



NASCOE

Legislative Update

Legislative Update on FY 2024 Senate Agriculture

Appropriations Proposal

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The Senate Committee on Appropriations recently approved the draft appropriations bill for fiscal year 2024. The Senate's version is vastly different from the House bill. The policy and funding differences will prove difficult this fall when the two bodies begin negotiating the final measure. As a reminder, the House bill continued FSA Salaries and Expenses at last year's level.

Senate Proposal

| FSA Salaries and Expenses | 2023 Funding | President's Budget | 2024 Committee Funding | Committee vs 2023 Enacted |
|---------------------------|--------------|--------------------|------------------------|---------------------------|
| | \$1.521 B | \$1.583 B | \$1.536 B | +15.8 M |

Bill language

- For necessary expenses of the Farm Service Agency, \$1,215,307,000, of which not less than \$15,000,000 shall be for the hiring of new employees to fill vacancies and anticipated vacancies at Farm Service Agency County offices and farm loan officers and shall be available until September 30, 2025.
- 696,594,000 shall be made available to county offices, to remain available until expended.
- That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency County offices. Provided further, that none of the funds available to the Farm Service Agency shall be used to permanently relocate county-based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.



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Report language

USDA—Customer and Producer Farm Delivery Systems Modernization. —The Committee directs the Secretary to submit a plan within 60 days of enactment of this act that accelerates the continued implementation and expansion of the Farmers.gov application and Enterprise Data Analytics Platform and Toolset [EDAPT]. Despite the continued direction and funding provided by Congress in previous fiscal years for these modernization applications, the Committee is aware that 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 and mission support services systems that are interoperable, facts-based, data driven, and are provided efficiently, effectively, and professionally with a commitment to excellent customer service for USDA customers, including farmers, ranchers, and forest landowners.

Farmers.gov—The Committee directs USDA to continue implementation and expansion of the Farmers.gov application. The expansion should consider all farm programs which require direct application from farmers, ranchers, and producers and provide a comprehensive application system within USDA.

Acequia Irrigated Land—The Committee recognizes that acequias serve as the primary method of irrigation in many rural and underserved communities in New Mexico and that acequias remain an integral aspect of New Mexican cultural identity. Recent changes administered by FSA changed eligibility of drought on farms and ranches irrigated by acequias for the Noninsured Crop Disaster Assistance Program [NAP]. Given the Farm Service Agency has historically considered drought on acequia-irrigated land eligible for Non-insured Crop Disaster Assistance and the ongoing severe drought conditions in New Mexico and throughout the west, the Committee urges the Department to maintain their position that drought on acequia-irrigated land is an eligible cause of loss for NAP.

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.

Conservation Reserve Enhancement Program [CREP]—The Committee recognizes that drought is now the single largest cause of U.S. farm production losses and strongly supports the development of creative solutions to conserve water while maintaining the productive use of farmland. The Committee is concerned that the Draft Programmatic Environmental Assessment [PEA] for CRP published in the Federal Register on October 3, 2019 (84 FR 52868) ignores the intent of Congress and the urgent threat of drought by immediately dismissing without meaningful consideration the new authorization for CREP drought and water conservation agreements to permit dryland agricultural uses with the adoption of best management practices. The Committee directs the Secretary to revise the PEA to allow dryland agriculture uses on land enrolled in CREP in accordance with section 1231A(e)(2) of the Food Security Act of 1985 (16 U.S.C. 3831a(e)(2)). The Committee reminds USDA that the joint explanatory statement accompanying Public Law 116–260 directed the Secretary to submit a report to the Committee detailing a full analysis of the new CREP dryland agricultural uses authority and what dryland farming best m practices could make advancements to protect ground water and surface water quality and control soil erosion while enhancing wildlife habitat.

Honey Bee Losses—For purposes of administering the Emergency Livestock Assistance Program for honeybees, the Secretary is directed to expand eligibility under the program to include climate change and drought related losses, including additional transportation and feed costs, among other things, as determined by the Secretary. Additionally, or in lieu of ELAP expansion, the Secretary may choose to include managed honeybees under other appropriate disaster assistance programs. Disaster assistance is essential to protecting a fragile beekeeping industry that is responsible for pollinating billions of dollars in U.S. agricultural input.

Information Technology—The Committee remains dedicated to ensuring FSA has reliable and functioning IT systems because it is critical that farmers and ranchers have access to the tools they need to succeed. The Committee has invested significant taxpayer dollars to modernize outdated systems and continues to provide resources above the budget request. The Committee continues statutory language that allows funds for IT to be obligated only after the Secretary meets certain reporting requirements. The Committee has reviewed the third-party IT analysis and expects the agency to follow the recommendations where applicable. FSA is directed to provide timely updates for future IT needs.

Panther Depredation—The Committee is aware that livestock producers in Florida have suffered from panther depredation. To support the ongoing conservation and recovery of endangered Florida panthers while minimizing conflicts with ranchers, the Committee encourages FSA to work with ranchers to tailor the Livestock Indemnity Program to address unique circumstances currently preventing producers from receiving compensation for losses stemming from Florida panther depredation events.