



NASCOE

Legislative Update

Legislative Update on FY 2024 Agriculture Appropriations

June 15, 2023

By Clint Bain and David McBryde

The House Committee on Appropriations yesterday approved the draft appropriations bill for fiscal year 2024. Following the debt limit negotiations and lower spending levels, we are pleased to report the Farm Service Agency's salaries and expenses funding level did **NOT** decrease from fiscal year 2023. We previously reported that this would be expected considering the newly imposed spending limitations. We are thankful to our advocates on the Committee who worked to maintain level funding. We added funding levels for FSA and other FPAC agencies to help our membership understand the ongoing pressure to reduce federal spending.

In addition, below is this year's bill and report language for your review. The full House has not scheduled further consideration of the Committee's draft bill.

House Proposal

FSA Salaries-Expenses	2023 Funding	President's Budget	2024 Committee Funding	Committee vs 2023 Enacted
	\$1.521 B	\$1.583 B	\$1.521 B	-0- M

FSA Business Center	2023 Funding	President's Budget	2024 Committee Funding	Committee vs 2023 Enacted
	\$248.6 M	\$256.8 M	\$231.3 M	(-\$17.3M)

NRCS Conservation Operations	2023 Funding	President's Budget	2024 Committee Funding	Committee vs 2023 Enacted
	\$941.1 M	\$1.0 B	\$911.3 M	(-\$29.7M)

RMA	2023 Funding	President's Budget	2024 Committee Funding	Committee vs 2023 Enacted
	\$ 66.8 M	\$77.8 M	\$63.6 M	(-\$3.2M)



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Fiscal Year 2024 House Report:

Staffing—The Committee is concerned about FSA’s ability to attract and retain field staff to do FSA’s critical work in rural communities. The Committee is also concerned that local FSA offices are often tasked with implementing new programs with little notice. The Committee directs the Secretary to report on a plan to address retention and communication between FSA offices and the national office. Additionally, the Committee encourages FSA to factor in administration of disaster assistance programming when contemplating additional staffing resources needed to successfully carry out its mission.

USDA Hiring Practices—The Committee includes language directing the Secretary to focus hiring efforts on USDA field offices to fulfill USDA’s central mission and best serve the nation’s farmers, ranchers, and rural communities.

Commodity Credit Corporation (CCC) Report—The Committee directs the Secretary to provide a report on November 15, 2023, and May 15, 2024, on planned uses of funding under the authorities of Section 4 and Section 11 of the CCC Charter Act.

Improved Customer Service—Pursuant to the Office of Management and Budget (OMB) Memorandum on “Measuring, Monitoring, and Improving Organizational Health and Organization Performance in the Context of Evolving Agency Work Environments” (M– 23–15) published on April 13, 2023, the Committee directs the Department to increase USDA in-person presence at both USDA headquarters offices located in the National Capital Region and in USDA regional, State, and county offices in order to provide improved customer service.

Loan and Grant Programs—The Committee directs that if an estimate of loan activity for any program funded in Titles II and III of this bill indicates that a limitation on authority to make commitments for a fiscal year will be reached before the end of that fiscal year, or in any event when 75 percent of the authority to make commitments has been utilized, the Secretary shall promptly notify the Committees through OBPA. The Committee directs the Department, through OBPA, to provide quarterly reports to the Committees on the status of obligations and funds availability for the loan and grant programs provided in this bill.

Underserved Producers Program—The Committee is concerned about the Department’s reckless implementation of Section 22007 of the Inflation Reduction Act through nongovernmental entities who undergo no formal application process to aid farmers, ranchers, and foresters who have experienced discrimination in FSA lending programs. The Committee notes that the precursor to this provision, Section 1005 of the American Rescue Plan Act, which provided loan forgiveness for socially disadvantaged farmers and ranchers, was struck down in court on equal protection grounds. The Committee reminds the Department that U.S. courts have held that significant participation by the Federal government in nongovernmental entities’ unconstitutional actions may be a violation of the Fourteenth Amendment. As the Department provides nongovernmental entities entirely with Federal funds, the Committee will closely monitor the Department’s use and involvement in the administration of Section 22007 funds.

Agricultural Foreign Investment Disclosure Act—USDA is responsible for monitoring foreign purchases of agricultural land under the Agricultural Foreign Investment Disclosure Act (AFIDA) and for assessing penalties on entities that have failed to make disclosures as required. The Committee is concerned that USDA failed to assess penalties for a failure to disclose foreign investments in American agricultural land. The Committee directs the Secretary to report to the Committee within 90 days of enactment of this Act on USDA’s efforts to ensure that foreign investments are being accurately disclosed, including an analysis of any barriers USDA faces in conducting oversight of these purchases and planned steps for overcoming these challenges.

Farmers.gov.—The Committee directs USDA to continue to drive implementation and expansion of the Farmers.gov application, a single portal built around the needs of farmers, to enable USDA employees and USDA customers and producers to view their information, complete transactions, quickly review the status of and submit applications for FPAC programs, and receive program payments for all USDA farm programs including, but not limited to, loans, conservation, disaster, dairy, or other programs. All farm programs which require direct application from the farmer, rancher, or producer should be considered for expansion of the Farmers.gov application and functions.

Alfalfa—The Committee recognizes alfalfa to be an important domestic forage crop valued for nitrogen fixation, soil conservation, crop rotation, and as a natural habitat. From 2002 through 2021, alfalfa acreage has declined 33.4 percent. The Committee encourages RMA to explore the creation of a revenue and/or quality alfalfa crop insurance policy to ensure producers have a safety net that they need to produce this important crop.

Rainfall Index Program—The Committee recognizes the unique geographic, geological, and atmospheric characteristics of U.S. non- contiguous States and territories when developing insurance products for pasture, rangeland, and forage (PRF) areas. The Committee further recognizes that NOAA’s Climate Prediction Center provides the data for the Rainfall Index Program, but has limited data for Alaska, Hawaii, and the U.S. Territories. The Committee encourages RMA to continue to look for potential alternative data sources for these regions and to examine the feasibility of a rainfall index program for U.S. non-contiguous States and Territories that protects against yield losses caused by low precipitation for PRF areas.

USDA Farm Delivery Systems Modernization—The Committee includes language that requires the Secretary to submit a plan to accelerate the implementation and use of the Farmers.gov application and the Enterprise Data Analytics Platform and Toolset (EDAPT). The Committee is aware that despite continued direction and funding provided by Congress, the Farm Service Agency, the Farm Production and Conservation Business Center, and the Office of the Chief Information Officer continue to maintain numerous legacy mission support systems that should be decommissioned and transitioned to applications that are interoperable, facts-based, data driven, and provide excellent customer service.