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### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2012

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SEPTEMBER 7, 2011.—Ordered to be printed

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Mr. KOHL, from the Committee on Appropriations,  
submitted the following

### REPORT

[To accompany H.R. 2112]

The Committee on Appropriations, to which was referred the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, reports the same with an amendment and recommends that the bill as amended do pass.

#### *New obligatory authority*

Total of bill as reported to the Senate .....	\$136,955,373,000
Amount of 2011 appropriations .....	130,559,669,000
Amount of 2012 budget estimate .....	132,278,780,000
Amount of House allowance .....	125,359,837,000
Bill as recommended to Senate compared to—	
2011 appropriations .....	+ 6,395,704,000
2012 budget estimate .....	+ 4,676,593,000
House allowance .....	+ 11,595,536,000

*Pear Genetics and Genomics.*—The Committee directs ARS to provide a report detailing specifically its year-by-year plans to locate and allocate resources including staff, facilities and equipment for pear genetics and genomics throughout ARS. This report will also provide an estimate of how long it will take to meet the goals of the *Pyrus* plant improvement roadmap and funding that will be required to meet the terms of that roadmap.

*Pollinator Research.*—The Committee is aware that pollinators are responsible for the production of one-third of the Nation's food supply, but the number of managed honeybee colonies in the United States has dropped in half since 1940. Because of the importance of pollinators in the production of the Nation's food supply and their impact on the stability of our agricultural economy, the Committee encourages ARS to continue to dedicate resources to protecting the health of both honeybees and other native bees, including continued research into colony collapse disorder.

*Pulse Health Initiative.*—The Committee continues to recognize the need to investigate the ability of pulse crops—dry beans, dry peas, lentils, and chickpeas—to provide solutions to critical health issues including but not limited to obesity, diabetes, cardiovascular disease, and cancer; and to increase the consumption of pulse crops by improving their functionality in baked goods and end use as a food and food ingredient through the study of milling, extrusion, extraction, and cooking properties. The Committee also recognizes the potential to improve the sustainability of agricultural rotations and reduce green house gas emissions by improving the nitrogen fixing abilities of pulse crops. The Committee recommends ARS provide adequate funding to establish the Pulse Health Initiative.

*Research Facilities.*—The Committee concurs with the budget proposal to close 12 research laboratories at 10 locations. The Committee further directs, in concurrence with the budget proposal, that no other research facilities be closed during fiscal year 2012.

Additionally, while the Committee understands the need to continually look for ways to increase efficiency and improve research outcomes, laboratory closures often cost money in the short-term and do not necessarily provide real savings. Therefore, the Committee directs ARS to evaluate its capital asset requirements for necessary coordination with ongoing and emerging research opportunities. As part of this evaluation, ARS should provide opportunity for public comment in order to incorporate the priorities of all interested stakeholders, including ARS and other scientists, and users of ARS data. Finally, in future budget requests, the Committee directs ARS to identify any costs associated with any proposed laboratory closures, including decommissioning, relocation or other effects on employees, and any other additional costs.

*Shellfish Research.*—The Committee is aware of ARS' work on shellfish research to address shellfish diseases and other factors, and encourages ARS to continue this work to help improve the economics of shellfish farming and encourage expanded production and job opportunities.

#### NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

Section 7511(f)(2) of the Food, Conservation, and Energy Act of 2008 amends the Department of Agriculture Reorganization Act of

1994 (7 U.S.C. 6971) by establishing an agency to be known as the National Institute of Food and Agriculture [NIFA]. The Secretary transferred to the Director of NIFA, effective October 1, 2009, all authorities administered by the Administrator of the Cooperative State, Research, Education and Extension Service. The mission is to work with university partners and customers to advance research, extension, and higher education in the food and agricultural sciences and related environmental and human sciences to benefit people, communities, and the Nation.

#### RESEARCH AND EDUCATION ACTIVITIES

Appropriations, 2011 .....	\$698,740,000
Budget estimate, 2012 .....	708,107,000
House allowance .....	591,748,000
Committee recommendation .....	709,825,000

Research and Education programs administered by NIFA are USDA's principal entrée to the university system of the United States for the purpose of conducting agricultural research and education programs as authorized by the Hatch Act of 1887, as amended (7 U.S.C. 361a–361i); the McIntire-Stennis Cooperative Forestry Act of 1962, as amended (16 U.S.C. 582a et seq.); the Competitive, Special, and Facilities Research Grant Act, as amended (7 U.S.C. 450i); the National Agricultural, Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3101 et seq.); the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note); the Agricultural Research, Extension and Education Reform Act of 1998 (Public Law 105–185), as amended; the Food, Agriculture, Conservation and Trade Act of 1990 (Public Law 101–624); the Farm Security and Rural Investment Act of 2002 (Public Law 107–171); and the Food, Conservation and Energy Act of 2008 (Public Law 110–246). Through these authorities, USDA participates with State and other cooperators to encourage and assist the State institutions in the conduct of agricultural research and education through the State Agricultural Experiment Stations of the 50 States and the territories; by approved Schools of Forestry; the 1890 Land-Grant Institutions and Tuskegee University and West Virginia State University; 1994 Land-Grant Institutions; by Colleges of Veterinary Medicine; and other eligible institutions. The appropriated funds provide Federal support for research and education programs at these institutions.

The research and education programs participate in a nationwide system of agricultural research program planning and coordination among the State institutions, U.S. Department of Agriculture, and the agricultural industry of America.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$709,825,000 for research and education activities of the National Institute of Food and Agriculture.

The following table summarizes the Committee's recommendations for research and education activities:

## NATIONAL INSTITUTE OF FOOD AND AGRICULTURE [NIFA]—RESEARCH AND EDUCATION ACTIVITIES

	Committee recommendation
Hatch Act .....	\$236,334,000
McIntire-Stennis Cooperative Forestry Research Program .....	32,934,000
Evans-Allen program (1890 Colleges, Tuskegee University and West Virginia State University) .....	50,898,000
Animal Health and Disease Research .....	2,944,000
Special Research Grants:	
Global Change/UV-Monitoring .....	1,377,000
Potato Research .....	1,404,000
Forest Products Research .....	1,400,000
Total, Special Research Grants .....	4,181,000
Improved Pest Control:	
Expert IPM Decision Support System .....	153,000
Integrated Pest Management .....	2,362,000
Minor Crop Pest Management, IR-4 .....	11,913,000
Pest Management Alternatives .....	1,402,000
Total, Improved Pest Control .....	15,830,000
Critical Ag Materials Act of 1984 .....	1,081,000
Aquaculture Centers, Section 1475 .....	3,920,000
Sustainable Agriculture Research and Education .....	14,471,000
1994 Institutions Research Program .....	1,801,000
Supplemental and Alternative Crops, Section 1473 D .....	833,000
AFRI .....	265,987,000
Joe Skeen Institute for Rangeland Restoration .....	961,000
New Era Rural Technology Program .....	856,000
Competitive Grants for Policy Research .....	4,000,000
Capacity Building for Non-Land-Grant Colleges of Agriculture .....	5,000,000
Farm Business Management and Benchmarking Program .....	1,497,000
Sun Grant Program .....	2,246,000
Federal Administration:	
Data Information System (REEIS) .....	2,645,000
Electronic Grants Administration System .....	2,089,000
Office of Extramural Programs .....	430,000
Pay Costs .....	5,454,000
Peer Panels .....	388,000
Total, Federal Administration .....	11,006,000
Higher Education:	
Graduate Fellowships Grants .....	3,774,000
Institution Challenge Grants .....	5,530,000
1890s Institution Capacity Building Grants .....	19,336,000
Multicultural Scholars .....	1,239,000
Hispanic-Serving Institutions Education Grants Program .....	9,219,000
Tribal Colleges Education Equity Grants Program .....	3,335,000
Secondary/2-Year Post Secondary .....	981,000
Veterinary Medical Services Act .....	4,790,000
Alaska Native-Serving and Native-Hawaiian-Serving Institutions .....	3,194,000
Resident Instruction Grants for Insular Areas .....	898,000
Distance Education Grants for Insular Areas .....	749,000
Total, Higher Education Grants .....	53,045,000
Total, Research and Education .....	709,825,000

*Agriculture and Food Research Initiative.*—The Committee recommendation includes \$265,987,000 for the Agriculture and Food Research Initiative [AFRI]. The Committee notes that programs previously funded through the Integrated Activities account are eligible for funding under the AFRI.

Section 7406 of the Food, Conservation, and Energy Act of 2008 specifies priority areas within the Agriculture and Food Research Initiative [AFRI], including an emphasis on conventional (classical) plant and animal breeding. The Committee strongly concurs with the intent of this section, and requests a report from the agency as to its plans for implementing this important conventional/classical plant and animal breeding requirement.

*Agricultural Research Enhancement Awards.*—The Committee remains determined to see that quality research and enhanced human resources development in the agricultural and related sciences be a nationwide commitment. Therefore, the Committee continues its direction that not less than 10 percent of the competitive research grant funds be used for USDA’s agricultural research enhancement awards program (including USDA–EPSCoR), in accordance with 7 U.S.C. 450i.

*Aquaculture Disease Research.*—The Committee encourages USDA to support aquaculture disease and vaccine research, including research on coldwater aquaculture vaccines. There is currently no national facility for pathogen testing. Research into finfish vaccines and pathogens has the potential to accelerate the growth of sustainable U.S. aquaculture, reduce the trade deficit attributable to imported seafood, and reduce the pressure on overfished species.

*Berry and Grape Research.*—The Committee recognizes that the production of grapes is vital to many local economies, and encourages NIFA to work with partners to support the development of new cultivars to enhance economic stability and develop environmentally sound insect and disease management strategies and technologies.

The Committee also encourages NIFA to support berry and grape research that focuses on integrated pest management to improve food safety, human health, and varietal development, while reducing chemical inputs and emerging pest and disease pressures related to climate change.

*Broccoli Production.*—The Committee has been informed that the Department has dedicated funding toward spurring broccoli production in the eastern United States. The Committee is aware that that farmers have invested considerable amounts of time and private funding into research on soils, crop management practices, and new broccoli varieties to develop and maintain a successful broccoli production industry on the East Coast. The Committee directs the USDA to work to ensure that Departmental efforts do not compete with or detrimentally affect privately owned, family-farm business operations.

*Cereal Crop Research.*—Research on cereal crops has historically been conducted by USDA and public universities, and the Committee recognizes the importance of continuing investment in cereal crop research. The Committee strongly encourages USDA to provide funding for cereal crop research in the areas of genetic and genomic research, plant pest research, and improved production systems.

*Cranberry and Blueberry Research.*—The Committee encourages the NIFA to continue working with research institutions to develop resilient cranberry and blueberry breeds and establish effective and environmentally sound pest management technologies.

*Forest Products.*—The Committee recognizes the important role of the forests products sector to the U.S. economy. The need to create new and improved value-added products and renewable energy from our Nation’s wood supply is critical to the sustainability of the national economy. The Committee directs NIFA to support research, education and outreach for the forest products sector.

*National Clean Plant Network.*—The National Clean Plant Network is instrumental in ensuring that nurseries can provide safe, virus-free materials to orchards, vineyards and other growers. The Committee recognizes the value of continued research to improve detection and eradication of viruses, and encourages the Department to continue its work on this important program.

*Policy Research Centers.*—The Committee directs the Director of NIFA to consult with the Office of the Chief Economist in developing requests for proposals for competitive grants, reviewing applications, and awarding grants for the activities authorized by 7 U.S.C. 3155. The Committee further directs the Director of NIFA to obligate funds made available for 7 U.S.C 3155 within 120 days of the enactment of this act.

*Potato Research.*—To minimize the application of pesticides and to maximize the yield and quality of harvested potatoes, the Committee directs the Secretary to support pest management programs in potato growing States. Such programs help scientists track potential pest outbreaks and provide growers and industry professionals with current information on specific and timely treatments. Additionally, the programs help identify serious diseases, such as late blight disease, in their early stages, allowing for preventive measure to be put into place quickly to avoid crop losses.

*Seafood.*—The Committee encourages USDA, in partnership with universities with established domestic shrimp farming programs, to support the development of a domestic industry that will help ensure the safety and quality of the Nation’s seafood supply, promote environmentally sustainable aquaculture, create new opportunities for U.S. agriculture, and forge new markets for U.S. grain and oilseed products and technology services.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

Appropriations, 2011 .....	\$11,880,000
Budget estimate, 2012 .....	11,880,000
House allowance .....	11,880,000
Committee recommendation .....	11,880,000

The Native American Institutions Endowment Fund authorized by Public Law 103–382, the Equity in Educational Land-Grant Status Act, provides an endowment for the 1994 land-grant institutions (34 tribally controlled colleges). This program will enhance educational opportunity for Native Americans by building educational capacity at these institutions in the areas of student recruitment and retention, curricula development, faculty preparation, instruction delivery systems, and scientific instrumentation for teaching. Income funds are also available for facility renovation, repair, construction, and maintenance. On the termination of each fiscal year, the Secretary shall withdraw the income from the endowment fund for the fiscal year, and after making adjustments for the cost of administering the endowment fund, distribute the ad-

justed income as follows: 60 percent of the adjusted income from these funds shall be distributed among the 1994 land-grant institutions on a pro rata basis, the proportionate share being based on the Indian student count; and 40 percent of the adjusted income shall be distributed in equal shares to the 1994 land-grant institutions.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$11,880,000 for the Native American Institutions Endowment Fund.

HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES  
ENDOWMENT FUND

Appropriations, 2011 .....	
Budget estimate, 2012 .....	\$10,000,000
House allowance .....	
Committee recommendation .....	10,000,000

Section 7129 of the Food, Conservation, and Energy Act of 2008, provides for the establishment of an endowment fund for the Hispanic-Serving Agricultural Colleges and Universities [HSACU]. The Hispanic/Latino community is the fastest growing sector of the American population. This investment in the Hispanic-Serving Agricultural Colleges and Universities is needed to ensure institutions can effectively compete for NIFA competitive grants.

On the termination of each fiscal year, the Secretary shall withdraw the income from the endowment fund for the fiscal year, and after making adjustments for the cost of administering the endowment fund, shall distribute the adjusted income as follows: 60 percent of the adjusted income shall be distributed among the Hispanic-Serving Agricultural Colleges and Universities on a pro rata basis based on the Hispanic enrollment count of each institution; and 40 percent shall be distributed in equal shares to the Hispanic-Serving Agricultural Colleges and Universities.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$10,000,000 for the Hispanic-Serving Agricultural Colleges and Universities Endowment Fund.

EXTENSION ACTIVITIES

Appropriations, 2011 .....	\$479,132,000
Budget estimate, 2012 .....	466,788,000
House allowance .....	407,993,000
Committee recommendation .....	478,179,000

Cooperative extension work was established by the Smith-Lever Act of May 8, 1914, as amended. The Department of Agriculture is authorized to provide, through the land-grant colleges, cooperative extension work that consists of the development of practical applications of research knowledge and the giving of instruction and practical demonstrations of existing or improved practices or technologies in agriculture and related subjects, and to encourage the application of such information by demonstrations, publications, through 4-H clubs, and other means to persons not in attendance or resident at the colleges.

To fulfill the requirements of the Smith-Lever Act, State and county extension offices in each State, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Marianas, and Micronesia conduct educational programs to improve American agriculture and strengthen the Nation's families and communities.

#### COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$478,179,000 for extension activities of the National Institute of Food and Agriculture.

The following table summarizes the Committee's recommendations for extension activities:

#### NATIONAL INSTITUTE OF FOOD AND AGRICULTURE [NIFA]—EXTENSION ACTIVITIES

	Committee recommendation
Smith-Lever Act, Section 3(b) and (c) .....	\$295,800,000
Smith-Lever, Section 3d Programs:	
Food and Nutrition Education (EFNEP) .....	67,934,000
Farm Safety .....	4,610,000
New Technologies for Ag Extension .....	1,660,000
Pest Management .....	9,918,000
Children, Youth, and Families at Risk .....	7,975,000
Youth Farm Safety Education and Certification .....	461,000
Federally Recognized Tribes Extension Program .....	3,039,000
Sustainable Agriculture .....	4,696,000
Total, Section 3d Programs .....	100,293,000
1890 Colleges, Tuskegee University and West Virginia State University .....	42,592,000
Rural Health and Safety Education .....	1,735,000
1890 Facilities (Sec. 1447) .....	19,730,000
Renewable Resources Extension Act (RREA) .....	3,929,000
Extension Services at the 1994 Institutions .....	4,312,000
Food Animal Residue Avoidance Database (FARAD) .....	1,000,000
Women and Minorities in STEM Fields .....	400,000
Federal Administration:	
Ag in the Classroom .....	552,000
General Administration, Including Pay Costs .....	7,836,000
Total, Federal Administration .....	8,388,000
Total, Extension Activities .....	478,179,000

#### INTEGRATED ACTIVITIES

Appropriations, 2011 .....	\$36,926,000
Budget estimate, 2012 .....	29,874,000
House allowance .....	12,303,000
Committee recommendation .....	25,948,000

Section 406, as amended, of the Agricultural Research, Extension, and Education Reform Act of 1998 authorizes an integrated research, education, and extension competitive grants program.

## COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$25,948,000 for integrated activities of the National Institute of Food and Agriculture.

The following table summarizes the Committee's recommendations for integrated activities:

## NATIONAL INSTITUTE OF FOOD AND AGRICULTURE [NIFA]—INTEGRATED ACTIVITIES

	Committee recommendation
Section 406 Legislative Authority:	
Water Quality .....	\$8,982,000
Regional Pest Management Centers .....	2,994,000
Methyl Bromide Transition Program .....	1,996,000
Organic Transition Program .....	3,992,000
Total, Section 406 .....	17,964,000
International Science and Education Grants Program .....	998,000
Regional Rural Development Centers Program .....	998,000
Homeland Security, Food and Agriculture Defense Initiative .....	5,988,000
Total, Integrated Activities .....	25,948,000

## OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

Appropriations, 2011 .....	\$893,000
Budget estimate, 2012 .....	911,000
House allowance .....	754,000
Committee recommendation .....	848,000

The Office of the Under Secretary for Marketing and Regulatory Programs provides direction and coordination in carrying out laws with respect to the Department's marketing, grading, and standardization activities related to grain; competitive marketing practices of livestock, marketing orders, and various programs; veterinary services; and plant protection and quarantine. The Office has oversight and management responsibilities for the Animal and Plant Health Inspection Service; Agricultural Marketing Service; and Grain Inspection, Packers and Stockyards Administration.

## COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$848,000 for the Office of the Under Secretary for Marketing and Regulatory Programs.

## ANIMAL AND PLANT HEALTH INSPECTION SERVICE

## SALARIES AND EXPENSES

Appropriations, 2011 .....	\$863,270,000
Budget estimate, 2012 .....	832,706,000
House allowance .....	783,838,000
Committee recommendation .....	820,110,000

The Secretary of Agriculture established the Animal and Plant Health Inspection Service [APHIS] on April 2, 1972, under the authority of reorganization plan No. 2 of 1953, and other authorities.