

AGRICULTURE MANAGER'S PACKAGE

Bill language for Senator Udall regarding Socially Disadvantaged Farmers

Bill language for Senator Murphy regarding Beginning Farmers and Ranchers

Bill language for Senator Merkley regarding the SNAP program

Bill/Report language for Senator Boozman regarding agricultural research

Bill/Report language for Senator Hoeven regarding the Agriculture Risk Coverage Program

Bill/Report language for Senators Moran/Daines regarding the SNAP program

Report language for Senator Merkley regarding agricultural research

Report language for Senator Moran regarding Bovine Tuberculosis and Brucellosis

Report language for Senator Moran regarding the organic livestock proposed rule

Report language for Senator Shaheen regarding Energy Efficiency Coordination

Report language for Senators Moran/Merkley regarding the Rural Utilities Service

Report language for Senator Capito regarding broadband programs

Report language for Senator Moran regarding nutrition programs

Report Language for Senator Udall regarding State SNAP Implementation

Report language for Senator Feinstein regarding food packaging

Report language for Senator Alexander regarding medical devices

Report language revision for Senator Murphy regarding medical gases

Report language for Senator Reed regarding sunscreen ingredients

On page 2 of the bill, line 13, strike “\$51,150,000” and insert “\$54,150,000”.

On page 2 of the bill, line 22, strike “\$1,220,000” and insert “\$4,220,000”.

On page 6 of the bill, line 7, strike “\$84,365,000” and insert “\$74,365,000”.

On page 21 of bill, line 12, strike “\$1,208,412,000” and insert “\$1,210,412,000”.

On page 54 of the bill, line 7, after “section 28(d)(1)” insert “, section 4(b),”.

On page 89 of the bill, in the appropriate place insert the following section:

SEC. 750. Notwithstanding any language to the contrary, state agricultural experiment stations and state cooperative extension services are eligible entities under 7 U.S.C. 3125a–1(a).

On page 89 of the bill, in the appropriate place insert the following section:

SEC. 751. (a) The Secretary of Agriculture (referred to in this section as the “Secretary”) shall carry out a pilot program during fiscal year 2017 with respect to the 2016 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some of the State Farm Service Agency offices in each State the opportunity to provide agricultural producers in the State a supplemental payment described in subsection (c) based on the alternate calculation method described in subsection (b) for 1 or more counties in a State if the office for that State determines that the alternate calculation method is necessary to ensure that, to the maximum extent practicable, there are not significant yield calculation disparities between comparable counties in the State.

(b) The alternate calculation method referred to in subsection (a) is a method of calculating the actual yield for the 2016 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), under which—

(1) county data of the National Agricultural Statistics Service (referred to in this section as “NASS data”) is used for the calculations;

(2) if there is insufficient NASS data for a county (as determined under standards of the Secretary in effect as of the date of enactment of this Act) or the available NASS data produces a substantially disparate result, the calculation of the county yield is determined using comparable contiguous county NASS data as determined by the Farm Service Agency office in the applicable State; and

(3) if there is insufficient NASS data for a comparable contiguous county (as determined under standards of the Secretary in effect as of the date of enactment of this Act), the calculation of the county yield is determined using reliable yield data from other sources, such as Risk Management Agency data, National Agricultural Statistics Service district data, National Agricultural Statistics Service State yield data, or other data as determined by the Farm Service Agency office in the applicable State.

(c)(1) A supplemental payment made under the pilot program established under this section may be made to an agricultural producer who is subject to the alternate calculation method described in subsection (b) if that agricultural producer would otherwise receive a county-level agriculture risk coverage payment for the 2016 crop year in an amount that is less than the

payment that the agricultural producer would receive under the alternate calculation method.

(2) The amount of a supplemental payment to an agricultural producer under this section may not exceed the difference between—

(A) the payment that the agricultural producer would have received without the alternate calculation method described in subsection (b); and

(B) the payment that the agricultural producer would receive using the alternate calculation method.

(d)(1) There is appropriated to the Secretary, out of funds of the Treasury not otherwise appropriated, \$5,000,000 to carry out the pilot program described in this section.

(2) Of the funds appropriated, the Secretary shall use not more than \$5,000,000 to carry out the pilot program described in this section.

(e)(1) To the maximum extent practicable, the Secretary shall select States to participate in the pilot program under this section so the cost of the pilot program equals the amount provided under subsection (d).

(2) To the extent that the cost of the pilot program exceeds the amount made available, the Secretary shall reduce all payments under the pilot program on a pro rata basis.

(f) Nothing in this section affects the calculation of actual yield for purposes of county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than payments made in accordance with the pilot program under this section.

(g) A calculation of actual yield made using the alternate calculation method described in subsection (b) shall not be used as a basis for any agriculture risk coverage payment determinations under section 1117 of the Agricultural Act of 2014 (7 U.S.C. 9017) other than for purposes of the pilot program under this section.

On page 89 of the bill, in the appropriate place insert the following section:

SEC. 752. None of the funds appropriated in this Act shall be used to write, prepare, or publish an interim final rule or final rule in furtherance of, or otherwise to implement or enforce, any portion of the proposed rule entitled “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” (81 Fed. Reg. 8015 (February 17, 2016)), that would—

(a) alter the definition of a retail food store by establishing a threshold for the amount of an entity’s total food sales that must be for items that are not cooked or heated on-site before or after purchase;

(b) establish a minimum number of stocking units required for each food item in a staple food category; or

(c) alter the definition of a staple food by—

(1) changing the manner in which commercially processed foods and prepared mixtures with multiple ingredients are counted; or

(2) expanding the scope of accessory food items beyond the list of food items described in 7 U.S.C. 2012(q)(2).

On page 7 of the report, under the boxhead “Office of the Secretary”, strike “51,150,000” and insert “54,150,000”.

On page 7 of the report, under the paragraph “Committee Recommendations”, strike “\$51,150,000” and insert “\$54,150,000”.

On page 7 of the report, in the table under “Office of Advocacy and Outreach”, strike “1,220” and insert “4,220” and strike in the total “51,150” and insert “54,150”.

On page 9 in the report, in the paragraph “Outreach to Socially Disadvantaged and Veteran Farmers and Ranchers”, insert the following sentence:

Additionally, the Committee recommendation includes an increase of \$3 million in discretionary funding for these activities.

On page 13 of the report, under the boxhead “Agriculture Buildings and Facilities”, strike the Committee Recommendation of “\$84,365,000” and insert “\$74,365,000”.

On page 13 of the report, under the paragraph “Committee Recommendations”, strike “\$84,365,000” and insert “\$74,365,000”.

On page 19 of the report, strike “\$2,000,000” and insert “\$1,250,000”, and under “Cover Crops Research and Outreach” strike “encourages” and insert “recommendation includes \$750,000 for”.

On page 32 of the report, between “Bee Pests” and “Brucellosis” insert the following paragraph:

Bovine Tuberculosis and Brucellosis. - Prior to finalizing the proposed rule on Brucellosis and Bovine Tuberculosis, Update to General Provisions (Docket No. APHIS-2011-0044), the Committee urges USDA-APHIS to develop and submit to the Committee a detailed report on the amount of federal and state funding required to carry-out the various provisions of the proposed rule.

On page 36 of the report, under Committee Recommendations, above “National Organic Certification Cost-Share Program” insert the following paragraph:

Organic Livestock Proposed Rule. – The Committee is aware that USDA released a proposed rule on April 7, 2016, titled “National Organic Program: Organic Livestock and Poultry Practices.” The Committee directs the Secretary to ensure that all comments are taken into consideration, including those from producers adversely impacted by the proposal’s new compliance requirements, when finalizing the proposed rule.

On page 42 of the report, in the table strike “1,208,412” and insert “1,210,412” and strike “1,518,022” and insert “1,520,022”.

On page 42 of the report, under the paragraph “Committee Recommendations”, strike “\$1,518,022,000” and insert “\$1,520,022,000” and strike “\$1,208,412,000” and insert “\$1,210,412,000”.

On page 42 of the report, under the paragraph “Committee Recommendations” after “across county offices,” insert the following:

\$2,000,000 for New Beginning and Veteran Farmers and Ranchers,

On page 64 in the report, strike the paragraph after the header “Energy Efficiency Coordination” and insert the following language:

To better utilize the energy efficiency and renewable energy programs available through the Rural Energy for America Program, USDA is directed to submit a report to the Committee no later than 120 days after enactment of this act detailing how the Rural Development agencies make information about its energy programs accessible to rural communities and how U.S. funds are being leveraged for energy efficiency investments in rural areas.

On page 67 of the report, between the “Rural Electrification and Telecommunications Loans Program Account” table and the “Distance Learning, Telemedicine, and Broadband Program Loans and Grants” table insert the following paragraph:

Electric Loan Servicing Flexibility.—The Committee is concerned that the RUS may not have available a full range of loan servicing tools necessary to service effectively its electric loan portfolio that is now approaching \$45 billion. Specifically, RUS’ ability to refinance existing electric loans is severely limited. This loan portfolio is too important to rural electric cooperatives and their rural customers for RUS not to have accessible all of the servicing options that are needed and are typically available to a lender. The Secretary is directed to report to the Committee within 60 days of enactment on: current restrictions on electric loan refinancing; potential benefits to electric cooperatives and rural customers of refinancing loans; benefits to the program of expanding refinancing abilities; expected demands; and estimated costs of electric loan refinancing.

On page 68 of the report, after “Broadband Program” insert the following paragraph:

Community Connect Service Definition. – The Committee is concerned that the Community Connect Program’s Minimum Broadband Service benchmark is not in step with current needs and industry standards, and the Committee encourages USDA to increase the program’s Minimum Broadband Service definition. These changes will enable more rural communities that lack adequate broadband service to engage with the Rural Utilities Service and will encourage providers to improve their connectivity.

On page 69 of the report, after “Interagency Partnerships” and before “Potable Water” insert the following paragraph:

Nutrition Program Efficiency. – The Committee encourages the Secretary to focus process and technology improvement grants within the Food and Nutrition Service (FNS) to expand public-private partnerships to increase food security in a cost-efficient and accountable manner.

On page 74 of the report, after the paragraph “Out-of-State Moves” insert the following paragraph:

State SNAP Implementation.— The Committee is concerned about implementation of the SNAP program in certain states where states are failing to meet the required deadlines for processing applications. The Department is encouraged to work closely with States to remedy program deficiency and be aggressive in combating any falsification of SNAP implementation data.

On page 86 of the report, between “Food Contact Notification User Fees” and “Food Traceability” insert the following paragraph:

Food Packaging.—The Committee encourages FDA to increase the involvement of experts in endocrinology as FDA continues to evaluate the chemical BPA and similar alternatives such as BPS as it relates to health safety of human exposure through food packaging. Evaluations shall include specific focus on the long-term low-dose exposure that these chemicals have on the endocrine system.

On page 88 of the report, between “Medical Devices” and “Medical Foods” insert the following paragraph:

Medical Device Performance. – The Committee is aware that each year the FDA is required to submit a report to Congress regarding performance goals for user fees paid by medical device manufacturers. However, the Committee is concerned that FDA may not be providing information about how the FDA is meeting timelines established in law by Congress. The Committee directs the FDA to provide a report to the Committee within 90 days of the date of enactment including performance information for statutory timelines for medical devices, specifically: the number of de novo requests under 513(f)(2) for which FDA has met the 120 day statutory requirement, and the total number of de novo requests submitted; the number of requests for classification under 513(g) and the number for which FDA has met the 60 day statutory requirement; and, the number of orders for postmarket device surveillance under 522 for which the FDA has responded within 60 days of receipt of such plan.

On page 89 of the report, strike the last sentence of the “Medical Gases” paragraph and insert the following:

If FDA fails to issue final regulations with respect to medical gases by the statutory deadline, the Agency shall incorporate by reference voluntary consensus safety and labeling standards developed by an ANSI-accredited standard development organization until such time as the Agency issues final regulations consistent with Section 1112 of Public Law 112-144.

On page 91 of the report, at the end of the “Sunscreen Ingredients” paragraph, insert the following:

In addition, the Committee directs the FDA to finalize a rule limiting the maximum Sun Protection Factor (SPF) to “50” or “50+”, which was first proposed in 2011, within 90 days of enactment of this Act, and to issue a proposed rule to establish testing and labeling standards for sunscreen sprays within 90 days of enactment of this Act.

On page 96 of the report, in the appropriate place, insert the following section.

Section 750. This section includes language regarding agriculture research.

On page 96 of the report, in the appropriate place, insert the following section.

Section 751. This section includes language regarding the Agriculture Risk Coverage Program.

On page 96 of the report, in the appropriate place, insert the following section.

Section 752. This section includes language regarding the SNAP program.