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FY2020 Appropriations for Agricultural Conservation

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SUMMARY

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Megan Stubbs
Specialist in Agricultural Conservation and Natural Resources Policy

FY2020 Appropriations for Agricultural Conservation

The Agriculture appropriations bill funds the U.S. Department of Agriculture (USDA) except for the Forest Service. The FY2020 Further Consolidated Appropriations Act (P.L. 116-94, Division B) includes funding for conservation programs and activities at USDA, among other departments.

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 FY2020 appropriation includes an increase from FY2019 levels for discretionary conservation programs and generally rejects the Administration's proposed reductions to discretionary and mandatory conservation programs.

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 enacted appropriation increases funding for CO by $10.1 million above FY2019 levels to $829.6 million.

A decline in funding for CO over time has resulted in declining NRCS staffing levels. Much of the conservation technical assistance provided by NRCS is funded through the Conservation Technical Assistance 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. Reduced staff could impact NRCS's ability to provide technical assistance and administer farm bill conservation programs to farmers and ranchers.

The recently created Farm Production and Conservation (FPAC) Business Center receives $206.5 million in the FY2020 appropriation—$9.8 million less than in FY2019. The FPAC Business Center is responsible for various administrative services for three USDA agencies, including NRCS. In FY2019, Congress realigned funding from NRCS discretionary and mandatory program accounts and NRCS staff to the Business Center. It is unclear how the transfer of NRCS positions and funding to the FPAC Business Center has impacted the agency's overall operations relative to the decline in CO funding. The FY2020 explanatory statement directs USDA to report to Congress on the efficiencies gained through the Business Center's creation, along with other staffing plans.

Other discretionary spending is primarily for watershed programs. The largest—Watershed and Flood Prevention Operations (WFPO)—is funded at $175 million in FY2020. This is an increase in WFPO funding from FY2019 levels of $150 million. The FY2020 appropriation also funds other discretionary water-related programs, such as the Watershed Rehabilitation Program ($10 million), Water Bank program ($4 million), and wetland mitigation banking ($5 million).

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 of these proposed reductions to mandatory conservation programs is included in the enacted FY2020 appropriation.

Agriculture appropriations bills may also include policy-related provisions that direct how the executive branch should carry out the appropriations. In the FY2020 appropriations act, these range from waiving specific programmatic requirements to requiring reports to Congress.

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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 reported H.R. 3164 on June 6, 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 reported S. 2522 on September 19, 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 two consecutive continuing resolutions to fund federal agencies at the FY2019 level (P.L. 116-59 and P.L. 116-69, respectively). The Senate passed a four-bill minibus appropriations bill (H.R. 3055) on October 31, 2019, setting up negotiations with the House for a final bill. On December 20, 2019, Congress passed and the President signed the FY2020 Further Consolidated Appropriations Act (P.L. 116-94), which includes agriculture and related agencies under Division B.

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).

The FY2020 appropriation included an increase from FY2019 levels for discretionary conservation programs. The Administration's FY2020 request proposed a decrease for discretionary conservation funding from the FY2019 enacted levels and reductions in funding for mandatory conservation programs. The FY2020 appropriation does not generally include these proposed reductions and 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*.

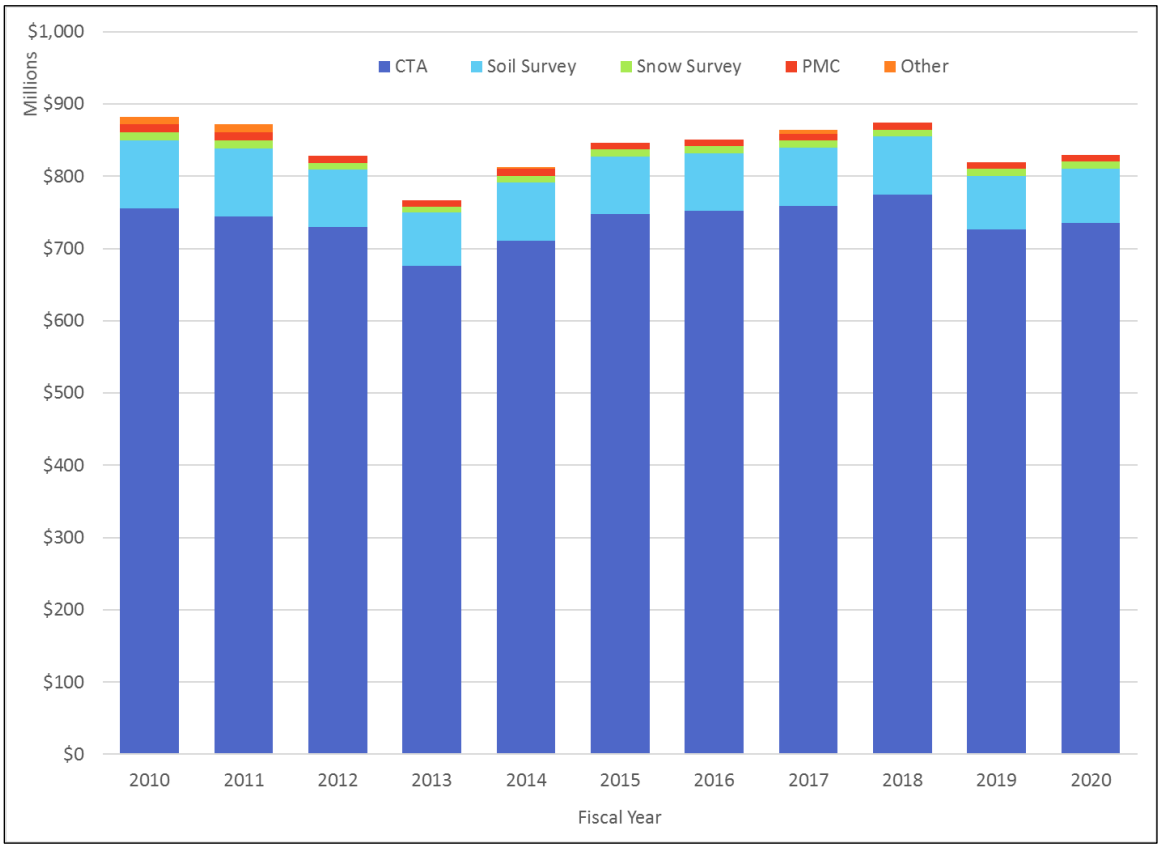
[2] The CCC is a mandatory funding mechanism for agriculture programs administered by USDA. For more information on the CCC, see CRS Report R44606, *The Commodity Credit Corporation: In Brief*.

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 requested $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 FY2020 appropriation increases CO funding in FY2020 by $10.1 million from FY2019 and directs 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 P.L. 116-94**
Conservation Operations						
Conservation Technical Assistance	774,444	725,926	661,152	725,926	741,360	735, 628
Watershed Projects[a]	*5,600*	*5,600*	0	0	*11,200*	*5,600*
farmers.gov[a]	-	-	-	9,834	*9,834*	*9,834*
Soil Survey	80,802	74,685	74,987	74,987	74,987	74,987
Snow Survey	9,380	9,400	9,380	9,400	9,400	9,400
Plant Material Center	9,481	9,481	9,481	9,481	9,481	9,481
Total Conservation Operations[b]	874,107	819,492	755,000	829,628	835,228	829,628
Watershed Operations	150,000	150,000	0	155,000	175,000	175,000
Watershed Rehabilitation Program	10,000	10,000	0	12,000	0	10,000
Water Bank	4,000	4,000	0	0	4,000	4,000
Total NRCS Discretionary	1,038,107	983,492	755,000	996,628	1,014,228	1,018,628

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, FY2019, and FY2020 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.

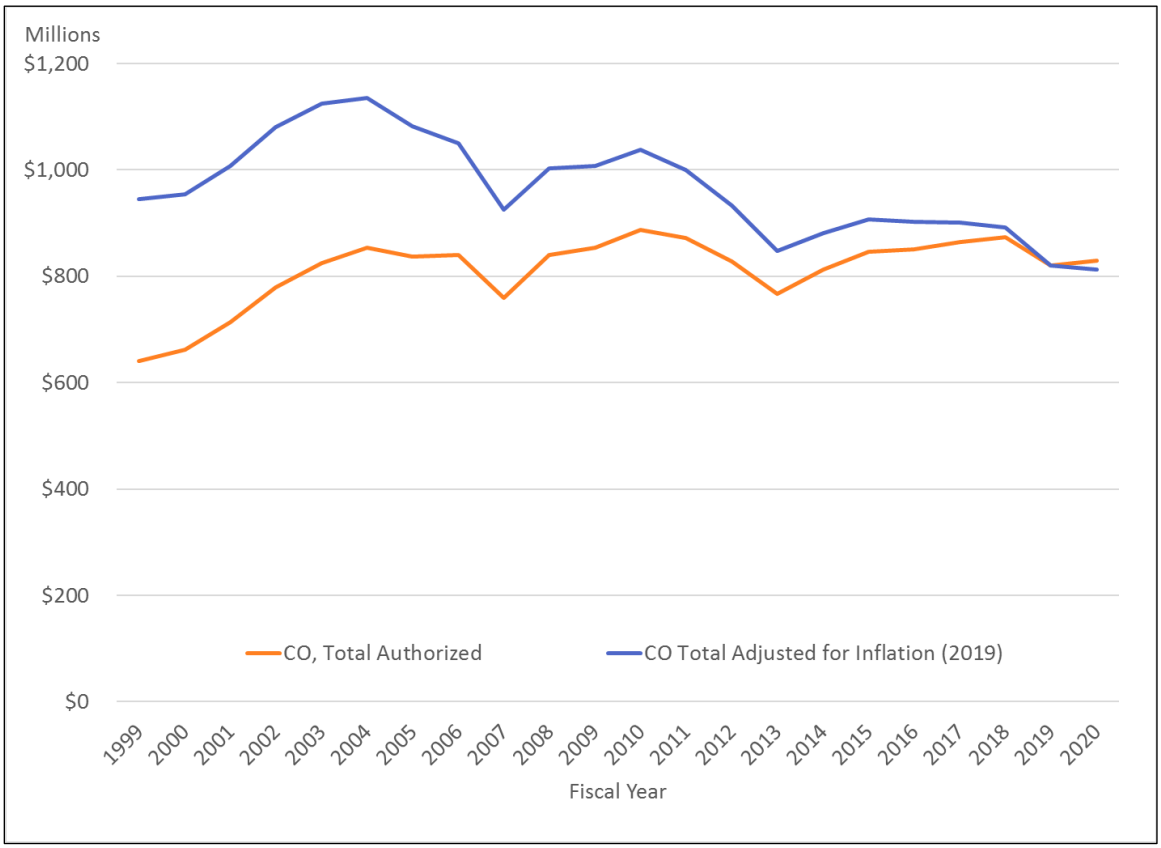
In addition to technical assistance provided through CTA and CO, technical assistance is also part of farm bill conservation programs, which are funded through a program's mandatory authorization. Most technical assistance activities within mandatory programs support the delivery of some level of financial 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 proposed 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: The orange line is funding in nominal dollars, whereas the inflation-adjusted blue line is calculated using the gross domestic product price deflator in FY2019 dollars.

NRCS Staffing Levels

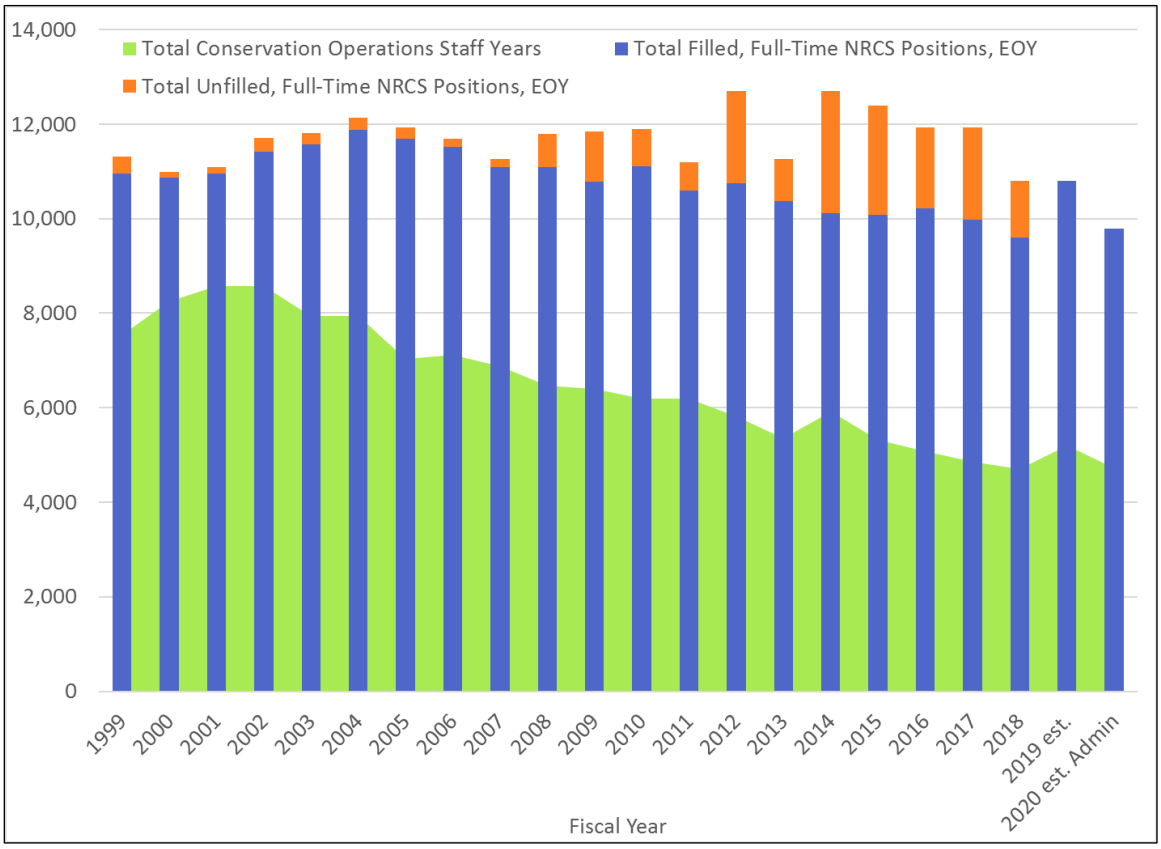
The CO account funds more than half of NRCS staff, with other, smaller discretionary programs and mandatory conservation programs accounting for the remainder. A decline in CO funding, therefore, correlates to a decline in the number of NRCS staff. Total, actual, permanent positions at NRCS that are funded by CO have generally declined through FY2018. 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 (for more information on the Business Center, see the "Farm Production and Conservation Business Center" section). The FY2020 appropriation provides the Administration's requested level of $206.5 million in discretionary funding for the FPAC Business Center. This is $10 million less than Congress provided in FY2019. This appropriation is separate from the transfer of funds from the three FPAC agencies. 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 FY2020 appropriation includes 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 appropriation increases WFPO funding to $175 million, $25 million more than the FY2019 level of $150 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 enacted appropriation includes similar directive language ($5.6 million; see **Table 1**), in addition to the $175 million for the program as a whole. This is less than the $11.2 million proposed in the Senate-passed bill. Neither the House-passed bill nor the Administration's request included such directive language.

The FY2020 appropriation also includes $10 million for the Watershed Rehabilitation Program—the same as the FY2019 level. The Watershed Rehabilitation Program repairs aging dams previously built by USDA under WFPO. The Administration's request included 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 requested 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. The FY2020 appropriation does not reduce 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,

[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.

strategic planning, and other customer-oriented operations of three agencies—NRCS, FSA, and RMA.[11] Congress reduced funding for NRCS, FSA, and RMA in FY2019 to realign funding and staff to the FPAC Business Center.

The FY2020 appropriation includes 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 (P.L. 116-94)
Discretionary					
FPAC Business Center	$216,350	$206,530	$206,530	$206,530	206,530
Transfer from ACIF (farm loans)	$16,081	$16,081	$16,081	$16,081	16,081
Mandatory					
Transfer from CCC (conservation)	$60,228	$60,228	$60,228	$60,228	60,228
Total FPAC Business Center	**$292,659**	**$282,839**	**$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 explanatory statement of the FY2020 appropriation directs USDA to produce a report to the Appropriations Committees within 60 days of enactment on the center's efficiency gains, the metrics by which such gains are measured, and its hiring acceleration and reorganization plans. Similar language was included in the Senate committee report (S.Rept. 116-110), which also cited concerns related to the Business Center's delays in filling critical vacancies, potentially resulting in delayed deployment of conservation and commodity programs. The Senate committee report expressed concern that additional functions and staff positions affiliated with NRCS state offices are being moved to the FPAC Business Center.

The FY2020 appropriation directs a transfer of funds to the FPAC Business Center from other accounts, including mandatory conservation programs and farm loan accounts.[13] This transfer

[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

could result in NRCS effectively receiving less in total funding if the amount shifted would have been used 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 FY2020 enacted appropriation includes 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 current 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 and FY2020 acts.

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

FY2019	FY2020
Enacted, P.L. 116-6	**Enacted, P.L. 116-94**
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**).
Natural Resources Conservation Service	
Conservation Operation. Directs $5.6 million of CO to WFPO projects providing water to rural communities (**Title II**).	Same as FY2019 enacted (**Title II**).
Watershed Operations. Limits the application of the 250,000-acre limitation in WFPO to activities for which the primary purpose is flood prevention (**Title II**).	Same as FY2019 enacted (**Title II**).

Stewardship Program, and $30.7 million from the Environmental Quality Incentives Program. None of the funds are proposed to come from CRP.

[14] The provision would apply to the $175 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	**Enacted, P.L. 116-94**
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 $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**).
Agricultural Management Assistance (AMA). Allows AMA funds to remain available until expended (**§707**).	Same as FY2019 enacted (**§707**).
Conservation Reserve Program. Provides $1 million for a CRP bottomland hardwood tree pilot program (**§739**).	Same as FY2019 enacted (**§758**).
Water Bank. Provides $4 million for the Water Bank program (**§740**).	Same as FY2019 enacted (**§759**).
No comparable provision.	**Office of Urban Agriculture and Innovative Production.** Allocates $5 million for the establishment of the office within NRCS (**§768**).
No comparable provision.	No comparable provision. **Wetland Mitigation Banking.** Allocates $5 million available until FY2022 for farm bill mitigation banks (**§779**).
Ocelots. Requires a report to Congress on ocelot (wild cat) conservation through NRCS programs (**§771**).	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]

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.

[15] According to the FY2020 explanatory statement, "The statement is silent on provisions that were in both the House Report (H.Rept. 116-107) and Senate Report (S.Rept. 116-110) that remain unchanged by this agreement, except as noted in this statement. The House and Senate report language that is not changed by the statement is approved and indicates congressional intentions. The statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein." The explanatory statement for Division B of H.R. 1865 is available on the House Rules Committee website at https://rules.house.gov/bill/116/hr-1865-sa.

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

House-passed H.Rept. 116-107	Senate-passed S.Rept. 116-110	Enacted, Explanatory Statement
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.	Same as Senate-passed.
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.	No comparable provision.
Natural Resources Conservation Service		
No comparable provision.	No comparable provision.	**Weather Monitoring.** Directs NRCS to work with states, tribal organizations, and local governments to purchase new or upgrade existing weather stations for reporting accuracy.
Carbon Markets. Urges the exploration and development of common methodologies for carbon markets to reduce greenhouse gas emissions.	No comparable provision.	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.	No comparable provision.
Harmful Algal Blooms. Supports NRCS's soil erosion prevention efforts.	No comparable provision.	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.	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.	No comparable provision.
Soil Health Program. Urges the establishment of an outcome-verified soil health program.	Encourages implementation of the Soil Health Demonstration Trial.	No comparable provision.

House-passed H.Rept. 116-107	Senate-passed S.Rept. 116-110	Enacted, Explanatory Statement
Resource Conservation and Development Councils (RC&Ds). Encourages NRCS to continue working with RC&Ds.	No comparable provision.	No comparable provision.
Sage Grouse Initiative. Supports the initiative.	No comparable provision.	No comparable provision.
Partnerships with States. Encourages equitable allocation of resources to states, U.S. territories, and Indian Tribal Organizations.	No comparable provision.	No comparable provision.
3D Elevation Program (3DEP). Encourages participation and support with the 3DEP.	No comparable provision.	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.
No comparable provision.	**Regional Conservation Partnership Program (RCPP).** Directs NRCS to maintain select critical conservation areas under RCPP.	No comparable provision.
No comparable provision.	**Program Duplication.** Directs NRCS to report to Congress on program duplication identified in inspector general reports.	No comparable provision.
No comparable provision.	**Technical Assistance.** Directs NRCS to record and report total technical assistance levels to Congress.	No comparable provision.
No comparable provision.	**Watershed Operations.** Directs NRCS to balance the program's backlog, remediation of existing structures, and new projects.	No comparable provision.
	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.	No comparable provision.

Source: CRS.

Notes: These policy provisions clarify congressional intent for the specific fiscal year cited. The explanatory statement that accompanies the final FY2020 appropriation indicates that House and Senate report language that is not changed by the explanatory statement is approved and expresses congressional intent. Therefore, a notation of "no comparable provision" in the enacted explanatory statement column does not necessarily vacate a provision described in the House or Senate report column. Rather, the committee reports and explanatory statement may need to be read together to capture all of the congressional intent for the fiscal year.

Author Information

Megan Stubbs
Specialist in Agricultural Conservation and Natural Resources Policy

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