

FY 2020 Agriculture Appropriations Bill

On June 4, 2019 the full House Appropriations Committee met to markup the FY 2020 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill. The bill includes \$24.310 billion in discretionary funding, a \$1 billion increase over the FY19 enacted level and \$5.1 billion increase over the President's FY20 budget request.

During yesterday's markup, the Committee approved a manager's amendment that includes an additional \$15 million for AFRI, \$5 million for the Farm and Ranch Stress Assistance Network, and \$3 million for Agricultural Research Service salaries.

The Committee voted 29-21 to approve the legislation.

The bill supports the work of Land-grant Universities with increases across all six of APLU's priorities, totaling \$80.380 million:

Account	FY 2019 Enacted	FY 2020 House	Difference	FY 2020 APLU Request
McIntire-Stennis	36.000	38.000	2.000	41.000
1890 Extension	48.620	57.000	8.380	57.000
Evans-Allen	58.000	67.000	9.000	67.000
Hatch Act	259.000	265.000	6.000	292.000
Smith-Lever	315.000	325.000	10.000	359.000
AFRI	415.000	460.000	45.000	440.000

[FY 2020 Agriculture Appropriations Bill Text](#)

[FY 2020 Agriculture Appropriations Bill Report Language](#)

[FY 2020 Agriculture Appropriations Bill Summary](#)

[FY2020 Agriculture Appropriations Bill – Amendments adopted at Committee](#)

Highlights

The bill provides \$1.033 billion in funding for Research and Education Activities, \$541.086 million for Extension Activities, and \$40 million for Integrated Activities. The bill also includes \$10 million for a new Scholarships at 1890 Institutions line and \$5 million for a new Research Equipment Grants line under Research and Education Activities.

ERS / NIFA Relocation: The report outlines the Committee's concern with relocating USDA's Economic Research Service (ERS) and National Institute of Food and Agriculture (NIFA) outside the Washington, D.C. area. The report explains the Committee's concern that USDA did not officially solicit public comment and has moved forward with the plan despite Congressional opposition:

On August 8, 2018, the Secretary sent the Committees a letter notifying them that he was planning to move the Economic Research Service (ERS), and the National Institute of Food and Agriculture

outside of the greater Washington, D.C., area. Seven days later, without waiting the statutorily-required 30 days after notification, in violation of the reprogramming rules in P.L. 116–6, the Consolidated Appropriations Act, 2019, the Secretary published a Federal Register notice that the Department was seeking expressions of interest from parties interested in housing the two agencies. At no point in this process, however, has USDA solicited public comment on this proposal. Since then, it has moved forward, despite the clearly expressed opposition of many members of the House and Senate. It failed to comply with the direction of the conferees on the 2019 Act to submit all cost benefits for the move and a detailed analysis of any research benefits of a relocation. It has flatly refused numerous requests from this Committee and other members of Congress to provide the initial cost benefit analysis that preceded the decision to go ahead with the proposal. These agencies’ mission is to achieve the best science through research that advances U.S. agriculture and our understanding of the agricultural economy. The Committee believes that the Department’s proposal puts that mission at risk and the Committee has therefore included bill language to prevent it.

Bill language included in each of the Research and Education, Integrated and Extension Activities accounts:

...Provided further, That none of these funds may be used to relocate the National Institute of Food and Agriculture outside the National Capital Region.

Bill language included to prohibit transferred funds from being used to relocate an office or employees:

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the Department of Agriculture that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the Department of Agriculture, shall be available for obligation or expenditure through transfer of funds, or reimbursements as authorized by the Economy Act, or through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

- (1) creates new programs;*
- (2) eliminates a program, project, or activity;*
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;*
- (4) relocates an office or employees;*
- (5) reorganizes offices, programs, or activities; or*
- (6) contracts out or privatizes any functions or 16 activities presently performed by Federal employees.*

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the Food and Drug Administration or the Commodity Futures Trading Commission that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to those agencies, shall be available for obligation or expenditure through a reprogramming, or a transfer of funds, that—

- (1) creates new programs;*
- (2) eliminates a program, project, or activity;*
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;*
- (4) relocates an office or employees;*
- (5) reorganizes offices, programs, or activities; or*
- (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing, and receives approval from, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such transfer authority.*

Bill language that would permanently block the Secretary from relocating NIFA and ERS and prohibiting the ERS from reporting to an office other than that which it currently reports to, if the move is not completed before the enactment of the FY20 Agriculture Appropriations bill:

SEC. 758. Hereafter, and notwithstanding any other provision of law, no funds available to the Department of Agriculture may be used to relocate an agency, or any part of an agency, that was located within the National Capital Region on August 1, 2018, to a site outside of the National Capital Region in the absence of the prior enactment of a specific appropriation for that relocation.

SEC. 759. Hereafter, and notwithstanding any other provision of law, no funds available to the Department of Agriculture may be used to move any agency from the mission area in which it was located on August 1, 2018, to any other mission area or office within the Department in the absence of the enactment of specific legislation affirming such move.

SCRI Matching Funds: The bill also includes language that would allow the Secretary to waive the matching funds requirement for SCRI:

SEC. 762. The Secretary of Agriculture may waive the matching funds requirement under Section 412(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(g)).

(Note: This waiver provision would be effective upon date of enactment of the FY 2020 Agriculture Appropriations Bill. Given the likely expected date of enactment of the bill, this waiver provision would not apply to FY 2019 SCRI awards.)

Antimicrobial Resistance: The report encourages USDA to strengthen its ability to support and expand focus on animal science and antibiotic stewardship by directing USDA to develop a strategic approach that coordinates all antimicrobial resistance projects in the Research, Education, and Economics (REE) mission area:

Antimicrobial Resistance Research Strategy.—The Committee has provided additional resources to ARS and NIFA that may be used to strengthen USDA’s ability to support an expanded focus on animal science and antibiotic stewardship. The Committee encourages USDA to build on the work of the Presidential Advisory Council on Combating Antibiotic-Resistant Bacteria and directs

USDA to develop a strategic approach that coordinates all antimicrobial resistance projects in the REE mission area. The Department should explore coordinating with agencies and offices in HHS. USDA should also consider establishing a public-private partnership framework with HHS (including the Centers for Disease Control), industry, and land-grant universities with relevant expertise in states with significant livestock production to support applied research, education, and outreach to address antimicrobial-resistant animal and human pathogens.

The Committee supports USDA's goal to examine the role of nutritional alternative/feed alternatives as an alternative to increased antibiotic use. Report language:

Antimicrobial Resistance Action Plan.—The Committee supports the research goals of USDA's Antimicrobial Resistance Action Plan to examine the role of nutritional alternative/feed additives containing bioactives and prebiotics as alternatives to increase antibiotic use. This may lead to reduced antibiotic use and boost immune responses in livestock. The Committee directs ARS to provide an update on their role in this effort in its fiscal year 2021 budget request.

The report also includes Committee support for efforts through ARS to address potential gaps in farm-specific antimicrobial resistance data through the National Animal Health Monitoring System (NAHMS), while ensuring the anonymity of respondents. Report language:

Antimicrobial Resistance.—The Committee supports efforts to address potential gaps in farm-specific antimicrobial resistance data. At the same time, the agency is reminded that any information collected on-farm should be done through the National Animal Health Monitoring System (NAHMS), keeping respondents anonymous and ensuring that all information collected is protected from release or distribution in a manner that could identify an individual respondent.

The report also states the Committee's support for the collection and reporting of accurate and validated data of antimicrobial drug use for food-producing animals. The Committee encourages FDA to continue to see alternative methods to better identify and reduce inappropriate use of antimicrobial drugs, while recognizing that not all not all uses are involved in the potential for developing resistance mechanisms. However, the Committee encourages the Agency to continue to consider additional updates to the format of the annual summary report to further differentiate medically important antimicrobial drugs from those that are not considered medically important and that are not relevant to the development of antimicrobial resistance mechanisms. Report Language:

Antimicrobial Drug Use.—In recent years, FDA has expanded antimicrobial drug sales and distribution reporting under Section 105 of the Animal Drug User Fee Amendments of 2008 in an effort to further enhance FDA's understanding of antimicrobial drug use in food-producing animals. The Committee firmly believes that efforts to combat antimicrobial resistance must take into consideration animal health and welfare, which in turn affect human health and food safety. The Committee supports the collection and reporting of accurate and validated data of antimicrobial drug use for food-producing animals but is concerned that this reporting of antimicrobial sales and distribution data is being inappropriately equated to actual antimicrobial use data. The Committee acknowledges that the FDA sales and distribution summary report notes this same concern and cautions against using sales data as a proxy for actual drug use. The

Committee also acknowledges the efforts of the FDA to collect actual antimicrobial use information through the establishment of cooperative agreements to collect use information for feedlot and dairy cattle, swine, chickens and turkeys. Therefore, the Committee encourages FDA to continue to seek alternative methods to better identify and reduce inappropriate antimicrobial drug uses. The Committee recognizes that not all antimicrobial drugs used in animal agriculture are involved in the potential for developing resistance mechanisms relevant to animal or human health. The Committee acknowledges FDA's recent revisions of the sales and distribution summary report to more clearly differentiate medically important antimicrobials from those that are not medically important. However, the Committee encourages the Agency to continue to consider additional updates to the format of the annual summary report, based on stakeholder input, that will help to further differentiate medically important antimicrobial drugs from those that are not considered medically important and that are not relevant to the development of antimicrobial resistance mechanisms.

Finally, the Committee provides additional funding for National Antimicrobial Resistance Monitoring System (NARMS):

National Antimicrobial Resistance Monitoring System (NARMS).—The Committee provides an additional \$2,000,000 for NARMS, a national public health surveillance system that tracks changes in the antimicrobial susceptibility of enteric bacteria found in people, meats, and food animals in the United States.

Adopted Amendments

Manager's Amendment: In addition to the changes explained above, the manager's amendment also added report language directing USDA to prioritize grants promoting K-12 agriculture education:

Grants Promoting K-12 Agriculture Education.—The Committee directs USDA to continue to prioritize projects that include a component of connecting stakeholders and employers to students, teachers, and schools to facilitate collaboration and communication and to ensure stakeholders are connect to students, especially in urban areas.

Rep. Robert Aderholt (R-AL) offered a second amendment that would carry the provision that has been included in the bill for the past four years that would prohibit the modification or editing of inheritable genes. Reps. Sanford Bishop, Jeff Fortenberry (R-NE), and Debbie Wasserman Schultz (D-FL) opposed the amendment in support of the advancement of science to search for cures and effective treatment for those who are suffering.

Rep. Rosa DeLauro (D-CT) offered an amendment that would require the Inspector General to release the findings USDA used to develop the proposed rule to modernize swine slaughter inspection. The amendment would also require USDA resolve any identified issues. Rep. Fortenberry and Rep. Andy Harris (D-MD) opposed the amendment as FSIS has been operating a pilot program to modernize swine slaughter inspection for over 20 years – the pilot has shown to

be successful in lowering injury rates, increasing efficiency, and providing positive food safety results.

Rep. Dan Newhouse (R-WA) offered an amendment that would prevent the closure of 9 of the U.S. Forest Service Job Corps Civilian Conservation Centers.

APLU Priorities and NIFA Table

Complete NIFA account level details can be found on the [F.Y. 2020 NIFA Table](#), posted on land-grant.org

Next Steps

The Senate Agriculture Appropriations Subcommittee is currently scheduled to meet on June 11 to approve their version of the FY 2020 Agriculture Appropriations Bill.

As always, we will continue to keep you informed as further developments occur.

THE CORNERSTONE TEAM