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United States Department of Agriculture

MAR - 8 2011

Office of the Secretary  
Washington, D.C. 20250

Mr. Robert G. Atkins  
President  
San Diego County  
Agricultural Commissioner/  
Sealer of Weights & Measures  
5555 Overland Avenue, Suite 3101  
San Diego, California 92123-1256

Dear Mr. Atkins:

Thank you for your letter of January 28, 2011, regarding fiscal year 2011 funding for early plant pest risk detection and other activities under Section 10201 of the Food, Conservation, and Energy Act of 2008 (Farm Bill).

I am very sympathetic to the plant pest and disease challenges facing California. The Department of Agriculture (USDA) agrees that prevention and early interception are the most cost-effective means of combating invasive pests and diseases, and I understand that consistent and timely funding for these efforts is very important.

However, specific statutory language is required to allow the Animal and Plant Health Inspection Service (APHIS) and States to spend Commodity Credit Corporation (CCC) funds under Section 10201 for administrative costs. Congress provided temporary authority in the American Recovery and Reinvestment Act that allowed APHIS and States to use CCC funding for administrative costs in 2009 and 2010 funding, but the authority has expired. Congress is aware of this problem, and I am hopeful that legislators will take action soon to resolve this issue.

Related to other USDA agencies, some programs and agencies already have specific authorizing legislation allowing the use of CCC funds for administrative costs. Others, such as some programs under the Agricultural Marketing Service, face the same restrictions that apply to APHIS' use of Section 10201 funds.

Thank you again for writing. I hope that this issue will be resolved soon so that we can continue to work with California and your organization on funding these important detection and mitigation efforts.

Sincerely,

Thomas J. Vilsack  
Secretary