

Agriculture and Related Agencies: FY2019 Appropriations

Jim Monke

Specialist in Agricultural Policy

Updated May 8, 2019

Congressional Research Service

7-....

www.crs.gov

R45230

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; rural development; FDA; foreign food aid and trade; farm assistance program salaries and loans; food safety inspection; animal and plant health programs; and salaries and expenses for administering conservation programs.

On February 15, 2019, Congress passed and the President signed the FY2019 Consolidated Appropriations Act (P.L. 116-6, H.Rept. 116-9). This action, more than four months into the fiscal year, followed three continuing resolutions and a 34-day partial government shutdown.

The official discretionary total of the enacted FY2019 Agriculture appropriation is \$23.03 billion, which is \$35 million more than enacted in FY2018 (+0.2%) on a comparable basis that excludes the CFTC. The enacted total is \$6.3 billion more than the Administration requested (+38%), \$55 million more than was proposed in the House-reported bill (+0.2%), but \$194 million less than in the Senate-passed bill (-0.8%).

Among the primary differences that account for the overall \$35 million discretionary increase for FY2019 over FY2018 are an increase in agricultural research (mostly for construction) by \$387 million (+13%) to \$3.4 billion, an increase in FDA appropriations by \$269 million (+10%) to \$3.1 billion, an increase in WIC funding by a net \$200 million (accounting for changes in the amount of carryover balances rescinded and in the base appropriation), an increase in five other program areas by a combined \$78 million, and a decrease in rural development by reducing extra appropriations that were made in FY2018 for water and wastewater programs (-\$425 million) and rural broadband (-\$475 million).

The appropriation also carries \$129 billion of mandatory spending that is largely determined in separate authorizing laws. The mandatory spending increased by \$6 billion not because of congressional action this year but because of changing economic and program conditions. The annual change was mostly due to higher costs for crop insurance (+\$6.5 billion), greater reimbursement for the Commodity Credit Corporation (+1.1 billion), and lower outlays for child nutrition (-\$1.1 billion) and SNAP (-\$0.5 billion). With mandatory and discretionary spending appropriations combined, the FY2019 agriculture total is nearly \$152 billion.

The Consolidated Appropriations Act and its underlying bills also contain policy provisions that affect how the appropriation is delivered. These provisions affect disaster programs, rural definitions, industrial hemp, animal regulations, nutrition programs, dietary guidelines, CFTC, and tobacco products.

Sequestration on mandatory accounts—a process that reduces federal spending through automatic across-the-board reductions—also continues to affect agriculture spending.

Contents

Status of FY2019 Agriculture Appropriations	1
Scope of Agriculture Appropriations	3
Recent Trends in Agriculture Appropriations	5
Action on FY2019 Appropriations	7
Administration’s Budget Request	7
Discretionary Budget Caps and Subcommittee Allocations.....	7
House Action.....	8
Senate Action	9
Continuing Resolutions	10
Government Shutdown.....	11
Agency Exceptions to Maintain Operations	12
Suspended Activities	14
FY2019 Consolidated Appropriations Act	14
Policy-Related Provisions	22

Figures

Figure 1. Timeline of Action on Agriculture Appropriations, FY1999-FY2019	3
Figure 2. Scope of Agriculture and Related Agencies Appropriations	4
Figure 3. Discretionary Agriculture Appropriations, by Title, FY2009-FY2019	6
Figure 4. Inflation-Adjusted Agriculture Appropriations, FY2009-FY2019.....	6

Tables

Table 1. Status of FY2019 Agriculture Appropriations	1
Table 2. Agriculture and Related Agencies Appropriations, by Title, FY2018-FY2019.....	2
Table 3. Agriculture and Related Agencies Appropriations, by Agency, FY2016-FY2019	16
Table 4. Selected Policy Provisions Considered in FY2019 Agriculture Appropriations	22
Table A-1. Sequestration from Accounts in Agriculture Appropriations.....	28
Table A-2. Sequestration of Mandatory Accounts in Agriculture Appropriations.....	30
Table B-1. Congressional Action on Agriculture Appropriations Since FY1996.....	32

Appendixes

Appendix A. Budget Sequestration	28
Appendix B. Action on Agriculture Appropriations, FY1996-FY2019	32

Contacts

Author Contact Information 33

Status of FY2019 Agriculture Appropriations

Congress passed and the President signed the FY2019 Consolidated Appropriations Act on February 15, 2019 (P.L. 116-6, H.Rept. 116-9). This action, more than four months into the fiscal year, followed three continuing resolutions (CRs) and a 34-day partial government shutdown (**Table 1**).

In 2018, both the House and Senate Appropriations Committees reported FY2019 Agriculture appropriations bills (H.R. 5961 on May 16, 2018, and S. 2976 on May 24, 2018). The Senate amended and passed its version as Division C of a four-bill minibuss (H.R. 6147 on August 1, 2018). In January 2019, during the partial government shutdown, the House passed various combinations of agriculture appropriations bills in an attempt to reopen the government (H.R. 21, H.R. 265, H.R. 648). The Senate did not consider the measures until the Consolidated Appropriations Act moved in February 2019. See **Figure 1** and **Appendix B** for more timeline context.

Table 1. Status of FY2019 Agriculture Appropriations

House Action			Senate Action			Continuing Resolutions	Final Appropriation
Subcmte.	Cmte.	Floor	Subcmte.	Cmte.	Floor		
5/9/2018	5/16/2018	—	5/22/2018	5/24/2018	8/1/2018	1. 9/28/2018	2/15/2019
Draft ^a	H.R. 5961		Draft	S. 2976	H.R. 6147	P.L. 115-245,	P.L. 116-6,
Voice vote	H.Rept. 115-706		Voice vote	S.Rept. 115-259	Division C	Division C,	Division B
	Vote 31-20			Vote 31-0	Vote 92-6	until 12/7/2018	H.Rept. 116-9
						2. 12/7/2018	Vote 300-128
						P.L. 115-298	Vote 83-16
						until 12/21/18	
						<i>Funding gap</i>	
						12/22/2019-	
						01/26/2019	
						3. 1/25/2019	
						P.L. 116-5	
						until 2/15/19	

Source: CRS, compiled from Congress.gov.

- 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>.

The higher discretionary budget caps in the Bipartisan Budget Act of 2018 (P.L. 115-123) facilitated development of the appropriation amounts. The official discretionary total of the enacted FY2019 Agriculture appropriation is \$23.03 billion, \$35 million more than was enacted in FY2018 (+0.2%; **Table 2**) on a comparable basis that excludes the Commodity Futures Trading Commission (CFTC).¹ The enacted total is more than was proposed in the House-reported bill but less than in the Senate-passed bill.

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.

The appropriation also carries mandatory spending—though that is largely determined in separate authorizing laws—that totals nearly \$129 billion. Thus, the overall total of the FY2019 Agriculture appropriation is about \$152 billion.

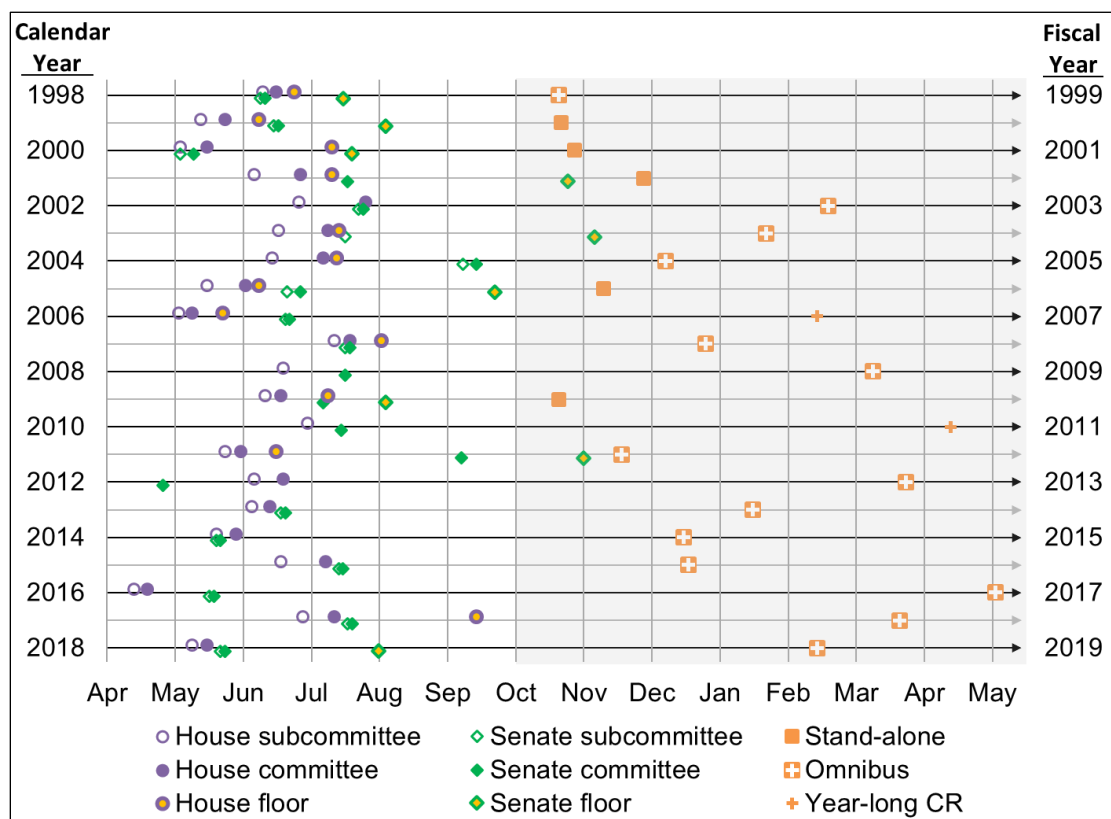
Table 2. Agriculture and Related Agencies Appropriations, by Title, FY2018-FY2019
(budget authority in millions of dollars)

Title of Agriculture Appropriations Act	FY2018	FY2019				Change from FY2018 to FY2019 Enacted	
	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted P.L. 116-6		
I. Agricultural Programs: Discretionary	5,622.8	4,752.9	5,704.5	5,587.8	6,033.9	+411.1	+7.3%
Mandatory	1,344.0	1,374.0	1,374.0	1,374.0	1,374.0	+30.0	+2.2%
Subtotal	6,966.8	6,126.9	7,078.5	6,961.8	7,407.9	+441.1	+6.3%
II. Farm Production and Conservation Programs	2,735.6	2,197.9	2,760.3	2,728.0	2,748.8	+13.2	+0.5%
Mandatory	23,198.3	24,097.5	24,097.5	24,097.5	30,821.1	+7,622.8	+32.9%
Subtotal	25,933.9	26,295.4	26,857.8	26,825.5	33,569.9	+7,636.0	+29.4%
III. Rural Development	3,000.9 ^a	2,022.5	3,078.5 ^a	3,000.9 ^a	3,011.7 ^a	+10.8	+0.4%
IV. Domestic Food Programs: Discretionary	6,709.8	5,990.1	6,528.5	6,696.1	6,620.3	-89.5	-1.3%
Mandatory	98,209.6	96,342.3	96,344.8	96,344.8	96,560.0	-1,649.6	-1.7%
Subtotal	104,919.4	102,332.3	102,873.3	103,040.9	103,180.3	-1,739.1	-1.7%
V. Foreign Assistance	2,021.0 ^a	205.0	1,925.8	2,152.3	1,938.0 ^a	-83.0	-4.1%
VI. Related Agencies:							
Food and Drug Administration	2,811.9 ^a	3,183.7	3,119.6	2,970.9	3,080.5	+268.6	+9.6%
Commodity Futures Trading Commission (CFTC)	249.0	281.5	255.0	[281.5] ^b	[268.0] ^b	+19.0	+7.6%
VII. General Provisions:							
CHIMPS and rescissions ^c	-801.0	-1,197.8	-315.0	-395.0	-490.0	+311.0	-38.8%
Other appropriations	1,378.1	0.0	579.5	889.5	493.5	-884.6	-64.2%
Scorekeeping adjustments ^d	-481.0	-409.0	-404.0	-404.0	-404.0	+77.0	-16.0%
Discretionary: Senate basis w/o CFTC	[22,998.0]	16,745.2	[22,977.8]	23,226.5	23,032.7	+34.7	+0.2%
Discretionary: House basis w/ CFTC	23,247.0	17,026.7	23,232.8	[23,508.0]	[23,300.7]	+53.7	+0.2%
Mandatory	122,752.0	121,813.8	121,816.3	121,816.3	128,755.1	+6,003.1	+4.9%
Total: Senate basis w/o CFTC	[145,750.0]	138,559.0	[144,794.0]	145,042.8	151,787.8	+6,037.8	+4.1%
Total: House basis w/ CFTC	145,999.0	138,840.5	145,049.0	[145,324.3]	152,055.8	+6,056.8	+4.1%

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 Agriculture appropriations totals due to differing House-Senate jurisdiction for CFTC.

- Excludes amounts for other appropriations that are provided separately in General Provisions.
- The amount for CFTC is in the division for Financial Services and General Government appropriations.
- Changes in mandatory program spending are reductions made to mandatory programs via appropriations. Rescissions are permanent cancellations of previously provided budget authority.
- “Scorekeeping adjustments” are not necessarily appropriated but are part of the official CBO accounting.

Figure I. 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 (HHS) and, in even-numbered fiscal years, CFTC.

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:²

- **Discretionary spending** is controlled by annual appropriations acts and receives most of the attention during the appropriations process. The annual budget resolution³ process sets spending limits for discretionary appropriations. Agency operations (salaries and expenses) and many grant programs are discretionary.

² See CRS In Focus IF11032, *Budgetary Decisionmaking in Congress*, and CRS Report R44582, *Overview of Funding Mechanisms in the Federal Budget Process, and Selected Examples*.

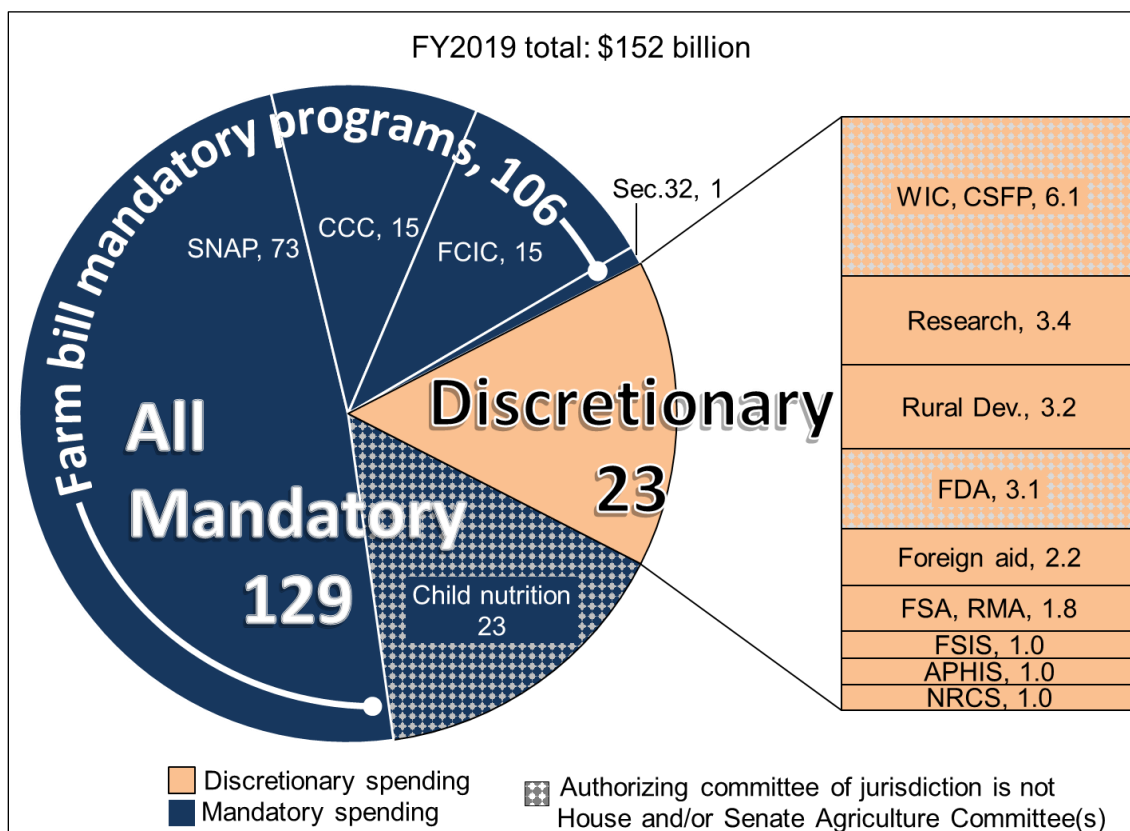
³ See CRS Report R42388, *The Congressional Appropriations Process: An Introduction*.

- **Mandatory spending**⁴—though carried in the appropriation and usually advanced unchanged—is controlled by budget rules during the authorization process.⁵ Spending for so-called entitlement programs is set in laws such as the 2018 farm bill⁶ and 2010 child nutrition reauthorizations.⁷

In the FY2019 Agriculture appropriations act, discretionary appropriations are 15% (\$23 billion) of the \$152 billion total. Mandatory spending carried in the act comprised \$129 billion, about 85% of the total. About \$106 billion of the \$129 billion mandatory amount is attributable to programs in the 2018 farm bill. Some programs are not in the authorizing jurisdiction of the House or Senate Agriculture Committees, such as FDA, WIC, or child nutrition (**Figure 2**).

Figure 2. Scope of Agriculture and Related Agencies Appropriations

(FY2019 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, including Farm Production and Conservation Business Center; RMA = Risk Management Agency; FSIS = Food Safety and Inspection Service; APHIS = Animal and Plant Health Inspection Service; NRCS = Natural Resources Conservation Service.

⁴ 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.

⁵ See CRS Report 98-560, *Baselines and Scorekeeping in the Federal Budget Process*.

⁶ P.L. 115-334. See CRS Report R45425, *Budget Issues That Shaped the 2018 Farm Bill*.

⁷ P.L. 111-296. See CRS In Focus IF10266, *An Introduction to Child Nutrition Reauthorization*.

Within the discretionary total, the largest discretionary spending items are the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); agricultural research; rural development; FDA; foreign food aid and trade; farm assistance program salaries and loans; food safety inspection; animal and plant health programs; and salaries and expenses for the conservation 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 funded through USDA's Commodity Credit Corporation (CCC). SNAP is referred to as an "appropriated entitlement" and requires an annual appropriation.⁸ 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.⁹

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, usually after one year unless specified otherwise (e.g., two years or indefinite). Most funding 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 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*.

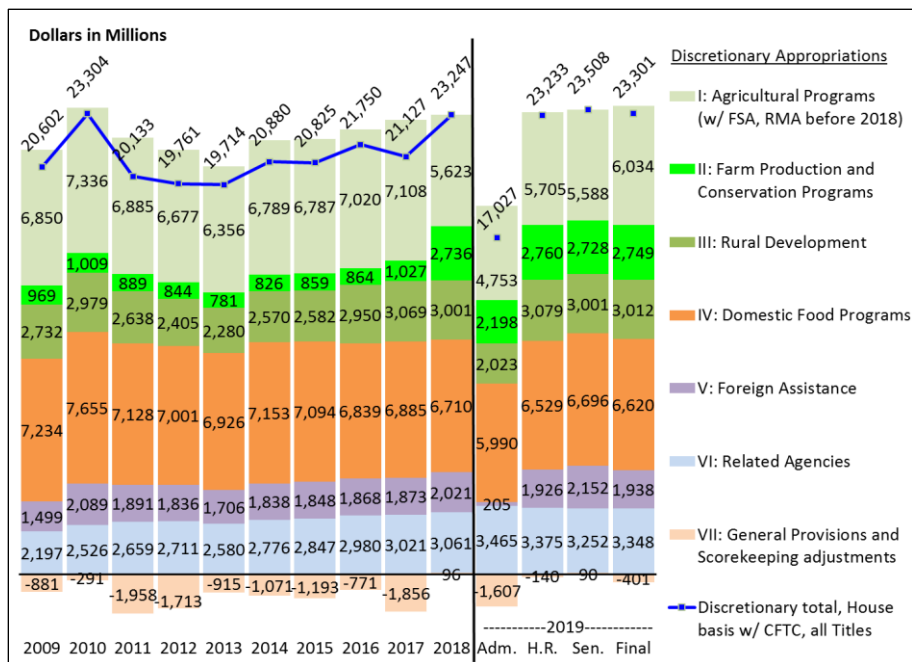
Recent Trends in Agriculture Appropriations

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 have been higher since then (**Figure 3**). Comparisons to historical benchmarks, though, may be tempered by inflation adjustments (**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 blue 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.

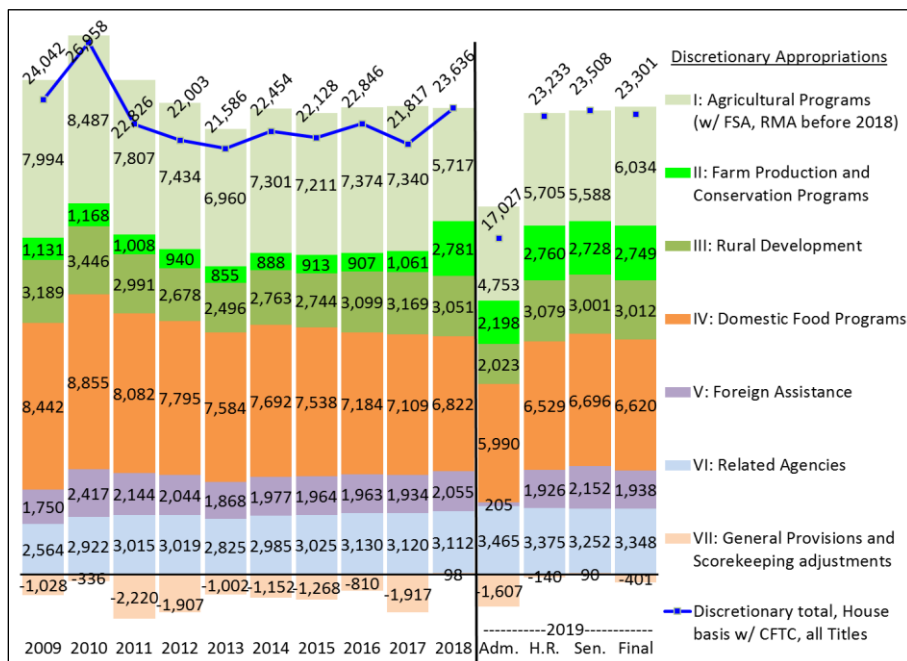
⁸ See CRS Report RS20129, *Entitlements and Appropriated Entitlements in the Federal Budget Process*.

⁹ See CRS Report R44606, *The Commodity Credit Corporation: In Brief*.

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, Sen. is Senate-passed H.R. 6147, and Final is P.L. 116-6. For consistency, includes CFTC in Related Agencies in all columns.

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, Sen. is Senate-passed H.R. 6147, and Final is P.L. 116-6. For consistency, includes CFTC in Related Agencies in all columns. 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, 2018.¹⁰ USDA concurrently released its more detailed budget summary and justification,¹¹ as did the FDA,¹² and the independent agencies of the CFTC¹³ and the Farm Credit Administration (FCA).¹⁴ The Administration also highlighted some of the proposed reductions and eliminations separately.¹⁵

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 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 CR and are different from the enacted FY2018 levels that came later and as shown in this report.

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. The Appropriations Committees then in turn subdivide the allocation among their subcommittees, referred to as the "302(b)" allocations.¹⁶

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)).¹⁷ The Budget Control Act of 2011 (BCA, P.L. 112-25) set discretionary budget caps through FY2021 as a way of reducing federal spending.¹⁸ Bipartisan Budget Acts (BBAs) 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.¹⁹

¹⁰ OMB, *FY2019 Budget of the U.S. Government*, Appendix, <https://www.whitehouse.gov/omb/appendix>.

¹¹ USDA, *FY2019 USDA Budget Summary*; and USDA, *2019 Budget Explanatory Notes*, <http://www.obpa.usda.gov>.

¹² FDA, *FY2019 FDA Justification of Estimates for Appropriations*, <https://www.hhs.gov/about/budget/index.html>.

¹³ CFTC, *FY2019 CFTC Budget Request*, <https://www.cftc.gov/sites/default/files/idc/groups/public/documents/file/cftcbudget2019.pdf>.

¹⁴ FCA, *FY2019 FCA Proposed Budget*.

¹⁵ OMB, *FY2019 Budget of the U.S. Government*, *Major Savings and Reforms*.

¹⁶ CRS Report R42388, *The Congressional Appropriations Process: An Introduction*.

¹⁷ CRS Report R42972, *Sequestration as a Budget Enforcement Process: Frequently Asked Questions*.

¹⁸ CRS Report R43411, *The Budget Control Act of 2011: Legislative Changes to the Law and Their Budgetary Effects*.

¹⁹ 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. See CRS Insight IN11090, *Increasing the BCA Spending Limits: Characteristics of Previously Enacted Legislation*.

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.²⁰ 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.²¹

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. 115-710, May 23, 2018), including the CFTC.
- Senate: \$23.235 billion (S.Rept. 115-260, May 24, 2018), excluding the CFTC.

Appendix A discusses budget sequestration and its effects on agriculture accounts. Sequestration of discretionary accounts occurred in FY2013. Sequestration on mandatory accounts began in FY2013, continues to the present, and has been extended by the Bipartisan Budget Acts.

House Action

The House Agriculture Appropriations Subcommittee marked up its FY2019 bill on May 9, 2018, by voice vote.²² 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 have been \$14 million less than enacted in FY2018 (-0.1%; **Table 2, Figure 3**). Generally speaking, the House-reported bill did not include most of the reductions proposed by the Administration and continued the trend of appropriations from prior years.

Table 3 provides details at the agency level. The primary changes from FY2018 that comprised the relatively flat \$14 million overall decrease in the House-reported bill—recognizing that some amounts for certain program areas were in the General Provisions—would have done the following:

- Increased base FDA appropriations by \$308 million (+11%). However, it did not continue to separate FDA funding for the opioid crisis that was in the General Provisions title of the FY2018 appropriation (-\$94 million).
- Increased agricultural research (+\$79 million, +2.6%) by raising appropriations for the Agricultural Research Service (ARS) and National Institute of Agriculture (NIFA).
- Increased the Animal and Plant Health Inspection Service (APHIS) by \$16 million (+1.7%).
- Increased the Rural Utility Service by \$82 million (+13%), mostly due to higher base funding for rural water and waste disposal programs. However, the bill did 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

²⁰ CRS Insight IN10861, *Discretionary Spending Levels Under the Bipartisan Budget Act of 2018*.

²¹ CRS Report R45157, *The Bipartisan Budget Act of 2018 and an FY2019 Budget Resolution*.

²² 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>.

million). It would have reduced separate funding for a broadband pilot program while continuing to fund some of it through the General Provisions title (-\$50 million).

- Decreased 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 Provisions title by rescinding WIC carryover balances was smaller in FY2019, retaining more budget authority (+\$500 million).
- Decreased the base funding in international food assistance Food for Peace grants by \$100 million (-6.2%) and would not have continued the extra funding that was in the General Provisions title of the FY2018 appropriations (-\$116 million).

In addition to discretionary spending, the House-reported bill also carried funding for mandatory spending—largely determined in separate authorizing laws—that would have totaled \$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 was about \$145 billion.

As the 116th Congress began in 2019 under a funding gap (see the heading “Government Shutdown”), the House passed various combinations of appropriations bills in an attempt to reopen the government. The Senate did not consider the measures and waited until a compromise for the Consolidated Appropriation Act moved in February 2019.

- On January 3, 2019, the House passed a six-bill full-year omnibus appropriation (H.R. 21), with agriculture appropriations in Division C. With few exceptions, the bill for agriculture was essentially identical to the Senate-passed Agriculture appropriations bill from the 115th Congress (Division C of H.R. 6147; see under the heading “Senate Action”).²³
- On January 10, 2019, the House passed H.R. 265, a stand-alone Agriculture appropriations bill.
- On January 23—two days before agreement for a third CR reopened the government—the House passed H.R. 648, another six-bill omnibus appropriation with Agriculture appropriations in Division A.

Senate Action

The Senate Agriculture Appropriations Subcommittee initially marked up a FY2019 bill on May 22, 2018, by voice vote. On May 24, the full 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 was also \$23.23 billion. However, the Senate bill’s total would have been \$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 have provided about \$250 million more than the House-reported bill on a comparable basis that subtracted CFTC from the House bill.

²³ One funding difference in H.R. 21 compared to the Senate-passed bill was that the rescission from WIC was \$501 million in Section 724, compared to \$400 million in the same section of the Senate-passed version of H.R. 6147. Also, H.R. 21 did not contemplate enactment of the 2018 farm bill (P.L. 115-334) in December 2018 in various provisions that prescribed how funding should be implemented in light of 2014 farm bill provisions.

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

- Increased base FDA appropriations by \$159 million (+6%). Like the House bill, it would not have continued separate FDA funding for the opioid crisis that was in the General Provisions title of the FY2018 appropriation (-\$94 million).
- Increased APHIS by \$19 million (+1.9%), slightly more than the House bill.
- Decreased discretionary appropriations for domestic nutrition assistance programs by reducing WIC by \$25 million (-0.4%). This was a smaller reduction than in the House bill. In the rescissions in the General Provisions title, the reduction was smaller than was rescinded in FY2018 (+\$400 million). Nonetheless, the Senate bill's rescission was greater than in the House bill.
- Increased 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 was not continued (-\$116 million).
- Decreased funding for 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).
- Decreased 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 was unchanged overall.

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

Continuing Resolutions

In the absence of a final FY2019 agriculture appropriation at the end of FY2018, Congress enacted three CRs to continue government operations.²⁴

- The first CR was from October 1, 2018, through December 7, 2018 (P.L. 115-245, Division C).
- The second CR continued temporary funding through December 21, 2018 (P.L. 115-298).

A 34-day funding gap (partial government shutdown) occurred between the second and third CRs (see the heading "Government Shutdown" for more discussion of the funding lapse).

- To end the government shutdown, Congress passed and the President signed a third CR (P.L. 116-5) that covered the period from January 26, 2019, through February 15, 2019.

At the end of the third CR, an omnibus appropriation was enacted to cover the rest of the fiscal year (see the heading "FY2019 Consolidated Appropriations Act").

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

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, 2018, and the 21 days of the third CR that preceded February 15, 2019, the CRs

- continued the terms of the FY2018 Agriculture appropriations act (Section 101 of P.L. 115-245) and excluded the FY2018 change in mandatory program spending (CHIMP) on the Biomass Crop Assistance Program, which was not authorized for FY2019; and
- provided sufficient funding to maintain mandatory program levels, including for nutrition programs (Section 110)—this is the standard approach taken in recent years' CRs, but it was 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 applied to the agriculture appropriation during the CRs:

- **Child Nutrition Programs:** apportionment for a summer foods program that allowed it to be operational by May 2019 (Section 114 of P.L. 115-245).
- **Rural Utilities Service:** allowed a loan authorization level for the Rural Water and Waste Disposal program of \$4.141 billion (Section 115).
- **Commodity Credit Corporation (CCC):** allowed CCC to receive its appropriation to reimburse the Treasury for a line of credit about a month earlier than usual, prior to a customary final report and audit. Many farm bill payments to farmers were 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 have exhausted its \$30 billion line of credit (Section 116).
- **Agricultural Research Service:** provided an additional \$42 million for operations and maintenance at the National Bio and Agro-Defense Facility (NBAF) being built in Manhattan, Kansas, and its transfer to USDA from the Department of Homeland Security (Section 117).
- **Department of Homeland Security (DHS):** allowed DHS to transfer up to \$15 million to USDA to support NBAF operations (Section 125).

Government Shutdown

When an appropriation (or CR) expires and no further budget authority has been provided, a funding gap exists, which may cause operations to cease at affected agencies. In general, the Antideficiency Act (31 U.S.C. 1341 *et seq.*) prohibits federal agencies from obligating funds before an appropriations measure has been enacted. Exceptions may allow certain activities to continue, such as for law enforcement, protection of human life or property, and activities funded

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*.

by other means such as carryover funds or user fees. Programs that are funded by other authorities—such as entitlements or the mandatory programs in the farm bill—may also be affected if the program is executed using personnel whose salaries are funded by discretionary appropriations that are affected by the funding gap.²⁹

For FY2019, a 34-day funding gap lasted from December 22, 2018, through January 25, 2019. It affected agencies within the jurisdiction of seven of the 12 appropriations bills, including Agriculture appropriations. On December 19, 2018, the Senate had passed H.R. 695, a CR that would have continued temporary funding through February 8, 2019, but the House-passed amendment to that bill on December 20 added homeland security funding for construction of physical barriers at borders and supplemental appropriations for natural disasters that the Senate did not accept.

Prior to FY2019, the previous shutdown was a two-day, weekend shutdown in January 2018, and before that a 16-day shutdown in October 2013. Before that, the next previous multiday shutdown occurred in FY1996, though agriculture appropriations were not affected that year because a stand-alone full-year Agriculture appropriation had been enacted.³⁰

In general, a shutdown results in the furlough of many personnel and curtailment of affected agency activities and services. Agencies make their own determinations about activities and personnel that are “excepted” from furlough and publish their intentions in “contingency plans” that are supervised by OMB.³¹ For agencies in the Agriculture appropriations jurisdiction, shutdown or contingency plans were published for USDA,³² FDA,³³ and the CFTC.³⁴

Generally, government employees of affected agencies do not receive pay during a shutdown. Excepted employees may be required to report to work but do not receive their current pay. Exempt employees may receive paychecks during the shutdown from a separately authorized funding source that remains available.³⁵ On January 16, 2019, the President signed P.L. 116-1 to guarantee back pay to furloughed and excepted employees after the government shutdown ended.

Agency Exceptions to Maintain Operations

USDA initially estimated on December 23, 2018, that 61% of its employees were excepted from furlough in the agencies that are funded by Agriculture appropriations (all of USDA except the Forest Service), which numbered 37,860 staff being excepted out of 62,288.³⁶ In general, the number of excepted and furloughed personnel varies by agency and may change as a shutdown continues as funding availability changes and as new circumstances arise. A summary of how the

²⁹ CRS Report RL34680, *Shutdown of the Federal Government: Causes, Processes, and Effects*.

³⁰ CRS Report RS20348, *Federal Funding Gaps: A Brief Overview*.

³¹ OMB, “Agency Contingency Plans,” <https://www.whitehouse.gov/omb/information-for-agencies/agency-contingency-plans>.

³² USDA, “U.S. Department of Agriculture Lapse in Funding Plans,” various agency-level documents, December 2018, <https://www.usda.gov/shutdownplans>.

³³ HHS, “FY2019 HHS Contingency Staffing Plan for Operations in the Absence of Enacted Annual Agriculture and Interior Appropriations,” <https://www.hhs.gov/about/budget/fy-2019-hhs-contingency-staffing-plan/index.html>.

³⁴ CFTC, “CFTC Plan for Lapse in Appropriations,” December 18, 2018, <https://www.cftc.gov/sites/default/files/2018-12/CFTCPlanLapseAppropriations121818.pdf>.

³⁵ See footnote 29.

³⁶ CRS analysis of USDA in “Summary of Activities to be Continued in the Event of a Government Shutdown,” December 23, 2018, <https://www.usda.gov/sites/default/files/documents/usda-shutdown-plan-summary-2.pdf>.

shutdown affected the operation of different agencies between December 22, 2018, and January 25, 2019, follows:

- Nearly 90% of staff in the Food Safety and Inspection Service and Agricultural Marketing Service were initially retained to continue food safety inspections of meat and poultry at processing plants and to continue commodity grading and inspection services (8,434 and 3,944 staff, respectively).
- About 69% of the Animal and Plant Health Inspection Service was excepted (5,456 staff) to continue preclearance inspection for transportation between Hawaii and Puerto Rico and the mainland and to carry out quarantine and certification for imports and exports.
- Resources in research laboratories and facilities that could be damaged by inattention were protected by excepting 18% (1,116 staff) of the Agricultural Research Service.
- The Farm Service Agency (FSA) initially excepted 7,589 staff (72% out of 10,479) through December 28 but then closed county offices, thereby lowering the number of excepted employees to 27 (0.3%).³⁷ As the shutdown continued, FSA announced on January 16, 2019, that it would recall about 2,500 employees to reopen FSA county offices for three days (January 17-18 and January 22). On these days, FSA provided administrative services to farmers mostly related to past activities that were obligated, including issuing tax documents, but was not to process new program applications.³⁸ On January 22, USDA further announced that as the shutdown continued, FSA offices would remain open on a full-time basis (with excepted staff) from January 24 to February 8 and three days per week thereafter.³⁹ This latter plan was not implemented because the shutdown ended on January 25.
- All 9,342 staff of the Natural Resources Conservation Service (NRCS) was exempted by using carryover funding and mandatory funding authorized in the 2014 farm bill.⁴⁰ Near the end of the shutdown, NRCS had begun preparations to furlough much of its agency beginning on February 3, 2019, after having retained 100% of the agency since the beginning of the shutdown.⁴¹ By beginning to furlough some employees, NRCS intended to conserve carryover balances and focus exempted staff on carrying out certain mandatory farm bill programs.⁴² This plan was not implemented because the shutdown ended on January 25.
- Most of USDA's Food and Nutrition Service (FNS) programs, whether mandatory or discretionary, rely on funding provided in appropriations acts. FNS

³⁷ USDA, "Summary of Activities to Be Continued in the Event of a Government Shutdown," January 4, 2019, <https://www.usda.gov/sites/default/files/documents/usda-shutdown-plan-summary-3.pdf>.

³⁸ USDA, "USDA to Reopen FSA Offices for Limited Services During Government Shutdown," January 16, 2019, <https://www.usda.gov/media/press-releases/2019/01/16/usda-reopen-fsa-offices-limited-services-during-government-shutdown>.

³⁹ USDA, "USDA to Reopen FSA Offices for Additional Services During Government Shutdown," January 22, 2019, <https://www.usda.gov/media/press-releases/2019/01/22/usda-reopen-fsa-offices-additional-services-during-government>.

⁴⁰ USDA Natural Resources Conservation Service, "NRCS Is Open for Business," <https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/home/?cid=NRCSEPRD1434827> (accessed January 2, 2019).

⁴¹ Politico, "USDA's Conservation Agency to Soon Be Hit by Shutdown," January 24, 2019.

⁴² USDA-NRCS, "NRCS Lapse in Appropriations Guidance," January 22, 2019.

program operations during a government shutdown vary based on the different programs' available resources, determined by factors such as contingency or carryover funds and terms of the expired appropriations acts, as well as USDA's decisionmaking. Beginning in late December 2018, FNS released program-specific memoranda to states and program operators describing the status of different nutrition assistance programs during the current funding lapse.⁴³ SNAP benefits for January were issued as scheduled, and on January 8 USDA announced that the expired CR allowed for an early distribution of February benefits so long as benefits were issued on or before January 20.⁴⁴

Among the related agencies that are funded in Agriculture appropriations:

- FDA initially retained 59% of its employees in excepted status (10,344 staff out of 17,397) based on a combination of factors including carryover funding, the need to safeguard human life, and the protection of property.⁴⁵ For food safety inspection specifically, FDA excepted 135 employees for inspection of food facilities deemed to have the highest risk to public health. Inspections of other facilities were postponed.⁴⁶
- CFTC excepted 9% of its employees (61 staff out of 673) to address risks that could pose a threat to the functioning of the stock market and commodity markets and that could affect the safety of human life or the protection of property.⁴⁷

Suspended Activities

While a number of selected USDA functions may have continued during the shutdown, many others ceased operations. Examples of USDA functions that were not performed by furloughed employees included data collection and analysis that informs the commodity markets; development of regulations to implement the new farm bill that was enacted in December 2018; completing the Administration's "trade aid" payments; approving loan guarantees for commercial banks; processing and funding direct farm loans, rural development loans, and grant programs (rural housing, community facilities, rural water, rural business, and broadband); agricultural research programs and grants; and many international assistance programs.

FY2019 Consolidated Appropriations Act

On February 15, 2019, Congress passed and the President signed the FY2019 Consolidated Appropriations Act (P.L. 116-6, H.Rept. 116-9). The agriculture portion is Division B of the act.

The official discretionary total of the Agriculture appropriation is \$23.03 billion, which is \$35 million more (+0.2%) than was enacted for FY2018 on a comparable basis that excludes the CFTC from the FY2018 total (**Table 2**). On that same comparable basis, the enacted total is \$6.3

⁴³ FNS, "Information on Program Operations in Light of Lapse in Fiscal Year 2019 Appropriations for the Food and Nutrition Service," <https://www.fns.usda.gov/FY19Lapse>.

⁴⁴ USDA, "USDA Announces Plan to Protect SNAP Participants' Access to SNAP in February," January 8, 2019, <https://www.fns.usda.gov/pressrelease/2019/000319>.

⁴⁵ HHS, "FY2019 Contingency Staffing Plan," December 21, 2018, <https://www.hhs.gov/sites/default/files/fy-2019-hhs-lapse-contingency-plan-narrative-december-ag-interior.pdf>.

⁴⁶ Personal communication between CRS and FDA Office of Congressional Affairs, April 29, 2019.

⁴⁷ CFTC, "CFTC Plan for Lapse in Appropriations."

billion more than the Administration requested (+38%), \$55 million more than was proposed in the House-reported bill (+0.2%) but \$194 million less than in the Senate-passed bill (-0.8%).

The appropriation also carries mandatory spending that totals nearly \$129 billion, which is determined in other authorizing laws. Thus, the overall total of the FY2019 Agriculture appropriation is about \$152 billion (**Figure 2**).

Table 3 summarizes appropriations amounts at the agency level. The primary changes that account for the overall \$35 million discretionary increase in the FY2019 Consolidated Appropriations Act are the following:

- Increase in the four agricultural research agencies in Title I by \$387 million (+13%) to \$3.4 billion, mostly by increasing ARS building and facilities by \$241 million, ARS salaries and expenses by \$100 million, and NIFA by \$64 million.
- Increase in base FDA appropriations in Title VI by \$269 million (+10%) to \$3.1 billion (excluding user fees) while not renewing extra funding in general provisions (Title VII) that was in the FY2018 appropriation for opioid enforcement and surveillance (-\$94 million reduction to the budget score).
- Increase in WIC funding by a net \$200 million, accounting for changes in rescissions of carryover balances and in the base appropriation. In FY2019 \$500 million is rescinded from carryover balances, smaller than the rescission of \$800 million in FY2018, for a comparative \$300 million increase. The base WIC appropriation in Title IV is reduced by \$100 million to \$6.075 billion. Also, appropriations for nutrition program administration is increased by \$11 million.
- Increase in APHIS by \$29 million (+3%) to \$1.014 billion.
- Maintain Food for Peace appropriations effectively at \$1.716 billion by decreasing the base appropriation in Title V by \$100 million and increasing extra funding in Title VII by \$100 million. Also, salaries and expenses for the Foreign Agricultural Service are increased (+14 million).
- Maintain overall discretionary farm production and conservation funding in Title II (+0.5%, +\$13 million) while shifting some administrative funding from program agencies into a new administrative business center.
- Decrease in the effective amount for rural development by essentially maintaining its base appropriation in Title III (+0.4%, +\$11 million) and reducing extra appropriations that were made in the FY2018 general provisions (Title VII) for water and wastewater programs (-\$425 million) and rural broadband (-\$475 million).
- Decrease in the budgetary offset provided by other scorekeeping adjustments, mostly from smaller negative subsidies that are provided by farm and rural development loan programs. In FY2018, \$481 million was offset. In FY2019, \$404 million is offset (+\$77 million increase in the budget score). Also, mandatory spending (+\$16 million) is increased by further reducing the effect of appropriations act CHIMPS.

Mandatory spending carried in the Consolidated Appropriations Act increased by \$6 billion over FY2018 to \$129 billion and was higher than estimated for the House and Senate bills. The annual change was mostly due to higher costs for crop insurance (+\$6.5 billion), greater reimbursement for the CCC (+1.1 billion), and lower outlays for child nutrition (-\$1.1 billion) and SNAP (-\$0.5 billion).

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

(budget authority in millions of dollars)

Agency or Major Program	FY2016	FY2017	FY2018	FY2019				Change from FY2018 to FY2019 Enacted	
	P.L. 114-113	P.L. 115-31	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted P.L. 116-6		
Title I. Agricultural Programs									
Departmental Administration	373.2	403.9	396.0	369.8	387.8	389.5	390.4	-5.6	-1.4%
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	1,684.5	+341.1	+25.4%
National Institute of Food and Agriculture	1,326.5	1,362.9	1,407.8	1,257.7	1,452.6	1,423.2	1,471.3	+63.5	+4.5%
National Agricultural Statistics Service	168.4	171.2	191.7	165.0	173.7	174.8	174.5	-17.2	-9.0%
Economic Research Service	85.4	86.8	86.8	45.0	86.8	86.8	86.8	+0.0	+0.0%
Under Secretary	0.9	0.9	0.8	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	1,014.3	+29.2	+3.0%
Agricultural Marketing Service ^a	82.5	86.2	152.8	119.7	154.3	157.1	160.3	+7.5	+4.9%
Section 32 (M)	1,303.0	1,322.0	1,344.0	1,374.0	1,374.0	1,374.0	1,374.0	+30.0	+2.2%
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	0.9	+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	1,049.3	-7.5	-0.7%
Under Secretary	0.8	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	FY2017	FY2018	FY2019				Change from FY2018 to FY2019 Enacted	
	P.L. 114-113	P.L. 115-31	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted P.L. 116-6		
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	5,587.8	6,033.9	+411.1	+7.3%
Mandatory (M)	16,032.6	31,280.2	1,344.0	1,374.0	1,374.0	1,374.0	1,374.0	+30.0	+2.2%
Subtotal	23,052.9	38,387.9	6,966.8	6,126.9	7,078.5	6,961.8	7,407.9	+441.1	+6.3%
Title II. Farm Production and Conservation ^a									
Business Center	—	—	1.0	196.4	115.4	1.0	216.4	+215.3	—
Farm Service Agency ^b	moved from Title I ^a		1,625.2	1,294.2	1,518.8	1,622.7	1,494.2	-131.1	-8.1%
FSA Farm Loans: Loan Authority ^c	moved from Title I ^a		8,005.6	7,617.7	7,987.7	8,017.7	7,987.7	-17.9	-0.2%
Risk Management Agency Salaries and Exp.	moved from Title I ^a		74.8	37.9	75.4	74.8	58.4	-16.5	-22.0%
Federal Crop Insurance Corporation (M)	moved from Title I ^a		8,913.0	8,687.0	8,687.0	8,687.0	15,410.6	+6,497.6	+72.9%
Commodity Credit Corporation (M)	moved from Title I ^a		14,284.8	15,410.0	15,410.0	15,410.0	15,410.0	+1,125.2	+7.9%
Conservation Operations	850.9	864.5	874.1	669.0	890.3	879.1	819.5	-54.6	-6.2%
Watershed and Flood Prevention	—	150.0	150.0	—	150.0	150.0	150.0	+0.0	+0.0%
Watershed Rehabilitation Program	12.0	12.0	10.0	—	10.0	—	10.0	+0.0	+0.0%
Under Secretary	0.9	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	2,748.8	+13.2	+0.5%
Mandatory (M)	moved from Title I ^a		23,198.3	24,097.5	24,097.5	24,097.5	30,821.1	+7,622.8	+32.9%
Subtotal	moved from Title I ^a		25,933.9	26,295.4	26,857.8	26,825.5	33,569.9	+7,636.0	+29.4%

Agency or Major Program	FY2016	FY2017	FY2018	FY2019				Change from FY2018 to FY2019 Enacted	
	P.L. 114-113	P.L. 115-31	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted P.L. 116-6		
Title III. Rural Development									
Salaries and Expenses (including transfers) ^d	682.9	675.8	680.8	585.9	686.8	682.8	686.8	+6.0	+0.9%
Rural Housing Service	1,616.4	1,654.9	1,582.4	1,351.4	1,582.5	1,585.2	1,606.0	+23.6	+1.5%
<i>RHS Loan Authority^c</i>	27,496.8	28,083.4	28,390.1	27,760.0	28,345.5	28,590.1	28,293.8	-96.4	-0.3%
Rural Business-Cooperative Service ^e	90.5	97.7	109.5	0.0	99.5	104.2	98.6	-10.9	-10.0%
<i>RBCS Loan Authority^c</i>	979.3	988.4	991.2	0.0	1,027.5	991.2	1,026.4	+35.2	+3.5%
Rural Utilities Service	559.3	639.9	628.1 ^f	85.2	709.6 ^f	628.7 ^f	620.2 ^f	-7.9	-1.3%
<i>RUS Loan Authority^c</i>	8,210.6	8,217.0	8,219.9	7,413.1	8,419.9	8,219.9	8,419.9	+200.0	+2.4%
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	3,011.7	+10.8	+0.4%
<i>Subtotal, RD Loan Authority^c</i>	36,686.7	37,288.9	37,601.2	35,173.1	37,792.9	37,801.2	37,740.0	+138.8	+0.4%
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	23,140.8	-1,113.4	-4.6%
WIC Program	6,350.0	6,350.0	6,175.0	5,750.0	6,000.0	6,150.0	6,075.0	-100.0	-1.6%
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	73,476.9	-536.6	-0.7%
Commodity Assistance Programs	296.2	315.1	322.1	55.5	306.9	322.1	322.1	+0.0	+0.0%
Nutrition Programs Administration	150.8	170.7	153.8	160.8	162.8	164.7	164.7	+10.8	+7.1%
Under Secretary	0.8	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	6,620.3	-89.5	-1.3%
<i>Mandatory (M)</i>	102,958.1	101,226.7	98,209.6	96,342.3	96,344.8	96,344.8	96,560.0	-1,649.6	-1.7%
<i>Subtotal</i>	109,797.0	108,111.3	104,919.4	102,332.3	102,873.3	103,040.9	103,180.3	-1,739.1	-1.7%

Agency or Major Program	FY2016	FY2017	FY2018	FY2019				Change from FY2018 to FY2019 Enacted	
	P.L. 114-113	P.L. 115-31	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted P.L. 116-6		
Title V. Foreign Assistance									
Foreign Agricultural Service	191.6	196.6	199.7	193.1	204.1	212.2	213.9	+14.2	+7.1%
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	1,500.1 ^f	-100.0	-6.2%
McGovern-Dole Food for Education	201.6	201.6	207.6	0.0	207.6	210.3	210.3	+2.6	+1.3%
CCC Export Loan Salaries	6.7	8.5	8.8	7.1	9.2	8.8	8.8	+0.0	+0.0%
Office of Codex Alimentarius	—	—	3.8	3.8	3.8	4.0	4.0	+0.2	+4.7%
Under Secretary	—	—	0.9	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	1,938.0	-83.0	-4.1%
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	3,080.5	+268.6	+9.6%
Commodity Futures Trading Commission ^g	250.0	[250.0] ^h	249.0	281.5	255.0	[281.5] ^h	[268.0] ^h	+19.0	+7.6%
Subtotal	2,979.6	[3,021.2]	3,060.9	3,465.2	3,374.6	[3,252.4] ^h	[3,348.5]	+287.6	+9.4%
Title VII. General Provisions									
Reductions in Mandatory Programs ⁱ									
a. Environmental Quality Incentives Program	-209.0	-179.0	—	-136.3	—	—	—	—	—
b. Watershed Rehabilitation Program	-68.0	-54.0	—	-46.2	—	—	—	—	—
c. Fresh Fruit and Vegetable Program	-125.0	-125.0	—	-125.0	—	—	—	—	—
d. Biorefinery Assistance Program	-19.0	-20.0	—	—	—	—	—	—	—
e. Biomass Crop Assistance Program	-20.0	-20.0	-21.0	—	—	—	—	+21.0	-100.0%
f. Cushion of Credit (Rural Development) ^e	-179.0	-132.0	—	-225.0	-50.0	—	—	—	—
g. Section 32	-216.0	-231.0	—	-342.0	—	—	—	—	—
h. Other CHIMPS and mandatory rescissions	+5.0	+17.0	+20.0	-36.4	+35.0	+5.0	+15.0	-5.0	-25.0%

Agency or Major Program	FY2016	FY2017	FY2018	FY2019				Change from FY2018 to FY2019 Enacted	
	P.L. 114-113	P.L. 115-31	P.L. 115-141	Admin. Request	House H.R. 5961	Senate H.R. 6147	Enacted P.L. 116-6		
Subtotal, CHIMPS	-831.0	-744.0	-1.0	-910.8	-15.0	+5.0	+15.0	+16.0	-1600.0%
Rescissions (discretionary)	-34.0	-854.0	-800.0	-287.0	-300.0	-400.0	-505.0	+295.0	-36.9%
Other appropriations									
a. Disaster/emergency programs	273.0	234.8	—	—	—	—	—	—	—
b. Water and Waste Water	—	—	+500.0	—	—	+400.0	+75.0	-425.0	-85.0%
c. Broadband pilot	—	—	+600.0	—	+550.0	+425.0	+125.0	-475.0	-79.2%
d. Opioid Enforcement and Surveillance	—	—	+94.0	—	—	—	—	-94.0	-100.0%
e. Food for Peace	250.0	134.0	+116.0	—	—	—	+216.0	+100.0	+86.2%
f. Other appropriations	33.1	103.4	68.1	—	+29.5	+64.5	77.5	+9.4	+13.8%
Subtotal, Other appropriations	556.1	472.2	1,378.1	—	579.5	889.5	493.5	-884.6	-64.2%
Total, General Provisions	-308.9	-1,125.8	577.1	-1,197.8	264.5	494.5	3.5	-573.6	-99.4%
Scorekeeping Adjustmentsⁱ									
Disaster declaration in this bill	-130.0	-206.1	—	—	—	—	—	—	—
Other scorekeeping adjustments	-332.0	-524.0	-481.0	-409.0	-404.0	-404.0	-404.0	+77.0	-16.0%
Subtotal, Scorekeeping adjustments	-462.0	-730.1	-481.0	-409.0	-404.0	-404.0	-404.0	+77.0	-16.0%
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	23,032.7	+34.7	+0.2%
Discretionary: House basis w/ CFTC	21,750.0	[21,127.0]	23,247.0	17,026.7	23,232.8	[23,508.0]	[23,300.7]	+53.7	+0.2%
Mandatory (M)	118,990.7	132,506.9	122,752.0	121,813.8	121,816.3	121,816.3	128,755.1	+6,003.1	+4.9%
Total: Senate basis w/o CFTC	[140,490.7]	153,383.9	[145,750.0]	138,559.0	[144,794.0]	145,042.8	151,787.8	+6,037.8	+4.1%
Total: House basis w/ CFTC	140,740.7	[153,633.9]	145,999.0	138,840.5	145,049.0	[145,324]	[152,055.8]	+6,056.8	+4.1%

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 Agriculture appropriations 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 the enacted Agriculture appropriations in even-numbered fiscal years. It is always carried in House Agriculture subcommittee markup but never in Senate Agriculture subcommittee markup. Bracketed amounts are not in the Agriculture appropriations totals due to differing House-Senate jurisdiction for CFTC but are shown for comparison.
- h. The amount for CFTC is in the division for Financial Services and General Government appropriations.
- i. Includes reductions (limitations and rescissions) to mandatory programs that may also be known as CHIMPS.
- j. “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. In some instances, the provisions may amend the *U.S. Code* and have long-standing effects.

The explanatory statement in the conference report that accompanies the final appropriation (H.Rept. 116-9), and the House and Senate report language that accompanies the committee-reported bills (H.Rept. 115-706, S.Rept. 115-259), may also provide additional policy instructions. These documents do not have the force of law but often explain congressional intent, which the agencies are expected to follow. Indeed, the committee and conference reports may need to be read together to capture all of the congressional intent for the fiscal year:

Congressional Directives. The explanatory statement is silent on provisions that were in both the House Report (H.Rept. 115-706) and Senate Report (S.Rept. 115-259) that remain unchanged by this conference agreement, except as noted in this explanatory statement. The conference agreement restates that executive branch wishes cannot substitute for Congress's own statements as to the best evidence of congressional intentions, which are the official reports of the Congress.... The House and Senate report language that is not changed by the explanatory statement is approved and indicates congressional intentions. The explanatory statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.⁴⁸

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 and act. It excludes policies that may have been addressed in the report language or explanatory statement. Many of these provisions have been included in past years' appropriations laws.

Table 4. Selected Policy Provisions Considered in FY2019 Agriculture Appropriations

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C	Enacted P.L. 116-6, Division B
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, with congressional notification. (§715)	Same as House provision. (§715)	Same as House provision. (§714)
Rural definition. Defines <i>rural</i> for the water and waste disposal guaranteed loan program as a city, town, or unincorporated area with no more than 20,000 people. (§728)	No comparable provision.	No comparable provision.
Directs that eligibility for rural development programs shall not include incarcerated prison populations. (§744)	Same as House provision. (§744)	Same as House provision. (§721)

⁴⁸ H.Rept. 116-9, Explanatory Statement for Division B, in the Conference Report for the FY2019 Consolidated Appropriations Act.

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C	Enacted P.L. 116-6, Division B
No comparable provision.	REAP Zones. Sets aside funding for Rural Economic Area Partnership (REAP) Zones for several programs, in amounts that were most recently obligated in REAP Zones from such programs. (§743)	Same as Senate provision. (§745)
Persistent poverty counties. Requires that at 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.	Same as House provision. (§752)
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)	Same as House provision. (§748)	No comparable provision.
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)	Same as House provision. (§742)	Same as House provision. (§744)
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)	Same as Senate provision. (§748)
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)	Same as Senate provision. (§728)
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)	Same as Senate provision but with further limitation for the higher rate of pay. (§738)
No comparable provision.	Horse slaughter. Prohibits USDA from conducting horse slaughter inspection. (§758)	Same as Senate provision. (§750)
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.	Same as House provision. (§742)
Cell-cultured meat. Directs USDA to regulate products that are made from cells of amenable species of livestock that are grown under controlled conditions for	No comparable provision.	No comparable provision.

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C	Enacted P.L. 116-6, Division B
human food to prevent adulteration and misbranding. Applies to FY2018 and thereafter. (§736)		
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.	Same as House provisions. (§§749, 753)
Grain Inspection. Restores exceptions that were revoked after reauthorization of the U.S. Grain Standards Act in 2015. (§756)	Same as House provision. (§759)	Same as House provision. (§759) Note: The 2018 farm bill makes the same changes permanently in the U.S. Grain Standards Act. (P.L. 115-334, §12610)
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.	Same as House provision. (§760)
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.	Same as House provision. (§768)
No comparable provision.	No comparable provision.	Entitlement purchases. Changes a date related to entitlement purchases for the child nutrition programs to ensure that trade aid purchases do not count toward the required level for commodity assistance. (§775)
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 <i>variety</i> to increase the number of items that qualify as acceptable varieties in each staple food category. (§727)	Same as House provision. (§728)	Same as House provision. (§727)
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.	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)	Same as House provision. (§733)	Same as House provision. (§731)

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C	Enacted P.L. 116-6, Division B
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)	Similar to House provision with different reference to effective dates. (§737)
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)	Same as House provision. (§750)	Same as House provision. (§755)
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 varieties used solely for wine. (§755)	Same as House provision. (§753)	Same as House provision. (§758)
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.	Same as House provision. (§766)
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)	Same as House provision. (§767)
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)	Same as Senate provision. (§776).
No comparable provision.	Volcanic eruptions. Provides for technical assistance to respond to volcanic eruptions. (§760)	Same as Senate provision. (§769)
No comparable provision.	Ocean deacidification. 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)	Same as Senate provision. (§770)
No comparable provision.	Ocelots. 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)	Same as Senate provision. (§771)

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C	Enacted P.L. 116-6, Division B
No comparable provision.	Rural housing study. 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)	Same as Senate provision. (§772)
No comparable provision.	Seafood. 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)	Same as Senate provision. (§773)
No comparable provision.	Broadband eligibility. Amends implementation of a broadband program in the 2018 Agriculture appropriation regarding eligibility determination and expansion efforts. (§765)	Same as Senate provision. (§779)
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.	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.	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.	No comparable provision.

House-reported H.R. 5961	Senate-passed H.R. 6147, Division C	Enacted P.L. 116-6, Division B
<p>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 nonadult 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)</p>	No comparable provision.	No comparable provision.
<p>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)</p>	No comparable provision.	No comparable provision.

Source: CRS.

Other CRS Resources for Agricultural Appropriations

In addition to the amounts presented in **Table 3** and the policy provisions identified in **Table 4**, the following CRS reports provide more detail and analysis about various agencies and programs within the Agriculture appropriations act:

- CRS Report R45406, *FY2018 and FY2019 Appropriations for Agricultural Conservation*
- CRS Report R45413, *FY2018 and FY2019 Agriculture Appropriations: Federal Food Safety Activities*
- CRS Report R45433, *USDA Domestic Food Assistance Programs: FY2018 Appropriations*
- CRS Report R45712, *FY2018 and FY2019 Agriculture Appropriations: International Food Aid*
- CRS In Focus IFI0953, *Agriculture Appropriations: Animal and Plant Health*
- CRS In Focus IFI0829, *Agriculture Funding in the Bipartisan Budget Act of 2018*

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.⁴⁹ Sequestration is triggered as a budget enforcement mechanism when federal spending would exceed statutory budget goals.⁵⁰ 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)

Fiscal Year	Discretionary Accounts		Mandatory Accounts	
	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”).

⁴⁹ CRS Report R43411, *The Budget Control Act of 2011: Legislative Changes to the Law and Their Budgetary Effects*.

⁵⁰ 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 2013.⁵¹
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 2015.⁵²
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)).⁵³

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)⁵⁴ and the Conservation Reserve Program.⁵⁵ Some prior legal obligations in the Federal Crop Insurance Corporation⁵⁶ and the farm commodity programs may be exempt⁵⁷ as determined by OMB.⁵⁸

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.⁵⁹

⁵¹ CBO, *Bipartisan Budget Act of 2013*, December 11, 2013, <https://www.cbo.gov/publication/44964>.

⁵² 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*.

⁵³ CBO, *Bipartisan Budget Act of 2018*, February 8, 2018, <https://www.cbo.gov/publication/53556>.

⁵⁴ 2 U.S.C. 905 (h).

⁵⁵ 2 U.S.C. 905(g)(1)(A).

⁵⁶ 2 U.S.C. 905 (g)(2).

⁵⁷ 2 U.S.C. 906 (j).

⁵⁸ 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.

⁵⁹ 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 would otherwise have been 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
<i>Sequestration rate on nonexempt, nondefense mandatory accounts</i>	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 at https://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, FY1996-FY2019

Table B-1. Congressional Action on Agriculture Appropriations Since FY1996

Fiscal Year	House Action			Senate Action			Final Appropriation			CRS Report
	Subcmte.	Cmte.	Floor	Subcmte.	Cmte.	Floor	Enacted ^a	Public Law		
1996	6/14/1995	6/27/1995	7/21/1995	9/13/1995	9/14/1995	9/20/1995	10/21/1995	E P.L. 104-37	95-624	
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	2/15/2019	O P.L. 116-6	R45230	

Source: CRS.

- a. E = Enacted as standalone appropriation (eight times over 24 years); O = Omnibus appropriation (14 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*.

Author Contact Information

Jim Monke
 Specialist in Agricultural Policy
 /redacted/@crs.loc.gov-....

Key Policy Staff

Area of Expertise	Name
Agricultural appropriations, USDA budget	Jim Monke
Agricultural Marketing Service	Joel Greene
Animal and Plant Health Inspection Service	Sahar Angadjivand
Commodity Futures Trading Commission	Rena Miller
Conservation	Megan Stubbs
Crop insurance	Randy Schnepf
Disaster assistance	Megan Stubbs
Farm Service Agency	Jim Monke
Food and Drug Administration	Agata Dabrowska
Food safety, generally	Renée Johnson
Food safety, meat and poultry inspection	Joel Greene
International food aid	Alyssa Casey
Nutrition and domestic food assistance	Randy Alison Aussenberg Kara Clifford Billings
Research and extension	Tadlock Cowan
Rural development	Alyssa Casey
Trade	Anita Regmi

EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.