

Congressman Cuellar's FY 19 Agriculture Language

1. Grants for HSIs:

\$9,219,000 for Education Grants for Hispanic-Serving Institutions

2. Water and waste disposal grants for colonias:

\$65,000,000 for Grants for the Colonias, Native Americans, and Alaskan and Native Villages under Rural Water and Waste Disposal Program Account.

3. Cattle Health:

\$96,500,000 for Cattle Health under Animal and Plant Health Inspection Service

4. Cattle fever tick:

*“Cattle Fever Tick.—*The Committee continues to provide \$5,000,000 for all activities under the Cattle Fever Tick Eradication Program (CFTEP) related to eradication of fever ticks for livestock and wildlife hosts including but not limited to research, data management, infrastructure, and treatment.”

5. Central American food assistance:

“Central American Food Assistance. – The Committee directs the Administrator of the U.S. Agency for International Development to continue briefing the Committee on its efforts, including the amount and type of food aid, in Central America. The Agency shall report on the implementation plan for measures within 90 days of enactment of the Act.”

6. Performance measures:

“Performance Measures.— The Committee directs FDA funded by this Act 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.”

7. Rural Community Facilities Program:

\$43,778,000 for the Rural Community Facilities Program Account.

8. Cotton pests:

\$11,520,000 for the APHIS Joint Cotton Pests Account.

9. Citrus Health Response Program:

\$61,000,000 for the Citrus Health Response Program under APHIS.

10. Fruit fly exclusion and detection:

\$66,640,000 for fruit fly exclusion and detection

11. HLB MAC Group:

\$3,000,000 for the Huanglongbing Multi-Agency Coordination Group

12. 10-20-30 Program:

“SEC. 744. Of the total amounts made available by this Act for direct loans and grants in the following headings: “Rural Housing Service—Rural Housing Insurance Fund Program Account”; “Rural Housing Service—Mutual and Self-Help Housing Grants”; “Rural Economic Infrastructure Grants”; “Rural Housing Service—Rural Community Facilities Program Account”; “Rural Business-Cooperative Service—Rural Business Program Account”; “Rural Business-Cooperative Service—Rural Economic Development Loans Program Account”; “Rural Business-Cooperative Service—Rural Cooperative Development Grants”; “Rural Utilities Service—Rural Water and Waste Disposal Program Account”; and “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision to the contrary regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: Provided, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: Provided further, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.”

13. FDA cooperation with ports of entry:

“Local Port Cooperation. – The Committee directs the FDA to work with local governments at high volume ports of entry to explore activities which reduce the risk of food borne illnesses and enhance the capacity of local officials in dealing with food borne threats and report back to the Committee within 90 days of enactment of this Act on its efforts.”

14. Beef imports:

“SEC. 736. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

(A) veterinary control and oversight;

(B) disease history and vaccination practices;

(C) livestock demographics and traceability;

(D) epidemiological separation from potential sources of infection;

(E) surveillance practices;

(F) diagnostic laboratory capabilities; and

(G) emergency preparedness and response; and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

15. Research at Hispanic-Serving Institutions:

“*Research at Historically Black Colleges and Universities and Hispanic Serving Institutions.*— The Committee encourages NIFA to continue to support biotechnology by promoting research at the land-grant colleges and universities, including the Historically Black Colleges and Universities and Hispanic Serving Institutions, and directs NIFA to encourage partnerships among universities and industry.”

16. Federal employee conduct:

“*Federal Employee Conduct.*— Public service is a public trust that requires federal employees to place ethical principles above private gain. Federal employees are reminded that they shall not advance a personal agenda or give preferential treatment to any outside organization or individual within the government programs which they administer. Information that is received by the employee, including information from other employees, offices, or Congress should be handled in a professional and confidential manner in accordance with Code of Federal Regulations regarding the basic obligation of public service (5 CFR 2635.101).”

17. Performance measures:

“*Performance Measures.* – The Committee directs each of the agencies funded by this Act 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.

18. HLB emergency response:

“Huanglongbing Emergency Response. – The Committee maintains the increased 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 60 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 some backyard trees but not in the commercial groves to date. The spread of this disease has called the future of the domestic citrus industry into question, costing thousands of jobs and millions of dollars in lost revenue. In addition, the agency is encouraged to support priorities and strategies identified by the HLB MAC group to benefit the citrus industry. The agency should appropriately allocate resources based on critical need and maximum effect to the citrus industry. The Committee provides \$3,000,000 for citrus health to support priorities and strategies identified by the HLB MAC group. The MAC is focused on short-term 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 \$3,439,000,000 for the 2016-2017 growing season.”

19. Citrus greening disease research:

“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 transmission 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.”

20. Citrus Health Response Program;

“Citrus Health Response Program (CHRP).—CHRP is a national program for the pest and disease exclusion and eradication activities including those associated with HLB and its vector the Asian Citrus Psyllid. The survival of the citrus industry in the U.S. is dependent on this funding, which supports efforts in citrus-producing states to research, survey, and combat both the pest and the disease. 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.”

21. Citrus disease research program:

“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, and provided \$25,000,000 per year in mandatory funding for the program through the Specialty Crop Research Initiative. The Committee believes research projects funded under this authority should be prioritized based on the critical threat of citrus greening and encourages National Institute of Food and Agriculture (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.”

22. Human drug compounding:

“Drug Compounding Implementation Framework and Office Use Compounding.—The Committee is aware that many provisions of DQSA and the re-enactment of Section

503A have been implemented through more than 20 agency guidance documents instead of the formal notice and comment rulemaking process as required by the underlying statutes and the Administrative Procedure Act. The Committee has previously expressed concerns about this framework. The Committee continues to express its disapproval of GFI issued in December 2016 entitled Prescription Requirement Under Section 503A of the FDCA due to FDA's further involvement with legitimate state licensed pharmacy practice. While the compounding of limited quantities before receipt of a prescription is legal under Section 503A(a)(2) of the Federal Food, Drug, and Cosmetic Act, the agency has clearly and unequivocally prohibited office-use compounding. The Committee encourages FDA to either prescribe a pathway for limited, safe, and controlled office-use, or hold a public meeting so that FDA can clearly explain to the respective stakeholders the legal rationale for disallowing office-use.

The Committee is also aware of a January 2018 Memorandum issued by the Associate Attorney General that prohibits the DOJ from using civil enforcement authority to convert agency guidance documents into binding rules. Within 90 days of enactment of this Act, the committee directs FDA to explain how the agency will implement any applicable changes in its use of guidances to ensure consistency with this policy due to the fact that these guidances serve as the underpinning of enforcement activity for both Section 503A and Section 503B of the FDCA."

23. National Animal Health Laboratory Network:

"National Animal Health Laboratory Network.—The bill provides funding for NAHLN through both APHIS and NIFA at approximately \$12,000,000 at \$4,300,000, respectively..."

24. FSA verification of eligibility:

"Verification of Eligibility.-- To further improve agency controls that help prevent payments to participants whose incomes exceed eligibility limits, the Secretary of Agriculture should direct the Administrator of FSA to implement a process to verify that accountants' and attorneys' statements accurately reflect participants' incomes as reported on income tax returns and supporting documentation or other equivalent documents."