

113TH CONGRESS
1ST SESSION

S. _____

To exempt from sequestration certain fees of the Food and Drug
Administration.

IN THE SENATE OF THE UNITED STATES

Mr. PRYOR (for himself, Mr. BLUNT, Mr. FRANKEN, and Mr. MORAN) intro-
duced the following bill; which was read twice and referred to the Com-
mittee on _____

A BILL

To exempt from sequestration certain fees of the Food and
Drug Administration.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FDA User Fee Protec-
5 tion Act”.

6 **SEC. 2. EXEMPTING FROM SEQUESTRATION CERTAIN USER**
7 **FEEES OF FOOD AND DRUG ADMINISTRATION.**

8 The Balanced Budget and Emergency Deficit Control
9 Act of 1985 is amended—

1 (1) in section 255(g)(1)(A) (2 U.S.C.
2 905(g)(1)(A))—

3 (A) by inserting after “Financial Agent
4 Services” the following new item:

5 “Food and Drug Administration, Salaries
6 and Expenses, but only the portion of appro-
7 priations under such account corresponding to
8 fees collected under the Federal Food, Drug,
9 and Cosmetic Act and section 354(r)(1) of the
10 Public Health Service Act (75-9911-0-1-
11 554).”; and

12 (B) by inserting after “Reimbursement to
13 Federal Reserve Banks” the following new
14 item:

15 “Revolving Fund for Certification and
16 Other Services (75-4309-0-3-554).;”; and

17 (2) in section 256(h)(4) (2 U.S.C. 906(h)(4)),
18 by adding at the end the following new subpara-
19 graph:

20 “(G) The portion of administrative ex-
21 penses incurred by the Food and Drug Admin-
22 istration that are funded through fees collected
23 under the Federal Food, Drug, and Cosmetic
24 Act and section 354(r)(1) of the Public Health
25 Service Act.”.