Rep. Andy Harris

FY27 – Agriculture

Amendment #1

Manager's Amendment

In the bill

On page 5, line 9, strike "12,703,000" and insert "10,203,000".

On page 8, line 5, strike "48,000,000" and insert "46,500,000".

On page 44, line 21, before the colon, insert "and of which $1,000,000, to remain available until expended, shall be for the Secretary of Agriculture to carry out a pilot program in coordination with Centers for Medicare & Medicaid Services Administrator that assists rural hospitals in modernizing aging facilities by giving preference to critical access hospitals receiving assistance from the Rural Health Transformation Program"

On page 136, before the Spending Reduction Account, insert the following new sections:

Sec. 773. There is appropriated $1,500,000 for the emergency and transitional pet shelter and housing assistance grant program established under section 12502(b) of the Agriculture Improvement Act of 2018 (34 U.S.C. 20127).

Sec. 774. (a) In general.—

(1) LIABILITY OF PERSONS.—A person shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of an apparently fit pet-related product that the person donates in good faith to a State or unit of local government or a nonprofit organization for ultimate distribution to qualified animals.

(2) LIABILITY OF NONPROFIT ORGANIZATIONS.—A nonprofit organization shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of an apparently fit pet-related product that the nonprofit organization received as a donation from a person in good faith for ultimate distribution to qualified animals.

(3) LIABILITY OF STATE AND LOCAL GOVERNMENTS.—A State or unit of local government shall not be subject to liability arising from the nature, age, packaging, or condition of an apparently fit pet-related product that the State or unit of local government received as a donation from a person in good faith for ultimate distribution to qualified animals.

(4) WAIVER NOT APPLICABLE TO GROSS NEGLIGENCE OR INTENTIONAL MISCONDUCT.—Paragraphs (1), (2), and (3) shall not apply to an injury to, or death of, an ultimate user or recipient of the apparently fit pet-related product that results from an act or omission of the person, nonprofit organization, or State or unit of local government, as applicable, constituting gross negligence or intentional misconduct.

(b) Partial compliance.—If a person donates in good faith pet food or pet supplies that do not meet all quality and labeling standards imposed by Federal, State, and local laws and regulations, such person shall not be subject to civil or criminal liability in accordance with this section if the State or unit of local government or nonprofit organization to which the food or supplies are donated—

(1) is informed by such person of the distressed or defective condition of the food or supplies;

(2) agrees to recondition such food or supplies to comply with such quality and labeling standards prior to distribution of such food or supplies; and

(3) is knowledgeable of such quality and labeling standards to properly recondition such food or supplies.

(c) Construction.—Nothing in this section shall be construed to—

(1) create any liability; or

(2) supersede State or local health regulations.

(d) Definitions.—In this section:

(1) APPARENTLY FIT PET-RELATED PRODUCT.—The term "apparently fit pet-related product" means any pet food or pet supply that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the product may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions.

(2) CHILD NUTRITION ACT OF 1966 TERMS.—The terms "donate", "gross negligence", "intentional misconduct", "nonprofit organization", and "person" have the meanings given such terms in section 22(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1791(b)).

(3) EMOTIONAL SUPPORT ANIMAL.—The term "emotional support animal" means an animal that—

(A) is covered by the exclusion specified in section 5.303 of title 24, Code of Federal Regulations (or successor regulation); and

(B) is not a service animal.

(4) PET.—The term "pet" means a domesticated animal, such as a dog, cat, bird, rodent, fish, turtle, or other animal that is kept for pleasure rather than for commercial purposes.

(5) PET FOOD.—The term "pet food" means any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for consumption by a qualified animal.

(6) PET SUPPLY.—The term "pet supply" means tangible personal property used for qualified animals, including pet carriers, crates, kennels, houses, cages, clothing, bedding, toys, collars, leashes, leads, tie-outs, feeders, bowls, dishes, pet gates, or pet doors.

(7) QUALIFIED ANIMAL.—The term "qualified animal" means a pet, an emotional support animal, or a service animal.

(8) SERVICE ANIMAL.—The term "service animal" has the meaning given the term in section 36.104 of title 28, Code of Federal Regulations (or successor regulation).

Sec. 775. None of the funds made available by this Act may be used to impose any cost sharing or matching requirements for any awards or subawards under the Specialty Crop Block Grant Program (7 U.S.C. 1621 note) for fiscal year 2027.

Sec. 776. None of the funds made available to the Department of Agriculture in this or any other Act may be used to close or consolidate the resources or locations of any existing Agricultural Research Service laboratories and facilities without prior notification, including cost analysis, how many research scientists will likely not be willing to relocate, and which research projects will be terminated or adversely impacted by the relocation, and approval of the Committees on Appropriations of both Houses of Congress.

Sec. 777. In addition to funds made available by this or any other Act, there is hereby appropriated $2,500,000 for the Senior Farmers' Market Nutrition Program as authorized by 7 U.S.C. 3007(a).

In the report

On page 2, before the paragraph entitled "Assistance for Specialty Crop Producers", insert the following new paragraph:

Within the funds provided for Office of Partnership and Public Engagement, USDA is encouraged to continue the policy center.

On page 6, before the paragraph entitled "Persistent Poverty Areas", insert the following new paragraph:

Outcome-Based reviews.—The Committee supports: (1) the conduct of outcome-based program and operational reviews consistent with the Government Performance and Results Modernization Act of 2010; (2) the review of existing regulations, internal policies, and administrative requirements to identify outdated, duplicative, or unnecessarily burdensome provisions; and (3) the identification of opportunities for cost savings, administrative streamlining, and improved program delivery. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit a report to the Committee on USDA capacity to strengthen performance management, regulatory review, and oversight practices to better align spending with measurable outcomes.

On page 7, before the paragraph entitled "Spending Plans", insert the following new paragraph:

Rural News Media and Advertising Campaigns.—The Committee recognizes the critical role local media, including non-daily newspapers, television, and radio, plays in delivering messages to small or rural communities. The Secretary is encouraged to utilize local news media in rural areas for USDA advertising campaigns to reach citizens in these communities with key messages.

On page 7, after the paragraph entitled "U.S. Competitiveness Study", insert the following new paragraph:

Water Access to Colonias.—The Committee remains concerned that more than two million Americans live without running water and many lack access to water infrastructure. The Committee directs USDA to provide a report within 180 days of enactment of this Act outlining feasible, cost-effective strategies and programs that can be implemented to help colonias secure sustainable water supplies, such as surface water capture, groundwater development, mobile water delivery, rainwater harvest; an assessment of USDA programs such as the Environmental Quality Incentives Program (EQIP), Rural Energy for America Program (REAP), and Water and Waste Disposal Loans and Grants for their applicability and accessibility to colonias lacking infrastructure; and public and private partnerships to support scalable, off-grid water solutions.

On page 34, before the paragraph entitled "Canine Detection and Surveillance", insert the following new paragraph:

Callery Pear.—The Committee urges APHIS to take the necessary steps to consider designating Callery pear (Pyrus Calleryana) as a Federal Noxious Weed.

On page 39, after the paragraph entitled "In- and Out-Bound Market Access Report", insert the following new paragraph:

License Review.—Within 180 days, the Secretary is directed to review any Class-A licensee that has relinquished an equivalent State-level dog breeding license in the last two years and determine if that operator is still eligible for a Class-A license. Following the review, the Secretary is further directed to take steps to rescind licenses of operators that no longer meet eligibility requirements.

On page 49, strike the paragraph entitled "Labeling Claims" and insert the following new paragraph:

Labeling Claims.—The Committee recognizes that small and very small establishments regulated by FSIS may face administrative and recordkeeping challenges associated with compliance with the final rule entitled ''Voluntary Labeling of FSIS Regulated Products With U.S.-Origin Claims'' (89 Fed. Reg. 19470; March 18, 2024). The Committee directs FSIS to provide technical assistance to small and very small establishments to ensure compliance with the requirements of the rule. Such assistance shall include support for recordkeeping systems, supply chain documentation, labeling review and approval processes, compliance training, and all other activities necessary to demonstrate eligibility for voluntary U.S.-origin claims under the rule.

On page 57, in the paragraph entitled "Innovative Manure Management", insert the following at the end of the paragraph:

The Committee directs NRCS to host listening sessions in various regions, including in the Western Lake Erie Basin, to offer technical assistance on specific challenges in regional manure management, including as it relates to infrastructure for manure processing, transport, and handling. A notice of such listening sessions shall occur within 45 days of the enactment of this Act, with listening sessions occurring no later than 90 days from the enactment of this Act.

On page 57, strike the paragraph entitled "Phragmites" and insert the following new paragraphs:

Phragmites.—The Committee is concerned about the damage caused by phragmites and provides $2,000,000 for phragmite control, of which $1,000,000 is for the Chesapeake Bay Watershed and $1,000,000 is for the Great Salt Lake Watershed. The Committee directs NRCS to work with relevant State agencies to provide funding and technical assistance to control phragmites in both watersheds.

On page 63, before the paragraph entitled "Rural Disaster Home Repair Grants", insert the following new paragraph:

Reporting Tools for Colonias.—The Committee directs the Secretary to ensure that the Rural Housing Service Administrator uses data to track the extent to which Single Family Housing programs serve colonias and to inform its management of the programs.

On page 68, before the paragraph entitled "Biobased Products", insert the following new paragraph:

Biobased Markets Program.—The Committee supports USDA's Biobased Markets Program (BioPreferred), authorized under Section 9002 of the Farm Bill, as a key tool to expand markets for domestic agricultural feedstocks and support U.S. manufacturers of innovative biobased products. While participation and demand for certification continue to grow, the program faces resource constraints that have limited certification capacity, slowed implementation of program integrity measures, and hindered outreach to Federal purchasers. Accordingly, the Committee directs USDA to prioritize available resources to accelerate product certification and audits, expand designated product categories, strengthen Federal procurement compliance, and improve access for small and mid-sized domestic manufacturers.

On page 69, before the paragraph entitled "Circuit Rider Program", insert the following new paragraph:

Colonias.—The Committee is concerned that the water and wastewater needs of border colonias communities that suffer from high rates of poverty along the southern border in Texas, California, Arizona, and New Mexico are not being adequately addressed. The Committee encourages the Secretary to appropriately prioritize technical assistance for accessing USDA's water and wastewater programs and services to colonias communities.

On page 74, before the paragraph entitled "Buy American Waivers", insert the following new paragraph:

Apple Varieties.—The Committee notes the importance of the National School Lunch Program to provide students with nutritious, locally-sourced foods. The Committee encourages the Department to update the list of Foods Available for Schools and Institutions to permit the procurement of regionally appropriate, high-quality apple varieties that are more likely to be consumed by students, including varieties such as Cosmic Crisp and SugarBee.

On page 77, strike the paragraph entitled "SNAP Card Skimming" and insert the following new paragraph:

SNAP Card Skimming.—The Committee remains concerned about the prevalence of SNAP benefit theft due to identity theft, card skimming, card cloning, and other fraudulent methods. The Committee is also concerned that EBT cards lack the proper security features necessary to protect against benefit theft. The Committee directs FNS to engage with State and local agencies and appropriate stakeholders to develop a more secure EBT card that contains innovative technologies to protect against benefit theft. The Committee directs FNS to prioritize

applications under the SNAP Fraud Framework that address SNAP skimming, especially from States with high rates of stolen benefits that are not yet implementing chip cards. Further, the Committee directs FNS to take immediate action and safeguard SNAP from fraudulent activity by adopting industry-standard, real-time analytics capable of detecting and preventing fraudulent transactions before they are completed.

On page 81, before the paragraph entitled "Accelerated Approval Program", insert the following new paragraph:

Abraham Accords Office.—The Committee notes the implementation of the Abraham Accords Office under FDA, as authorized under section 6611 of P.L. 119–75. The Committee encourages FDA to continue planning and coordinating activities, including consideration of site location, staffing, and engagement with relevant U.S. diplomatic entities, in-country partners, and relevant commercial stakeholders, and to inform Congress of its progress within 90 days as well as any identified resources or authorities needed to support expedient implementation.

On page 82, in the paragraph titled "Accountability for Unsafe Drug Products", insert "or medical devices" after "drug products".

On page 87, before the paragraph entitled "Clinical Trial Diversity", insert the following new paragraph:

Clinical Trial Data from Foreign Adversaries.—The Committee is deeply concerned about the growing influence of the People's Republic of China (PRC) over the U.S. pharmaceutical supply chain and drug development ecosystem. In 2025, 48% of novel medicines licensed globally came from China – up from less than 5% just 5 years ago. The Committee notes that clinical trial sites located in China operate in jurisdictions where patient safety standards, human rights, and independence from state interference cannot be verified and are not inspected by FDA. The Committee is deeply concerned that FDA allows this data, which can be gathered 3-5 times faster in China, to support investigational new drug applications, incentivizing pharmaceutical companies to do phase I/II trials in the PRC, transferring know-how to our adversary. Therefore, the Committee prohibits FDA from accepting, reviewing, or considering any covered clinical data generated by a clinical investigation site located in a covered nation as defined in 10 U.S.C. 4872(f) in support of an investigational new drug application under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or section 351 of the Public Health Service Act (42 U.S.C. 262), including any amendment or supplement thereto. This prohibition shall apply to applications submitted on or after the date that is one year following the enactment of this Act, providing FDA sufficient time to establish implementing guidance and affected applicants to adjust their clinical trial approach.

On page 95, before the paragraph entitled "Genetically Targeted Technologies", insert the following new paragraph:

Forms Modernization.—The Committee encourages FDA to expeditiously modernize and

digitize the Center for Tobacco Products eSubmission application process to ensure it is mobile responsive, user-centered, and fully compliant with P.L. 115–336. Modernization shall prioritize replacing manual and paper-based processes and forms with standardized, end-to-end electronic workflows leveraging commercial-off-the-shelf technologies; improving system performance and reliability; and providing consistent, transparent submission and status tracking capabilities.

On page 99, strike the paragraph entitled "Lupus" and insert the following new paragraph:

Lupus.—The Committee is pleased with rapid advances in regulatory science that FDA has achieved through the Lupus Accelerating Breakthroughs Consortium, including FDA's recognition of CLASI as a primary outcome measure for cutaneous lupus erythematous drug development, which creates a path for approval of urgently needed treatments. The Committee encourages FDA to continue this engagement and provide updates on its efforts to accelerate development of safer and more effective treatments for people with lupus.

On page 104, before the paragraph entitled "Post-Bariatric Hypoglycemia (PBH)", insert the following new paragraph:

Poppy Seeds.—The Committee is concerned with reports of positive drug tests, addiction, overdose, and death related to contaminated imported poppy seeds. The Committee is encouraged by the agency's work to monitor levels of opiate alkaloids, research, and collaborate with other agencies and stakeholders and by the agency's plans to move forward with setting action levels for opiate alkaloids in poppy seeds. Aligning with the agency's ongoing efforts, the Committee directs the agency to establish an action level for opiate alkaloids on poppy seeds and carry out appropriate regulatory or enforcement measures to ensure the safety of poppy seeds.

On page 108, in the paragraph entitled "Seafood Product Labeling", insert the following at the end of the paragraph:

Additionally, the Committee directs FDA to engage with stakeholders to modernize the acceptable market name for comminuted fish-based products formed into shapes or incorporated into other foods (commonly known as Surimi). The Committee encourages FDA to evaluate and, as appropriate, update Compliance Policy Guide Sec 540.700 "Labeling of Processed and Blended Seafood Products Made Primarily with Fish Protein", in order to prevent potential consumer confusion and misinterpretation, to provide clarity, and to establish legally enforceable responsibilities.

On page 110, before the paragraph entitled "Ultra-processed Foods", insert the following new paragraph:

Trial Endpoints for Acute Respiratory Infections.—The Committee recognizes the significant morbidity, mortality, and hospitalization associated with acute respiratory viral infections and the need for effective antiviral therapies. The Committee is concerned that reliance on symptom-based primary endpoints, which are subjective and variable, has contributed to regulatory

uncertainty and slowed or halted therapeutic development. Therefore, the Committee recommends FDA consider viral load-based measures as primary endpoints in clinical trials for acute respiratory viral infections, where appropriate, as such endpoints are quantitative, scientifically robust, and may improve regulatory clarity and predictability.