

Congress of the United States
House of Representatives
Washington, DC 20515

September 2, 2015

The Honorable Secretary Sylvia Mathews Burwell
U.S. Department of Health and Human Services
Hubert Humphrey Building, Room 416 G
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Burwell:

We are writing to express our appreciation for your efforts to ensure the full implementation of the FDA Food Safety Modernization Act (FSMA). As you may recall, last year we urged you to discontinue the Administration's request for disproportionate new user fees as a funding strategy for FSMA implementation. We thank you for moving in this direction in the 2016 request. We once again urge you to continue to prioritize FDA food safety as you prepare the President's Budget Request for Fiscal Year 2017 and focus your request on sufficient Budget Authority rather than user fees.

The Fiscal Year 2016 request for new budget authority totaling \$109.5 million was worthy of this vitally important law and positioned FDA's FSMA implementation proposals to compete effectively for scarce discretionary funding in a tight budget environment. A significant down payment in Fiscal Year 2016 will enable FDA to retrain the existing inspection workforce, hire new staff, and contract with states to leverage their inspection forces.

Once the major rules are completed in the upcoming year, FDA will require additional funding to fully implement FSMA. In your Fiscal Year 2017 budget request, we again urge you to avoid requesting disproportionate new user fees to implement FSMA. As you know, Congress has rejected the Administration's last five requests to provide for the implementation of FSMA through user fees. No bill to authorize such fees has been introduced and even if enabling legislation is introduced this year, it is highly unlikely that any new law will be enacted in time to fund these vital FSMA implementation steps. De-emphasizing user fees in your budget will strengthen our common efforts to achieve bipartisan support to fully fund this important law.

We look forward to working together to fully safeguard our food supply.

Sincerely,



Rosa L. DeLauro
Member of Congress



Sam Farr
Member of Congress