

July 24, 2023

The Honorable Tom Cole
Chairman
Committee on Rules
U.S. House of Representatives
H-312, The Capitol
Washington, DC 20515

The Honorable James P. McGovern
Ranking Member
Committee on Rules
U.S. House of Representatives
H-152, The Capitol
Washington, DC 20515

Dear Chairman Cole and Ranking Member McGovern:

The undersigned trade associations, which collectively represent millions of hardworking American farmers, ranchers, and foresters; commodity producers, processors, users, and consumers; and state agencies, write today regarding the rule to accompany H.R. 4368, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2024. Specifically, we wish to raise germaneness concerns with amendment #113 as submitted to the Committee by Rep. Victoria Spartz of Indiana.

The proposed amendment states:

None of the funds made available by this Act may be used to carry out any program established under a commodity promotion law (as such term is defined in section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401)).

This language targets commodity research and promotion boards, better known as “checkoff” programs. Checkoffs were established at the urging of the producers of their respective product. While each individual program operates in a manner uniquely crafted to suit the needs of that specific commodity, generally, a small portion of the sales receipts of that commodity is allocated to a research and promotion board overseen by the U.S. Department of Agriculture (USDA).

Checkoffs are entirely funded and directed by those who pay assessments into them—in other words, producers themselves. As such, all checkoff expenses, including the salaries of USDA personnel overseeing them, are funded by the same receipts they generate. **There are no taxpayer dollars used to implement checkoffs, and no appropriated dollars are used to oversee them pursuant to statute.** For this reason, we hold that amendment #113 is not germane to the FY24 agriculture appropriations bill and respectfully urge the Committee to rule it out of order.

Research and promotion boards exist to develop new markets and strengthen existing channels for specific commodities while conducting important research and promotional activities. They also work to educate consumers on behalf of a particular commodity to expand total demand to the benefit of all producers. Using the pooled resources and stakeholder investments obtained through checkoff assessments, they promote the product as a whole to create an industry-wide benefit through increased sales, consumer awareness, and higher overall demand. For every dollar invested into a commodity checkoff, producers see several more in return. Congress should not interfere with these popular, successful programs which benefit U.S. agriculture and natural resources producers.

Thank you for your consideration, and please do not hesitate to reach out to our organizations directly with any questions or concerns.

Sincerely,

[Signatories listed on the following page]

American Farm Bureau Federation
American Honey Producers Association
American Sheep Industry Association
American Soybean Association
American Wood Council
Clean Fuels Alliance America
Corn Refiners Association
International Fresh Produce Association
National Association of State Departments of Agriculture
National Cattlemen's Beef Association
National Christmas Tree Association
National Cotton Council
National Milk Producers Federation
National Oilseed Processors Association
National Pecan Federation
National Pork Producers Council
National Potato Council
National Sorghum Producers
National Watermelon Association
North American Blueberry Council
Southeastern Lumber Manufacturers Association
Soy Aquaculture Alliance
Soy Transportation Coalition
United Egg Producers
U.S. Peanut Federation

CC: The Honorable Kay Granger, Chairwoman, Committee on Appropriations
The Honorable Rosa DeLauro, Ranking Member, Committee on Appropriations
The Honorable Andy Harris, M.D., Chairman, Subcommittee on Agriculture, Rural Development, FDA
The Honorable Sanford Bishop, Ranking Member, Subcommittee on Agriculture, Rural Development, FDA
The Honorable Glenn "G.T." Thompson, Chairman, Committee on Agriculture
The Honorable David Scott, Ranking Member, Committee on Agriculture