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FY2020 Appropriations for Agricultural Conservation

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SUMMARY

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FY2020 Appropriations for Agricultural Conservation

The Agriculture appropriations bill funds the U.S. Department of Agriculture (USDA) except for the Forest Service. The FY2020 consolidated appropriations bills passed by the House and Senate (H.R. 3055) include funding for conservation programs and activities at USDA, among other departments. Differences between the two versions remain to be resolved. In the absence of enacted full-year appropriations, Congress passed a continuing resolution (P.L. 116-59, Division A) through November 21, 2019.

Agricultural conservation programs include both mandatory and discretionary spending. Most conservation program funding is mandatory and is authorized in omnibus farm bills. Other conservation programs—mostly technical assistance—are discretionary spending funded through annual appropriations.

The largest discretionary conservation program is the Conservation Operations (CO) account, which funds conservation planning and implementation assistance on private agricultural lands across the country. The CO account is administered by the Natural Resources Conservation Service (NRCS) and funds more than half of the agency's total staff positions. The FY2020 House- and Senate-passed bills would increase funding for CO by $10.1 million and $15.7 million, respectively, above FY2019 levels to $829.6 million and $835.2 million, respectively.

A decline in funding for CO over time has resulted in declining NRCS staffing levels. Reduced staff could impact NRCS's ability to administer farm bill conservation programs and provide technical assistance to farmers and ranchers. Other shifts in staffing to the Farm Production and Conservation (FPAC) Business Center have also impacted total staffing levels, though it is difficult to evaluate how these transfers have impacted the agency's overall operations relative to the decline in overall funding.

Other discretionary spending is primarily for watershed programs. The largest—Watershed and Flood Prevention Operations (WFPO)—was funded at $150 million in FY2019. The House- and Senate-passed bills would increase WFPO funding to $155 million and $175 million, respectively.

Most mandatory conservation programs are authorized in omnibus farm bills and do not require an annual appropriation. However, previous Congresses have reduced mandatory conservation program funding through Changes in Mandatory Program Spending (CHIMPS) in the annual agricultural appropriations law every year between FY2003 and FY2018. The Trump administration requested CHIMPS to two mandatory conservation programs for FY2020, but neither the House- nor the Senate-passed appropriations bills include reductions to mandatory conservation programs.

Agriculture appropriations bills may also include policy-related provisions that direct how the executive branch should carry out the appropriations. The FY2020 House- and Senate-passed bills both include policy provisions for conservation programs that range from reports to Congress to suggested natural resource priorities.

Contents

Conservation Appropriations 1
Discretionary Conservation Programs 2
Conservation Operations 2
Funding for Technical Assistance 4
NRCS Staffing Levels 5
Watershed Programs 6
Mandatory Conservation Programs 7
Farm Production and Conservation Business Center 7
Policy-Related Provisions 9

Figures

Figure 1. Conservation Operations Appropriations, by Function 2
Figure 2. Conservation Operations Appropriated Funding Over Time 5
Figure 3. Total NRCS Staffing 6

Tables

Table 1. FY2018-FY2020 Discretionary Agricultural Conservation Funding 3
Table 2. FPAC Business Center Funding, FY2019 and FY2020 8
Table 3. Selected Conservation Policy Provisions in the FY2019 Appropriations Act and FY2020 Appropriations Bills 9
Table 4. Selected Conservation Policy Provisions in FY2020 Appropriations Report Language 11

Contacts

Author Information 12

The Agriculture appropriations bill—formally called the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act—funds all of the U.S. Department of Agriculture (USDA), excluding the U.S. Forest Service. For FY2020, the House Appropriations Committee passed H.R. 3164 on June 4, 2019 (including H.Rept. 116-107). Funding for USDA was included in a five-bill minibus appropriations bill (H.R. 3055) that passed the House on June 25, 2019. The Senate Appropriations Committee passed S. 2522 on September 17, 2019 (including S.Rept. 116-110). The full Senate did not act on this bill by October 1, 2019, so FY2020 began without a full-year appropriation. To avoid a lapse in funding, Congress and the President approved a continuing resolution to fund federal agencies through November 21, 2019, at the FY2019 level (P.L. 116-59). On October, 31, 2019, the Senate passed a four-bill minibus appropriations bill (H.R. 3055), with amendments. The House- and Senate-passed versions of H.R. 3055 both include funding for USDA. Differences between the two versions remain to be resolved.

This report provides a brief overview of the conservation-related provisions in the FY2020 Agriculture appropriations acts. For a general analysis of the FY2020 appropriations for agriculture, see CRS Report R45974, *Agriculture and Related Agencies: FY2020 Appropriations*.

Conservation Appropriations

USDA administers a number of agricultural conservation programs that assist private landowners with natural resource concerns. These include working lands programs, land retirement and easement programs, watershed programs, technical assistance, and other programs. The two lead agricultural conservation agencies within USDA are the Natural Resources Conservation Service (NRCS), which provides technical assistance and administers most conservation programs, and the Farm Service Agency (FSA), which administers the Conservation Reserve Program (CRP).[1]

Most conservation program funding is mandatory, obtained through the Commodity Credit Corporation (CCC) and authorized in omnibus farm bills (about $6.4 billion of CCC budget authority for conservation in FY2020).[2] The Agriculture Improvement Act of 2018 (2018 farm bill; P.L. 115-334) reauthorized most mandatory conservation programs through FY2023. Other conservation programs—mostly providing technical assistance—operate with discretionary funding provided in annual appropriations (about $1 billion annually). Appropriations for these discretionary conservation programs are included in the FY2020 House- and Senate-passed appropriations bills.

The Administration's FY2020 request included a decrease for discretionary conservation funding from the FY2019 enacted levels and proposed reductions in funding for mandatory conservation programs. The House- and Senate-passed bills generally reject these proposed reductions. Both the House and Senate bills would continue to redirect some conservation funding to the Farm Production and Conservation (FPAC) Business Center.

[1] For more information on individual conservation programs, see CRS Report R40763, *Agricultural Conservation: A Guide to Programs*.

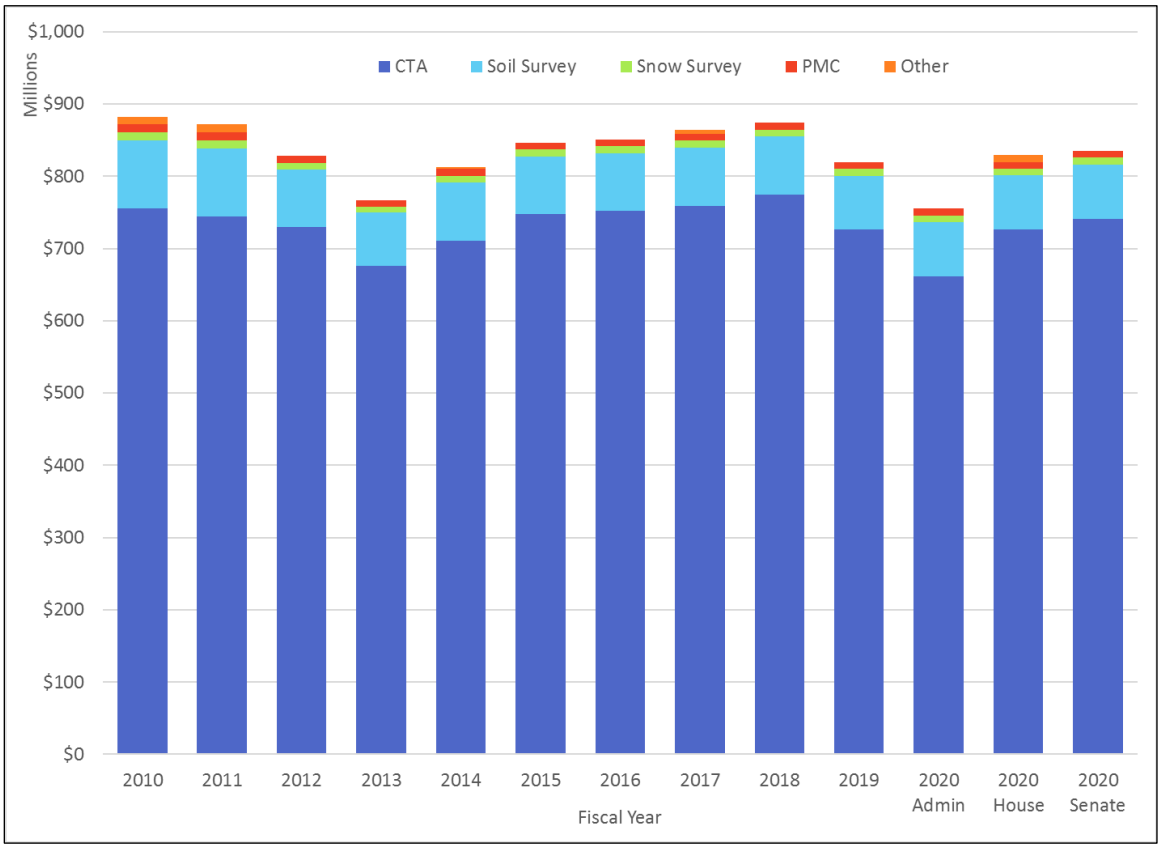
[2] The CCC is a mandatory funding mechanism for agriculture programs administered by USDA. For more information on the CCC, see CRS Report R44606, *The Commodity Credit Corporation: In Brief*.

Discretionary Conservation Programs

Conservation Operations

NRCS administers all discretionary conservation programs. The largest program and the account that funds most NRCS activities is Conservation Operations (CO). The CO account primarily funds Conservation Technical Assistance (CTA), which provides conservation planning and implementation assistance from field staff placed in almost all counties within the United States and its territories. Other components of CO include the Soil Survey, Snow Survey and Water Supply Forecasting, and Plant Materials Centers (**Figure 1**).

Figure 1. Conservation Operations Appropriations, by Function



Source: CRS, based on appropriations acts.

Notes: CTA = Conservation Technical Assistance, PMC = Plant Materials Centers, and "Other" = Grazing Lands Conservation Initiative, watershed projects, rescissions, and other congressionally directed funds. Depending on the legislative text, some programs included in "Other" one year may be accounted for in CTA in another year.

Technical assistance for conservation is currently funded through both mandatory and discretionary sources, with CO being the primary account receiving discretionary funding from annual appropriations. The Trump Administration's FY2020 budget requests $755.0 million for CO, $64.5 million less than the amount enacted for FY2019, in part due to a proposed consolidation of mandatory and discretionary accounts to pay for conservation technical

assistance.[3] USDA has proposed consolidating funding through multiple Administrations, but Congress has never adopted this approach (see "Funding for Technical Assistance" section below). The House- and Senate-passed bills would increase CO funding in FY2020 by $10.1 million and $15.7 million, respectively. Both bills direct CO funding for a number of conservation programs (**Table 1**). Report language further directs funding to selected activities (**Table 4**).

Table 1. FY2018-FY2020 Discretionary Agricultural Conservation Funding

(budget authority in thousands of dollars)

	FY2018	FY2019	FY2020			
Program	**P.L. 115-141**	**P.L. 116-6**	**Admin. Request**	**House-passed H.R. 3055**	**Senate-passed H.R. 3055**	**Enacted**
Conservation Operations						
Conservation Technical Assistance	774,444	725,926	661,152	725,926	741,360	-
Watershed Projects[a]	*5,600*	*5,600*	0	0	*11,200*	-
farmers.gov[a]	-	-	-	9,834	*9,834*	-
Soil Survey	80,802	74,685	74,987	74,987	74,987	-
Snow Survey	9,380	9,400	9,380	9,400	9,400	-
Plant Material Center	9,481	9,481	9,481	9,481	9,481	-
Total Conservation Operations[b]	874,107	819,492	755,000	829,628	835,228	-
Watershed Operations	150,000	150,000	0	155,000	175,000	-
Watershed Rehabilitation Program	10,000	10,000	0	12,000	0	-
Water Bank	4,000	4,000	0	0	4,000	-
Total NRCS Discretionary	1,038,107	983,492	755,000	996,628	1,014,228	-

Source: CRS, using appropriations text and report tables.

Notes: Amounts are nominal discretionary budget authority in thousands of dollars unless labeled otherwise. Excludes amounts in supplemental appropriations acts and proposed rescission language.

a. The FY2020 House-passed bill includes separate funding for farmers.gov. FY2018 and FY2019 enacted appropriations and the FY2020 request and Senate-passed bill include funding for farmers.gov and Watershed Projects within the total provided for Conservation Technical Assistance (CTA). When included within CTA, funding is denoted in italics.

b. As stated in table note "a," funding for Watershed Projects and farmers.gov may or may not be included within funding for CTA. Funding included within CTA is denoted in italics. Therefore, depending on the column the Conservation Operations account may not total.

[3] The amount of funding for technical assistance from mandatory funding sources is generally not reported and therefore it is unknown whether the Administration's FY2020 proposal to consolidate funding from mandatory and discretionary sources would represent an increase or decrease in overall funding for conservation technical assistance.

Funding for Technical Assistance

NRCS is the current federal provider of technical assistance for agriculture conservation.[4] NRCS provides technical assistance at the request of the landowner to conserve and improve natural resources. The assistance includes technical expertise combined with knowledge of local conditions and is provided through a network of federal staff located throughout the United States.

Much of the conservation technical assistance provided by NRCS is funded through the CTA program within CO. Funds are used to support salaries and expenses for NRCS staff, technology development, conservation system design, compliance reviews, grants to partners for additional technical assistance capacity, and resource assessment reports. Total funding for CO has fluctuated in recent years. In some cases, such fluctuation is the result of an Administration's request. In other cases, funding changes reflect national budget dynamics that are not unique to CO (e.g., reductions caused by sequestration in FY2013, and funding increases through budget agreements in FY2014-FY2020). In inflation-adjusted dollars, CO has declined over the past 20 years (see **Figure 2**).

The other side of agricultural conservation assistance is financial assistance. Financial assistance provides direct payments to landowners to implement certain conservation practices or to conserve and protect natural resources on private land. Most programs that provide financial assistance are authorized through omnibus farm bills and receive funding from mandatory sources, and thus do not require an annual appropriation.

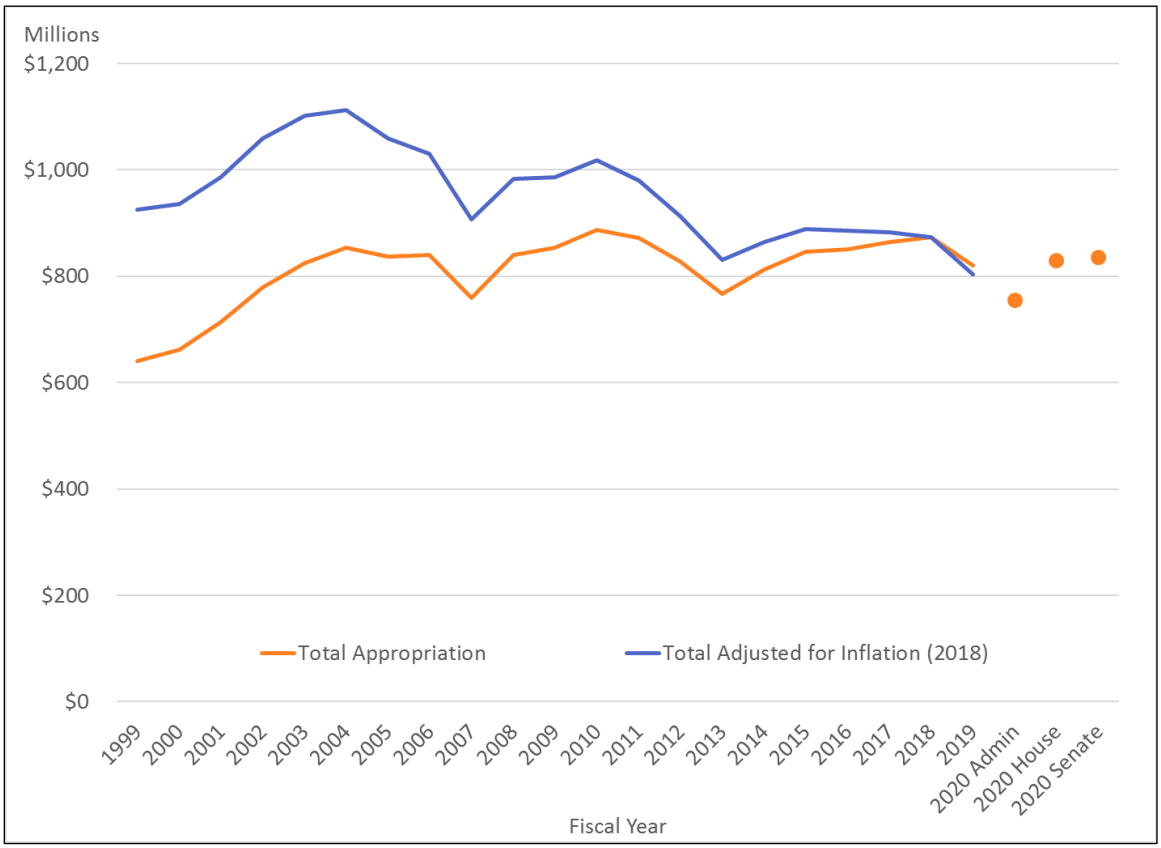
In addition to technical assistance provided through CTA and CO, technical assistance is also part of farm bill conservation programs, which are funded through a program's mandatory authorization. Most technical assistance activities within mandatory programs support the delivery of some level of financial assistance as part of a contract or agreement. These activities could include providing designs, standards, and specifications needed to install approved conservation practices and activities.

Generally, technical assistance prior to a producer entering into a contract for financial assistance is considered to be part of CTA. It is not until after a producer signs a contract for financial assistance that technical assistance is funded from the individual mandatory program rather than CTA. Once the financial assistance contract is complete, most mandatory program funds are no longer available to support ongoing assistance in maintaining the conservation plans, practices, and activities implemented under the financial assistance program.

Since the mid-1990s, Congress and various Administrations have proposed changes to how technical assistance is funded. The Administration's FY2020 budget request proposes to transfer funding from mandatory conservation programs and discretionary appropriations to a consolidated account dedicated to technical assistance for farm bill conservation programs. This concept is not new. A similar proposal was included in the FY2018-FY2019 (Trump) and FY2014-FY2017 (Obama) presidential budget requests.

[4] The statutory authority to provide conservation technical assistance is derived from the Soil Conservation and Domestic Allotment Act of 1935 (P.L. 74-46; 16 U.S.C. §590 et seq.).

Figure 2. Conservation Operations Appropriated Funding Over Time
(FY1999-FY2020)



Source: CRS.

Notes: For FY2020 points (orange); Admin is the Trump Administration's request; House is chamber-passed H.R. 3055, Division B; Senate is Senate-passed H.R. 3055. FY2020 levels are not adjusted for inflation. The orange line is funding in nominal dollars, whereas inflation-adjusted blue line is calculated using the gross domestic product price deflator in FY2018 dollars.

NRCS Staffing Levels

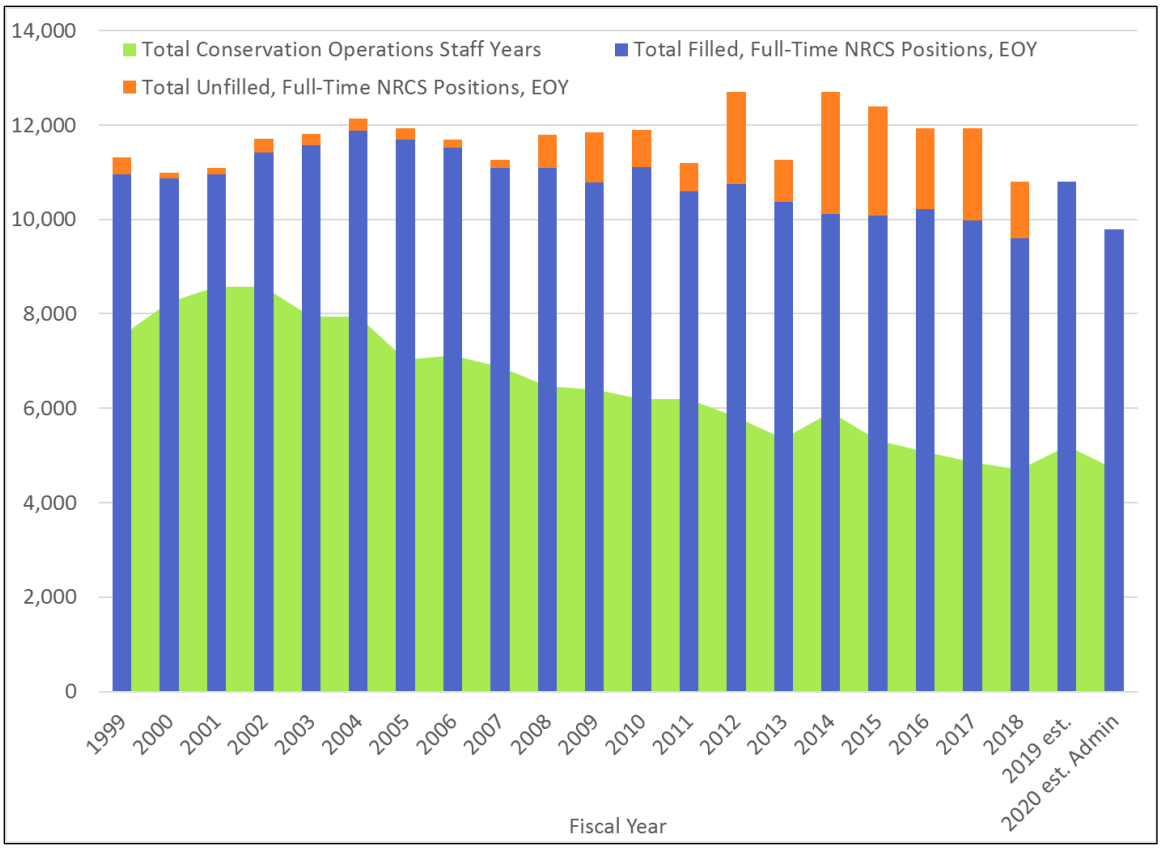
The CO account funds more than half of NRCS staff, with other, smaller discretionary programs and mandatory conservation programs accounting for the remainder. A decline in CO funding, therefore, correlates to a decline in the number of NRCS staff. Total permanent positions at NRCS that are funded by CO have declined over time. This reduction in staff has been further magnified by a growing number of unfilled positions at the agency (see **Figure 3**).

The FPAC Business Center has also impacted NRCS staffing and funding levels. According to the FY2020 USDA explanatory notes, the Administration requests $206.5 million in discretionary funding for the FPAC Business Center. This is identical to the amount provided in House- and Senate-passed H.R. 3055, and $10 million less than Congress provided in FY2019. This is a separate appropriation and not a transfer of funds from the three FPAC agencies (as explained under the "Farm Production and Conservation Business Center" section). In FY2019, Congress realigned funding and staff to the Business Center, including funding from NRCS discretionary accounts and $60.2 million from mandatory farm bill conservation program accounts. The FY2019 realignment of funds and staff included the transfer of approximately 882 staff years from NRCS to the Business Center (over 9% of effective NRCS staff years). The transfer of

funding and functions are a part of the Business Center's goal of achieving efficiencies within the FPAC mission area. Given the decline in CO-funded technical assistance staff years, it is difficult to evaluate how the transfer of NRCS positions to the FPAC Business Center has impacted the agency's overall operations and ability to provide technical assistance to farmers and ranchers. Also unclear is the extent to which the Business Center's *realignment* of staff may have contributed to the decrease in NRCS staffing levels and to the increase in total unfilled NRCS positions.

Figure 3. Total NRCS Staffing

(FY1999-FY2020)



Source: CRS from annual USDA explanatory notes.

Notes: A *staff year* is equivalent to one full-time person working for one year. EOY = end of year.

Watershed Programs

The House and Senate bills both contain funding for watershed activities, including Watershed and Flood Prevention Operations (WFPO)—a program that assists state and local organizations with planning and installing measures to prevent erosion, sedimentation, and flood damage.[5] The House-passed bill would increase WFPO funding to $155 million, $5 million more than the FY2019 level of $150 million. The Senate-passed bill would increase funding to $175 million. The FY2020 Administration request proposed that no funding be provided for the program.

[5] For additional information, see CRS Report RL30478, *Federally Supported Water Supply and Wastewater Treatment Programs*.

Since FY2014, Congress has directed a portion of CO funds to select WFPO activities. The Senate-passed bill includes similar directive language ($11.2 million; see **Table 1**), in addition to the $175 million proposed for the program as a whole. Neither the House-passed bill nor the Administration's request includes such directive language.

The House-passed bill also includes $12 million for the Watershed Rehabilitation Program—an increase from the FY2019 level of $10 million. The Watershed Rehabilitation Program repairs aging dams previously built by USDA under WFPO. The Senate-passed bill and the Administration's request include no funding for FY2020.

The 2018 farm bill provides $50 million annually in permanent mandatory funding for WFPO and Watershed Rehabilitation activities. The mandatory funding is in addition to discretionary funding provided through annual appropriations.[6]

Mandatory Conservation Programs

Mandatory conservation programs are generally authorized in omnibus farm bills and receive funding from the CCC and thus do not require an annual appropriation.[7] The 2018 farm bill reauthorized mandatory funding for many of the agricultural conservation programs through FY2023.[8] Because most of these programs are classified as mandatory, nonexempt spending, they are reduced annually by sequestration.[9]

The President's FY2020 budget requests a reduction of $40 million annually to the Agricultural Conservation Easement Program and the elimination of the Conservation Stewardship Program. Both programs were reauthorized to receive mandatory funding in the 2018 farm bill through FY20203. Neither the House- nor the Senate-passed bill includes reductions to these or other mandatory farm bill conservation programs.

Farm Production and Conservation Business Center

The Farm Production and Conservation (FPAC) mission area was created in 2017 as part of a larger departmental reorganization.[10] FPAC includes NRCS, FSA, the Risk Management Agency (RMA), and a new FPAC Business Center. The FPAC Business Center is responsible for financial management, budgeting, human resources, information technology, acquisitions/procurement, strategic planning, and other customer-oriented operations of three agencies—NRCS, FSA, and

[6] For additional discussion of changes made in the 2018 farm bill, see CRS Report R45698, *Agricultural Conservation in the 2018 Farm Bill*.

[7] In the past, Congress has used annual agriculture appropriations acts to reduce mandatory conservation programs through changes in mandatory program spending (CHIMPS), which occurred every year from FY2003 to FY2017. The FY2018 Consolidated Appropriations Act (P.L. 115-141) marked the first appropriation since FY2002 that did not include CHIMPS to conservation programs, thus allowing all mandatory conservation programs to use their full authorized level of funding, minus sequestration. For additional background, see CRS In Focus IF10041, *Reductions to Mandatory Agricultural Conservation Programs in Appropriations Law*.

[8] For authorized funding levels for mandatory conservation programs, see CRS Report R40763, *Agricultural Conservation: A Guide to Programs*.

[9] For additional discussion on sequestration, see Appendix C of CRS Report R45974, *Agriculture and Related Agencies: FY2020 Appropriations*.

[10] For additional information on the background of the FPAC Business Center, see CRS Report R45406, *FY2018 and FY2019 Appropriations for Agricultural Conservation*. USDA, "Secretary Perdue Announces Creation of Undersecretary for Trade," press release, May 11, 2017, https://www.usda.gov/our-agency/reorganizing-usda.

RMA.[11] Congress reduced funding for NRCS, FSA, and RMA in FY2019 to realign funding and staff to the FPAC Business Center.

The House- and Senate-passed bills for FY2020 both include the Administration's requested level of $206.5 million for the Business Center. This is $9.8 million less than the enacted FY2019 appropriation (see **Table 2**). According to the Administration's FY2020 request, the proposed reduction is the result of "realizing efficiency improvements."[12] The proposed reduction for FY2020 to the FPAC Business Center's appropriation could affect the implementation of conservation programs if efficiencies are not realized.

Table 2. FPAC Business Center Funding, FY2019 and FY2020

(dollars in thousands)

	FY2019	FY2020			
	P.L. 116-6	Admin. Request	House-passed (H.R. 3055)	Senate-passed (H.R. 3055)	Enacted
Discretionary					
FPAC Business Center	$216,350	$206,530	$206,530	$206,530	-
Transfer from ACIF (farm loans)	$16,081	$16,081	$16,081	$16,081	-
Mandatory					
Transfer from CCC (conservation)	$60,228	$60,228	$60,228	$60,228	-
Total FPAC Business Center	**$292,659**	**$282,839**	**$282,839**	**$282,839**	**-**

Source: CRS, using appropriations text and report tables.

Notes: ACIF = Agricultural Credit Insurance Fund and CCC = Commodity Credit Corporation. Amounts are nominal discretionary budget authority in thousands of dollars. Excludes amounts in supplemental appropriations acts and proposed rescission language.

The Senate committee report (S.Rept. 116-110) cites concerns related to the Business Center's delays in filling critical vacancies, potentially resulting in delayed deployment of conservation and commodity programs. The report also expresses concern that additional functions and staff positions affiliated with NRCS state offices are being moved to the FPAC Business Center. The report directs USDA to produce a report to the Senate Appropriations Committee within 60 days of enactment on the center's efficiency gains, metrics by which such gains are measured, hiring acceleration, and reorganization plans.

Both bills also direct a transfer of funds to the FPAC Business Center from other accounts, including mandatory conservation programs and farm loan accounts.[13] This transfer could result in NRCS effectively receiving less in total funding if the amount shifted would have been used

[11] USDA, *2020 President's Budget—Farm Production and Conservation Business Center*, 2019, http://www.obpa.usda.gov/23bc2020notes.pdf.

[12] USDA, *2020 President's Budget—Farm Production and Conservation Business Center*, p. 23-5.

[13] While not specified in the FY2020 House- and Senate-passed appropriation, the Administration's FY2020 request to transfer $60.2 million to the FPAC Business Center from mandatory conservation programs would be divided as follows: $8.3 million from the Agricultural Conservation Easement Program, $21.2 million from the Conservation Stewardship Program, and $30.7 million from the Environmental Quality Incentives Program. None of the funds are proposed to come from CRP.

for NRCS administrative or technical assistance had the Business Center not been created. In total, the direct appropriation and transfer of funds would provide the FPAC Business Center with $282.8 million in FY2020 (see **Table 2**).

Policy-Related Provisions

In addition to setting budgetary amounts, the Agriculture appropriations bill may also include policy-related provisions that direct how the executive branch should carry out an appropriation. These provisions may have the force of law if they are included in the text of an appropriations act, but their effect is generally limited to the current fiscal year (see **Table 3**). Policy-related provisions generally do not amend the U.S. Code or have long-standing effects.

For example, the WFPO program has historically been called the "small watershed program," because no project may exceed 250,000 acres, and no structure may exceed 12,500 acre-feet of floodwater detention capacity or 25,000 acre-feet of total capacity. The FY2019 enacted appropriation and the House- and Senate-passed bills for FY2020 include a policy provision that waives the 250,000-acre project limit when the project's primary purpose is something other than flood prevention. This provision does not amend the WFPO authorization and therefore is effective only for the funds provided during the appropriation year.[14]

Table 3 compares some of the policy provisions in the Farm Production and Conservation Programs (Title II) and General Provisions (Title VII) titles of the FY2019 and FY2020 Agriculture appropriations bills related to conservation. Many of these provisions were also included in past years' appropriations acts. The table is divided by agency and account according to their location within the FY2019 act and FY2020 bills.

Table 3. Selected Conservation Policy Provisions in the FY2019 Appropriations Act and FY2020 Appropriations Bills

FY2019	FY2020	
Enacted, P.L. 116-6	**House-passed, H.R. 3055**	**Senate-passed, H.R. 3055**
Farm Production and Conservation Business Center		
FPAC Business Center. Directs the transfer of $60.2 million from mandatory conservation program accounts to the Business Center account (**Title II**).	Same as FY2019 enacted (**Title II**).	Same as FY2019 enacted (**Title II**).
Natural Resources Conservation Service		
Conservation Operation. Directs $5.6 million of CO to WFPO projects providing water to rural communities (**Title II**).	No comparable provision.	Similar to FY2019 enacted, increases level to $11.2 million (**Title II**).
Watershed Operations. Limits the application of the 250,000-acre limitation in WFPO to only activities where the primary purpose is flood prevention (**Title II**).	Same as FY2019 enacted (**Title II**).	Same as FY2019 enacted (**Title II**).

[14] The provision would apply to the $150 million in FY2020, and any funds previously provided. Since WFPO funding is available until expended, it is possible that the waiver could carry forward into future fiscal years but only for funds made available in, or prior to, FY2020.

FY2019	FY2020	
Enacted, P.L. 116-6	**House-passed, H.R. 3055**	**Senate-passed, H.R. 3055**
Directs $50 million of available funds to be allocated to projects that commence promptly, address select regional priorities, or are authorized under the Flood Control Act of 1944 (**Title II**).	Similar to FY2019 enacted, but increases level to $52.5 million (**Title II**).	Similar to FY2019 enacted, but increases level to $70 million (**Title II**).
Watershed Rehabilitation. Directs $5 million to states with high-hazard dams that have incurred fatal flooding events (**Title II**).	Same as FY2019 enacted (**Title II**).	No comparable provision.
General Provisions		
Agricultural Management Assistance (AMA). Allows AMA funds to remain available until expended (**§707**).	Same as FY2019 enacted (**§707**).	Same as FY2019 enacted (**§707**).
Conservation Reserve Program. Provides $1 million for a CRP bottomland hardwood tree pilot program (**§739**).	No comparable provision.	Same as FY2019 enacted (**§736**).
Water Bank. Provides $4 million for the Water Bank program (**§740**).	No comparable provision.	Same as FY2019 enacted (**§737**).
No comparable provision.	**Office of Urban Agriculture and Innovative Production.** Allocates $5 million for the establishment of the office within NRCS (**§768**).	Similar to House-passed (**§777**).
No comparable provision.	No comparable provision.	**Wetland Mitigation Banking.** Allocates $5 million available until FY2022 for farm bill mitigation banks (**§754**).
Ocelots. Requires a report to Congress on ocelot (wild cat) conservation through NRCS programs (**§771**).	No comparable provision.	No comparable provision.

Source: CRS, compiled from enacted and passed appropriations.

Notes: These policy changes are relevant only for the fiscal year cited.

The explanatory statement that accompanies the final appropriations—and the House and Senate report language that accompanies the committee-reported bills—may also provide policy instructions. These documents do not have the force of law but often explain congressional intent, which Congress expects the agencies to follow (see **Table 4**). The committee reports and explanatory statement may need to be read together to capture all of the congressional intent for a given fiscal year.[15]

[15] According to the explanatory statement in the FY2019 conference report, "The explanatory statement is silent on provisions that were in both the House Report (H.Rept. 115-706) and Senate Report (S.Rept. 115-259) that remain unchanged by this agreement, except as noted in this explanatory statement.... The House and Senate report language that is not changed by the explanatory statement is approved and indicates congressional intentions. The explanatory statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein." H.Rept. 116-9, Explanatory Statement for Division B, in the Conference Report for the FY2019 Consolidated Appropriations Act.

Table 4 compares some of the policy provisions in H.Rept. 116-107 and S.Rept. 116-110 related to conservation. Many of these provisions have been included in past years' appropriations acts. Some provisions in report language and bill text address conservation programs that are not authorized or funded within the annual appropriations (i.e., mandatory spending for farm-bill-authorized programs). **Table 4** is divided by the administering agency and by account according to the location of each provision within the two reports.

Table 4. Selected Conservation Policy Provisions in FY2020 Appropriations Report Language

House-passed H.Rept. 116-107	Senate-passed S.Rept. 116-110
Farm Production and Conservation Business Center	
No comparable provision.	**FPAC Report.** Requires a report within 60 days of enactment on efficiencies gained, hiring, and existing plans for reorganization.
Farm Service Agency	
Conservation Reserve Program (CRP). Encourages the use of CRP's Clean Lakes, Estuaries, and Rivers (CLEAR) Initiative to mitigate hypoxia zones.	Encourages the enrollment of State Acres for Wildlife Enhancement practices under CRP.
Natural Resources Conservation Service	
Carbon Markets. Urges the exploration and development of common methodologies for carbon markets.	No comparable provision.
Drought. Directs NRCS to give priority to areas with major drought response plans, agreements, or programs designed to result in conservation of surface water or groundwater.	Similar to House-passed. Further directs work on innovative water conservation.
Harmful Algal Blooms. Supports NRCS's soil erosion prevention efforts.	No comparable provision.
Monarch Butterfly. Requires coordination and a report from USDA and the Department of the Interior within 120 days of enactment on protection and support efforts for the monarch butterfly.	No comparable provision.
Office of Urban Agriculture and Innovative Production. Of the $5 million provided for establishment of the office, $1 million is directed to a community compost and food waste reduction pilot program.	No comparable provision.
Soil Health Program. Urges the establishment of an outcome-verified soil health program.	Encourages implementation of the Soil Health Demonstration Trial.
Resource Conservation and Development Councils (RC&Ds). Encourages NRCS to continue working with RC&Ds.	No comparable provision.
Sage Grouse Initiative. Supports the initiative.	No comparable provision.
Partnerships with States. Encourages equitable allocation of resources to states, U.S. territories, and Indian Tribal Organizations.	No comparable provision.
3D Elevation Program (3DEP). Encourages participation and support with the 3DEP.	No comparable provision.

No comparable provision.	**Wetlands Mitigation.** Encourages USDA to use a 1-to-1 acre ratio for wetlands mitigation requirements.
No comparable provision.	**Regional Conservation Partnership Program (RCPP).** Directs NRCS to maintain select critical conservation areas under RCPP.
No comparable provision.	**Program Duplication.** Directs NRCS to report to Congress on program duplication identified in inspector general reports.
No comparable provision.	**Technical Assistance.** Directs NRCS to record and report total technical assistance levels to Congress.
No comparable provision.	**Watershed Operations.** Directs NRCS to balance the program's backlog, remediation of existing structures, and new projects.
Commodity Credit Corporation	
No comparable provision.	**CRP Commodity Food Plots.** Directs the CCC to amend CRP policies and practices to permit current and future participants to plant but not harvest agricultural commodity crops as wildlife food plots on up to 10% of the enrolled land.

Source: CRS.

Notes: These policy provisions clarify congressional intent for the specific fiscal year cited.

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Specialist in Agricultural Conservation and Natural Resources Policy

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