize delivery of such article to the owner or consignee upon the execution by him of a good and sufficient bond providing for the payment of such liquidated damages in the event of default as may be required pursuant to regulations of the Secretary of the Treasury. If it appears to the Secretary of Health and Human Services that (1) an article included within the provisions of clause (3) of subsection (a) of this section can, by relabeling or other action, be brought into compliance with the Act or rendered other than a food, drug, device, or cosmetic, or (2) with respect to an article described in subsection (a) relating to the requirements of sections 760 or 761, the responsible person (as defined in section 760 or 761) can take action that would assure that the responsible person is in compliance with section 760 or 761, as the case may be, final determination as to admission of such article may be deferred and, upon filing of timely written application by the owner or consignee and the execution by him of a bond as provided in the preceding provisions of this subsection, the Secretary may, in accordance with regulations, authorize the applicant, or, with respect to clause (2), the responsible person, to perform such relabeling or other action specified in such authorization (including destruction or export of rejected articles or portions thereof, as may be specified in the Secretary's authorization). All such relabeling or other action pursuant

to such authorization shall in accordance with regulations be under the supervision of an officer or employee of the Department of Health and Human Services designated by the Secretary, or an officer or employee of the Department of the Treasury designated by the Secretary of the Treasury.

(c) All expenses (including travel, per diem or subsistence, and salaries of officers or employees of the United States) in connection with the destruction provided for in subsection (a) of this section and the supervision of the relabeling or other action authorized under the provisions of subsection (b) of this section, the amount of such expenses to be determined in accordance with regulations, and all expenses in connection with the storage, cartage, or labor with respect to any article refused admission under subsection (a) of this section, shall be paid by the owner or consignee and, in default of such payment, shall constitute a lien against any future importations made by such owner or consignee.

(d)(1)(A) Except as provided in paragraph (2) and section 804, no drug subject to section 503(b) or composed wholly or partly of insulin which is manufactured in a State and exported may be imported into the United States unless the drug is imported by the manufacturer of the drug.

(B) Except as authorized by the Secretary in the case of a drug that appears on the drug shortage list under section 506E or in the case of importation pursuant to section 804, no drug that is subject to section 503(b)(1) may be imported into the United States for commercial use if such drug is manufactured outside the United States, unless the manufacturer has authorized the drug to be marketed in the United States and has caused the drug to be labeled to be marketed in the United States.

(2) The Secretary may authorize the importation of a drug the importation of which is prohibited by paragraph (1) if the drug is required for emergency medical care.

(3)(A) Subject to subparagraph (B), no component of a drug, no component part or accessory of a device, or other article of device requiring further processing, which is ready or suitable for use for health-related purposes, and no article of a food additive, color additive, or dietary supplement, including a product in bulk form, shall be excluded from importation into the United States under subsection (a) if each of the following conditions is met:

(i) The importer of such article of a drug or device or importer of such article of a food additive, color additive, or dietary supplement submits to the Secretary, at the time of initial importation, a statement in accordance with the following:

(I) Such statement provides that such article is intended to be further processed by the initial owner or consignee, or incorporated by the initial owner or consignee, into a drug, biological product, device, food, food additive, color additive, or dietary supplement that will be exported by the initial owner or consignee from the United States in accordance with subsection (e) or section 802, or with section 351(h) of the Public Health Service Act.

(II) The statement identifies the manufacturer of such article and each processor, packer, distributor, or other entity that had possession of the article in the chain of pos-

session of the article from the manufacturer to such importer of the article.

(III) The statement is accompanied by such certificates of analysis as are necessary to identify such article, unless the article is a device or is an article described in paragraph (4).

(ii) At the time of initial importation and before the delivery of such article to the importer or the initial owner or consignee, such owner or consignee executes a good and sufficient bond providing for the payment of such liquidated damages in the event of default as may be required pursuant to regulations of the Secretary of the Treasury.

(iii) Such article is used and exported by the initial owner or consignee in accordance with the intent described under clause (i)(I), except for any portions of the article that are destroyed.

(iv) The initial owner or consignee maintains records on the use or destruction of such article or portions thereof, as the case may be, and submits to the Secretary any such records requested by the Secretary.

(v) Upon request of the Secretary, the initial owner or consignee submits a report that provides an accounting of the exportation or destruction of such article or portions thereof, and the manner in which such owner or consignee complied with the requirements of this subparagraph.

(B) Notwithstanding subparagraph (A), the Secretary may refuse admission to an article that otherwise would be imported into the United States under such subparagraph if the Secretary determines that there is credible evidence or information indicating that such article is not intended to be further processed by the initial owner or consignee, or incorporated by the initial owner or consignee, into a drug, biological product, device, food, food additive, color additive, or dietary supplement that will be exported by the initial owner or consignee from the United States in accordance with subsection (e) or section 802, or with section 351(h) of the Public Health Service Act.

(C) This section may not be construed as affecting the responsibility of the Secretary to ensure that articles imported into the United States under authority of subparagraph (A) meet each of the conditions established in such subparagraph for importation.

(4) The importation into the United States of blood, blood components, source plasma, or source leukocytes or of a component, accessory, or part thereof is not permitted pursuant to paragraph (3) unless the importation complies with section 351(a) of the Public Health Service Act or the Secretary permits the importation under appropriate circumstances and conditions, as determined by the Secretary. The importation of tissue or a component or part of tissue is not permitted pursuant to paragraph (3) unless the importation complies with section 361 of the Public Health Service Act.

(e)(1) A food, drug, device, tobacco product or cosmetic intended for export shall not be deemed to be adulterated or misbranded under this Act, and a tobacco product intended for export shall not be deemed to be in violation of section 906(e), 907, 911, or 920(a), if it—

(A) accords to the specifications of the foreign purchaser,

(B) is not in conflict with the laws of the country to which it is intended for export,

(C) is labeled on the outside of the shipping package that it is intended for export, and

(D) is not sold or offered for sale in domestic commerce.

(2) Paragraph (1) does not apply to any device—

(A) which does not comply with an applicable requirement of section 514 or 515,

(B) which under section 520(g) is exempt from either such section, or

(C) which is a banned device under section 516,

unless, in addition to the requirements of paragraph (1), either (i) the Secretary has determined that the exportation of the device is not contrary to public health and safety and has the approval of the country to which it is intended for export or (ii) the device is eligible for export under section 802.

(3) A new animal drug that requires approval under section 512 shall not be exported pursuant to paragraph (1) if such drug has been banned in the United States.

(4)(A) Any person who exports a food, drug, animal drug, or device may request that the Secretary—

(i) certify in writing that the exported food, drug, animal drug, or device meets the requirements of paragraph (1) or section 802; or

(ii) certify in writing that the food, drug, animal drug, or device being exported meets the applicable requirements of this Act upon a showing that the food, drug or device meets the applicable requirements of this Act.

The Secretary shall issue such a certification within 20 days of the receipt of a request for such certification.

(B) If the Secretary issues a written export certification within the 20 days prescribed by subparagraph (A), a fee for such certification may be charged but shall not exceed \$175 for each certification. Fees collected for a fiscal year pursuant to this subparagraph shall be credited to the appropriation account for salaries and expenses of the Food and Drug Administration and shall be available in accordance with appropriations Acts until expended without fiscal year limitation. Such fees shall be collected in each fiscal year in an amount equal to the amount specified in appropriations Acts for such fiscal year and shall only be collected and available for the costs of the Food and Drug Administration.

(C) For purposes of this paragraph, a certification by the Secretary shall be made on such basis, and in such form (including a publicly available listing) as the Secretary determines appropriate.

(D) With regard to fees pursuant to subparagraph (B) in connection with written export certifications for food:

(i) Such fees shall be collected and available solely for the costs of the Food and Drug Administration associated with issuing such certifications.

(ii) Such fees may not be retained in an amount that exceeds such costs for the respective fiscal year.

(E)(i)(I) If the Secretary denies a request for certification under subparagraph (A)(ii) with respect to a device manufactured in an establishment (foreign or domestic) registered under section 510, the Secretary shall provide in writing to the person seeking such

certification the basis for such denial, and specifically identify the finding upon which such denial is based.

(II) If the denial of a request as described in subclause (I) is based on grounds other than an injunction proceeding pursuant to section 302, seizure action pursuant to section 304, or a recall designated Class I or Class II pursuant to part 7, title 21, Code of Federal Regulations, and is based on the facility being out of compliance with part 820 of title 21, Code of Federal Regulations, the Secretary shall provide a substantive summary of the specific grounds for noncompliance identified by the Secretary.

(III) With respect to a device manufactured in an establishment that has received a report under section 704(b), the Secretary shall not deny a request for certification as described in subclause (I) with respect to a device based solely on the issuance of that report if the owner, operator, or agent in charge of such establishment has agreed to a plan of correction in response to such report.

(ii)(I) The Secretary shall provide a process for a person who is denied a certification as described in clause (i)(I) to request a review that conforms to the standards of section 517A(b).

(II) Notwithstanding any previous review conducted pursuant to subclause (I), a person who has been denied a certification as described in clause (i)(I) may at any time request a review in order to present new information relating to actions taken by such person to address the reasons identified by the Secretary for the denial of certification, including evidence that corrective actions are being or have been implemented to address grounds for noncompliance identified by the Secretary.

(III) Not later than 1 year after the date of enactment of the FDA Reauthorization Act of 2017, the Secretary shall issue guidance providing for a process to carry out this subparagraph. Not later than 1 year after the close of the comment period for such guidance, the Secretary shall issue final guidance.

(iii)(I) Subject to subclause (II), this paragraph applies to requests for certification on behalf of any device establishment registered under section 510, whether the establishment is located inside or outside of the United States, and regardless of whether such devices are to be exported from the United States.

(II) If an establishment described in subclause (I) is not located within the United States and does not demonstrate that the devices manufactured, prepared, propagated, compounded, or processed at such establishment are to be exported from the United States, this paragraph shall apply only if—

(aa) the establishment has been inspected by the Secretary within 3 years of the date of the request; or

(bb) the establishment participates in an audit program in which the United States participates or the United States recognizes, an audit under such program has been conducted, and the findings of such audit are provided to the Secretary within 3 years of the date of the request.

(f)(1) If a drug (other than insulin, an antibiotic drug, an animal drug, or a drug exported under section 802) being exported in accordance with subsection (e) is being exported to a country that has different or additional labeling requirements or conditions for use and such country requires the drug to be labeled in accordance with those requirements or uses, such drug may be labeled in ac-

cordance with such requirements and conditions for use in the country to which such drug is being exported if it also is labeled in accordance with the requirements of this Act.

(2) If, pursuant to paragraph (1), the labeling of an exported drug includes conditions for use that have not been approved under this Act, the labeling must state that such conditions for use have not been approved under this Act. A drug exported under section 802 is exempt from this section.

(g)(1) With respect to a prescription drug being imported or offered for import into the United States, the Secretary, in the case of an individual who is not in the business of such importations, may not send a warning notice to the individual unless the following conditions are met:

(A) The notice specifies, as applicable to the importation of the drug, that the Secretary has made a determination that—

(i) importation is in violation of section 801(a) because the drug is or appears to be adulterated, misbranded, or in violation of section 505;

(ii) importation is in violation of section 801(a) because the drug is or appears to be forbidden or restricted in sale in the country in which it was produced or from which it was exported;

(iii) importation is or appears to be in violation of section 801(d)(1); or

(iv) importation otherwise is or appears to be in violation of Federal law.

(B) The notice does not specify any provision described in subparagraph (A) that is not applicable to the importation of the drug.

(C) The notice states the reasons underlying such determination by the Secretary, including a brief application to the principal facts involved of the provision of law described in subparagraph (A) that is the basis of the determination by the Secretary.

(2) For purposes of this section, the term “warning notice”, with respect to the importation of a drug, means a communication from the Secretary (written or otherwise) notifying a person, or clearly suggesting to the person, that importing the drug for personal use is, or appears to be, a violation of this Act.

(h)(1) The Secretary shall give high priority to increasing the number of inspections under this section for the purpose of enabling the Secretary to inspect food offered for import at ports of entry into the United States, with the greatest priority given to inspections to detect the intentional adulteration of food.

(2) The Secretary shall give high priority to making necessary improvements to the information management systems of the Food and Drug Administration that contain information related to foods imported or offered for import into the United States for purposes of improving the ability of the Secretary to allocate resources, detect the intentional adulteration of food, and facilitate the importation of food that is in compliance with this Act.

(3) The Secretary shall improve linkages with other regulatory agencies of the Federal Government that share responsibility for food safety, and shall with respect to such safety improve linkages with the States and Indian tribes (as defined in section 4(e) of the

Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(i)(1) For use in inspections of food under this section, the Secretary shall provide for research on the development of tests and sampling methodologies—

(A) whose purpose is to test food in order to rapidly detect the adulteration of the food, with the greatest priority given to detect the intentional adulteration of food; and

(B) whose results offer significant improvements over the available technology in terms of accuracy, timing, or costs.

(2) In providing for research under paragraph (1), the Secretary shall give priority to conducting research on the development of tests that are suitable for inspections of food at ports of entry into the United States.

(3) In providing for research under paragraph (1), the Secretary shall as appropriate coordinate with the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, the Administrator of the Environmental Protection Agency, and the Secretary of Agriculture.

(4) The Secretary shall annually submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate, a report describing the progress made in research under paragraph (1), including progress regarding paragraph (2).

(j)(1) If an officer or qualified employee of the Food and Drug Administration has credible evidence or information indicating that an article of food presents a threat of serious adverse health consequences or death to humans or animals, and such officer or qualified employee is unable to inspect, examine, or investigate such article upon the article being offered for import at a port of entry into the United States, the officer or qualified employee shall request the Secretary of Treasury to hold the food at the port of entry for a reasonable period of time, not to exceed 24 hours, for the purpose of enabling the Secretary to inspect, examine, or investigate the article as appropriate.

(2) The Secretary shall request the Secretary of Treasury to remove an article held pursuant to paragraph (1) to a secure facility, as appropriate. During the period of time that such article is so held, the article shall not be transferred by any person from the port of entry into the United States for the article, or from the secure facility to which the article has been removed, as the case may be. Subsection (b) does not authorize the delivery of the article pursuant to the execution of a bond while the article is so held.

(3) An officer or qualified employee of the Food and Drug Administration may make a request under paragraph (1) only if the Secretary or an official designated by the Secretary approves the request. An official may not be so designated unless the official is the director of the district under this Act in which the article involved is located, or is an official senior to such director.

(4) With respect to an article of food for which a request under paragraph (1) is made, the Secretary, promptly after the request is made, shall notify the State in which the port of entry involved is located that the request has been made, and as applicable, that such article is being held under this subsection.

(k)(1) If an article of food is being imported or offered for import into the United States, and the importer, owner, or consignee of the article is a person who has been debarred under section 306(b)(3), such article shall be held at the port of entry for the article, and may not be delivered to such person. Subsection (b) does not authorize the delivery of the article pursuant to the execution of a bond while the article is so held. The article shall be removed to a secure facility, as appropriate. During the period of time that such article is so held, the article shall not be transferred by any person from the port of entry into the United States for the article, or from the secure facility to which the article has been removed, as the case may be.

(2) An article of food held under paragraph (1) may be delivered to a person who is not a debarred person under section 306(b)(3) if such person affirmatively establishes, at the expense of the person, that the article complies with the requirements of this Act, as determined by the Secretary.

(l)(1) If an article of food is being imported or offered for import into the United States, and such article is from a foreign facility for which a registration has not been submitted to the Secretary under section 415 (or for which a registration has been suspended under such section), such article shall be held at the port of entry for the article, and may not be delivered to the importer, owner, or consignee of the article, until the foreign facility is so registered. Subsection (b) does not authorize the delivery of the article pursuant to the execution of a bond while the article is so held. The article shall be removed to a secure facility, as appropriate. During the period of time that such article is so held, the article shall not be transferred by any person from the port of entry into the United States for the article, or from the secure facility to which the article has been removed, as the case may be.

(m)(1) In the case of an article of food that is being imported or offered for import into the United States, the Secretary, after consultation with the Secretary of the Treasury, shall by regulation require, for the purpose of enabling such article to be inspected at ports of entry into the United States, the submission to the Secretary of a notice providing the identity of each of the following: The article; the manufacturer and shipper of the article; if known within the specified period of time that notice is required to be provided, the grower of the article; the country from which the article originates; the country from which the article is shipped; any country to which the article has been refused entry; and the anticipated port of entry for the article. An article of food imported or offered for import without submission of such notice in accordance with the requirements under this paragraph shall be refused admission into the United States. Nothing in this section may be construed as a limitation on the port of entry for an article of food.

(2)(A) Regulations under paragraph (1) shall require that a notice under such paragraph be provided by a specified period of time in advance of the time of the importation of the article of food involved or the offering of the food for import, which period shall be no less than the minimum amount of time necessary for the Secretary to receive, review, and appropriately respond to such notification, but may not exceed five days. In determining the specified period of time required under this subparagraph, the Secretary

may consider, but is not limited to consideration of, the effect on commerce of such period of time, the locations of the various ports of entry into the United States, the various modes of transportation, the types of food imported into the United States, and any other such consideration. Nothing in the preceding sentence may be construed as a limitation on the obligation of the Secretary to receive, review, and appropriately respond to any notice under paragraph (1).

(B)(i) If an article of food is being imported or offered for import into the United States and a notice under paragraph (1) is not provided in advance in accordance with the requirements under paragraph (1), such article shall be held at the port of entry for the article, and may not be delivered to the importer, owner, or consignee of the article, until such notice is submitted to the Secretary, and the Secretary examines the notice and determines that the notice is in accordance with the requirements under paragraph (1). Subsection (b) does not authorize the delivery of the article pursuant to the execution of a bond while the article is so held. The article shall be removed to a secure facility, as appropriate. During the period of time that such article is so held, the article shall not be transferred by any person from the port of entry into the United States for the article, or from the secure facility to which the article has been removed, as the case may be.

(ii) In carrying out clause (i) with respect to an article of food, the Secretary shall determine whether there is in the possession of the Secretary any credible evidence or information indicating that such article presents a threat of serious adverse health consequences or death to humans or animals.

(3)(A) This subsection may not be construed as limiting the authority of the Secretary to obtain information under any other provision of this Act.

(B) This subsection may not be construed as authorizing the Secretary to impose any requirements with respect to a food to the extent that it is within the exclusive jurisdiction of the Secretary of Agriculture pursuant to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

(n)(1) If a food has been refused admission under subsection (a), other than such a food that is required to be destroyed, the Secretary may require the owner or consignee of the food to affix to the container of the food a label that clearly and conspicuously bears the statement: "UNITED STATES: REFUSED ENTRY".

(2) All expenses in connection with affixing a label under paragraph (1) shall be paid by the owner or consignee of the food involved, and in default of such payment, shall constitute a lien against future importations made by such owner or consignee.

(3) A requirement under paragraph (1) remains in effect until the Secretary determines that the food involved has been brought into compliance with this Act.

(o) If an article that is a device is being imported or offered for import into the United States, and the importer, owner, or consignee of such article does not, at the time of offering the article for import, submit to the Secretary a statement that identifies the registration under section 510(i) of each establishment that with respect to such article is required under such section to register

with the Secretary, the article may be refused admission. If the article is refused admission for failure to submit such a statement, the article shall be held at the port of entry for the article, and may not be delivered to the importer, owner, or consignee of the article, until such a statement is submitted to the Secretary. Subsection (b) does not authorize the delivery of the article pursuant to the execution of a bond while the article is so held. The article shall be removed to a secure facility, as appropriate. During the period of time that such article is so held, the article shall not be transferred by any person from the port of entry into the United States for the article, or from the secure facility to which the article has been removed, as the case may be.

(p)(1) Not later than 36 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act, and annually thereafter, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report regarding—

(A) the nature, extent, and destination of United States tobacco product exports that do not conform to tobacco product standards established pursuant to this Act;

(B) the public health implications of such exports, including any evidence of a negative public health impact; and

(C) recommendations or assessments of policy alternatives available to Congress and the executive branch to reduce any negative public health impact caused by such exports.

(2) The Secretary is authorized to establish appropriate information disclosure requirements to carry out this subsection.

(q) CERTIFICATIONS CONCERNING IMPORTED FOODS.—

(1) IN GENERAL.—The Secretary may require, as a condition of granting admission to an article of food imported or offered for import into the United States, that an entity described in paragraph (3) provide a certification, or such other assurances as the Secretary determines appropriate, that the article of food complies with applicable requirements of this Act. Such certification or assurances may be provided in the form of shipment-specific certificates, a listing of certified facilities that manufacture, process, pack, or hold such food, or in such other form as the Secretary may specify.

(2) FACTORS TO BE CONSIDERED IN REQUIRING CERTIFICATION.—The Secretary shall base the determination that an article of food is required to have a certification described in paragraph (1) on the risk of the food, including—

(A) known safety risks associated with the food;

(B) known food safety risks associated with the country, territory, or region of origin of the food;

(C) a finding by the Secretary, supported by scientific, risk-based evidence, that—

(i) the food safety programs, systems, and standards in the country, territory, or region of origin of the food are inadequate to ensure that the article of food is as safe as a similar article of food that is manufactured, processed, packed, or held in the United States in accordance with the requirements of this Act; and

- (ii) the certification would assist the Secretary in determining whether to refuse or admit the article of food under subsection (a); and
 - (D) information submitted to the Secretary in accordance with the process established in paragraph (7).
- (3) CERTIFYING ENTITIES.—For purposes of paragraph (1), entities that shall provide the certification or assurances described in such paragraph are—
 - (A) an agency or a representative of the government of the country from which the article of food at issue originated, as designated by the Secretary; or
 - (B) such other persons or entities accredited pursuant to section 808 to provide such certification or assurance.
- (4) RENEWAL AND REFUSAL OF CERTIFICATIONS.—The Secretary may—
 - (A) require that any certification or other assurance provided by an entity specified in paragraph (2) be renewed by such entity at such times as the Secretary determines appropriate; and
 - (B) refuse to accept any certification or assurance if the Secretary determines that such certification or assurance is not valid or reliable.
- (5) ELECTRONIC SUBMISSION.—The Secretary shall provide for the electronic submission of certifications under this subsection.
- (6) FALSE STATEMENTS.—Any statement or representation made by an entity described in paragraph (2) to the Secretary shall be subject to section 1001 of title 18, United States Code.
- (7) ASSESSMENT OF FOOD SAFETY PROGRAMS, SYSTEMS, AND STANDARDS.—If the Secretary determines that the food safety programs, systems, and standards in a foreign region, country, or territory are inadequate to ensure that an article of food is as safe as a similar article of food that is manufactured, processed, packed, or held in the United States in accordance with the requirements of this Act, the Secretary shall, to the extent practicable, identify such inadequacies and establish a process by which the foreign region, country, or territory may inform the Secretary of improvements made to such food safety program, system, or standard and demonstrate that those controls are adequate to ensure that an article of food is as safe as a similar article of food that is manufactured, processed, packed, or held in the United States in accordance with the requirements of this Act.
- (r)(1) The Secretary may require, pursuant to the regulations promulgated under paragraph (4)(A), as a condition of granting admission to a drug imported or offered for import into the United States, that the importer electronically submit information demonstrating that the drug complies with applicable requirements of this Act.
- (2) The information described under paragraph (1) may include—
 - (A) information demonstrating the regulatory status of the drug, such as the new drug application, abbreviated new drug application, or investigational new drug or drug master file number;

(B) facility information, such as proof of registration and the unique facility identifier;

(C) indication of compliance with current good manufacturing practice, testing results, certifications relating to satisfactory inspections, and compliance with the country of export regulations; and

(D) any other information deemed necessary and appropriate by the Secretary to assess compliance of the article being offered for import.

(3) Information requirements referred to in paragraph (2)(C) may, at the discretion of the Secretary, be satisfied—

(A) through representation by a foreign government, if an inspection is conducted by a foreign government using standards and practices as determined appropriate by the Secretary;

(B) through representation by a foreign government or an agency of a foreign government recognized under section 809; or

(C) other appropriate documentation or evidence as described by the Secretary.

(4)(A) Not later than 18 months after the date of enactment of the Food and Drug Administration Safety and Innovation Act, the Secretary shall adopt final regulations implementing this subsection. Such requirements shall be appropriate for the type of import, such as whether the drug is for import into the United States for use in preclinical research or in a clinical investigation under an investigational new drug exemption under 505(i).

(B) In promulgating the regulations under subparagraph (A), the Secretary—

(i) may, as appropriate, take into account differences among importers and types of imports, and, based on the level of risk posed by the imported drug, provide for expedited clearance for those importers that volunteer to participate in partnership programs for highly compliant companies and pass a review of internal controls, including sourcing of foreign manufacturing inputs, and plant inspections; and

(ii) shall—

(I) issue a notice of proposed rulemaking that includes the proposed regulation;

(II) provide a period of not less than 60 days for comments on the proposed regulation; and

(III) publish the final regulation not less than 30 days before the effective date of the regulation.

(C) Notwithstanding any other provision of law, the Secretary shall promulgate regulations implementing this subsection only as described in subparagraph (B).

(s) REGISTRATION OF COMMERCIAL IMPORTERS.—

(1) REGISTRATION.—The Secretary shall require a commercial importer of drugs—

(A) to be registered with the Secretary in a form and manner specified by the Secretary; and

(B) subject to paragraph (4), to submit, at the time of registration, a unique identifier for the principal place of business for which the importer is required to register under this subsection.

(2) REGULATIONS.—

(A) IN GENERAL.—The Secretary, in consultation with the Secretary of Homeland Security acting through U.S. Customs and Border Protection, shall promulgate regulations to establish good importer practices that specify the measures an importer shall take to ensure imported drugs are in compliance with the requirements of this Act and the Public Health Service Act.

(B) PROCEDURE.—In promulgating a regulation under subparagraph (A), the Secretary shall—

- (i) issue a notice of proposed rulemaking that includes the proposed regulation;
- (ii) provide a period of not less than 60 days for comments on the proposed regulation; and
- (iii) publish the final regulation not less than 30 days before the regulation's effective date.

(C) RESTRICTIONS.—Notwithstanding any other provision of Federal law, in implementing this subsection, the Secretary shall only promulgate regulations as described in subparagraph (B).

(D) EFFECTIVE DATE.—In establishing the effective date of the regulations under subparagraph (A), the Secretary shall, in consultation with the Secretary of Homeland Security acting through U.S. Customs and Border Protection, as determined appropriate by the Secretary of Health and Human Services, provide a reasonable period of time for an importer of a drug to comply with good importer practices, taking into account differences among importers and types of imports, including based on the level of risk posed by the imported product.

(3) DISCONTINUANCE OF REGISTRATION.—The Secretary shall discontinue the registration of any commercial importer of drugs that fails to comply with the regulations promulgated under this subsection.

(4) UNIQUE FACILITY IDENTIFIER.—The Secretary shall specify the unique facility identifier system that shall be used by registrants under paragraph (1). The requirement to include a unique facility identifier in a registration under paragraph (1) shall not apply until the date that the identifier system is specified by the Secretary under the preceding sentence.

(5) EXEMPTIONS.—The Secretary, by notice in the Federal Register, may establish exemptions from the requirements of this subsection.

(t) SINGLE SOURCE PATTERN OF IMPORTED ILLEGAL DRUGS.—If the Secretary determines that a person subject to debarment as a result of engaging in a pattern of importing or offering for import controlled substances or drugs as described in section 306(b)(3)(D), and such pattern is identified by the Secretary as being offered for import from the same manufacturer, distributor, or importer, the Secretary may by order determine all drugs being offered for import from such person as adulterated or misbranded, unless such person can provide evidence otherwise.

(u) ILLICIT ARTICLES CONTAINING ACTIVE PHARMACEUTICAL INGREDIENTS.—

(1) IN GENERAL.—For purposes of this section, an article that is being imported or offered for import into the United States may be treated by the Secretary as a drug if the article—

(A) is not—

(i) accompanied by an electronic import entry for such article submitted using an authorized electronic data interchange system; and

(ii) designated in such a system as an article regulated by the Secretary (which may include regulation as a drug, a device, a dietary supplement, or other product that is regulated under this Act); and

(B) is an ingredient that presents significant public health concern and is, or contains—

(i) an active ingredient in a drug—

(I) that is approved under section 505 or licensed under section 351 of the Public Health Service Act; or

(II) for which—

(aa) an investigational use exemption has been authorized under section 505(i) of this Act or section 351(a) of the Public Health Service Act; and

(bb) a substantial clinical investigation has been instituted, and such investigation has been made public; or

(ii) a substance that has a chemical structure that is substantially similar to the chemical structure of an active ingredient in a drug or biological product described in subclause (I) or (II) of clause (i).

(2) EFFECT.—This subsection shall not be construed to bear upon any determination of whether an article is a drug within the meaning of section 201(g), other than for the purposes described in paragraph (1).

* * * * *

COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget Act requires the report accompanying a bill providing new budget authority to contain a statement comparing the levels in the bill to the suballocations submitted under section 302(b) of the Act for the most recently agreed to concurrent resolution on the budget for the applicable fiscal year.

[In millions of dollars]

	302 (b) Allocation		This Bill	
	Budget Authority	Outlays	Budget Authority	Outlays
Comparison of amounts in the bill with Committee allocations to its subcommittees: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies				
Discretionary.....	23,980	24,150	23,980 1/	23,999
Mandatory.....	112,486	92,902	112,486 1/	92,902

1/ Includes outlays from prior-year budget authority.

NOTE.—The amounts in this report do not include \$70 million in discretionary budget authority and \$68 million in associated outlays provided for the purposes specified in the 21st Century Cures Act (Public Law 114-255). Pursuant to title I of that act, such funding does not count for the purposes of the Congressional Budget Act of 1974 or the Balanced Budget and Emergency Deficit Control Act of 1985.

In addition, the amounts in this report do not include \$10,389 million in discretionary outlays from funding provided by the Families First Coronavirus Response Act (Public Law 116-127) and the CARES Act (Public Law 116-136), that was designated as being for emergency requirements pursuant to section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985. Consistent with the Congressional Budget Act of 1974, in the House of Representatives such amounts do not count against the Committee's allocation.

Five-Year Outlay Projections

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill.

[In millions of dollars]

	Outlays
Projection of outlays associated with the recommendation:	
2021.....	1/ 98,282
2022.....	6,929
2023.....	2,733
2024.....	2,335
2025 and future years.....	10,278

1/ Excludes outlays from prior-year budget authority.

Financial Assistance to State and Local Governments

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974, as amended, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments.

[In millions of dollars]

	Budget Authority	Outlays
Financial assistance to State and local governments for 2021.....	40,830 1/	21,408

1/ Excludes outlays from prior-year budget authority.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE I - AGRICULTURAL PROGRAMS					
Processing, Research, and Marketing					
Staff Offices					
Office of the Secretary					
Office of the Secretary.....	5,051	5,143	5,118	+67	-25
Office of Homeland Security.....	1,496	1,336	1,329	-167	-7
Office of Partnerships and Public Engagement.....	6,211	1,957	6,508	+297	+4,551
Office of the Assistant Secretary for Administration..	875	887	883	+8	-4
Departmental Administration.....	21,376	27,161	22,509	+1,133	-4,652
Subtotal.....	22,251	28,048	23,392	+1,141	-4,656
Office of the Assistant Secretary for Congressional Relations and Intergovernmental Affairs.....	3,869	3,941	3,921	+52	-20
Office of Communications.....	7,261	7,411	7,370	+109	-41
Total, Office of the Secretary.....	46,139	47,836	47,638	+1,499	-198
Executive Operations					
Office of the Chief Economist.....	24,013	20,857	21,251	-2,762	+394
Office of Hearings and Appeals.....	15,222	15,533	15,448	+226	-85

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Budget and Program Analysis.....	9,525	20,660	9,666	+141	-10,994
Subtotal.....	48,760	57,050	46,365	-2,395	-10,685
Office of the Chief Information Officer.....	66,580	142,812	73,354	+6,774	-69,458
Office of the Chief Financial Officer.....	6,028	11,104	6,137	+109	-4,967
Office of the Assistant Secretary for Civil Rights....	901	914	910	+9	-4
Office of Civil Rights.....	24,206	20,633	22,875	-1,331	+2,242
Office of Safety, Security, and Protection.....	---	24,978	23,218	+23,218	-1,760
Agriculture Buildings and Facilities.....	128,167	152,830	108,186	-19,981	-44,644
Hazardous materials management.....	4,503	3,523	7,518	+3,015	+3,995
Office of Inspector General.....	98,208	100,389	99,791	+1,583	-598
Office of the General Counsel.....	45,146	45,878	45,579	+433	-299
Office of Information Affairs.....	---	2,500	---	---	-2,500
Office of Ethics.....	4,136	4,222	4,198	+62	-24
Total, Executive Operations.....	426,635	566,833	438,131	+11,496	-128,702
Total, Staff Offices.....	472,774	614,669	485,769	+12,995	-128,900
Office of the Under Secretary for Research, Education, and Economics.....	800	813	6,109	+5,309	+5,296
Office of the Chief Scientist.....	---	6,000	---	---	-6,000
Economic Research Service.....	84,757	62,109	86,703	+1,946	+24,594
National Agricultural Statistics Service.....	180,294	177,465	183,434	+3,140	+5,969
Census of Agriculture.....	(45,300)	(46,300)	(46,300)	(+1,000)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Agricultural Research Service					
Salaries and expenses.....	1,414,366	1,367,970	1,453,712	+39,346	+85,742
Buildings and facilities.....	192,700	50,000	11,200	-181,500	-38,800
Total, Agricultural Research Service.....	1,607,066	1,417,970	1,464,912	-142,154	+46,942
National Institute of Food and Agriculture					
Research and education activities.....	962,864	1,067,986	997,729	+34,865	-70,257
Native American Institutions Endowment Fund.....	(11,880)	(11,857)	(11,857)	(-23)	---
Extension activities.....	526,557	484,832	538,557	+12,000	+53,725
Integrated activities.....	38,000	38,000	39,000	+1,000	+1,000
Total, National Institute of Food and Agriculture.....	1,527,421	1,590,818	1,575,286	+47,865	-15,532
Office of the Under Secretary for Marketing and Regulatory Programs.....	800	914	809	+9	-105
Animal and Plant Health Inspection Service					
Salaries and expenses.....	1,042,711	1,032,988	1,069,817	+27,106	+36,829
Buildings and facilities.....	3,175	2,574	3,175	---	+601
Total, Animal and Plant Health Inspection Service.....	1,045,886	1,035,562	1,072,992	+27,106	+37,430

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(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Agricultural Marketing Service					
Marketing Services.....	186,936	148,440	188,891	+1,955	+40,451
(Limitation on administrative expenses, from fees collected).....	(61,227)	(60,982)	(61,227)	---	(+245)
Funds for strengthening markets, income, and supply (Section 32):					
Permanent, Section 32.....	1,404,000	1,359,864	1,359,864	-44,136	---
Marketing agreements and orders (transfer from Section 32).....	(20,705)	(20,705)	(20,705)	---	---
Payments to States and Possessions.....	1,235	---	1,235	---	+1,235
Limitation on inspection and weighing services....	(55,000)	(55,000)	(55,000)	---	---
Total, Agricultural Marketing Service program.	1,708,398	1,624,286	1,666,217	-42,181	+41,931
Office of the Under Secretary for Food Safety.....	800	813	809	+9	-4
Food Safety and Inspection Service.....	1,054,344	1,092,405	1,088,552	+34,208	-3,853
Lab accreditation fees.....	(1,000)	(1,000)	(1,000)	---	---
	=====	=====	=====	=====	=====
Total, title I, Agricultural Programs.....	7,567,113	7,507,842	7,515,365	-51,748	+7,523
(By transfer).....	(20,705)	(20,705)	(20,705)	0	0
(Limitation on administrative expenses).....	(116,227)	(115,982)	(116,227)	---	(+245)
	=====	=====	=====	=====	=====

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(Amounts in thousands)

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TITLE II - Farm Production and Conservation Programs					
Farm Production Programs					
Office of the Under Secretary for Farm Production and Conservation.....	901	1,141	916	+15	-225
Farm Production and Conservation Business Center.....	203,877	243,602	232,194	+28,317	-11,408
(by transfer from CCC).....	(60,228)	(60,228)	(60,228)	---	---
(by transfer from ACIF).....	(16,081)	---	---	(-16,081)	---
(by transfer from Food for Peace (P.L. 480)).....	---	(112)	(112)	(+112)	---
(by transfer from export loans).....	---	(318)	(318)	(+318)	---

Total, FPAC Business Center (including transfers).....	280,186	304,260	292,852	+12,666	-11,408
Farm Service Agency					
Salaries and expenses.....	1,122,837	1,104,684	1,152,323	+29,486	+47,639
(by transfer from Food for Peace (P.L. 480)).....	(142)	---	---	(-142)	---
(by transfer from export loans).....	(318)	---	---	(-318)	---
(by transfer from ACIF).....	(290,917)	(294,114)	(294,114)	(+3,197)	---

Subtotal, transfers.....	(291,377)	(294,114)	(294,114)	(+2,737)	---

Total, Salaries and expenses (including transfers).....	1,414,214	1,398,798	1,446,437	+32,223	+47,639
State mediation grants.....	5,545	6,914	6,914	+1,369	---

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Grassroots source water protection program.....	6,500	---	6,500	---	+6,500
Dairy indemnity program.....	500	500	500	---	---
Subtotal, Farm Service Agency.....	1,135,382	1,112,098	1,166,237	+30,855	+54,139
Agricultural Credit Insurance Fund (ACIF) Program					
Account:					
Loan authorizations:					
Farm ownership loans:					
Direct.....	(1,875,000)	(2,119,000)	(2,119,000)	(+244,000)	---
Guaranteed.....	(2,750,000)	(2,750,000)	(2,750,000)	---	---
Subtotal.....	(4,625,000)	(4,869,000)	(4,869,000)	(+244,000)	---
Farm operating loans:					
Direct.....	(1,550,133)	(1,633,333)	(1,633,333)	(+83,200)	---
Unsubsidized guaranteed.....	(1,960,000)	(2,118,482)	(2,118,482)	(+158,482)	---
Subtotal.....	(3,510,133)	(3,751,815)	(3,751,815)	(+241,682)	---
Emergency loans.....	(37,668)	(37,668)	(37,668)	---	---
Indian tribe land acquisition loans.....	(20,000)	(20,000)	(20,000)	---	---
Conservation loans:					
Guaranteed.....	(150,000)	(150,000)	(150,000)	---	---
Indian Highly Fractionated Land Loans.....	(10,000)	---	(10,000)	---	(+10,000)
Boll weevil eradication loans.....	(60,000)	(60,000)	(60,000)	---	---
Relending program loans.....	(18,215)	(18,215)	(33,693)	(+15,478)	(+15,478)
Total, Loan authorizations.....	(8,431,016)	(8,906,698)	(8,932,176)	(+501,160)	(+25,478)

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	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Loan subsidies:					
Farm operating loans:					
Direct.....	58,440	38,710	38,710	-19,730	---
Unsubsidized guaranteed.....	20,972	23,727	23,727	+2,755	---
Subtotal.....	79,412	62,437	62,437	-16,975	---
Emergency Loans.....	2,023	207	207	-1,816	---
Indian Highly Fractionated Land Loans.....	2,745	---	1,484	-1,261	+1,484
Boll weevil eradication loans.....	60	---	---	-60	---
Relending program loans.....	5,000	2,703	5,000	---	+2,297
Total, Loan subsidies and grants.....	89,240	65,347	69,128	-20,112	+3,781
ACIF administrative expenses:					
Administrative Expenses.....	317,068	307,344	307,344	-9,724	---
(Program Loan Cost Expenses).....	(10,070)	(13,230)	(13,230)	(+3,160)	---
(Transfer out to FSA Salaries and expenses).....	(-290,917)	(-294,114)	(-294,114)	(-3,197)	---
(Transfer out to FPAC Business Center Salaries and expenses).....	(-16,081)	---	---	(+16,081)	---
Total, Agricultural Credit Insurance Fund Program Account.....	406,308	372,691	376,472	-29,836	+3,781
(Loan authorizations).....	(8,431,016)	(8,906,698)	(8,932,176)	(+501,160)	(+25,478)
Total, Farm Service Agency.....	1,541,690	1,484,789	1,542,709	+1,019	+57,920

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Risk Management Agency					
RMA Salaries and Expenses.....	58,361	59,440	59,374	+1,013	-66
Total, Farm Production Programs.....	1,804,829	1,788,972	1,835,193	+30,364	+46,221
<hr/>					
Natural Resources Conservation Service:					
Private Lands Conservation Operations.....	829,628	830,186	833,785	+4,157	+3,599
(by transfer from FSRI).....	---	(1,190,609)	---	---	(-1,190,609)
<hr/>					
Farm Security and Rural Investment Program:					
Technical assistance (transfer out).....	---	(-1,190,609)	---	---	(+1,190,609)
Administrative expenses-FPAC Business Center (transfer out).....	(-60,228)	(-60,228)	(-60,228)	---	---
Total, Conservation operations.....	829,628	830,186	833,785	+4,157	+3,599
Watershed flood and prevention operations.....	175,000	---	155,000	-20,000	+155,000
Watershed rehabilitation program.....	10,000	---	12,000	+2,000	+12,000
Total, Natural Resources Conservation Service...	1,014,628	830,186	1,000,785	-13,843	+170,599
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Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund.....	9,959,000	8,716,000	8,716,000	-1,243,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
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Commodity Credit Corporation Fund:					
Reimbursement for net realized losses.....	26,309,033	25,553,096	25,553,096	-755,937	---
Hazardous waste management (limitation on expenses)	(5,000)	(15,000)	(15,000)	(+10,000)	---
Total, Corporations.....	36,268,033	34,269,096	34,269,096	-1,998,937	---
<hr/>					
Total, title II, Farm Production and Conservation Programs.....	39,087,490	36,888,254	37,105,074	-1,982,416	+216,820
(By transfer).....	(367,686)	(1,545,381)	(354,772)	(-12,914)	(-1,190,609)
(Transfer out).....	(-367,226)	(-1,544,951)	(-354,342)	(+12,884)	(+1,190,609)
<hr/>					
TITLE III - RURAL DEVELOPMENT					
Office of the Under Secretary for Rural Development...	800	1,036	812	+12	-224
Rural Development					
Rural development expenses:					
Salaries and expenses.....	247,835	483,480	311,942	+64,107	-171,538
(by transfer from RHIF).....	(412,254)	(240,000)	(412,254)	---	(+172,254)
(by transfer from RDLFP).....	(4,468)	---	(4,468)	---	(+4,468)
(by transfer from RETLP).....	(33,270)	(38,000)	(33,270)	---	(-4,730)
Subtotal, transfers from program accounts.....	449,992	278,000	449,992	---	+171,992
Total, Rural development expenses.....	697,827	761,480	761,934	+64,107	+454

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
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	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Rural Housing Service					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (Sec. 502).....	(1,000,000)	---	(1,000,000)	---	(+1,000,000)
Unsubsidized guaranteed.....	(24,000,000)	(24,000,000)	(24,000,000)	---	---
Subtotal, Single family.....	25,000,000	24,000,000	25,000,000	---	+1,000,000
Housing repair (Sec. 504).....	(28,000)	---	(28,000)	---	(+28,000)
Rental housing (Sec. 515).....	(40,000)	---	(40,000)	---	(+40,000)
Multi-family housing guarantees (Sec. 538)...	(230,000)	(230,000)	(230,000)	---	---
Site development loans (Sec. 524).....	(5,000)	---	(5,000)	---	(+5,000)
Single family housing credit sales.....	(10,000)	(10,000)	(10,000)	---	---
Self-help housing land development housing loans (Sec. 523).....	(5,000)	---	(5,000)	---	(+5,000)
Farm Labor Housing (Sec.514).....	(28,000)	---	(28,000)	---	(+28,000)
Total, Loan authorizations.....	25,346,000	24,240,000	25,346,000	---	+1,106,000
Loan subsidies:					
Single family direct (Sec. 502).....	90,000	---	33,300	-56,700	+33,300
Housing repair (Sec. 504).....	4,679	---	2,215	-2,464	+2,215
Rental housing (Sec. 515).....	12,144	---	6,688	-5,456	+6,688
Multi-family housing revitalization program...	---	40,000	30,000	+30,000	-10,000
Farm labor housing (Sec.514).....	8,739	---	5,093	-3,646	+5,093
Self-Help Land Development Housing Loans (Sec.523).....	577	---	269	-308	+269

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Site Development Loans (Sec.524).....	546	---	355	-191	+355
Total, Loan subsidies.....	116,685	40,000	77,920	-38,765	+37,920
Farm labor housing grants.....	10,000	---	10,000	---	+10,000
RHIF administrative expenses.....	412,254	240,000	412,254	---	+172,254
(transfer out to Rural Development).....	(-412,254)	(-240,000)	(-412,254)	---	(-172,254)
Total, Rural Housing Insurance Fund program... (Loan authorization).....	538,939 (25,346,000)	280,000 (24,240,000)	500,174 (25,346,000)	-38,765 ---	+220,174 (+1,106,000)
Rental assistance program:					
Rental assistance (Sec. 521).....	1,375,000	1,410,000	1,410,000	+35,000	---
Rural housing vouchers.....	---	40,000	40,000	+40,000	---
Subtotal, Rental Assistance Program.....	1,375,000	1,450,000	1,450,000	+75,000	---
Multi-Family Housing Revitalization Program					
Account:					
Rural housing voucher program.....	32,000	---	---	-32,000	---
Multi-family housing revitalization program...	28,000	---	---	-28,000	---
Mutual and self-help housing grants.....	31,000	---	31,000	---	+31,000
Rural housing assistance grants.....	45,000	45,000	45,000	---	---

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Rural community facilities program account:					
Loan authorizations:					
Community facility:					
Direct.....	(2,800,000)	(2,500,000)	(2,800,000)	---	(+300,000)
Guaranteed.....	(500,000)	(500,000)	(500,000)	---	---
Total, Loan authorizations.....	3,300,000	3,000,000	3,300,000	---	+300,000
Loan subsidies and grants:					
Community facility:					
Non-conforming Subsidy.....	---	20,000	---	---	-20,000
Grants.....	32,000	30,000	32,000	---	+2,000
Rural community development initiative..	6,000	---	6,000	---	+6,000
Economic impact initiative grants.....	6,000	---	6,000	---	+6,000
Tribal college grants.....	5,000	10,000	5,000	---	-5,000
Subtotal, Loan subsidies and grants.	49,000	60,000	49,000	---	-11,000
Total, grants and payments.....	125,000	105,000	125,000	---	+20,000
Total, Rural Housing Service.....	2,098,939	1,835,000	2,075,174	-23,765	+240,174
(Loan authorization).....	(28,646,000)	(27,240,000)	(28,646,000)	---	(+1,406,000)
Rural Business--Cooperative Service:					
Energy Assistance Programs.....	---	100,000	---	---	-100,000
Rural Business Program Account:					
(Guaranteed business and industry loan authorization).....	(1,000,000)	(1,500,000)	(1,000,000)	---	(-500,000)

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Loan subsidies and grants:					
Guaranteed business and industry subsidy..	20,500	7,400	16,200	-4,300	+8,800
Rural business development grants.....	37,000	---	37,000	---	+37,000
Delta Regional Authority and Appalachian Regional Commission.....	9,000	---	9,000	---	+9,000
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Total, RBP loan subsidies and grants.....	66,500	7,400	62,200	-4,300	+54,800
Intermediary Relending Program Fund Account:					
(Loan authorization).....	(18,889)	---	(18,889)	---	(+18,889)
Loan subsidy.....	5,219	---	2,939	-2,280	+2,939
Administrative expenses.....	4,468	---	4,468	---	+4,468
(transfer out to Rural Development).....	(-4,468)	---	(-4,468)	---	(-4,468)
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Total, Intermediary Relending Program Account.....	9,687	---	7,407	-2,280	+7,407
Rural Economic Development Loans Program Account:					
(Loan authorization).....	(50,000)	---	(50,000)	---	(+50,000)
Limit cushion of credit interest spending.....	(50,000)	---	(50,000)	---	(+50,000)

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Rural Cooperative Development Grants:					
Cooperative development.....	5,800	---	5,800	---	+5,800
Appropriate Technology Transfer for Rural Areas.....	2,800	---	2,800	---	+2,800
Grants to assist minority producers.....	3,000	3,000	3,000	---	---
Value-added agricultural product market development.....	12,000	---	12,000	---	+12,000
Agriculture innovation centers.....	3,000	---	3,000	---	+3,000
Total, Rural Cooperative development grants.....	26,600	3,000	26,600	---	+23,600
Rural Microentrepreneur Assistance Program.....	6,000	---	6,000	---	+6,000
Rural Energy for America Program:					
(Loan authorization).....	(20,000)	---	(20,000)	---	(+20,000)
Loan subsidy and grants.....	706	---	476	-230	+476
Total, Rural Business-Cooperative Service.....	109,493	110,400	102,683	-6,810	-7,717
(Loan authorizations).....	(1,088,889)	(1,500,000)	(1,088,889)	---	(-411,111)
Rural Utilities Service:					
Rural water and waste disposal program account:					
Loan authorizations:					
Direct.....	(1,400,000)	(1,270,000)	(1,400,000)	---	(+130,000)
Guaranteed.....	(50,000)	(58,333)	(50,000)	---	(-8,333)
Total, Loan authorizations.....	1,450,000	1,328,333	1,450,000	---	+121,667

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Loan subsidies and grants:					
Direct subsidy.....	63,840	---	---	-63,840	---
Guaranteed subsidy.....	70	70	60	-10	-10
Water and waste revolving fund.....	1,000	1,000	1,000	---	---
Water well system grants.....	5,000	1,000	5,000	---	+4,000
Colonias and AK/HI grants.....	68,000	68,000	68,000	---	---
Water and waste technical assistance.....	30,000	40,000	35,000	+5,000	-5,000
Circuit rider program.....	19,570	19,000	19,570	---	+570
Solid waste management grants.....	4,000	4,000	4,000	---	---
High energy cost grants.....	10,000	---	---	-10,000	---
Water and waste disposal grants.....	443,000	463,350	463,350	+20,350	---
306A(i)(2) grants	15,000	15,000	15,000	---	---
Emergency Community Water Assistance Grants.....	---	2,650	---	---	-2,650
Total, Loan subsidies and grants.....	659,480	614,070	610,980	-48,500	-3,090
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Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, FFB.....	(5,500,000)	---	(5,500,000)	---	(+5,500,000)
Electric Direct, Treasury Rate.....	---	(5,500,000)	---	---	(-5,500,000)
Guaranteed underwriting.....	(750,000)	---	(750,000)	---	(+750,000)
Subtotal, Electric.....	6,250,000	5,500,000	6,250,000	---	+750,000

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Telecommunications:					
Telecomm Direct, Treasury	(345,000)	(690,000)	(345,000)	---	(-345,000)
Direct, FFB.....	(345,000)	---	(345,000)	---	(+345,000)
Subtotal, Telecommunications.....	690,000	690,000	690,000	---	---
Total, Loan authorizations.....	6,940,000	6,190,000	6,940,000	---	+750,000
Loan Subsidy:					
Telecommunications Direct, Treasury Rate	3,795	4,554	2,277	-1,518	-2,277
RETLP administrative expenses.....	33,270	38,000	33,270	---	-4,730
(transfer out to Rural Development).....	(-33,270)	(-38,000)	(-33,270)	---	(+4,730)
Total, Rural Electrification and Telecommunications Loans Program Account (Loan authorization).....	37,065 (6,940,000)	42,554 (6,190,000)	35,547 (6,940,000)	-1,518 ---	-7,007 (+750,000)
Broadband Program:					
Loan authorizations:					
Broadband telecommunications.....	(11,179)	---	(11,179)	---	(+11,179)
Loan subsidies and grants:					
Distance learning and telemedicine:					
Grants.....	50,000	44,000	50,000	---	+6,000
Broadband telecommunications:					
Direct.....	2,000	---	1,884	-116	+1,884
Grants.....	35,000	30,000	35,000	---	+5,000

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Broadband E-Connect:					
Loan subsidies and grants.....	---	250,000	---	---	-250,000
Total, Loan subsidies and grants....	87,000	324,000	86,884	-116	-237,116
Total, Rural Utilities Service.....	783,545	980,624	733,411	-50,134	-247,213
(Loan authorization).....	(8,401,179)	(7,518,333)	(8,401,179)	---	(+882,846)
	=====	=====	=====	=====	=====
Total, title III, Rural Development Programs....	3,240,612	3,410,540	3,224,022	-16,590	-186,518
(By transfer).....	(449,992)	(278,000)	(449,992)	---	(+171,992)
(Transfer out).....	(-449,992)	(-278,000)	(-449,992)	---	(-171,992)
(Loan authorizations).....	(38,136,068)	(36,258,333)	(38,136,068)	---	(+1,877,735)
	=====	=====	=====	=====	=====
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services.....	800	813	809	+9	-4
Food and Nutrition Service:					
Child nutrition programs	23,550,098	25,040,911	25,046,440	+1,496,342	+5,529
School breakfast program equipment grants....	30,000	---	35,000	+5,000	+35,000
Demonstration projects (Summer EBT).....	35,000	---	50,000	+15,000	+50,000
Total, Child nutrition programs.....	23,615,098	25,040,911	25,131,440	+1,516,342	+90,529
Special supplemental nutrition program for women, infants, and children (WIC).....	6,000,000	5,451,501	5,750,000	-250,000	+298,499

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Supplemental nutrition assistance program:					
(Food stamp program).....	64,885,287	65,281,364	65,276,364	+391,077	-5,000
Reserve.....	3,000,000	3,000,000	3,000,000	---	---
FDPIR nutrition education services.....	998	---	998	---	+998
Total, Food stamp program.....	67,886,285	68,281,364	68,277,362	+391,077	-4,002
Commodity assistance program:					
Commodity supplemental food program.....	245,000	---	290,000	+45,000	+290,000
Farmers market nutrition program.....	18,548	---	20,000	+1,452	+20,000
Emergency food assistance program.....	79,630	79,630	79,630	---	---
Pacific island and disaster assistance.....	1,070	1,070	1,070	---	---
Total, Commodity assistance program.....	344,248	80,700	390,700	+46,452	+310,000
Nutrition programs administration.....	155,891	155,251	156,368	+477	+1,117
Congressional Hunger Center.....	(2,000)	---	(2,000)	---	(+2,000)
Total, Food and Nutrition Service.....	98,001,522	99,009,727	99,705,870	+1,704,348	+696,143
Total, title IV, Domestic Food Programs.....	98,002,322	99,010,540	99,706,679	+1,704,357	+696,139

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Office of the Under Secretary for Trade and Foreign Agricultural Affairs.....	875	891	887	+12	-4
Office of Codex Alimentarius.....	4,775	4,817	4,805	+30	-12
Foreign Agricultural Service					
Salaries and expenses.....	215,513	193,703	222,243	+6,730	+28,540
(By transfer from export loans).....	(6,063)	(6,063)	(6,063)	---	---

Total, Salaries and expenses (including transfers).....	221,576	199,766	228,306	+6,730	+28,540
Food for Peace Title I Direct Credit and Food for Progress Program Account:					
Administrative expenses.....	142	112	112	-30	---
FSA Salaries and expenses (transfer out).....	(-142)	---	---	(+142)	---
FPAC Business Center Salaries and expenses (transfer out).....	---	(-112)	(-112)	(-112)	---
Food for Peace Title II Grants:					
Expenses.....	1,725,000	---	1,775,000	+50,000	+1,775,000
Commodity Credit Corporation Export Loans Program Account:					
Administrative expenses.....	6,381	6,381	6,381	---	---
Foreign Agriculture Service, Salaries and expenses (transfer out).....	(-6,063)	(-6,063)	(-6,063)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Farm Service Agency Salaries and expenses (transfer out).....	(-318)	---	---	(+318)	---
FPAC Business Center Salaries and expenses (transfer out).....	---	(-318)	(-318)	(-318)	---
Total, CCC Export Loans Program Account...	6,381	6,381	6,381	---	---
McGovern-Dole International Food for Education and Child Nutrition program grants.....	220,000	---	235,000	+15,000	+235,000
Total, title V, Foreign Assistance and Related Programs.....	2,172,686	205,904	2,244,428	+71,742	+2,038,524
(By transfer).....	(6,063)	(6,063)	(6,063)	---	---
(Transfer out).....	(-6,523)	(-6,493)	(-6,493)	(+30)	---
=====					
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses					
Direct appropriation.....	3,159,678	3,206,564	3,200,506	+40,828	-6,058
Transfer to OIG (transfer out).....	---	---	(-1,500)	(-1,500)	(-1,500)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Spending from appropriated user fees:					
Prescription drug user fees.....	1,074,714	1,119,188	1,119,188	+44,474	---
Medical device user fees.....	220,142	238,595	238,595	+18,453	---
Human generic drug user fees.....	513,223	526,039	526,039	+12,816	---
Biosimilar biological products user fees.....	41,923	42,998	42,998	+1,075	---
Animal drug user fees.....	30,611	31,306	31,306	+695	---
Animal generic drug user fees.....	20,151	20,609	20,609	+458	---
Tobacco product user fees.....	712,000	712,000	712,000	---	---
Subtotal, user fees (appropriated).....	2,612,764	2,690,735	2,690,735	+77,971	---
Subtotal (including appropriated user fees).....	5,772,442	5,897,299	5,891,241	+118,799	-6,058
Mammography user fees.....	21,351	18,618	18,618	-2,733	---
Export user fees.....	4,696	4,886	4,886	+190	---
Color certification user fees.....	10,534	10,469	10,469	-65	---
Food and Feed Recall user fees.....	1,492	1,492	1,492	---	---
Food Reinspection fees.....	6,673	6,673	6,673	---	---
Voluntary qualified importer program fees.....	5,515	5,514	5,514	-1	---
Pharmacy compounding fees.....	1,676	1,581	1,581	-95	---
Priority review vouchers (PRV) pediatric disease..	7,997	7,997	7,997	---	---
Priority review vouchers (PRV) tropical disease..	---	2,556	2,556	+2,556	---
Priority review vouchers (PRV) medical countermeasures.....	---	2,556	2,556	+2,556	---
Third party auditor.....	742	741	741	-1	---
Over-the-Counter Monograph fees.....	28,400	28,400	28,400	---	---
Increased export certification fees (legislative proposal).....	---	4,366	---	---	-4,366

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Innovative food products fees (legislative proposal).....	---	28,000	---	---	-28,000
Expand tobacco products fees (legislative proposal).....	---	100,000	---	---	-100,000
Subtotal, spending from FDA user fees.....	2,701,840	2,914,584	2,782,218	+80,378	-132,366
Total, Salaries and expenses (including user fees).....	5,861,518	6,121,148	5,981,224	+119,706	-139,924
HHS Office of Inspector General (by transfer).....	---	---	(1,500)	(+1,500)	(+1,500)
Buildings and facilities.....	11,788	13,788	11,788	---	-2,000
FDA Innovation account.....	75,000	70,000	70,000	-5,000	---
Offset of appropriation pursuant to Section 1002 (b)(3)(B) of the 21st Century Cures Act (P.L. 114-255).....	-75,000	-70,000	-70,000	+5,000	---
Spending of FDA innovation account (transfer).....	(75,000)	(70,000)	(70,000)	(-5,000)	---
Total, FDA (w/user fees, including proposals)...	5,873,306	6,134,936	5,994,512	+121,206	-140,424
Total, FDA (w/enacted user fees only).....	5,873,306	6,002,570	5,994,512	+121,206	-8,058
FDA user fees.....	-2,701,840	-2,914,584	-2,782,218	-80,378	+132,366
Total, Food and Drug Administration (excluding user fees).....	3,171,466	3,220,352	3,212,294	+40,828	-8,058

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request

INDEPENDENT AGENCIES					
Commodity Futures Trading Commission.....	315,000	226,500	304,000	-11,000	+77,500
Farm Credit Administration (limitation on administrative expenses).....	(77,000)	(80,400)	(80,400)	(+3,400)	---
	=====	=====	=====	=====	=====
Total, title VI, Related Agencies and Food and Drug Administration.....	3,486,466	3,446,852	3,516,294	+29,828	+69,442
	=====	=====	=====	=====	=====
TITLE VII - GENERAL PROVISIONS					
Rural Energy Savings Program.....	12,000	---	12,000	---	+12,000
Farm to School.....	9,000	---	12,000	+3,000	+12,000
Healthy Food Financing Initiative.....	5,000	---	5,000	---	+5,000
Citrus Greening.....	8,500	---	8,500	---	+8,500
Broadband Pilot.....	300,000	---	915,000	+615,000	+915,000
Section 313 funds.....	(255,000)	---	(75,000)	(-180,000)	(+75,000)
NIFA Military Veteran Grants.....	5,000	---	5,000	---	+5,000
Centers of Excellence.....	6,000	---	14,000	+8,000	+14,000
Rural Hospital Technical Assistance.....	1,000	---	2,000	+1,000	+2,000
Protecting Animals with Shelter Grants.....	2,000	---	3,000	+1,000	+3,000
Tribal Demonstration Projects.....	3,000	---	3,000	---	+3,000
International Agricultural Education Fellowship.....	1,000	---	1,000	---	+1,000
School Breakfast Expansion Grants.....	5,000	---	15,000	+10,000	+15,000
Urban Agriculture Office.....	5,000	---	7,000	+2,000	+7,000
Food Loss Liaison.....	400	---	500	+100	+500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Healthy Fluid Milk.....	1,000	---	1,000	---	+1,000
Pollinator Research Coordinator.....	400	---	400	---	+400
Farm Opportunities Training and Outreach.....	5,000	---	5,000	---	+5,000
Tribal Student Scholarships.....	5,000	---	5,000	---	+5,000
Genome to Phenome.....	1,000	---	1,000	---	+1,000
Nutrition Assistance Program Study.....	6,000	---	---	-6,000	---
Micro-grants for Food Security.....	5,000	---	5,000	---	+5,000
Water Bank program	4,000	---	---	-4,000	---
Geographic Disadvantaged farmers.....	2,000	---	2,000	---	+2,000
Maturing mortgage pilot.....	1,000	---	---	-1,000	---
Conservation Reserve Program Pilot.....	1,000	---	---	-1,000	---
WIC (rescission).....	-1,000,000	-1,200,000	-1,000,000	---	+200,000
Dairy innovation.....	20,000	---	1,000	-19,000	+1,000
RISE grants.....	5,000	---	---	-5,000	---
FDA Buildings and Facilities.....	20,000	---	---	-20,000	---
Mitigation banking.....	5,000	---	---	-5,000	---
Electric refinancing (rescission).....	-15,073	---	---	+15,073	---
Waste water pilot program.....	5,000	---	---	-5,000	---
Office of the Secretary (Sec. 791) (rescission of emergency funding).....	-1,500,000	---	---	+1,500,000	---
WHIP program (Sec. 791) (emergency).....	1,500,000	---	---	-1,500,000	---
Ebola prevention and treatment (Sec. 792) (emergency).....	535,000	---	---	-535,000	---
Agriculture Business Innovation Center.....	---	---	2,000	+2,000	+2,000
Renewable Energy.....	---	---	10,000	+10,000	+10,000
	=====	=====	=====	=====	=====
Total, title VII, General Provisions.....	-30,773	-1,200,000	35,400	+66,173	+1,235,400
	=====	=====	=====	=====	=====

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
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OTHER APPROPRIATIONS					
ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2019					
Crop insurance purchasing requirement (emergency).....	7,000	---	---	-7,000	---
Revenue protection insurance for hemp (emergency).....	1,000	---	---	-1,000	---
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Total, Additional Supplemental Appropriations for Disaster Relief Act, 2019.....	8,000	---	---	-8,000	---
USMCA SUPPLEMENTAL APPROPRIATIONS ACT, 2019 (P.L. 116-113)					
Department of Agriculture					
Animal and Plant Health Inspection Service					
Salaries and expenses (emergency).....	4,000	---	---	-4,000	---
CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020 (P.L. 116-123 DIV. A)					
Department of Agriculture					
Food and Drug Administration					
Salaries and Expenses (emergency).....	61,000	---	---	-61,000	---

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(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
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SECOND CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020 (P.L. 116-127)					
Department of Agriculture					
Food and Nutrition Service					
Special Supplemental Nutrition Program for Women, Infants, and Children (emergency).....	500,000	---	---	-500,000	---
Commodity Assistance Program (emergency).....	400,000	---	---	-400,000	---
General Provisions					
Grants for Nutrition Assistance (Sec. 1102) (emergency).....	100,000	---	---	-100,000	---
Total, Second Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020	1,000,000	---	---	-1,000,000	---
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EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS (P.L. 116-136 DIV B)					
DEPARTMENT OF AGRICULTURE					
Office of the Secretary (emergency).....	9,500,000	---	---	-9,500,000	---
Office of Inspector General (emergency).....	750	---	---	-750	---
Animal and Plant Health Inspection Service					
Salaries and expenses (emergency).....	55,000	---	---	-55,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Agricultural Marketing Service					
Expenses and Refunds, Inspection and Grading of Farm Products (emergency).....	45,000	---	---	-45,000	---
Food Safety and Inspection Service (emergency).....	33,000	---	---	-33,000	---
Farm Service Agency					
Salaries and expenses (emergency).....	3,000	---	---	-3,000	---
Rural Business-Cooperative Service:					
Rural Business Program Account:					
Loan subsidies and grants:					
Guaranteed Business and Industry Subsidy (emergency).....	20,500	---	---	-20,500	---
Rural Utilities Service:					
Broadband Program:					
Loan subsidies and grants:					
Distance Learning and Telemedicine grants (emergency).....	25,000	---	---	-25,000	---
Food and Nutrition Service					
Supplemental Nutrition Assistance Program:					
FPIR nutrition education service (emergency).....	100,000	---	---	-100,000	---
Nutrition Assistance for U.S. territories (emergency).	200,000	---	---	-200,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020
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(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Commodity Assistance Program:					
Emergency food assistance program (emergency).....	450,000	---	---	-450,000	---
Foreign Agricultural Service					
Salaries and expenses (emergency).....	4,000	---	---	-4,000	---
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses (emergency).....	80,000	---	---	-80,000	---
GENERAL PROVISIONS - THIS TITLE					
Commodity Credit Corporation (emergency).....	14,000,000	---	---	-14,000,000	---
Reconnect Broadband pilot program (emergency).....	100,000	---	---	-100,000	---
Total, Emergency Appropriations for Coronavirus Health Response and Agency Operations.....	24,616,250	---	---	-24,616,250	---
Total, Other Appropriations.....	25,689,250	---	---	-25,689,250	---

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AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	179,215,166	149,269,932	153,347,262	-25,867,904	+4,077,330
Appropriations.....	(156,707,829)	(153,384,516)	(157,129,480)	(+421,651)	(+3,744,964)
Emergency appropriations.....	(27,724,250)	---	---	(-27,724,250)	---
Offsetting collections.....	(-2,701,840)	(-2,914,584)	(-2,782,218)	(-80,378)	(+132,366)
Rescissions.....	(-1,015,073)	(-1,200,000)	(-1,000,000)	(+15,073)	(+200,000)
Rescissions of emergency funding.....	(-1,500,000)	---	---	(+1,500,000)	---
(By transfer).....	(1,647,482)	(3,658,888)	(1,623,154)	(-24,328)	(-2,035,734)
(Transfer out).....	(-1,647,482)	(-3,658,888)	(-1,623,154)	(+24,328)	(+2,035,734)
(Loan authorization).....	(46,567,084)	(45,165,031)	(47,068,244)	(+501,160)	(+1,903,213)
(Limitation on administrative expenses).....	(198,227)	(211,382)	(211,627)	(+13,400)	(+245)

Minority Views

We appreciate the collegial and collaborative efforts of Agriculture Subcommittee Chairman Sanford Bishop and the Full Committee Chairwoman Nita Lowey in producing this Agriculture appropriations bill that addresses critical priorities of Members on both sides of the aisle. We generally agree with the Majority on funding provided for many programs and initiatives in this bill. Unfortunately, due to concerns about governmentwide spending levels and a number of controversial policy provisions, we are unable to support the bill as written at this time.

We are pleased that this bill continues the previous commitment made by Republicans to work with the private sector in rebuilding or building the economic vitality of rural America through a \$4,214,000,000 investment in critical infrastructure and business programs at the U.S. Department of Agriculture (USDA). The Majority includes report language at our request to encourage the USDA to consider the broader social benefits when the Department seeks applications for over one billion dollars in broadband resources in this bill. We also appreciate the Majority's cooperation in setting aside a percentage of these rural broadband funds to those communities whose population exceeds the current population cap but are still "rural in character". We cannot allow these rural communities to be stuck in the digital divide and denied the basic communication utilities available to larger suburban or urban communities.

We appreciate the Committee agreeing to include several provisions aimed at improving the safety and efficacy of the human drug supply, which is often sourced from outside of the United States. Our country has become acutely aware of our excessive dependency on the production of medical supplies in China and other foreign countries during the ongoing COVID-19 pandemic. Until more Active Pharmaceutical Ingredients (API) and finished drug products are produced domestically, more must be done to ensure drugs are safe and effective.

One of the greatest objections to this bill is that the Majority has created the illusion of billions of dollars being available to spend above the caps established in law by the Bipartisan Budget Act of 2019 (P.L. 116-37). The Committee must prioritize within these budget caps rather than artificially inflating spending by using a false budgeting device to free up funds for lower priorities. In addition to objections to overall spending levels, we have major policy differences. Many provisions will need to be dropped or modified before this bill can be signed into law.

The first problematic provision deals with the Rainy River Watershed Withdrawal. Under normal circumstances, the Minority is in strong support of transparency in federal decision-making. In this case, the document requirement appears excessive and unnec-

essary because USDA reportedly has already provided thousands of documents to Congress in response to requests on this topic.

The second objectionable provision relates to the permanent nature of proposed reforms to the Supplemental Nutrition Assistance Program (SNAP). In March, Congress demonstrated bipartisan support for the Families First legislation (P.L. 116–127), which included a suspension of additional work requirements during the high unemployment of the pandemic for certain SNAP recipients. Additionally, P .L. 116–127 included the maximum allotment of benefits to all households participating in SNAP during the ongoing public health emergency. These temporary measures were necessary at the time, but we must restore the program to normal operations and reform it for the future. Unfortunately, in this bill, the Majority has chosen to stop the Administration’s proposed reforms of SNAP.

Lastly, we believe the Majority’s provision withdrawing line speed waivers during the COVID–19 emergency is unnecessary. The Majority’s continued attack on this modernized inspection system and its link to COVID–19 is puzzling. The language in this bill gives the appearance of protecting worker safety, yet the bill language only affects an estimated 0.25 percent of the meat and poultry inspection plants regulated in the United States.

As the legislative process continues, we pledge to work with Chairman Bishop and Chairwoman Lewey to address the concerns described here. Working together, we can deliver on the needs of this Nation’s farmers, ranchers, rural communities, the impoverished, patients, entrepreneurs, and consumers.

KAY GRANGER.

JEFF FORTENBERRY.

