



Legislative Bulletin.....June 11, 2014

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H.R. 4800 - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2015 (Aderholt, R-AL)

Updates on amendments will be sent as they become available.

H.R. 4800 - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2015 (Aderholt, R-AL)

By the Numbers:

In thousands of dollars

	FY14 House Level	FY14 Enacted	FY15 President Request	FY15 House Level
Net Total Discretionary	19,450,000	20,880,000	21,337,226	20,880,000

Net Total Discretionary Budget Authority is:

- \$ 1.43 billion above the level proposed by the House Appropriations Committee for FY 2014.
- Equal to the enacted FY 2014 level.
- \$457 million below the President’s budget request.

H.R. 4800 provides a net total of \$20.88 billion in discretionary budget authority. The legislation further provides \$121.6 billion in appropriated mandatory funding that does not count towards the discretionary budget caps, mostly for nutrition assistance programs. The grand total of budget authority made available by this bill is \$142.857 billion, a level that is \$1.5 billion below the President’s budget request. The USDA estimates that it made \$6.2 billion in improper payments in FY2013.

The Committee Report can be found [here](#), and the text of the legislation can be found [here](#).

Order of Business: H.R. 4800 is expected to be considered beginning on June 11th, under an [open rule](#) permitting all germane amendments to be offered. The rule provides for one hour of general debate and ten minutes of debate (evenly divided) on all amendments. Pro Forma amendments (“strike the last word”) are not permitted except for ten each by the Chair and ranking Member of the Committee on Appropriations. Members who have pre-printed their

amendments in the Congressional Record will be given priority in recognition. As a reminder, amendments must be offered at the appropriate time during the reading of the bill.

Bill Outline:

Title I: Agricultural Programs

In thousands of dollars

FY14 House Level	FY14 Enacted	FY15 President Request	FY15 House Level	FY15 vs FY14 House	FY15 vs FY14 Enacted	FY15 vs President Request
6,431,256	6,789,022	6,669,582	6,851,510	+420,254	+62,488	+181,928

Agricultural Programs are appropriated \$6.852 billion, a level that is \$182 million above the President’s budget request, \$62 million above the FY14 enacted level, and \$420 million above the level proposed by the House Appropriations Committee for FY14. This Title also includes \$18.856 billion in mandatory funding.

Agricultural Research Service (ARS): The ARS is appropriated \$1.275 billion, a level that is \$171 million above the President’s budget request, \$153 million above the FY14 enacted level, and \$201 million above the level proposed by the House Appropriations Committee for FY14.

The [Committee Report](#) states the Congress’s support for a number of research initiatives at ARS, including Arial Application research, Alfalfa, research, Aquatic Animal Health, Cheat Grass Eradication, Citrus Greening Disease Research, Coffee Plant Health, Domestic and Bighorn Sheep, Emerging Cereal Rust Diseases, Food Pathogen Detection, Forest Products research, FOV Race 4 Cotton research, Horticultural research and education, Human Nutrition research, Lower Mississippi River Basin, National Agricultural Library, Porcine Virus research, Pulse Health Initiative, research on Sediments, Sclerotinia Initiative, and Wild Rice research.

National Institute of Food and Agriculture (NIFA): The NIFA is appropriated \$1.274 billion, a level that is \$62 million below the President’s budget request, \$3 million below the FY14 enacted level, and \$65 million above the level proposed by the House Appropriations Committee for FY14. Within this total, \$774 million is for Research and Education activities, and \$467 million is for Extension activities.

Animal and Plant Health Inspection Service (APHIS): APIS is appropriated \$871 million, a level that is \$33 million above the President’s budget request, \$46 million above the FY14 enacted level, and \$67 million above the level proposed by the House Appropriations Committee for FY14.

Agricultural Marketing Service: The Agricultural Marketing Service is provided \$1.265 billion, a level that is \$2 million below the President’s budget request, \$16 million above the FY14 enacted level, and \$19 million above the level proposed by the House Appropriations Committee for FY14. The [Committee Report](#) includes language directing the USDA to not

implement or enforce the Country of Origin Labeling (COOL) regulation should the World Trade Organization rule against it.

Food Safety and Inspection Service (FSIS): The FSIS is provided \$1.005 billion, a level that is \$4 million above the President’s budget request, \$6 million below the FY14 enacted level, and \$6 million above the level proposed by the House Appropriations Committee for FY14.

Farm Service Agency (FSA): The FSA is provided \$1.211 billion, a level that is \$68 million above the President’s budget request, \$24 million above the FY14 enacted level, and \$24 million above the level proposed by the House Appropriations Committee for FY14. The bill does not approve the President’s request to close 250 FSA county offices.

Title II: Conservation Programs

In thousands of dollars

FY14 House Level	FY14 Enacted	FY15 President Request	FY15 House Level	FY15 vs FY14 House	FY15 vs FY14 Enacted	FY15 vs President Request
822,986	825,832	815,670	868,951	+45,965	+43,119	+53,281

Conservation Programs are appropriated \$869 million, a level that is \$53 million above the President’s budget request, \$43 million above the FY14 enacted level, and \$46 million above the level proposed by the House Appropriations Committee for FY14. Within this total, \$843 million is for Conservation operations.

Title III: Rural Development Programs

In thousands of dollars

FY14 House Level	FY14 Enacted	FY15 President Request	FY15 House Level	FY15 vs FY14 House	FY15 vs FY14 Enacted	FY15 vs President Request
2,189,140	2,397,709	2,230,869	2,435,787	+246,647	+38,078	+204,918

Rural Development Programs are appropriated \$2.436 billion, a level that is \$205 million above the President’s budget request, \$38 million above the FY14 enacted level, and \$247 million above the level proposed by the House Appropriations Committee for FY14.

Rural Energy for America Program: The Rural Energy for America Program is appropriated \$3.5 million for loan subsidies, a level that is \$6.5 million below the President’s budget request, equal to the FY14 enacted level, and \$500 thousand above the level proposed by the House Appropriations Committee for FY14. This program already receives \$50 million per year in mandatory funding under the Farm Bill. The RSC Budget proposed eliminating this program which subsidizes the development of renewable energy programs for small rural businesses and agriculture producers.

Rural Utilities Service (RUS): The RUS is appropriated \$536 million, a level that is \$146 million above the President’s budget request, \$199 thousand above the FY14 enacted level, and \$15 million above the level proposed by the House Appropriations Committee for FY14. Additionally, the RUS loan authorization is \$7.499 billion, a level that is \$910 million above the President’s budget request, \$16 million below the FY14 enacted level, and \$1.067 billion above the level proposed by the House Appropriations Committee for FY14.

Title IV: Domestic Food Programs

In thousands of dollars

FY14 House Level	FY14 Enacted	FY15 President Request	FY15 House Level	FY15 vs FY14 House	FY15 vs FY14 Enacted	FY15 vs President Request
7,061,453	7,152,701	7,324,517	7,102,341	+40,888	-50,360	-222,176

Domestic Food Programs are appropriated \$7.102 billion, a level that is \$222 million below the President’s budget request, \$50 million below the FY14 enacted level, and \$41 million above the level proposed by the House Appropriations Committee for FY14. Additionally, this title includes \$102.723 billion in mandatory funding.

Child Nutrition Programs: Child Nutrition Programs are provided \$20.524 billion, a level that is \$13 million below the President’s budget request, \$1.236 billion above the FY14 enacted level, and \$72 million above the level proposed by the House Appropriations Committee for FY14.

School Lunch Program: The bill includes establishes a waiver for schools experiencing a financial loss from compliance with regulations from the Healthy, Hunger-Free Kids Act of 2010. This program, championed by the First Lady Michele Obama, mandates more fruits and vegetables, lower sodium, and healthier food options. As a result, schools have seen increased costs and waste, and the GAO has found that participation in the school lunch program has declined by 1.2 million. For additional information, see these articles from the [Wall Street Journal](#) and the [Washington Post](#).

USDA Cafeterias: The bill requires the USDA to report to Congress describing whether the food sold in USDA cafeterias and vending machines in its Washington, D.C., offices meet the standards the USDA is imposing on local school districts.

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): The WIC Program is appropriated \$6.623 billion, a level that is \$200 million below the President’s budget request, \$93 million below the FY14 enacted level, and \$32 million below the level proposed by the House Appropriations Committee for FY14.

According to a revised budget estimate from the USDA, the provided level would serve all eligible WIC participants. The USDA has projected an average monthly participate rate that is 100,000 lower than the original budget estimate, and the USDA has projected additional

carryover funds will be available. Further, the USDA has \$125 million available in the WIC contingency fund as a safety net.

Potatoes in the WIC Program: The bill includes Sec. 738, which prohibits the USDA from restricting the “eligibility of any variety of fresh, whole, or cut vegetables, except for vegetables with added sugars, fats, or oils, from being provided as supplemental foods” under WIC. This provision blocks the USDA from restricting the eligibility of fresh white potatoes.

Supplemental Nutrition Assistance Program (SNAP, formerly Food Stamps): SNAP, an appropriated mandatory program, is provided \$82.251 billion, a level that is \$2.005 billion below the President’s budget request, \$81 million above the FY14 enacted level, and \$5.919 billion above the level proposed by the House Appropriations Committee for FY14. This level includes a \$3 billion contingency reserve. \$5.149 billion of this total is for administrative expenses.

The [Committee Report](#) notes an USDA Inspector General report that identified “586 store owners that were allowed to continue participating in SNAP at other locations after being permanently disqualified,” and directs the USDA to enforce regulations prohibiting ineligible retailers from participating. The bill requires the USDA to report on its actions to weed out waste, fraud, and abuse, including immigration verification.

Commodity Assistance Program: The Commodity Assistance Program is provided \$276 million, a level that is equal to the President’s budget request, \$6 million above the FY14 enacted level, and \$10 million above the level proposed by the House Appropriations Committee for FY14. Thin this total, \$209 million is for the Commodity Supplemental Food Program, \$17 million is for the Farmers’ market Nutrition Program, and \$49 million is for administrative funding for The Emergency Food Assistance Program (TEFAP).

Title V: Foreign Assistance and Related Programs

In thousands of dollars

FY14 House Level	FY14 Enacted	FY15 President Request	FY15 House Level	FY15 vs FY14 House	FY15 vs FY14 Enacted	FY15 vs President Request
1,512,236	1,838,472	1,763,965	1,842,965	+330,729	+4,493	+79,000

Foreign Assistance and Related Programs are appropriated \$1.843 billion, a level that is \$79 million above the President’s budget request, \$4 million above the FY14 enacted level, and \$331 million above the level proposed by the House Appropriations Committee for FY14.

Food for Peace Title II Grants: Food for Peace Title II Grants is appropriated \$1.466 billion, a level that is \$66 million above the President’s budget request, equal to the FY14 enacted level, and \$316 million above the level proposed by the House Appropriations Committee for FY14.

This bill does not provide for the President’s requested reforms to this program to turn it into a cash assistance program.

McGovern-Dole International Food for Education and Child Nutrition Program Grants:

The McGovern-Dole Program is provided \$198 million, a level that is \$13 million above the President’s budget request, \$13 million above the FY14 enacted level, and \$18 million above the level proposed by the House Appropriations Committee for FY14.

Title V: Related Agencies and Food and Drug Administration

In thousands of dollars

FY14 House Level	FY14 Enacted	FY15 President Request	FY15 House Level	FY15 vs FY14 House	FY15 vs FY14 Enacted	FY15 vs President Request
2,679,954	2,775,693	2,864,171	2,800,446	+120,492	+24,753	-63,725

Related Agencies and Food and Drug Administration are appropriated \$2.8 billion, a level that is \$64 million below the President’s budget request, \$25 million above the FY14 enacted level, and \$120 million above the level proposed by the House Appropriations Committee for FY14.

Food and Drug Administration (FDA): The FDA is appropriated \$2.583 billion, a level that is \$1 million below the President’s budget request, \$22 million above the FY14 enacted level, and \$97 million above the level proposed by the House Appropriations Committee for FY14. Additionally, the FDA is given authority to spend user fees, bringing the FDA’s budgetary resources to \$4.485 billion.

Menu Labeling Regulations: The [Committee Report](#) describes concerns regarding the FDA’s proposed menu labeling regulations under Obamacare and urges the FDA to adopt the least restrictive Option 2 that does not include the prepared food sections of grocery stores.

Commodity Futures Trading Commission (CFTC): The CFTC is appropriated \$218 million, a level that is \$62 million below the President’s budget request, \$3 million above the FY14 enacted level, and \$23 million above the level proposed by the House Appropriations Committee for FY14. Of this amount, \$52.6 million is for information technology system upgrades, which accounts for the increased funding level. The CFTC has not been authorized since 2013.

The bill requires the CFTC to conduct a cost-benefit analysis on several regulations promulgated pursuant to Dodd-Frank, including on Position Limits, Dual Registration of Commodity Trading advisers with SEC/CFTC, Swap Dealer de minimis, and the Swaps Pushout Rule. Further, the bill requires the CFTC to complete the rulemaking process, including the public comment period, prior to decreasing the Swap Dealer de Minimis threshold as the CFTC has proposed.

Unauthorized Appropriations: The bill funds two unauthorized programs (Multi-family Housing Revitalization Program and Commodity Futures Trading Commission) for a total of \$246 million. The CFTC receives \$2.6 million above the enacted FY14 level.

Committee Action: The House Appropriations Committee marked up and approved H.R. 4800 on [May 29, 2014](#), by a 31 – 18 vote. The Committee also held a number of [oversight hearings](#).

Administration Position: The [SAP](#) states that “If the President were presented with H.R. 4800, his senior advisors would recommend that he veto the bill.” The Administration “strongly opposes” the waiver process from the USDA’s school nutrition regulations that is established by the bill. The Administration also opposes language in the bill that stops the USDA from banning white potatoes for the WIC program, cuts to the CFTC, and cuts to the healthy Food Financing Initiative.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:

According to the [Committee Report](#), “Neither the bill nor the report contains any Congressional earmarks, limited tax benefits, or limited tariff benefits.”

Constitutional Authority: “Congress has the power to enact this legislation pursuant to the following: The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law” In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: “The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States” Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.”

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