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Agriculture and Related Agencies: FY2019 Appropriations

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Summary

The Agriculture appropriations bill funds the U.S. Department of Agriculture (USDA) except for the Forest Service. It also funds the Food and Drug Administration (FDA) and—in even-numbered fiscal years—the Commodity Futures Trading Commission (CFTC).

Agriculture appropriations include both mandatory and discretionary spending. Discretionary amounts, though, are the primary focus during the bill's development. The largest discretionary spending items are the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); agricultural research; FDA; rural development; foreign food aid and trade; farm assistance programs; food safety inspection; conservation; and animal and plant health programs. The main mandatory spending items are the Supplemental Nutrition Assistance Program (SNAP), child nutrition, crop insurance, and the farm commodity and conservation programs paid by the Commodity Credit Corporation.

For FY2019, both the House and Senate Appropriations Committees reported agriculture bills (H.R. 5961, S. 2976) in May 2018. The Senate amended and passed its version as Division C of a four-bill minibus on August 1, 2018 (H.R. 6147). In the absence of a final appropriation, Congress enacted two continuing resolutions through December 21, 2018 (P.L. 115-245, Division C; and H.J.Res 143).

The Trump Administration requested $17 billion for discretionary-funded accounts within the jurisdiction of Agriculture appropriations, a reduction of $6.2 billion from FY2018 (-27%). Both the House-reported and Senate-passed bills generally reject most of the proposed reductions.

The discretionary total of the House-reported bill is $23.23 billion, which would be $14 million less than enacted in FY2018 (-0.1%). The discretionary total of the Senate-passed bill is also $23.23 billion. However, the Senate bill's total would be $229 million more than enacted in FY2018 (+1%) on a comparable basis that excludes the CFTC. The Senate-passed bill would provide about $250 million more than the House-passed bill on a comparable basis.

The primary changes at the agency level that comprise the differences between the bills and from FY2018 include the following: Both the House and Senate bills would increase FDA appropriations (+$308 million in the House bill; +$159 million in the Senate bill). Both bills increase appropriations for animal and plant health programs (+$16 million to +$19 million). The House bill would provide more base funding for rural water and waste disposal (+$81 million), but none of the extra money that was provided separately in FY2018. The Senate bill would not change the base funding for rural water but continues $400 million of the extra funding from last year. For rural broadband, both the House and Senate bills would continue extra funding from a FY2018 pilot ($550 million in the House bill; $425 million in the Senate bill). The House bill would increase appropriations for agricultural research (+$79 million), and the Senate bill would increase Agricultural Research Service programming (+98 million) but would not provide any money for construction (-$141 million). Both bills provide less for WIC (-$175 million in the House bill, and -$25 million in the Senate bill), though the Senate bill has a larger rescission from prior-year WIC funds than does the House bill. The House bill would reduce base funding for the international Food for Peace program (-$100 million) and does not renew extra funding provided last year (-$116 million), while the Senate bill would keep it constant overall.

The appropriations also carries mandatory spending—largely determined in separate authorizing laws—that would total $122 billion. Thus, the overall total of the both bills is about $145 billion.

Both bills contain policy provisions affecting disaster programs, rural definitions, industrial hemp, animal products, nutrition programs, dietary guidelines, CFTC, and tobacco products.

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Status of FY2019 Agriculture Appropriations

Both the House and Senate Appropriations Committees have reported Agriculture appropriations bills for FY2019 (H.R. 5961, S. 2976). The Senate amended and passed its version as Division C of a four-bill minibus (H.R. 6147). In the absence of a final appropriation, FY2019 began under two continuing resolutions that last until December 21 (**Table 1**).

Specifically, the House Appropriations Committee passed its bill, H.R. 5961, on May 16, 2018, after the Agriculture Subcommittee passed its markup on May 9. The Senate Appropriations Committee passed its bill, S. 2976, on May 24, 2018, after the Agriculture Subcommittee passed its markup on May 22. The full Senate passed a four-bill minibus containing agriculture appropriations on August 1, 2018 (**Figure 1**, **Appendix B**).

Higher discretionary budget caps in the Bipartisan Budget Act of 2018 (P.L. 115-123) may facilitate enactment of a final appropriation. The discretionary total of the House-reported bill is $23.23 billion and would be $14 million less than enacted in FY2018 (-0.1%; **Table 2**). The discretionary total of the Senate-passed bill is also $23.23 billion. However, the Senate bill's total would be $229 million more than enacted in FY2018 (+1%) on a comparable basis that excludes the Commodity Futures Trading Commission (CFTC).[1] The Senate-passed bill would provide about $250 million more than the House-passed bill on a comparable basis.

The appropriations also carry mandatory spending—though that is largely determined in separate authorizing laws—that would total nearly $122 billion. Thus, the overall total of each of the proposed bills is about $145 billion.

The Trump Administration released its FY2019 budget request on February 12, 2018,[2] along with the detailed justification from the U.S. Department of Agriculture (USDA).[3] The Administration requested $17 billion of discretionary Agriculture appropriations (including CFTC), which would have been a reduction of $6.2 billion from FY2018 (-27%).

Table 1. Status of FY2019 Agriculture Appropriations

House Action			Senate Action				
Subcmte.	**Cmte.**	**Floor**	**Subcmte.**	**Cmte.**	**Floor**	**Continuing Resolution**	**Final Appropriation**
5/9/2018 Draft[a] Voice vote	5/16/2018 H.R. 5961 H.Rept. 115-706 Vote 31-20	—	5/22/2018 Draft Voice vote	5/24/2018 S. 2976 S.Rept. 115-259 Vote 31-0	8/1/2018 H.R. 6147 Division C Vote 92-6	12/7/2018 H.J.Res 143 until 12/21/18 (P.L. 115-245, Division C)	—

Source: CRS, compiled from the Legislative Information System.

a. The House subcommittee draft is at https://docs.house.gov/meetings/AP/AP01/20180509/108287/BILLS-115HR-SC-AP-FY2019-Agriculture-SubcommitteeDraft.pdf, and the committee report draft is at https://docs.house.gov/meetings/AP/AP00/20180516/108312/HRPT-115-HR-FY2019-Agriculture.pdf.

[1] Jurisdiction for CFTC appropriations differs between the chambers. Since FY2008, CFTC is marked up in the Agriculture Subcommittee of the House Appropriations Committee and in the Financial Services and General Government Subcommittee of the Senate Appropriations Committee. The enacted CFTC appropriation is carried in the Agriculture bill in even-numbered fiscal years and in the Financial Services bill in odd-numbered fiscal years.

[2] Office of Management and Budget (OMB), *FY2019 Budget of the U.S. Government*, especially in the Appendix, https://www.whitehouse.gov/omb/appendix.

[3] USDA, *FY2019 USDA Budget Summary*; and USDA, *2019 Explanatory Notes*, http://www.obpa.usda.gov.

Table 2. Agriculture and Related Agencies Appropriations, by Title, FY2018-FY2019

(budget authority in millions of dollars)

	FY2018	FY2019				Change FY2018 to FY2019...	
Title of Agriculture Appropriations Act	**P.L. 115-141**	**Admin. Request**	**House H.R. 5961**	**Senate H.R. 6147**	**Enacted**	**House**	**Senate**
I. Agricultural Programs: Discretionary	5,622.8	4,752.9	5,704.5	5,587.8	—	+81.7	-35.1
Mandatory	*1,344.0*	*1,374.0*	*1,374.0*	*1,374.0*	—	*+30.0*	*+30.0*
Subtotal	*6,966.8*	*6,126.9*	*7,078.5*	*6,961.8*	—	*+111.7*	*-5.1*
II. Farm Production and Conservation Programs	2,735.6	2,197.9	2,760.3	2,728.0	—	+24.7	-7.6
Mandatory	*23,198.3*	*24,097.5*	*24,097.5*	*24,097.5*	—	*+899.2*	*+899.2*
Subtotal	*25,933.9*	*26,295.4*	*26,857.8*	*26,825.5*	—	*+923.9*	*+891.6*
III. Rural Development	3,000.9[a]	2,022.5	3,078.5[a]	3,000.9[a]	—	+77.6	+0.0
IV. Domestic Food Programs: Discretionary	6,709.8	5,990.1	6,528.5	6,696.1	—	-181.2	-13.7
Mandatory	*98,209.6*	*96,342.3*	*96,344.8*	*96,344.8*	—	*-1,864.9*	*-1,864.9*
Subtotal	*104,919.4*	*102,332.3*	*102,873.3*	*103,040.9*	—	*-2,046.1*	*-1,878.5*
V. Foreign Assistance	2,021.0[a]	205.0	1,925.8	2,152.3	—	-95.2	+131.4
VI. Related Agencies:							
Food and Drug Administration	2,811.9[a]	3,183.7	3,119.6	2,970.9	—	+307.7	+159.0
Commodity Futures Trading Commission	249.0	281.5	255.0	[281.5][b]	—	+6.0	[+32.5][b]
VII. General Provisions:							
CHIMPS and rescissions[c]	-801.0	-1,197.8	-315.0	-395.0	—	+486.0	+406.0
Other appropriations	1,378.1	0.0	579.5	889.5	—	-798.6	-488.6
Scorekeeping adjustments[d]	-481.0	-409.0	-404.0	-404.0	—	+77.0	+77.0
Discretionary: Senate basis w/o CFTC	[22,998.0]	**16,745.2**	[22,977.8]	**23,226.5**	—	-20.2	+228.5
Discretionary: House basis w/ CFTC	**23,247.0**	**17,026.7**	**23,232.8**	[23,508.0][b]	—	-14.2	+261.0[b]
Mandatory	*122,752.0*	*121,813.8*	*121,816.3*	*121,816.3*	—	-935.7	-935.7
Total: Senate basis w/o CFTC	*[145,750.0]*	*138,559.0*	*[144,794.0]*	*145,042.8*	—	-955.9	-707.2
Total: House basis w/ CFTC	*145,999.0*	*138,840.5*	*145,049.0*	[145,324.3][b]	—	-949.9	-674.7[b]

Source: CRS, using appropriations text and reports and unpublished CBO tables.

Notes: Amounts are nominal discretionary budget authority in millions of dollars unless labeled otherwise. Excludes amounts in supplemental appropriations acts. Bracketed amounts are not in the official totals due to differing House-Senate jurisdiction for CFTC.

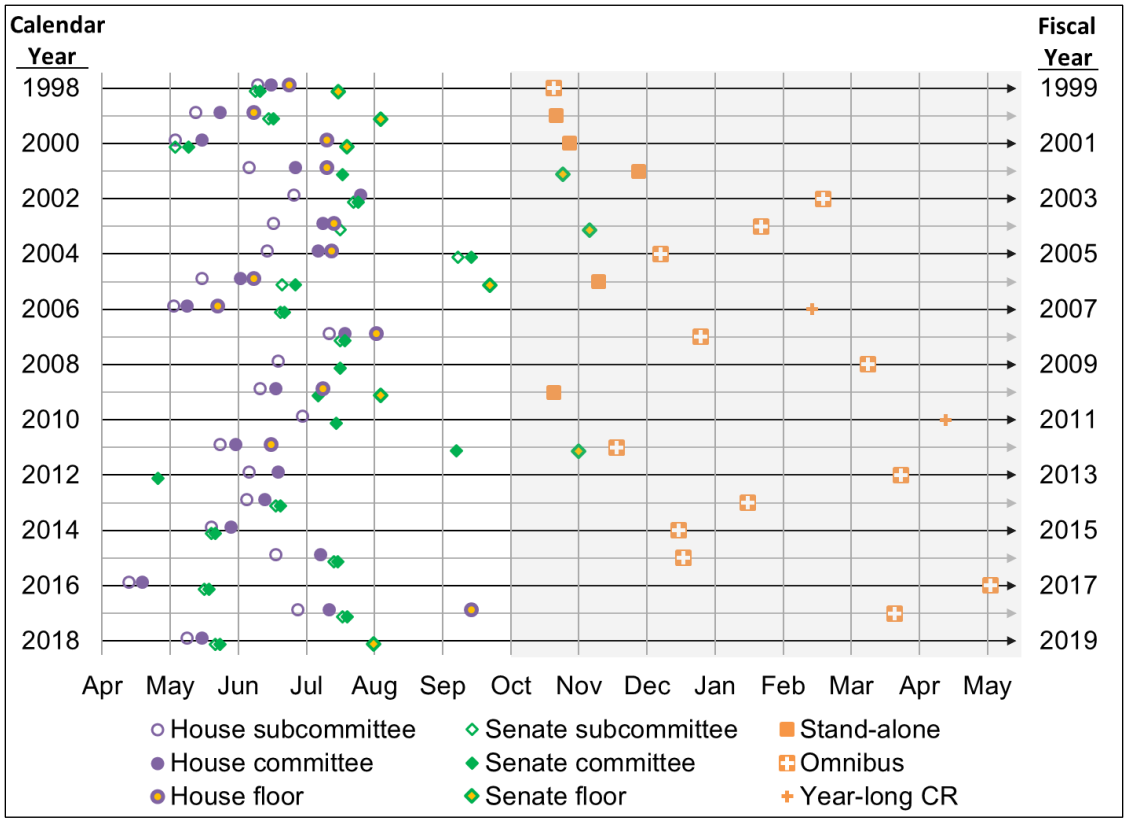
a. Excludes a portion of the other appropriations that are provided separately in General Provisions.

b. See Division B of H.R. 6147.

c. Changes in Mandatory Program Spending (CHIMPS) are reductions made to mandatory programs via appropriations. Rescissions are permanent cancellations of previously provided budget authority.

d. "Scorekeeping adjustments" are not necessarily appropriated but are part of the official CBO accounting.

Figure 1. Timeline of Action on Agriculture Appropriations, FY1999-FY2019



Source: CRS.

Scope of Agriculture Appropriations

The Agriculture appropriations bill—formally known as the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act—funds all of USDA, excluding the U.S. Forest Service. It also funds the Food and Drug Administration (FDA) in the Department of Health and Human Services. In even-numbered fiscal years, the act carries CFTC funding under a practice started in FY2008 for handling House-Senate jurisdictional differences.

Jurisdiction is with the House and Senate Committees on Appropriations and their respective Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. The bill includes mandatory and discretionary spending, but the discretionary amounts are the primary focus during the bill's development. The scope of the bill is shown in **Figure 2**.

The federal budget process treats discretionary and mandatory spending differently:[4]

- **Discretionary spending** is controlled by annual appropriations acts and receives most of the attention during the appropriations process. The annual budget resolution[5] process sets spending limits for discretionary appropriations. Agency operations (salaries and expenses) and many grant programs are discretionary.

[4] See CRS Report R44582, *Overview of Funding Mechanisms in the Federal Budget Process, and Selected Examples*.

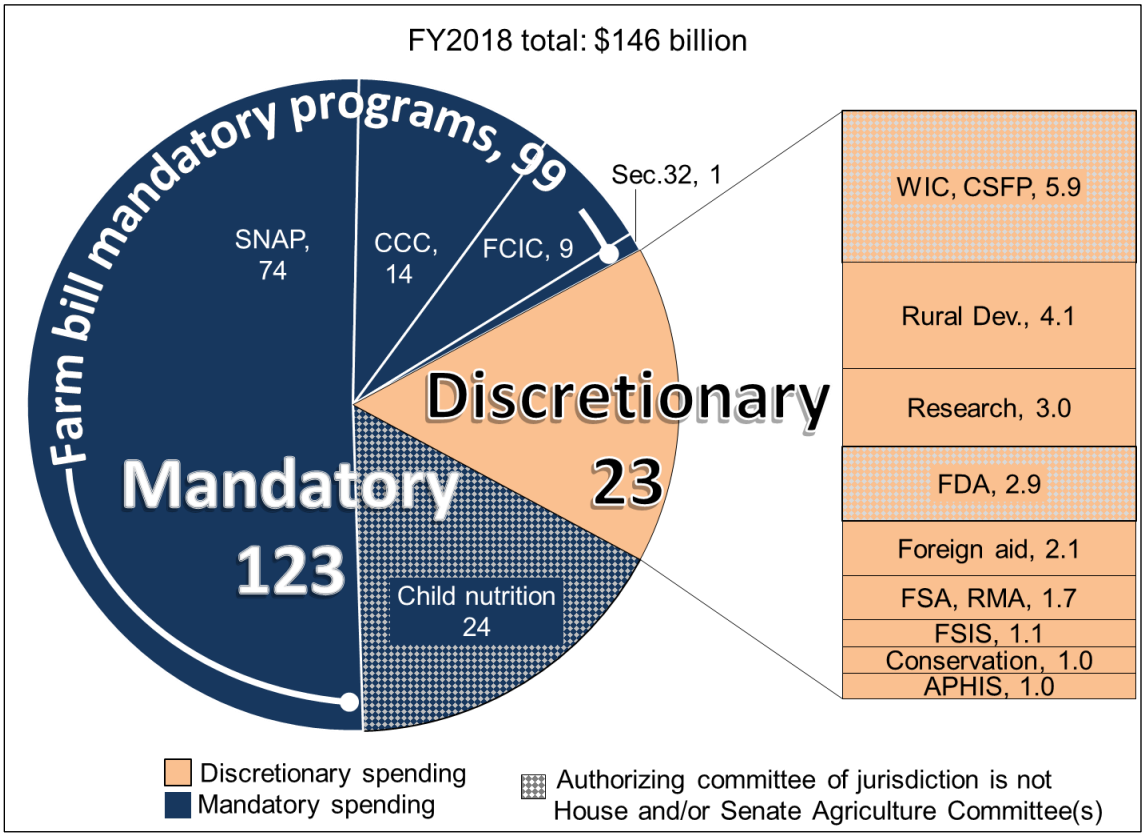
[5] See CRS Report R42388, *The Congressional Appropriations Process: An Introduction*.

- **Mandatory spending**[6]—though carried in the appropriation and usually advanced unchanged—is controlled by budget rules during the authorization process.[7] Spending for so-called entitlement programs is set in laws such as the 2014 farm bill[8] and 2010 child nutrition reauthorizations.[9]

In the FY2018 Agriculture appropriations, discretionary appropriations were 16% ($23.3 billion) of the $146 billion total. Mandatory spending carried in the act comprised $123 billion, about 84% of the total. About $99 billion of the $123 billion mandatory amount could be attributed to programs in the 2014 farm bill (**Figure 2**). Some programs are not in the authorizing jurisdiction of the House or Senate Agriculture Committees.

Figure 2. Scope of Agriculture and Related Agencies Appropriations

(FY2018 budget authority in billions of dollars)



Source: CRS. Does not show some agencies under $0.5 billion. Includes General Provisions with agencies.

Notes: SNAP = Supplemental Nutrition Assistance Program; CCC = Commodity Credit Corporation; FCIC = Federal Crop Insurance Corporation; Section 32 = Funds for Strengthening Markets, Income and Supply; WIC = Special Supplemental Nutrition Program for Women, Infants, and Children; CSFP = Commodity Supplemental Food Program; FDA = Food and Drug Administration; FSA = Farm Service Agency; RMA = Risk Management Agency; FSIS = Food Safety and Inspection Service; APHIS = Animal and Plant Health Inspection Service.

[6] Mandatory spending creates funding stability and consistency compared to annual discretionary appropriations. In agriculture, it originated with farm commodity programs that had uncertain outlays due to weather and markets.

[7] See CRS Report 98-560, *Baselines and Scorekeeping in the Federal Budget Process*.

[8] P.L. 113-79. See CRS In Focus IF10783, *Farm Bill Primer: Budget Issues*.

[9] P.L. 111-296. See CRS Report R44373, *Tracking the Next Child Nutrition Reauthorization: An Overview*.

Within the discretionary total, the largest discretionary spending items are the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); rural development; agricultural research; FDA; foreign food aid and trade; farm assistance program salaries and loans; food safety inspection; conservation; and animal and plant health programs (**Figure 2**).

The main mandatory spending items are the Supplemental Nutrition Assistance Program (SNAP, and other food and nutrition act programs), child nutrition (school lunch and related programs), crop insurance, and farm commodity and conservation programs that are paid through USDA's Commodity Credit Corporation (CCC). SNAP is referred to as an "appropriated entitlement" and requires an annual appropriation.[10] Amounts for the nutrition program are based on projected spending needs. In contrast, the CCC operates on a line of credit. The annual appropriation provides funding to reimburse the Treasury for the use of this line of credit.

Key Budget Terms

Budget authority is the main purpose of an appropriations act or a law authorizing mandatory spending. It provides the legal basis from which to obligate funds. It expires at the end of a period and is usually available for one year unless specified otherwise (e.g., two years or indefinite). Most amounts in this report are budget authority.

Obligations are contractual agreements between an agency and its clients or employees. They occur when an agency proceeds to spend money from its budget authority. The Antideficiency Act prohibits agencies from obligating more budget authority than is provided in law, such as during a government shutdown.

Outlays are the payments (cash disbursements) that satisfy a valid obligation. Outlays may differ from budget authority or obligations because payments from an agency may not occur until services are fulfilled, goods are delivered, or construction is completed, even though an obligation occurred.

Program level represents the sum of the activities supported or undertaken by an agency. A program level may be higher than a budget authority if the program (1) receives **user fees** that can be used to pay for activities, (2) makes or guarantees **loans** that are leveraged on the expectation of repayment (more than $1 of loan authority for $1 of budget authority), or (3) receives **transfers** from other agencies.

Rescissions are adjustments that cancel or reduce budget authority after enactment. They score budgetary savings.

CHIMPS (Changes in Mandatory Program Spending) are adjustments in an appropriations act to mandatory budget authority. CHIMPS in appropriations usually reduce or limit spending by mandatory programs for one year and score budgetary savings. They do not change the underlying authority of the program in statute.

For more background, see CRS Report 98-721, *Introduction to the Federal Budget Process*.

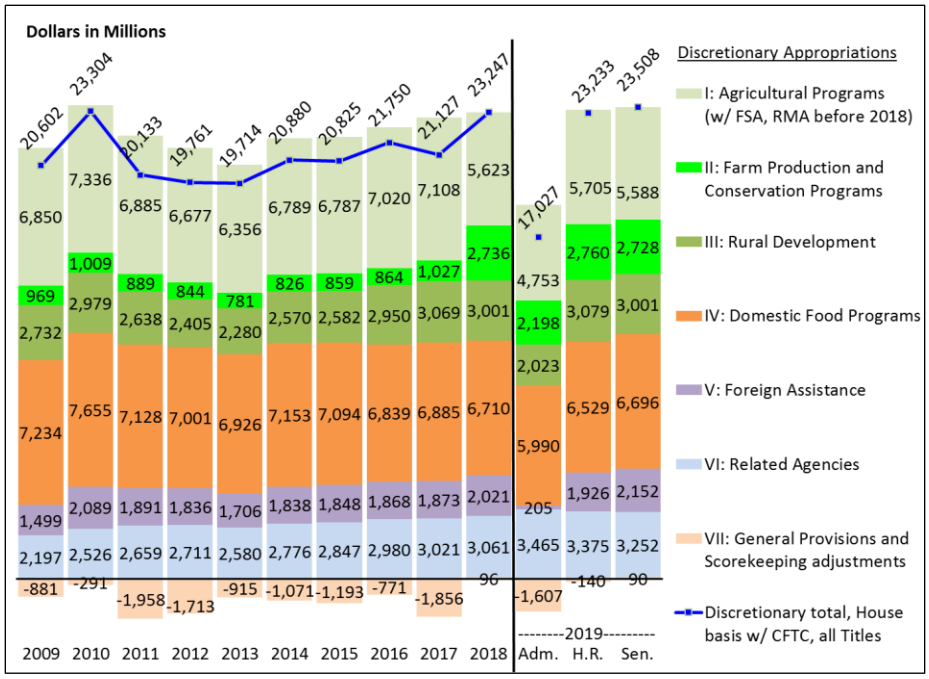
Recent Trends in Agriculture Appropriations

Over time, changes by title of the Agriculture appropriations bill have generally been proportionate to changes in the bill's total discretionary limit, though some activities have sustained relative increases and decreases. Agriculture appropriations peaked in FY2010, declined through FY2013, and since then have increased (**Figure 3**). Comparisons to historical benchmarks, though, may be affected by adjustments for inflation (**Figure 4**). In FY2018, USDA reorganization affected the placement of some programs between Titles I and II of the bill.

The stacked bars in **Figure 3** represent the discretionary authorization for each appropriations title. The total of the positive stacked bars is the budget authority in Titles I-VI. Prior to FY2018, it was higher than the official discretionary spending allocation (the line) because of the budgetary offset from negative amounts in Title VII (general provisions) and other scorekeeping adjustments that were negative mostly due to limits on mandatory programs and rescissions.

[10] See CRS Report RS20129, *Entitlements and Appropriated Entitlements in the Federal Budget Process*.

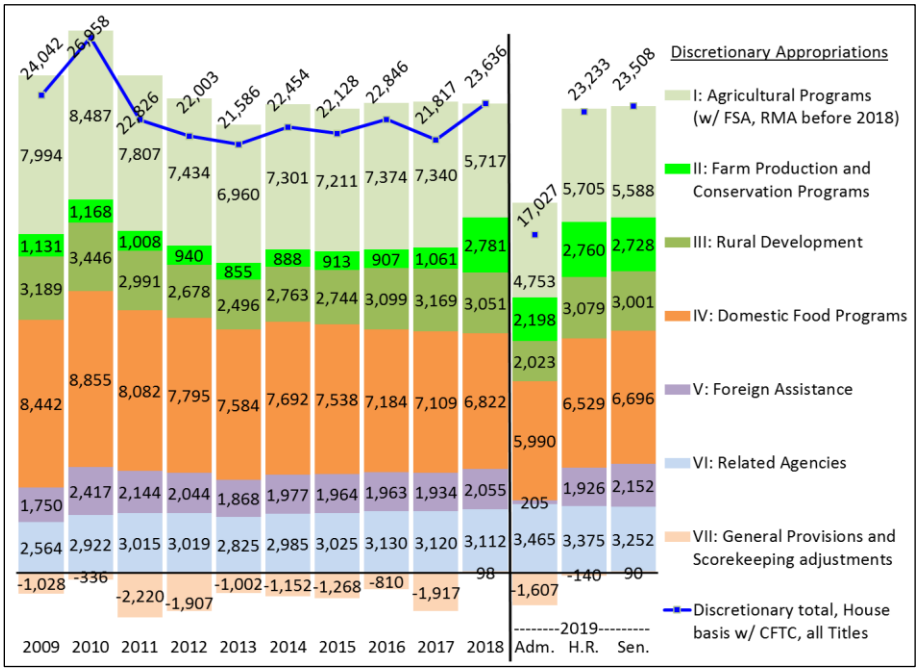
Figure 3. Discretionary Agriculture Appropriations, by Title, FY2009-FY2019



Source: CRS.

Note: For FY2019, Adm. is the Administration's request, H.R. is committee-reported H.R. 5961 and Sen. is Senate-passed H.R. 6147. Includes CFTC in Related Agencies in all years.

Figure 4. Inflation-Adjusted Agriculture Appropriations, FY2009-FY2019



Source: CRS.

Note: For FY2019, Adm. is the Administration's request, H.R. is committee-reported H.R. 5961 and Sen. is Senate-passed H.R. 6147. Includes CFTC in Related Agencies in all years. Budget authority is millions of dollars adjusted to FY2019 using the gross domestic product price deflator.

Action on FY2019 Appropriations

Administration's Budget Request

The Trump Administration released its FY2019 budget request on February 12, 2018,[11] one week later than the usual first Monday in February. USDA concurrently released its more detailed budget summary and justification,[12] as did the FDA,[13] and the independent agencies of the CFTC[14] and the Farm Credit Administration (FCA).[15] The Administration also highlighted some of the proposed reductions and eliminations separately.[16]

From these documents, the congressional appropriations committees evaluated the request and began to consider their own bills in the spring of 2018. For accounts in the jurisdiction of the Agriculture appropriations bill, the Administration's budget proposed $17.4 billion, a 25% reduction from FY2018 (**Table 2**, **Figure 3**).

The timing of the Administration's budget request for FY2019 preceded Congress enacting the final, omnibus FY2018 appropriation in March 2018. Therefore, amounts in the FY2018 column of the Administration's budget documents are based on FY2017 and the continuing resolution and are not reliable indicators of the enacted FY2018 levels that came later.

Discretionary Budget Caps and Subcommittee Allocations

Budget enforcement for appropriations has both procedural and statutory elements.

The procedural elements are associated with the budget resolution and are enforced through points of order. Typically, each chamber's full Appropriations Committee receives a top-line procedural limit on discretionary budget authority, referred to as a "302(a)" allocation, from the Budget Committee via an annual budget resolution passed by each chamber. The Appropriations Committees then each in turn subdivide their allocation among their subcommittees, referred to as the "302(b)" allocations.[17]

The statutory elements impose limits on discretionary spending in FY2012-FY2021 and are enforced through discretionary budget caps and sequestration (2 U.S.C. 901(c)).[18] The Budget Control Act of 2011 (BCA, P.L. 112-25) set discretionary budget caps through FY2021 as a way of reducing federal spending.[19] Bipartisan Budget Acts (BBA) in 2013, 2015, and 2018 (P.L. 113-67, P.L. 114-74, and P.L. 115-123, respectively) have avoided sequestration on discretionary spending—with the exception of FY2013—by raising those caps (**Appendix A**).[20]

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[11] OMB, *FY2019 Budget of the U.S. Government*, Appendix, https://www.whitehouse.gov/omb/appendix.

[12] USDA, *FY2019 USDA Budget Summary*; and USDA, *2019 Budget Explanatory Notes*, http://www.obpa.usda.gov.

[13] FDA, *FY2019 FDA Justification of Estimates for Appropriations*, https://www.hhs.gov/about/budget/index.html.

[14] CFTC, *FY2019 CFTC Budget Request*, https://www.cftc.gov/sites/default/files/idc/groups/public/documents/file/cftcbudget2019.pdf.

[15] FCA, *FY2019 FCA Proposed Budget*, https://www.fca.gov/Download/BudgetFY2019.pdf.

[16] OMB, *FY2019 Budget of the U.S. Government*, *Major Savings and Reforms.*

[17] CRS Report R42388, *The Congressional Appropriations Process: An Introduction*.

[18] CRS Report R42972, *Sequestration as a Budget Enforcement Process: Frequently Asked Questions*.

[19] CRS Report R43411, *The Budget Control Act of 2011: Legislative Changes to the Law and Their Budgetary Effects*.

[20] Looking to the future, though, the budget caps for FY2020 and FY2021 remain unchanged from the original BCA in 2011. They are less than the revised caps for FY2019. Unless the caps change, this implies less future spending.

In February 2018, the BBA raised the FY2019 cap on nondefense discretionary spending by $68 billion and the cap on defense spending by $85 billion.[21] It also provided language to execute (or "deem") those higher caps for the appropriations process without following the usual procedures for an FY2019 budget resolution.[22]

Under these higher caps and authorities, the House and Senate Appropriations Committees proceeded to mark up the FY2019 appropriations bills. The Agriculture appropriations bills are receiving roughly the same subcommittee allocation ("302(b)" allocation) in each chamber that was used to complete the FY2018 appropriation under the BBA. For FY2019, the subcommittee allocations for agriculture appropriations are

- House: $23.273 billion (H.Rept, May 23, 2018), including the CFTC.
- Senate: $23.235 billion (S.Rept. 115-260, May 24, 2018), excluding the CFTC.

House Action

The House Agriculture Appropriations Subcommittee marked up its FY2019 bill on May 9, 2018, by voice vote.[23] On May 16, 2018, the full Appropriations Committee passed and reported an amended bill (H.R. 5961, H.Rept. 115-706) by a vote of 31-20 (**Table 1**, **Figure 1**).

The $23.23 billion discretionary total in the House-reported FY2019 Agriculture appropriation would be $14 million less than enacted in FY2018 (-0.1%; **Table 2**, **Figure 3**). Generally speaking, the House-reported bill does not include most of the reductions proposed by the Administration and continues the trend of appropriations from prior years.

Table 3 provides details at the agency level. The primary changes from FY2018 at the agency level that comprise the relatively flat $14 million overall decrease in the House-reported bill would do the following:

- Increase base FDA appropriations by $308 million (+11%). However, it does not continue to separate FDA funding for the opioid crisis that was in the General Provisions title of the FY2018 appropriation (-$94 million).
- Increase agricultural research (+$79 million, +2.6%) by raising appropriations for the Agricultural Research Service and National Institute of Agriculture.
- Increase the Animal and Plant Health Inspection Service (APHIS) by $16 million (+1.7%).
- Increase the Rural Utility Service by $82 million (+13%), mostly in the base funding for rural water and waste disposal programs. However, it does not continue separate funding for rural water that was in the General Provisions title last year (-$500 million) or for telemedicine for the opioid crisis (-$20 million). It reduces separate funding for a broadband pilot program while continuing to fund some of it through the General Provisions title (-$50 million).
- Decrease discretionary appropriations for domestic nutrition assistance programs by reducing WIC by $175 million (-2.8%) and the commodity assistance programs by $15 million (-4.7%). However, the reduction scored in the General

[21] CRS Insight IN10861, *Discretionary Spending Levels Under the Bipartisan Budget Act of 2018*.

[22] CRS Report R45157, *The Bipartisan Budget Act of 2018 and an FY2019 Budget Resolution*.

[23] The House subcommittee draft is at https://docs.house.gov/meetings/AP/AP01/20180509/108287/BILLS-115HR-SC-AP-FY2019-Agriculture-SubcommitteeDraft.pdf, and the draft of the committee report is at https://docs.house.gov/meetings/AP/AP00/20180516/108312/HRPT-115-HR-FY2019-Agriculture.pdf.

Provisions title by rescinding WIC carryover balances is smaller in FY2019, retaining more budget authority (+$500 million).

- Decrease the base funding in international food assistance Food for Peace grants by $100 million (-6.2%) and not continue the extra funding that was in the General Provisions title of the FY2018 appropriations (-$116 million).

In addition to discretionary spending, the appropriations also carry funding for mandatory spending—largely determined in separate authorizing laws—that would total $121.82 billion, about $936 million less than in FY2018 because of automatic changes in economic conditions and entitlement enrollment rather than any change from congressional action. Thus, the overall total of the House-reported bill is about $145 billion.

Senate Action

The Senate Agriculture Appropriations Subcommittee marked up a FY2019 bill on May 22, 2018, by voice vote. On May 24, 2018, the Appropriations Committee passed and reported an amended bill (S. 2976, S.Rept. 115-259) by a vote of 31-0. On August 1, 2018, the Senate passed a four-bill minibus (H.R. 6147) by a vote of 92-6, with agriculture as Division C (**Table 1**, **Figure 1**).

The discretionary total of the Senate-passed bill is also $23.23 billion. However, the Senate bill's total would be $229 million more than enacted in FY2018 (+1%) on a comparable basis that excludes the CFTC, since the latter was part of the enacted FY2018 appropriation. The Senate-passed bill would provide about $250 million more than the House-reported bill would on a comparable basis computed by subtracting CFTC from the House bill.

Table 3 provides details at the agency level. The primary changes from FY2018 at the agency level that comprise the Senate-passed bill's overall $228 million increase are the following:

- Increase base FDA appropriations by $159 million (+6%). Like the House bill, it does not continue separate FDA funding for the opioid crisis that was in the General Provisions title of the FY2018 appropriation (-$94 million).
- Increase APHIS by $19 million (+1.9%), slightly more than the House bill.
- Decrease discretionary appropriations for domestic nutrition assistance programs by reducing WIC by $25 million (-0.4%). This is a smaller reduction than in the House bill. In the rescissions in the General Provisions title, the reduction is smaller than was rescinded in FY2019 (+$400 million). Nonetheless, the Senate bill's rescission is greater than in the House bill.
- Increase international nutrition assistance by raising the base funding for Food for Peace grants by $116 million (+7.2%). The extra funding that was in the General Provisions title of the FY2018 appropriations is not continued (-$116 million).
- Decrease the four agricultural research agencies by $44 million (-1.4%), mostly by providing no funding for ARS building and facilities (-$141 million), while increasing ARS salaries and expenses (+$98 million).
- Decrease the extra funding for rural development compared to the amount provided in the FY2018 General Provisions (-$100 million for rural water, -$175 million for broadband). Base funding for rural development is unchanged overall.

The Senate-passed bill's mandatory spending is virtually identical to that of the House-reported bill ($121.82 billion). Its overall total of discretionary and mandatory appropriations is $145 billion.

Continuing Resolutions

In the absence of a final FY2019 Agriculture appropriation, Congress enacted two continuing resolutions (CRs) to continue government operations beyond October 1, 2018—P.L. 115-245, Division C (through 12/7/2018), and H.J.Res 143 (through 12/21/2018).[24]

In general, a CR continues the funding rates and conditions that were in the previous year's appropriation.[25] The Office of Management and Budget (OMB) may prorate funding to the agencies on an annualized basis for the duration of the CR through a process known as apportionment.[26] For the 81 days (22%) of FY2019 through December 21, the CRs:

- continue the terms of the FY2018 Agriculture appropriations act (Section 101) and exclude the FY2018 change in mandatory program spending (CHIMP) on the Biomass Crop Assistance Program, which is not authorized for FY2019; and
- provide sufficient funding to maintain mandatory program levels, including for nutrition programs (Section 110)—this is standard language for recent years' CRs but is additionally important for SNAP, because some authorizations in the 2014 farm bill began expiring after FY2018.[27]

CRs may adjust prior-year amounts through anomalies or make specific administrative changes. Five anomalies specifically apply to the agriculture appropriation in both CRs:

1. **Child Nutrition Programs:** apportionment for a summer foods program sufficient to allow it to be operational by May 2019 (Section 114).
2. **Rural Utilities Service:** allows a loan authorization level for the Rural Water and Waste Disposal program of $4.141 billion (Section 115).
3. **Commodity Credit Corporation (CCC):** allows CCC to receive its transfer about a month earlier than usual, prior to a final report and audit. Many farm bill payments to farmers are due in October 2018 in addition to USDA's plan to make supplemental payments under a trade assistance program.[28] Without the anomaly, CCC might exhaust its $30 billion line of credit (Section 116).
4. **Agricultural Research Service:** an additional $42 million for operations and maintenance at the National Bio and Agro-Defense Facility (NBAF) being built in Manhattan, Kansas, and being transferred to USDA from the Department of Homeland Security (Section 117).
5. **Department of Homeland Security (DHS):** DHS may transfer up to $15 million to USDA to support NBAF operations (Section 125).

[24] CRS Report R42647, *Continuing Resolutions: Overview of Components and Recent Practices*.

[25] CRS Report RL34700, *Interim Continuing Resolutions (CRs): Potential Impacts on Agency Operations*.

[26] For example, if a CR lasts for three months, then 3/12 of the previous fiscal year amount may be apportioned to limit agency spending. See OMB, "Apportionment of the Continuing Resolution(s) for Fiscal Year 2019," September 28, 2018, https://www.whitehouse.gov/wp-content/uploads/2017/11/bulletin_no_18_05.pdf.

[27] CRS In Focus IF10989, *Expiration of the 2014 Farm Bill: Some Potential Implications*.

[28] CRS Report R45310, *Farm Policy: USDA's Trade Aid Package*.

Table 3. Agriculture and Related Agencies Appropriations, by Agency, FY2016-FY2019

(budget authority in millions of dollars)

	FY2016	FY2017	FY2018	FY2019				Change FY18 to FY19	
Agency or Major Program	**P.L. 114-113**	**P.L. 115-31**	**P.L. 115-141**	**Admin. Request**	**House H.R. 5961**	**Senate H.R. 6147**	**Enacted**	**House**	**Senate**
Title I. Agricultural Programs									
Departmental Administration	373.2	403.9	396.0	369.8	387.8	389.5	—	-8.1	-6.5
Research, Education and Economics									
Agricultural Research Service	1,355.9	1,269.8	1,343.4	1,019.0	1,395.9	1,301.0	—	+52.6	-42.4
National Institute of Food and Agriculture	1,326.5	1,362.9	1,407.8	1,257.7	1,452.6	1,423.2	—	+44.8	+15.4
National Agricultural Statistics Service	168.4	171.2	191.7	165.0	173.7	174.8	—	-18.0	-17.0
Economic Research Service	85.4	86.8	86.8	45.0	86.8	86.8	—	+0.0	+0.0
Under Secretary	0.9	0.9	0.8	0.8	0.8	0.8	—	+0.0	+0.0
Marketing and Regulatory Programs									
Animal and Plant Health Inspection Service	897.6	949.4	985.1	742.0	1,001.5	1,003.7	—	+16.5	+18.6
Agricultural Marketing Service[a]	82.5	86.2	152.8	119.7	154.3	157.1	—	+1.5	+4.3
Section 32 (M)	1,303.0	1,322.0	1,344.0	1,374.0	1,374.0	1,374.0	—	+30.0	+30.0
Grain Inspection, Packers, Stockyards Admin.[a]	43.1	43.5	moved into Agricultural Marketing Service[a]						
Under Secretary	0.9	0.9	0.9	0.8	0.9	0.9	—	+0.0	+0.0
Food Safety									
Food Safety and Inspection Service	1,014.9	1,032.1	1,056.8	1,032.3	1,049.3	1,049.3	—	-7.5	-7.5
Under Secretary	0.8	0.8	0.8	0.8	0.8	0.8	—	+0.0	+0.0
Farm and Commodity Programs[a]									
Farm Service Agency[b]	1,595.1	1,624.0	moved to Title II: Farm Production and Conservation[a]						
FSA Farm Loans: Loan Authority[c]	*6,402.1*	*8,002.6*	moved to Title II: Farm Production and Conservation[a]						

Agency or Major Program	FY2016 P.L. 114-113	FY2017 P.L. 115-31	FY2018 P.L. 115-141	FY2019 Admin. Request	FY2019 House H.R. 5961	FY2019 Senate H.R. 6147	FY2019 Enacted	Change FY18 to FY19 House	Change FY18 to FY19 Senate
Risk Management Agency Salaries and Exp.	74.8	74.8	moved to Title II: Farm Production and Conservation[a]						
Federal Crop Insurance Corporation (M)	7,858.0	8,667.0	moved to Title II: Farm Production and Conservation[a]						
Commodity Credit Corporation (M)	6,871.1	21,290.7	moved to Title II: Farm Production and Conservation[a]						
Under Secretary	0.9	0.9	moved to Title II: Farm Production and Conservation[a]						
Subtotal									
Discretionary	**7,020.3**	**7,107.7**	**5,622.8**	**4,752.9**	**5,704.5**	**5,593.8**	—	**+81.7**	**-29.1**
Mandatory (M)	*16,032.6*	*31,280.2*	*1,344.0*	*1,374.0*	*1,374.0*	*1,374.0*	—	*+30.0*	*+30.0*
Subtotal	*23,052.9*	*38,387.9*	*6,966.8*	*6,126.9*	*7,078.5*	*6,967.8*	—	*+111.7*	*+0.9*
Title II. Farm Production and Conservation[a]									
Business Center	—	—	1.0	196.4	115.4	1.0	—	+114.4	+0.0
Farm Service Agency[b]	moved from Title I[a]		1,625.2	1,294.2	1,518.8	1,622.7	—	-106.4	-2.6
FSA Farm Loans: Loan Authority[c]	moved from Title I[a]		*8,005.6*	*7,617.7*	*7,987.7*	*8,017.7*	—	*-17.9*	*+12.1*
Risk Management Agency Salaries and Exp.	moved from Title I[a]		74.8	37.9	75.4	74.8	—	+0.6	+0.0
Federal Crop Insurance Corporation (M)	moved from Title I[a]		8,913.0	8,687.0	8,687.0	8,687.0	—	-226.0	-226.0
Commodity Credit Corporation (M)	moved from Title I[a]		14,284.8	15,410.0	15,410.0	15,410.0	—	+1,125.2	+1,125.2
Conservation Operations	850.9	864.5	874.1	669.0	890.3	879.1	—	+16.2	+5.0
Watershed and Flood Prevention	—	150.0	150.0	—	150.0	150.0	—	+0.0	+0.0
Watershed Rehabilitation Program	12.0	12.0	10.0	—	10.0	—	—	+0.0	-10.0
Under Secretary	0.9	0.9	0.9	0.9	0.9	0.9	—	+0.0	+0.0
Subtotal									
Discretionary	**863.8**	**1,027.4**	**2,735.6**	**2,197.9**	**2,760.3**	**2,728.0**	—	**+24.7**	**-7.6**
Mandatory (M)	moved from Title I I[a]		*23,198.3*	*24,097.5*	*24,097.5*	*24,097.5*	—	*+899.2*	*+899.2*
Subtotal	moved from Title I I[a]		*25,933.9*	*26,295.4*	*26,857.8*	*26,825.5*	—	*+923.9*	*+891.6*

Agency or Major Program	FY2016 P.L. 114-113	FY2017 P.L. 115-31	FY2018 P.L. 115-141	FY2019 Admin. Request	FY2019 House H.R. 5961	FY2019 Senate H.R. 6147	FY2019 Enacted	Change FY18 to FY19 House	Change FY18 to FY19 Senate
Title III. Rural Development									
Salaries and Expenses (including transfers)[d]	682.9	675.8	680.8	585.9	686.8	682.8	—	+6.0	+2.0
Rural Housing Service	1,616.4	1,654.9	1,582.4	1,351.4	1,582.5	1,585.2	—	+0.2	+2.8
RHS Loan Authority[c]	*27,496.8*	*28,083.4*	*28,390.1*	*27,760.0*	*28,345.5*	*28,590.1*	—	*-44.6*	*+200.0*
Rural Business-Cooperative Service[e]	90.5	97.7	109.5	0.0	99.5	104.2	—	-10.0	-5.4
RBCS Loan Authority[c]	*979.3*	*988.4*	*991.2*	*0.0*	*1,027.5*	*991.2*	—	*+36.3*	*+0.0*
Rural Utilities Service	559.3	639.9	628.1[f]	85.2	709.6[f]	628.7[f]	—	+81.5	+0.6
RUS Loan Authority[c]	*8,210.6*	*8,217.0*	*8,219.9*	*7,413.1*	*8,419.9*	*8,219.9*	—	*+200.0*	*+0.0*
Under Secretary	0.9	0.9	moved to Departmental Administration as an Assistant to the Secretary[a]						
Subtotal, Discretionary	**2,950.0**	**3,069.2**	**3,000.9[f]**	**2,022.5**	**3,078.5[f]**	**3,000.9[f]**	—	**+77.6**	**+0.0**
Subtotal, RD Loan Authority[c]	*36,686.7*	*37,288.9*	*37,601.2*	*35,173.1*	*37,792.9*	*37,801.2*	—	+191.6	+200.0
Title IV. Domestic Food Programs									
Child Nutrition Programs (M)	22,149.7	22,794.0	24,254.1	23,146.9	23,183.5	23,184.0	—	-1,070.6	-1,070.1
WIC Program	6,350.0	6,350.0	6,175.0	5,750.0	6,000.0	6,150.0	—	-175.0	-25.0
SNAP, Food and Nutrition Act Programs (M)	80,849.4	78,480.7	74,013.5	73,218.3	73,219.3	73,219.3	—	-794.2	-794.2
Commodity Assistance Programs	296.2	315.1	322.1	55.5	306.9	322.1	—	-15.2	+0.0
Nutrition Programs Administration	150.8	170.7	153.8	160.8	162.8	164.7	—	+9.0	+10.8
Under Secretary	0.8	0.8	0.8	0.8	0.8	0.8	—	+0.0	+0.0
Subtotal									
Discretionary	**6,838.9**	**6,884.7**	**6,709.8**	**5,990.1**	**6,528.5**	**6,696.1**	—	**-181.2**	**-13.7**
Mandatory (M)	*102,958.1*	*101,226.7*	*98,209.6*	*96,342.3*	*96,344.8*	*96,344.8*	—	*-1,864.9*	*-1,864.9*
Subtotal	*109,797.0*	*108,111.3*	*104,919.4*	*102,332.3*	*102,873.3*	*103,040.9*	—	*-2,046.1*	*-1,878.5*

Agency or Major Program	FY2016	FY2017	FY2018	FY2019				Change FY18 to FY19	
	P.L. 114-113	P.L. 115-31	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted	House	Senate
Title V. Foreign Assistance									
Foreign Agricultural Service	191.6	196.6	199.7	193.1	204.1	212.2	—	+4.5	+12.6
Food for Peace Title II, and admin. expenses	1,468.5[f]	1,466.1[f]	1,600.1[f]	0.1	1,500.1	1,716.1	—	-100.0	+116.0
McGovern-Dole Food for Education	201.6	201.6	207.6	0.0	207.6	210.3	—	+0.0	+2.6
CCC Export Loan Salaries	6.7	8.5	8.8	7.1	9.2	8.8	—	+0.3	+0.0
Office of Codex Alimentarius	—	—	3.8	3.8	3.8	4.0	—	+0.0	+0.2
Under Secretary	—	—	0.9	0.9	0.9	0.9	—	+0.0	+0.0
Subtotal	**1,868.5**	**1,872.9**	**2,021.0**	**205.0**	**1,925.8**	**2,152.3**	—	-95.2	+131.4
Title VI. Related Agencies									
Food and Drug Administration	2,729.6	2,771.2	2,811.9	3,183.7	3,119.6	2,970.9	—	+307.7	+159.0
Commodity Futures Trading Commission[g]	250.0	[250.0]	249.0	281.5	255.0	[281.5][h]	—	+6.0	[+32.5][h]
Subtotal	**2,979.6**	**[3,021.2]**	**3,060.9**	**3,465.2**	**3,374.6**	[3,252.4][h]	—	+313.7	[+191.5][h]
Title VII. General Provisions									
Reductions in Mandatory Programs[i]									
a. Environmental Quality Incentives Program	-209.0	-179.0	—	-136.3	—	—	—	+0.0	+0.0
b. Watershed Rehabilitation Program	-68.0	-54.0	—	-46.2	—	—	—	+0.0	+0.0
c. Fresh Fruit and Vegetable Program	-125.0	-125.0	—	-125.0	—	—	—	+0.0	+0.0
d. Biorefinery Assistance Program	-19.0	-20.0	—	—	—	—	—	+0.0	+0.0
e. Biomass Crop Assistance Program	-20.0	-20.0	-21.0	—	—	—	—	+21.0	+21.0
f. Cushion of Credit (Rural Development)	-179.0	-132.0	—	-225.0	-50.0	—	—	-50.0	+0.0
g. Section 32	-216.0	-231.0	—	-342.0	—	—	—	+0.0	+0.0
h. Other CHIMPS and mandatory rescissions	+5.0	+17.0	+20.0	-36.4	+35.0	+5.0	—	+15.0	-15.0

Agency or Major Program	FY2016	FY2017	FY2018	FY2019				Change FY18 to FY19	
	P.L. 114-113	P.L. 115-31	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted	House	Senate
Subtotal, CHIMPS	**-831.0**	**-744.0**	**-1.0**	**-910.8**	**-15.0**	**+5.0**	—	-14.0	+6.0
Rescissions (discretionary)	**-34.0**	**-854.0**	**-800.0**	-287.0	-300.0	-400.0	—	+500.0	+400.0
Other appropriations									
a. Disaster/emergency programs	273.0	234.8[i]	—	—	—	—	—	+0.0	+0.0
b. Water and Waste Water	—	—	+500.0	—	—	+400.0	—	-500.0	-100.0
c. Broadband pilot	—	—	+600.0	—	+550.0	+425.0	—	-50.0	-175.0
d. Opioid Enforcement and Surveillance	—	—	+94.0	—	—	—	—	-94.0	-94.0
e. Food for Peace	250.0	134.0	+116.0	—	—	—	—	-116.0	-116.0
f. Other appropriations	33.1	103.4	68.1	—	+29.5	+64.5	—	-38.6	-3.6
Subtotal, Other appropriations	**556.1**	**472.2**	**1,378.1**	—	**579.5**	**889.5**	—	-798.6	-488.6
Total, General Provisions	**-308.9**	**-1,125.8**	**577.1**	**-1,197.8**	**264.5**	**494.5**	—	-312.6	-82.6
Scorekeeping Adjustments[k]									
Disaster declaration in this bill	-130.0	-206.1[i]	—	—	—	—	—	+0.0	+0.0
Other scorekeeping adjustments	-332.0	-524.0	-481.0	-409.0	-404.0	-404.0	—	+77.0	+77.0
Subtotal, Scorekeeping adjustments	**-462.0**	**-730.1**	**-481.0**	**-409.0**	**-404.0**	**-404.0**	—	+77.0	+77.0
Totals									
Discretionary: Senate basis w/o CFTC	[21,500.0]	20,877.0	[22,998.0]	16,745.2	[22,977.8]	23,226.5	—	-20.2	+228.5
Discretionary: House basis w/ CFTC	21,750.0	[21,127.0]	23,247.0	17,026.7	23,232.8	[23,508.0][h]	—	-14.2	[+261.0][h]
Mandatory (M)	*118,990.7*	*132,506.9*	*122,752.0*	121,813.8	121,816.3	121,816.3	—	-935.7	-935.7
Total: Senate basis w/o CFTC	*[140,490.7]*	*153,383.9*	*[145,750.0]*	138,559.0	[144,794.0]	145,042.8	—	-955.9	-707.2
Total: House basis w/ CFTC	*140,740.7*	*[153,633.9]*	*145,999.0*	138,840.5	145,049.0	[145,324][h]	—	-949.9	-674.7[h]

Source: CRS, using appropriations text and report tables, and unpublished CBO tables.

Notes: Amounts are nominal discretionary budget authority in millions of dollars unless labeled otherwise. (M) indicates that the account is mandatory authority (or primarily mandatory authority). Excludes amounts in supplemental appropriations acts. Bracketed amounts are not in the official totals due to differing House-Senate jurisdiction for CFTC but are shown for comparison.

a. Row headings reflect recent USDA reorganization. The Farm Service Agency and Risk Management Agency were moved from Title I to Title II, as was the Commodity Credit Corporation and Federal Crop Insurance Corporation in mandatory spending. Grain Inspection, Packers, and Stockyards Administration was moved into the Agricultural Marketing Service.

b. Includes regular FSA salaries and expenses, plus transfers for farm loan program salaries and administrative expenses. Also includes farm loan program loan subsidy, State Mediation Grants, Dairy Indemnity Program (mandatory funding), and Grassroots Source Water Protection Program. Does not include appropriations to the Foreign Agricultural Service for export loans and P.L. 480 administration that are transferred to FSA.

c. Loan authority is the amount of loans that can be made or guaranteed with a loan subsidy. This amount is not added in the budget authority subtotals or totals.

d. Includes Rural Development salaries and expenses and transfers from the three rural development agencies for salaries and expenses. Amounts for the agencies thus reflect program funds for loans and grants.

e. Amounts for the Rural Business-Cooperative Service (RBCS) are before the rescission in the Cushion of Credit account, unlike in Appropriations Committee tables. The rescission is included with the CHIMPS as classified by CBO, which allows the RBCS subtotal to remain positive.

f. Excludes a portion of the other appropriations that are provided separately in General Provisions.

g. Jurisdiction for CFTC is in the House Agriculture Appropriations Subcommittee and the Senate Financial Services Appropriations Subcommittee. After FY2008, CFTC is carried in enacted Agriculture appropriations in even-numbered fiscal years in House Agriculture markup but not in Senate Agriculture markup. Bracketed amounts are not in the official totals due to differing House-Senate jurisdiction for CFTC but are shown for comparison.

h. See Division B of H.R. 6147.

i. Includes reductions (limitations and rescissions) to mandatory programs that may also be known as Changes in Mandatory Program Spending (CHIMPS).

j. Includes $206 million appropriated for the Emergency Conservation Program (ECP) and Emergency Watershed Program (EWP) in the FY2017 second CR (P.L. 114-254, §185) that were offset as emergency spending. Another $29 million for ECP was included in the final appropriation (§753).

k. "Scorekeeping adjustments" are not necessarily appropriated items and may not be shown in appropriations committee tables but are part of the official CBO score (accounting) of the bill. They predominantly include "negative subsidies" in loan program accounts and adjustments for disaster designations in the bill.

Policy-Related Provisions

In addition to setting budgetary amounts, the Agriculture appropriations bill has also been a vehicle for policy-related provisions that direct how the executive branch should carry out the appropriation. These provisions may have the force of law if they are included in the text of the appropriation, usually in the General Provisions, but their effect is generally limited to the current fiscal year. Sometimes, the provisions amend the U.S. Code and have long-standing effects.

The explanatory statement that accompanies the final appropriation, and the House and Senate report language that accompanies the committee-reported bills, may also provide policy instructions. These documents do not have the force of law but often explain congressional intent, which the agencies are expected to follow.

Table 4 compares some of the major policy provisions that have been identified in the General Provisions (Title VII) of the FY2019 Agriculture appropriations bills. Many of these provisions have been included in past years' appropriations laws.

Table 4. Selected Policy Provisions in FY2019 Agriculture Appropriations

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C
Disaster payments. In general, prohibits the use of Section 32, clause (3), to reestablish farmers' purchasing power by making payments to farmers. However, allows an exception to use up to $350 million of carryover for this purpose. **(§715)**	Similar to House provision. **(§715)**
Rural definition. Defines *rural* for the water and waste disposal guaranteed loan program as a city, town, or unincorporated area with no more than 20,000 people. **(§728)** Directs that eligibility for rural development programs shall not include incarcerated prison populations. **(§744)**	Similar to House provisions. **(§§728, 744)**
Persistent poverty counties. Requires that least 10% of the funds in certain rural development programs shall be allocated to persistent poverty counties, defined as any county that has had 20% or more of its population living in poverty over the past 30 years. **(§750)**	No comparable provision.
Income verification. Provides USDA access to Social Security and Internal Revenue Service data to verify the income of individuals participating in certain rural housing programs. **(§747)**	Similar to House provision. **(§748)**
American steel. Prohibits funding for the rural water, wastewater, waste disposal, and solid waste management projects unless all of the iron and steel products are produced in the United States. **(§743)**	Similar to House provision. **(§742)**
No comparable provision.	**Agriculture risk coverage (ARC) pilot.** Directs USDA to conduct a pilot program to make payments for the ARC program that addresses disparities in the calculation of yields among counties. **(§747)**
No comparable provision.	**Industrial hemp.** Prohibits funding in contravention of the 2014 farm bill provision for research on industrial hemp or the transportation, processing, sale, or use of industrial hemp or seeds that are grown in accordance with the farm bill provision. **(§729)**

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C
No comparable provision.	**National Bio- and Agro-defense Facility (NBAF).** Authorizes ARS and APHIS to appoint up to 50 employees annually in FY2019-2025 for NBAF at a rate of pay that exceeds the General Schedule. **(§738)**
No comparable provision.	**Horse slaughter.** Prohibits USDA from conducting horse slaughter inspection. **(§758)**
Animal Welfare Act. Prohibits funding to issue or renew licenses to class B dealers who sell dogs and cats for use in research, experiments, teaching, or testing. **(§741)**	No comparable provision.
Lab-grown meat. Directs USDA to regulate products that are made from cells of amenable species of livestock that are grown under controlled conditions for human food to prevent adulteration and misbranding. Applies to FY2018 and thereafter. **(§736)**	No comparable provision.
Poultry from China. Prohibits funds to buy raw or processed poultry products from China for the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program. **(§748)** Prohibits funding to finalize the proposed rule, "Eligibility of the People's Republic of China to Export to the United States Poultry Products," until USDA verifies certain conditions. **(§751)**	No comparable provisions.
School meal prices. Exempts certain school food authorities (those without a negative balance in their school food service accounts as of December 31, 2018) from paid meal equity requirements in school year 2019-2020. **(§757)**	No comparable provision.
Vegetables in school breakfast. Prohibits funding to implement or enforce the portion of a School Breakfast Program regulation that limits substituting fruits with certain vegetables. **(§767)**	No comparable provision.
SNAP retailer standards. Prohibits funding to administer the "variety requirements" in the final rule "Enhancing Retailer Standards in SNAP" until the Secretary amends the definition of *variety* to increase the number of items that qualify as acceptable varieties in each staple food category. **(§727)**	Similar to House provision. **(§728)**
SNAP disclosure. Exempts from Freedom of Information Act disclosure SNAP transaction data that contain information specific to a store, store location, person, or other entity. **(§768)**	No comparable provision.
Human embryos. Prohibits FDA from using funds to accept any investigational new drug application for "research in which a human embryo is intentionally created or modified to include a heritable genetic modification." **(§732)**	Similar to House provision. **(§733)**
Partially hydrogenated oils. Directs FDA that no food containing partially hydrogenated oils shall be considered to be adulterated on that basis so long as it enters interstate commerce before June 18, 2018. **(§740)**	Similar to House provision. **(§736)**

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C
Sodium. Prevents FDA from developing regulations or issuing final guidance for population-wide sodium reduction actions until a dietary reference intake report is completed. **(§752)**	Similar to House provision. **(§750)**
Grapes for wine. Prohibits FDA funds to enforce the final rule "Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption" with respect to grape varietals used solely for wine. **(§755)**	Similar to House provision. **(§753)**
Dietary guidelines. Directs USDA to submit a report to Congress within 180 days about the process used to establish the 2020-2025 Dietary Guidelines for Americans, including the recommendations from the National Academies of Science report, "Redesigning the Process for Establishing the Dietary Guidelines for Americans." **(§763)**	No comparable provision.
Added sugars. Prohibits funds to administer the final rule "Food Labeling: Revision of the Nutrition and Supplement Facts Labels" to the extent that it requires added sugars labeling for single-ingredient foods to which sugars or sweeteners are not added (e.g., honey or maple syrup). **(§764)**	Similar to House provision. **(§768)**
Genetically engineered salmon. Directs that disclosure requirements for genetically engineered salmon or finfish follow the National Bioengineered Food Disclosure Standard and subsequent USDA regulations. **(§766)**	Prohibits FDA from allowing genetically engineered salmon into interstate commerce until it publishes final labeling guidelines. **(§740)**
CFTC statutes. Amends the Commodity Exchange Act to address the initial margin requirements for certain swap transactions. **(§738)** Further amends the act by directing CFTC to consider cost-benefit analysis in its regulations (using language from a House-passed bill, H.R. 238). **(§760)**	No comparable provision.
Cigar regulation. Prohibits funds to administer the FDA final "deeming rule" from May 10, 2016, with respect to traditional large and premium cigars. **(§769)** Prohibits funds to regulate cigars and pipe tobacco differently than April 25, 2014, the date that such tobacco products were proposed to be deemed subject to certain requirements. **(§770)**	No comparable provision.
Tobacco products. Amends the Federal Food, Drug, and Cosmetic Act concerning the registration of substantially equivalent tobacco products. **(§771)**	No comparable provision.

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C
Vapor products. Directs the Secretary of Health and Human Services to issue a notice of proposed rulemaking, within 21 months, establishing a product standard for vapor products and to promulgate a final rule within 36 months. **(§772)** Deems a vapor product to be misbranded if it is advertised in a non-adult publication, specifies terms for distributing vapor products in other than direct face-to-face sales, directs the Secretary of Health and Human Services to promulgate regulations requiring labeling of vapor products; and imposes registration requirements on vapor product retailers. **(§773)** Amends the Pro-Children Act of 1994 to extend the prohibition on smoking in certain facilities that provide children's services to vapor products. **(§774)** Amends the Federal Food, Drug, and Cosmetic Act to add age verification requirements for remote sales of vapor products. **(§775)** Directs the Secretary of Health and Human Services to submit a report to Congress within 180 days about the Youth Vapor Product Education, Prevention, and Enforcement Program. **(§776)**	No comparable provision.
Electronic nicotine delivery systems (ENDS). Directs the FDA commissioner to conduct a study and submit a report to Congress within 180 days on preventing the use of ENDS by youth. **(§777)**	No comparable provision.
No comparable provision.	Prevents certain changes from occurring under implementation of the Grain Standards Act. **(§759)**
No comparable provision.	Provides for technical assistance to respond to volcanic eruptions. **(§760)**
No comparable provision.	Directs USDA and the National Oceanic and Atmospheric Administration to establish a working group and issue a report on ocean farming practices and ways to deacidify oceans. **(§761)**
No comparable provision.	Directs USDA to submit a report to Congress describing how conservation programs may be used to conserve ocelots (wild cats native to the southwestern United States). **(§762)**
No comparable provision.	Directs the Rural Housing Service to submit a report to Congress about the housing affected by Title V of the Housing Act of 1949, its loan status, and its affordability. **(§763)**
No comparable provision.	Directs the FDA to revise the advice in a notice about eating fish, to be consistent with nutrition science recognized by FDA about seafood consumption. **(§764)**
No comparable provision.	Amends implementation of a broadband program in the 2018 Agriculture Appropriation regarding eligibility determination and expansion efforts. **(§765)**

Source: CRS.

Appendix A. Budget Sequestration

Sequestration is a process to reduce federal spending through automatic, largely across-the-board reductions that permanently cancel mandatory and/or discretionary budget authority.[29] Sequestration is triggered as a budget enforcement mechanism when federal spending would exceed statutory budget goals.[30] Sequestration is currently authorized by the Budget Control Act of 2011 (BCA; P.L. 112-25).

Table A-1 shows the rates of sequestration that have been announced and the total amounts of budget authority that have been cancelled from accounts in Agriculture appropriations. **Table A-2** provides additional detail at the account level for mandatory accounts.

Table A-1. Sequestration from Accounts in Agriculture Appropriations

(budget authority that was sequestered, in millions of dollars)

	Discretionary Accounts		Mandatory Accounts	
Fiscal Year	**Rate**	**Amount**	**Rate**	**Amount**
2013	5.0%	1,153	5.1%	713
2014	—	—	7.2%	1,052
2015	—	—	7.3%	1,153
2016	—	—	6.8%	1,819
2017	—	—	6.9%	1,686
2018	—	—	6.6%	1,316
2019	—	—	6.2%	1,530

Source: CRS, compiled from OMB, *Reports to the Congress on the Joint Committee Reductions,* various fiscal years. Available for FY2018-FY2019 at https://www.whitehouse.gov/omb/legislative/sequestration-reports-orders and for FY2013-FY2017 at https://obamawhitehouse.archives.gov/omb/legislative_reports/sequestration.

Notes: Sequestration rates listed here are for nonexempt, nondefense accounts. Amount totals were computed by CRS as compiled in **Table A-2**.

Discretionary Spending

For discretionary spending, sequestration is authorized through FY2021 if discretionary defense and nondefense spending exceed caps that are specified in statute (2 U.S.C. 901(c)).

In FY2013, the timing of the appropriations acts and the first year of sequestration resulted in triggering sequestration on discretionary spending.

In FY2014-FY2018, Bipartisan Budget Acts in 2013, 2015, and 2018 (BBAs; P.L. 113-67, P.L. 114-74, and P.L. 115-123, respectively) have avoided sequestration on discretionary spending. These BBAs raised the discretionary budget caps that were placed in statute by the BCA and allowed Congress to enact larger appropriations than would have been allowed.

For FY2019, the BBA in 2018 similarly provides a higher discretionary cap that may avoid sequestration (see "Discretionary Budget Caps and Subcommittee Allocations").

[29] CRS Report R43411, *The Budget Control Act of 2011: Legislative Changes to the Law and Their Budgetary Effects*.

[30] CRS Report R42972, *Sequestration as a Budget Enforcement Process: Frequently Asked Questions*.

Mandatory Spending

Authorization of Sequestration

For mandatory spending, sequestration is presently authorized through FY2027, having been amended and extended by acts that were subsequent to the BCA (2 U.S.C. 901a(6)). That is, sequestration continues to apply annually to certain accounts of mandatory spending and is not avoided by the BBAs (**Table A-1**).

The original FY2021 sunset on the sequestration of *mandatory* accounts has been extended four times as an offset to pay for avoiding sequestration on *discretionary* spending in the near term or as a general budgetary offset for other authorization acts:

1. Congress extended the duration of mandatory sequestration by two years (until FY2023) as an offset in BBA 2013.[31]
2. Congress extended it by another year (until FY2024) to maintain retirement benefits for certain military personnel (P.L. 113-82).
3. Congress extended sequestration on nonexempt mandatory accounts another year (until FY2025) as an offset in BBA 2015.[32]
4. Congress extended sequestration on nonexempt mandatory accounts by another two years (until FY2027) as an offset in BBA 2018 (P.L. 115-123 Division C, §30101(c)).[33]

Exemptions from Sequestration

Some farm bill mandatory programs are exempt from sequestration. Those expressly exempt by statute are the nutrition programs (SNAP, the child nutrition programs, and the Commodity Supplemental Food Program)[34] and the Conservation Reserve Program.[35] Some prior legal obligations in the Federal Crop Insurance Corporation[36] and the farm commodity programs may be exempt[37] as determined by OMB.[38]

Generally speaking, the experience since FY2013 is that OMB has ruled that most of crop insurance is exempt from sequestration, while the farm commodity programs, disaster assistance, and most conservation programs have been subject to it.[39]

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[31] CBO, *Bipartisan Budget Act of 2013*, December 11, 2013, https://www.cbo.gov/publication/44964.

[32] CBO, *Bipartisan Budget Act of 2015*, October 28, 2015, https://www.cbo.gov/publication/50938. In addition to extending sequestration and related to mandatory spending in agriculture, crop insurance was used as an additional budgetary offset in BBA 2015. The effect was temporary, however, and the crop insurance reduction was restored. For more background, see the section on crop insurance and the Standard Reinsurance Agreement in CRS Report R44240, *Agriculture and Related Agencies: FY2016 Appropriations*.

[33] CBO, *Bipartisan Budget Act of 2018*, February 8, 2018, https://www.cbo.gov/publication/53556.

[34] 2 U.S.C. 905 (h).

[35] 2 U.S.C. 905(g)(1)(A).

[36] 2 U.S.C. 905 (g)(2).

[37] 2 U.S.C. 906 (j).

[38] Some administrative expenses may be subject to sequestration, and therefore programs that are otherwise exempt may have a relatively small sequesterable amount compared to their total budget authority as shown, for example, in **Table A-2** for the Federal Crop Insurance Corporation, SNAP, child nutrition programs, and WIC.

[39] CRS Report R42050, *Budget "Sequestration" and Selected Program Exemptions and Special Rules*.

Implementation of Sequestration

Sequestration on nonexempt *mandatory* accounts continues in FY2019. Nonexempt mandatory spending is to be reduced by a 6.2% sequestration rate and thus paid at 93.8% of what they would otherwise have provided. This results in a reduction of about $1.5 billion from mandatory agriculture accounts in FY2019.

Table A-2. Sequestration of Mandatory Accounts in Agriculture Appropriations

(sequestered budget authority in millions of dollars)

	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Sequestration rate on nonexempt, nondefense mandatory accounts	**5.1%**	**7.2%**	**7.3%**	**6.8%**	**6.9%**	**6.6%**	**6.2%**
U.S. Department of Agriculture							
Office of the Secretary	—	—	0.9	0.9	0.9	0.9	0.8
Office of Chief Economist	—	—	0.1	0.1	0.1	0.1	0.1
Agricultural Research Service	0.1	0.1	0.1	0.1	0.1	0.1	0.1
National Institute of Food and Agriculture	—	—	—	9.9	10.0	—	—
Extension	0.3	0.4	1.8	—	—	3.3	0.3
Biomass Research and Development	—	—	0.2	0.2	0.2	—	—
Integrated Activities	—	—	7.3	—	—	6.6	5.0
Farm Production and Conservation Business Center	—	—	—	—	—	—	3.7
Animal and Plant Health Inspection Service							
Salaries appropriation	13.6	18.8	21.5	20.1	19.5	18.8	52.1
Miscellaneous Trust Funds	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Food Safety Inspection Service	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Grain Inspection Packers and Stockyards Admin.	2.1	3.0	3.0	3.1	3.1	2.9	—
Agricultural Marketing Service							
Section 32	40.4	79.7	81.9	77.3	79.6	78.1	74.4
Milk Market Orders Assessment Fund	2.9	4.2	4.2	4.0	4.1	4.0	3.8
Perishable Agriculture Commodities Act	0.6	0.8	0.8	0.8	0.8	0.7	0.7
Expenses and refunds	0.4	0.9	0.9	1.3	1.3	0.4	0.4
Payments to states and possessions	—	—	5.3	5.0	5.0	5.6	5.3
Marketing services	—	—	2.2	2.0	2.1	2.0	3.0
Risk Management Agency	—	—	—	—	0.6	—	—
Federal Crop Insurance Corporation	3.0	4.2	5.9	3.5	3.9	3.7	5.0
Farm Service Agency							
Commodity Credit Corporation Fund	329.5	573.7	710.8	1,388.6	1,238.6	904.1	1,088.2
Agricultural Credit Insurance Corporation	—	—	0.1	0.1	0.1	0.1	0.1
Commodity Credit Corporation Export Loans	—	—	—	0.4	0.4	0.3	0.3
Pima Cotton Trust Fund	—	—	—	1.1	1.1	1.1	—

	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Wool Apparel Manufacturers Trust Fund	—	—	—	2.0	2.1	2.0	1.9
Agricultural Disaster Relief Fund	70.0	—	—	—	—	—	—
Tobacco Trust Fund	49.0	69.1	—	—	—	—	—
Natural Resources Conservation Service							
Farm bill conservation programs	171.2	263.1	269.9	265.7	281.5	254.9	262.4
Watershed Rehabilitation Program	—	11.9	11.2	4.7	4.7	4.4	3.0
Damage Assessment Restoration Revolving Fund	—	—	—	—	—	—	0.1
Rural Development, Rural Business Coop. Service							
Rural Energy for America Program	1.1	3.0	3.7	3.4	3.5	3.3	3.1
Economic Development Grants	—	—	—	—	—	—	0.9
Rural Microenterprise Investment Program	—	0.2	0.2	0.2	0.2	0.2	—
Energy Assistance Payments	3.3	3.2	1.1	1.0	1.0	1.0	—
Biorefinery Assistance Program	—	—	3.7	3.4	1.4	1.3	—
Rural Economic Development Grants	—	—	—	1.6	—	—	—
Foreign Agricultural Service	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Food and Nutrition Service[a]							
SNAP	4.7	8.0	8.4	9.8	10.6	9.6	9.2
Child Nutrition Programs	2.5	4.2	4.2	3.9	4.3	4.0	3.9
Commodity Assistance Program	1.1	1.5	1.5	1.4	1.4	1.4	1.3
WIC	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Related Agencies							
Food and Drug Administration							
Revolving Fund for Certification	0.4	0.6	0.6	0.6	0.6	0.6	0.6
User Fees	16.3	—	—	—	—	—	—
Farm Credit System Insurance Corporation	0.2	0.3	0.3	0.3	0.3	0.3	0.2
Commodity Futures Trading Commission	0.7	0.9	1.0	2.2	2.2	0.1	0.3
Total	**713.3**	**1,051.9**	**1,153.0**	**1,818.9**	**1,685.6**	**1,315.9**	**1,530.3**

Source: CRS, compiled from OMB, *Reports to the Congress on the Joint Committee Reductions,* various fiscal years. Available for FY2018-FY2019 at https://www.whitehouse.gov/omb/legislative/sequestration-reports-orders and for FY2013-FY2017 athttps://obamawhitehouse.archives.gov/omb/legislative_reports/sequestration.

Notes: Sequestration rates are for nonexempt, nondefense accounts. The sequesterable budget authority for each cell may be computed by dividing the amount of sequestration by the sequestration rate. Column totals were computed by CRS based on the jurisdiction of the House Agriculture Appropriations Subcommittee.

a. Benefits from the nutrition programs are generally exempt from sequestration by statute, but some administrative expenses in these programs may be subject to sequestration, and therefore a relatively small portion of the total budget authority may be sequesterable.

Appendix B. Action on Agriculture Appropriations, FY1997-FY2019

Table B-1. Congressional Action on Agriculture Appropriations Since FY1997

	House Action			Senate Action			Final Appropriation			
Fiscal Year	Subcmte.	Cmte.	Floor	Subcmte.	Cmte.	Floor	Enacted[a]		Public Law	CRS Report
1997	5/30/1996	6/6/1996	6/12/1996	7/10/1996	7/11/1996	7/24/1996	8/6/1996	E	P.L. 104-180	IB96015
1998	6/25/1997	7/14/1997	7/24/1997	7/15/1997	7/17/1997	7/24/1997	11/18/1997	E	P.L. 105-86	97-201
1999	6/10/1998	6/16/1998	6/24/1998	6/9/1998	6/11/1998	7/16/1998	10/21/1998	O	P.L. 105-277	98-201
2000	5/13/1999	5/24/1999	6/8/1999	6/15/1999	6/17/1999	8/4/1999	10/22/1999	E	P.L. 106-78	RL30201
2001	5/4/2000	5/16/2000	7/11/2000	5/4/2000	5/10/2000	7/20/2000	10/28/2000	E	P.L. 106-387	RL30501
2002	6/6/2001	6/27/2001	7/11/2001	Polled out[b]	7/18/2001	10/25/2001	11/28/2001	E	P.L. 107-76	RL31001
2003	6/26/2002	7/26/2002	—	7/23/2002	7/25/2002	—	2/20/2003	O	P.L. 108-7	RL31301
2004	6/17/2003	7/9/2003	7/14/2003	7/17/2003	11/6/2003	11/6/2003	1/23/2004	O	P.L. 108-199	RL31801
2005	6/14/2004	7/7/2004	7/13/2004	9/8/2004	9/14/2004	—	12/8/2004	O	P.L. 108-447	RL32301
2006	5/16/2005	6/2/2005	6/8/2005	6/21/2005	6/27/2005	9/22/2005	11/10/2005	E	P.L. 109-97	RL32904
2007	5/3/2006	5/9/2006	5/23/2006	6/20/2006	6/22/2006	—	2/15/2007	Y	P.L. 110-5	RL33412
2008	7/12/2007	7/19/2007	8/2/2007	7/17/2007	7/19/2007	—	12/26/2007	O	P.L. 110-161	RL34132
2009	6/19/2008	—	—	Polled out[b]	7/17/2008	—	3/11/2009	O	P.L. 111-8	R40000
2010	6/11/2009	6/18/2009	7/9/2009	Polled out[b]	7/7/2009	8/4/2009	10/21/2009	E	P.L. 111-80	R40721
2011	6/30/2010	—	—	Polled out[b]	7/15/2010	—	4/15/2011	Y	P.L. 112-10	R41475
2012	5/24/2011	5/31/2011	6/16/2011	Polled out[b]	9/7/2011	11/1/2011	11/18/2011	O	P.L. 112-55	R41964
2013	6/6/2012	6/19/2012	—	Polled out[b]	4/26/2012	—	3/26/2013	O	P.L. 113-6	R43110
2014	6/5/2013	6/13/2013	—	6/18/2013	6/20/2013	—	1/17/2014	O	P.L. 113-76	R43110
2015	5/20/2014	5/29/2014	—	5/20/2014	5/22/2014	—	12/16/2014	O	P.L. 113-235	R43669
2016	6/18/2015	7/8/2015	—	7/14/2015	7/16/2015	—	12/18/2015	O	P.L. 114-113	R44240
2017	4/13/2016	4/19/2016	—	5/17/2016	5/19/2016	—	5/5/2017	O	P.L. 115-31	R44588
2018	6/28/2017	7/12/2017	9/14/2017	7/18/2017	7/20/2017	—	3/23/2018	O	P.L. 115-141	R45128
2019	5/9/2018	5/16/2018	—	5/22/2018	5/24/2018	8/1/2018	—	—	—	R45230

Source: CRS.

a. E = Enacted as standalone appropriation (seven times over 22 years); O = Omnibus appropriation (13 times); Y = Year-long CR (two times).

b. A procedure that permits a Senate subcommittee to transmit a bill to its full committee without a formal markup session. See CRS Report RS22952, *Proxy Voting and Polling in Senate Committee*.

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