

Agriculture Manager's Package

Bill Language

1. Bill language for Senators Baldwin and Moran regarding Farm and Ranch Stress Assistance Network
2. Bill language for Senator Tester regarding the Packers and Stockyards Act
3. Bill language for Senators Baldwin and Britt regarding foreign land ownership
4. Bill language for Senator Heinrich regarding a rescission
5. Bill language for Senators Collins, Hoeven, Moran, Boozman, and Fischer regarding Child Nutrition Programs
6. Bill language for Senators Collins, Hoeven, Moran, and Boozman regarding sodium in cheese
7. Bill language for Senator Heinrich regarding Single Family Housing
8. Bill language for Senator Heinrich regarding Housing Vouchers
9. Bill language for Senators Shaheen and Graham regarding horse slaughter

Report Language

1. Report language for Senators Tester and Moran regarding Camelina
2. Report language for Senator Heinrich regarding communication services
3. Report language for Senator Hagerty regarding voting related activities
4. Report language for Senator Murphy regarding controlled environment agriculture
5. Report language for Senator Van Hollen regarding catfish
6. Report language for Senator Baldwin regarding Dairy Business Initiative
7. Report language for Senator Van Hollen regarding catfish
8. Report language for Senator Heinrich regarding conservation planning and application process
9. Report language for Senator Manchin regarding income based matches
10. Report language for Senators Reed, Murkowski, Collins, and Merkley regarding seafood consumption in the National School Lunch Program
11. Report language for Senator Murkowski regarding Summer Food Service Program
12. Report language for Senator Manchin on FDA Advisory Committees Conflicts of Interest and Study of Opioid Packaging
13. Report language for Senators Collins and Shaheen regarding Islet Therapies
14. Report language for Senator Manchin regarding opioids
15. Report language for Senator Reed regarding Pediatric Device Consortia
16. Report language for Senator Murphy on Promoting Domestic Manufacturing

Bill

Technical change:

On page 7 of the bill, line 8, strike “40,581,000” and insert “36,081,000”

1. On page 14 of the bill, line 8, strike “565,410,000” and insert “567,410,000”

2. On page 19 of the bill, line 22, strike “227,391,000” and insert “229,891,000”

3. On page 24 of the bill, line 18, after “\$249,684,000” insert the following:

, of which \$1,000,000 shall be for the implementation of section 773 of Public Law 117-328

4. On page 108 of the bill, line 7, strike “Insurance Fund Program Account” and insert “Assistance Grants”, and line 8, strike “loans and”

5. On page 118 of the bill, after line 8 insert the following:

SEC. 772. Any rule-making, notice or guidance of or regarding USDA Proposed Rule (Child Nutrition Programs: Revisions to Meal Patterns Consistent With the 2020 Dietary Guidelines for Americans; RIN 0584-AE88) shall allow and provide meal reimbursement for [or “low fat or fat free”] flavored milk in National School Lunch Program and School Breakfast Program for grades Kindergarten through 12th grade and in Child and Adult Care Food Program for participants 5 years of age and older, and for any other program complying with the meal pattern requirements covered in such final rule.

6. SEC. 773. Weekly sodium limits that may be included in any rule-making, notice or guidance of or regarding USDA Proposed Rule (Child Nutrition Programs: Revisions to Meal Patterns Consistent With the 2020 Dietary Guidelines for Americans; RIN 0584-AE88) shall exclude sodium used for food safety and functional purposes in cheese-making, as determined by the Secretary, in consultation with FDA. Sodium limits will not take effect until the Secretary determines the amounts which shall be excluded.

7. SEC. 774. Notwithstanding Section 521(a)(1)(B) of the Housing Act of 1949 (42 U.S.C. 1490a(a)(1)(B)), for loans made under Section 502 (42 U.S.C. 1472), the Secretary of Agriculture may provide the borrower with assistance in the form of credits so as to reduce the effective interest rate to a rate not less than 2 per centum per annum for such periods of time as the Secretary may determine for applicants described in Section 521(a)(1)(A) (42 U.S.C. 1490a(a)(1)(A)) if without such assistance such applicants could not afford the dwelling or make payments on the indebtedness of the rental or cooperative housing.

8. SEC. 775. Section 542(b)(2) of the Housing Act, (42 USC 1490r,) is amended by striking “5,000” and inserting “10,000”.

9. SEC. 776. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

Report

Technical changes:

On page 11 of the report, under Agriculture Buildings and Facilities, strike “40,581,000” and insert “36,081,000”; on page 12 of the report strike “40,481,000” and insert “36,081,000”

On page 42 of the report, strike “565,410,000” in two places and insert “567,410,000”

On page 42 of the report, in the table under Farm and Ranch Street Assistance Network, strike “10,000” and insert “12,000”

On page 55 of the report, strike “227,391,000” in two places and insert “229,891,000”

1. On page 6 of the report, before “Canadian Variety Registration” insert the following:

Camelina.—As a nonfood crop that can be planted on land that would otherwise be idle or fallow and harvested to produce low-carbon feedstock for renewable biofuels and chemicals, camelina offers tremendous agronomic and economic benefits. The Committee is aware of the Department’s efforts to expand crop insurance coverage for camelina under the existing pilot program and encourages USDA to further expand safety net offerings so that growers can introduce camelina into their existing crop rotations and gain important environmental and economic benefits, while further supporting American energy independence.

2. On page 7 of the report, after “CCC” insert the following:

Communications Services for Limited English Proficient Communities.—The Committee is supportive of efforts the department is taking to improve communications, which should include mediums such as television and radio, to reach limited English proficient (LEP) communities. However, to improve implementation, the Committee encourages the department to review the communication practices and create uniform applications across all

USDA agencies to strengthen communication practices to include digital, television and radio advertising when working with limited English proficient communities. The Committee further directs each Department and agency funded by this Act with annual advertising budgets to include a report on expenditures related to local media advertising to include digital, television and radio no more than 30 days after the passage of this Act. The Committee also mandates that a portion of the advertising expenditures dedicated to LEP communities is dedicated to ethnic media outlets that work with hard-to-reach communities to ensure equity across all media outlets.

3. On page 8 of the report, before “Executive Operations” insert the following:

Voting-related Activities.—The Committee directs the Secretary to provide to the Committee a briefing, no later than 90 days after enactment of this act, regarding any strategic plans developed by the department since January 20, 2021 outlining the ways the department has promoted voter registration and voter participation.

4. On page 20 of the report, in the paragraph titled “Controlled Environment Agriculture”, insert the following at the end:

Initial awards should be focused on research on controlled environment agriculture in northern climates, densely populated regions, and small farms.

5. On page 51 of the report, before “Lacey Act Implementation”, insert the following:

Invasive Blue Catfish.—The Committee directs APHIS to continue strong collaboration with the U.S. Fish and Wildlife Service and State partners to control the spread of invasive blue catfish in the Chesapeake Bay region.

6. On page 56 of the report, after “Acer Access and Development”, include the following:

Dairy Business Innovation Initiatives.— The Committee includes \$15,000,000 for the Dairy Business Innovation Initiatives, which promotes innovation in dairy and supports dairy farm businesses. The Committee encourages the Secretary to expend unobligated balances previously appropriated for this program, including by allocating funding to centers that have already expended funding under PL117-2.

7. On page 62 of the report, after “Humane Slaughter” insert the following:

Invasive Blue Catfish.—The Committee continues to provide \$1,000,000 to cover overtime fees for inspectors at Siluriformes facilities and directs the Department to expand the eligible use of these funds to include equipment and infrastructure to support Siluriformes processing, with a priority for plants that process invasive species.

On page 63 of the report, under the paragraph “Siluriformes Fish”, strike “wildly disproportionate” and “some of which are known carcinogens and pose a threat to human health”

8. On page 76 of the report, after “SNOTEL” insert the following:

Streamlined Conservation Planning.—The Committee direct NRCS to develop a streamlined conservation planning and application process for small acreage operations to reduce the time and effort required by both the applicant and local NRCS staff to process conservation program applications.

9. On page 89 of the report, after “CDS” insert the following:

Income-based Matches.—The Committee is concerned that the methodology used to calculate income-based matches for the Community Facilities Grant program and the Water and Wastewater Disposal Grant program inequitably considers State needs. The Committee directs the Department to conduct an analysis of this methodology and develop three alternative methodologies, and to brief the Committees no later than 60 days after enactment of the Act. If warranted, the Department is directed to make changes to its methodology based on this analysis.

10. On page 104 of the report, after “Pulse Crops”, insert the following:

Seafood Consumption in the National School Lunch Program.—USDA is directed to submit to the Committee, within 120 days of enactment of this Act, a plan developed in coordination with the NOAA, to address factors limiting seafood consumption in school as recommended in GAO report "National School Lunch Program: USDA Could Enhance Assistance to States and Schools in Providing Seafood to Students" (GAO-23-105179).

11. On page 104 of the report, after the above paragraph, insert the following:

Summer Food Service Program.— The Fiscal Year 2021 Consolidated Appropriations Act Explanatory Statement directed USDA to submit a report to the Committee “within one year of enactment of this Act describing the number of Summer Food Service Program grantees, the States in which they operate, the innovative methods of food delivery by non-congregate means and in non-congregate settings, and the number of additional youth served as a result.” The USDA Food and Nutrition Service has not yet completed this report. The Committee directs USDA to submit this report within 30 days of enactment.

12. On page 122 of the report, after “Essential Medicines” insert the following:

FDA Advisory Committee Conflicts of Interest.—The Committee remains concerned with the Food and Drug Administration’s conflict of interest rules as it pertains to advisory committees. The 2023 External Review of FDA Regulation of Opioid Analgesics Final Report noted the need for the FDA to address “concerns about inappropriate industry influence on agency decision-making”. Current conflict of interest guidance is intended to show FDA’s policies behind financial interests held by advisory committee membership and Government employees participating in advisory committee meetings. They do not specifically address

industry influence, impact of this guidance on participation in meetings, or enforcement ability of conflict of interest guidance.

For this reason, the Committee directs the Government Accountability Office, to issue a report within 90 days of enactment of this Act detailing: how the FDA reviews and enforces conflicts of interest among invited speakers and advisory committee members; how the FDA discloses conflicts of interest to advisory committees, including but not limited to participation in the Initiative on Methods, Measurement, and Pain Assessment in Clinical Trials (IMMPACT) meetings; current FDA conflict of interest rules and transparency associated with communicating these rules to meeting participants and the general public; how the FDA chooses invited speakers to advisory committee meetings, including their decisions on expertise on the issues being considered; impact of conflict of interest rules on the FDA's ability to invite subject matter experts to advisory committee meetings; the FDA's ability to enforce conflict of interest rules and guidance and adherence to these policies.

FDA Study on Opioid Prescribing.—The Committee remains concerned with the ongoing opioid abuse epidemic, and effort to provide treatment for those impacted. As such, the Committee directs the FDA to review current opioid prescribing practices, including the total number of opioids prescribed in a calendar year. The purpose of the study is to show the number of opioids prescribed, excluding opioids prescribed for treatment of pain related to cancer or cancer treatment, patients participating in hospice, or a patient with respect to whom the prescriber of the applicable opioid determines that other non-opioid pain management treatments are inadequate or inappropriate.

13. On page 124 of the report, after “International Mail Facilities”, insert the following:

Islet Therapies.—The agreement encourages FDA to engage with the diabetes community on potential cures for Type 1 and Type 2 diabetes, including islet therapies. The Committee remains concerned about ongoing delays in research and development to potential cures for diabetes, including islet therapies, and encourages FDA to engage with stakeholders, including advocates, researchers and manufacturers, on advancing transformative diabetes treatments and cures.

14. On page 127 of the report, strike the paragraph titled “Opioid” and insert the following:

Opioids.—The Committee remains concerned with the FDA use of enriched enrollment, randomized, withdrawal [EERW] clinical trial designs. Whereas the FDA Anesthetic and Analgesic Drug Products Advisory Committee (AADPAC) held a meeting reviewing EERW on extended release/long acting [ER/LA] opioids on the efficacy of EERW on showing efficacy, while no vote was held, the AADPAC noted perceived flaws in the clinical trial design. As such the Committee directs the FDA to immediately conduct its study on the EERW methodology for its use on new prescription opioid approvals, and review EERWs use in approving opioids currently on the market. The study should be completed within 90 days of the enactment of this Act. In addition, the FDA should

carefully consider the broader public health effect of opioid analgesic drugs in making its approval decisions and in monitoring/considering new information about approved drugs, including the risks related to misuse, abuse, opioid use disorder, accidental exposure, and overdose, for both patients and others, as well as any properties of a drug expected to mitigate these risks.

15. On page 128 of the report, in the paragraph titled “Pediatric Device Consortia Grants”, insert the following at the end:

The Committee encourages FDA to fund Pediatric Device Consortia grants at the authorized level in fiscal year 2024.

16. On page 130 of the report, in the paragraph titled “Promoting Domestic Manufacturing”, insert the following at the end:

The Committee encourages the FDA to use any additional resources to collaborate with academic institutions to support the advancement, development, and implementation of advanced and continuous pharmaceutical manufacturing.

On page 137 of the report, after Section 771 insert the following:

Section 772. This section includes language regarding Child Nutrition Programs

Section 773. This section includes language regarding sodium in cheese.

Section 774. This section includes language regarding Single Family Housing

Section 775. This section includes language regarding Housing Vouchers

Section 776. This section includes language regarding horse slaughter