

**OVERSIGHT OF THE U.S. DEPARTMENT  
OF AGRICULTURE**

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**HEARING**

BEFORE THE

**COMMITTEE ON AGRICULTURE,  
NUTRITION, AND FORESTRY**

**UNITED STATES SENATE**

**ONE HUNDRED EIGHTEENTH CONGRESS**

**FIRST SESSION**

—————  
**March 16, 2023**  
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## OVERSIGHT OF THE U.S. DEPARTMENT OF AGRICULTURE

Thursday, March 16, 2023

U.S. SENATE  
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,  
*Washington, DC.*

The Committee met, pursuant to notice, at 9:30 a.m., in room 328A, Russell Senate Office Building, Hon. Debbie Stabenow, Chairwoman of the Committee, presiding.

Present: Senators Stabenow [presiding], Brown, Klobuchar, Bennet, Gillibrand, Smith, Durbin, Booker, Luján, Warnock, Welch, Boozman, Hoeven, Ernst, Hyde-Smith, Marshall, Tuberville, Braun, Grassley, Thune, and Fischer.

### STATEMENT OF HON. DEBBIE STABENOW, U.S. SENATOR FROM THE STATE OF MICHIGAN, CHAIRWOMAN, U.S. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Chairwoman STABENOW. I call this hearing of the U.S. Senate Committee on Agriculture, Nutrition, and Forestry to order. Welcome, everyone. I certainly welcome back the Secretary of the USDA, Secretary Vilsack.

A couple of things first. One, I want to put into the record two different letters the Committee has received, one from nearly 300 energy organizations, including the Ag Energy Coalition and the National Rural Electric Association, in support of clean energy investments, and the second is from a diverse coalition of over 220 stakeholders and advocates in support of critical nutrition assistance programs. Without objection, those will be placed in the record.

[The letters can be found on pages 68-82 in the Appendix.]

Let me also begin this morning by welcoming our new Deputy Staff Director, Eyang Garrison. Welcome. We now have a full team. We have a full team of members that we welcome, all of our staff that are getting ready to write a wonderful bipartisan farm bill. As Secretary Vilsack knows, Eyang comes from the Department, and I thank him for sharing his talent. He calls it “stealing,” but we welcome that you have such wonderful, talented staff, and we are happy to have them join us at any time.

Thank you again, in all seriousness, for being here and for your leadership, and the work of the nearly 100,000 dedicated public servants at USDA, is invaluable to American farmers, our rural communities, and our food systems that support millions of families. The Department’s continued partnership with Congress will be

absolutely essential to this Committee as we work to complete a bipartisan farm bill.

I have always said that the farm bill is a jobs bill. That is especially true for the 46 million people who live in rural America. Since the last farm bill, we have made historic investments to address the unique challenges faced by these communities across the country.

New funding for programs like ReConnect is improving rural America's access to affordable, high-speed Internet, creating new opportunities to connect people to jobs, education, and health care. Historic investments in affordable clean energy and energy efficiency upgrades are working to lower costs and create new, good paying jobs in these communities.

We have also made progress to address the climate crisis by providing historic investments in longstanding, voluntary, and flexible farm bill conservation programs. For years, these popular, bipartisan programs have been oversubscribed and underfunded. New funding for programs like Environmental Quality Incentives Program (EQIP) and Regional Conservation Partnership Program (RCPP) is allowing us to finally address the backlog of initiatives and strengthen these programs.

We also know that our farmers are facing traditional and novel challenges. While USDA projects that net farm income will remain above the 20-year average and many commodity prices are at historic highs, so too are land, fertilizer, and other input costs. This is making it challenging for our producers to maintain their operations.

Since the last farm bill, farmers received \$70 billion in assistance outside of farm bill programs, including over \$13 billion in response to weather and climate disasters that have devastated crops, forests, and livestock. This is why I will continue to fight to expand and strengthen crop insurance and the farm bill disaster assistance programs for all farmers. The future of our food systems rely on the investments we make today.

The 2018 Farm Bill included strong investments in agriculture research, which helps our farmers develop the tools they need in the face of the climate crisis and other emerging challenges. These investments, as well as farm bill programs that support the next generation of farmers and agriculture professionals, are critical to the long-term success of American agriculture.

We must also ensure that the farm bill continues to support the nutrition programs that serve as a lifeline to millions of people and families across this country. The Supplemental Nutrition Assistance Program (SNAP) provides food assistance for more than 41 million Americans, 80 percent of which are children, seniors, veterans, and people with disabilities.

The bipartisan 2018 Farm Bill directed a long overdue re-evaluation of the Thrifty Food Plan, which had not been done since 1975—almost 50 years ago. This update resulted in a very modest increase to the average SNAP benefit of about \$1.35 a day, an increase estimated to lift 2.4 million people, including 1 million children, out of poverty.

Spending on nutrition programs does not rob resources from other farm bill programs, just as crop insurance does not rob re-

sources from other programs when disasters hit and spending goes up.

Threats we are hearing from some, certainly not agriculture leaders, but some in the House of reckless mandatory budget cuts will result in cuts to all farm bill programs, and I know that is something that no one in this Committee wants. We cannot go backward at a time when our farmers and our families are counting on us to move forward.

Turning to our national forests, let me finally just say I am pleased that Congress provided additional tools to the Forest Service in the 2018 Farm Bill. We provided for expedited treatment of forests impacted by insects and disease, built on the successful Good Neighbor Authority to create efficient partnerships between State and Federal foresters, and established competitive programs to fund source water protection and landscape scale restoration projects. These are very important tools to keep the health and growth of our forests.

We know that only with the backing of a broad and bipartisan coalition of supporters—and broad, bipartisan support in Congress—can we craft a bipartisan farm bill that delivers for the American people. This is how we accomplish our shared goals of a strong agriculture economy that supports communities across the country. We are providing these communities with the tools that they need to thrive, and I am so pleased our Committee works so closely together to do that and partnership will be essential in the coming months, and so we welcome you again.

I turn now to my friend, Ranking Member, Senator Boozman.

**STATEMENT OF HON. JOHN BOOZMAN, U.S. SENATOR FROM  
THE STATE OF ARKANSAS**

Senator BOOZMAN. Thank you, Madam Chair, and we are pleased that we are having this hearing today. Welcome, Secretary Vilsack, back to the Committee. We appreciate all of your hard work, not only in this Congress but in past Congresses.

I know everyone in this room has heard me say this before, but based on the last census, 53 of the 75 counties in Arkansas have lost population. That is 71 percent of Arkansas counties. Across the United States, 53 percent of our counties, or 1,660 out of 3,140, lost population in the last census.

I am certain that all my colleagues on this Committee are concerned about the hollowing-out of our States and our country and the impact that this will have on the future of America. I know this has been a major theme of yours, as you have talked across America in the last two years.

At the end of this farm bill process, I would like to go back to rural Arkansans and tell them that we have put policies and programs in place that will improve their quality of life and give their children and their neighbors' children reason to return home. In my mind, ensuring this country has a vibrant and economically sustainable agricultural economy is key to accomplishing that goal.

The headwinds for our producers are great. For only the third time in 55 years we are expected to have a trade deficit in agriculture, and no new trade deals have been signed or are under negotiation.

This will be the most expensive crop on record at \$460 billion and follows last year's previous record of more than \$440 billion.

Farm debt is over half-a-trillion at \$535 billion. Input costs are still high, supply chains are easing but remain tight, interest rates have rapidly increased and, by percentage, represent the largest cost increase our producers will face this year. Farm production costs have increased 28 percent, or nearly \$90 billion.

Many do not understand the amount of capital required to farm these days. During the Fiscal Year 2022, the average size of the Farm Service Agency's guaranteed operating loans, often used for our young and beginning farmers and ranchers, was nearly \$330,000.

The capital cost of getting into agriculture is enormous and farmers are going to have to rely more heavily on credit this year. How many other jobs require that you take out a loan the size of a mortgage, or larger, each year? In order to pay that back, you must contend with the weather, the markets, the economy, and global politics. These are many of the reasons why when I meet with my farmers, they all tell me the "safety net" is badly frayed and needs to be reinforced.

The 2014 Farm Bill was successful in moving agriculture away from direct payments to need-based support during times of low prices or low revenue. That was nearly a decade ago and farm programs have not kept pace with the needs of modern agriculture and are not responsive in the face of pandemics or geopolitical pressures. The current safety net does not reflect the current levels of risk taken on each year by those that provide the food, fiber, and fuel we depend on.

As we address these risks, it is critical that we not get consumed by a small farm versus big farm conflict. While 89 percent of the farms in the U.S. are classified as small by USDA and contribute nearly 18 percent of farm production, there are 3.2 percent of farms, classified as large, that contribute 46.5 percent of our Nation's farm production. All farms are valuable. This farm bill will not neglect the small nor punish the large.

We must also acknowledge that programs within this farm bill that relate to trade promotion, research, basic infrastructure in rural communities, bolstering the infrastructure to protect our flocks and herds, and so many other important programs must be considered. This farm bill covers much more than simply conservation, nutrition, and green energy, which have received a \$300 billion windfall since the last farm bill.

Before I close, I would like to mention one final issue, the importance of a productive, working relationship between Congress and the technical experts at USDA as we develop the farm bill.

Senator Stabenow and I are proud of the accomplishments that we made in the last Congress and, in every instance where we have been successful, we have experienced constructive and timely technical feedback from USDA.

The Keep Kids Fed Act, providing support for summer meals for children, and the Growing Climate Solutions Act, which Senator Braun led, Senator Braun and Senator Stabenow, are examples of the great things we accomplished, with USDA providing invaluable technical assistance.



I am growing increasingly concerned about USDA's ability to provide timely responses, however. Just yesterday, I received a response to a letter I wrote to you in October, which was not entirely responsive. We really depend on USDA as we write the farm bill, because we need to understand how the policies we are considering would be implemented.

We very much enjoy working with your staff, but again, the lack of responsiveness lately has been disappointing. It is not only for me. It is for members on our side of the aisle, and a lot of this is actually inquiries that are bipartisan inquiries. It is something that I would like you to look at and see if we can resolve because it really is going to be a key factor as we head into the farm bill.

Thank you Madam Chair.

Chairwoman STABENOW. Thank you very much, and again, thank you and welcome, Secretary Vilsack.

Secretary Vilsack is no stranger to the Senate Agriculture, Nutrition, and Forestry Committee, having been the only member of President Obama's cabinet to serve all eight years, and he has reprised his role in the Biden administration, and we are very pleased about that. We are so fortunate to have his steady and experienced hand at USDA. As a former Governor of Iowa, a former member of the Iowa State Senate, and a former mayor of Mount Pleasant, Iowa, Secretary Vilsack, I know you know all too well the importance of the programs we are discussing here today, to rural America.

Welcome again, and we recognize you for your opening comments.

**STATEMENT OF THE HON. THOMAS J. VILSACK, SECRETARY,  
U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.**

Secretary VILSACK. Madam Chair, thank you very, very much, and to Ranking Member Boozman, thank you for the opportunity to be here this morning. I look forward to the questions and dialog with the Committee.

Make no mistake, you folks have a very difficult job. Crafting a farm bill is not an easy task, and it is particularly difficult in this day and age. I want to assure Senator Boozman that we will provide timely and effective technical assistance. I would ask of you, Senator, and your colleagues, that when you make requests for information that you really just simply target what you really want and not provide a laundry list of things that could be considered to be somewhat of a fishing expedition. I think that will help us be more helpful to you in providing technical assistance.

I am going to put one issue on the table for you all to consider. The last two year of farm income were, in fact, from a net cash income perspective, a record set of years. Never before in the history of the country have we had net farm cash income at the level we have had the last couple of years, and as the Chairwoman indicated, we anticipate and expect above average net cash farm income this year, notwithstanding many of the challenges that Senator Boozman outlined accurately.

The challenge, however, is this, that nearly 50 percent of our farmers did not make any money at all in those record years. In fact, they lost money. Another almost 40 percent of our farmers

made money, but the majority of the money they made came from off-farm income. In records years, nearly 90 percent of our producers either did not make any money or did not make the majority of the money that they need to represent their families.

This is not a small-versus-large situation. This is a situation where 90 percent of our farmers need help. I think if we are truly interested in making sure that they get help, while respecting the important role that large commercial-sized operations play in providing the productivity that this country needs and the world needs, and if we are truly concerned about the hollowing-out, as Senator Boozman has indicated, he is, and I believe he is, and I am too, of rural America, an important part of America, we have got to figure out how we can create more revenue streams for farmers, particularly those small and mid-sized producers. We have got to figure out ways in which we can extend beyond the traditional role of farmers benefiting from the sale of crops and livestock to figuring out additional ways in which that farmstead can generate profits so that they have multiple streams.

This is not a new issue. I brought with me the first report of the Commission of Agriculture, that was published in 1863, the first year of the Department's history. In it, Commissioner Isaac Newton—not the real Isaac Newton, different fellow—had an interesting preface to the 632-page report, in which he talked about the importance of focusing on making sure that we had small, mid-sized, and large-scale farming operations. We have had this issue since 1863. Secretary Bergland, in 1979, issued a warning to all of us about the potential opportunity for exactly what we are talking about here today. This has been with us for a while.

Fortunately, because of the passage of the American Rescue Plan, the Bipartisan Infrastructure Law, and the Inflation Reduction Act, we now are in a position to create seed money, if you will, for the establishment of multiple ways of farmers to profit from the farm besides, and in addition to, the sale of crops and livestock, which will provide more hope and opportunity for small and mid-sized producers, and will create an entrepreneurial spirit which I think will be able to allow small communities to attract young people back for an opportunity to expand and increase the population.

I am excited about this. I want to work with the Committee to ensure that as you are crafting this farm bill that we address this issue because I think it is an important one, and I think it has a rippling effect.

I look forward to the questions that the Committee will ask, and with that, Madam Chair, I will yield back.

[The prepared statement of Secretary Vilsack can be found on page 54 in the appendix.]

Chairwoman STABENOW. Thank you so much, and I so appreciate you focusing on the fact that we need to support farmers to have more opportunities on the farm, revenue streams on the farm, and I think that is a really important discussion and effort that we all need to work on together.

I want to start, just because this has been a discussion on the Committee and other places, regarding SNAP, and just start from the beginning to say that we, in the 2018 Farm Bill, asked for the

first update in 50 years for the Thrifty Food Plan. Did that update direct you to make sure that was cost neutral, Mr. Secretary?

Secretary VILSACK. Madam Chair, we are following the prescription and direction of the Food and Nutrition Act of 2008, passed by Congress, which directed us, and I will quote, “By the year 2022, and at five-year intervals thereafter, the Secretary shall reevaluate and publish the market baskets of the Thrifty Food Plan based on current food prices, food composition data, consumption patterns, and dietary guidance.” There was no mention in the law that directed us to do the work that we needed to do about cost neutral. It basically said you are to do this every five years, with 2022 being the first iteration of this, and you are to focus on market baskets that reflect current food prices, food composition data, consumption patterns, and dietary guidance.

Chairwoman STABENOW. You believe that the Department followed what is in the 2018 Farm Bill?

Secretary VILSACK. We did.

Chairwoman STABENOW. Let me say that at other times updates did have language on cost neutral. This, on purpose, did not because there was an effort after 50 years to look at how we cook, very different patterns for cook, how we eat, what we do, food inflation, and all of that. It was meant to be more comprehensive.

Let me ask you, last week our Committee heard from CFTC Chairman Behnam about the potential risk of fraud in emerging carbon markets due to a lack of regulation and guidance from the Federal Government. As you know, working with the Department—and we appreciate the technical assistance last year. We passed the Growing Climate Solutions Act that Senator Braun, Senator Boozman, and myself and others worked on, and it authorizes, by law, that we take first steps to protect farmers who engage in carbon markets.

Can you tell us what USDA has done to implement the Growing Climate Solutions Act and what more the Department can do to ensure that carbon markets and credits they generate have integrity? I assume as you talk about more revenue streams that this is part of the options for our growers as well?

Secretary VILSACK. That is correct, Madam Chair. We are focused on responding to the direction in the Growing Climate Solutions Act to provide a report to this Committee by August 2023, and we are in the process of putting together the team that will essentially do the groundwork surrounding that report. We will also be looking at and doing a review of the existing carbon market system today.

I think we are going to learn a great deal from the 141 projects that we are funding under the Climate Smart Ag and Forestry Commodity Partnership Initiative, because many of those initiatives are also establishing and working on trying to maintain and support a variety of markets, not just carbon markets. There are roughly 24 regulated markets—not regulated markets—24 markets that exist today that we can take advantage of with climate-smart practices. Carbon markets are one of them. Water markets, biodiversity markets, a whole variety of markets.

This is a strategy I think which is important and we want to get it right, but to get it right we have to understand where things are

today, and then we have to determine whether or not there need to be improvements, and how we would, at USDA, ensure that farmer participation in these markets is appropriate.

I would say one last comment, which is that we have to make sure that they are farmer friendly, that they are usable by farmers. Many of the carbon markets in the U.S. today are not really structured for farmers. They are structured for investment banks and so forth, and that does not really work very well in the countryside.

Chairwoman STABENOW. Thank you. It is so important that we have integrity in the measurements and the processes, so this is real. The good news is our farmers know—I remember in the last farm bill that corn growers brought us the demonstration project on healthy soil. The farmers know that the more carbon in the soil, the healthier it is, and the healthier it is for all of us because that carbon is not in the atmosphere, hanging around chasing weather disasters. It is certainly a win-win, and we want to make sure this has integrity.

Secretary VILSACK. Every major commodity group is involved this partnership initiative, and we have nearly 100 universities and colleges working to make sure that we do a proper reporting verification, measurement, monitoring of the results.

Chairwoman STABENOW. Thank you.

Talk a little bit more about local economies and supply chains. I know that you and the Department have done so much on this, and we have seen what happened as a result of the pandemic in broken supply chains. Our small and mid-sized farmers need new and better markets, and in Michigan we saw how impactful programs like the Meat and Poultry Processing Expansion Program worked to our Michigan turkey producers, supporting their work to expand local processing capacity.

How do you anticipate recent investments in the food supply chain will improve local marketing opportunities?

Secretary VILSACK. Well, let me talk about the meat and poultry processing as an example. In addition to providing nearly 3,000 facilities assistance and help on inspection fees, we have also helped nearly 277 facilities expand market opportunities by allowing them to be able to sell across State lines, expanding their markets. We have announced 31 projects already, where we are providing grant money to expand or to build new processing capacity. That is going to strengthen local and regional food systems.

We are not finished. We have more work to do. You will see more announcements over the next several months of additional projects that we are funding. You will see a second round of resources being made available. You will also see a round of resources being made available for non-meat and poultry processing opportunities.

You are going to see a significant investment that we can make in strengthening the processing capacity, which creates additional markets. This is important, particularly for small and mid-sized producers, because it creates the opportunity for them to negotiate, to have a different market opportunity, to be in a situation where there is competition for whatever it is they are growing and raising. Unfortunately, in too many parts of the country today there is just a single market and you have got to take the prices of whatever it is on that particular day.

Chairwoman STABENOW. Thank you. As we are looking at the next farm bill, I look forward to hearing any suggestions you have about how we should be expanding that effort or extending the life of the programs. I certainly hear from a Michigan perspective that this is something of great interest to folks.

At this point I am going to turn to Senator Boozman. Indicate to the Committee, I think everyone is aware, we have extended the questions to seven-minute rounds rather than five, so we have ample opportunity to talk to the Secretary.

Senator Boozman.

Senator BOOZMAN. Thank you, Madam Chair.

Mr. Secretary, in regard to the no-direction in the law with the Thrifty Food Program, I guess the problem with that is that the—no-direction law regarding it being revenue neutral. Yet through the technical assistance process, which USDA is intimately involved in, CBO determined that it would be revenue neutral based on the information that USDA gave them during that administration.

I understand your argument, but I just do not think it holds water. I do not think that Secretary Perdue thought that this was going to be a revenue producer of \$300 billion, nor did anybody on this Committee. Those are the facts, and that is really what GAO alluded to in their report.

Secretary VILSACK. Senator, with all due respect I do not think I necessarily am bound by what Senator Perdue decided while he was Secretary.

Senator BOOZMAN. You are bound by what this Committee wanted to do, what CBO wanted to do, and we are not bound by you finding loopholes to try and do things as you wish.

Secretary VILSACK. Not a loophole, Senator. We are basically taking a look at the law that was passed by Congress, directing us to take into consideration a number of factors, and one of those factors is consumption patterns, which have changed. One of those factors is current food prices, which clearly were different than they were 45 years ago. Part of it has to do with the activity of families. Part of it has to do with the mix of what families are purchasing.

To the Chairwoman's comments, you know, there was a time when it was assumed that people were spending an hour and a half preparing food from scratch, and that was the basis upon which the Thrifty Food Plan was initially created. Well, I am pretty sure—

Senator BOOZMAN. No, no. I—

Secretary VILSACK [continuing]. that is not the case today.

Senator BOOZMAN [continuing]. but I agree with all of that. My point is that when you are going to spend \$300 billion, you come to Congress and you say, "This is a problem. We need to address it. Let us work together to sort it out." I am not saying that it did not need to be updated or necessarily that we did not need to spend some money. The idea that an agency can spend \$300 billion without congressional direction—the Inflation Reduction Act was only \$750 billion. This was a massive amount of money, and it was not done right.

In regard to the comment that I made, getting technical assistance and the answer to simple questions, you all do not get to de-

cide what is a fishing expedition. We have the right to ask questions. We have got 50 outstanding questions. We have got a bunch of technical assistance that people are trying to write bills from, and again, we simply are not getting the information.

Secretary VILSACK. Well, I do not think that is a fair evaluation, Senator, of the work that we have done over the last two years to try to be responsive to concerns that you have expressed. For example, you expressed concerns about a situation in Dumas, Arkansas, and our team has worked—

Senator BOOZMAN. You did a wonderful job in that regard—we appreciate it.

Secretary VILSACK. Well, and that is an example of us willing to work with you when there is a need and an issue. We are more than happy to provide the information that you need, to craft a bill, to improve a bill, to determine whether or not a provision should be included in a bill.

Senator BOOZMAN. Well, I will be glad to make the list of the 50, and again, it is not me. It is us. I would say—they would have to speak for themselves, but both sides are having this problem.

I would like to discuss the Climate Smart Commodities Pilot Program. This is something that we are hearing from producers. Can you tell us which agencies within USDA, and which agencies or offices within the Federal Government, such as EPA or the White House's Counsel on Environmental Quality or any other agency will have access to the data generated under the projects?

Secretary VILSACK. The information that is going to be requested from the projects will be funneled through the project leader. Each of these 141 projects have a leader. Those leaders will essentially accumulate the information, and we will provide cumulative data. It is not a situation where specific information on a particular farmer's farm is going to be provided or shared. We will have cumulative information because we want to know what works and what does not work.

Senator BOOZMAN. Who will control the data, and who is responsible for its protection as well as the protection of the producer privacy?

Secretary VILSACK. We are running this program primarily through our Farm Production and Conservation (FPAC) mission area, National Resources Conservation Service (NRCS) obviously being involved, Farm Service Agencies are involved.

Senator BOOZMAN. Will the producers be made aware of how the data that is generated from projects they are involved in, how it may be used?

Secretary VILSACK. Yes.

Senator BOOZMAN. Okay. Very good.

Current law allows States to waive the time limit for able-bodied adults without dependents (ABAWD) when they have more than 10 percent unemployment when an area does not have a sufficient number of jobs to provide employment for the individuals. How do you define a "sufficient number of jobs"?

Secretary VILSACK. Well, as a former mayor and a Governor, you have a general sense of your State or a general sense of a region within your State that has suffered a particular circumstance or situation. We are dealing with some of those circumstances right

now as we speak, in Ohio and western Pennsylvania. You know the impact of a disaster. You know the impact of a plant closing. You know the impact of high unemployment in a particular specific area of the State or across your State. You keep track of that every single month. You are aware of the economic circumstances within your State, and that is, I think, the basis upon which Governors make the decision to request the waiver or not.

Senator BOOZMAN. When will you start accepting ABAWD waivers?

Secretary VILSACK. Well, I think at this point the current State is based on the public emergency declaration which expires in May. I would assume at that point in time States that are faced with a circumstance or situation where they deem it appropriate to request a waiver, will request it, we will then make a determination whether it is appropriate or not.

Senator BOOZMAN. Thank you, Mr. Secretary. Thank you, Madam Chair.

Chairwoman STABENOW. Thank you. Senator Durbin.

Senator DURBIN. Thank you very much, Madam Chair, and Mr. Secretary, it is good to see you. You and I have had several discussions about SNAP benefits for people who are gathering together and whether or not they are appropriate under the law. I asked one of your staff leaders in the Department of Agriculture, and she said that despite the fact that the agency had paid out these SNAP benefits for 20 years it was the result of a mistake.

We are now trying to resolve this so that these elderly people in my State, some 8,000 of them, are not denied basic food benefits, and I hope that you will continue to work with us to try to find a solution to this problem.

Secretary VILSACK. Yes, sir.

Senator DURBIN. Thank you. Mr. Secretary, we all know, you and I know the Midwestern farmers better than most, and know that they need solid proof before they are convinced of most things. Ten years ago I started asking visiting farmers a very basic question in the groups that came, Farmers Union, Farm Bureau and such: Do you believe that human activity has any impact on our climate and environment? To be honest with you, for several years no one raised their hand. There was some skepticism about that premise. I think things are coming around, and I hope they are.

I want to ask you the policies of the Department of Agriculture and proposals in the farm bill when it comes to two or three basic things. One of the issues is the creation of solar farms. Farm organizations are arguing that it takes prime farmland out of production and, therefore, they are opposing solar farms. We all know that that is, on its face, a true statement in most cases, but we also know that many other factors relate to the removal of prime farmland from production.

Do you see a way that we can deal with marginal or unproductive land as a source in rural areas for solar farms and get engagement from our farming community in this national effort?

Secretary VILSACK. I do, Senator, and the reason I do is because of the Inflation Reduction Act and the historic amount of resources provided under the Real Estate Investment Trust (REIT) program,

which could create the basis upon which farms could be established.

I think it is important for us to encourage the utilization of that opportunity on highly erodible land, on land that is not as productive as it needs to be or should be, and as a result can create a new revenue stream for farm families. I think it is also important for us to look at our Conservation Reserve Program (CRP) program in that same vein.

I also think it is important for us to look at creative ways in which those solar farms could coexist with additional operations. I know that there are many sheep operations that essentially combine solar farms and raising of sheep. The sheep basically maintain the vegetation, and then that sheep then become processed for local and regional food system. There are creative ways to have solar farms and a livestock production operation, for example.

Senator DURBIN. I want to explore that. I also want to address one other aspect. As of October, maybe September, of last year, my wife and I became electric power generations in the city of Springfield, Illinois, by installing solar panels on the roof of our home. We are not the first in the city to do it but the first in our neighborhood, for sure. The net impact is that our electric bill has gone down from \$115 a month to \$15 a month, and that is good news for us, and I think shows that the investment was worthwhile.

I started asking the question of farmers who visited, whether they were looking into this concept of net metering, and I can recall one farmer said to me that he wanted to install a major solar panel array on this 3,000-head hog operation and benefit from that metering because he ran fans 24/7 for the livestock.

He ran into a problem. It turned out the electric co-op did not have transmission lines sufficient to deal with net metering, and so we are still trying to help him and there may be a way out. The problem is if we have to deal with each farmer connecting up to the proper transmission arrangement it becomes prohibitive.

You mentioned the REIT program. The REIT program is very good but it deal with the farmer on the farm and it does not deal with distribution lines, as I understand it. Is that your understanding too?

Secretary VILSACK. That is correct, but there is another part of the Inflation Reduction Act that does potentially respond to your concern, which is the effort to help RECs decarbonize their generation capacity. We have a significant opportunity that can leverage resources under the Inflation Reduction Act to encourage RECs to convert from fossil fuel-based generation systems to renewable systems, which in turn would result in the need for the infrastructure necessary to make that happen.

Senator DURBIN. Are you aware of any electric co-ops in rural areas that are pursuing this?

Secretary VILSACK. We are just beginning the process because of the passage of the law. I think you will see and hear more about that later this year as we begin the process of reaching out to RECs and making a request for application and see what kind of interest there may be.

Senator DURBIN. Great. Thank you very much, Mr. Secretary. Thanks, Madam Chair.



Chairwoman STABENOW. Thank you very much. Senator Ernst.

Senator ERNST. Thank you, Madam Chair, and thank you, Mr. Secretary, for being here today.

We have heard a lot about how the Administration really wants to support rural America, but bottom line, we are not seeing a lot of action so far. We have seen a lot of spending, a lot of spending, and Iowans, you know, are feeling as if they have been thrown under the bus and not really seeing the benefit. A lot of the proposals and laws that I hear about when I am out doing the 99-county tour, when we are doing the farmer roundtables, to help support what we are doing in the farm bill, I hear a lot about the so-called Inflation Reduction Act and how a lot of how that was written really reads like the Green New Deal. As we are looking at the farm bill we want to make sure that what we are doing in the farm bill is actually working with our farmers, with our ranchers, for their benefit, not the folks on the far left, on the coasts of the United States. This is about middle America and providing food necessary for the greater population.

We know that this Administration is focused heavily on green energy, which on its own that is great, but there is such an ardent push toward electric vehicles, and you know how I feel about ethanol, that we have this ready-made, available resource in the Midwest that is cheaper. It is a cheaper energy solution than some of the proposals such as the electric vehicles. We really feel that it deserves full attention. I know ethanol biodiesel does not fall under the jurisdiction of this particular Committee but it is something that is very beneficial for our farmers.

The President has been very insistent on returning to a number of harmful, overreading regulations, and again, as I am out across every one of my counties—and you know those counties very well—every one of those counties, when I do a town hall, when I do a farmer roundtable, Waters of the U.S. (WOTUS) always comes up. Here we are returning to the Obama-era regulations of WOTUS. It does not matter what group it is—farmers, small business owners, county secondary roads personnel—they are all just very upset about WOTUS regulations, and they feel they have not been heard.

Folks are struggling, Mr. Secretary. They are struggling in Iowa. They are spending more, they are getting less, and especially in the most rural of our communities. We have got to stop the out-of-control partisan spending. We need less regulations, not more.

I want to focus on our livestock sector because this is maybe where you can help us out here. Secretary Vilsack, the livestock producers were hit very hard during the pandemic. I have experienced a lot of hardships through various times and trials during my time here at the Senate, but the pandemic was probably the hardest, to sit through Zoom calls and conference calls with our farmers and those that were going out and culling herds and their livestock because of plant closures.

During that tough time a lot of the producers sought to capture a greater share of the retail meat dollar by joining with other producers to build packing plants that they supply and own. As you know, Iowa is home to Cattlemen's Heritage, which is building a state-of-the-art facility in Council Bluffs, Iowa, down near me, and West Liberty Foods, which is building a new producer-owned tur-

key processing plant in West Liberty, Iowa. In our neighboring State of Nebraska there are similarly processed beef processing startups that are producer supplied and producer owned.

The USDA created the Meat and Poultry Processing Expansion Program to expand small and regional meat processing, to bolster supply chain resiliency. As you have described, quote, “will give farmers and ranchers a fair chance to compete in the marketplace,” end quote.

Thus far grants totaling \$157 million have been awarded, so that is a good thing. We have got grants going out the door. Three of the largest grants total \$69 million, which comprised nearly half of the funds award.

Now again, a lot of money has gone out the door. We think that is a good thing. Nearly half of it has only gone to three—three—projects, who are privately owned by some of the wealthiest people in the United States. One of the projects in Nebraska is owned by a man on the Forbes billionaire list, another in Idaho is owned by the wealthiest man in the State of Idaho, and a project in South Carolina is being awarded to a privately held family business with production in five States.

Hey, I have no objection to families succeeding and owning a lot of businesses, and I wish them great success. What I find problematic is that taxpayer dollars are being doled out as free grants to billionaires while applications from farmer-owned startups like Cattleman’s Heritage in southwest Iowa and West Liberty Foods expansion are deemed unworthy through these grants.

Mr. Secretary, what is the criteria that has been used by USDA to determine who is getting grants, and why are we seeing that billionaires are being awarded those grants over smaller owned startups?

Secretary VILSACK. Senator, first of all, the Iowa project you mentioned is actually on the list that is currently under review, and we are in the process of finishing the environmental review that is required under the National Environmental Policy Act (NEPA) before grants can be issued. Just be patient. I think you are going to find that that is a project that merits additional investment that is going to be forthcoming.

The level of investment is based on the application that people submitted. Some of these plants are very small. A Charles City plant, for example, very small. It needed \$8 million and we provided it. A Cherokee plant needed several million dollars; we provided it. Iowa has received several grants already and I anticipate and expect they are going to receive at least one more, for sure. Then there is the circumstance of the second round of resources.

The criteria is based on independently owned, that they are not part of the big four packing operations. We obviously are investing in farmer-owned cooperatives that are in processing. We are very conscious of where the need is, based on the consolidation of livestock operations and the livestock that is being raised. We are trying to make sure that we are doing a good job of spreading this out in a way that actually meets the market demand and provides these producers more than one market.

We are excited about this. We think the 31 projects we have funded already are good projects and are going to expand market

opportunities, but we have not stopped. There are going to be more. For sure there are going to be more, a lot more.

Senator ERNST. I appreciate that, and thank you. I think it is important that we have support to some of these smaller, again, farmer-owned, operated facilities. I think the discouraging part is when we do see such incredibly large producers, those that are on the billionaire list, receiving rather than a loan, they are receiving the free dollars from our taxpayers. We can certainly talk through that as we look at some of these programs for renewal in the farm bill.

Thank you, Mr. Secretary.

Chairwoman STABENOW. Thank you very much. Senator Luján.

Senator LUJÁN. Thank you, Chair. I really appreciate this. First, good morning to you and the Ranking Member and to everyone here. Mr. Vilsack, Mr. Secretary, thank you for being here as well.

Last time you were before the Committee, as you may remember, New Mexico was facing some really large fires, the largest in our State's history. I just want to say I appreciate your support and your help to keep in mind the families of New Mexico and the challenges that those families are facing. Thank you for that.

As you would suspect, not all families have received all the support that I hoped that we will be able to work together to ensure that they benefit from. The way that the teams are working now, I just wanted to recognize that.

Secretary Vilsack, the questions that I have are surrounding that fire, and the first one I have is, when the Federal Government is responsible for a disaster, like they were in this case, such as this wildfire, does the Federal Government have the responsibility to support the recovery?

Secretary VILSACK. Absolutely.

Senator LUJÁN. Can I count on your support to ensure that everyone in your Department knows that getting New Mexico the resources needed to meet the needs of residents is a priority of the Administration?

Secretary VILSACK. Yes. In fact, Senator, we worked with your Governor to establish an opportunity for there to be a meeting where we had multiple agencies and mission areas from USDA present that would allow an easy time for folks to fill out the applications and to figure out what potential benefits there might be and help there might be. We continue to look for ways in which we can be helpful.

Senator LUJÁN. I very much appreciate that.

Last month, the USDA's Equity Commission released a 37-page report with 32 recommendations designed to advance racial equity among USDA's programs, and I applaud the initiative. In order to better implement these recommendations accurate data matters. I want to applaud and encourage that deep dive.

In March 2022, I sent a letter to USDA asking for a breakdown for New Mexico based on gender, race, ethnicity for farmers and for programs, and earlier this year I received a response, and the numbers concern me. They are a bit startling for me in New Mexico, and one of the reasons is this. Hispanic or Latino producers constitute about 34 percent of the farms back in New Mexico. Yet in 2022, they received only 9.5 percent of guaranteed loans and 22

percent of direct loans. Now this one program shows where there is room for improvement.

Secretary Vilsack, what is USDA planning to do to address this longstanding problem and how can Congress support those initiatives?

Secretary VILSACK. Senator, one of the challenges we have is getting information out about the various programs at USDA so people can apply. We have entered into contracts with 85 separate organizations in which we are asking those organizations that have connections to communities—Hispanic communities, African American communities, et cetera—asking them to assist us and help us in getting information out to people about programs and then providing guidance for those folks in terms of how to apply.

I think over the course of the next several years our hope and belief is that we are going to see more folks walk through the door, more folks understand what they have to have to be able to successfully apply for resources and more folks getting resources. Everyone in our team understands the importance of making sure that we are providing the kind of help and assistance that people need. The cooperators is one area.

The second area is NRCS, our conservation folks. Now the first operation is the folks who do the loan programs, FSA. NRCS has a series of contracts as well, with over 100 organizations, to do virtually the same thing in terms of conservation and conservation investments. We are trying to do a better job of expanding outreach.

The third thing we are doing is working with Hispanic-serving organizations and HACUs, universities, trying to make sure that they also understand that they have an opportunity to help us with extension. We are looking for ways in which we can provide assistance. We have just recently hired a series of liaisons to work with a number of those universities to be able to provide more extension services. There is a massive outreach effort right now.

Senator LUJÁN. I appreciate that. Mr. Secretary, along those lines my office has invited USDA to participate in some educational sessions, and your team has been very open, and those sessions have been welcomed by farmers and families across New Mexico. I appreciate that and I will make sure we are doing more along those lines as well, to partner with you and get that word out and see what we can do to also do our part to increase applications.

Secretary VILSACK. We have also simplified the application process. It was, I think, 29 pages. It is now 13, still probably too long but better than 29.

Senator LUJÁN. Well, and as you clearly know, that was one of the challenges with some of the programs out there. There was one that we worked on together here for help with the acequias for the irrigation programs, and the first application, when I went to visit the acequias in Mora, New Mexico, one of the communities that was hit by the fire, one of the folks came in with boxes of paperwork, and they said, “We can’t do this again.” USDA responded and were working to streamline that. I know that progress has been made in each of the farm bills, and the Chair helped me quite a bit, when I was in the House, to get some support to them. I look forward to working with you more in that space.

Secretary VILSACK. Language is also an issue. The report that you mentioned was the first major report that was published both in English and Spanish.

Senator LUJÁN. I very much appreciate that.

Madam Chair, I do have some questions in the area of SNAP. I just want to emphasize that in New Mexico about 40 percent of the SNAP beneficiaries are children, and they do not get a say over how much folks are making and whatnot. I think we all agree that kids that are going to school with something in their belly is a good thing, or when they are there and they are more attentive. I certainly hope that we can come together as a body, as a family here, to make sure that we are working in that regard.

It is also a program that benefits rural producers, and the more that we can do that and concentrate on kids and work on creating more certainty for farmers, especially in rural parts of the country, I think that is a winner for all of us. I know it will be a discussion, but I certainly hope that we find some common ground there.

The last piece I wanted to touch on, Mr. Secretary, as time runs out here, and I think I will just mention it, is the work that is being done, and Senator Bennet is really leading these efforts, Senator Hickenlooper has worked on some working groups here, but especially in the area of drought and what must be done in Western States as well as we look at this. I certainly look to being part of that conversation, working with Senator Bennet however I can, as he is continuing to lead the charge.

Just know he is not alone and there are going to be more and more members that are going to be pushing with him.

Secretary VILSACK. Madam Chair, can I, just 30 seconds on this? Chairwoman STABENOW. Yes.

Secretary VILSACK. We just issued the Water in the West Working Lands document at USDA, which is going to drive our efforts in terms of drought in the West. We have identified six major challenges that producers face, everything from forecasting to more precision utilization of irrigation, and 13 different strategies that we are going to provide resources. Again, the Inflation Reduction Act and the conservation resources that are in that act can help fund that, and so we are interested. We have also recently announced \$25 million toward the WaterSMART Initiative the Department of Interior has in terms of drought. There is a specific focus on drought coming out of the USDA.

Chairwoman STABENOW. Thank you very much. Senator Marshall.

Senator MARSHALL. Thank you, Madam Chair, and welcome back to the Ag Committee, Mr. Secretary.

On behalf of my farmers and ranchers I just want to say thanks for you being a strong voice at the White House, interacting with the Administration, especially where the EPA meets agriculture. The EPA reached out to USDA for comments on Atrazine mitigation practices on March 1, 2022. Your Office of Pest Management recommended EPA add additional mitigation practices and augment some others.

In the proposed rule ultimately published by the EPA, none of the edits—let me say that again—none of the edits or suggesting mitigations from USDA were involved or included. EPA similarly

has not considered your comments on rodenticides as well as Chlorpyrifos. Considering EPA is refusing to meaningfully consider USDA OPMP's comments, would you support legislative action requiring them to respond to your career experts on pesticide issues publicly in the Federal Register?

Secretary VILSACK. I think it is important to have a respectful relationship between two agencies, Senator. I think it is important for us to continue to have the opportunity to provide input in terms of the impact of whatever EPA is considering. I would hope that under circumstances they would consider the career folks at USDA because they come with good information and good data.

I think it would be interesting to see how you would craft that in terms of one department basically overruling another department. I am not sure I want the EPA telling me how to run the Department of Agriculture. I would just be careful in terms of value.

Senator MARSHALL. Do you feel like the EPA is listening to your experts?

Secretary VILSACK. I think they are in some circumstances. There is an honest dispute and disagreement from time to time, and the response that I have to that, Senator, is when there is a disagreement and EPA enacts whatever they are going to enact, then it is our job at USDA to do what we can to mitigate the consequence of that, to sue the resources, the programs that we have, if possible, to mitigate the consequences.

Senator MARSHALL. In order to utilize environmentally sound practices like no-till farming, which we have been doing for over 20 years on our family farm, we have to have use of these pesticides. Otherwise, we are going to have to go back to plowing which creates an increased carbon footprint.

Do you feel like the EPA is balancing this issue of carbon footprint? They are using their practices. We are going to have to plow the ground, which we know is a huge carbon sink.

Secretary VILSACK. We have raised that issue with them, repeatedly.

Senator MARSHALL. What do they say?

Secretary VILSACK. They have a disagreement with us, Senator.

Senator MARSHALL. Thank you.

Next question. Before the Eighth Circuit, attorneys for the Justice Department suggested that USDA are not experts on the uses of pesticides. They used this argument to try to convince the Eighth Circuit judges to ignore a letter you sent to former Representative Hardister and Members of Congress standing by the science of pesticides.

Specifically, as your Department is working with USTR to end the GMO ban by Mexico, do statements like these harm your efforts to advocate for American farmers?

Secretary VILSACK. It makes it difficult because it creates confusion.

Senator MARSHALL. I appreciate that.

Next question is about the Commodity Credit Corporation (CCC) discretionary fund. About a year ago we sent a letter to the GAO with our farmers' concerns—these are not my concerns. These are my farmers' concerns—about the way the USDA has been using the CCC. While I am still waiting on the response I am worried

that the farm bill negotiations will be hindered, especially if you believe that the USDA can use the CCC for programs that we ultimately decide not to include in the farm bill.

How can we be confident in negotiating good faith if USDA continues to create programs without congressional approval under CCC discretionary fund use?

Secretary VILSACK. Well, to be clear, Senator, we do not create programs without making sure that they fall within the direction that Congress has provided in creating the CCC. For example, when we did the Partnership Initiative, it is focused on creating market opportunities, which is clearly within the purview of the CCC, as established by Congress.

We are not working outside the bounds of what you all have created and directed CCC to do. I will tell you, it is an incredibly wonderful tool to respond to things like a need for fertilizer, the need for us to expand production of fertilizer here in the U.S. CCC is giving us the opportunity to create resources that will allow us to be more self-reliant on fertilizer, and hopefully over time reduce the cost of that to producers.

We are very careful to—well, there are two issues here. We are very careful to stay within the statutory language that authorizes the CCC expenditures, and we never, ever, ever put at risk the farm bill programs that require CCC funding.

Senator MARSHALL. Certainly again we agree on the same goals. We certainly believe that fertilizer costs are a huge input problem right now. The No. 1 driver of that is the cost of energy. Certainly our farmers and ranchers feel like how you are using the CCC is outside of the law, and I think that we need to be able to better understand that.

Secretary VILSACK. Senator, with all due respect, when we did the Partnership for Climate-Smart Agriculture Initiative we had the farmer and the rancher and the Food Alliance, which was made up of the major commodity groups—Farm Bureau, National Farmers Union, Corn Growers, Soybean Growers. In fact, they were participating as participants in this effort—say to us two things. One, “Mr. Secretary, do this. Do it in a voluntary, incentive-based, market-based way,” and two, “Mr. Secretary, fund it through the CCC.” These are the major farm organizations telling us how to fund this.

Senator MARSHALL. I appreciate that.

Last one is on trade. Yesterday the Senate confirmed a new Ambassador to India. We are lacking strong trade agreements with India, EU, and the U.K. right now, and this Administration has not asked Congress for a new TPA (Trade Promotion Authority), as well.

What concrete steps have you taken or do you intend to take to convince the Administration to open up new markets for American agriculture, especially when your department is predicting a record agriculture trade deficit?

Secretary VILSACK. Well, to be clear, the last two years we have had record exports in agriculture.

Senator MARSHALL. Because of commodity prices, but go ahead.

Secretary VILSACK. Well, nevertheless, they are records. The challenge, I think, is to build trust in this country in trade. Farmers understand the importance of trade because of historic sur-

pluses. They understand it, they appreciate it, but that is not true of all industries and not all parts of the country. There are folks who believe that trade is not—

Senator MARSHALL. Do you have any concrete steps that you can let us know what is happening on the trade side of agriculture?

Secretary VILSACK. Sure. There is the Indo-Pacific Framework. There are negotiations with the EU on a variety of SBS issues. There is the issue involving Canada and trying to make sure that they live up to the USMCA with dairy. There is the issue in Mexico in terms of the ability to assure that biotech corn can be used. There are tariff reductions in Vietnam that resulted in more pork sales. There are additional issues in Central American countries where we have created additional opportunities.

There is a whole variety of things going on in the trade front that do not necessarily require free trade agreements, but they do require breaking down barriers. They do require restoring trust. They do require saying when we have a trade agreement we are going to enforce it, and that is precisely what we are doing with USMCA.

Senator MARSHALL. Thank you, Mr. Secretary, and I yield back, Madam Chair. Thank you.

Chairwoman STABENOW. Thank you very much. Senator Bennet.

Senator BENNET. Thank you. Thank you, Mr. Secretary. It is good to see you again. Thanks for coming back.

It will not surprise you to know that I am going to start with drought, our 1,200-year drought in the Rocky Mountain West. We reintroduced our bill to protect our watersheds and do what needs to be done with our national forests, the Protect the West Act, this week. I was very pleased that we were able to work together to include \$10 billion, when you combine the money in infrastructure bill and in the Inflation Reduction Act for pre-fire mitigation for forest health, for all of that. That is a big chunk of money. It is an unprecedented amount of money. It is a lot less than the \$60 billion that we spent the last five years fighting fires in the West. As you know, and I know you know this, it is a much cheaper way of dealing with the issue that we are confronting.

I wonder if you could just give the Committee an update about how you guys are thinking about spending that money, getting it on the landscape, and making sure we make the most of what Congress has appropriated.

Secretary VILSACK. The first thing that we needed to do, Senator, was to identify where the most significant fire risk was in the West, and we have identified that in 21 priority landscapes, 250 fireheds within those landscapes, roughly 45 million acres all told. We are in the process of investing nearly \$1 billion over the next couple of years in 134 of those 250 fireheds in an effort to try to mitigate and reduce the risk of catastrophic fire, which is a serious issue. There is resource being spent there.

There is also resource being spent in helping communities become more resilient to fire, fire-adaptive communities. That is also part of what we are doing.

Finally, we are working to reforest. We have a fairly significant and pretty aggressive goal of doing hundreds of thousands of more



acres of reforestation, and that project is also being funded because of what you all did on the REPLANT Act.

There are a variety of activities going on.

Senator BENNET. Thank you, Mr. Secretary. I look forward to staying in touch on all that.

As the Chair knows, like everybody else on this Committee, I have had farm bill listening session after farm bill listening session. I think we have had 26 in Colorado so far, and we are headed to a record because people are really interested. I want to thank you for coming out to Talbott Farms in Palisade for one of those early on. There, in that conversation with our producers, you heard something I hear everywhere I go, which are concerns about programs like EQIP and CRP and USDA Rural Development community facilities, the fact that they are exceedingly burdensome in many respects for Coloradoans access. Sometimes it has to do with understaffing. Sometimes it just has to do with the bureaucracy not getting back.

We have had this conversation before. You are fortunate, I think, and the country is fortunate, to have you in this job a second time. I just want to hear a little bit about what you are doing to make the place a little more customer friendly than it has been historically and what we can expect to see coming forward.

Secretary VILSACK. When I came back to this job there were 6,500 fewer people working at USDA than before. First and foremost—

Senator BENNET. That is amazing. That is an amazing fact.

Secretary VILSACK. The morale was very, very low. It was necessary for us to rebuild morale, and it was also necessary for us to rebuild the work force.

We are doing that. We are hiring more people at NRCS. We are hiring more people in the Farm Service Agency. We are hiring more people in Rural Development. We have made an effort, through the budget, to be able to hire more folks.

It is a challenge. It is a challenge because our compensation system now, today, is not competitive. It is very difficult to keep people in some of these jobs. The private sector attracts them once they get a little training. It is not only recruiting people, it is also retaining people. We are hiring more people, and that makes a difference.

We are also looking at ways to simplify the application process. I mentioned the Farm Service folks simplifying the loan application. NRCS is doing the same thing with reference to the applications necessary to access these programs.

The additional funding that you are providing, under the Inflation Reduction Act, is a big, big opportunity for us. We are going to continue to hire more people and we are going to continue to put those resources to work. We know we have a backlog of needed conservation programs. This is going to allow us to address that backlog and allow us to target these resources in ways that will help drought-stricken areas, help advance climate-smart practices, improve soil health, all of that.

It is a concerted effort on our part to expand work force. Finally, looking at ways in which we can leverage our resources by—and I mentioned this to Senator Luján earlier—the importance of hav-

ing outreach efforts beyond NRCS, having over 100 organizations helping us get the word out about existing programs at NRCS, how folks can access those programs, and guiding them through the process. That should also encourage and increase participation and increase our ability to leverage those resources.

Senator BENNET. I think with your leadership we really have a chance to make a dent in this, and anything that we can do to help support that effort, we want to do.

I do not know how long I will be in this job. I have no idea. I would love to be able to go home and have a farm bill listening session where people are saying, "We are actually seeing improvements on the ground" because of what we are doing together here.

The last issue I had, you mentioned CRP. I actually do not have a question on the Conservation Reserve Program except to observe that we feel the prices for CRP in the heart of what was the Dust Bowl in Colorado do not make a lot of sense. I have raised that over and over again here.

I did want to mention the Conservation Reserve Enhancement Program (CREP) also, because in the last farm bill I secured a provision to allow for dryland farming in the CREP. Since then we have been working to secure a secretarial waiver. I know you are well aware of this issue that is critical for Colorado's Republican River Water Conservation District to meet its compact compliance. I am sorry that Senator Marshall has left because I know he knows how important this is, between Kansas and Nebraska, and more important for all States facing dwindling water resources to maintain the production flexibility that we need while still conserving water.

I wonder if you could commit, Mr. Secretary, to approving a waiver for dryland farming in the CREP program and ensure that rural rates are not so low that it discourages program participation.

Secretary VILSACK. We are actually working on the project in your State specifically, and we have doubled the rates that would normally be paid for a CREP. We are trying to adjust those rates in a way that is feasible and could be applied not just to one particular project but to CREPs throughout the region.

Senator BENNET. Thank you.

Chairwoman STABENOW. Thank you very much, and Senator Bennet, I appreciate your leadership, and Senator Marshall's, in not only having the listening sessions in Colorado but through your subcommittee, the important listening sessions on conservation and forestry with all of our stakeholders. I know those are coming in the next few weeks, and we thank you.

Senator Tuberville.

Senator TUBERVILLE. Thank you, Mr. Secretary. Alabama's hard-working farmers and producers continue to face an uphill battle as they work to feed our Nation. Inflation is skyrocketing and input costs continue to rise for feed, fuel, fertilizer, and equipment, which cut producers' bottom lines. The bottom line is we are struggling.

Despite producers' daily struggles to operate their farms and maintain their livelihoods, this Administration is not seeking to help. From my viewpoint, the USDA is only focusing on two areas: issuing increases in SNAP and obsession over climate change.

This farm bill will have a price tag of over \$1.4 trillion, with over \$1.2 trillion of it going to SNAP benefits. We cannot lose sight of the importance of this farm bill, for the next five years, for our farmers and producers all across our country. Our producers need a strong farm bill with sufficient funding for crop insurance and farm safety net programs like ARC and PLC, that keep our hard-working farmers whole. We must ensure each producer remains in charge of what operations occur within their own farmland and forest land. All conservation programs must remain voluntary, market driven, and incentive based.

Mr. Secretary, in Alabama 55 of our 57 counties are considered rural, and many of those lack access to sufficient broadband internet. Broadband access is crucial to stimulating economic growth, providing new opportunities, and in ensuring our rural communities are not left behind. The ReConnect program has been a successful tool to deploy broadband to rural areas. To date, ReConnect has awarded more than \$3 billion over four rounds of funding. It sounds like it is more than just a pilot program at this point.

Does Rural Utilities Service have any metrics to track the performance of this program?

Secretary VILSACK. Yes. They have an extensive effort. I asked the question of my team recently. There is an extensive follow-through with the implementation and expansion of opportunity that ReConnect provides. Now understand, Senator, ReConnect is with existing programs that basically encourages higher upload and download speeds. In other words, it improves existing programs. It does not address the issue of unserved areas. That issue is going to be addressed with the Commerce Department and FCC once the maps of States are finalized and approved that show where the underserved areas are. There is roughly \$63 million from the infrastructure law that will go into meeting that unmet need.

Right now we are focused on improving the service that does exist, and as you pointed out, we have approved a number of projects. There will be another round of approvals and awards here coming up in the next couple of months.

Senator TUBERVILLE. Thank you.

The poultry industry is a crucial economic driver for my State. It represents 65 percent of Alabama's agriculture income and provides 86,000 jobs. Considering the U.S. exports are approximately 18 percent of chicken meat production, which is valued at over \$4 billion annually, we must maintain strong trade agreements in our export markets. I am concerned about the Highly Pathogenic Avian Influenza (HPAI) vaccine mandates impacting those markets as most nations do not accept imports from vaccinating countries.

It is my understanding that the use of an HPAI vaccine will not eliminate or eradicate the virus, similar to the COVID-19 vaccine. Since a vaccine will not keep birds from getting the virus or eradicating the virus from the U.S., do you think it is a useful tool?

Secretary VILSACK. At the present time there is no vaccine for the current HPAI virus. There are a number of vaccines that are in the process of being developed. There is a long way to go, Senator, before we can say we have a vaccine. Then there are additional steps that have to be taken in order to determine the impact

and effect of a vaccine on the ability to sell product overseas. There are a number of countries that will basically shut off exports if the poultry has been vaccinated.

I think there is a process there, but we are a long way away from having a vaccine that is effective, and a long way from having a vaccine that the rest of the world accepts.

Senator TUBERVILLE. I hear concerns from my farmers in Alabama, especially our poultry farmers, lacking sufficient access to financing. To build a four-house poultry farm in Alabama today the cost would exceed \$2 million. However, the FSA guaranteed loan limit is capped at \$1.75 million. This presents a significant problem for our young farmers and people who want to get into poultry.

Do you think we should increase the cap for guaranteed loan size?

Secretary VILSACK. Well, I think it is important to provide the Department with as much flexibility as possible to try to meet the need as it evolves, not only in this area but very specifically in the disaster area. I know that is not part of your question, but I think it is important for us to have enough flexibility to be able to use disaster programs creatively when we are faced with a megadrought or faced with circumstances that were not anticipated when you all passed a farm bill.

Senator TUBERVILLE. Do you have a limit that you would—

Secretary VILSACK. I do not, but I will tell you what. Let us think about that and we will get back to you.

Senator TUBERVILLE. Thank you, because we are struggling.

Secretary VILSACK. The problem with a limit is that eventually you get to a point where the limit is—

Senator TUBERVILLE. Too high. Oh, I understand. Yes. Inflation, right?

Secretary VILSACK. Well, it is inflation but it is also the cost of the size of operations. I mean, there are a multitude of factors. Our focus, frankly, is on making sure that when you make that expenditure that you got a fair shake with your integrator so that the rug is not pulled out from under you, which is why we are looking at the Packers and Stockyard Act.

Senator TUBERVILLE. I was disappointed to hear that in the U.S. our trade deficit is \$14.5 billion in agriculture last year, and I believe we need to support our producers in opening new markets, and we talked about that earlier. I understand that because of changes made to the Export Credit Guarantee Program after our ag exporters are using that program less.

In light of this, what is USDA doing to ensure our producers have the ability and access to financing options to export their products?

Secretary VILSACK. Actually, if you are talking about the GSM, one of the two programs, we actually did adjust those limits. We were under a restriction based on a resolution in a case involving Brazil and its retaliation against the U.S. in a cotton case, but we recently amended that program to comply with the Nairobi Protocols, which provides greater access, and that program is actually being used—I believe it is actually being used more than it was before. We can check on that.

Senator TUBERVILLE. Yes.

One quick question. President Biden said in the State of the Union that we are going to be done with fossil fuels in 10 years. My farmers are asking me, "Are we going to start getting tax credits for farm equipment? Are manufacturers going to start getting tax credits for making a non-fossil-fuel machine?" We do not need to start thinking about that eight years from now. We need to start thinking about that now. What are your thoughts on that?

Secretary VILSACK. Well, you know, I am interested in making sure that we have resources available to farmers and that machinery that is available is not just available to folks who have large-scale production systems. I was pretty struck by the work that is now being done to try to miniaturize some of this farm equipment.

I think we are going to continue to have a need for farm equipment that operates in a way that farmers can use it. I am not sure that we are not going to see the end of combustion engines for a while. I mean, with all due respect, I just do not think that is going to happen. I do not remember him saying that in the State of the Union but maybe he did and maybe I just was not paying attention.

Senator TUBERVILLE. I heard it. I was sitting pretty close. I heard it.

Thank you, Mr. Secretary. Thank you, Madam.

Chairwoman STABENOW. Thank you very much. Senator Booker.

Senator BOOKER. Thank you, Chairwoman, and of course, Ranking Member, thank you as well.

Secretary Vilsack, I was really pleased to see the release of the proposed rule on the voluntary "Product of USA" label. I completely agree, as your new rule proposes, that meat sold under the "Product of USA" label should be from animals born, raised, and slaughtered in the United States.

I also want to mention my support and appreciation of your work to move forward with the key Packers and Stockyards Act's regulation to provide transparency and fairness for our Nation's livestock and poultry farmers. This is really, really important. The GIPSA rules are long overdue to address the abuse of contract farmers by big, integrated meatpacking companies, and it is not just the farmers that these companies mistreat.

It has recently come to light that immigrant children were illegally employed in some of the most dangerous jobs at meatpacking plants owned and operated by companies such as Cargill, JBS, and Tyson. The meatpacking companies outsourced this work to egregious labor violators and now are trying to shield themselves from responsibility for violations committed by their contractors, who hire children to work long, overnight hours, for low pay, cleaning equipment such as skull splitters and bone cutters.

These big meatpackers have a long history of failing to protect workers. Meatpacking plants are so dangerous that there are an average of two amputations every week for meatpacking workers. Meanwhile, these companies continue to use outsized influence and power to be awarded multi-million-dollar contracts from the Federal Government.

Following a prior series of criminal and civil actions against JBS for bribery, price fixing, fraud, you stated, Mr. Secretary, that the U.S. Government could not stop awarding these contracts to JBS

because the companies have so few competitors. I hope you agree that we should not be rewarding multinational corporations who exploit children and ignore our labor laws with lucrative government contracts.

What does Congress need to do in this farm bill to make sure that USDA contracts stop going to these bad actors and start going to small businesses and independent family farmers and ranchers who treat their workers, animals, and communities with respect?

Secretary VILSACK. I think, Senator, supporting the work that we are starting to make sure that procurement dollars that USDA invests do not necessarily all go to large-scale commercial operations but that a percentage of them be spent with and invested in small and regional, local food systems.

We have got to have a companion system, I think, in my view, to make our food system more resilient and to address some of the concerns that you have just addressed. There needs to be a little bit more competition, and one way to get competition is to make sure that procurement dollars are being spent with good employers.

I will tell you that the Department of Agriculture is one of the first departments that is look at ways in which we can ensure that when we use our procurement dollars we use them with companies that understand the importance of safety, importance of following the rules.

Senator BOOKER. Yes. Well, the rule breaking and exploitation going along with these larger companies is stunning, and I really hope to work with the Committee on both sides of the aisle to try to help advance what you just described.

USDA programs have a large number of different definitions of what constitutes rural, making it difficult and confusing for municipalities to determine which programs they are eligible for. Furthermore, some of these definitions make it difficult for rural companies in New Jersey and other small States to qualify due to how eligibility is linked to proximity to larger cities.

For example, a town in South Jersey, Elmer, that is surrounded by farmland and has a population of only 1,347 people, is being refused service by broadband companies because it does not have enough customers. Elmer is the perfect example of a rural area that should be able to take advantage of USDA's ReConnect program, but it was found to be ineligible because it is connected to a larger municipality through what the USDA calls a "string," despite being over 12 miles away. In States like New Jersey, where rural towns are less distant from urban areas, rural communities like Elmer are left with really no options.

Mr. Secretary, do you acknowledge that some USDA definitions are leaving certain rural communities behind, and will you work with my office to find ways to ensure that rural communities in New Jersey are able to participate in these programs?

Secretary VILSACK. Yes and yes.

Senator BOOKER. Fantastic. The final question, Madam Chairwoman, was requested of me by Senator Fetterman, who we are keeping very much in our prayers. He cannot be here to ask the question, Mr. Secretary, but I am also interested in his question regarding USDA resources for urban farmers. Senator Fetterman has been hearing from farmers in cities in Pennsylvania that come

from county FSA and NRCS offices, and believe they are unequipped to assist with resources for urban farmers.

On behalf of Senator Fetterman, can you please discuss actions your office is taking to disseminate information on resources for urban farmers to local USDA staff and stakeholders?

Secretary VILSACK. The first step in that process was we have identified 17 cities where we are trying to develop the program for urban farming and establishing FSA offices in those 17 cities so that we learn a bit more about what is going on. I will tell you that we do have a series of innovation grants and a series of compost grants that are being funded to cities.

Senator BOOKER. Did you say compost grants?

Secretary VILSACK. Compost. Compost. Millions of dollars being invested in those programs to try to encourage more urban farming.

We have established, within NRCS, a team of folks who are focused solely and completely on urban farming.

I guess my advice to the Senator is for his office to contact us, let us know what communities, cities he is talking about, and we will make sure that we get information to those particular cities.

We want to expand this program. We understand and appreciate that the definition of farming is different today than it was 10 years ago, 20 years ago. It is about urban farming. It is about rooftop farming. It is about community gardens. It is about vertical farming. It is about indoor farming. It is about horticulture. You know, hydroponics, agroponics. It is all of that, and it is important for us to be supportive of all of that. We would be more than happy to work with his office.

Senator BOOKER. No, it is quite exciting, and I know the Chairwoman has been a real leader and groundbreaker, pun intended, when it comes to farming in urban areas. My hope is that we can expand it.

The Chairman said in his testimony already that local systems are stronger, more resilient in times of crisis, like we just saw with the pandemic, so developing the capacity, I think there is an urgency around that, and excitement about it from New Jersey to Michigan and across our country, and I am looking forward to working with you in the farm bill in expanding those efforts.

Chairwoman STABENOW. Thank you, Senator Booker, and you are right. There is great excitement, and I think even more excitement around a farm bill because we are adding to the breadth of who is impacted by that. We saw in the pandemic, certainly we saw in Michigan, where the access to local healthy food made all the difference as supply chains broke down.

Thank you so much, and I also want to just indicate that we are so appreciative that Senator Fetterman's staff are continuing to work closely with us. He is our new Chair of the Nutrition Subcommittee, and is actively involved. I know Booker, as former Chair, is actively involved as well. We appreciate the ongoing work that is happening with Senator Fetterman's staff with us every day, and we know he will be back with us soon, and we appreciate that. We are looking forward to it.

Secretary VILSACK. Chair?

Chairwoman STABENOW. Yes, Mr. Secretary.

Secretary VILSACK. Can I just add one additional comment to Senator Booker? It is also important for the Senator to know that HUD also has programs that could be of assistance. We are working collaboratively with HUD on community garden opportunities, which is an extension of urban farming.

Senator BOOKER. Yes, just one piece of advice with the Secretary of HUD. I found out the hard way, never bring her vegan food.

[Laughter.]

Chairwoman STABENOW. We love having her in Michigan. She has been in several times. No vegan food, though.

All right. Senator Hyde-Smith.

Senator HYDE-SMITH. Thank you, Madam Chairman and Ranking Member Boozman, and I certainly appreciate you being here today, Mr. Secretary. I have enjoyed a good working relationship with you.

I think my question to you is timely, as you talk about millions of dollars in investments in 17 cities for urban farmers and small farmers, and the exposure to agriculture that a lot of children do not have. In Mississippi we have 34,700 farms, and we are large in land but we are small in population. We are less than three million people. Our No. 1 industry in Mississippi is agriculture. We have a lot of small farms, but we have a lot of larger family farms as well that are very, very critical.

This Administration has repeatedly emphasized its desire to help small and organic farmers and hobby farmers, which you also indicated in your testimony, and this is a good thing. I am glad you are doing that. I have a deep respect for anyone who is raising crops because it is truly hard work, and I have respect for all farmers who do that on farms of all sizes. We simply cannot feed the masses without these large, conventional farms.

It is so valuable for children who do not have the exposure to agriculture, that when you walk down the cereal aisle of your grocery store—and I do all of my shopping for my family, and when you walk down the flour aisle and the rice aisle, you know, you realize our job is to feed this country and to feed this world, and what would happen if there were shortages. You know, if we did stop production how that would truly impact this country, much more than a lot of other pandemics.

According to USDA's Economic Research Service, three percent of U.S. farms, the large family farms, are responsible for 47 percent of production to feed this country. Larger operations allow farmers to capitalize on the benefits of economies of size and the efficiencies as they work to feed and clothe this world. They are the primary reason America is home to the most efficient and sustainable agricultural production system this world has ever known.

The farm safety net exists to ensure that we have that safe, affordable, and nutritious farm supply that is produced in the U.S., and our success ensures we do not become a country dependent on imports for everything, especially our food supply.

The farm safety net consists of programs that provide economic viability not only to the producers but also the rural communities they live in and support. I truly do support the smaller, hobby, and urban farming, but we cannot lose focus on we are here to feed this country and the tremendous challenge that that is.



As we look to the next farm bill, what assurances can you give us that USDA will act according to the intent of Congress when administering farm safety net programs? I know this is a tremendously delicate balance that you have there, but my concern is truly feeding the masses. What is the intent of Congress when administering the farm safety net programs? What are your goals and objectives there?

Secretary VILSACK. Our goal, simply stated, is to keep people on the farm. If they are suffering a circumstance or a disaster that results in their inability to continue farming, that is why you have got a safety net, is to basically allow them and ensure that they can stay on the farm.

I want to be very clear about this, Senator. When we talk about the 90 percent of the farms that did not make money or the majority of their money came from off-farm income, we are talking about farms that sold less than \$1 million. The farms you are talking about, the large, commercial-sized farms, sold more than \$1 million.

I do not think it is an either-or circumstance, and I do not think anybody should phrase it or discuss it in the context of either-or. I think we need both. We clearly need production—there is no question about that—and we are going to continue to have incredibly large, efficient, effective operations. If you are also genuinely concerned, as I am, about the erosion of rural America, you are going to want to keep people on the farm.

Senator HYDE-SMITH. No doubt.

Secretary VILSACK. Okay? If it is 100 acres or 1,000 acres, I want to keep people on the farm. When you ask what is our intent, what is the philosophy, the philosophy is very simple. Those safety nets are designed to keep people on the farm, and to keep them farming so they can do what every farmer that I know wants to do, which is to pass it on to the next generation.

Senator HYDE-SMITH. That is it. What assurances can you provide that USDA will approach farm safety net programs for large farms with the same enthusiasm as the smaller ones? I think you have answered that as well.

Secretary VILSACK. We want to keep people on the farm. The challenge has been that we spend a lot of time and focus on those large-scale producers because of the nature of the productivity. We established, back in the 1970's, we sent the message to farms, "Be productive." We changed the circumstances. Earl Butz said, "Fence row to fence row," and boy, did American farmers do that. They became extraordinarily productive.

The problem is that as you become more productive the cost of that productivity is pretty significant. Those machines that allow you to farm thousands of acres are very large and very expensive. The problem is that farms continue to get larger and larger and larger, which squeezes out the small and mid-sized farming operation, which is what populates the rural communities, which supports the school, the hospital, the Main Street businesses.

The challenge for us is how do you do both? How do you create a circumstance in a farm bill that basically says, yes, we have got to help those big guys. No problem with that. Do not forget about

the rest of them, the 90 percent that are struggling every single year. Even in a record year they are struggling.

That is my goal, is to try to figure out how do we do both, not just one or the other, but both.

Senator HYDE-SMITH. Well, I am glad that is your goal. I am.

Now I have got—well, I think I am running out of time. I have some questions about rice. Maybe I can hang around to ask you that. Thank you.

Chairwoman STABENOW. Thank you very much. Senator Welch. Senator WELCH. Thank you very much. Welcome, Secretary Vilsack. I have been watching you during the Obama Administration and now, and I will make an observation: you know what you are doing. I appreciate that. Second, I send greetings from Senator Leahy who worked with you for so many years and a longstanding member of this Committee.

I want to just go through what my farm bill priorities are briefly and just get your reaction, and at the end I want to ask a question on behalf of my wonderful colleague, Senator Fetterman. Let me get started.

First of all, keeping farmers on the farm, I really think that has got to be the goal. In Vermont we are struggling, and we are the small and mid-sized farms that you just mentioned, and they want to pass their work on to the next generation.

No. 1, rural broadband. ReConnect very important, obviously, and the farm bill has played a major role. Do you consider that Congress should consider strengthening the ReConnect program in the upcoming farm bill and we should maintain the 100 minimum broadband service required for a proposed service area?

Secretary VILSACK. Yes.

Senator WELCH. Okay. Second, organic dairy. Incredible challenges in Vermont. Under Secretary Moffitt and I went to a sixth-generation organic farm. There is \$100 million of aid that is available, and it is desperately needed as a safety net to keep these folks going.

When we had our meeting an organic farmer in the valley asked the right question, “Where is the money?” Where is the money?

Secretary VILSACK. The money is in the process. We are in the process of streamlining the application, and it is basically looking at 75 percent of the future marketing costs of 2023. We have to have a baseline upon which to determine what that 75 percent is going to be factored against. We are in the process of accumulating that. I would expect and anticipate sometime this summer that we will have enough information to be able to begin receiving applications. Farmers can take a look at [www.farmers.gov](http://www.farmers.gov). That is where all the information about this particular program will be.

Senator WELCH. Okay. I just try to convey the sense of urgency that these farmers had, and I know you know it, but I do not know that they have that much time, seriously. I know you have got to go through your procedures, but the Vermont legislature was actually considering trying to supplement or fill in until the money arrived. The clock is ticking here for these folks, so anything that we can do to speed that up, they really need the help.

Secretary VILSACK. In addition, we also provided additional support under the Market Volatility Assistance Program to dairy pro-

ducers and we also put resources behind the Dairy Innovation Center in Vermont. We are putting resources there to provide help and assistance.

Senator WELCH. All right. I may be a little bit of a pest because there is such an existential reality, but I appreciate that.

Next is energy efficiency. The Rural Energy Savings Program has been very, very helpful to many rural families making their homes more efficient. The question is can we get more? There is a lot of funds available that are going to really help farmers and small businesses in rural communities cut down on their energy bills. Would more outreach and technical assistance under RESP help the program reach more of our rural communities, and would providing grants to entities that are helping administer loans broaden the reach of the program?

Secretary VILSACK. We are looking for ways in which we can leverage our work force, so anything that leverages that work force, that gets information out to people who need the program, to be able to apply to the program, we would be supportive of.

Senator WELCH. Local operations in Vermont that may be able to facilities might be able to work with your Department?

Secretary VILSACK. It is similar to what we are doing with NRCS and our FSA offices in terms of extending the reach of those offices.

Senator WELCH. Okay. Forestry, important to a lot of us. How would additional funding to support rapid response help USDA prevent the spread of invasive species? We have a real issue with emerald ash borer in Vermont.

Secretary VILSACK. That is a tough issue. I would say that we also have to have research. We have to have a continued amount of research to be able to understand precisely what needs to be done to protect all of our species.

Senator WELCH. Okay. Research means some funding, and that is a priority.

On the Rural Partnership Program, do you agree that the Institutes of Rural Partnership, such as the one established at the University of Vermont, and Senator Leahy played a major, major role in that, are a very effective means to research and address the challenges that many of our rural areas, including Vermont, face?

Secretary VILSACK. We are looking forward to seeing the results of the investments that have been made under Senator Leahy's leadership and direction.

Senator WELCH. Okay. Then the organic certification cost-share program. With the application consolidation, making it simpler, you are indicating an awareness of how tough that is. In the short term, what resources and legislative tools can Congress provide for the program to allow USDA to support producers that are seeking that organic certification, and would increasing the statutory cap on reimbursements from, say, \$750 to \$1,500 help?

Secretary VILSACK. That would help, but I think also you want to keep an eye on what we are doing under the Organic Transition Assistance Program. We are providing resources to establish those who want to become organic to link them with existing organic producers so that they are mentored. We are establishing additional risk management assistance to reduce the cost. NRCS has a new practice standard that is also going to allow EQIP money to be

used, to make it easier to do the tough conservation work that is required. We are also looking forward to figuring out ways in which we can expand market opportunities.

Senator WELCH. Thank you very much. My last question is from my colleague, Senator Fetterman. He is, as you mentioned, Chair of the Nutrition Subcommittee. His question is this. Last year the Department issued several proposed rules aimed at improving competition, transparency, and fairness in the livestock market. Senator Fetterman asks, how might statutes such as the Packers and Stockyards Act be changed to further improve competition and fairness in the market?

Secretary VILSACK. Well, I think the work that we are doing for greater transparency for understanding the role of the Packers and Stockyards Act in the face of discrimination and retaliation, additional support for the poultry industry in terms of making sure that there is a level playing field, understanding the scope of practice within that bill, all of that is going to happen over the course of the next year and a half. I think once you see the benefit of that you can make a determination whether there are additional statutory changes. I think it is the regulatory process that probably has the greatest opportunity for immediate impact.

Senator WELCH. Okay. Thank you.

Chair Stabenow, I would like to submit the following letter of support from a coalition of rural broadband stakeholders regarding better broadband objectives in the farm bill, including the need for 100 symmetrical speeds.

Chairwoman STABENOW. Without objection, so ordered.

[The letter can be found on page 95 in the Appendix.]

Chairwoman STABENOW. Senator Smith, and let me first say, as Chair of the Commodities—I forget the whole name, but it is a long name—Subcommittee, but you and Senator Hyde-Smith, we are so looking forward to the important subcommittee hearing coming up to hear from our stakeholders, so thank you so much.

Senator SMITH. Well, thank you very much, but I think it is Senator Grassley's turn, is it?

Chairwoman STABENOW. Oh my goodness. What? I am looking at you and I am trying to avoid Senator Grassley.

[Laughter.]

Senator SMITH. Far be it for me to step ahead of Senator Grassley.

Chairwoman STABENOW. What? You are exactly right. I was thinking and talking about the subcommittee work and I just—

Senator SMITH. I know.

Chairwoman STABENOW. Senator Grassley, welcome.

Senator GRASSLEY. She is better looking than I am. I can understand why you said that.

Chairwoman STABENOW. Senator Grassley, I actually was not trying to avoid you. As an Iowan, you and Secretary Vilsack I know go back a long way.

Senator GRASSLEY. Yes. See, I am going to start out with my favorite subject every time we have a farm bill up, on farm payment limitations. In your testimony you mentioned that if we keep the agriculture policy status quo we will continue to see consolidation. You said that, quote/unquote, "It is either get big or get out," and

I agree with what you said there. My long-held belief is that farm policy should be limited to safety net that helps farmers weather the storm of natural disasters and unpredictable commodity markets or politics or international trade getting involved. Current law goes well beyond that.

In the 2018 Farm Bill it was intentionally written to help the largest farmers receive sometimes millions of dollars of subsidy from the Federal Government each year. You have heard the figure of 10 percent of the biggest farmers getting 70 percent of the benefits out of the farm program.

Not only do you, Mr. Secretary, but to the members of this Committee, I am asking that you would now work with me to stop this needless abuse of taxpayer dollars. I support farmers only receiving commodity payments if they are actively engaged in farming, and for the Republicans on this Committee I think some, or maybe all of us, are working to tighten work requirements for SNAP recipients. I hope that we would also look at work requirements in Title 1 of the farm bill to make sure that people are actively engaged in the process of farming if they are going to benefit from it.

Now back to you, Mr. Secretary. In the prior administration, Secretary Perdue issued a final rule where the payment recipient must provide either 25 percent of the farm's total management hours on an annual basis or perform at least 500 hours of management annually. After the election in 2020, USDA issued a correction to that rule and the correction, I believe, went against congressional intent.

So to you, Secretary, when there are discussions about helping the many rather than the few, have you studied if having actual payment limitations could help prevent the big from getting bigger?

Secretary VILSACK. Senator, I think there need to be realistic and reasonable limits.

We recently had an initiative involving rice producers that are going to receive \$250 million of assistance and help, understandably and appropriately. It is interesting the way that was set up. There is a payment limit that if more than 75 percent of your income comes from farming, you get \$125,000. I have got to make sure I get this right. No, if less than 75 percent of your income comes from farming, you get \$125,000. If more than 75 percent of your income comes from farming, you get \$250,000.

Now when you take a look at the way in which 90 percent of farmers are, most of them are not making the majority of their money from farming. The small and mid-sized producer does not get as much help as a larger producer. I understand large producers have significant capital expenditures, but it is interesting that the structure of that particular program makes it more difficult for the small and mid-sized guy to get the kind of help that they need to stay in business.

As you look at these payment limits we really need to understand and figure out how do we do this in a way that recognizes the capital contribution of large producers but at the same time understands and appreciates that they may be in a better position to withstand a shock than the small and mid-sized person, who is just on the edge every single year. It is tough.

Senator GRASSLEY. My last question along that line is, is it philosophically possible for you and/or the Administration to work with us to try to find some payment limitations so that we are helping the medium- and small-sized farmers as opposed to subsidizing the big farmers, the big farmers to get bigger?

Secretary VILSACK. The key here, I think, Senator, is to figure out ways in which we can help those small- and mid-sized producers in a meaningful way. I think not only is it safety net but it is also market development. I think we have to create more income opportunities for those producers. I do not think that they are necessarily going to be able to compete successfully in a commodity-based market, if that is the only option they have. They have got to have other ways to make money from that farming operation in order for them to stay in business.

Senator GRASSLEY. Now I think you already had a question from another member about the Commodity Credit Corporation. Before I ask this it will have to my last question. I probably need to confess that when President Trump did some what I consider misuse of the Commodity Credit Corporation, I did not ask any questions about it at that time. When Congress is discussing farm bill reauthorizations we have to work together in a bipartisan manner to create new programs and then work through the appropriation process to get them funded.

However, since 2017, the USDA, through the Commodity Credit Corporation has spent \$65 billion of spending on priority set at the discretion of the Department and not Congress. That means that Congress has elected representatives of the American taxpayer did not go through the painstaking back-and-forth and compromising on how these programs will operate and how much or how little the programs should need.

It is my belief that the USDA's discretionary use of CCC undercuts this Committee farm bill process. This farm bill will not be a success unless Congress takes back our responsibilities of setting the Nation's farm program.

Are you in a process of creating any new programs through the Commodity Credit Corporation while Congress is negating the farm bill? In other words, I guess I am asking you to look ahead maybe six to nine months while we are working on this bill.

Secretary VILSACK. Well, I think there is always the utilization of CCC to assist food banks that are challenged in order to meet the increased demand for food for struggling families. That sometimes is a way in which the CCC fund is used. There are times when we obviously use it for things like the Fertilizer Initiative, where we are trying to help farmers get lower-cost inputs.

I will say, Senator, you used a, whatever it was, \$63 billion number. I would imagine that nearly 90 percent of that number came from the Trump administration.

Senator GRASSLEY. Yes.

Secretary VILSACK. What we have done with those resources, the biggest decision we made was in reference to Climate-Smart Partnership Initiative, and I will remind you that farm groups, major farm groups, virtually every commodity group wanted this program to be set up and basically outlined how it should be set up, which we followed to a T, and then they said, "Fund it through the CCC."

We did it within the context of the law. When you say discretionary, it is not like I can invent something. I have got to stay within the context and the language of the CCC charter, and we have done that, and we will continue to do that.

The difference between the way we are doing this and the way the Trump administration, we will never put at risk the farm bill programs. That is what happened before. They basically drained the account, and then you all had to fill it back up again. We are never going to do that, ever, ever, ever going to do that. That is not what we are going to do.

We are going to be judicious about this, we are going to stay within the charter, and we are never going to put those farm programs at risk.

Senator GRASSLEY. You heard me confess that I did not raise the same issue with the previous administration. Thank you, Madam Chair.

Chairwoman STABENOW. Thank you very much. Senator Smith, unfortunately now you have been bumped, and Senator Brown will be next.

Senator BROWN. Thank you, Madam Chair, and Senator Klobuchar, thank you for ceding your time. No ceding. Delaying, Senator Smith. Sorry.

I like looking at Secretary Vilsack because just to his left I see the new portrait of our Chair, so how cool is that? Secretary Vilsack, thank you for being here many times over the last 15 years or so.

Last week, Senators Casey, Fetterman, and I sent a letter to you and Administrator Regan concerning the impacts of the East Palestine train derailment on farmers in the region, not just in that immediate, a mile away, but in the region. The 2023 planting season quickly approaches, and a climate like Ohio's and farmers in Columbiana County in Ohio and across the line, not far away from the train derailment, Beaver County, Pennsylvania, are frustrated in what they see is a lack of guidance and assistance from, in their words, "from USDA."

When I was last in East Palestine—I am going again, I believe, next Tuesday—I heard directly from Ohio farmers seeking assurance that they can safely plant and sell their cattle and their crops. One woman told me she lives four miles away. She raises beef cattle. She has regular customers who are now calling her that people who buy a side of beef from her, and they are saying, "Is it safe?" and she really does not know, and these customers probably will look elsewhere, just because of the uncertainty.

Those farmers, more than anything, want certainty. Will you commit to working with us to expand testing to include a larger geographic area and including testing for dioxins and other chemicals in milk and beef cattle, understanding that the cost of that will be, should be, and we are not going to allow them off the hook, will be paid by Norfolk Southern?

Secretary VILSACK. We will be happy to do that, Senator. We want to be helpful.

I will say that USDA sees its role in this particular circumstance as supporting the farmers but also supporting EPA in terms of being able to figure out precisely where, how, and what needs to

be done to reassure folks that they can continue to farm and continue to market their products.

Senator BROWN. Thank you, and you have been helpful and we will continue on that. Much of it is rebuilding trust, not just actually making things safer, of course.

USDA disaster assistance programs are generally ill-equipped to address these environmental disasters that were never really conceived of in places like East Palestine. What type of reforms need to be made to your disaster programs to ensure that all of USDA, including Rural Development, including the Farm Service Agency can respond to the next human-made crisis, if you will?

Secretary VILSACK. Senator, as smart as the individual and collective members of this Committee are, you will never, ever be able to figure out every possible disaster to be able to fashion a disaster program that fits circumstances all the time, which is why I am encouraging you to think about flexibility and also the fact that as disasters strike they have regional differences as well.

The reality is the impact of a particular disaster in one area of the country may be fundamentally different than in another area. To the extent that you can provide flexibility and allow us to have the capacity to respond to a disaster regardless of its design or cause or structure, that would be helpful.

Senator BROWN. Well, and I hope we, in the new farm bill, can address this and grant that flexibility because that is really important.

Secretary VILSACK. Just to give you an example, when you established the WHIP program and so forth, nobody anticipated that you would have a winter storm of the magnitude that we had in the Dakotas. We had to kind of look at the language of that and try to figure out are winter storms included in the language or not, because we wanted to get help to folks. It is just really difficult to be specific, as specific as you would like it to be, in order to cover anything and everything that can happen.

Senator BROWN. Well, and I can guarantee that if this body does not stand up to the railroad lobby there will be many more train derailments. Ohio has had four in the last six months, including a significant one with 200-plus cars, after East Palestine.

Last question, Secretary Vilsack. The Banking and Housing Committee, which Senator Smith sits on with me, oversees the Rural Housing Service. In our housing hearings we hear time and again that rural communities, as much as the rest of the country, maybe even more, struggle with a shortage of affordable housing, both to rent and to own, making it hard to attract new businesses or give the next generation of local families a place they can afford. We hear many homeowners just cannot afford the repairs to make older houses safe.

How important, as we take steps to preserve and create affordable housing opportunities in rural communities, and how can the Rural Housing Service help us do that?

Secretary VILSACK. Well, I will just give you one example. You mentioned rental units. We fund multifamily rental apartment complexes. When we provide them subsidies and provide them assistance we ask them to basically guarantee a certain percentage of their units being subsidized. When they pay off the mortgage



those subsidy units go away, which means the families that have been living in those units, they have no place to go. You create a voucher program that gives them the ability to move.

The problem is the voucher program is funded for roughly 30 projects coming offline, when now, because of the nature of the way things were, we are seeing, 70, 80 facilities coming off. We are basically creating a very significant shortage of rental assistance units in the rural areas.

That is just one example of what we need to do. We need to figure out ways in which we can decouple the notion of the subsidy and the rental assistance and the mortgage so that we have greater capacity to make sure those units stay in existence so that people have a decent place to live at an affordable cost.

Senator BROWN. Thank you, Secretary. Madam Chair, thank you. Chairwoman STABENOW. Thank you very much.

I am going to turn the gavel to Senator Boozman for a moment and go vote. A vote has started. I am going to be coming right back. In the meantime, Senator Braun.

Senator BRAUN. Thank you, Madam Chair.

The baseline 2018 last farm bill was \$867 billion over 10 years. The new baseline is about \$1.43 trillion over 10 years. Being an ex-Governor of a State, are you concerned in terms of our total financial health? When I looked at the President's recent budget it shows us \$51 trillion in debt in 10 years, and where we are getting into uncharted territory, historically, regardless of the tax rate, we generally average around 17.5 to 18 percent of our GDP in what we can raise in revenues through the Federal Government. Occasionally it has spiked to 19 to 20. Sometimes it is lower.

We are now taking total spending up to close to 25 percent of GDP. Is that something that worries you, and I think it would be something where the ag program, which is kind of chump change when you look at \$1.43 trillion over 10 years, \$140 billion. Do you think we are in a sound trajectory so that ag and all the other things that we depend on here in the Federal Government, will it be there in a way that is going to be sustainable in the long run, with all this borrowing and spending, which is now built into the new budget?

Secretary VILSACK. Senator, I am sure you and I are probably going to disagree on this a bit. I think the President is right when he says it is important for this country to rebuild the middle class from the bottom up and the middle out. That is going to require some investment. It is going to require an investment in a transformed economy. I think agriculture has a role to play in that.

I think the President is right in terms of looking at his budget, where he is proposing deficit reduction with the understanding that those who are doing extremely well in this economy ought to be paying their fair share. You and I would probably disagree about that.

Senator BRAUN. By the way, I do not disagree with that. I would believe everybody should pay their fair share. I am just saying that even if you give all of that, it still bridges the gap on borrowed money.

Are you comfortable, like I am very uncomfortable with, borrowing this from future generations? I mean, we already do, and

we have now structuralized it, since 2000, to where I do not know that that is sustainable. You cannot do it anywhere else. Sooner or later it impacts even programs like ag that need a healthy Federal Government.

Secretary VILSACK. Well, you know, I think if you take a look at some of the investments that are being made, particularly in infrastructure, I mean, how else can you finance? That is how businesses finance.

Senator BRAUN. Well, you would have to do what you did as a Governor. You are going to have to find ways, like every other place does, to where you do not spend so much money in other areas. Unless you are saying that everything we do here is absolutely needed, and it would be like asking your kids at Thanksgiving, "Will you lend me some money for something I want to do," and maybe the grandkids as well. That is about what we are doing as a country.

Secretary VILSACK. Well, if you want to know what my biggest beef is about this place—

Senator BRAUN. Yes.

Secretary VILSACK [continuing]. it is this. I asked my team, and these numbers may not be totally accurate but I think the gist of them are right. I asked my team, of the discretionary budget, non-defense—because I understand that we cannot touch defense, we cannot cut defense—

Senator BRAUN. That ought to be on the table too. We waste just as much money there as we do through the rest of the government.

Secretary VILSACK. Not all of your colleagues believe that.

Senator BRAUN. I would agree.

Secretary VILSACK. All right. I asked the question, "How much has that increased? How much has that budget increased over the last 10 years or so?" They came back and they said, "Twenty-eight percent." That is what they told me, 28 percent. I said, "Well, how much has the ag portion of that increased?" "Fourteen percent."

I was not great in math, but if the average is 28 percent and I am only getting 14 percent, that means somebody else is getting a whole lot more than 28 percent, and my concern is there is not an understanding within this city of the significance and importance and reach of the Department of Agriculture.

Senator BRAUN. I think we are probably on somewhat the same wave length. For the public out there listening, this place is doing it on borrowed money to make up the difference. Because what I said earlier, over 50 years, revenue into the Federal Government has averaged 17.5 percent of GDP, and we are bumping that now to 20 in terms of what we think we can raise in revenue. That has never happened in the past, and we are spending at 25 percent.

WOTUS is the thing I hear the most in bailiwick of agriculture. I hear more complaints about that than any other thing because they deal with that. They have had conservation officers in Indiana running people down on the back 40 when they are doing ditch maintenance on ditches that hardly ever have any water in it.

What is going on there? Are you actually tracking comments from farmers? Do we do that to see how much complaints you are getting compared to what I am hearing back in Indiana?

Secretary VILSACK. Certainly sensitive to this, but let us remember two things about WOTUS. One, Congress has established the Clean Water Act, which is what gives rise to WOTUS, and courts have directed the EPA to actually implement the law. All right? It is not like they have a choice. They have to implement the law. The question is how do they implement it? We have had two rules. We had the Obama rule, the Trump rule. What this EPA has attempted to do is to take or track from the Trump rule and the Obama rule to come up with something that they think is reasonable.

Senator BRAUN. Do you track comments coming in?

Secretary VILSACK. We track.

Senator BRAUN. Is that something you would share with the Committee here in terms of what you are hearing from farmers about WOTUS?

Secretary VILSACK. What you are hearing is uncertainty. What you are hearing is uncertainty. Is this in or is this out? I think basically what we need to have is certainty in the program. We need to, at some point in time, get it out of the courts and have certainty, and then we need to determine if there are issues or problems, how USDA's resources, NRCS resources, can be used to help and assist farmers in whatever implementation—

Senator BRAUN. Because I am running out of time here, and I am going to introduce a bill, the Farmer Informed WOTUS Act, and I hope you would be behind it.

One quick question, and I am hearing it a lot too, is foreign ownership of ag ground. Senator Tester and I are introducing a bill on that. It is starting to cascade across the country among State legislatures addressing it. Where are you at there, and the four players that you hear mostly about—Russia, China, North Korea, and Iran—should they be owning farm ground in this country?

Secretary VILSACK. Well, first of all, how much farmland do you think they own?

Senator BRAUN. I am worried about owning more in the future. Do you think you are okay with those four players? Just them.

Secretary VILSACK. I have concerns, and I particularly have concerns if they are purchasing land that is adjacent to or near military installations or other ways in which security could be compromised, for sure.

As you look at prohibitions, understand that they own, between the four of them, roughly 330,000 acres. The five largest owners of foreign land in this country are Canada, Netherlands, U.K., Germany, and Japan. I think the question is, are you going to restrict those folks? If you do not restrict those and restrict other folks, how do you do this in a way that—

Senator BRAUN. Senator Tester and I will probably be back to get your opinion on it, and hopefully you will be behind the bill. Thank you.

Senator BOOZMAN. [Presiding.] Senator Klobuchar.

Senator KLOBUCHAR. Thank you. Thank you, Secretary Vilsack.

That the avian flu is a threat to so many States' livelihood of our turkey growers, poultry, egg layers. I want to first of all thank you and the USDA for responding quickly to this last scourge. During the last outbreak—this is a fact maybe you do not know—the Uni-

versity of Minnesota led the charges, testing about 20 percent of the Nation's birds suspected of carrying avian flu. The labs are playing a critical role in addressing rapid detection and response.

What resources can be provided to the USDA and our land grant universities in order to combat and mitigate the threat going forward?

Secretary VILSACK. Well, additional support for land grant universities to enable them to have the kind of testing equipment and lab capacity to be able to provide these tests is one thing. We had a conversation about vaccines earlier, and I think it is important—

Senator KLOBUCHAR. Right. I know.

Secretary VILSACK [continuing]. to continue to work on that. We are not there yet. There is a long way to go there.

The other thing that needs to be focused on is the notion of biosecurity, the ability for us to continue to have producers be very sensitive to this. I think as we look at ways in which we indemnify producers, making sure that not only do they have a biosecurity plan but that it is actually implemented. The design of these structures, I think it would be interesting for land grant universities to sort of opine about do designs basically add to the risk or can they be structured in way that diminishes the risk, the location of these facilities.

There are a lot of issues that I think require us to look at this differently, and here is why. The first time we had this, in 2014–2015, it was a very specific timeframe, and then it went away.

Senator KLOBUCHAR. Yep.

Secretary VILSACK. This time it just lingers.

Senator KLOBUCHAR. And lingered. It is more like a popcorn configuration how it was landing in different producers.

Secretary VILSACK. We actually did see improvement in commercial-sized operations. Backyard operations was a problem.

The challenge, I think, for us is to recognize this is going to be with us, and how is it that we actually mitigate and minimize the risk to the disruption of the industry. I think you have got to look at all of this. You have got to look at biosecurity, you have got to look at indemnification, you have to look at vaccination, you have to look at research, and you have to look at location.

Senator KLOBUCHAR. Exactly. Okay. Very good. Thank you. We also know—this is kind of along the same lines—since some of this was technology and getting the data that helped to contain it little more, that real-time data helps our farmers and ranchers. Senator Thune and I lead a bill called the Agriculture Innovation Act to support farmers and ranchers getting better data to make more informed land use decisions. This can be everything from use of water to use of pesticides to use of whatever we are going to do and what temperatures. You name it.

Can you update the Committee on the progress and existing needs for better on-farm data use and research to improve location-specific land use decisions?

Secretary VILSACK. Well, there is no question that several mission areas within USDA are very focused on the issue of data and the ability of data to drive better decisionmaking on the farm. Precision agriculture is incredibly important. ARS has got a number

of research projects underway in this area. NRCS is utilizing precision agriculture in a number of their bundles of assistance and help in terms of EQIP and CSP resources. NIFA is providing resources to land grant universities to do even more and better work. The RCPP program has been focusing on and encouraging more precision. There are videos encouraging farmers to learn more about these techniques and the utilization of these techniques. Our Climate-Smart Partnership Initiative, I think, will also lead to a better understanding of all of this. A lot going on within USDA.

Senator KLOBUCHAR. All right. As you know, the prevention of animal disease outbreaks like African swine fever and foot-and-mouth disease, big priority. We already talked about avian flu but now let us go over to hog producers. Senator Cornyn and I, in the 2018 Farm Bill, authorized the National Animal Health Laboratory Network to further our testing capacity.

Can you speak to the opportunities to build on this work in 2023, and update us quickly on the work USDA is doing in the Dominican Republic in conjunction with Customs and Border Protection to keep African swine fever out of the U.S.?

Secretary VILSACK. Two areas, the Dominican Republic and Haiti. The Dominican Republic, I think we have a very good relationship. We are providing labs. We are providing technical assistance to try to establish a system by which they can identify and ultimately eradicate that ASF in the Dominican Republic. Less so in Haiti because you need a functioning government to essentially do this. We are very careful about that.

We have a zone in Puerto Rico where we are basically prohibiting and preventing transfer. We have significantly increased counter-surveillance within the U.S. We have an interesting training facility in Georgia that is training dogs. We have already impounded about 1,000 pounds of food as it is coming into the country, that may potentially pose a threat. We want to continue to increase that. We want to continue to work with our State ag officials and the pork producers to make sure that there is an awareness on the part of producers, when and if there is a problem how to contain it, how to minimize the risk.

I mean, there is a lot going on in this space and we are spending significant time and resources to do this.

Senator KLOBUCHAR. Okay. Let me end with biofuels. I see Senator Fischer over there. She and I introduced a bill for year-round E15. I am wondering what you think about that. I know it is not in your jurisdiction here right specifically but you know a lot about biofuels.

Secretary VILSACK. I am supportive of it, but let me just simply say I think you need to go beyond that. You need to go beyond E15. I think you need to focus on a sustainable aviation fuel because that is a 36-billion-gallon industry that has not existed—

Senator KLOBUCHAR. Right. Agree.

Secretary VILSACK [continuing]. and a significant opportunity.

Senator KLOBUCHAR. Yes. Very good. I know you have been such a champion for that.

Just ending with this biofuel question. Last Congress, Senator Ernst and I had a bill to invest \$500 million in funding for grants for fueling stations, and convenience stores to expand the avail-

ability of low-carbon renewable fuels. It was actually included in the Inflation Reduction Act and serves as the basis for the USDA Higher Blends Infrastructure Incentives Program. Can you update me on what is happening with that?

Secretary VILSACK. You will see, over the course of the next year or two, quarterly awards under that program.

Senator KLOBUCHAR. Thank you.

Senator BOOZMAN. Senator Thune. Senator Fischer.

Senator FISCHER. Thank you, Mr. Chairman, and thank you, Senator Thune, for yielding your time to me. Secretary Vilsack, thank you for being here today. It is always good to see you.

As we have discussed, I have great concern about Mexico's policy toward our agricultural biotechnology and their latest decree that bans the use of GMO white corn. I want to especially thank you for being a champion on this and pushing them about it, and also Ambassador Tai. Our work with your office has been excellent, and my conversations with her have been really, really good too, so thank you for that.

As you know, it is a flagrant violation of the United States-Mexico-Canada Agreement (USMCA). It sets a dangerous precedent as we look at our other international trade agreements. Unless Mexico relents on this I think the United States must be ready to swiftly move to dispute settlement.

Could you provide an update on when technical consultations between the U.S. and Mexico are going to take place? Are there specific items the Administration will be pressing Mexico on during those consultations? Have you had any answer from Mexico at all?

Secretary VILSACK. We received a partial set of answers to inquiries that were sent earlier this year that were unsatisfactory, which is why we began the formal process. The U.S. Trade Representative's Office is reaching out, and I think they are going to begin those preliminary conversations, which is a condition precedent to more formal conversations.

There will be a focus, I think, on the safety of the biotech products. This was raised repeatedly by the President of Mexico. We tried to reassure him that indeed there were literally hundreds of studies on this, and I think we have to continue to press this point because at the crux of his decree is this issue of safety, and we have to overcome that concern. I suspect that the focus of the technical conversations will be on the concerns that you have expressed are not supported by the science.

You are absolutely right—this is fundamental. This is fundamental to our whole approach to trade. If it is not science based, if you can inject culture or if you can inject non-scientific factors into trade discussions you will have a very difficult time having global trade.

Senator FISCHER. Yes, we will. In your written testimony you mentioned that it is a false choice for farmers to have to choose between being profitable and being environmentally conscious. There are a lot of innovative precision ag technologies out there, but the technologies can be expensive for farmers. I have a couple of bills on that, to be able to have loans through USDA that are going to make it easier for them.

They also have to have that last-mile connectivity, which I say has to be expanded in a recognition that they have to have the last-acre connectivity to be able to do that too.

Are you aware of any specific broadband efforts that are focused on deploying connectivity to the last acre, and how important is that, so that we can see our producers be able to leverage all the innovative technologies that are out there?

Secretary VILSACK. Well, obviously it is incredibly important. If you do not have access to broadband or if you do not have access to meaningful broadband you cannot utilize precision agriculture and all of the other innovations.

What we are trying to do at USDA, with comparatively a relatively limited resource compared to what Commerce and what FCC gets, we are trying to improve the existing systems. We are looking at ways in which we can utilize our regular programming resources, which are pretty limited, to the regular budget, to providing access to that last mile, that middle mile. You are going to see a little bit more of that.

I think you are going to see quite a bit of it, I hope, with the utilization of the infrastructure money when the FCC and Commerce resources begin to funnel through States to get that job done. I mean, States are going to have a very big and critical role here. They are going to be able to, at the end of the day, be the ones that will be implementing this, and I think it is going to be important to make sure that they understand the significance of this.

Senator FISCHER. I have a cattle market bill for reform and transparency, which I think is pretty important, and it is extremely important for the State of Nebraska. Livestock is our biggest segment, that has the largest impact on our economy. There is a lot of risk involved. We see farmers and ranchers trying to look at different tools they can use to mitigate that risk. I think we should look to the farm bill and how can we help livestock producers manage that.

There is a large increase in the number of livestock producers who are getting insurance policies. Has there been any difficulties with those policies? Have you heard anything about that? Do you have any suggestions on what livestock producers would have to do to access some kind of protection policy?

Secretary VILSACK. I have not been apprised of any problems. That is not to say that there may be problems. I just have not heard of them. I am happy to work with you and your staff, and our team work with your staff, to see what we do know, and if there are issues and problems we will try to help you craft a solution to them.

Senator FISCHER. Thank you.

Chairwoman STABENOW. [Presiding.] Thank you very much. Senator Thune.

Senator THUNE. Thank you, Madam Chair. Mr. Secretary, thanks for being here. Thanks for all your work on behalf of farmers and ranchers in our country.

I want to echo a couple of things that Senator Boozman talked about. One is that we need technical assistance from USDA to ensure the Department can implement the farm bill in accordance with congressional intent. I am currently waiting on USDA's tech-

nical assistance on my bipartisan proposals to improve local meat processing and livestock disaster assistance, and would appreciate you and your team, if you could get back to us in a timely way. We are coming up on, as you know, the September expiration of the farm bill. I look forward to working with our colleagues on this Committee to advance the next farm bill.

The other thing I want to echo, that my understanding is that Senator Boozman did talk about, and I think it is a real concern, and I think you answered it when he raised it. The changes that were made administratively in the SNAP program, to the tune of a quarter of a trillion dollars, that is not a rounding error. I mean, we are talking about huge amounts of money. The only thing that is even close is the President's proposal to forgive student loans is upward of \$1 trillion.

To think that, if you look at constitutionally, the Article I responsibility that we have and the power of the purse, and also the implications that has for the farm bill. I mean, we are now talking about, on a baseline, farm bill baseline, of \$1.5 trillion. I mean, this is territory we have never come close to hitting in anything contemplated in the past.

It seems to me that if there are changes that are going to be made in some of those programs that they should be made by Congress and not by the Administration. I know that Senator Boozman has raised that point already, but this, to me, is a serious problem, particularly on the scale we are talking about. I mean, it would be one thing if you were making some changes that were, you know, at least in relative terms, somewhat less consequential, but that is a huge amount of money, and it has huge implications for the farm bill that we are in the process of writing.

Let me ask you, if I could, to elaborate or clarify a statement you made earlier, I think in response to a question asked by Senator Tuberville, that the ReConnect program does not address unserved areas. Could you clarify that?

Secretary VILSACK. The ReConnect program, as we are currently administering it, is focused on existing—and I think Congress has directed this—on existing broadband systems which have very little capacity in terms of upload and download speeds. The ReConnect program is basically providing the resources to improve those systems, to get to the point where the download and upload speeds are usable, and going from, you know, ultimately we would like to see 100 to 100, so that people, a family, could have more than one person using the internet at the same time, or a business or a school would have access to distance learning.

Senator THUNE. Well, and I do not disagree with the fact that it would be great. Everybody, we want to get faster upload and download speeds. First and foremost, I think the purpose of the law, including the most recent funding that Congress provided in the ReConnect program, is for 90 percent unserved, in other words, those areas that do not have service.

To me, if you are overbuilding—this is a real concern with these resources, because there is a lot of money in the pipeline right now to go toward broadband. I have chaired another committee in the Congress, the Commerce Committee, which has jurisdiction over a lot of these issues, but we work closely with USDA because you



also have programs that deliver some of those services to rural areas. One of the things that I have been really focused on is the oversight role that we have, to make sure that those dollars are getting on the target, and the target is unserved areas, and that is in the law.

I mean, it seems to me if you are duplicating places that already have service, even if the download and upload speeds are not, you know, perhaps what we would like to see, that, first and foremost, I believe, is what the law was designed to do.

Secretary VILSACK. You have allocated \$63 billion to the FCC and the Commerce Department to deal with the unserved areas.

Senator THUNE. Yes. The statute also says in ReConnect, unserved.

Secretary VILSACK. Well, but what you do not want is a circumstance where we are making decisions about an area and then a map is created, and the map instantaneously becomes outdated. In order to actually get this done, in order to actually get service to all the unserved areas, you have to define the unserved areas. Where are they? Then once you have defined them, then you direct the resources to the States with the understanding that it is their job to implement this as quickly as possible. That is what the \$63 billion is going to go toward.

Then, what they will create, are up-to-date servers. Then you are going to have communities that say, wait a minute. These folks just got 100/100 or they got 25/100, whatever they got, they got better service than we have. We are in the process of trying to make sure that everyone is sort of getting the same level of service, in essence at the same time.

Senator THUNE. All I am saying is, Federal resources should not duplicate places that already have—

Secretary VILSACK. I do not—

Senator THUNE [continuing]. and that is plain in the law, and that applies to ReConnect just like it does to some of the broadband services that come through the FCC and NTIA and other agencies.

Very quickly because I am running out of time, this issue with trade. As I talk to South Dakota farmers and ranchers, and I am sure you hear from folks back in Iowa too, concerns about the Administration's policies on trade, whether or not we are losing out while global competitor are acquiring new markets for their products.

Now there are lots of what I think are low-hanging fruit—U.S.-U.K., Kenya would be a good opportunity, and the Indo-Pacific, obviously, there is a framework but there is nothing about market access in it.

What do you tell farmers and ranchers, and is the Administration considering market access opportunities anywhere, whether it is U.K., Kenya, or elsewhere?

Secretary VILSACK. We are, but there are several ways in which you can define market access. You do not have market access if you have sanitary and phytosanitary rules that essentially preclude market access. One of the things we are doing with the Indo-Pacific Framework is focusing on trade and focusing on those countries where there are SBS issues that make it more difficult for us to

be able to do trade. If you knock those SBS issues down you actually have expanded market access, and that is an incredibly important market.

Senator THUNE. Well, I would say, and again, I go back to your previous tenure in the Obama Administration. I was for TPP. I think being engaged in Asia and these markets around the world is really, really important. All these other ancillary issues that IPEF contemplates do not do anything with the fundamental issue of market access.

My time has expired, but thank you, Madam Chair.

Chairwoman STABENOW. Thank you very much. Senator Warnock.

Senator WARNOCK. Thank you so very much, Madam Chair. Secretary Vilsack, welcome. Good to see you.

Section 22007 of the Inflation Reduction Act provided, as you know, \$2.2 billion for farmers who have suffered historical discrimination by the USDA. This relief likely includes many Black farmers in Georgia, farmers I know, like Lucias Abrams of Burke County, Carl Parker in Ashburn, who say that they are still in need of financial assistance for past discrimination. I run into these farmers from time to time across Georgia. The provision was signed into law last August, and USDA started distributing funds for economically distressed farm loan borrowers in October. Bill signed in August, economically distressed farm loan borrowers began to see relief in October. It is currently March and not a dime of financial assistance has gone out to farmers who faced discrimination, right as they are entering another planting season again in the red.

When I run into farmers like Lucias Abrams and Carl Parker, I cannot help but think of that old song by Sam Cooke, "It Has Been a Long Time Coming," and I have been waiting to say to them, "The change is going to come." That change has not come, and the longer they wait the deeper they are in the hole.

Can I tell the farmers in Georgia who have been waiting for a very long time that USDA will start distributing this assistance?

Secretary VILSACK. Yes. As you know, Senator, we began the process of establishing and identifying a national administrator that will oversee this program and make decisions ultimately about who gets what. We have also established the process to begin establishing regional hubs that will help recover applications from folks who seek assistance, and we are working to get the word out that the cooperators that want to assist and help those hubs to identify themselves so that we are in a position to make sure that they are looped into the process, so that farmers across the United States who feel that they were discriminated against, who need financial assistance, will have an outlet, will have a place where they can go, people they can talk to, they will learn about the application process, they will learn about the system, for these hubs to accumulate these applications, to put them up with the national administrator, and the national administrator makes the decisions.

Our goal, as we have indicated, will be to try to get resources disbursed before the end of the year.

Senator WARNOCK. Before the end of the year. You describe this process, and you can imagine, I suspect, how this is heard in the ears of folks who have been waiting a very, very long time. Every

single day matters. It is not as if they are standing still. It gets worse the longer it takes. I just want to be able to say to these folks, look them in the eye and tell them that relief is on the way.

A simple yes or no. Will you commit to doing everything in your power to move faster to implement this program?

Secretary VILSACK. Yes.

Senator WARNOCK. Will you commit to providing my office in writing a timeline, a timeline for outreach, application, decision, and the expected distribution of this financial assistance to farmers? I think you said you expect to have it all delivered by the end of the year?

Secretary VILSACK. Resources out the door by the end of the year. That is the goal. Now we do not know how many applications we are going to receive, Senator. Do you know how many applications we are going to receive?

Senator WARNOCK. Let me hear from you.

Secretary VILSACK. Well, how many are we going to receive? Are we going to receive 30,000? 40,000? 50,000? 100,000? 200,000? We do not know. The goal here is to try to make sure that we get—

Senator WARNOCK. I would assume your agency and the folks who do this work would have done some research to have a sense of what the universe is.

Secretary VILSACK. We know from prior experience how many applications have been filed and how many people received compensation in Pigford, Keepseagle, Love, Garcia. We know that universe, but we do not know if that universe is the only universe of people that will apply.

We are planning on a significant number of applications coming in, which is obviously going to require some time. It is also going to require time—you cannot just rush this from the standpoint of setting up the national administrator and then saying, “You have got 30 days to get the applications in.” You have got to give people enough time to understand what the system is—from prior experience we know this.

Senator WARNOCK. As I talk to Georgia farmers they feel like they have been waiting really just to hear, to get some clear communication from USDA, which frankly they do not trust, about what is going on, and it is trust that we have got to work to rebuild. We have got to proactively communicate to these farmers who have been waiting on this financial assistance for a very long time.

Let me ask you this. When was the last time you personally sat down with farmers who feel like they faced discrimination at the hands of your agency?

Secretary VILSACK. Two or three weeks ago.

Senator WARNOCK. Okay. Do you want to say anything about that exchange? Did people walk away with a clearer sense of the process? Are you satisfied with your outreach?

Secretary VILSACK. Well, am I satisfied with the outreach, the outreach has not really technically begun because we have to get the national administrator and the hubs in place. What we are doing now is basically asking cooperators, folks who want to be part of this effort to get information out about how you apply, where you apply, what information you have to provide, what the

standards are going to be, we need to get that information out to folks.

Senator WARNOCK. Do you understand that farmers feel like getting information from the USDA is—

Secretary VILSACK. It is not coming from the USDA. That is the point of this. The point of it is we are going to have cooperators that these folks trust. We are going to give them information. We are going to give the hubs information. We are going to give the cooperators information, and then they are going to help us get information out.

In addition to that there will also be, no doubt, some kind of communication system involving ads in appropriate papers and all of that. There is going to be a lot of work to get information out in a variety of ways and hopefully it will get to the people that absolutely are interested in this and feel that they deserve an opportunity to—

Senator WARNOCK. Will you personally commit to hosting meetings with these farmers, with you and your staff, because at the end of the day they are looking to you?

Secretary VILSACK. Well, I am happy to visit with farmers, Senator. At any point in time if you want to put a group of farmers together I am more than happy to visit with them. I have done that before, and you know that.

Senator WARNOCK. Well, I am hearing from farmers that they are not clear about the process and when they can expect—

Let me ask you this. Will you provide to my office, in writing, USDA's proactive outreach strategy for communicating with and updating farmers during the implementation of the process that we have discussed?

Secretary VILSACK. Sure.

Senator WARNOCK. All right. Thank you so much.

Secretary VILSACK. Any time you have asked for information, Senator, I have given it to you.

Senator WARNOCK. Well, I am not concerned about me. I am concerned about the farmers, who—

Secretary VILSACK. If I give it to you I am assuming you are giving it to the farmers.

Senator WARNOCK [continuing]. who have been waiting for it a very long time. I think if you feel impatient, imagine how impatient they feel. Thank you.

Chairwoman STABENOW. Thank you. Thank you very much. Senator Hoeven.

Senator HOEVEN. Thank you, Madam Chair. Mr. Secretary, good to see you. Thanks for testifying today. I appreciate it.

Good farm policy benefits every single American, every single day, because our farmers and ranchers produce the highest quality, lowest cost food supply in the world. It benefits every American, every day. I know you know this.

Fundamental to the farm bill is crop insurance and a countercyclical safety net. That is what helps keep our farmers going day in and day out, and they respond by, as I say, producing that food supply. The more they provide that supply and variety, the more choices our people have and the lower-cost food they have. I think we not only have the best food and the best quality but I think

Americans spend less as a percentage of their budget on food than almost any country in the world.

As we go into this farm bill, are you committed to making sure that we do everything we can to support and strengthen the crop insurance as well as update and strengthen the countercyclical safety net, meaning ARC and PLC, and clearly PLC needs updates in those reference prices.

Secretary VILSACK. I am happy to work with you,

Senator, and with this Committee on that, as well as—and I hope that you will help and work with us to ensure that in addition to all of that, which is important and necessary, that we focus on also market development, domestic market opportunity for small and mid-sized operators. Because as good as the countercyclical program is, as good as the crop insurance program is, we are still losing a lot of our small- and mid-sized farming operations.

One way we can maybe prevent that is by having those small- and mid-sized operations have more than a couple of ways to make money, more than just selling their crop or their livestock or a government payment, but maybe they get a climate payment, maybe they get a climate-smart premium from the marketplace, maybe they get renewable energy opportunities, maybe they get agricultural waste being converted into a variety of new products. We have got to create, in my view, a much more robust effort on the 90 percent of farmers in this last couple of years that either did not make any money or did not make enough, that the majority of their income had to come from someplace other than the farm.

Senator HOEVEN. Well, you and I have talked about doing that, and I think that is important, but it also goes to right now 80 percent of the farm bill is essentially transfer payments, SNAP, nutrition, those kinds of things. Less than 20 percent now is the traditional ag part of the farm bill. Are you committed to making sure that there are adequate resources to do both what you have said and I have said in the traditional part of the farm bill?

Secretary VILSACK. Let me answer it this way. I am happy to work with you on this, but I think it is important for us to understand that there are multiple ways to provide assistance and help. The farm bill is one way. The regular budget is one way. The CCC is one way. I mean, there are a variety of tools, and the more tools we have, the better job we can do. It is not just simply one bill or one aspect of this.

I think it is important to look at, holistically, how do we meet the need and what tools do we have to have? What flexibilities do we have to have within the tools that we have to meet the need? I am happy to work on all of that.

Senator HOEVEN. Would you agree that by supporting that farm network the way I think we are both talking about actually produces more food, more variety, and lower costs that benefit all those other programs? That is the heart and soul, and we have got to make sure we do the best possible job there or everyone else suffers as a result.

Secretary VILSACK. I would agree with you in terms of the importance of productivity. I think we have to have a broader view on this. I think we also have to have a view of maintaining life and opportunity in rural places.

Senator HOEVEN. Well, and let us go to that point. You used the term that I use all the time in your, I think, opening testimony or one of the early Q&As—farmer friendly. Are you committed to making sure that all these different programs we are talking about are truly farmer friendly and not mandatory, so that we can support agriculture in its diversity out there, and they are not running into a regulatory burden that is truly a problem for them?

Secretary VILSACK. What we are trying to do within USDA is to focus on a voluntary, market-driven, incentive-based system. That is why we set up the Climate-Smart Partnership the way we did. That is an example of what I think we need to do.

Senator HOEVEN. Okay, that is good. Then how about in terms of these programs to deal with CO<sub>2</sub> and so forth? Again, got to be farmer friendly, cannot be mandatory, and cannot be one size fits all. Do you agree with that?

Secretary VILSACK. Well, that is how we set up the Climate-Smart Partnership Initiative. Absolutely.

Senator HOEVEN. They should be market-based, not a large government-funded program.

Secretary VILSACK. I think the CCC is providing the resources that allows this market-based system to get established. I think we primed the pump and then hopefully the market takes it from here. That is what we are going to learn from these 141 projects, Senator. We are going to learn what works and what does not work.

Senator HOEVEN. Well, as you know, I work pretty closely with the CCC, and you and I have talked about that a lot. As you know I am aware of those programs, and I think we have demonstrated a willingness to work with you on them.

Secretary VILSACK. I do not disagree with that.

Senator HOEVEN. The other thing I would ask about is some of these other programs, for example, are you committed to maintaining the sugar program?

Secretary VILSACK. I understand the importance of it.

Senator HOEVEN. You are committed to maintaining it?

Secretary VILSACK. I do not know what you mean by maintaining it.

Senator HOEVEN. Well, we have got an existing program.

Secretary VILSACK. Well, maintaining it could be a variety of different definitions. I do not mean to be cute about this.

Senator HOEVEN. I am not asking you a trick question. I just asked if you are willing to support it?

Secretary VILSACK. We understand the importance of it. I understand the importance of the sugar program. Absolutely.

Senator HOEVEN. Okay. How about in terms of some of our livestock programs. What can we do to deal with the problem with the concentration and lack of competition?

Secretary VILSACK. Well, you know, we are attempting to do more by expanding processing capacity in this country. We need to see how that works. It may very well be that you look at ways in which you can provide a continuation of the opportunity for the Department of Agriculture to continue to do that if the amount of resources that we are currently committed to this is inadequate. I will tell you that we have gotten a lot of interest in this. There are a lot of applications for resources on both the processing side and

also the fertilizer side. Billions of dollars of requests have come within those two programs.

Senator HOEVEN. Do you support both the cattle contract library concept, which we worked to put in place as a pilot project through our Appropriations Committee? Also my final question is on FSA staffing. Where are we there? What needs to be done?

Secretary VILSACK. We are increasing staffing, but candidly, Senator, two things. One is our compensation structure and system is no longer as competitive as it once was. It used to be that job was maybe the best job in the county. That is not the case today, and so we have significant competition. We get loan officers in FSA, we train them, and then the bank comes in and says, "Hey, we can pay you more with a whole lot less stress."

Then second, you know, it is tough to work for the government these days. It is tough. People feel put upon in terms of the criticism that is often the case with public service. I think we need to be very careful about making sure that we are bolstering public service, we are supporting public service so that we can continue to get enough people willing to do the jobs that are important to be done.

Senator HOEVEN. Thanks for being here today.

Chairwoman STABENOW. Thank you very much, and Secretary Vilsack, let me just stress as well that public service is very important. What the employees do at the Department is very, very important, and we want to be supportive of that.

Senator Boozman and I have been talking as we have gone through the hearing about just what the needs are from a standpoint of just updating technical support and computers and other kinds of things to support your work. I certainly would love to followup. We want to followup with you on what that looks like in terms of being able to give the resources at the local agencies and so.

Secretary VILSACK. Madam Chair, when I got this job in 2009, one of the first things I did is I asked the team to send an email to all of our employees saying how honored I was to have this job. I was told by a young staffer, "Sorry, Mr. Secretary. We can't do that." I said, "What do you mean, you can't send an email to all of our employees?" He said, "Well, we can't send a single email. We have 17 systems, so we will have to send 17 different emails." I said, "Well, that's nuts."

We began a process, in 2009, to eliminate 17 systems. Madam Chair, I am told that by 2025, we will get that job done.

Chairwoman STABENOW. I am shaking my head here on all of this, and we want to followup with you on ways that we can be supportive in this 2023, to be able to support you in this effort. I know it affects everything you do. It affects how you relate to farmers and relates to conservation programs. It relates to everything when we talk about streamlining and communicating and so on.

Senator Boozman.

Senator BOOZMAN. Well, I certainly would agree with that, and those are areas that, again, I think we could really get some real bang for the buck, and I know that you are working really hard to get it done. Like I say, we would really like to help you in that regard.

Madam Chair, I respectfully request to include in the record a letter to the Budget Committee signed by 400 national, regional, and State organizations that underscores the need for additional resources to be made available for this farm bill in order to adequately address the needs of our farmers and ranchers, including improvements to the farm safety net as well as investments in trade, research, and rural development, and I would add technology.

Chairwoman STABENOW. Very good. So ordered, without objection.

[The letter can be found on page 83 in the Appendix.]

Chairwoman STABENOW. With that let me thank you again for joining us before the Committee. You have done this many times. We very much appreciate your leadership, and your whole team's leadership, and look forward to working with you to get a good bipartisan farm bill done.

With that we will leave the record open for five days. Thank you.  
[Whereupon, at 12:24 p.m., the hearing was adjourned.]



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# **A P P E N D I X**

MARCH 16, 2023

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**Testimony of Secretary Tom Vilsack**  
**U.S. Department of Agriculture**  
**before the**  
**Senate Committee on Agriculture, Nutrition, and Forestry**

**A Transformational Opportunity**

**March 16, 2023**

Thank you, Chair Stabenow, Ranking Member Boozman, and Members of the Committee for the opportunity to come before you today to discuss the work we have underway at the U.S. Department of Agriculture (USDA) as well as the transformational opportunity that the 2023 Farm Bill represents. The programs funded by the Farm Bill play a significant, if often unrecognized, role in the livelihood and well-being of every American, and billions more people around the globe.

President Biden understands and appreciates that the strength of this great country is in its middle class, and that we can rebuild the middle class “from the bottom up and the middle out.” That is why, over the past two years, the Biden-Harris Administration and USDA have embraced a path where the future of American agriculture is secure and where there is greater equity and economic opportunity for agricultural and rural communities. With the once-in-a-lifetime investments that Congress has wisely provided through the American Rescue Plan, the Bipartisan Infrastructure Law, and the Inflation Reduction Act, we are transforming the food and agriculture economy so that it works for the future, and so that it works for the many.

We are at a pivotal moment for American agriculture and rural communities with a decision to make about if, and how, agriculture will meet the challenges of our time. One option is to maintain the status quo. This path leads towards too many producers, particularly small producers, struggling to cover their costs, too many rural communities languishing, and the outdated agricultural policies designed to address challenges of the 1930s and 1970s—that all too often reinforce systemic inequities. This path works for a few who have done what American agricultural economics has for too long required of them: to get big or get out. But there is another path, one that prompts us to recognize the undeniable challenges of climate change and the need for greater equity in our food system and recognize they are also opportunities to seize as we seek to adapt to a new course. This path draws on lessons from the COVID-19 pandemic, which exposed vulnerabilities at every point in our food supply chain – from the field to the factory to the grocery store – and compels us to take transformative action so that this vital system is more resilient, secure, and accessible to all. This path draws strength from the Interim Recommendations of the USDA Equity Commission<sup>1</sup>, because they are a roadmap for ensuring

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<sup>1</sup> USDA Equity Commission. (2023). *Interim Report 2023: Recommendations made to the U.S. Department of Agriculture to Advance equity for all*. <https://www.usda.gov/equity-commission/reports>

USDA lives up to its name as the People's Department for everyone. There is nothing more foundational to a country's security and stability than its food supply; an inclusive agriculture and rural life must be part of a shift to bottom-up, middle-out system if we want to create more opportunity in this country.

In my testimony, I will first provide insights into how we got to where we are today. I will then discuss at length what we are doing today at USDA. In doing so, I aim to make clear how all of us – you as legislators, and my team and I as implementers – have the opportunity in the next Farm Bill to choose this better path to lead us to this transformation. You have the opportunity to be part of creating a USDA that is better positioned to realize its full potential as the People's Department. USDA can only succeed in its mission to help America thrive if it ensures that the Americans who need its services most receive them. The USDA that we can build together is one that ensures American farmers and families have the tools and support they need to farm, build a business, raise a family, and cultivate a good life in the community they love.

### **A Stabilizing Force for America**

Though our history has not been perfect, with the Department's story reflecting both the aspirations and historical missteps of this nation, time and again USDA has been a lynchpin in creating economic stability for America. The department was created in 1862, in the midst of the Civil War, because President Lincoln recognized the central role of farming and ranching to our country's economy and future. Shortly thereafter, Congress created a network of agricultural and mechanical colleges, now known as the land-grant university (LGU) system, located in every state and supported by federal funding, to educate citizens and support public research. In 1890, need for further annual federal appropriations to invest in and support the LGU system facilitated the establishment of a set of LGU institutions that are Historically Black Colleges and Universities.<sup>2</sup> Creation of USDA and the land-grant university and extension systems was prescient and fundamental to our growing nation, with an overwhelmingly rural and agrarian population.

In the 1930s, the Great Depression and the Dustbowl brought widespread food insecurity, market failures, environmental degradation, and economic hardship to rural and urban communities alike. In response, Congress and President Franklin Delano Roosevelt created the Agriculture Adjustment Act of 1933, a centerpiece of the New Deal. Creating institutions such as the Farm Credit Administration, the Commodity Credit Corporation, and the first federal farm, conservation, nutrition, and rural electrification programs. A reflection of the economics, values and social norms of the time, this legislation and the New Deal remain the foundation for agriculture, food, nutrition, and rural policy today. Congress recognized then, as it does today, the value of a strong farm safety net, lending programs to keep farmers farming, rural development programs to enhance life for those in rural areas and small towns, and the pairing of

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<sup>2</sup> Tribal Colleges and Universities later became part of the system in 1994 through the Equity in Educational Land-Grant Status Act of 1994, as amended.

farm and nutrition programs in a single legislative package that benefits us all. The programs and policies put in place at USDA were instrumental in bringing the U.S. economy back from the brink and ensuring that many American farmers, families, and communities were more stable in the 1940s and 1950s than they were in the 1920s and 1930s.

Fast forward to the 1970s and 1980s, U.S. economic policy began to change, as advances in technology in an increasingly globalized world rewarded productivity and efficiency. As a result, the policies and programs of USDA also changed. In 1973, most supply management policies that had been in place since the New Deal came to an end, and market volatility combined with an ill-prepared agriculture policy structure led to the farm crisis of the 1980s, which devastated countless farm communities. Case in point: In 1950 there were 5.3 million farmers total and just under 560,000 Black and 14,700 Native American farmers. By 1978 those numbers fell to 2.5 million farmers total and approximately 57,000 Black and 8,350 Native American farmers and by 1997 to under 2 million farmers total and just 18,450 Black and 10,638 Native farmers. And despite these changes, production output continued to rise. Farm policy of the last half century established new commodity programs, federal purchase of excess product, food aid and support for export markets, crop insurance, and permanent disaster assistance with the intent to create a safety net to prevent such a crisis from happening again. And to a point, this has been successful: America became a more food-secure nation and our exports feed the world. There have also been often undercounted and overlooked economic, and social costs to these policies.

For instance, while our policies have ensured an increasingly abundant food supply, growth in farm size and consolidation has put extreme economic pressure on small and medium sized farms and our rural communities. Most recently, the COVID-19 pandemic and the Russian invasion of Ukraine, have roiled the supply chain, and exacerbated the impacts of climate change, droughts, wildfires, other natural disasters, and an especially widespread highly pathogenic avian influenza (HPAI) outbreak. American agriculture has proven itself to be extraordinarily efficient, but these crises have further revealed hidden weaknesses in our production-optimized system.

While the last couple of years have seen record national farm income, we know that nearly 50% of American farmers have had negative farm income. Our data shows that 40% of farms are small and midsize farms where the primary occupation of the household is farming, but the majority of their income that was supporting their families came from off-farm sources. 11% of American farmers are mid-sized or larger—representing over 80% of the value of U.S. agricultural production, which drove the level record farm income. And lest we not forget that 2% of those farms that did exceedingly well were actually investment banks and institutional investors. As you can see, there have been consequences to solely focusing on productivity. It has become more expensive to put a crop in the ground, which put economic incentive for farmers to spread their expenses over larger bases. Farm sizes have increased and so have gross farm incomes. However, net farm income has decreased, meaning that, while a few farming operations may have done well, with profit rewarding investments made to scale and grow, far too many others have struggled and many have been pushed out of business.

This has impacted more than just farmers and ranchers. It has affected small towns across the nation that depend on agriculture as the driver of main street small businesses, education and healthcare systems, and civic institutions. The 2023 Farm Bill can – and I believe must – be one that enshrines programs, policies, and investments that safeguard rural communities and also a transformational one that goes further to advance equity and address challenges like climate change that our producers face now and will face for generations to come.

To build this future, USDA and Congress must put farmers, rural communities, and families at the center of program design. We must find ways to engage producers in new and more effective ways, streamlining the delivery of programs, opening the doors of agriculture to all, and providing a more effective and holistic farm safety net with flexible responses to disasters. USDA has been working hard to reduce barriers to programs and improve support to underserved farmers, ranchers, landowners, and communities. But there is far more that Congress can do ensure that all farmers, ranchers, and foresters have access to the tools, programs and support they need to succeed in agriculture. Farmers of all kinds must be able to turn a profit and make a living in agriculture. This future must also include the consistent and systematic treatment of all individuals in a fair, just, and impartial manner.

We must ask ourselves: do we want a system that continues to force the big to get bigger and the small and underserved to get out or do we want a build a more innovative system? There is an opportunity here to transform the system so that when farm income is strong, it is strong not only for the few, but also for the many and most.

#### **Market Opportunities That Add Value While Tackling Climate Change: Climate-Smart Agriculture, Organic, Biobased Products, and Renewable Energy**

USDA is working to make investments that support new revenue streams for our farmers. An area of great opportunity are investments that not only support new income sources for farmers, but also position farmers to be part of the solution to climate change adaptation and mitigation. Farmers need new tools to improve their practices, and, through their purchasing power, consumers want to support these efforts. It is a false choice for farmers to have to choose between being profitable and being environmentally conscious.

USDA's Partnerships for Climate-Smart Commodities program, which is creating new markets for sustainable agricultural and forestry production practices that the market values and benefits, is case in point. With more than \$3.1 billion of investments in 141 projects, USDA is making it less-risky for farmers to embrace and adopt climate-smart production practices and linking producers to new markets that value those practices and are willing to reward them. Consumers are eager to better understand the origins of their food products, and if they have been produced sustainably. The end result will be more than 60,000 farms reached, encompassing 25 million acres of working land engaged in climate-smart production practices, hundreds of expanded

markets and revenue streams for producers and more than 60 metric tons of carbon dioxide equivalent sequestered over the lives of the projects. Coupled with the investments Congress made in USDA's conservation and energy programs in the Inflation Reduction Act, this will allow American producers to appreciably reduce emissions from their operations.

An analogous opportunity that USDA is spearheading is the Organic Transition Initiative, which is putting American Rescue Plan and other resources towards USDA programs that make it easier and less expensive for producers to transition to organic production. Organic production allows producers to hold a unique position in the marketplace and thus take home a greater share of the food dollar. Consumers have demonstrated a consistent demand for organic products and USDA assistance through the three-year organic transition period is opening opportunities for new and beginning farmers while also expanding direct consumer access to organic foods. Farmers across the country are eager to seek out these new market opportunities and USDA is partnering with over 160 local organizations across the country to support producers transitioning to organic and provide farmer-to-farmer mentoring through the Transition to Organic Program.

Both Climate-Smart Commodities and organic markets serve as new profit opportunities for producers. They also create the opportunity to generate income through ecosystem service markets. There are more than 20 of these markets around the country today, and they include water, carbon, wildlife, and biodiversity markets. They are markets in which farmers will be paid for the environmental results they are able to obtain from sustainable practices. For example, the organic market has grown to \$52 billion in 2021. The combination of these efforts will also allow us to use resources to monitor, measure, report, and verify these results. Continued support from Members of this Committee, coupled with the resources from the FY2023 Consolidated Appropriations Act and the authorities from the Growing Climate Solutions Act, will allow USDA to advance and foster opportunities for producers to participate in these markets.

Another profit opportunity USDA has focused on is harnessing the bioeconomy. Biobased products hold the potential to improve our food system, supply chain, climate, and health – opportunities abound to convert and balance a fossil fuel-based economy with a bio-based one. Thanks to the commitment from President Biden and his direction calling for a whole-of-government approach to advance biotechnology and biomanufacturing towards innovative solutions across many sectors as well as investments by the Bipartisan Infrastructure Law, USDA is investing in this space. Projects and research are happening across the country. The University of Illinois Urbana-Champaign is leading the way on an innovative project that proposes to convert swine manure and other feedstocks into biobinders for asphalt that increase the quality of recycled asphalt pavements. If commercialized, this work may reduce landfill waste and reduce disposal costs for asphalt, food waste, and low-cost products. Another example is an Iowa project that is transforming high oleic soybean oil into thermoplastic rubber for pavements, which has the potential to extend repair longevity for existing surfaces.

Another incredible opportunity for American farmers is the future market for sustainable aviation fuel. Unlike electric vehicles, airplanes can't pull over and recharge. By some estimates, we will

need 36 billion gallons of sustainable aviation fuel – fuel that can be produced from agricultural waste and woody biomass. This presents an entirely new industry opportunity for farmers – a new revenue source that can simultaneously reduce operating costs and allows them to put renewable resources on the grid for other small businesses and homes in rural areas.

The Inflation Reduction Act provides once in a generation investment in renewable energy through the Renewable Energy for America Program (REAP), in biofuels infrastructure and the largest single investment in rural electrification since the passage of the Rural Electrification Act in 1936. Rural Development is excited to combine its deep experience in working with rural communities, and long, trusted partnerships with rural electric cooperatives and producers to provide opportunities to accelerate the transition to clean, affordable, and reliable energy. With these investments, we are positioning farmers to be part of a transformation of our economy to be bio-based and renewable, and for wealth creation and investment in rural communities.

Supporting innovation and growth of new market opportunities isn't enough though. We must also work to address the challenges farmers face – from immediate challenges of input costs due to the unprovoked war on Ukraine and supply chain disruptions, to longer-term challenges of drought and severe weather that are constants in the lives of farmers and ranchers across the country. Protection from plant and animal disease threats and ensuring food safety are pillars of USDA's work that cannot be overlooked. USDA has worked to ease port congestion and support grain storage capacity to ease the burden through supply chains and has dedicated significant resources to expand domestic fertilizer production in this country through the Fertilizer Production Expansion Program. Demand has been overwhelming for this program. Through two funding opportunities, we received \$3 billion in interest, from over 350 independent businesses across 47 states, for the \$500 million we have available. We are beginning to make awards now, having announced more than \$29 million of small projects just last week to increase American made fertilizer production.

Risk management tools are essential to support producers in navigating increasingly severe weather conditions. USDA farm loan and loan guarantee programs can be the difference between success and failure for farmers who need access to credit and are not able to secure credit from traditional financial institutions. We look forward to working with Congress to ensure USDA programs are accessible, responsive, and user-friendly and to ensure that USDA's response to producers in need of financing or navigating, drought, floods, blizzards, hurricanes, and other natural disasters find USDA programs and service to be timely, responsive, and aligned with producer needs.

**Market Opportunities in Food Supply Chain Resilience: Competition, Fair Markets, and Expansion of Processing Capacity and Local/Regional Food Systems**

Another important way to increase producer income and to build stronger rural communities is to return market power to farmers and consumers. The food and agriculture sectors are

overwhelmingly concentrated where just a handful of corporations dominant – raising prices and decreasing options for American families, while also squeezing out small businesses and entrepreneurs.

Most farmers now have little or no choice of buyers for their product and little leverage to negotiate, causing their share of every dollar spent on food to decline. Fifty years ago, ranchers got over 60 cents of every dollar a consumer spent on beef, compared to about 39 cents today. Similarly, hog farmers got 40 to 60 cents on each dollar spent 50 years ago, down to about 19 cents today. To address this, one of the first things USDA did under the Biden-Harris Administration, with support from Congress, was provide resources to existing meat and poultry processing facilities to help them upgrade from state inspection to federal inspection, opening up markets across state lines. Thanks to the American Rescue Plan, we have been able to invest significant resources to support new and expanded processing capacity for meat, poultry, and pork across the country. To date, USDA has invested in nearly 300 opportunities and there are more to come in the months ahead. USDA will also soon roll out funding for expansion of processing beyond meat and poultry, creating opportunities for more local processing of specialty crops and other food products.

In the 2018 Farm Bill, Congress had the foresight to enhance investments in local and regional food systems through the establishment of the Local Agricultural Marketing Programs. With American Rescue Plan funds, USDA added additional funding to two of these programs: the Regional Food System Partnership Program and the Local Food Promotion Program. In addition, USDA is establishing Regional Food Business Centers to provide localized assistance to access local and regional supply chains, including linking producers to wholesalers and distributors. USDA has received close to \$2 billion in funding requests for this \$400 million program.

Investing in building out local and regional food systems gives farmers the opportunity to control their own businesses and—ideally—to negotiate prices and marketing arrangements with consumers, schools, grocery stores, and restaurants.

For instance, USDA recently invested an additional \$10 million to the Farm to School Grant Program. This a relatively small amount in the scheme of things, but it has helped to finance applications from 5,000 schools – schools that will now be able to negotiate and contract with local producers so that they will reap the benefit of locally produced food and farmers will reap the benefit of another new market. We have 19,000 school districts in this country that run school nutrition programs. Imagine the possibilities to ensure that schools and local producers can work together so children benefit from higher-quality foods on their plates and program operators have stable sources for the products they need. Thanks to the resources from the American Rescue Plan, USDA was able to continue to invest in this program and others that are helping to build infrastructure required to facilitate robust local and regional food systems that go well beyond farm to school.



USDA is also taking a thoughtful look at “business as usual” to support innovative measures. For example, USDA has created the Local Food Purchase Assistance and Local Foods for Schools Cooperative Agreement Programs. Using funds from the American Rescue Plan and the Commodity Credit Corporation, USDA has invested over \$1 billion, and is partnering with 77 state, tribal and territorial governments to purchase and distribute foods within the state or within 400 miles of the delivery destination. The result is additional revenues streams and new market opportunities for producers and local food businesses for food banks, schools, and organizations that support underserved populations that are healthy, nutritious, and unique to their geographic region. Farmers have shared that this new market has added diversity to where they sell and long-term revenue streams that have allowed them to secure financing.

COVID exposed the fragility and rigidity of the food supply chain and exposed strong consumer interest and market opportunities for producers that want to sell in their community or region. At USDA, we are dedicated to continuing to strengthen this work in local and regional food systems, and we look forward to working with Congress to bolster these efforts.

#### **Advancing Nutrition Security**

The work to develop market opportunities, bolster local and regional food systems, and build resiliency into our food supply chain also connects to the foundational American value that no one should go hungry – that access to affordable, nutritious food is a fundamental human right.

Nutrition assistance has been a central component of our food and agriculture policy from the start and it remains so today. What is now the Supplemental Nutrition Assistance Program (SNAP) was first created and authorized by Congress in 1939 to allow people to buy farm surpluses that otherwise were going to waste because prices for crops had fallen so dramatically as farms across America were struggling to deal with excess supply.

While the name of the program, its design, and delivery have changed dramatically in the last 80 years, two important elements of the program remain true today. First, SNAP remains a lifeline for tens of millions of Americans as the most far-reaching, powerful tool to ensure that Americans can access healthy food. And second, SNAP still directly follows a guiding principle from Congress in 1939 in that investments in SNAP are more than just a safety net for families; they support our farmers who produce the food that participants buy. SNAP is a vital economic engine thanks to the support it provides to local grocery stores – especially in rural areas where a greater percentage of households receive SNAP benefits – to the nation’s manufacturing plants, local food distribution systems and aggregation centers, and our transportation system.

In addition to serving as an economic engine, SNAP is particularly important for the millions of workers in this country who deal with the challenges of hunger in their households that is often episodic in nature. Impacted individuals are often those dealing with low wages, particularly for those living in the 20 states without a state minimum wage and earning just \$7.25 an hour (or

even less in two states), no benefits such as paid sick leave, high childcare and housing costs that create difficult trade-offs related to basic needs. SNAP is a critical support that addresses immediate needs by reducing poverty and food hardship; it has long-term impacts as well – participation by young children has been linked to better long-term health, education, and employment. Of course, SNAP is by no means a cure-all, but is a key instrument beside others in our broad safety net. That is why the President's vision calls for an array of investments that support low-wage workers, seniors, and families.

As we laid out in the National Strategy on Hunger, Nutrition, and Health, USDA aims to continue to modernize payment methods to support online shopping and mobile pay, to provide enhanced job training tied to local workforce programs, and to find additional ways to bring in local farmers and markets as retailers. We are also working to strengthen cross enrollment capabilities across Federal assistance programs, eliminate barriers to food assistance for vulnerable groups, and make healthier choices easier by expanding food purchasing options, fruit and vegetable incentives, and local food procurement.

Moreover, we are proud of the investments that have been made in emergency feeding programs, which expand their reach and support efforts to tie food to local markets, and investments that have increased Tribal involvement and engagement in all nutrition assistance programs. The Biden-Harris administration recognizes the important role of Tribes and Tribal organizations in ensuring American Indian and Alaska Native households have access to nutrition assistance, and we are committed to continuing to work with our Tribal partners to explore opportunities to advance Tribal sovereignty and access to culturally appropriate food offerings with respect to FNS programs.

### **An Opportunity for Rural and Tribal Prosperity**

Farmers and ranchers live in rural places, and rural and tribal economies are intertwined with the agriculture and natural resource sectors. To ensure the future of agriculture and rural communities we must make sure that there is ample opportunity in rural places—and that rural communities are places where farmers, ranchers, and their kids want to live and raise their families. That there are rural and tribal communities in America without water and sewer systems and without broadband in 2023 is intolerable. It's also a problem we can solve—and we must. That's why USDA is committed to ensuring rural America equitable access to all essential resources. USDA is leading the new Rural Partners Network (RPN), an all-of-government program to help rural and Tribal communities access federal funding and resources. RPN currently supports 36 rural and Tribal communities in 11 states and territories, and we hope to be able to expand to more communities and states. Through RPN, USDA is hiring new full-time federal staff who are from the region to work hand in hand with RPN community leaders. Now, more than ever, it is critical to ensure rural and Tribal communities can benefit from federal investments as the Biden-Harris Administration delivers unprecedented resources through the American Rescue Plan, Bipartisan Infrastructure Law, and Inflation Reduction Act

For example, one of the ways USDA has leveraged RPN is by partnering with the U.S. Environmental Protection Agency on the Closing America's Wastewater Access Gap Community Initiative. Through this Initiative, Rural Development is providing critical technical assistance to help historically underserved communities identify and pursue federal funding for modern, reliable wastewater systems--and we are doing it in partnership with the federal family.

As each of us has experienced personally, the pandemic amplified the need to ensure everyone has reliable, highspeed internet access. Through our work to strengthen e-connectivity we can broaden economic opportunities and job creation in rural America, while allowing underserved communities to offer stronger business services, expand access to modern healthcare, and improve education. Recognizing those needs for equitable access, USDA has invested in more than 282 broadband projects that will connect 359,092 households to internet through the ReConnect program and this is just one example of how USDA is connecting rural communities to the local, regional, and national economy. USDA will continue to work to quickly deploy these vital funds to build high speed internet, including the Bipartisan Infrastructure Law investments that we are on track to fully award before the fall.

With a physical presence in rural communities that is unmatched, USDA is positioned to be a partner to rural communities seeking federal resources---or a partner in turning a vision for a better future into reality. From low-interest capital that enables communities to finance projects for critical infrastructure ranging from housing and water systems to broadband and business development, USDA is an essential partner to rural and tribal communities across the country. However, USDA is often hemmed in with programs that are hard to access and applications that are cumbersome, often building on statutes that are outdated or programs created for the challenges of the 1930s and 1960s rather than the opportunities of today. Without spending a dime, Congress can reduce barriers to accessing USDA programs, enhance our ability to work across the federal family, improve our ability to provide technical assistance and reach underserved communities and ensure that our programs, tools, and authorities keep pace with the innovation, transformation and needs of agriculture and rural communities today.

### **The Important Role of Public Investment in Research and Extension and Recovery**

Finally, a word on research and new challenges. Federal investment in public research and development (R&D) in agriculture is foundational to ensuring we maintain our role as a global leader in agricultural competitiveness and continuing to see the tremendous productivity growth we have enjoyed and meet the challenges ahead. To be clear: it will require far greater investments than current levels provided by Congress. When adjusted for the rising cost of conducting research, U.S. public agricultural R&D expenditures have declined by about one-third since peaking in 2002.<sup>3</sup> At one point in time, agriculture research represented

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<sup>3</sup> <https://www.ers.usda.gov/amber-waves/2022/june/investment-in-u-s-public-agricultural-research-and-development-has-fallen-by-a-third-over-past-two-decades-lags-major-trade-competitors/>

approximately 4.3% of the overall non-defense research allocations and appropriations for the federal government. Today it has dropped to 2.3%. Given that public R&D investment is the primary driver of long-term productivity growth in U.S. agriculture, this is a trend that must be reversed if we hope to maintain our competitive advantage.

While this Committee is sharply focused on the Farm Bill reauthorization, I must note that these public investments in R&D, through the Agricultural Research Service, Economic Research Service, and National Institute of Food and Agriculture to our land-grant institutions, are nearly solely dependent on annual discretionary appropriations. It must also be noted that historically, our 1890 and 1994 minority-serving land-grant institutions have not received funding comparable to 1862 land-grant colleges and universities. These minority serving agricultural institutions are making important contributions towards equitable access to information, education, and capacity to underserved students, farmers, ranchers, and foresters and have a critical role to play as we transform our food system.

Even without Farm Bill funding, the programs Congress chooses to include in the Farm Bill provide direction and set USDA research priorities. As you revisit the Farm Bill, I urge you to consider challenges of the future, needed program flexibilities, and ways to ensure that USDA's research entities are focused on the challenges that producers, community-based organizations, small business owners, health professionals, parents, scientists, and communities will face in the years to come. You must also consider how to make agricultural research, outreach, and technical assistance with extension more equitable, while serving a diversity of constituencies and marginalized communities. Through our partnerships with Minority Serving Institutions USDA is working to support capacity building initiatives, education, and pathways to employment for students and faculty, while helping to develop a strong pipeline of talented individuals for USDA and all of agriculture in this country but there is far more to do and more that Congress can support going forward.

Our research authorizations must be flexible, nimble, and working on timely and relevant research and data collection, as the investments we make today will define innovation for decades to come. Examples of issues that we continue to hear essential for public investment include: drought and climate change mitigation and adaptation, novel food production, carbon sequestration, forest health and resilience, cancer prevention, precision nutrition, environmental remediation, PFAS, pesticides and soil remediation, soil health and cover cropping, food safety innovation, workforce development, biobased product development, renewable energy technology deployment, strategies for effective community development, and economic transition. Transforming the food system to bring prosperity and new opportunities to our producers and rural communities will require investing in and strengthening research, education, and extension capacity across the nation and prioritizing the development of a well-trained workforce that reflects the diversity of agriculture and communities across the country.

We have also seen that our disaster and risk management programs must be flexible, nimble, and have sufficient resources to support our nation's producers as they face an increased frequency

and severity of natural disasters, often driven by climate change, and more recently man-made disasters. Within the current authorities, we have used the available flexibilities to reach more types of farming and challenges, and been able to aid farmers to some extent thanks to the variety of tools that USDA has on hand today with the Federal Crop Insurance Program, the Non-Insured Crop Disaster Assistance Program (NAP), various conservation, livestock, and crop disaster assistance programs, and the vitally important and flexible Commodity Credit Corporation (CCC). These efforts have included filling gaps in assistance through later rounds of the pandemic programs, adding both USDA and privately submitted crop insurance options, recognizing how working lands conservation like cover crops and no-till can help make farming more resilient, major streamlining of permanent and ad-hoc disaster program to remove unnecessary paperwork, and using the CCC to purchase commodities or assist with marketing needs or inputs like fertilizer when the traditional tools oriented only toward natural disasters are inadequate.

Unfortunately, there continues to be many farms and types of disasters that simply are not adequately protected due to authorities being designed for one-type of farming instead of specialty crops and diverse systems or primarily focused on short term natural disasters instead of the severe prolonged drought or man-made or input challenges. USDA has sought out new ways to reach underserved producers and improve equity in USDA programming by addressing constraints that impede access to crop insurance or risk management tools and knowledge, but for some producers and production systems it may take a shift from a crop-by-crop approach to looking at the overall health of the operation and targeting assistance based on the operation's overall losses and need.

As these natural disasters have increased in both scale and severity, we have seen that farmers and ranchers often face increasing crop and rangeland losses that may not be covered by our existing programs and risk management tools. Congress has responded in recent years with a patchwork of ad hoc disaster programs – although most recently in the FY 2023 Omnibus was underfunded given the scale of the losses farmers and ranchers faced in 2022 – and using the same narrow crop loss and indemnity model despite the broader set of challenges producers are facing today. USDA has gone as far as the current tools and authorities allow and continues to look for ways to streamline and improve access. This is another area where you must consider if our risk management and disaster tools are strong not only for the few, but also for the many and most.

### **Conclusion**

The transformational opportunity before this Congress in the next Farm Bill is not simply about farmers and ranchers, it's not just about income or drought or SNAP, it's not just about breaking down barriers to opportunity or entrepreneurship, all of which is important. It's not just about jobs. It is about the essence of this country. This transformation in agriculture can be part of strengthening the financial base in rural America by rooting wealth, creating opportunity, and

creating thriving rural communities. And a strong rural America is important and critical to our democracy.

There are countless farmers and families across the country clamoring for a different way. With shared vision, will, and focus we can create a different, innovative, creative way to approach the future as we think anew and act anew. We can be innovative enough to create additional profit opportunities for farms small, midsized, and large. So instead of only one, two, or three ways to generate profit and income on a farm, we can have five or six or seven different ways. We can provide technical and financial assistance and help that will allow producers to connect to their local markets, allowing them to take advantage of expanded processing. We can make it possible for farmers to provide their agricultural waste to a new business with a manufacturing or processing facility located just down the road that's creating a material, a fabric, a fiber, a chemical, a fuel, or an energy source. Congress has an extraordinary opportunity with the Farm Bill reauthorization to say to the farming community, it's not just get big or get out, it's diversify and thrive. And all of this must be done through a USDA that is mobilized, department-wide, to remove barriers to access to our programs and services for all Americans, including ensuring USDA and all of our federal resources reach underserved communities and those with the most need.

This is a time of great opportunity – a time to be hopeful. I look forward to working with you on this charge because our farmers and rural communities and next generations need us to meet the moment. And quite frankly our country depends on it.

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**DOCUMENTS SUBMITTED FOR THE  
RECORD**

MARCH 16, 2023

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March 8, 2023

Debbie Stabenow, Chairwoman  
U.S. Senate Agriculture Committee

Glenn Thompson, Chairman  
U.S. House Agriculture Committee

John Boozman, Ranking Member  
U.S. Senate Agriculture Committee

David Scott, Ranking Member  
U.S. House Agriculture Committee

Dear Chairwoman Stabenow, Chairman Thompson, Ranking Member Boozman, and Ranking Member Scott:

As you consider the new Farm Bill, the undersigned groups urge you to protect historic investments made by Congress last year in clean energy and technical assistance and ensure that this funding stays in Farm Bill energy and rural development (RD) programs. The programmatic improvements from 2022 should also be incorporated into the Farm Bill. Farmers, ranchers, rural small businesses, and citizen groups across the country are relying on these resources to revitalize rural America's infrastructure.

USDA's energy, bioeconomy and RD programs enable producers and businesses alike to make essential investments in energy and rural resilience, saving consumers and producers on energy costs. Investments in USDA energy programs build wealth, create jobs, and improve environmental quality in rural communities.

USDA continues to implement investments made in rural utilities, renewable energy and energy efficiency and meeting demand for programs that have been chronically under resourced for decades. The 2022 funding for USDA's unique energy programs will help rural communities get ahead diversifying energy resources while improving energy security, the environment and public health.

The increased funding for these Farm Bill programs and associated technical assistance, along with existing Farm Bill funding, represents the best opportunity to date to meet growing demand for energy innovation programs. Robust rural energy funding benefits all parts of the country and every state.

Again, the undersigned groups and businesses urge you to ensure that the 2023 Farm Bill protects as well as enhances these generational investments in energy and bioeconomy programs.

Thank you for your leadership on these and other issues facing agriculture and rural America.



Sincerely,

(As of 3/8/23)

Agriculture Energy Coalition  
25x25 Alliance  
350.org  
A&R Solar  
Abundant Energy of Arkansas  
ACEEE  
Advanced Renewable Technology, LLC  
Advanced Solar Products  
Aegis Renewable Energy  
AEH  
Aireko Energy Solutions US, LLC  
Albrecht Wind Energy LLC  
Alternative Energy Systems  
All Energy Management, Inc  
Allterra Solar  
Amberg renewable energy  
Amor Structures  
American Biogas Council  
American Corn Growers Foundation  
American Council on Renewable Energy (ACORE)  
American Renewable Energy Standards and Certification Association  
Amicus O&M Cooperative  
Amicus Solar Cooperative  
Appalachian Learning Initiative  
Appalachian Voices  
Arch Electric Inc  
Arch O&M, LLC  
Arch Solar  
Arctic Solar Ventures Corporation  
Atlantic Climate Justice Alliance  
AUI Partners LLC  
Axium Solar  
Ben & Jerry's  
Bergey Windpower Co.  
Biotechnology Innovation Organization  
Borderlands Restoration Network  
Brooklyn SolarWorks LLC  
Brightly Farms  
BR-Utility  
Buffalo Renewables Inc  
CalCom Energy

California Solar Electric Cooperative Corporation  
Carbon Co-op 2.0  
Carter Wind Turbines  
CCMI Chase Wind dba  
Center for Common Ground  
Center for Disability Rights  
Center for Rural Affairs  
Chava Wind LLC  
Citizens' Climate Lobby of Tennessee  
Clean Energy Economy Minnesota  
Climate + Energy Project  
Climate Changemakers  
Climate Land Leaders  
Climate Reality Hudson Valley & Catskills  
Climate Reality Project - Memphis & Mid-South Region Chapter  
Climate Reality Project Long Island Chapter  
Communities for Local Power  
Community Involved in Sustaining Agriculture  
Conservation Minnesota  
Cooperative Energy Futures  
Corn Refiners Association  
Creative Energies  
Croatan Institute  
CURE  
Dakota Resource Council  
Dakota Rural Action  
Dan Ellison Consulting, LLC  
DATT Energy Solutions Inc.  
Decorah Solar Field, LLC  
E2 (Environmental Entrepreneurs)  
Eagle Solar & Light, LLC  
Earth Action, Inc.  
Ecogy Energy  
Eco-Jus  
Ecolibrium3  
Ecotech Solar  
eFormative Options, LLC  
Elders Climate Action  
Elevate  
Encore Renewable Energy  
Enel North America  
Energy Alabama  
Energy Design Co  
Envinity Inc  
Environmental and Energy Study Institute  
Environmental Defense Fund (EDF)

Environmental Law & Policy Center  
Environmental Working Group  
EOCYCLE America Corp  
Ethos Green Power Cooperative  
Evergreen Collaborative  
EWT Americas  
Family Farm Defenders  
Flywheel Development LLC  
Foundation Windpower, LLC  
Fourth Universalist Society in the City of New York  
Fresh Energy  
Georgia Advancing Communities Together, Inc.  
Georgia Conservation Voters  
Georgia Conservation Voters Education Fund  
Georgia Interfaith Power and Light  
Geoscape Solar  
Geothermal Alliance of Illinois  
Global BioFuture Solutions  
Greater Highland Area Concerned Citizens  
Greenlink Analytics  
GreenLogic LLC  
GreenSpark Solar  
GRID Alternatives  
Growth Energy  
Guasti Wind and Solar  
Harambee House, Inc. / Citizens for Environmental Justice  
Harmony Energy Solutions  
Hatlestad Brothers Farm  
Hawaii PV Partners  
Health Care Without Harm  
Hoosier Environmental Council  
Hoss Consulting Inc.  
Idaho Organization of Resource Councils  
IES Residential  
IN-Climate  
Institute for Local Self-Reliance  
Intergrid, LLC  
Iowa Citizens for Community Improvement  
Iowa Interfaith Power & Light  
Ipsun Solar  
iSun, Inc  
Kansas Farmers Union  
Kentucky interfaith power and light  
Kentucky Poultry Federation  
Kentucky Resources Council  
Kliux Energies International Inc.

Labadie Environmental Organization (LEO)  
LanzaTech  
League of Conservation Voters  
LightWave Solar  
Live Oak Bank  
Livelihoods Knowledge Exchange Network, Inc. (LiKEN)  
Luminalt  
Luther College Center for Sustainable Communities  
Lutheran Advocacy - Minnesota  
McGuire Land and Properties, LLC  
Michigan Sustainable Business Forum  
Minnesota 100% Campaign  
Morton Solar & Electric, LLC  
Mountain Association  
Mt Tabor Benedictines  
Namaste Solar  
National Association of State Energy Officials  
National Council of Farmer Cooperatives  
National Farmers Union  
National Rural Electric Cooperative Association  
National Rural Lenders Association (NRLA)  
Native Solar  
Native Sun Community Power Development  
Natural Resources Defense Council  
Nature Energy USA  
New Economy Coalition  
New Energy Equity  
New Georgia Project Action Fund  
NextGen America  
Niagara Wind & Solar, Inc.  
North Dakota Native Vote  
North Wind Renewable Energy Cooperative  
Northern Plains Resource Council  
Novozymes North America  
NSAC  
Occupy Bergen County  
One Voice  
Oneota Solar LLC  
OnSite Energy, Inc.  
Organic Valley  
Partnership for Southern Equity  
Pecos Wind Power  
PennFuture  
Pennsylvania Council of Churches  
People's Action  
Plant Based Products Council

Positive Energy Solar  
Primus Wind Power  
Progress North  
Purepoint Energy  
PV Squared  
QED Wind Power LLC  
Radiance Solar  
RE Innovations LLC  
Renew Missouri  
Renewable Energy Alliance of Louisville  
Renewable Energy Development LLC  
Renewable Fuels Association  
REPOWER REC  
REpowering Schools  
RER Energy Group  
ReVision Energy  
Rise Up WV  
Riverview Dairy, LLC  
RMI  
Rooftop Solar  
Roots Return Heritage Farm LLC  
Rural Climate Partnership  
Rural Democracy Initiative  
Rural Organizing Project of ISAIAH MN  
Rural Power Coalition  
Ryse Energy LLC  
Sagrillo Power & Light  
Self-Reliance Corp  
Seminole Financial Services  
SGP Development  
Sharing, Inc.  
Shaw Power  
Sierra Club  
SimpleRay  
Simple Solar  
Sievers Family Farms, LLC  
Siva Powers America Inc  
SLE Green Energy, LLC  
Solar Craft  
Solar Energy Services, Inc.  
Solar Energy Solutions  
Solar Generation  
Solar Holler  
Solar Impact  
Solar Integrators LLC  
Solar Landscape

Sol Power  
Solar Power of Oklahoma  
Solar Power Pros  
Solar States  
Solar United Neighbors  
Solarponics, Inc  
Solutions from the Land  
Sonsight Wind  
Southern Current  
Southern Energy Management  
South Mountain Company, Inc.  
SOWEGA Rising  
Sowing Justice  
Spark Northwest  
Storke, LLC  
StraightUp Solar  
Sugar Hollow Solar, Inc.  
SUMA Consulting LLC  
Sun Common  
Sun Light & Power  
Sunlight Solar Energy  
Sun Valley Solar Solutions  
SunBug Solar  
Sundance Power Systems, Inc.  
SunDay Solar  
Sunsense Solar  
SunTribe  
Superior Energy Solutions  
Sustainable Georgia Futures  
Sustainable Power Systems, Inc.  
SVEC Check  
Technicians For Sustainability  
Tennessee Alliance for Progress  
Tennessee Poultry Association  
Texas Renewable Energy Systems  
The Alliance for Appalachia  
The Center for Rural Affairs  
The Climate Reality Project: Capital Region Chapter  
Third Sun Kokosing Solar  
Tri-State Generation and Transmission Association  
TruNorth solar  
Turkey Creek Biotechnology LLC  
Union of Concerned Scientists  
Unitarian Universalists for a Just Economic Community  
Unite North Metro Denver  
Urban Century Institute

Walnut Studio LLC  
Western Clean Energy Campaign  
Western Colorado Alliance  
Western Organization of Resource Councils  
Western Rural and States Project  
Willmar Area Climate Action Group  
Wind Advisors Team  
Wind Fisher  
Wind Harvest International  
WindSolarUSA, Inc.  
Windurance, LLC  
Windustry  
Windward Engineering  
Wisconsin Farmers Union  
Women from the Mountain  
WUSD  
X-Caliber Rural Capital, LLC  
XFlow Energy

## **Joint Statement by National Organizations and Farm Bill Stakeholder Groups in Support of the Supplemental Nutrition Assistance Program (SNAP)**

The Supplemental Nutrition Assistance Program (SNAP), our nation's most significant anti-hunger program, promotes economic security, health, and well-being. As you develop the 2023 Farm Bill, we stand ready to work with you to pass a farm bill that protects and strengthens SNAP.

SNAP responds effectively and efficiently to changes in need, whether due to economic downturns, natural disasters, or other disruptions. More recently, it has proven to be a crucial tool for mitigating food hardship and supporting local economies during the pandemic.

Indeed, research has found that the combination of the 2021 Thrifty Food Plan (TFP) update and the provision of temporary SNAP Emergency Allotments (EAs) reduced poverty in the last quarter of 2021 by 14.1 percent and child poverty by 21.8 percent in states that had EAs at the time.<sup>i</sup>

SNAP serves people of all ages and all types of communities—rural, urban, and suburban. Four in five SNAP households (81%) have a child, a person aged 60 or older or a person with disabilities.<sup>ii</sup> SNAP also has positive economic impacts. Each \$1 in SNAP during a downturn generates between \$1.50 and \$1.80 in economic activity that is felt throughout the food chain—from farmers and ranchers, food manufacturers and truckers, to grocers and store employees.<sup>iii</sup> In addition, SNAP is an important support for workers who are paid low wages and for those looking for work. Most SNAP participants who can work do so.

SNAP has a critical role in improving the health of people across the nation, especially among the most vulnerable Americans. SNAP makes a positive difference over the life course of individuals, decreasing negative health outcomes in children and increasing economic self-sufficiency in women.<sup>iv</sup>

Despite progress, however, hunger continues to affect too many people in the U.S. In 2021, more than 33.8 million Americans lived in households that struggled against food insecurity<sup>v</sup> and more than one in six Americans turned to the charitable food sector for help.<sup>vi</sup> In early February 2023, the U.S. Census Bureau PULSE survey found that 11.4% of respondent households reported they “sometimes” or “often” do not have enough to eat.<sup>vii</sup>

With an end to SNAP Emergency Allotments, SNAP food benefits have decreased to an average of only about \$6 a person a day. Moreover, SNAP benefits are not available to all people with low-incomes who need them. Going forward it is vital to protect and further strengthen SNAP benefit adequacy and equitable access.

Our nation must do more to address hunger and SNAP has a key part to play. The 2023 Farm Bill presents opportunities to make further progress. We ask you to work to strengthen SNAP and protect the program from cuts or other harmful changes.

March 15, 2023



National Organizations

4P Foods  
 Academy of Nutrition and Dietetics  
 ADAP Advocacy Association  
 Advancing States  
 AFL-CIO  
 African American Health Alliance  
 Alabama State Association of Cooperatives  
 Alamako Foundation  
 Alley/Jones Hospitality  
 Alliance to End Hunger  
 Ameinu  
 American Academy of Pediatrics  
 American Association of Service Coordinators  
 American Federation of State, County and Municipal Employees (AFSCME)  
 American Federation of Teachers  
 American Friends Service Committee  
 American Heart Association  
 American Humanist Association  
 American School Health Association  
 American Society on Aging  
 Autistic Self Advocacy Network  
 Be Bonnie F&B  
 Ben & Jerry's Homemade, Inc.  
 Blue Star Families  
 Border Grill Restaurant Group  
 Bread for the World  
 Burke Hospitality Group  
 California Rural Legal Assistance Foundation (CRLA Foundation)  
 Center for American Progress  
 Center for Law and Social Policy (CLASP)  
 Center for LGBTQ Economic Advancement & Research (CLEAR)  
 Center for Science in the Public Interest  
 Center on Budget and Policy Priorities  
 Central Pastoral Office for Hispanic Ministries- Christian Church (Disciples of Christ)  
 Chickweed, Inc.  
 Child Welfare League of America  
 Children's Defense Fund  
 Children's Defense Fund-Southern Regional Office  
 Children's HealthWatch  
 Church World Service  
 Citygate Network  
 Coalition on Human Needs  
 Coastal Roots Farm  
 Common Sense Media  
 Community Change Action  
 Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces

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Congressional Hunger Center  
Council on American-Islamic Relations (CAIR)  
Covenant House International  
Division for Early Childhood of the Council for Exceptional Children (DEC)  
Economic Policy Institute  
Educare Learning Network  
Education Leaders of Color (EdLoC)  
Environmental Working Group (EWG)  
Equality California  
Evangelical Lutheran Church in America  
Every Mother is a Working Mother Network  
Exceptional Families of the Military  
Fair Food Network  
Families USA  
Farm to Table – New Mexico  
Feeding America  
First Focus  
First Focus Campaign for Children  
Food Research & Action Center (FRAC)  
FoodCorps  
FoodFinder  
Friends Committee on National Legislation  
From Now On Fund  
Galit  
Generations United  
Girls Inc.  
Global Urban Cultural Community  
Global Women's Strike – US  
Global Women's Strike Women of Colour  
Goodwill Industries International  
Grubhub  
Healthy Teen Network  
Hickory Farms, LLC  
Hunger Free America  
Hunger to Health Collaboratory  
ICNA Council for Social Justice  
IDEA Infant and Toddler Coordinators Association (ITCA)  
Independent Restaurant Coalition  
Instacart  
International Fresh Produce Association  
International Union, United Automobile, Aerospace and Agricultural Implement  
Workers of America (UAW)  
Iraq and Afghanistan Veterans of America  
Islamic Relief USA  
James Beard Foundation  
Jewish Community Relations Council of the Sacramento Region  
Jewish Council for Public Affairs  
Jewish Labor Committee

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Johns Hopkins Center for a Livable Future  
Justice in Aging  
Kalamata's Kitchen  
Keshet  
Laurie M. Tisch Center for Food, Education and Policy  
Law Foundation of Silicon Valley  
LeadingAge  
Los Angeles LGBT Center  
March of Dimes  
Mayors Alliance to End Childhood Hunger  
MAZON: A Jewish Response to Hunger  
Meals on Wheels America  
MEANS Database  
Medicare Rights Center  
Metropolitan Hospitality Group  
Migrant Legal Action Program  
Military Family Advisory Network (MFAN)  
MomsRising  
Move For Hunger  
National Academy of Elder Law Attorneys  
National Adult Day Services Association (NADSA)  
National Advocacy Center of the Sisters of the Good Shepherd  
National African American Clergy Network  
National Association for Hispanic Elderly  
National Association of Councils on Developmental Disabilities  
National Association of Counties (NACo)  
National Association of County Human Services Administrators  
National Association of Nutrition and Aging Services Programs  
National Association of Pediatric Nurse Practitioners  
National Association of School Nurses  
National Association of Social Workers  
National Black Justice Coalition  
National Center for Lesbian Rights  
National Coalition Against Domestic Violence  
National Commodity Supplemental Food Program Association  
National Community Action Partnership  
National Consumer Law Center  
National Council of Churches USA  
National Council of Jewish Women  
National Council on Aging  
National Diaper Bank Network  
National Disability Rights Network (NDRN)  
National Education Association  
National Employment Law Project  
National Farmers Union  
National Health Care for the Homeless Council  
National Immigration Law Center  
National Low Income Housing Coalition

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National NeighborWorks Association  
 National Network for Arab American Communities (NNAAC)  
 National PTA  
 National Sustainable Agriculture Coalition  
 National WIC Association  
 Natural Resources Defense Council  
 Network Lobby for Catholic Social Justice  
 Network of Jewish Human Service Agencies  
 Office and Professional Employees International Union (OPEIU), AFL-CIO  
 Operation Homefront  
 Oxfam America  
 ParentsTogether Action  
 Payday Men's Network – US  
 PlusInc  
 Pour Truck, LLC  
 Poverty Project at the Institute for Policy Studies  
 Pride At Work, AFL-CIO  
 Protect All Children's Environment  
 PsychArmor Institute  
 Public Advocacy for Kids (PAK)  
 Public Health Institute  
 Public Health Institute's Center for Wellness and Nutrition  
 Rachael Ray's Yum-o! Organization  
 RASA  
 Reconstructing Judaism  
 Reinvestment Fund  
 RESULTS  
 Rise Against Hunger  
 Safer Foundation  
 Save the Children  
 Save the Children Action Network (SCAN)  
 School Nutrition Association  
 Share Our Strength  
 Society for Nutrition Education and Behavior  
 Society of St. Andrew  
 Sojourners  
 Souper Bowl of Caring, Inc.  
 Southern Rural Black Women's Initiative  
 SPACeS In Action  
 Sustainable Agriculture and Food Systems Funders (SAFSF)  
 Sustainable Food Policy Alliance (SFPA)  
 The AIDS Institute  
 The Arc of the United States  
 The Education Trust  
 The Episcopal Church  
 The Farmlink Project  
 The Food Trust  
 The Gerald J. and Dorothy R. Friedman School of Nutrition Science and Policy at Tufts

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University  
 The Gerontological Society of America  
 The Leadership Conference on Civil and Human Rights  
 The Mom 100LLC  
 The National Domestic Violence Hotline  
 The Platform of Hope  
 The United Methodist Church - General Board of Church and Society  
 True Chesapeake Oyster Co  
 True Colors United  
 Trust for America's Health  
 United States Conference of Mayors  
 U.S. Military Spouse Chamber of Commerce  
 UnidosUS  
 Union of Concerned Scientists  
 United Food and Commercial Workers International Union (UFCW)  
 United Way for Southeastern Michigan  
 United Way Worldwide  
 Universal Income Project  
 USAging  
 Voices for Progress  
 Wholesome Wave  
 World Renew  
 Young Invincibles  
 Youth Villages  
 ZERO TO THREE

<sup>i</sup> Laura Wheaton and Danielle Kwon, "Effect of the Reevaluated Thrifty Food Plan and Emergency Allotments on Supplemental Nutrition Assistance Program Benefits and Poverty," Urban Institute, August 2022, [https://www.urban.org/research/publication/effect-reevaluated-thrifty-food-plan-and-emergency-allotmentssupplemental?utm\\_source=urban\\_newsletters&utm\\_campaign=UIU](https://www.urban.org/research/publication/effect-reevaluated-thrifty-food-plan-and-emergency-allotmentssupplemental?utm_source=urban_newsletters&utm_campaign=UIU)

<sup>ii</sup> See "Characteristics of U.S. Department of Agriculture's Supplemental Nutrition Assistance Program Households: Fiscal Year 2020," USDA, November 2022, <https://fns-prod.azureedge.us/sites/default/files/resourcefiles/Characteristics2020-Summary.pdf>

<sup>iii</sup> See Patrick Canning and Brian Stacy, "The Supplemental Nutrition Assistance Program (SNAP) and the Economy: New Estimates of the SNAP Multiplier," USDA Economic Research Service, July 2019, <https://www.ers.usda.gov/webdocs/publications/93529/err-265.pdf?v=2789.4> (Relevant research summarized at Table 1, p.7)

<sup>iv</sup> See Stephanie Ettinger de Cuba et al., "Loss of SNAP Is Associated with Food Insecurity and Poor Health in Working Families with Young Children," HEALTH AFFAIRS 38, NO. 5 pp.765–773, 2019, <https://www.healthaffairs.org/doi/epdf/10.1377/hlthaff.2018.05265>

<sup>v</sup> Alisha Coleman-Jensen, Matthew P. Rabbitt, Christian A. Gregory, and Anita Singh, USDA Economic Research Service, September 2022, <https://www.ers.usda.gov/webdocs/publications/104656/err-309.pdf?v=5832.6>

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<sup>vi</sup> Poonam Gupta, Julio Salas, and Elaine Waxman, "Two Years into the Pandemic, Charitable Food Remains a Key Resource for One in Six Adults," Urban Institute, May 2022, <https://www.urban.org/sites/default/files/2022-05/Two%20Years%20into%20the%20Pandemic%2C%20Charitable%20Food%20Remains%20a%20Key%20Resource%20for%20One%20in%20Six%20Adults.pdf>

<sup>vii</sup> See "Week 54 Household Pulse Survey: February 1 - February 13," U.S. Census Bureau, February 22, 2023, <https://www.census.gov/data/tables/2023/demo/hhp/hhp54.html> (Based on data reported at Food Sufficiency and Food Security Table 1)

March 15, 2023

March 14, 2023

The Honorable Sheldon Whitehouse  
Chairman  
U.S. Senate Committee on Budget  
Washington, D.C. 20510

The Honorable Jodey Arrington  
Chairman  
U.S. House Committee on Budget  
Washington, D.C. 20515

The Honorable Chuck Grassley  
Ranking Member  
U.S. Senate Committee on Budget  
Washington, D.C. 20510

The Honorable Brendan Boyle  
Ranking Member  
U.S. House Committee on Budget  
Washington, D.C. 20515

Dear Chairmen Whitehouse and Arrington and Ranking Members Grassley and Boyle:

As you develop the fiscal year 2024 budget in this farm bill reauthorization year, we write to express our strong support for providing the Senate Committee on Agriculture, Nutrition, and Forestry and House Committee on Agriculture with sufficient budgetary resources to write a new bipartisan, multi-year, comprehensive, and meaningful piece of legislation.

Just as there are many pressures on the federal budget, there are many pressures on U.S. farmers and others throughout the agricultural supply chain who provide food, feed, fuel, fiber, and other products to consumers across the United States and abroad.

According to the U.S. Department of Agriculture (USDA), international sales of U.S. farm and food products reached \$196 billion in 2022. The leading market for these products is marked with geopolitical volatility: China. During the trade war with China that began in 2018, U.S. agriculture endured significant market impacts, which unfortunately revealed gaps in the farm safety net. If a trade war with our largest trading partner hardly triggered the farm safety net provided in the current farm bill – a Title I safety net that has been shrinking over the past 20 years – it is difficult to envision a scenario that would provide meaningful assistance without significant improvements. Continuing rising tensions with this important trading partner underscore the need in the next farm bill for a more meaningful, predictable farm safety net and the need to invest more into trade promotion programs to help diversify agricultural markets.

Market volatility with China is only one example of the many disruptions impacting U.S. agriculture during the life of the current farm bill. The Russian invasion of Ukraine, COVID-19 and other supply chain disruptions, non-tariff trade barriers erected by multiple countries, and devastating natural disasters have tested the effectiveness of current farm policy. Increased production input costs have as well, with USDA projecting that most expense categories will remain above their 2021 levels in 2023 both in nominal and inflation-adjusted dollars. These projected high input costs, coupled with lower projections for many crop cash receipts, are cause for concern for farm country: USDA's February 2023 Farm Income Forecast publication projects a 20.7 percent decline in net cash farm income in 2023 relative to 2022.

Projections such as this, when realized, often result in financial stress and calls for ad hoc or supplemental disaster assistance to farmers and ranchers – that is, assistance outside of the farm bill. In fact, between 2018-2021, ad hoc assistance made up approximately 70% of direct farm payments due to challenges described above. Ad hoc assistance is necessary in times of need but is not a timely, reliable, or predictable safety net for farmers and ranchers. The upcoming farm bill reauthorization provides an opportunity to address very real needs in agriculture and rely less on off-budget ad hoc assistance.

In addition to needs highlighted above, farm bill budget resources are needed for protecting and enhancing crop insurance to assist with volatile weather and crop loss, improving access to voluntary conservation incentives, addressing rural development needs, investing in research for innovation and competitiveness, providing opportunities to help the nation become more energy independent and food secure, and supporting solutions to address logistics challenges.

Sufficient budgetary resources will be needed to craft a new bipartisan, multi-year, comprehensive, and meaningful piece of legislation. As you work to build the federal budget for fiscal year 2024, we seek your support for providing sufficient resources to the committees to craft the next farm bill.

Sincerely,

National Associations

Agricultural Retailers Association  
Amcot  
American Agri-Women  
American Association of Crop Insurers  
American Association of Veterinary Medical Colleges  
American Bankers Association  
American Cotton Producers  
American Cotton Shippers Association  
American Farm Bureau Federation  
American Farmland Trust  
American Feed Industry Association  
American Pistachio Growers  
American Pulse Association  
American Seed Trade Association  
American Society of Agronomy  
American Society of Farm Managers and Rural Appraisers  
American Society of Plant Biologists  
American Soybean Association  
American Sugar Alliance  
American Sugarbeet Growers Association



American Veterinary Medical Association  
AmericanHort  
Aquatic Ecosystem Restoration Foundation  
Aquatic Plant Management Society  
Association of Equipment Manufacturers  
Biotechnology Innovation Organization  
The Breakthrough Institute  
Cherry Marketing Institute  
Corn Refiners Association  
Cotton Growers Warehouse Association  
Cotton Warehouse Association of America  
Cottonseed and Feed Association  
Council of Producers and Distributors of Agrotechnology  
Crop Insurance and Reinsurance Bureau  
Crop Insurance Professionals Association  
Crop Science Society of America  
CropLife America  
Delta Waterfowl  
Ducks Unlimited  
Farm Credit Council  
Farm Journal Foundation  
The Fertilizer Institute  
Global Cold Chain Alliance  
Hop Growers of America  
Independent Community Bankers of America  
International Certified Crop Advisers  
International Dairy Foods Association  
International Fresh Produce Association  
National Alfalfa and Forage Alliance  
National Alliance of Independent Crop Consultants  
National Association of Conservation Districts  
National Association of Landscape Professionals  
National Association of State Departments of Agriculture  
National Association of Wheat Growers  
National Barley Growers Association  
National Black Growers Council  
National Christmas Tree Association  
National Coalition for Food and Agricultural Research  
National Corn Growers Association  
National Cotton Council  
National Cotton Ginners Association

National Cottonseed Products Association  
National Council of Farmer Cooperatives  
National Council of Textile Organizations  
National Farmers Union  
National Grain and Feed Association  
National Grange  
National Milk Producers Federation  
National Onion Association  
National Peach Council  
National Pork Producers Council  
National Potato Council  
National Sorghum Producers  
National Sunflower Association  
The Nature Conservancy  
North American Blueberry Council  
North American Meat Institute  
North American Millers' Association  
North American Renderers Association  
Pheasants Forever  
Quail Forever  
Rural and Agriculture Council of America  
Society of American Florists  
Soil Science Society of America  
Specialty Crop Farm Bill Alliance  
Supporters of Agricultural Research (SoAR) Foundation  
U.S. Apple Association  
U.S. Beet Sugar Association  
U.S. Canola Association  
U.S. Cattlemen's Association  
U.S. Durum Growers Association  
U.S. Peanut Federation  
U.S. Poultry & Egg Association  
U.S. Rice Producers  
U.S. Sweet Potato Council  
USA Dry Pea & Lentil Council  
USA Rice  
Weed Science Society of America  
Wine Institute

State and Regional Associations

Agribusiness Association of Iowa  
Agricultural Council of Arkansas  
Alabama Bankers Association  
Alabama Cotton Commission  
Alabama Farmers Federation  
Alabama Soybean and Corn Association  
Alaska Farm Bureau  
Almond Alliance  
Arizona Cotton Ginners Association  
Arizona Cotton Growers  
Arizona Farm Bureau Federation  
Arkansas Community Bankers  
Arkansas Farm Bureau Federation  
Arkansas Rice Federation  
Arkansas Rice Growers Association  
Arkansas Soybean Association  
BankIn Minnesota  
Bluegrass Community Bankers Association  
California Agricultural Irrigation Association  
California Alfalfa & Forage Association  
California Association of Wheat Growers  
California Bean Shippers Association  
California Cherry Growers and Industry Association  
California Citrus Mutual  
California Community Banking Network  
California Cotton Ginners and Growers Association  
California Farm Bureau Federation  
California Fresh Fruit Association  
California Grain & Feed Association  
California Pear Growers  
California Pork Producers Association  
California Rice Commission  
California Seed Association  
California Specialty Crops Council  
California State Floral Association  
California Sweetpotato Council  
California Table Grape Commission  
California Warehouse Association  
California Women for Agriculture  
Carolinas Cotton Growers Cooperative

Colorado Association of Wheat Growers  
Colorado Corn Growers Association  
Colorado Farm Bureau  
Colorado Potato Legislative Association  
Community Bankers Association of Georgia  
Community Bankers Association of Illinois  
Community Bankers Association of Kansas  
Community Bankers Association of Ohio  
Community Bankers Association of Oklahoma  
Community Bankers of Iowa  
Community Bankers of Michigan  
Community Bankers of Washington  
Connecticut Farm Bureau Association  
Corn Growers of North Carolina  
Cotton Producers of Missouri  
Dairy Producers of Utah  
Delaware Farm Bureau  
Delta Council  
Empire State Potato Growers  
Florida Agri-Women  
Florida Cotton Producers Association  
Florida Farm Bureau Federation  
Florida Fruit & Vegetable Association  
Florida Rice Growers  
Food Producers of Idaho  
Georgia Agribusiness Council  
Georgia Corn Growers Association  
Georgia Cotton Commission  
Georgia Farm Bureau Federation  
Georgia/Florida Soybean Association  
Georgia Fruit and Vegetable Growers Association  
Georgia Urban Agriculture Council  
Grain and Feed Association of Illinois  
Hawaii Farm Bureau Federation  
Hop Growers of Washington  
ICBA of New Mexico  
Idaho Alfalfa and Clover Seed Growers Association  
Idaho Grain Producers Association  
Idaho Hay and Forage Association  
Idaho Hop Growers Association  
Idaho Noxious Weed Control Association

Idaho Nursery & Landscape Association  
Idaho Oilseed Commission  
Idaho Onion Growers' Association  
Idaho-Oregon Fruit and Vegetable Association  
Idaho Pest Management Association  
Idaho Potato Commission  
Illinois Corn Growers Association  
Illinois Farm Bureau  
Illinois Fertilizer and Chemical Association  
Illinois Soybean Association  
Independent Bankers Association of New York State  
Independent Banks of South Carolina  
Independent Community Bankers of Colorado  
Independent Community Bankers of South Dakota  
Independent Community Banks of North Dakota  
Indiana Bankers Association  
Indiana Corn Growers Association  
Indiana Farm Bureau  
Indiana Soybean Alliance  
Iowa Corn Growers Association  
Iowa Farm Bureau Federation  
Iowa Soybean Association  
Kansas Agribusiness Retailers Association  
Kansas Association of Wheat Growers  
Kansas Corn Growers Association  
Kansas Cotton Association  
Kansas Cotton Ginners  
Kansas Farm Bureau  
Kansas Grain and Feed Association  
Kansas Grain Sorghum Producers Association  
Kansas Pork Association  
Kansas Soybean Association  
Kentucky Corn Growers Association  
Kentucky Small Grain Growers Association  
Kentucky Soybean Association  
Louisiana Agricultural Consultants Association  
Louisiana Bankers Association  
Louisiana Cotton and Grain Association  
Louisiana Farm Bureau Federation  
Louisiana Independent Cotton Warehouse Association  
Louisiana Rice Producer Group

Maine Farm Bureau Association  
Maine Potato Board  
Malheur County Onion Growers Association  
Maryland Bankers Association  
Maryland Farm Bureau  
Maryland Grain Producers Association  
Massachusetts Association of Lawn Care Professionals  
Massachusetts Farm Bureau Federation  
Michigan Agri-Business Association  
Michigan Corn Growers Association  
Michigan Farm Bureau  
Michigan IPM Alliance  
Michigan Soybean Association  
Mid-Atlantic Soybean Association  
Midwest Council on Agriculture  
Midwest Forage Association  
Minnesota Agri-Growth Council  
Minnesota Area II Potato Council  
Minnesota Association of Wheat Growers  
Minnesota Canola Council  
Minnesota Corn Growers Association  
Minnesota Crop Production Retailers  
Minnesota Farm Bureau Federation  
Minnesota Soybean Growers Association  
Mississippi Farm Bureau Federation  
Mississippi Rice Council  
Mississippi Soybean Association  
Missouri Corn Growers Association  
Missouri Farm Bureau  
Missouri Independent Bankers Association  
Missouri Rice Council  
Missouri Soybean Association  
Montana Agricultural Business Association  
Montana Farm Bureau Federation  
Montana Independent Bankers  
Montana Potato Improvement Association  
Nebraska Agri-Business Association  
Nebraska Cooperative Council  
Nebraska Corn Growers Association  
Nebraska Dry Bean Commission  
Nebraska Dry Pea and Lentil Commission

Nebraska Farm Bureau  
Nebraska Independent Community Bankers  
Nebraska Soybean Association  
Nebraska Wheat Board  
Nebraska Wheat Growers Association  
Nevada Farm Bureau Federation  
New Mexico Farm and Livestock Bureau  
New York Corn and Soybean Growers Association  
New York Farm Bureau  
New York Green Industry Council  
Nezperce Prairie Grass Growers Association  
North Carolina Bankers Association  
North Carolina Christmas Tree Association  
North Carolina Cotton Producers Association  
North Carolina Egg Association  
The North Carolina Peanut Growers Association  
North Carolina Small Grain Growers Association  
North Carolina Soybean Producers Association  
North Carolina State Grange  
North Carolina SweetPotato Commission  
North Central Weed Science Society  
North Dakota Corn Growers Association  
North Dakota Grain Growers Association  
North Dakota Soybean Growers Association  
Northharvest Bean Growers Association  
Northeast Dairy Producers Association  
Northeastern Weed Science Society  
Northern Canola Growers Association  
Northland Potato Growers Association  
Northwest Agricultural Cooperative Council  
NYS Agribusiness Association  
Ohio AgriBusiness Association  
Ohio Corn and Wheat Growers Association  
Ohio Farm Bureau  
Ohio Soybean Association  
Oklahoma Agribusiness Retailers Association  
Oklahoma Cotton Council  
Oklahoma Farm Bureau  
Oklahoma Grain and Feed Association  
Oklahoma Seed Trade Association  
Oklahoma Sorghum Growers

Oklahoma Soybean Association  
Oklahoma Wheat Growers Association  
Olive Oil Commission of California  
Oregon Association of Nurseries  
Oregon Bankers Association  
Oregon Cattlemen's Association  
Oregon Dairy Farmers Association  
Oregon Farm Bureau  
Oregon Hop Growers Association  
Oregon Potato Commission  
Oregon Wheat Growers League  
Oregon Women for Agriculture  
Oregonians for Food and Shelter  
Pacific Coast Renderers Association  
Pacific Egg and Poultry Association  
Pacific Seed Association  
Palmetto AgriBusiness Council  
Panhandle Peanut Growers Association  
PennAg Industries Association  
Pennsylvania Association of Community Bankers  
Pennsylvania Cooperative Potato Growers  
Pennsylvania Farm Bureau  
Plains Cotton Growers, Inc.  
Plant California Alliance  
PNW Canola Association  
Potato Growers of Michigan, Inc.  
Puget Sound Seed Growers Association  
Red River Valley Sugarbeet Growers Association  
Rhode Island Farm Bureau Federation  
Rolling Plains Cotton Growers  
San Joaquin Valley Quality Cotton Growers  
Snake River Sugarbeet Growers Association  
South Carolina Corn and Soybean Association  
South Carolina Farm Bureau Federation  
South Carolina Peach Council  
South Dakota Agri-Business Association  
South Dakota Corn Growers Association  
South Dakota Farm Bureau  
South Dakota Soybean Association  
South Dakota Wheat Growers Association



South Texas Cotton and Grain Association  
Southeastern Cotton Ginners Association, Inc.  
Southern Cotton Ginners Association  
Southern Cotton Growers, Inc.  
Southern Crop Production Association  
Southern Idaho Potato Cooperative  
Southern Rolling Plains Cotton Producers Association  
Southern Weed Science Society  
Southwest Council of Agribusiness  
St. Lawrence Cotton Growers Association  
Synergistic Hawaii Agriculture Council  
Tennessee Bankers Association  
Tennessee Corn Growers Association  
Tennessee Farm Bureau Federation  
Tennessee Soybean Association  
Texas Agri-Women  
Texas Association of Dairymen  
Texas Corn Producers Association  
Texas Cotton Ginners Association  
Texas Farm Bureau  
Texas Grain Sorghum Association  
Texas Rice Producers Legislative Group  
Texas Soybean Association  
Texas Wheat Producers Association  
Vermont Bankers Association  
Vermont Feed Dealers and Manufacturers Association  
Virginia Agribusiness Council  
Virginia Association of Community Banks  
Virginia Cattlemen's Association  
The Virginia Christmas Tree Growers Association  
Virginia Cotton Growers  
Virginia Crop Production Association  
Virginia Farm Bureau  
Virginia Grain Producers Association  
Virginia Peanut Growers Association  
Virginia Soybean Association  
Washington Association of Wheat Growers  
Washington Farm Bureau  
Washington Friends of Farms and Forests  
Washington Mint Growers Association  
Washington Potato and Onion Association

Washington State Potato Commission  
Western Agricultural Processors Association  
Western Alfalfa Seed Growers Association  
Western Association of Agricultural Experiment Station Directors  
Western Growers  
Western Peanut Growers Association  
Western Plant Health Association  
Western Society of Weed Science  
Wild Blueberry Commission of Maine  
Wisconsin Corn Growers Association  
Wisconsin Pork Association  
Wisconsin Potato and Vegetable Growers Association  
Wisconsin Soybean Association  
Wyoming Ag Business Association  
Wyoming Bankers Association  
Wyoming Wheat Growers Association

CC: Members of the Senate Committee on Budget  
Members of the House Committee on Budget  
Members of the Senate Committee on Agriculture, Nutrition, and Forestry  
Members of the House Committee on Agriculture



March 14, 2023

The Honorable Debbie Stabenow  
Chairwoman, Senate Committee on Agriculture  
328(A) Russell Senate Office Building  
Washington, D.C. 20510

The Honorable John Boozman  
Ranking Member, Senate Committee on Agriculture  
328(A) Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Glenn "GT" Thompson  
Chairman, House Committee on Agriculture  
1301 Longworth House Office Building  
Washington, D.C. 20515

The Honorable David Scott  
Ranking Member, House Committee on Agriculture  
1301 Longworth House Office Building  
Washington, D.C. 20515

Re: Better Broadband Objectives in the Next Farm Bill

Dear Chairwoman Stabenow, Chairman Thompson, Ranking Member Boozman, and Ranking Member Scott:

The stakeholders below represent a broad cross-section of entities with a vested interest in the vitality and long-term viability of rural America. From producing food to sustain the nation to providing critical connectivity and energy for rural communities, and from educating rural students to caring for the medical needs of rural residents, the organizations below and members of them play a critical role in powering the American economy and ensuring that rural areas thrive.

Against this backdrop, we welcome and appreciate the Agriculture Committees' focus on the upcoming Agriculture Improvement Act ("Farm Bill") reauthorization generally and more specifically on potential reforms to or refinements of rural broadband programs administered by the United States Department of Agriculture ("USDA"). We write today to underscore the need as part of the Farm Bill to aim for levels of connectivity in USDA programs that will meet the needs of rural Americans not just today but well into the future. Sound and fiscally responsible policy dictates investing in infrastructure that is built to last and, as representatives of rural communities, we believe it is essential that rural residents, businesses, and anchor institutions have access to the same robust and affordable connectivity enjoyed by urban dwellers. Unfortunately, some Americans are still left behind by a lack of service or broadband service that does not meet the needs of modern farms, ranches, homes, small businesses, school, libraries, and hospitals. While broadband has value universally, it is especially important for rural Americans who, because of the long distances needed to travel, often rely even more than their urban counterparts on online access.

USDA telecommunications programs generally, and the ReConnect Loan and Grant Program more specifically, have been vital to connecting rural Americans for many years. In just the first three rounds of ReConnect, USDA has invested more than \$3.1 billion in broadband infrastructure deployment. Indeed, notwithstanding high program expectations for service performance and network capability, funding demands in every round of ReConnect thus far have far outpaced the amounts made available – including the most recent third round in which applicants were required to deploy networks capable of delivering at least 100 Mbps symmetrical service. The overwhelming demand for ReConnect funding even as applicants have been expected to perform at high levels proves that setting a high standard for network and service capabilities does not deter applicants whatsoever, but rather demonstrates a surplus of interest by providers willing and able to deliver better broadband in rural America that will rival what is available to urban users.

For these reasons, we encourage you to continue to put the interests of rural communities first by codifying in the Farm Bill a minimum service level commitment of 100 Mbps symmetrical broadband service – the level specified in the oversubscribed third round of ReConnect – for any applicant seeking funding through ReConnect. By contrast, employing a lesser standard would represent an inefficient step backwards, flying in the face of the substantial demand demonstrated in the most recent round of ReConnect and failing the rural communities that need broadband capable of keeping pace with user demand for decades to come. Policies that encourage sustainable networks that meet the needs of consumers now and into the future will be most efficient in responding to consumer demand over the lives of those networks, particularly when compared to short-term solutions that are likely to be quickly outpaced by technological evolution and consumer demands and require substantial re-investment relatively soon thereafter.

We thank you for your time and consideration of our views on this important initiative for rural Americans. We look forward to working with you on ensuring that the Farm Bill makes a meaningful difference for Americans in rural and urban areas alike.

Sincerely,

NTCA-The Rural Broadband Association  
 National Rural Electric Cooperative Association  
 Fiber Broadband Association  
 National Association of Counties  
 National Association of Development Organizations  
 National Rural Health Association  
 National Rural Economic Developers Association  
 The Power and Communication Contractors Association  
 National Rural Education Association  
 Rural Community College Alliance  
 National Rural Telecommunications Cooperative

Farm Credit Council  
CoBank  
National Cooperative Business Association  
National Utility Contractors Association  
Rural Telephone Finance Cooperative

cc. Chair and Ranking Member of the Senate Appropriations Subcommittee on Agriculture,  
Rural Development, Food and Drug Administration, and Related Agencies

cc. Chair and Ranking Member of the House Appropriations Subcommittee on Agriculture,  
Rural Development, Food and Drug Administration



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## **QUESTIONS AND ANSWERS**

MARCH 16, 2023

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U.S. Senate Committee on Agriculture, Nutrition, and Forestry  
*Oversight of the U.S. Department of Agriculture*  
March 16, 2023  
Questions for the Record  
**The Honorable Thomas J. Vilsack**

**Chairwoman Debbie Stabenow**

1. **Local Economies and Supply Chain:** Small and mid-sized farmers need new and better markets. In Michigan, we saw how impactful programs like the Meat and Poultry Processing Expansion Program were for Michigan Turkey Producers, supporting their work to expand processing capacity.

**How do you anticipate recent investments in the food supply chain will improve local marketing opportunities? As we consider the next Farm Bill, where do you see opportunities to expand or extend the life of these programs?**

**RESPONSE:** A stronger, more resilient food supply chain increases revenue opportunities for local farmers and ranchers. USDA operates a variety of new and existing programs that support the development of local production and marketing opportunities that can be found at [usda.gov/meat](https://www.usda.gov/meat).

Recent investments in meat and poultry processing capacity should alleviate bottlenecks in the supply of meat and poultry because many of these new/improved processing facilities are located in or near areas where the animals are grown and will thereby increase the opportunity for local suppliers of meat and poultry. As you deliberate the Farm Bill, we appreciate you taking into account the impact of these programs in creating a more resilient food supply chain.

2. **Ag Research:** Land-grant institutions like Michigan State University are working to advance agriculture science and prepare the next generation of ag leaders. That said, I am concerned that we as a nation are losing our competitive advantage to other countries by underinvesting in agriculture research.

**What effect will this have on our farmers as they face the climate crisis and increasing competition in international markets?**

**What considerations should Congress make in order to best address the issues facing our farmers as we draft the research title in the upcoming Farm Bill?**

**Response:** Public R&D is the primary driver of long-term productivity growth in U.S. agriculture. Research supported by the USDA, Economic Research Service (ERS) has found spending on public agricultural R&D from 1900 to 2011 generated, on average, \$20 in benefits to the U.S. economy for every \$1 of spending. However, this spending has been trending downwards. In 2019 (the last year for which complete statistics are available), public agricultural R&D spending in the United States totaled \$5.16 billion, about a third lower than



the peak in 2002 when spending was \$7.64 billion (in constant 2019 dollars). At the same time, other countries have maintained or increased their spending on agricultural R&D. Decreased funding for agricultural research in the U.S. will result in less new knowledge that will ultimately limit the ability of U.S. farmers and ranchers to adapt or mitigate the effects of climate change and may therefore lead to reduced yields, increased costs of inputs, and less efficient food production management practices, which will also increase greenhouse gas emissions further exacerbate the impacts of climate change. Agricultural science is the foundation which farmers and agricultural leaders depend on to inform decisions that maintain productivity and profitability in the face of risks and uncertainties associated with climate instability, extreme weather, and global markets and supply chains.

3. **Conservation:** Last year, the Natural Resources Conservation Services began assessing the conservation practices that are considered “climate smart” for purposes of spending the additional investments in Title II conservation programs. However, growers are concerned that few of these “climate smart” practices work across geographic areas and in certain production systems, or for specialty crops.

**How is USDA ensuring that every farm will be able to find “climate smart practices” that can work for farms across all geographic areas and production types?**

**Response:** Regardless of the size, location, and type of an operation, agricultural producers can play a role in delivering climate-smart mitigation solutions. The Fiscal Year 2023 list of Climate-Smart Agriculture and Forestry (CSAF) Mitigation Activities provides 137 options for producers, which may be applicable on a variety of operations and geographies. NRCS is continually working to evaluate additional activities to be recognized as CSAF Mitigation Activities as appropriate, based on the best available science. NRCS will continue to work with its local technical staff and partners to receive input on additional activities for consideration, including opportunities for specialty crop producers. NRCS also has over 40 conservation practice scenarios that have been recalibrated for small-scale agriculture, many of which are included as CSAF practices. Many of these small-scale practice scenarios are applicable to operations 1 acre and smaller.

4. **Forestry:** The Forest Service has received over \$5 billion to address the wildfire crisis through both the Inflation Reduction Act and the Bipartisan Infrastructure Law. Funding from the Bipartisan Infrastructure Law has been allocated by the Department.

**When will we see funding from the Inflation Reduction Act implemented on the ground?**

**RESPONSE:** On January 19, 2023, USDA’s Forest Service announced expanded efforts to our Wildfire Crisis Strategy by adding 11 new landscapes across eight Western states and increasing funding allotments to the 10 initial landscapes. We are investing \$930 million of BIL & IRA funding in these 21 landscapes in FY23, and those funds are being implemented now across Arizona, California, Colorado, Idaho, Nevada, New Mexico,

Montana, Oregon, Utah, and Washington. On May 4<sup>th</sup>, I announced an additional \$63 million in BIL & IRA funding to expand wildfire barriers, known as fuel breaks, to protect communities across the West.

**How is USDA planning to use these funds to protect communities and address catastrophic and damaging fires across the west?**

**RESPONSE:** The Forest Service is using a mix of appropriations from the BIL and IRA to fund work on a total of 21 Wildfire Crisis Strategy Landscapes in 2023. The work is focused in 134 of the 250 high-risk fireheds identified in the strategy. We are mitigating wildfire risk exposure for up to 190 communities, 1,500 watersheds and 2,000 miles of powerlines. Across all 21 landscapes, treatments and restoration activities are estimated to support between 1,700 to 4,800 jobs and \$103.1 to \$199.7 million in labor income in Fiscal Year 2023.

5. I am concerned that efforts to get these funds out the door to support forest restoration, wildfire, landscape improvement projects and more is being delayed at least in part to staffing issues within the Service.

**RESPONSE:** We appreciate your attention to Forest Service staff, and the important work they do to implement this landmark funding. On the systems front, we have changed how we do business – including significant updates to our Grants & Agreements process, developing a new national hiring strategy and entering multi-decade keystone partnerships with organizations who understand the urgency and can assist with delivering this work. We are making sure to mobilize our workforce to go where the highest priority needs are.

6. Last year, President Biden issued an Executive Order on Old and Mature Forests. In addition, Congress allocated \$100 million for the protection and inventory of Old and Mature Forest landscapes. As you move into rule making and policy development, I hope you will ensure that we are addressing all threats to our forests, including, climate, wildfire and human factors.

**Can you provide an update on the Department’s efforts to execute the intent of the Executive Order?**

**RESPONSE:** Defining, inventorying, assessing risks, and evaluating policy relating to mature and old-growth forests is mandated by Executive Order 14072 Strengthening the Nation’s Forests, Communities, and Local Economies and funded through the Inflation Reduction Act (\$50 million for USDA). Our efforts to execute on the intent of the EO are as follows:

**June 23, 2022** – Secretary Vilsack issues SECRETARY’S MEMORANDUM 1077-004, Climate Resilience and Carbon Stewardship of America’s National Forests and Grasslands

**July 15, 2022** – The Forest Service and Bureau of Land Management published a joint Federal Register notice to initiate a 30-day public comment period.

**July 21, 2022** – Public Information Session was held.

**August 1-12, 2022** – Held five stakeholder information sessions.

**January 30-February 3, 2023** – Held 10 stakeholder information sessions.

**April 20, 2023** – Release of Inventory per Executive Order 14072 and issuance of Advanced Notice of Proposed Rulemaking related to Climate Resilience on National Forests.

**July 2023** – Forest Service announces that the agencies intend to have draft threat analysis results for internal review by the end of the calendar year, with public release soon thereafter.

7. **Risk Management:** A new report from the University of Illinois and a coalition of farmer-led stakeholders found that conservation practices like cover crops and no-till resulted in a 24 percent reduction in the odds of prevent-plant loss during the massive 2019 floods that devastated the Corn Belt.

**Based on this groundbreaking study that utilized USDA's own data, how can USDA programs incorporate information like this to help farmers reduce risk?**

**Response:** USDA welcomes research and partnerships that help farmers make better decisions for their operations. As we look to voluntary based conservation initiatives, data will be key to demonstrate to farmers that implementing good conservation practices not only improves the environment but also can improve a farmer's bottom line. NRCS provides technical and financial assistance for adoption of cover crops and no-till, and USDA agencies work together to help farmers improve resiliency and reduce risks. NRCS provides information and data on the benefits of conservation practices directly to farmers through the comprehensive conservation planning process.

8. Since passage of the 2018 Farm Bill, producers have received nearly \$70 billion in ad hoc assistance in addition to Farm Bill programs support. This includes assistance provided in response to natural disasters, the trade wars started by the last Administration, and the COVID-19 pandemic. Over the last couple years, many commodity prices reached historic highs and USDA is now projecting net farm income this year to remain well above its 20-year average.

**While we know land, fertilizer, and input costs continue to challenge producers, can you discuss how Congress and USDA should craft a farm safety net that is responsive to the needs of all farmers and that will be adequate in times of trade or weather-related disasters?**

**RESPONSE:** Farm policy of the last half century established new commodity programs, crop insurance, and permanent disaster assistance with the intent to create a safety net to prevent such a crisis from happening again. And to a point, this has been successful: America became a more food-secure nation, and our exports feed the world.

However, even with good risk management and conservation tools in place, we will continue to have disasters and unpredictable circumstances like rising input costs. We have in place several standing programs that address a wide variety of common needs after disasters. However, while many disasters have common impacts, no disaster is the same. Examining our tools to be responsive to these circumstances will be important going forward, and we stand ready to provide technical assistance in these efforts.

**Ranking Member John Boozman**

**1. School Meal Standards – Breakfast Vegetable Requirements**

Under the proposed rule (Child Nutrition Programs: Revisions to Meal Patterns Consistent with 2020 Dietary Guidelines for Americans), USDA proposes to continue to allow schools to substitute vegetables for fruits at breakfast but changes the vegetable variety requirement. Specifically, the rule says, “[t]he requirement to offer a second vegetable subgroup would apply in cases where schools choose to substitute vegetables for fruits at breakfast more than one day per school week.” There is confusion on how this provision would be implemented in schools.

Please provide specificity on what you are proposing to require of schools that choose to substitute vegetables for fruits at breakfast.

**RESPONSE:** Schools are not required to offer vegetables at breakfast but may choose to offer vegetables at breakfast in place of the required fruit component. USDA’s proposed rule would encourage schools that choose to offer vegetables at breakfast to offer a variety of vegetable subgroups, but in a way that is more flexible compared to the current regulatory standard.

Current regulations allow schools to substitute vegetables for fruits at breakfast, provided that the first two cups per week are from the dark green, red/orange, beans and peas (legumes) or other vegetable subgroups. However, in recent years, through Federal appropriations legislation, Congress has provided school food authorities the option to substitute any vegetable—including starchy vegetables—for fruits at breakfast, with no variety requirements. Under the recent proposed rule, schools that substitute vegetables for fruits at breakfast one day per week would be allowed to do so from any subgroup. Those opting to serve vegetables more than one day per school week would be required to offer vegetables from at least two subgroups. That would allow schools to offer starchy vegetables up to four days per week, as long as they offer a vegetable from any other subgroup on the fifth day.

**2. School Meal Standards – Vegetable Requirements**

Under the proposed rule (Child Nutrition Programs: Revisions to Meal Patterns Consistent with 2020 Dietary Guidelines for Americans), different classes of vegetables are created.

Given the nutrient contributions from all vegetables, including so called “starchy vegetables,” and children's preference to eat “starchy” vegetables, this will affect schools’ ability to serve affordable and nutritious vegetables that won’t end up in the trash. What is the purpose of creating different classes of vegetables and limiting access to one class over another?

**RESPONSE:**

The *2020-2025 Dietary Guidelines for Americans* specify that healthy dietary patterns include a variety of vegetables from all five vegetable subgroups—dark green; red and orange; beans, peas, and lentils; starchy; and other. The vegetable subgroups identified in the Dietary Guidelines were incorporated into school meal program regulations in 2012. USDA’s current proposed rule does not propose changes to the school lunch program vegetable subgroup requirements. The rule does propose a modest adjustment to the vegetable variety requirement for schools that choose to substitute vegetables for fruits at breakfast. However, schools are not required to serve vegetables at breakfast. This proposal would encourage schools that choose to offer vegetables at breakfast to offer a variety of vegetable subgroups, but in a way that is more flexible compared to the current regulatory standard.

**3. School Meal Standards – Sodium Limits**

I’m hearing from school nutrition professionals who are concerned that the school meal standards proposed rule will be a costly and burdensome change for schools, food manufacturers, and other stakeholders. Questions have been raised whether it is possible to meet these standards. Sodium levels have already been cut since 2012, with manufacturers adjusting the formulas, while still trying to produce food that children will actually eat. What specific scientific evidence justifies the final levels of sodium limits for school meals in this proposed rule?

**RESPONSE:**

The *National School Lunch Act* requires USDA to develop school meal nutrition standards that are consistent with the goals of the latest Dietary Guidelines. Based on feedback from our school meal partners and the latest nutrition science, FNS proposed updates to the school nutrition standards in a few key areas to give kids the right balance of nutrients in healthy, tasty meals (*Child Nutrition Programs: Revisions to Meal Patterns Consistent with 2020 Dietary Guidelines for Americans*).

The proposed rule was informed by thousands of public comments received on the transitional or “bridge” rule published in 2022, as well as extensive stakeholder engagement with state agencies, school food professionals, industry partners, Tribal stakeholders, and experts in health and nutrition (*Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium*).

We heard loud and clear that schools and industry need ample time to plan for changes to the school nutrition standards, so we are working to ensure changes can be implemented gradually and effectively while still moving toward the pressing goal of improving child health.

We are aiming for updated standards that are realistic, ambitious, and durable. The proposed changes are made operator and kid-friendly by phasing in the stronger standards through incremental changes across multiple school years to give schools time to plan, industry time to innovate, and kids' palates time to adjust.

Based on experience, rather than setting initial sodium targets that are well-below typical sodium consumption levels in the U.S., the proposed rule focuses on continual improvement over time. USDA proposed several incremental sodium reductions over six years, which would begin in SY 2025-2026 to give school nutrition professionals and industry time to plan. The phased approach also reflects the need for students' – and all Americans' – tastes to adjust to less sodium.

This is consistent with the goals of the Dietary Guidelines for Americans as well as the Food and Drug Administration's voluntary sodium reduction goals. Decreased sodium in the broader U.S. food supply through the voluntary sodium reduction effort will also help kids get used to – and enjoy – school meals with less sodium and represents a whole-of-government approach to supporting health outcomes.

The sodium limits in this proposed rule are also informed by the Food and Drug Administration's voluntary sodium reduction goals. USDA expects the proposed sodium reductions in school meals to be achievable as new and reformulated food products that align with FDA's voluntary targets become available.

Additionally, the school meal sodium limits (both current and proposed) are weekly average limits on lunch and breakfast. There are not product-specific or even single meal sodium limits. Rather, meals over the week must fit into the overall weekly limit. That means that schools balance higher and lower sodium products and meals over the course of a week.

#### **4. School Meal Standards – Product Availability**

You recently noted in your comments regarding the proposed rule on school meal standards that “much of what we’re asking to embrace is already in the marketplace.” I was surprised to hear this, given that school nutrition standards are among the strictest across all government nutrition programs. It is my understanding that many food manufacturers have stopped participating in the school meal programs following the pandemic, as they require very specific foods that vendors cannot sell in other venues. What evidence do you have to support this claim about the marketplace, and what conversations have you had with industry on the feasibility of reformulating their foods every two years?

##### **RESPONSE:**

The proposed rule was informed by extensive stakeholder feedback and public comment, and the final rule will be informed by the tens of thousands of public comments submitted in response to the proposed rule.

You are right to suggest that our industry partners are central to the success of school meals, and we have sought out and received valuable feedback from a range of industry partners each step of the way. We took into account industry feedback about the importance of having sufficient time to adapt product offerings, and you will see that reflected in the gradual, multi-year approach to sodium and added-sugar reduction in the proposed rule.

Some manufacturers have already reduced sodium and added sugars in their products. I commend these efforts and look forward to seeing continued progress, especially for products that are popular with students and commonly served in school meals.

It is important to note that sodium limits (both current and proposed) are *weekly* average limits on lunch and breakfast. There are not product-specific or even single meal sodium limits. Rather, meals over the week must fit into the overall weekly limit. Schools balance higher and lower sodium products and meals over the week. The overall limit on added sugars proposed to take effect in 2027-2028 school year to align with the Dietary Guidelines would function similarly.

Additionally, the proposed sodium standards align with the voluntary [sodium standards](#) recently set by the FDA, so that reductions in school meals will occur alongside reductions in the broader U.S. food supply.

The proposed rule does include a few product-specific limits on added sugar. We included these in the proposal because we have heard from program operators that they can be useful in helping them in menu planning and product availability. USDA considered market availability when developing the four proposed product-based limits on added sugars, which would apply to the leading sources of added sugars in school meals. USDA market analysis revealed that more than half (57 percent) of the yogurt products and 50 percent of cereal products currently available in the school food marketplace meet the proposed added sugars limits. USDA also encouraged public comment on the specific product-based limits proposed in the rule and will consider public input when determining the final limits.

##### **5. School Meal Program – Industry Participation**

We have seen many food manufacturers leave school meal programs, citing low profit margin, in order to focus on producing foods that can be sold more widely in the marketplace. This limits marketplace competition for school meal programs and is in contrast to the position the Biden Administration has taken on promoting competition in the agriculture and food industry. How many manufacturers participated in the school meal programs, by year, since 2018 through March 2023?

**RESPONSE:**

USDA does not collect information about which manufacturers supply products for the school meal programs, as School Food Authorities (SFAs) procure foods directly for their programs. SFAs also use their entitlement funds for USDA Foods in Schools, through which USDA purchases products directly for use in school meals programs.

As part of USDA's Food System Transformation framework to create new, more, and better markets for small and mid-size producers, the Department has provided funding to strengthen local and regional food systems, including investing \$30 million in Fiscal Year 2023 to fund activities that expand and strengthen Farm to School programs. Farm to School programs are a proven model of increasing markets for farmers through child nutrition programs while also providing children healthy, fresh food. Grants to States and Territories administering Farm to School programs will support increased procurement and use of local foods in child nutrition program meals.

#### **6. Employment and Training**

States will soon be required to enforce the time limit for able-bodied adults without dependents on SNAP. In anticipation of that enforcement, what is USDA doing to assess current employment and training programs in states, and what changes is USDA recommending to better help these individuals develop self-reliance?

SNAP is an important work support, and the program is designed to provide incentives for participants to seek employment and increase their earnings. Through SNAP Employment and Training (E&T) programs, States can provide training and support services to those who need assistance in entering the workforce. In the 2018 Farm Bill, Congress took important steps to improve the quality of SNAP E&T programs, emphasizing the use of evidence-based practices like case management and work-based learning. The 2018 Farm Bill also underscored the importance of matching participants with the right services and partnering with State workforce systems to align programs with the needs of participants and employers.

In March 2021, USDA published a final rule implementing these changes. The rule expands upon the themes in the 2018 Farm Bill. FNS hosted a webinar for States in April 2021, released two sets of Q&A's, published additional guidance on the implementation of subsidized work-based learning (a new SNAP E&T component added by the 2018 Farm Bill), and released guidance on screening and referral to E&T to ensure participants receive appropriate services. States want to build stronger E&T programs that truly help SNAP participants get a job, keep their job, or get a better job, and USDA is working to provide the support and resources to help them do that. For example, in December 2022 we hosted a SNAP E&T National Forum with 350 attendees from 51 States and territories. The National Forum brought together E&T stakeholders from across the country to learn from one another and share best practices. This type of peer learning complements the in-depth technical assistance USDA provides to States through our SNAP to Skills project and our work with 142 E&T providers in 31 States through our SNAP E&T National Partnership grants.

We have come a long way in SNAP E&T, and we are committed to continuing to strengthen the program with our ongoing work across the country. By learning what works, we are integrating promising and evidence-based practices that will better the program for all participants. We still have work to do, particularly with respect to bringing promising programs to scale, and we welcome Congress' continued partnership along the way as we seek to strengthen and improve these opportunities.



USDA wants to ensure that SNAP supports work. However, USDA is not aware of any evidence to suggest that the ABAWD time limit helps move people to employment. While a 2021 USDA study found that the reinstatement of the ABAWD time limit substantially reduced SNAP participation among those subject to the time limit, there was no evidence to suggest that imposing the time limit improved employment or earnings for those participants. These participants typically left SNAP three to four months after the time limit was reinstated (the point at which ABAWDs could first lose eligibility due to the time limit), which suggests they lost eligibility due to the time limit, not due to new employment. Another paper published by external researchers in 2020 found similar results for ABAWDs in Virginia. Furthermore, a journal article published in March 2023 found that when the time limit for ABAWDs was reintroduced in 2016, the number of households served by food pantries increased in urban areas. On average, an urban food pantry in an area where the time limit was reintroduced served 34% more households in the eight months after reintroduction than a pantry in an area with no change.

We welcome the opportunity to work with Congress to ensure that SNAP further incentivizes work through targeted benefit design and State flexibility.

#### **7. Ex Parte Communications in Informal Rulemakings**

Recently, USDA staff, during certain congressional staff briefings on informal rulemakings, have raised a “requirement” that comments provided by congressional staff during briefing must be recorded and placed in the Federal Register, as those comments would be considered by USDA to be “ex parte” communications. However, this “requirement” has not been raised by USDA in similar briefings on other proposed rules. In other words, this “requirement” has not been invoked by USDA at all similarly situated congressional briefings. In order to understand USDA’s approach to and handling of “ex parte” communications, please provide the legal justification for the requirement being applied by USDA staff to congressional staff briefings. In addition, please ensure that the legal justification includes why USDA has been raising this “requirement” in only some, but not all, congressional briefings on proposed rules.

**RESPONSE:** I appreciate the opportunity to clear up any continued confusion over this question as we seek to ensure transparency and integrity in the federal government’s rulemaking process. Our USDA staff have sought to inform Congressional staff that when a proposed rule has been published or once it has been placed on public display, that the general requirement is that they must be careful when an individual or member of Congress is seeking to provide comments on that proposed rule. USDA staff and our subject matter experts are more than happy to brief you and your staff to answer clarifying questions and walk through what a proposed rule seeks to accomplish or how a regulation or new program may operate. However, to protect the integrity of the rulemaking process under the federal Administrative Procedure Act (APA) our staff have sought to make it clear that they are not in a position to receive comments or feedback on a proposed rule during such a briefing because any comments received outside of the normal comment process would have to be included in the rulemaking as an “*ex parte communication*.” To avoid any future confusion

on such matters, we will strive to have all staff that are involved with congressional briefings on proposed rules receive suitable training so they will be able to provide uniform guidance regarding comments on proposed rules.

#### **8. African Swine Fever**

On September 29, 2021, USDA announced \$500 million would be withdrawn from the CCC to prevent the spread of African Swine Fever. Please provide a breakdown of how the \$500 million has been spent and the breakdown of obligated funds USDA intends to spend.

**Response:** USDA immediately recognized the significant risk to agriculture of African swine fever (ASF), which is why I transferred \$500 million in CCC funding to APHIS to protect our livestock industry. Of the \$500 million in funding, APHIS has obligated \$140 million. Approximately \$73 million has been in support of international efforts in countries such as the Dominican Republic and Haiti. APHIS has spent the remaining \$67 million to bolster domestic prevention activities such as surveillance programs, diagnostics to rapidly identify the virus, and increased testing capabilities through the National Animal Health Laboratory Network. These efforts have also enhanced our partnerships with U.S. Customs and Border Protection, strengthening the inspection of cargo, passengers, and products coming in from overseas, as well as funding more detector dog teams.

While we are confident in our strategy to protect the U.S., if a detection of ASF was to occur within the U.S., we would seek to respond as rapidly as possible. Any remaining funds serve as a strategic reserve that we would be able to immediately tap as a down payment on response in such an emergency. If ASF were to be discovered in the U.S., the full cost of response would far outstrip the available funds.

#### **9. Time Limited Trials**

On March 3, 2023, USDA informed swine establishments operating under a Time Limited Trial (TLT) that the TLTs will continue for these establishments until November 30, 2023. In the announcement, USDA predicts they will have sufficient data regarding worker safety to determine future actions regarding the continued use of TLT and lifting line speed caps for certain establishments under the New Swine Inspection System. When is the expiration date for the contract that allows the analysis of worker safety data by USDA's cooperators?

**RESPONSE:** USDA is working expeditiously on this issue and will reach out to your office as soon as we have an update to share.

#### **10. Time Limited Trials**

Will the worker safety data collected and analyzed prior to November 30, 2023, provide the agency sufficient information to determine whether the TLTs can be continued permanently rather than on a trial basis?

**RESPONSE:** USDA is working expeditiously on this issue and will reach out to your office as soon as we have an update to share.

#### 11. Product of the U.S.

The Buy American provision requires that domestic commodities for unprocessed foods and any processed foods must be produced domestically using domestic agricultural food components (with two exceptions based on cost or availability).

- Under this new standard, how will USDA uphold the Buy American requirement for school meals as it relates to meat, poultry and eggs that are processed or unprocessed?
- Will meat and poultry contractors under the school meals program be required to utilize the voluntary Product of the U.S. label?

**RESPONSE TO A & B:** All commodities purchased by the Agricultural Marketing Service (AMS) for distribution to schools, including meat, poultry, fish, and eggs, must be products of United States origin, as required by the Agriculture Acquisition Regulation, Part 470.103. Meat and poultry must be commercially labeled in accordance with FSIS requirements.

USDA will uphold the Buy American requirement for its purchases of products for school meals as it relates to meat, poultry and eggs that are processed or unprocessed in the same manner as for other food products.

#### 12. Cattle Contract Library

The FY 22 appropriations bill directed the establishment of the Cattle Contracts Library Pilot Program. This program is set to expire on September 30, 2023. What action will USDA take regarding the continuation of this pilot program beyond the end of the fiscal year?

**Response:** Consistent with the statutory mandate, this Pilot supports AMS's commitment to market transparency. AMS believes the Pilot will support competition by providing producers with the market information they need to make informed production, marketing, and business decisions. USDA would continue the library if directed to do so by Congress.

#### 13. Posting Calendars of Senior Leadership

Some federal agencies post the public calendars of senior leadership on their websites. They also proactively post records that generate public interest. This practice creates transparency for Congress and the public. USDA posts the Secretary's "Public Schedule," but it lacks detailed information about USDA activities typically included in calendar entries. The electronic reading room for the USDA Office of the Secretary does not have any calendars for the Secretary or other senior USDA officials from this administration.

Further, this electronic reading room does not appear to have any records posted during this administration. At a minimum, will USDA start publicly posting the calendars of the Secretary and other senior officials? Will USDA start posting records that generate public interest, like records on the Thrifty Food Plan?

**RESPONSE:** I appreciate your question, particularly since my staff have worked hard to ensure that my public schedule is posted regularly for the public to see. I appreciate your feedback that you feel that it lacks detailed information. At USDA we take the Federal of Information Act (FOIA) very seriously, which is why you find the information that has been provided for the public in the FOIA Reading Rooms and other locations on our webpage contains frequently requested documents, such as my public calendar, and other records routinely available to the public under FOIA.

#### 14. Staffing across RMA, RD, NIFA, ERS and NRCS

Please provide a report on the current state of employment in RMA, RD, NIFA/ERS and NRCS Offices, to include:

- a. Number of vacancies in Washington, DC, state offices, and county offices.

**RESPONSE RD:** There are currently 556 vacancies within Rural Development. (501) of vacancies are in Field Offices, including State and Local Offices; (55) of vacancies are in the National Office headquartered in Washington, DC and St. Louis, MO.

**RESPONSE NRCS:** NRCS has 1,929 vacancies as of April 1, 2023. Of these, 1,774 are in state and field offices and 155 vacancies are in Headquarters or National Centers.

**RESPONSE ERS:** The USDA Economic Research Service (ERS) currently has 23 vacancies. Of the 23 vacancies, 18 are in progress, and 5 need to be submitted for recruitment. ERS' goal is to have 298 permanent employees by end of FY2024.

**RESPONSE NIFA:** The USDA National Institute of Food and Agriculture (NIFA) currently has 37 vacancies which are all remote positions. Of the 37 vacant positions, 11 selections have been made, 17 are currently in recruitment, and 9 still need to be submitted for recruitment. NIFA's goal is to have a permanent staff of 393 employees.

**RESPONSE RMA:** There are currently 16 remote vacancies within RMA in FY 2023. Of the 16 vacancies, 9 are in progress, and 7 needs to be submitted for recruitment.

- b. Percent of employees eligible for retirement across these agencies.

**RESPONSE RD:** Twenty percent of Rural Development's workforce is currently eligible for retirement.

**RESPONSE NRCS:** Approximately 10% of the NRCS workforce is currently eligible for retirement.

**RESPONSE ERS:** 34 employees are retirement eligible of 274 total permanent FTE: 12.4%.

**RESPONSE NIFA:** 28 employees are retirement eligible of 354 total permanent FTE: 7.9%.

**RESPONSE RMA:** 54 employees are retirement eligible of 393 total permanent FTE: 13.7%.

- c. USDA's plan across these agencies to fill vacancies as well as replace retiring employees.

USDA has extended vacancy announcement timeframes and recruited through various methods including Delegated Examining, Merit Promotion, Pathways (Internship Program, Recent Graduates), Peace Corps, Veteran's Recruitment Programs, various Schedule A authorities, and advertisement through RD social media and LinkedIn. Hiring continues to be a very high priority for the Department.

- d. Number of hired employees since February 22, 2021.

39,396.

- e. Number of offices by state offering in-person service, and at what threshold (three days a week, or by appointment only, etc.).

All agencies at USDA are able to provide in-person service during business hours.

- f. Number of offices by state exclusively offering virtual services.

No office is offering exclusively virtual services.

- g. Number of offices by state offering a hybrid of in-person and virtual services.

Response RD: Rural Development does have the ability to offer hybrid services based on the customer need, however, 100% of Rural Development state offices are open and accessible for in-person service.

All USDA agencies are available to meet in person and virtually, as requested.

- h. Number of current USDA employees living outside the United States.

172 employees as of 9/30/2022.

#### 15. USDA Telework Policy

Like most agencies, USDA maximized telework for employees in response to the pandemic. USDA has since updated its telework policy as part of a return to normalcy. Please briefly explain USDA's new telework policy.

- Is it correct that USDA employees on telework are only required to report to the office two days during a two-week pay period?

Details about USDA's telework policy can be found here:

<https://www.usda.gov/sites/default/files/documents/dr-4080-811-002-telework-remote-work-programs.pdf>

USDA continues to encourage teleworking employees to increase their in-person presence. To that end, as of September 10, 2023, telework-eligible managers and supervisors in the National Capital Region (NCR) work at least 50 percent of their duty time in-person at their government office worksite.

More information on that can be found here: [Frequently Asked Questions: Updated Changes to the Application of the USDA Telework Policy for Managers and Supervisors](#).

- Are Senior Executive Service (SES) employees (both career and political) automatically qualified for telework or is their eligibility determined on a case-by-case basis?

- 

USDA's full telework policy can be found here:

<https://www.usda.gov/sites/default/files/documents/dr-4080-811-002-telework-remote-work-programs.pdf>

- What is the percentage of SES employees currently teleworking under this policy at USDA?

This data is not something that we track.

- Last month, I asked Deputy Under Secretary Dean about the duty station and remote work policy for the new SNAP Director and, given this telework policy, I find her answer misleading. In order to gain some clarity on the issue, under the current telework policy, are SES employees overseeing major USDA programs costing millions (or billions) annually, only reporting to the office two days during a two-week pay period?

USDA's full telework policy can be found here:

<https://www.usda.gov/sites/default/files/documents/dr-4080-811-002-telework-remote-work-programs.pdf>

: As referenced above, as of September 10, 2023, telework-eligible managers and supervisors in the National Capital Region (NCR) work at least 50 percent of their duty time in-person at their government office worksite.

#### 16. Avian Influenza

The U.S. poultry and egg sector has been devastated by highly pathogenic avian influenza (HPAI). Despite industry improvements in biosecurity since 2015, HPAI has had a devastating impact on producers, international trade, and on food affordability for consumers. Will APHIS continue to pay indemnities to affected producers, including those who have experienced more than one infection of HPAI during this outbreak?

**RESPONSE:** APHIS pays indemnity to compensate producers for the destruction of animals and other property necessary to control the spread of disease during an outbreak. For the outbreak of HPAI, these indemnity payments are contingent upon producers having an audited and implemented biosecurity plan in place as outlined in the National Poultry Improvement Plan regulations. So long as producers are meeting these requirements, APHIS will provide indemnity compensation.

#### 17. Avian Influenza

Will APHIS provide epidemiological data on the transmission of HPAI to industry, state and local cooperators?

**Response:** APHIS has been sharing epidemiological and other critical data with industry, state, and local cooperators through recurring bi-monthly meetings. Information, including epidemiological data, is available to the public on the APHIS website at [www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-disease-information/avian/avian-influenza/hpai-home/hpai](http://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-disease-information/avian/avian-influenza/hpai-home/hpai). APHIS will continue to post information as we collect and analyze data from the outbreak.

#### 18. Avian Influenza

What is the Administration doing to promote compartmentalization with our trading partners? Have you observed trade agreements which include compartmentalization successfully preventing the loss of export markets?

**RESPONSE:** USDA is committed to supporting export opportunities for U.S. poultry and poultry product exports. Currently, compartmentalization is only used for trade in live poultry (mainly day-old-chicks and hatching eggs). APHIS recognizes the potential of compartmentalization to keep trade flowing in the event of an outbreak of a foreign animal disease. A compartment is a segment of an animal industry where the poultry or livestock are kept distinct from other populations. APHIS has successfully negotiated regionalization agreements – which recognize geographically limited zones – to minimize trade impacts and continues to negotiate and provide data to support our request to limit trade impacts to

the lowest possible zone. These trade agreements vary, based on the partners' acceptance level, but many are limited to the state or county level; meaning that a positive detection in one county may not affect the trade of poultry or poultry products in other nearby counties.

Our overall strategy is to use the most effective tools possible to maintain the highest level of trade possible. During this HPAI outbreak, we have focused our efforts on supporting and maintaining the existing regionalization agreements while continuing our efforts to move forward with compartmentalization.

#### **19. Avian Influenza**

Please describe the efforts underway at USDA to explore a vaccine strategy that simultaneously addresses ongoing outbreaks of HPAI and does not disrupt trade.

**RESPONSE:** There are many factors including the outbreak's risk to human and animal health that we would have to weigh before we would decide to use a vaccine.

USDA scientists, through ARS, have implemented emergency response research with the identification of the first HPAI incidence in the U.S in December 2021. ARS is focusing on delivering scientific information and the development of countermeasures such as diagnostics and vaccines to support USDA's Animal & Plant Health Inspection Service with the implementation of a national surveillance and control HPAI program. While scientists at the Agricultural Research Service (ARS) are hard at work on a vaccine to counter the currently circulating strains of the virus, it will still take time before a vaccine could be commercially available and easily distributed to poultry.

#### **20. Avian Influenza**

As you know the use of a HPAI vaccine will not eliminate or eradicate the virus. However, what, if any, circumstances could lead USDA to approve vaccine use to manage infections of HPAI?

**RESPONSE:** We remain in close contact with our colleagues at the Centers for Disease Control and Prevention. As they continue to state that the risk to humans remains low, we remain focused on management decisions to reduce impacts to animal health and poultry markets, including access to export markets. Our current approach of stamping out the virus through rapid response and depopulation continues to be effective in eliminating the virus from commercial poultry populations. We will continue to emphasize the importance of biosecurity in protecting these facilities and the low rate of lateral spread in this outbreak is a sign that our strategy is working.

#### **21. Avian Influenza**



Timely depopulation and disposal of birds that have contracted HPAI is an integral part of foreign animal disease response that leads to eradication. The Animal Health Protection Act directs the USDA to provide indemnity payments for animals depopulated to support this approach. USDA annually updates cost values reflective of conventional poultry production to determine the amount of indemnity paid. This approach does not reflect costs for value-added poultry or different subcategories of poultry, such as organic eggs or breeder turkeys. What plan does USDA have to update production subcategories so that indemnity is more reflective of costs associated with value-added production?

**RESPONSE:** APHIS' indemnity tables use nationally recognized data sources to estimate commercial indemnity values for many types of poultry. These estimates are based on observable market transactions available from the USDA Agricultural Marketing Service, the USDA National Agricultural Statistics Service, and the Livestock Marketing Information Center. We welcome interested stakeholders to provide us with additional nationally recognized data sources detailing these types of transactions.

## 22. Carbon Dioxide (CO<sub>2</sub>) Availability

Increased tax credits were provided by the Inflation Reduction Act to accelerate carbon capture and sequestration. The result of this action is increased demand for Carbon Dioxide (CO<sub>2</sub>) which translates to higher prices and scarcity of CO<sub>2</sub>, which has long been utilized by meat and poultry processors and food and beverage manufacturers.

- Has USDA determined how the availability and price of CO<sub>2</sub>, utilized in agriculture and food manufacturing, has been disrupted because of this tax credit increase?
- How are USDA regulated meat and poultry processors responding to the increased cost and diminished supply of CO<sub>2</sub>?
- Does USDA have data or an economic analysis regarding the impact of CO<sub>2</sub> shortages and price spikes and the related impact this could have on livestock and food prices?

**RESPONSE:** To date, USDA economists have not seen evidence that the carbon dioxide capture tax credit contained in the Inflation Reduction Act has led to reduced industrial CO<sub>2</sub> availability. It is important to note that these tax credits were in place prior to the IRA. The IRA made the policy in question permanent but also reduced the value of the tax credit. The credits for carbon oxide sequestration were reduced from \$50/metric ton to \$17/metric ton and the credits for carbon oxide use were reduced from \$35/ton to \$12/ton. The IRA did single out direct air capture facilities for relatively higher subsidies of \$36/metric ton for carbon oxide sequestration and \$26/metric ton for carbon oxide use. However, the U.S. currently has no commercial direct air capture of CO<sub>2</sub>.

Several factors unrelated to the IRA have contributed to recent supply limitations of industrial- and food-grade CO<sub>2</sub>. Production from the Jackson Dome, a geologic deposit of CO<sub>2</sub>, slowed starting last August due to contamination within the reservoir that is difficult

for processors to remove. U.S. ammonia production, also a significant source of CO<sub>2</sub>, has slowed due to high natural gas prices. Lastly, U.S. Energy Information Administration (EIA) data show that weekly U.S. fuel ethanol production in Q1 2023 was 18 thousand barrels per day below Q1 2022. Roughly 30% of U.S. ethanol production is equipped to capture CO<sub>2</sub> for industrial use.

### **23. Disaster Assistance, Shift to Safety Net Improvements**

Mr. Secretary, your team analyzed the costly impacts of natural disasters on producers across the country and developed Phase 1 of the Emergency Relief Program, which serves essentially as a top up to crop insurance. It is my goal for this farm bill to decrease the need for ad hoc assistance by making improvements to the farm safety net in a way that ensures producers – of all sizes – have certainty, flexibility, and the timely arrival of assistance necessary to help mitigate risks.

- How can we be partners in achieving this?
- What lessons have you learned through ad hoc disaster assistance implementation that we can use to help fill the existing gaps?

**RESPONSE:** Farm policy of the last half century established new commodity programs, crop insurance, and standing disaster assistance with the intent to create a safety net to prevent such a crisis from happening again. And to a point, this has been successful: America became a more food-secure nation and our exports feed the world.

Insurance has been, and will always be, the best protection for producers against financial losses in the face of natural or man-made disasters. Even with good risk management and conservation tools in place, we will continue to have disasters. We have in place several standing disaster programs that address a wide variety of common needs after disasters. However, while many disasters have common impacts, no disaster is the same, and we have recently experienced several disaster types that have less to do with weather and more to do with unique situations – the global pandemic, per- and polyfluoroalkyl substances (i.e., PFAS), as well as the war in Ukraine. Not all of our standing programs are equipped to adequately address some of these unique challenges.

I would be happy to work with this Committee as it examines the ad-hoc programs that USDA has stood up in recent years, along with the full suite of disaster assistance options at USDA. I will also continue to stress the importance of providing USDA with the flexibility needed to best serve all producers impacted by new and emerging natural disasters. No disaster is the same as the last, but as the impacts of climate change have an even more intense impact on our agricultural communities, we must recognize the need to craft unique and targeted solutions. USDA strives to always find better ways to serve all producers, and flexibility in program implementation helps us ensure we reach everyone.

### **24. Crop Insurance Education**

In addition to crop insurance affordability, I continue to hear more education is necessary to increase producer participation, especially in areas where there may be too few agents to serve the number of producers. RMA has spent several million dollars on education partnerships, and most recently on assistance for those seeking to apply for these partnership opportunities. What outcomes has USDA observed as a result of these investments?

**RESPONSE:** Since 2021, the Risk Management Agency has invested more than \$6.4 million in partnerships with 27 entities to expand outreach and education on crop insurance. Through the Risk Management Education Partnership Program, RMA annually funds cooperative agreements with nonprofits, universities, industry groups, and others to deliver risk management education across the country. These outreach efforts connect with every type of producer, from growers in the south, to grape growers in the west, and everything in between. Additionally, RMA has invested nearly \$3.3 million in two new partnerships that will train and equip the next generation of crop insurance agents, adjusters, and outreach educators about crop insurance options. One innovative partnership with the Southern Risk Management Education Center at the University of Arkansas System Division of Agriculture. This \$1.4 million partnership leverages the land grant system to provide underserved communities access and information on Federal crop insurance. We have visited and worked extensively with the folks at the Southern Risk Management Education Center in Little Rock and hope to model future outreach on this approach. As with most projects, it will take time to achieve results, but we will keep you apprised and would be glad to visit with your office to provide more information about our efforts.

## 25. Rural Development

According to the USDA Rural Development Innovation Center, only 38% of applications across OneRD were processed in 30 days or less in 2022. This is a less than stellar success rate and gives credence to complaints I hear about the slow application process, which often results in increased project or material costs that are well over the estimated initial costs. What steps will USDA take to meet its goal to process 65% of applications within 30 days or less?

**RESPONSE:** RD has experienced an increase in demand in OneRD Guarantee since its launch that is being absorbed by existing staff. In addition, the automation of the OneRD Guarantee application review processes has been delayed from our original timetable. Despite this, Rural Development continues to work to meet customer expectations for application processing times under the OneRD Guarantee programs. Our goal for FY 2023 is to process 55% of all complete applications within 30 days. RD maintains an open dialogue with its customers through quarterly surveys, focus groups and other interactions. Through those interactions and discussions with internal staff, environmental reviews and complete applications were identified as two critical pain points needing attention. Lenders asked to replace the existing user guide with a detailed application checklist. RD's Innovation Center has worked with staff and lenders to develop the checklist and it will be launched in mid-May 2023. RD is also working to address concerns related to

environmental reviews. The agency also plans to modernize its environmental review tracking system.

## **26. Forest Management**

Active forest management, including prescribed fire and mechanical treatments, is critical to decreasing the intensity and frequency of catastrophic wildfires. Active management also facilitates protecting the overall health of our forests, timber resources, wildlife habitat, and the rural communities around them. Congress provided the Forest Service a variety of authorities and resources in the last farm bill to help expedite this critical work. What additional authorities or flexibilities does the Forest Service need to ensure National Forest System lands remain working and healthy for generations to come?

**RESPONSE:** USDA is very appreciative of the variety of flexible authorities that Congress has provided to speed the science-based management of our national forests. We have had significant success with the 2014 Farm Bill's insect and disease treatment program, along with the 2018 Farm Bill's reauthorization of the Collaborative Forest Landscape Restoration Program. Additionally, USDA recently stood up a new provision from BIL to designate significant acres of national forest land as needing emergency restoration actions, which is already underway. Going forward we would like to work with Congress primarily around support for funding and staffing the Forest Service's 10-year wildfire crisis strategy. The resources in BIL and IRA were critical down payments for this work, but there is broad consensus that additional investments from Congress and the private sector will be needed.

**What additional authorities or flexibilities does the Forest Service need to ensure National Forest System lands remain working and healthy for generations to come?**

**RESPONSE:** The Forest Management authorities provided in previous Farm Bills have been helpful in expediting work to decrease the intensity and frequency of catastrophic wildfires. We would like to work with the committee on consensus-based extension of those authorities that would allow us to continue this important work.

## **27. Office of Pest Management Policy**

Congress created USDA's Office of Pest Management Policy (OPMP) to serve as the Department's leading voice with EPA on the registration and regulation of crop protection tools. OPMP serves a critical role in providing EPA with science-based data intended to ensure EPA's regulatory decisions are based on the most realistic agricultural practices. Over the past two years, EPA has published multiple proposals regarding specific herbicides, rodenticides, and an overarching new approach intended to reduce risk to endangered and threatened species, all of which would require growers to implement on-farm mitigations. However, despite OPMP's engagement, EPA has largely ignored USDA's recommendations. What is your assessment of how receptive EPA has been to OPMP's input over the past two years? What additional authorities or structure

should Congress consider in the next farm bill to further bolster OPMP's role in EPA's future regulatory approach to crop protection tools?

**RESPONSE:** USDA has seen changes to EPA proposals and final decisions as a result of the feedback and information provided by OPMP, and we expect more of the same. OPMP is strengthening its relationship with EPA, using pesticide use survey resources strategically, identifying potential impacts, and offering options and possible solutions that minimize impact to growers. Ultimately, EPA has regulatory authority over ensuring the safety of pesticides to human health and the environment.

As for authorities or structures that could bolster OPMP's role, we fully utilize the opportunities and mechanisms we have available to us to ensure growers' voices are heard in advance of final decision-making for crop protection materials. Amongst the most important are 1) USDA's formal role as a member of the FIFRA-Endangered Species Working Group established in 2018, and 2) USDA's opportunity to review certain documents under Section 25 of the Federal Insecticide Fungicide and Rodenticide Act.

#### **28. Climate Smart Commodities Pilot Program**

Will USDA use funds from the CCC in FY2023 to fund the Climate Smart Commodity Pilot Program?

**RESPONSE:** The Partnerships for Climate Smart Commodities tentative selectees were announced in September and December of 2022. Since announcement, the tentative selectees are working to finalize their agreements and implementation will begin starting late Spring 2023. Through Partnerships for Climate-Smart Commodities, USDA is delivering on the promise of positioning American agriculture as a global leader in delivering voluntary, incentives-driven, market-based climate solutions, all while fostering new markets and revenue streams for producers.

#### **29. Climate Smart Commodities Pilot Program**

Which agencies within USDA, such as the Office of the Chief Economist or the Risk Management Agency, or any other agency, will have access to the data generated under these projects?

**RESPONSE:** All Partnerships for Climate-Smart Commodities projects will be required to participate in a Partnerships Network, which will bring partners together virtually or in-person on a regular basis to share learnings, including those related to project data. The inaugural meeting of the Partnerships Network was April 27<sup>th</sup>, 2023. USDA will summarize and publish important information from these gatherings, as well as consolidated data from required project reporting. Project findings – including data – will be shared publicly to further this goal following proper anonymization to ensure producer privacy.

### 30. Climate Smart Commodities Pilot Program

Which agencies or offices of the federal government, such as the EPA or the White House's Council on Environmental Quality will have access to the data generated under these projects?

**RESPONSE:** All Partnerships for Climate-Smart Commodities projects will be required to participate in a Partnerships Network, which will bring partners together virtually or in-person on a regular basis to share learnings. The inaugural meeting of the Partnerships Network was April 27<sup>th</sup>, 2023. USDA will summarize and publish important information from these gatherings, as well as consolidated data from required project reporting. Project findings – including data – will be shared publicly to further this goal, following proper anonymization to ensure producer privacy.

### 31. USDA Broadband Deployment

While the most recent funding opportunity for the USDA Broadband ReConnect program required 100/100 Mbps buildout speeds for all projects, how will USDA ensure that any programs to deploy broadband under the oversight of USDA Rural Development result in affordable connectivity to rural regions where symmetrical buildout speeds are not readily obtainable?

**RESPONSE:** USDA will monitor the rates being charged by the awardees and work with the awardees to ensure that reasonable rate packages are being offered to the subscribers. As an additional avenue for affordability, in the most recent round of funding for ReConnect, USDA required all applicants to participate in the FCC's Affordable Connectivity Program.

### 32. Thrifty Food Plan

Who decided the Thrifty Food Plan re-evaluation would be conducted on an accelerated timeline?

**RESPONSE:** In the bipartisan, 2018 Farm Bill, Congress required USDA to conduct a re-evaluation of the Thrifty Food Plan (TFP) by 2022. President Biden issued an Executive Order on January 22, 2021, prompting USDA to prioritize the TFP re-evaluation because ensuring the Supplemental Nutrition Assistance Program (SNAP) benefit amounts reflect the true and current cost of a nutritious, economical diet was an important way to provide American families with resources and to help stabilize the economy in the midst of COVID. USDA's Food and Nutrition Service (FNS) conducted a science-based re-evaluation of the TFP using the latest available data, as directed by Congress.

### 33. Thrifty Food Plan

Who ultimately decided to settle on the final 21%, or quarter-trillion-dollar, benefit increase to the Thrifty Food Plan?

**RESPONSE:** As directed by the bipartisan 2018 Farm Bill, USDA re-evaluated the TFP based on four specific factors: current food prices, food composition data, consumption patterns, and dietary guidance. In conducting the re-evaluation, USDA utilized the same TFP model used in all previous updates and only made updates to the model's data sources and constraints consistent with the four specified components. Where there was insufficient evidence to support changes to the existing assumptions, USDA kept the model as it was in 2006 (when the TFP was last re-evaluated), and those assumptions carried forward to the 2021 edition.

The 120-page [Thrifty Food Plan, 2021 Report](#) describes the changes made and the corresponding rationale for each (beginning on page 32), and the accompanying [online supplement](#) contains all additional data and information necessary to replicate the analyses and reproduce the model. The most significant methodological change driving the increased cost of the TFP was updating the source for food price data to the strongest available data—moving from food price data reported by households to retailer-provided scanner data. Another driver was the incorporation of updated dietary guidance from the Dietary Guidelines for Americans, 2020-2025 and the National Academies of Sciences, Engineering, and Medicine (NASEM). For example, the 2021 TFP includes more fish and red and orange vegetables, to reflect the latest dietary guidelines.

Experts within FNS's Center for Nutrition Policy and Promotion (CNPP) prepared the 2021 TFP report, and it was formally cleared through the following USDA offices: the FNS Administrator's Office, the Food, Nutrition, and Consumer Services (FNCS) Undersecretary's Office, USDA's Office of the General Counsel, and the Office of the Secretary. We also drew upon broader USDA expertise in key areas, including consultation with economists from the Economic Research Service (ERS) on methods for calculating food prices, and nutrition scientists from the Agricultural Research Service (ARS) on the food composition datasets used in the development of food categories used in the model.

#### 34. Thrifty Food Plan

USDA has acknowledged the TFP increase could have been higher. Did the Department consider, before settling on a \$266 billion increase in SNAP, that all 2018 Farm Bill technical assistance provided to Congress and the Congressional Budget Office indicated the Thrifty Food Plan re-evaluation would have no effect on outlays?

**RESPONSE:** Importantly, USDA did not approach the TFP re-evaluation by considering a set range of possible changes and selecting an amount within that range – rather, USDA optimized the same mathematical model that was historically used to calculate the TFP, subject to the four Congressionally-mandated criteria:

- Current food prices,
- Food composition data
- Consumption patterns, and
- Dietary guidance.

Fundamentally, USDA took a conservative approach to the TFP re-evaluation. USDA used the same mathematical model used in each of the previous re-evaluations and made updates to the model's data sources and constraints *only* when there was evidence to do so. The GAO report highlights areas where evidence could have supported larger increases, but USDA concluded the evidence was not sufficiently compelling.

Through the Food and Nutrition Act of 2008, Congress provides USDA with the authority to calculate the TFP, and that authority has been in place for decades. The Food and Nutrition Act also links SNAP benefit levels to the cost of the TFP. The TFP was introduced in 1975, and each of the subsequent TFP updates over the next 45 years have been cost neutral as a matter of Administrative policy. Previously, the timing and frequency of updates were done at the Secretary's discretion. In the 2018 Farm Bill, Congress *directed* USDA to re-evaluate the TFP on a specific timeline—by 2022 and at 5-year intervals thereafter—based on four specific elements. USDA conducted a careful, considered re-evaluation of the TFP based on these four factors, consistent with the timeframes directed by Congress.

### 35. U.S. Competitiveness

How is USDA looking to better leverage agricultural biotechnology developed in this country in order to strengthen our competitiveness in global trade? Which programs do USDA mission areas currently maintain that could do a better job advancing and deploying U.S. biotechnology to strengthen U.S. economic and national security?

**RESPONSE:** USDA works every day to provide leadership in agricultural biotechnology to help American farmers and foresters remain globally competitive and help American businesses continue producing innovative products. The Executive Order on Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe and Secure American Bioeconomy (E.O.) identified biotechnology innovation in food and agriculture as a priority for the administration. As outlined in the White House's March 2023 report, "Bold Goals for U.S. Biotechnology and Biomanufacturing," USDA believes that we can leverage biotechnology and biomanufacturing to expand the bioeconomy and strengthen American competitiveness through public and private research and development efforts across three broad areas: improving sustainability and resource conservation while increasing agricultural productivity; improving food nutrition, quality, and consumer choice; and protecting plants and animals against environmental stressors. Additional efforts taking place under this E.O. will further these goals.

USDA has supported roughly \$22.6 million in competitive grant funding over the past 3 years with a specific focus on biotechnology. The Biotechnology Risk Assessment Research Grants (BRAG) program is co-administered by USDA National Institute of Food and Agriculture and USDA Agricultural Research Service. Projects funded by the BRAG program support risk assessment and risk management research pertaining to the introduction of genetically engineered animals, plants, insects, or microorganisms into the environment. The program also supports conferences and workshops that bring together



scientists, regulators, and other stakeholders to review the science-based data relevant to risk assessment or risk management of GE organisms released into the environment.

### 36. Brazil BSE

On February 22, 2023, there was a confirmed case of atypical bovine spongiform encephalopathy (BSE) in the state of Para, Brazil. The test samples were submitted to the World Organization for Animal Health (WOAH) but the WOAH report indicates the event started on January 18, 2023. Has USDA been able to determine why there was a discrepancy between when the BSE event began and when the case was confirmed?

In recent years a pattern has emerged of Brazil exhibiting delayed reporting of atypical BSE cases. Considering Brazil's failure to report animal diseases in compliance with WOAH standards, what steps can the U.S. government take to ensure Brazil is operating under existing international standards?

**RESPONSE:** USDA understands concerns about Brazil's recent atypical BSE cases. The World Organization for Animal Health (WOAH) requires member countries to report listed diseases within 24 hours of detection, not sampling. Each country determines how it will comply with these requirements and many, including Brazil, send samples to foreign laboratories for confirmatory testing, which comprises the official detection. Brazil consistently reports its testing results within this timeline. We have spoken with Brazil about the importance of timely confirmatory testing and reporting, and the U.S. Chief Veterinary Officer is continuing those conversations.

### 37. Biochar Research

**What USDA agencies are involved in studying, testing, and/or developing biochar uses? What actions has USDA taken to study, test, or support biochar uses?**

**RESPONSE:** USDA Agricultural Research Service (ARS) and U.S. Forest Service (FS) are involved in studying, testing, and/or developing biochar uses. USDA National Institute of Food and Agriculture (NIFA) supports extramural work to study, test, and/or develop biochar uses.

Biochar can be made from forest biomass, and it presents an opportunity to use biomass removed from thinning to reduce fire risk. Biochar has potential applications in waste management, renewable energy, greenhouse gas emission reduction, mine site reclamation, and soil and water remediation, as well as its potential for enhancing soil health and crop productivity, and as such, several USDA agencies are studying testing and supporting biochar, including Forest Service, the Agricultural Research Service, National Institute of Food and Agriculture, Rural Development, the Natural Resources Conservation Service, and the USDA BioPreferred program.

These agencies are all undertaking a variety of actions to study, test, and support biochar uses. A few examples include:

**Study:**

- The Forest Service is conducting research to convert woody biomass into biochar.
- **ARS, under the Product Quality and New Uses, Biorefining, Biofuels, and Biobased Products National Program, is conducting research on producing biochar from food wastes, a range of renewable biomass sources, and agricultural co-products feedstock via diverse processing conditions that produce numerous surface areas, structures, and compositions to function in a range of applications including soil amendments, chemical remediation (e.g. PFAS), carbon black replacement in rubber, water filtration, and composite applications.**
- The FS is studying the production of biochar from woody biomass addressing topics related to soil amendment, land reclamation, water retention and invasive species control.
- Additional ARS research is investigating the influence of biochar feedstocks and pyrolysis temperatures on the chemical composition and agronomic value of the resulting biochar and explores ways to make valuable and useful biochars from agricultural and industrial waste streams.
- NIFA funded research conducted through field trials on the porous limestone soils of northern Guam at the Yigo Research and Education Center.

### **38. USDA/CFTC Memorandum of Understanding**

It has come to my attention that USDA and the Commodity Futures Trading Commission (CFTC) are close to finalizing a blanket Memorandum of Understanding that will allow various data sets controlled by each agency to be readily exchanged, as opposed to the longstanding practice of exchanging data when necessary for investigations, or under specific MOU's. This potential dissemination of sensitive and business confidential market and industry data between the agencies is being pursued to satisfy the President's Executive Order on Promoting Competition in the American Economy issued on July 9, 2021. Regarding the data that USDA collects and will transmit to CFTC:

- Which statutes authorize the production of the data or information sets USDA will share with CFTC?
- Which sections in these statutes specify how data should be collected/handled/protected by each agency?
- Are there any data sets or information that USDA collects which they are prevented from sharing with the other agency?
- Upon formalization of the MOU, which data sets or information does USDA plan to provide to CFTC?
- What are specific instances where CFTC and USDA have attempted to share information between the agencies but have been prohibited from sharing that information?

- What are the current terms and conditions around CFTC and USDA sharing information with one another, and how, if at all, would this MOU change those terms and conditions?
- What new information would the MOU allow USDA to obtain from the CFTC that USDA currently doesn't have access to?
- What new information would the MOU allow CFTC to obtain from USDA that CFTC doesn't currently have access to?
- At USDA, who can request data under the MOU? Would the MOU alter who from USDA can request data?

**RESPONSE TO ALL:** The agencies have decided that it is no longer necessary or useful to proceed with an MOU on these topics.

#### **39. ARS National Plant Germplasm System**

The 2018 farm bill directed the Agricultural Research Service (ARS) to develop, implement, and make publicly available an assessment and plan for the National Plant Germplasm System (NPGS). In response to a question for the record at a committee hearing in December 2022, Undersecretary Jacobs-Young said the NPGS is fully developed and is going through the Department's clearance process in order to be made public and fully implemented. What is the status of this clearance process? What steps in the process has the NPGS progressed to, and what steps remain? When did the NPGS enter the clearance process, and what is the expected timeline for completion?

**RESPONSE:** As stipulated by the 2018 Farm Bill, during its development the National Strategic Germplasm and Cultivar Collection Assessment and Utilization Plan (the NPGS Plan) incorporated extensive input from the National Genetic Resources Advisory Council.

#### **40. Rodenticide Restriction Impact**

On November 29, 2022, EPA released for public comment new proposed mitigation measures for 11 rodenticides. Many of the proposed mitigation measures would place severe restrictions on the use of rodenticides, hampering the ability of growers, consumers, pest control operators, restaurants and other food handling establishments, schools and health care facilities and businesses to control rodents and comply with food safety regulations requiring rodent control. Rather than protecting the public health and the environment, limiting access to vital rodenticides would harm America's public health, food supply, and infrastructure. The proposed restrictions could also hamper APHIS Wildlife Services' efforts and potentially interfere with APHIS Veterinary Services' efforts to contain the spread of highly pathogenic avian influenza. Please comment on how EPA's proposed mitigation measures could impact American agriculture and USDA operations.

**RESPONSE:** APHIS provided mostly technical suggestions to EPA on how those restrictions could be adjusted to maintain its Wildlife Services' program's responsible use of these rodenticides to protect agricultural and natural resources. USDA believes the mitigation measures described in EPA's proposal may have implications for American agriculture and USDA operations. USDA provided feedback along with technical suggestions to EPA to ensure their proposal would maintain access and responsible use of crop protection materials to protect agricultural and natural resources. We also recognize that EPA's proposal is a proposal, and we know EPA takes its public comment process seriously. We expect that USDA comments, as well as many other comments submitted by stakeholders and the public, will help EPA ensure continued availability of important tools for producers while maintaining safety to public health and the environment.

#### 41. Old Growth Forests

If the Forest Service is required to stop harvesting trees over a certain age (i.e. "old growth" or "mature"), how would that prohibition impact the Forest Service's ability to manage and/or restore National Forest System lands?

**RESPONSE:** The Forest Service currently stewards the largest amount of mature and old growth forests in the United States, and we take our stewardship responsibility seriously. A century of fire suppression and elimination of cultural burning, interacting with accelerating climate change, has resulted in many mature and old growth forests that are highly vulnerable to forest-replacing fire. Additionally, mature and old-growth forests, like all forests, also continue to be increasingly threatened by climate-amplified insect and disease damage, extreme weather and drought, and chronic stress. Conserving and adapting mature and old growth forests within frequent-fire environments will require active management. Science-based vegetation management ensures that national forests, including mature forests, are conserved, restored, and made more climate resilient and that hazardous fuels reduction projects are targeted to effectively address the threats that wildfire, insect and disease, and climate change pose to these forests. Using every tool at our disposal to promote forest health and resilience and make communities safer means that we must increase the pace and scale of active vegetation management on our national forests. Substantial investment in wood products infrastructure—including both forest management capacity and wood products capacity—is needed to support our efforts to conserve and protect these forests for future generations.

- If the Forest Service is required to stop harvesting trees over a certain age (i.e. "old growth" or "mature"), what impacts would such a prohibition have on forest health, forest management, mitigating insects, diseases, wildfire, or other disturbances?

**RESPONSE:** See Response to preceding QUESTION re Old Growth Forests.

- If the Forest Service is required to stop harvesting trees over a certain age (i.e. "old growth" or "mature"), how would the Forest Service meet all Forest Plan objectives under that scenario, as required by the Multiple Use-Sustained Yield Act of 1960?

**RESPONSE:** The inventory of mature and old-growth forests is showing that these groups are extensive, and while harvest of old-growth is rare, it is sometimes necessary to selectively manage vegetation within and around old-growth stands when they are threatened by fire, insects, disease or other natural disturbances. It is often desirable to manage mature stands to achieve forest plan objectives and create a mosaic of conditions across the larger landscape that are more sustainable than what currently exists.

#### **42. Dietary Guidelines – Sodium DRIs**

Dietary Reference Intakes (DRIs) are essential to nutrition policy, functioning as the scientific backbone of the Dietary Guidelines for Americans (DGAs) and all federal feeding programs. However, the DRIs for nearly all macro- and most micro-nutrients are 20 years old. The National Academies of Sciences, Engineering and Medicine (NASEM) Final Report on “Evaluating the Process to Develop the Dietary Guidelines for Americans 2020-2025,” reiterated the importance of updated DRIs to inform the DGAs and notes the availability of updated nutrient values is critical to inform high-priority nutrition programs. How will you ensure that the 2025-2030 DGAs will not alter recommended intakes for any nutrients that lack an updated DRI?

**RESPONSE:**

The Dietary Reference Intakes (DRIs) provide reference values for vitamins, minerals, and other nutrients that: 1) indicate daily intake amounts that meet the needs of most healthy people, 2) set intake levels not to exceed to avoid harm, and 3) reduce the risk of chronic disease. The Dietary Guidelines use the DRIs to make food-based recommendations that help Americans to meet their nutrient needs. These reference values provide an important source of evidence for the Dietary Guidelines by helping to understand if the population is meeting or exceeding nutrient needs through the foods and beverages consumed.

The 2025 Dietary Guidelines Advisory Committee was announced in January 2023 and has initiated its review of the evidence to inform HHS and USDA’s development of the next edition of the Dietary Guidelines. As noted in the [proposed topics and questions](#) to the 2025 Committee, the next edition of the Dietary Guidelines will utilize the DRIs for specific nutrient recommendations. As such, specific questions on quantitative recommendations for nutrients were not posed to the 2025 Committee.

#### **43. Dietary Guidelines – Scientific Process**

The process for developing the DGAs has consistently begun with properly stated questions, as is practice with any scientific process. Modifying the questions during that process would violate basic scientific principles. Can you confirm the Dietary Guidelines Advisory Committee (DGAC) will follow the scientific process and state the research

questions before it begins its work, and will refrain from modifying the questions after it reviews the evidence?

**RESPONSE:** The Dietary Guidelines for Americans is crucial in helping to improve the health of Americans. USDA and HHS remain committed to keeping scientific integrity and equity at the forefront in the development of nutrition guidance.

The Committee is tasked with reviewing the current body of nutrition science on specific topics and questions and developing a scientific report that includes its independent, science-based advice for HHS and USDA to consider. Throughout the Committee's term, members will collaborate during public and subcommittee meetings, participate in the development of evidence review protocols, review and synthesize evidence, present scientific findings, consider public comments, and develop and submit the scientific report.

#### 44. Dietary Guidelines – Alcohol

In the Consolidated Appropriations Act of 2023, Congress included funding for USDA to work with the National Academies of Sciences, Engineering and Medicine (NASEM) to conduct a study related to alcohol. The law states that such study shall be submitted to Congress, the Secretaries of HHS and USDA within 18 months of enactment, which is June 2024.

- Has USDA contracted the NASEM study?
- What month can we expect the contract to be entered into?
- Do you have any concerns that the NASEM study will not be completed in time to inform the recommendations for alcohol in the 2025-2030 Dietary Guidelines for Americans?

**RESPONSE:** Alcoholic beverages remain a high priority topic, but because it requires significant, specific expertise and has unique considerations, it will be examined in a separate effort. Per language in the FY2023 omnibus, USDA is initiating a study on alcoholic beverages. USDA has been in planning discussions with the National Academies to begin work on this contract, which will include review of the research topics requested, and is expected to begin this summer. At this time, USDA does not have concerns that the NASEM study will not be completed in time to inform the recommendations for alcoholic beverages in the 2025-2030 Dietary Guidelines. Additionally, the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD) led by the HHS Substance Abuse and Mental Health Services (SAMHSA) will support a technical subcommittee to review evidence on alcohol intake and health, including consideration of the findings from the NASEM study, and make recommendations on adult alcohol consumption to be included in the Dietary Guidelines. A subcommittee report will be published and available to the public.

#### 45. Dietary Guidelines – Questions outside the scope

- How will USDA ensure that the DGAC focuses on the intended goal of updating nutrition guidance for Americans?
- How do you envision the 2025-2030 DGAs addressing diversity, equity, and inclusion, and how will it impact the resulting recommendations?

**RESPONSE:** The Dietary Guidelines have been and continue to provide healthy eating patterns that are adaptable frameworks that can be customized to individuals. This framework approach purposely provides recommendations by food groups and subgroups—not specific foods and beverages—so people can “make it their own.” The current Dietary Guidelines emphasize that people can customize their food choices to fit their personal preferences, cultural traditions and budgets.

In the 2025-2030 DGA development process under way, the Committee will examine the relationship between diet and health across all life stages, and will use a health equity lens across its evidence review to ensure factors such as socioeconomic status, race, ethnicity, and culture are described and considered to the greatest extent possible based on the information provided in the scientific literature and data. This will help HHS and USDA ensure that the resulting guidance in the Dietary Guidelines is inclusive of people from diverse racial, ethnic, socioeconomic, and cultural backgrounds. To aid in this process, the Committee members have substantial health equity expertise in human nutrition and experience conducting research with diverse populations.

#### **46. Dietary Guidelines – Sustainability/Alcohol**

To date, the DGAC has chosen not to make recommendations on sustainability or alcohol, due to a limited body of research or lack of evidence for their inclusion. For the 2025-2030 DGAs, USDA and HHS stated they will address sustainability separately, and have indicated a similar approach to questions regarding alcohol consumption. What will the process be to address alcohol and sustainability alongside the traditional DGAs?

**RESPONSE:** Addressing alcoholic beverages requires significant, specific expertise and has unique considerations and will be examined in a separate effort. Per language in the FY2023 omnibus, USDA will be initiating a study on alcoholic beverages. USDA has been in planning discussions with the National Academies to begin work on this contract, which will include review of the research topics requested, and is expected to begin this summer. Additionally, the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD) led by the HHS Substance Abuse and Mental Health Services (SAMHSA) will support a technical subcommittee to review evidence on alcohol intake and health including consideration of the findings from the NASEM study, and make recommendations on adult alcohol consumption to be included in the Dietary Guidelines. A subcommittee report will be published and available to the public.

HHS and USDA have activities underway to assess the complex relationship between nutrition and sustainability. For example, USDA and HHS will convene a Federal Workgroup to assess various pathways and viability to integrate sustainability into future editions of the DGAs. The

Workgroup will host public meetings intermittently to engage stakeholders. The Workgroup's recommendations will be released publicly. Additionally, NIH recently launched a new initiative, "Agriculture and Diet: Value Added for Nutrition, Translation, and Adaptation in a Global Ecology." This work is focused on research and will examine evidence to better understand the intersection of food systems, diet, nutrition, and health in a changing environment.

#### 47. Ultraprocessed foods

There has been an increased focus by USDA, FDA, and other agencies on "ultraprocessed foods" as they relate to nutrition policy. USDA leads agriculture and food research and is the primary authority on this topic, even as HHS leads the DGAs process.

- What research has USDA conducted on "ultraprocessed" foods?

**RESPONSE:** USDA, through the USDA Agricultural Research Service (ARS), conducted a workshop on March 1-2, 2023 to convene experts in nutrition, food science, and epidemiology from government, academia, and industry to develop a Research Roadmap to identify priorities for investigating effects of processed foods on obesity and cardiometabolic diseases. ARS is conducting research to evaluate diets composed primarily of ultra-processed or less processed foods that meet dietary guidelines recommendations on chronic disease risk factors, and the contributions of ultra-processed foods to diet quality of U.S. adults.

USDA has extramurally funded, through USDA National Institute of Food and Agriculture (NIFA), ultra-processed food projects across NIFA's capacity Hatch program and the competitive Agriculture and Food Research Initiative and Small Business Innovation Research Program. Research, education, and Extension funding includes projects in biochemical characterization of food ingredients, applications of flavoromics, new and traditional ingredient improvement and development, food safety, shelf life and packaging.

- How does USDA define "ultraprocessed?"

**RESPONSE:** USDA REE agencies do not have a common definition of ultra-processed foods.

#### 48. USDA Food – Halal

A growing number of Americans eat halal food, including those who are food insecure. Does USDA provide halal foods in food purchases for the Emergency Food Assistance Program, Commodity Supplemental Food Program, or purchases made under Section 32? If not, how is USDA working to purchase halal foods in the federal nutrition programs?

**RESPONSE:** USDA is committed to offering a variety of nutritious, domestically-produced food options—including kosher and halal foods—through The Emergency Food Assistance Program



(TEFAP) to meet the needs of diverse communities in the United States. We continue to explore strategies for increasing the availability of foods that will meet the needs of communities seeking kosher and halal products in TEFAP.

While halal foods could be purchased and distributed under Section 32, this authority is used to purchase surplus commodities. In addition, the needs of food banks including quantities and commodity specifications are considered when conducting these purchases.

On October 28, 2022, AMS published a Notice in the Federal Register seeking input about barriers faced by small and disadvantaged businesses, including those selling Halal foods, to becoming approved vendors under USDA's Commodity Procurement Program. As part of the process, AMS sought input regarding "Government business practices that might inhibit or deter" Halal providers from participating in the Program.

Taken together, these actions will support the Department's goal of ensuring State agencies and food banks have a variety of offerings available to observant communities to help meet the increasing demand for kosher and halal certified foods. USDA also appreciates Congressional interest in this topic and is available to work with Congress on any other advancements they wish to see.

#### **49. Food Allergies – WIC Food Package**

The 2020-2025 DGAs recommended early introduction of food allergens, along with complementary foods, to reduce the occurrence of food allergies that currently affect more than 33 million Americans. This recommendation was also made by the National Institute of Allergy and Infectious Diseases in their 2017 Addendum Guidelines for the Prevention of Peanut Allergy in the United States, which recommended early introduction of peanuts in the diet of infants. The stated purpose of the proposed rule, "Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Packages," is to align with the current DGAs.

- Why does the proposed rule fail to address the early introduction of allergenic foods in the infant food packages?
- What was the decision-making process and rationale for this omission?

**RESPONSE:** USDA published the proposed rule "Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Packages" to revise regulations governing the WIC food packages to align them with the current Dietary Guidelines for Americans and reflect recommendations made by the National Academies of Sciences, Engineering and Medicine (NASEM) in its 2017 report, "Review of WIC Food Packages: Improving Balance and Choice," while promoting nutrition security and equity. The proposed changes are also intended to provide additional flexibility, variety, and choice to allow participants reasonable modifications to purchase foods that works best for them.

While the *Dietary Guidelines for Americans, 2020-2025* recommends the introducing allergenic foods when complementary foods are introduced, a food allergy is a serious and potentially life-threatening medical condition, and personnel at the WIC State or local agency do not have the proper training or resources. These participants must be referred to local health care providers to ensure that the participant is linked to the health care system. The proposed food package changes are based on recommendations from the National Academies of Science, Engineering and Medicine.

USDA actively encouraged public comment on the proposed rule “Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Packages” and is currently considering all comments that were submitted and is using this feedback to inform development of the final rule implementing changes.

#### **50. School Meal Standards – Buy American**

The proposed rule, “Child Nutrition Programs: Revisions to Meal Patterns Consistent With the 2020 Dietary Guidelines for Americans,” limits purchases of non-domestic commercial food by a school food authority to a 5% cap, given that the purchase also meets one of the two exceptions to the Buy American requirement. Currently, products purchased under these exceptions total 8.5% of total food purchase expenditures.

- How did USDA select the 5% cap?
- Will the cap be applied to separate food categories, or is it an overall cap?

#### **RESPONSE:**

Data collected through the Food and Nutrition Service (FNS) Program Operations Study during SY 2017–2018 helped inform the proposed rule. This study found that products purchased under exceptions made up 8.5 percent of total food purchase expenditures among SFAs that used an exception to the Buy American provision. During SY 2017–2018, 25.7 percent of SFAs used an exception to the Buy American provision.

The 5% cap is an overall cap on total food costs for non-domestic food purchases, and FNS requested public comment regarding the 5% cap to inform final regulations.

Additionally, in August 2021, FNS released a Request for Information (RFI) soliciting feedback from stakeholders on the Buy American requirement. FNS received more than 150 comments from a range of stakeholders about how the Buy American requirement is currently implemented, suggested changes, and how FNS can better support local operators as they strive to purchase domestic foods and food products. FNS used this feedback to inform the proposed rule.

#### **51. Proposed Rule - Community Eligibility Provision (CEP)**

The proposed rule, “Child Nutrition Programs: Community Eligibility Provision - Increasing Options for Schools,” lowers the minimum identified student percentage (ISP)

participation threshold from 40% to 25%. School food authorities must still verify the identified student percentage via direct certification through SNAP, TANF, FDPIR, Medicaid, or other needs-based programs.

- Does USDA certify each student individually, or is there a sample taken to determine the number of identified students?
- What are the limits on local education agencies' ability to group schools together as a single entity to calculate the ISP and participate in CEP?

**RESPONSE:**

Local Educational Agencies or State agencies certify each student identified via State and local agency data sharing individually.

Local Educational Agencies have discretion in how to group schools to optimize CEP benefits and may group together schools within their district to participate in CEP. Schools grouped to participate in CEP as a single entity must be located within the same Local Educational Agency and the group must have an aggregate ISP which meets the eligibility requirement. The ISP must be recalculated if the composition of the group changes (e.g., a school joins or leaves group).

**52. School Meal Debt**

There are many reports that schools are facing growing debt resulting from unpaid meal charges. While some of these charges accumulate from a la carte purchases, a significant portion of the debt is a result of families forgetting or neglecting to fill out applications for free or reduced meals.

- What are the main reasons families do not complete these applications, even if they qualify for free or reduced meals?
- What is USDA doing to help schools resume the required application process?

**RESPONSE:**

Challenges remain to helping eligible families to complete school meal applications. A USDA policy memorandum notes that barriers to completing applications may include:

- Complexity of the application process. For example, the application may not exist online, the application may require complex financial information, or families may not understand the application requirements;
- Lack of awareness by parents about the need to fill out applications; and/or
- Language or literacy barriers.

USDA has worked diligently with State agencies and stakeholder groups to raise awareness among families about the importance of completing school meal applications. USDA has

provided resources for families such as a parent FAQ, and a back-to-school toolkit for media and stakeholders to get the word out about school meal applications. USDA also continues our efforts to support schools, for example by offering the school meal application in multiple languages and maintaining a website offering strategies for preventing and reducing unpaid meal charges. USDA has also collaborated with the U.S. Department of Education to amplify the need for families to fill out applications.

Additionally, families who do apply for benefits do not always respond to Local Educational Agency outreach during the verification process and lose eligibility as a result. USDA is committed to continuing efforts to reduce barriers to school meal access.

### **53. Biotechnology Regulation Clarity**

Please provide an update on USDA's work thus far to implement Executive Order 14081, including stakeholder outreach and a compilation of published reports. Please include timelines for dissemination of reports to Congress and to the public and include an update on the status of each report in the Department's clearance processes.

**RESPONSE:** The Executive Order on Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe and Secure American Bioeconomy (E.O.) identified regulatory processes that support safe innovation as a priority of the administration. Section 8 of the E.O. requires the USDA, Environmental Protection Agency (EPA), and Food and Drug Administration (FDA) to improve clarity and efficiency in the regulatory processes for biotechnology products and, as a first step, that the agencies engage with developers and external stakeholders.

In support of Executive Order 14081 to advance biotechnology and biomanufacturing innovation for a sustainable, safe, and secure American bioeconomy, USDA contributed to the March 21, 2023, report *Bold Goals for U.S. Biotechnology and Biomanufacturing*. In it, USDA outlines a vision for bioeconomy research and development that fits into three themes: (1) improving sustainability and resource conservation while increasing agricultural productivity; (2) improving food nutrition, quality, and consumer choice; and (3) protecting plants and animals against environmental stressors.

### **54. Animal Biotechnology Budget Request**

USDA's FY24 budget request supports funding for 25 FTEs at APHIS and FSIS to regulate animal biotechnology, which the budget describes as "a Secretarial high priority." I applaud USDA's prioritization of this initiative, which is consistent with strong, bipartisan letters and appropriations directions given to USDA in recent years. While I support the Department's direction, what is not clear is USDA's implementation plan and timeline. USDA has requested FTEs for FY24 but to date has not yet proposed rules to regulate these innovations. Can you clarify USDA's intent and timeline for regulating animal biotechnology at the Department?

**RESPONSE:** USDA is committed to using every tool possible to meet domestic and global agricultural and environmental needs. As such, animal biotechnology remains a high priority for USDA. USDA has led the modernization of the biotechnology regulations for plants, and we remain focused on how we can support the modernization of biotechnology regulations for animals. USDA continues to engage in discussions with FDA on agricultural animal biotechnology to ensure there is a pathway to bring forward innovative solutions to meet today's needs that leverages the authorities and capabilities of both agencies.

As the process for reaching alignment for future regulatory processes continues, USDA's intention is to be ready to expeditiously move forward to support our role in this work when a final determination is made. USDA would use the proposed FY24 funding to onboard additional staff to support its efforts to stand up the animal biotechnology regulatory program, adding to the existing in-house expertise USDA has in this area today.

#### **55. Biostimulants**

As biological products, including plant biostimulants, continue to find market opportunities, do you see a need for USDA to identify opportunities to evaluate these technologies? Do you see these technologies playing a greater role in NRCS conservation programs?

**RESPONSE:** The 2018 Farm Bill required APHIS to develop a report on the potential regulation of biostimulants. That report recommended several options for statutory or regulatory policies that would help this industry thrive. We have continued to meet with industry stakeholders and are committed to doing what we can to help these new technologies.

USDA and other federal agencies met with members of the biostimulant industry as part of stakeholder outreach related to the Executive Order on Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe and Secure American Bioeconomy. As a result of that outreach, research needs associated with these products are included in the White House's March 2023 report, "Bold Goals for U.S. Biotechnology and Biomanufacturing."

#### **Senator Amy Klobuchar**

1. As you know, federal crop insurance is the cornerstone of the farm safety net. The crop insurance program is largely working for producers, and I believe that it should be strengthened to help farmers manage risk.
  - From your perspective, what actions should Congress take to address the current gaps, strengthen, and make the program more affordable to lessen the need for ad hoc disaster assistance?

**RESPONSE:** The fundamentals of the federal crop insurance program are strong, and the tools and flexibility provided by Congress have helped the program respond to the emerging needs of American agriculture. The growth of federal crop insurance has been phenomenal over the last two decades with the program now providing almost \$200 billion in protection for 600 crops, compared to about \$30 billion in protection for 300 crops in 2000. The tremendous growth is due in large part to the hard work of Congress, Risk Management Agency (RMA) employees, grower group organizations, crop insurance companies, agents, and adjusters, and countless others who have contributed time and effort to making sure the program provides the tools farmers need to protect their risk. This type of collaboration will need to continue to further strengthen and grow the program.

We look forward to working with Congress to improve and grow the program even more.

2. Safeguarding federal investments and bolstering program integrity across the Department is critical to ensuring that every dollar is maximized to support our farmers, help people put food on the table, ensure our food is safe, and strengthen our rural communities.
  - What is the Department doing to ensure safeguards are in place to prevent fraud and abuse?
  - Are there changes we can make in the Farm Bill to ensure the Department has the tools to better address fraud?

Preventing waste, fraud and abuse is incredibly important across the Department.

For example, ensuring the integrity of Federal funds administering and operating nutrition assistance programs, including the Supplemental Nutrition Assistance Program (SNAP), is of the utmost importance to USDA. To prevent fraud and abuse, USDA remains committed to working with our State and Federal partners on strategies to strengthen SNAP integrity and payment accuracy while ensuring access, customer service, and equity.

USDA has developed a SNAP Fraud Framework based on innovative State work to combat fraud. This framework combines data analytics with best practices from industry to offer flexible models for States to detect and prevent fraud. Additionally, USDA is fully committed to combating card skimming, card cloning, and other fraudulent methods, which can be devastating for victims who rely on their benefits to feed their families. USDA is working with our State and Federal partners, as well as retailers, EBT processors, law enforcement, and other industry experts to protect SNAP benefits. This includes exploring more secure payment technologies to protect SNAP recipients from becoming victims of theft.

The Department is dedicated to continually improving SNAP and ensuring it effectively serves those who rely on it most, and we stand ready to work with Congress to promote program integrity in the Farm Bill.

3. Land grant universities are in dire need of infrastructure improvements and upgrades. The improvements needed for the University of Minnesota's College of Food and Natural Resources alone are topping \$25 million with 63% of its facilities in poor or critical condition.
  - How is the administration planning to ensure institutions like the University of Minnesota can maintain competitiveness internationally and continue delivering cutting edge research?

**RESPONSE:** USDA, through USDA National Institute of Food and Agriculture, has several programs to support building, renovating, or renewing research and teaching facilities. These programs include the Research Facilities Act Program, the 1890 Facilities Grant Program, and the Agriculture and the Food Sciences Facilities and Equipment Program for Insular Areas.

**Senator Michael F. Bennet**

1. In the 2018 Farm Bill, this Committee authorized the Agriculture Advanced Research and Development Authority or AgARDA – a pilot program modeled after the success of ARPA-E at the Department of Energy and DARPA at the Department of Defense, meant to address the greatest threats to American agriculture through high-risk, high-reward research that spurs innovation.
  - a. **What can Congress do to pave the way for the agency to successfully implement and scale this program?**

**RESPONSE:** Congressional partnership is best optimized through fully funding the Agriculture Advanced Research and Development Authority (AGARDA) pilot and ensuring that new Farm Bill language provides the operational authorities for USDA to drive the implementation of AGARDA. Depending on future appropriations from Congress, USDA is poised to create an advanced research and development organization that will fund high-risk, high-return R&D based on the scalable approach developed to plan for building the organization.

- b. **What benefit does a program like AgARDA offer to the long-term competitiveness of U.S. agriculture?**

**RESPONSE:** Success of U.S. agriculture has historically been undergirded by investments in research enabling agricultural practices to evolve and meet demands of a dynamic food industry. While the challenges we face in agriculture have become more complex, requiring novel and bold approaches, when adjusted for the rising cost of conducting research, federal investments in agricultural research have declined by a third in the past two decades, since peaking in 2002. At the same time, our major trade competitors have increased their investments in agricultural research. Today's challenges require high impact, transdisciplinary and convergent research. Programs like AGARDA, which is based on the Advanced Research

Projects Agency (ARPA) model, have been effective across the federal government to catalyze development of technologies that maintain and advance the capabilities of U.S. military, energy, and health industries. AGARDA will complement existing intramural and extramural USDA programs by prioritizing research that goes well beyond incremental advances in science and focuses on transformative and potentially risky projects with the opportunity for high impact on the long-term competitiveness of U.S. agriculture.

2. During the COVID-19 global pandemic we witnessed the breakdown of our global food supply chains. Regional and local food systems – the farmers markets and local food banks – carried our communities through the crisis. The next Farm Bill must strengthen our food system to become more resilient when hit with disruptions.

**a. What is USDA doing to bolster local food systems?**

A stronger, more resilient food supply chain increases revenue opportunities for local farmers and ranchers. USDA operates a variety of new and existing programs that support the development of local production and marketing opportunities that can be found at [usda.gov/meat](https://www.usda.gov/meat).

Recent investments in meat and poultry processing capacity should alleviate bottlenecks in the supply of meat and poultry because many of these new/improved processing facilities are located in or near areas where the animals are grown and will thereby increase the opportunity for local suppliers of meat and poultry.

**b. What programs can Congress help support through the upcoming Farm Bill to strengthen these systems?**

**RESPONSE:** As you deliberate the Farm Bill, we appreciate you taking the impact of the programs mentioned above in creating a more resilient food supply chain into account.

3. Farmers around the country, and particularly in CO, are struggling as the country faces changing rainfall patterns and hotter, drier climates. Agricultural biotechnology, including synthetic biology, offers transformative solutions including by making crops more drought and salinity-resistant.

**a. How is USDA promoting the advancement of agricultural biotechnologies and making the fruits of these technologies accessible to farmers?**

**RESPONSE:** Agriculture is facing unprecedented stress due to climate change with fluctuations in temperature and precipitation, and the need to use valuable water and soil resources more wisely. Biotechnology is one technology that can help our farmers protect crops. USDA's biotechnology regulatory program oversees field testing and reviews for products of agricultural biotechnology with drought tolerance traits (such as potato, aspen, corn, cotton, tobacco, wheat, and



soybean), among other traits for climate adaptation, to ensure these products are safe for plant and agriculture health and have a clear path to market.

4. As you noted during the hearing, there are and will be many revenue streams in the future that can assist multi-generation agricultural producers in maintaining their farming and ranching operations. With rapid farmland loss in Colorado due to urban sprawl, an aging farmer population, and multi-year droughts, ensuring multiple revenue streams at the farm gate level will be integral to keeping Colorado's farms and ranches in production. According to a recent American Farmland Trust report, "if recent trends continue, 417,500 acres of Colorado's farmland and rangeland will be paved over, fragmented, or converted to uses that jeopardize agriculture by 2040. That represents an area more than four times larger than the city of Denver".

**Has USDA considered how synergistic and regenerative practices, including agricultural photovoltaics, can be incentivized to support agriculture producers and rural America, especially as the nation invests in scaling up clean energy production?**

**RESPONSE:** Yes, USDA considers the value of agricultural photovoltaics (or agrivoltaics) in terms of:

- farmland conservation
- diversity in farmer income
- prospects for pollinator habitat
- benefits from reduction in drought stress and irrigation needs, increase in shading, enhancement in soil carbon storage and soil nutrient availability.

USDA is collaborating with DOE and has hosted joint workshops on agrivoltaics for the past three years. These workshops featured researchers funded by both agencies, agency staff, and members of the private sector who are interested in agrivoltaics. The 2023 workshop boasted over 150 attendees.

USDA is funding agrivoltaic research and solutions:

- Two agrivoltaics projects were selected under the Partnerships for Climate-smart Commodities initiative.
- NIFA funded the SCAPES Project "Sustainably Co-locating Agricultural and Photovoltaic Electricity Systems" to study agrivoltaic systems in a variety of landscapes and climate scenarios
- NIFA also funded several other Agriculture and Food Research Initiative (AFRI) projects aimed at filling the knowledge gaps on how agrivoltaics can improve food, energy, and water security, and several Small Business Innovation Research program (SBIR) research projects focused on using agrivoltaics to benefit production of horticulture products and specialty crops.

- a. Is USDA considering defining such practices to ensure agricultural photovoltaics benefits, such as water conservation and emissions reductions, are not excluded from existing or future USDA programs?**

See response to Bennet Question 4.

5. Greater-Sage Grouse:

- a. **Over the past five years, what progress has been made under USDA conservation programs to incentivize and implement conservation practices for Greater sage-grouse habitat on private lands? For the record, please provide a list of all applicable USDA programs and funding allocated over the past five years to incentivize Greater sage-grouse habitat conservation.**

**RESPONSE:** Through the USFS State Private and Tribal Forestry (SPTF) program and authorities, approximately \$2.5 million dollars of federal funding was granted to 5 Western States to support sage grouse habitat. The funds were granted in 2017 and all funds have been expended. The focus of this funding was to treat invasive plants encroaching on Sage Grouse habitat to reduce the potential for invasion and fire impacts. The funds were granted to states that worked cooperatively with national forests and on private lands.

SPTF authorities provide funding for landowner assistance, responding to local land management priorities to accomplish a variety of management goals on non-federal lands, and that allows for cross boundary accomplishments. SPTF authorities assist landowners and forest managers to accomplish a variety of objectives and are not dedicated solely to sage grouse habitat or wildlife protection.

In 2010, USDA's Natural Resources Conservation Service (NRCS) launched the Working Lands for Wildlife (WLFW) Sage Grouse Initiative (SGI) as a highly targeted and science-based approach to proactively conserve sage-grouse habitat while sustaining the working rangelands that support western ranching economies. This action signaled USDA's recognition of sagebrush habitat conservation as a national priority and spurred an all-hands-on-deck effort that spanned every division of NRCS. A suite of conservation practices was chosen to capitalize on the SGI's shared vision of *Achieving Wildlife Conservation through Sustainable Ranching* addressing threats facing both sage grouse populations and rangelands. Rather than funding 'random acts of environmental kindness', the SGI's highly targeted implementation applies the right practices, in the right places, thus maximizing biological return-on-investment without unduly impacting return-on-investment for livestock producers.

Primary practices employed through SGI include removing encroaching conifers that have invaded former historic sagebrush-steppe and securing conservation easements to keep working lands intact as working range in perpetuity. Dedicated funding is provided by Farm Bill programs, primarily the Environmental Quality Incentives Program (EQIP) and the Agricultural Conservation Easement Program

(ACEP), accelerate on-the-ground conservation on private lands. All work through the SGI is highly coordinated through the Western Governors Association (Sage Grouse Task Force) to ensure NRCS moves in lock step with other state, federal, Tribal and local partners to address threats facing sage grouse and the sagebrush sea.

Since its launch in 2010, this approach has proven extremely popular with western ranchers as a voluntary and incentive-based mechanism to address resource concerns and avoid additional regulations. Widespread and large-scale participation from private landowners has resulted in landscape level conservation and represents a stark contrast to the level of conservation NRCS had been implementing on private sagebrush lands prior to the SGI.

Through carefully placed outcomes-based evaluations over top of these investments, the WLFW science team documented population level benefits of this voluntary conservation. Individual findings were published in peer reviewed literature and the WLFW team developed a comprehensive report in advance of the final listing decision in 2015 summarizing the outcomes. The USFWS cited this report 43 times in their subsequent Federal Register notice outlining their No-List greater sage grouse decision in September of 2015 putting the importance of voluntary conservation on par with that of regulatory mechanisms.

Although the threat of sage grouse listing under ESA was largely removed in 2015, landowners’ desire to participate in sagebrush conservation has remained robust and NRCS has continued to prioritize funding and support for the initiative. From inception in 2010 through FY2022, NRCS has now partnered with 2,813 ranchers to conserve 9,700,864 acres. Included in this total is 800,403 acres of perpetual conservation easements.

Biological outcomes from this work are summarized in this report entitled, [A Decade of Science Support in the Sagebrush Biome](#). At the time of writing, WLFW scientists have authored 61 peer-reviewed publications that help target conservation and quantify outcomes for threats that can be reduced with voluntary actions. SGI implementation continues full speed ahead today and is guided by the new [WLFW Framework for Conservation Action in the Sagebrush Biome](#).

WLFW Sage Grouse Initiative 2018-2022			
Program	Acres	\$ Obligated	Contracts
EQIP	3,017,956.8	120,813,903.9	1,013.0
RCPP	45,855.9	2,092,362.2	24.0
ACEP	216,625.3	98,261,542.0	83.0
Total	3,280,438	221,167,807	1,120

**b. Over the past five years, what actions has USDA taken to conserve and restore Greater sage-grouse habitat on lands that are federally managed by the agency?**

**RESPONSE:** Between 2016 and 2019 the Forest Service reported to the USGS Conservation Efforts Database 450 unique activities to improve and restore greater sage-grouse habitat on 588,496 acres. In the Forest Service 2020 5-year monitoring report, we reported improvements on 169 linear miles of sage-grouse habitat as well. Actions the USFS has taken include, but are not limited to: sagebrush enhancement, noxious weed and annual grass treatments, removal of encroaching conifers, fence marking, modifying grazing practices, infrastructure removal, riparian/wetland restoration, post-disturbance restoration, etc.

Although NRCS is primarily focused on implementing conservation on private and tribally owned lands, through Working Lands for Wildlife (WLFW), the Agency works with partners to also scale implementation of beneficial practices on surrounding public lands. Although not an exhaustive list, below are a few recent examples.

**Rangeland Analysis Platform:** In 2018, the WLFW science team partnered with researchers at the University of Montana and others to create the [Rangeland Analysis Platform](#) (RAP). This innovative dataset and online mapping tool allows users to access more than three decades of vegetation and production trends across the US and has revolutionized rangeland management and monitoring across all lands in the West. RAP users can assess trends in rangeland resources through time and space by using maps of rangeland vegetation cover and production, such as annual and perennial forbs and grasses, shrubs, and trees, dating back to the mid-1980s. RAP uses satellite imagery and advanced algorithms in Google Earth Engine to produce these long-term datasets across the continental U.S., which are updated every 16 days for vegetation production and used for annual estimation of vegetation cover. Following the incubation of this cutting-edge remote-sensing technology at WLFW, USDA-ARS is now formally managing the scientific and technological advancements of the RAP. This management includes the new 2022 map layers, which were released in March.

**Sagebrush Conservation Design:** RAP was used by the Western Association of Fish and Wildlife Agencies in 2022 to create the Sagebrush Conservation Design (SCD) providing a fresh look at the state of sagebrush rangelands at a biome scale. SCD maps ecologically intact sagebrush rangeland “cores” and tracks where specific landscape-scale threats have degraded sagebrush rangelands over the last 20 years. The report reveals that large, complex threats (exotic annual grass invasion and conifer encroachment) are responsible for nearly three-quarters of all

sagebrush rangeland degradation. Such problems cannot be addressed through regulatory-based solutions, but instead require active intervention and management across public, tribal and privately owned lands. Report determined that on average, 1.3 million acres per year are transitioning from intact, or largely intact, sagebrush rangelands to ‘Other Rangeland Areas’ – defined as rangelands heavily impacted by landscape threats or lacking sagebrush due to fire. Although the SCD is not a species-specific habitat map, the report shows that maintaining and growing sagebrush cores is highly relevant for conserving sagebrush-obligate wildlife including sage grouse, songbirds, and pygmy rabbits. The SCD is highly aligned with WLFW’s Framework for Conservation Action in the Sagebrush Biome. It is rooted in our “Defend and Grow the Core” spatial strategy and focused on addressing landscape threats to healthy sagebrush rangelands. The report findings validate our Framework’s focus on proactively addressing invasive annual grasses, conifer encroachment, and land use conversion and shows private lands are second only to BLM lands in supporting the remaining sagebrush cores.

**c. What percentage of this federally managed land is adjacent to or near privately owned Greater sage-grouse habitat?**

**RESPONSE:** The Forest Service manages only about 8% of the federally managed Greater sage grouse habitat and most of the remainder of federally managed habitat is within Bureau of Land Management. Additional analysis and collaboration with the Department of Interior would be needed to accurately answer this question regarding the amount of sage grouse habitat that is present on private lands.

**d. How is USDA collaborating with these private landowners?**

**RESPONSE:** Collaboration with private landowners through what is colloquially known as the Wyden authority allows the agency to do work on adjacent, non-federal lands. SPTF programs also provide technical and financial assistance to landowners for a variety of conservation outcomes. SPTF program managers work with states and tribes to ensure program deliverables and outcomes are being met for the scope of work agreed to in the grants.

NRCS has coordinated closely with federal land managers in locations across the West to align private lands conservation assistance with efforts on public lands. One recent example is the [Bruneau-Owyhee Sage-grouse Habitat \(BOSH\) Project](#). BOSH is designed to improve and maintain sagebrush habitat by removing encroaching juniper to benefit the Greater Sage-grouse and other wildlife in southwestern Idaho. Work is being seamlessly performed across public (BLM) and private landholdings with help from a diverse partnership, including the WLFW team. The WLFW Science Team is leading an evaluation to assess resulting vegetative benefits of restoration using RAP while other partners are monitoring

results for songbirds and sage grouse. All work is done in close coordination and with the support of private landowners and public land allotment holders.

**e. Is additional direction from Congress needed to improve Greater sage-grouse conservation efforts on public lands that are adjacent to private property?**

**RESPONSE:** The Forest Service continues to implement conservation actions for the greater sage grouse, and additional direction from Congress does not appear to be necessary at this time.

6. In 2019, the NRCS [received](#) recommendations during an open comment period on EQIP regulations that encouraged the Agency to better incorporate grazing rights on public lands among the program's eligibility requirements, include eligibility of those who do not have direct control of the land and members of religious organizations eligible for participation, and expand eligibility for on-farm trials to include organizations that conduct business related to conservation on agricultural lands. However, in its implementation of EQIP, NRCS determined control of land is a necessary requirement for participant eligibility. The participant must be able to implement the requirements of the EQIP contract, which is demonstrated through control of the land. Specifically, regarding publicly-owned land, NRCS considers three things, whether: (1) the land is within the applicant's control (in other words, that the applicant can implement the terms of the EQIP contract), (2) the land is a working component of the producer's agricultural or forestry operation (for example, that the producer utilizes the land for grazing), and (3) conservation practices to be implemented on the public land are necessary and will contribute to an improvement in the identified resource concern. If all three criteria are met, the land may be eligible.

**a. It is my understanding that the 2018 Farm Bill did not statutorily address EQIP eligibility or incentivize voluntary actions for livestock producers with grazing rights on public lands to enter EQIP contracts to broadly address conservation practices or resource concerns and maintained that control of the land is a necessary requirement for participant eligibility.**

**b. Is this correct, and what is the percentage of funded EQIP contracts that have been awarded to producers with grazing allotments?**

**RESPONSE:** That is correct, through the rule making process, the NRCS ensured that producers operating on public lands (including producers operating grazing allotments) are able to participate in EQIP, provided the 3 conditions cited above are met. While the NRCS is certain that producers operating grazing allotments are successfully participating in EQIP, the NRCS does not track lease arrangements with respect to private versus public land.

**Senator Tina Smith**

1. USDA's conservation programs deliver a myriad of environmental benefits including better water infiltration and retention and improved wildlife habitat. Conservation practices can also increase soil carbon – a proxy for soil health- and can help producers continue to see yields even when experiencing more extreme weather conditions.

In Minnesota and across the country, there is a lot of interest in paying farmers for sequestering carbon by implementing climate-smart conservation practices. However, research gaps remain when it comes to measuring these benefits, particularly when it comes to soil carbon sequestration. For instance, there is uncertainty about carbon sequestered in soils; the carbon may be lost if an incentivized practice is retired at the end of the contract, or less carbon may be stored than is initially believed. Addressing this would be a win for both agriculture and the environment.

- a. What tools do you have to measure benefits like greenhouse gas emissions reductions or soil carbon sequestration with certain conservation activities?

**RESPONSE:** The Natural Resources Conservation Service (NRCS) has been leading the development of the COMET quantification tools for more than a decade. The COMET tools leverage soil carbon sequestration and greenhouse gas emissions reductions methodologies that are also presented in the National Inventory of Greenhouse Gas Emissions and Sinks and the USDA publication titled "*Quantifying Greenhouse Gas Fluxes in Agriculture and Forestry: Methods for Entity-Scale Inventory*". There are two COMET tools that can provide assessments of greenhouse gas reductions and soil carbon sequestration. The COMET-Farm tool provides site-specific analyses utilizing farm-specific management criteria, farm-specific soils, and local meteorological data. The COMET-Planner tool is intended to be utilized as an ex-ante greenhouse gas and carbon sequestration planning tool that is specific to NRCS climate-smart conservation practices. Although NRCS leads the development of the COMET tools, the Farm Services Agency and the Office of the Chief Economist have also invested in the continual improvement of the COMET tools. The COMET tools are capable of assessing emissions of nitrous oxide (N<sub>2</sub>O), methane (CH<sub>4</sub>), and carbon dioxide (CO<sub>2</sub>) on cropland, grassland, livestock, orchards, vineyards, agroforestry, and forestry operations. The whole-farm and whole-ranch capabilities of the COMET tools enable the assessment of emissions sources and sinks within agricultural operations. Inflation Reduction Act (IRA) investments will help improve the science underpinning the COMET tools as well as further advance the COMET tools.

Investment in the research that underpins the *Quantifying Greenhouse Gas Fluxes in Agriculture and Forestry: Methods for Entity-Scale Inventory* is partially generated through land-grant universities, non-governmental organizations and through the USDA Agricultural Research Service (ARS). Through ARS, USDA has invested in

research over the past decade using analytical sensors to directly measure greenhouse gas (GHG) emissions from multiple agricultural sources (cropland, animal housing, enteric methane) and evaluate the ability of conservation practices to reduce those emissions. These sensors operate at small scale (field plots) to large scales (tall tower monitoring). The field-level data is utilized to underpin and calibrate models and support tools like COMET-Farm.

In coordination with universities and USDA Natural Resources Conservation Service (NRCS), ARS has also developed computer simulation models to evaluate the impact of conservation practices on carbon storage and GHG emissions. One recent innovation from ARS research is a geospatial soil carbon mapping instrument that can accurately map stored soil carbon across the field in real time.

Working with ARS and other internal and external partners, NRCS is leading climate initiatives under the IRA investments on monitoring data and research across USDA to better understand and measure the impacts of climate-smart conservation practices and to improve models and tools for estimating and assessing soil and biomass (e.g., agroforestry) carbon storage and GHG emissions in agricultural production.

- b. Are there gaps in research or USDA expertise?

**RESPONSE:** NRCS is fortunate to receive \$300 million in Inflation Reduction Act funding to further refine and improve quantification methodologies that underpin the highly-influential scientific document titled *Quantifying Greenhouse Gas Fluxes in Agriculture and Forestry: Methods for Entity-Scale Inventory* and the COMET tools. Additional investments will be made in improving soil carbon sequestration data and the efforts to quantify soil carbon for the National Inventory of Greenhouse Gas Emissions and Sinks as well as regional and field-scale. Field, regional, and national scale measurement and monitoring of soil carbon and GHG emissions are required to refine the National Inventories and further understand soil carbon sequestration. However, field-scale monitoring is expensive, resource intensive, technically difficult, and not usually economically suitable for routine monitoring of long-term management impacts at a particular site. Long-term research sites are critically important for evaluating soil carbon changes over time. As the climate changes, soil carbon sequestration rates may change dramatically depending on soil type, precipitation, tillage, and cropping systems. Investments in long-term research sites that measure and monitor soil carbon over the coming decades would help USDA further understand soil carbon sequestration and the use of soil carbon sequestration as a climate mitigation and climate adaptation strategy. Research is needed to continue developing the COMET tools and quantification methods for low-cost monitoring at multiple scales. It takes several years to assess beneficial effects of conservation practices on soil carbon sequestration. Building upon historic investments in the COMET tools and the USDA Methods Report (document titled *Quantifying Greenhouse Gas Fluxes in Agriculture and Forestry: Methods for Entity-Scale Inventory*) combination of on-site



data collection, remote sensing, ensemble modeling, and artificial intelligence and machine learning (AI/ML) modeling methods will be used to establish and enhance soil and perennial biomass carbon sequestration and GHG emissions assessment and to improve landscape and management information required by models. Monitoring and improved landscape and management data will be used to reduce uncertainties in plant growth, soil organic matter (SOM) accumulation and decomposition which are directly related to C sequestration and CH<sub>4</sub> emissions. Multi-scale (field and farm to small and large watersheds) ecosystem models integrated with atmospheric modeling will be used to evaluate and improve C sequestration and GHG emission estimation.

As models are further refined and updated, it is important for these models to continually rely upon standardized quantification methodologies developed by the Intergovernmental Panel on Climate Change (IPCC). The IPCC has developed a standardized framework for including quantification methodologies in National Inventories and updating the time-series of atmospheric-beneficial sinks such as soil carbon sequestration. Historically, the DayCent model has been utilized for evaluating soil carbon sequestration in the National Inventory as well as the COMET tools.

Important agricultural ecosystem models ( EPIC, APEX, SWAT), developed and supported by USDA NRCS and ARS, have been traditionally focused on soil erosion and nutrient losses to address the impacts of management and conservation practices on the environment at multiple scales (fields and small watersheds to large regions and the nation). Those models have sophisticated C-N-Phosphorus (P) cycling with pesticide and salt fate and transport and but lack methane (CH<sub>4</sub>) emission modeling and advanced N<sub>2</sub>O emission estimation. With enhancements in CH<sub>4</sub> and N<sub>2</sub>O emission estimation over soil and water, those USDA multi-scale ecosystem models are ideal modeling platforms to evaluate soil and biomass C and GHG emissions over whole landscape under different management and conservation practices. Scientific integrity of C sequestration and GHG modeling estimation requires that all dominant C and N input and output (e.g., N fertilization and deposition, plant growth, nutrient losses, C-N in SOM and from harvested plants) must be reasonably correct.

- c. How can we best get to a standardized and comprehensive database of soil carbon?

**RESPONSE:** NRCS and the Office of the Chief Economist have invested in standardization of the National Inventory for Greenhouse Gas Emissions and Sinks and the COMET Tools. Both the National Inventory and the COMET tools rely upon the DayCent Model for assessing soil carbon stock changes over time (soil carbon sequestration). COMET and the National Inventory also rely on the DayCent Model to assess soil nitrous oxide (N<sub>2</sub>O). Expanding these two standardized platforms would provide spatial continuity while building upon historic investments. The Inflation Reduction Act (IRA) provides an opportunity to build upon the National Inventory and

the COMET methodologies to provide additional science for evaluating soil carbon sequestration. The COMET-Planner tool has been leveraged by the State of California and NRCS to provide a more standardized meta-modeling approach to support new investments in voluntary conservation practices that enhance soil carbon sequestration. The COMET-Planner tool has been complimented for the simplicity and attempts to standardize soil carbon assessments.

Recently, as part of the IRA initiative led by NRCS, USDA is developing an approach to build on these past efforts and achieve a national, comprehensive database of soil carbon. ARS is coordinating with NRCS and other USDA agencies to align its research projects, and soil carbon data collection and management architecture with NRCS conservation priorities and programs to increase the ability to track the ability of USDA conservation programs to increase soil carbon and soil function and health.

2. In February, the USDA Equity Commission put out their first report with 32 recommendations to improve equity at USDA. Many of these recommendations echoed what I hear from Minnesota farmers and ranchers. In particular, the report recognizes that underserved producers have difficulties navigating USDA programs and services and that USDA programs need to be more equitable and culturally competent through language, training, representation, and accountability.

The Minnesota Department of Agriculture had a similar finding in their 2020 report, “Emerging Farmers in Minnesota,” and as a result of this report, I am working on legislation to improve accessibility to USDA programs for underserved and beginning farmers and ranchers. This includes access to credit, land access, as well as translation and interpretation for farmers that do not speak English as their first language. I’m eager to partner with you at USDA to achieve these goals.

- a. How do you plan to implement the recommendations from the report?
- b. we ensure equity for historically under-served farmers and beginning farmers?

**RESPONSE TO BOTH:** USDA has analyzed each of the Equity Commission’s interim recommendations to assess them. Some seek a change that is already in process; others could be adopted by the Department without additional authority; still others need regulatory, budgetary, or other statutory changes. For each one that the Department *could* adopt, we have assigned it to the relevant mission area and agency for it to take appropriate next steps. Those recommendations that are ripe for immediate implementation by the Department are being included in the mission areas’ equity action plans and tracked accordingly.

Through funding from the American Rescue Plan Act (ARP), USDA implemented the ARP Technical Assistance Investment Program. The primary goal of this program to ensure improved understanding of and equitable participation in the full range of USDA programs and services among underserved farmers, ranchers, forest

land owners and operators through supporting the organizational delivery of technical assistance projects and establishment of technical assistance networks. USDA is authorized to support and facilitate the establishment of technical assistance projects toward this goal.

3. It is no secret that we have a concentration problem in the agricultural sector in the United States. I am currently working on a bill to have the USDA conduct more research and analysis on the impacts that market concentration has on producers and consumers. I thank your team for providing assistance on this bill.

In the meat and poultry sector, just a handful of large companies dominate the processing industry, and this results in higher prices for consumers and shrinking profits for livestock farmers and small producers. I applaud the USDA's push to tackle consolidation and increase competition by supporting processing capacity at small plants.

This support won't necessarily impact the big players, but it is really important for small livestock or poultry operations to have more options to send their animals to be processed. Despite the additional funding from the USDA, challenges still remain for small plants. Specifically, there is a lack of access to federal inspectors for small plants, and this in turn limits how many hours a day these small plants can operate. How can we get more FSIS inspectors assigned to inspecting small and mid-sized processing plants? How can Congress help with this?

**RESPONSE:** There is not a lack of access to federal inspectors for small plants. Every plant with an FSIS grant of inspection is provided with the inspection services.

FSIS meets its inspection responsibilities so that consumers can continue to enjoy a safe supply of meat, poultry, and egg products. FSIS staff inspect establishments based on the type of operation and product, regardless of size. FSIS provides inspection services to slaughter establishments at all times during slaughter and is on site daily, at least once per shift, in further processing establishments during operating hours.

Recognizing how critical small and very small plants are to the Nation's food supply, the American Rescue Plan Act (ARP) provided FSIS with \$100 million over 10 years to reduce overtime and holiday inspection fees to alleviate the financial burden on small and very small meat, poultry, and egg products establishments. Funding requested in the FY24 budget will help ensure FSIS is able to continue to strengthen and build fairer markets for these establishments.

4. Extreme weather events like heat waves and flooding can have disastrous impacts on farm and natural resource management. This includes losses in crop production due to changes in water availability and nutrient losses as well as damage to treasured local wildlife. Research that improves climate forecasting and explores the impacts of different land-management choices will give communities the tools they need to protect their livelihoods and increase resilience in the face of a changing climate.

The University of Minnesota's Climate Adaptation Partnership (MCAP) is a leader in this regard. As part of the land-grant university's research extension efforts, this partnership helps communities to identify what kinds of climate data are useful to people on the ground and builds the resources those communities can leverage to make management decisions at the farm- and community-level. These tools help rural and Tribal communities develop long-term strategies for climate adaptation and resilience, as well as metrics for measuring progress towards those goals. What role should Extension play in helping rural and Tribal communities make decisions on how to adapt to a changing climate and how can USDA best support that role?

**RESPONSE:** With a presence in nearly all of the more than 3,000 counties of the United States, the Cooperative Extension System's network of agents and specialists are essential to expanding the adoption of climate-smart strategies, especially in historically underserved and Tribal communities. The USDA Climate Hubs and the National Institute of Food and Agriculture are working together to strengthen the role of Extension to increase the adoption and application of climate-smart practices. New Cooperative Extension and USDA Climate Hubs Partnerships are bolstering climate research and connecting and sharing climate-smart solutions with rural and Tribal communities. For example, the Southwest and Northern Plains Climate Hubs are working with the Desert Research Institute to enhance Native agroecosystem resilience through expansion of climate services and outreach, using culturally appropriate approaches for information sharing to build trust among Native producers.

**Senator Cory Booker**

1. Approximately 60 percent of Latino students, 75 percent of Black students, 90 percent of Asian students, and 95 percent of Native American students are lactose-intolerant. Lactose-intolerance causes a range of health effects, from stomach pains to severe bloating to gas and diarrhea and even exacerbated asthma symptoms. These effects make learning more difficult for kids, and yet, children are made to jump through bureaucratic hoops to get access to nutritious beverage alternatives in the National School Lunch Program.
  - a. How can USDA make it easier for children to choose a nutritious fluid beverage option that does not make them sick?

**RESPONSE:**

USDA's child nutrition programs, including school meals, are powerful tools to ensure that schoolchildren, regardless of race, ethnicity, or background, have access to nutritious and affordable food. Milk is a critical source of nutrition for many children, but we recognize that some students require an alternative. However, USDA is limited by federal statute in what may be allowed in school meals.

For example, the National School Lunch Act requires fluid milk (cow's milk) to be offered with every school breakfast and lunch and sets standards regarding alternatives. The law requires schools to provide a fluid milk substitute for students with disabilities when accompanied by a signed written statement by a licensed healthcare professional. It also allows schools to offer substitutes for non-disability reasons (and lactose-free milk may also be offered at a school's discretion); however, it not required. Feedback from schools indicate that cost is a barrier to schools offering lactose-free milk or other alternatives more widely.

Additional information on the requirements USDA must follow regarding fluid milk can be found in USDA's new proposed rule – Child Nutrition Programs: Revisions to Meal Patterns Consistent with 2020 Dietary Guidelines for Americans. USDA specifically requested input about the current fluid milk substitution process. We hope to receive feedback from parents, guardians, and program operators with firsthand experience to inform potential improvements to the process.

2. Mink farms pose a dire pandemic risk, given that mink are uniquely able to transmit COVID variants to humans, and worse, mink pose a risk of mutating the avian flu to a form that is transmissible to people.

- a. What is USDA doing to address the pandemic risk from mink farms?

**RESPONSE:** USDA has worked closely with the Centers for Disease Control and Prevention (CDC) to offer guidance to mink farms on preventing respiratory diseases such as SARS-CoV-2 and influenza. This includes biosecurity steps they can take to reduce the risk of viruses being introduced onto the farm and to keep viruses from spreading between humans and their animals. We also provided guidance to the farms to let them know about warning signs of illness and what they should do in the event they suspect their animals are sick.

- b. Has USDA collected any data about COVID or avian flu outbreaks at mink farms?

**RESPONSE to A & B:** APHIS is carrying out a project as a part of its efforts under the American Rescue Plan, which includes a voluntary, cooperative federal-state-industry effort to retrospectively study SARS-CoV-2 infection on mink farms. This project will help to understand the risk of transmission of this respiratory virus between mink and other species, including people, on U.S. mink farms. The goal is to identify virus introduction into mink herds and to study genomics to assess the potential for emergence of any new variants.

This project is ongoing, and results will be available in early summer of 2023. To follow these efforts, APHIS plans to capitalize on the lessons learned and the partnership with the mink industry to develop an appropriate active surveillance

plan for SARS-CoV-2 that could be adapted to other pathogens, including influenza, and to promote biosecurity practices which will protect mink, farm workers, and other domestic animals and wildlife from One Health threats, including SARS-CoV-2 and influenza.

APHIS publicly reports cases of SARS-Cov-2 and HPAI in animals on its website. We have detected SARS-Cov-2 on 18 mink farms and zero cases of highly pathogenic avian influenza in mink. Those cases are reported at:

[USDA APHIS | Cases of SARS-CoV-2 in Animals in the United States](#)

[USDA APHIS | 2022-2023 Detections of Highly Pathogenic Avian Influenza in Mammals](#)

3. In 2017, the National Academies of Sciences, Engineering, and Medicine, recommended a series of changes to strengthen the integrity of the Dietary Guidelines for Americans development process. One critical recommendation was that members of the Dietary Guidelines Advisory Committee should disclose any conflicts of interest.
  - a. Why has USDA not yet implemented this recommendation?
  - b. What is USDA's timeline for implementing this recommendation?

**RESPONSE TO ALL:** Minimizing the impact of any potential financial, non-financial, and professional bias, is vital to sound, trustworthy nutrition science. All members of the 2025 Dietary Guidelines Advisory Committee are in compliance with the Federal ethics laws and regulations governing conflicts of interest. All committee members have complied with the reporting of all necessary financial information under these laws and any resulting recusal requirements. Specifically, the HHS Office of the General Counsel Ethics Division verified that none of the 20 members of the committee had conflicts that prevented them from serving on the committee. However, HHS and USDA are limited in the information we can share publicly about the Committee members. Specifically, Federal law prohibits the Departments from posting the member's completed Confidential Financial Disclosure Reports. DGAC members will continue to submit financial disclosure forms annually throughout the duration of their service.

In addition to the requirements under the Federal ethics laws and regulations, the members of the Dietary Guidelines Advisory Committee voluntarily disclosed relationships, activities, and interests that may potentially be related to the content of the Committee's scientific review, as defined by the International Committee of Medical Journal Editors. The decisions of the Committee are collective, not made by any one person, minimizing the likelihood of outside influence on their scientific findings. Additionally, the methods used to review the scientific evidence are designed to consider these important issues – minimizing bias and enhancing transparency at every step. The Committee's [disclosures](#) are posted.

4. Through procurement contracts, grants, loans, loan guarantees, and tax breaks, the USDA funds work performed by millions of workers. As one of the stewards of our nation's taxpayers' dollars, what is the USDA doing to ensure that our federal procurement dollars are spent supporting quality jobs with high labor standards for workers?

**RESPONSE:** In fiscal year 2022, USDA formed a procurement focused team to advance strategic projects related to the Four Pillars of Sustainable Acquisition. The pillars include equity in procurement, worker well-being, climate smart acquisition, and supply chain resilience. USDA continues to focus on the well-being of the workers who are employed with prime contractors and their subcontractors. USDA has strengthened our partnership with the Department of Labor and the team is developing a labor compliance framework that can be used in the Federal Acquisitions. Our goal is that USDA will be a standard-bearer by being an exemplary model for federal purchasing. USDA has launched efforts to evaluate procurement strategies, considering both prime and subcontracting activities, that support that model. A draft report of recommendations from that team will be available at the conclusion of the fourth quarter of FY23.

**Senator Reverend Raphael Warnock**

1. The Inflation Reduction Act was signed into law in August of 2022. Section 22007 of the Inflation Reduction Act provides financial assistance for farmers who were discriminated against through USDA's lending programs. However, farmers who have faced discrimination have still not seen financial assistance.
  - a. Please provide USDA's current timeline for outreach, application, decision, and expected distribution of the financial assistance authorized and appropriated under Section 22007 of the Inflation Reduction Act.

**RESPONSE:** The deadline for the submission of applications is January 13, 2024. USDA aims to complete all decisions and provide assistance to producers by the spring of 2024.

- b. Please provide a detailed description of USDA's outreach strategy for proactively communicating with, and updating, farmers who might be eligible for financial assistance under Section 22007 of the Inflation Reduction Act.

**RESPONSE:** USDA has created a landing webpage, to allow easy access to up-to-date information: it is at <https://farmers.gov/22007>. It will be frequently updated. Already, the Department has created, and posted, facebook advertisements, radio spots, and videos to share solid information about the 22007 program. The regional hubs described above are responsible for developing and implementing comprehensive outreach and technical assistance plans, which will use traditional and social media, partnerships with experienced stakeholder groups, participation in local events, and other outreach methods. In addition, USDA is working with trusted cooperator organizations that can provide still more outreach and technical assistance.

- c. How often will you plan to meet with farmers who believe that they have faced discrimination through USDA's lending programs? Please provide any plans for listening sessions, roundtables, webinars, events, and/or outreach meetings USDA

plans to hold for farmers who might be eligible for financial assistance authorized under Section 22007 of the Inflation Reduction Act, and please indicate for each event whether you personally intend to participate.

**RESPONSE:** After enactment of the IRA, USDA took immediate steps to convene listening sessions and seek public comment about the design of the program to ensure that farmers, advocates, academics, legislators, tribal governments, and other experts were heard. USDA recognizes that impacted borrowers may have concerns about working with USDA based on their past experiences, and that in many cases community-based organizations are better positioned to conduct outreach to underserved groups. In addition to the outreach and technical assistance being provided by the regional hubs, described above, USDA entered into cooperative agreements with known, trusted community-based farmer advocacy organizations with experience with underserved farmers to provide outreach and guidance about the program. Additional information may be found at <https://22007apply.gov/media.html>.

2. Farming has changed tremendously over the past few decades. New precision agriculture technology is presenting farmers with enormous potential to increase their yields while decreasing their need for manual labor. My bill, the *Promoting Precision Agriculture Act*, will direct USDA and the FCC to develop better standards for precision agriculture.

When it comes to the growth of precision agriculture, how will bettering interconnectivity standards benefit farmers and help the industry progress faster?

**RESPONSE:** USDA, through USDA Agricultural Research Service (ARS), has been actively developing new and novel precision agricultural technologies for farming, ranching, and agricultural processing. These technologies include but are not limited to precision irrigation, nutrient, and pest management; automated harvesting technologies that have reduced equipment and personnel requirements; and automated processing systems that reduce energy consumption or emissions, detect and eliminate contamination, or systems that make adjustments on the fly to maintain product quality. Nearly all the precision agricultural technologies require some level of connectivity, whether that be local or global. Interconnectivity standards are a key component of driving the implementation of many precision agriculture systems; however, the standards development often trails technology development.

3. Foreign animal diseases are a serious threat to the U.S. livestock and poultry producers, as well as to feed grain and the other industries that support them. Georgia leads the nation in broiler production, and producers in my state are very concerned about the high



rates of transmission of the deadly Highly Pathogenic Avian Influenza (HPAI). My bill, the *Beagle Brigade Act*, would explicitly authorize USDA's National Detector Dog Training Center, located in Newnan, Georgia.

- a. Does USDA need additional resources to address the current rates of HPAI?

**RESPONSE:** While USDA has sufficient financial resources to address the current HPAI outbreak thanks to the authorities provided by Congress in the Animal Health Protection Act (AHPA) and the Secretary's ability to make transfers from the Commodity Credit Corporation, this outbreak has highlighted the critical need for public sector veterinarians. The AHPA gives the Secretary broad authority to transfer funding from Departmental resources to address emergency outbreaks of animal and plant pests and diseases. These resources have generally come from the CCC. For the 2022-2023 outbreak of Highly Pathogenic Avian Influenza (HPAI), I have authorized the transfer of almost \$800 million in CCC funding to address indemnity, diagnostics, field activities, and other emergency response costs.

- b. What additional resources might USDA need to address another foreign animal disease if one were to strike while HPAI is still active?

**RESPONSE:** In the event of an additional foreign animal disease outbreak, I still retain that emergency transfer authority to tap into the CCC or other Departmental resources for funding our response efforts. However, our real need is ensuring that we and our state partners have enough veterinarians and other staff for support. This outbreak has highlighted the critical need for public sector animal health professionals and specifically for veterinarians. We need a robust state and federal workforce ready to respond to outbreaks like this one. We are continually evaluating factors that impact the ability to hire and retain skilled staff, such as student debt load or the pay disparity between private and public sectors and identifying opportunities to recruit and retain talented professionals as well as encourage more students to consider careers in animal science. We also welcome the opportunity to work with Congress on ways to ensure a robust public veterinary workforce.

**Senator Peter Welch**

1. Do you agree that Congress should consider strengthening the ReConnect program in the upcoming Farm Bill?

**RESPONSE:** The ReConnect Program is very popular, and the upcoming Farm Bill offers a great opportunity to institutionalize the program, so yes, USDA supports strengthening the program in the Farm Bill.

2. I understand that the ReConnect program is currently authorized for \$350 million per year. Would USDA be supportive of increasing ReConnect's authorization in this year's Farm Bill?

**RESPONSE:** The Department recognizes the huge demand for the program and the need to get everyone in rural America connected to fast, reliable broadband service; however, USDA defers to Congress on the program funding level.

3. Does USDA have enough funding to meet current demand for ReConnect, and should Congress consider increasing the funding authorization for the program?

**RESPONSE:** In the latest round of ReConnect, the program was oversubscribed with more than \$4.3 billion in applications, and acceptable applications were not funded.

4. Currently, how does the USDA coordinate with other Federal entities that handle broadband including NTIA & FCC? How should Congress consider improving coordination between the agencies to improve ReConnect outcomes?

**RESPONSE:** USDA meets regularly and on an ad hoc basis with the FCC/NTIA/Treasury to ensure that federal dollars are spent in the most efficient way possible. Additionally, USDA shares information with our federal partners regarding the awards made under our programs to enable other agencies to take those awards into consideration to ensure projects do not overlap or overbuild existing services already made available.

5. In January, the USDA announced the creation of the new \$100 million Organic Dairy Marketing Assistance Program to help small- and medium-sized organic dairy farms with anticipated marketing costs.

- a. On average, what should an organic dairy farmer who qualified for this program expect to receive?

**RESPONSE:** ODMAP will provide a one-time payment to certified organic dairy operations to assist with projected marketing costs for 2023 as those operations face a variety of marketing challenges and increased feed costs due to pandemic-induced market conditions. An initial payment will be calculated by using the pounds of organic milk marketed, multiplied by a payment rate per cwt, times a payment factor of 75 percent. An additional final payment may be issued if funds are available at the conclusion of signup and FSA determines that there is a need for additional marketing assistance. Since the program is targeted toward small and mid-sized dairies, assistance will be capped at 5 million pounds of production, meaning the initial payment for a producer at the 5-million-pound limit would equal \$41,250. Eligible producers will need to provide 2022 marketing statements as evidence of 2022 organic milk production or, for certain producers, an estimate of their operation's reasonably

projected organic milk to be marketed in 2023 based on average daily organic production of current herd. All producers must provide USDA certification of organic status. Similar to other programs administered by USDA, the average Adjusted Gross Income (AGI) limitation of \$900,000 will apply to the program, and the organic operation must comply with Highly Erodible Land (HEL) and wetland conservation provisions.

b. When do you expect the Department will release these funds?

**RESPONSE:** USDA is acutely aware that many organic dairies are in crisis and that dairy farmers across the country are working to keep their operations running while managing for pandemic-induced high feed costs. USDA is working to implement assistance through ODMAP as expeditiously as possible and plans to announce the full details of the program, including signup dates, later this spring.

6. In many rural communities, forests are at the heart of our ecology and our economy – from outdoor recreation to logging, so many industries are reliant on healthy and stable forests. Over the next decade, the majority of American forestland will be threatened by invasive species and disease, like the Emerald Ash Borer in Vermont.

a. How would additional funding to support rapid response help USDA prevent the spread of invasive species?

**RESPONSE:** The spread and introduction of invasive species threaten the nation's forests and grasslands, as well as Tribal, state and private lands. Invasive species significantly impact climate resilience, food security, biodiversity and efforts to develop sustainably on islands. USDA is a co-chair of the National Invasive Species Council (NISC) and our agencies are global leaders in invasive species prevention, early detection, rapid response, eradication, control and mitigation efforts. USDA's Agriculture Research Service (ARS) has several research projects on invasive annual grasses and climate change. For the Animal and Plant Health Inspection Service (APHIS), the 2014 Farm Bill made permanent the Plant Pest and Disease Management and Disaster Prevention Program, which allows APHIS to fund projects with state, university, and other cooperators to strengthen and safeguard the nation's agricultural infrastructure. Within the Forest Service, the agency's invasive species management work emphasizes Early Detection and Rapid Response (EDRR) as a critical element of sustaining our nation's forests and grasslands and in FY23, the agency will leverage BIL funding to support public and private organizations, Tribes, states and local landowners in the detection, prevention, eradication, and research of invasive species.

b. As it crafts the Farm Bill, should Congress put a greater emphasis on resistance breeding research and to restore our nation's trees?

**RESPONSE:** Invasive pests and diseases are serious and accelerating threats to the use, enjoyment, and benefits provided by our Nation's forests. The Forest Service is the lead agency for identifying and managing these threats and for restoring healthy and resilient forests. One effective, and at times essential, tool for addressing the threats of invasive pests and diseases is breeding resistant trees.

7. The Organic Certification Cost Share Program is a valuable tool for organic farmers to offset the total cost of annual certification. However, due to unexpected funding shortfalls, USDA has not been reimbursing organic dairy farmers as much as they are allowed to under law. In the short term, it is critical that we get this program back and working as Congress intended in the last Farm Bill. We should also modernize reimbursements for organic certification to ensure cost does not deter producers from getting certified.

a. In the short term, how would increased funding for this program allow USDA to more effectively support producers seeking organic certification?

**RESPONSE:** Through an increase in funding FSA would be able to support more producers through this process and allow for eligible producers to be paid the maximum amount permitted under law, provided the funding is adequate.

b. How would increasing the existing statutory cap on reimbursements—from \$750 to \$1,500—expand access to the program?

**RESPONSE:** Expanding the cap will allow for the Organic Certification Cost Share Program to be more impactful for more producers. As the cost of certification varies from certifying agent to certifying agent and state to state. This potential change may provide meaningful access to more producers.

8. Dairy farming and the dairy industry are a critical economic engine to my state and the Northeast. With American dairy consumption growing year over year, we must enhance dairy processing infrastructure. We need right-sized plants, better storage, more innovation, and shared learnings. I know the department has been supportive of the Dairy Business Innovation Initiatives, which are good tools to address regional processing needs and provide funding to small and mid-sized businesses and farmers.

a. What has the demand been for Dairy Business Innovation Initiatives and who is seeing the benefits of these investments? Does USDA have sufficient funds to meet demand?

**RESPONSE:** We have seen a strong demand for the Dairy Business Innovation Initiatives which provide both technical assistance and subawards to dairy businesses to provide an effective model for facilitating the development of critical

relationships with local dairy producers and processors to support their on-the-ground needs. Anecdotally, the USDA has received positive feedback of this model from these groups when discussing the program in terms of the flexibility it provides, targeting resources in ways that meet shared regional needs and building local and regional dairy markets.

**Senator John Fetterman**

1. In the year-end omnibus Congress passed in December, USDA was directed to take measures to prevent theft of SNAP benefits through "skimming", as well as other measures to protect and restore benefits to households affected by these criminal activities. Can you give us an update of where those activities stand? As we learn more if additional changes are needed, I'd like to have your assurances that we can work with you during the farm bill to address the problem.

**RESPONSE:** USDA is fully committed to combating the theft of SNAP benefits via card skimming, card cloning, and other fraudulent methods, which can be devastating for victims who rely on their benefits to feed their families. The 2023 Omnibus appropriations bill signed into law in December allows States to replace stolen SNAP benefits using Federal funds through September 2024. USDA is working to implement this new law quickly and is committed to supporting States throughout this process.

USDA is working with our State and Federal partners, as well as retailers, EBT processors, law enforcement, and other industry experts to protect SNAP benefits. This includes exploring more secure payment technologies to protect SNAP recipients from becoming victims of theft. USDA has already issued guidance to States on how to reimburse victims, verify theft claims, and collect data to better understand this emerging issue. USDA has started approving State plans, so that States can begin reimbursing families whose much-needed benefits have been stolen.

USDA is also working on new regulations to prevent SNAP benefit theft from occurring in the first place by making EBT cards more secure. USDA is exploring long-term technological solutions, such as chip card technology and mobile payment pilot projects, that will provide enhanced benefit security. Additionally, the Administration's FY 2024 budget request includes funding to hire five additional SNAP staff with specialized knowledge of payment system industry standards to support these efforts.

USDA appreciates Congressional interest in this important issue, and we look forward to our continued partnership to modernize SNAP and prevent benefit theft.

2. There seems to be little transparency from USDA on the conservation data it collects—for example, farm subsidies are public, why not conservation data? I've heard from academics in Pennsylvania that it's tough for them and others to evaluate how well the DayCent model (which powers COMET) is working. How can USDA respond to these stakeholders' concerns?

**RESPONSE:** In many cases, USDA is unable to provide conservation information and data about specific producers due to federal Personally Identifiable Information (PII) restrictions.

However, there are multiple resources from NRCS available to provide public access to aggregated NRCS conservation data (by program, by state, by practice, by land use, and by year), including:

- NRCS Financial Assistance Program Data: Financial Assistance Program Data Dashboards on Farmers.gov
- NRCS Easement Program Data: Easement Program Data Dashboards on Farmers.gov
- Soil and Water Resources Conservation Act (RCA) Appraisal Data Viewer

3. COMET currently leaves out many specialty crops. Many of those farmers are doing important conservation work that they are not getting credit for under the current system (such as carbon sequestration from mushroom compost). How are you working to bring more farmers into using this technology to improve agriculture's contribution to greenhouse gas emissions?

**RESPONSE:** The COMET tools provide estimates for a range of conservation practices that influence soil carbon, including use of amendments such as compost, farmyard manure, and green manures. The upcoming update to the USDA report *Quantifying Greenhouse Gas Fluxes in Agriculture and Forestry: Methods for Entity-Scale Inventory* (the Methods Report), which underpins the estimates generated by the COMET Tools, includes additional management practices, like biochar, that are applicable to specialty crops and that increase soil organic carbon. This update to the Methods Report will be published in FY24 and work to move updated methods from the Methods Report into COMET will be completed in FY24.

The update to the Methods Report will improve the ability of the COMET-Farm tool to model the soil carbon sequestration and GHG emissions associated with some specialty crops. However, the Methods Report relies upon published scientific literature to develop quantification methodologies for cropping systems. Specialty crops often lack extensive scientific literature, particularly literature that focuses on the carbon and nitrogen cycles associated with specialty crop production methods. The lack of peer-reviewed scientific literature associated with the carbon and nitrogen cycles associated with specialty crop production is limiting to the Methods Report and the COMET tools. Future improvements to both the Methods Report and the COMET tools could allow more detailed, region specific modeling of specialty crops that incorporate crop-specific details like soil organic carbon stock changes in specialty cropping systems and the nitrous oxide emissions associated with specialty crop nitrogen fertilizer application. There are numerous NRCS conservation practices that can benefit specialty crop producers, including but not limited to tillage practices, soil amendment practices, cover crops, harvesting and residue management practices, and conservation crop rotation. However these improvements will require additional field studies and the publication of scientific literature prior to implementation in the Methods Report and the COMET tools.

4. Can you please elaborate on the success you've seen in the innovation and compost grants that you discussed in response to Senator Booker's question on my behalf?

**RESPONSE:** The Urban Agriculture and Innovative Production (UAIP) grants program, launched in 2021 has invested approximately \$40 million in 157 grants that support urban agriculture and innovative production. This program allows grant recipients to expand access to nutritious foods, foster community engagement, increase awareness of climate change and mitigate the effects within urban areas, provide jobs, educate communities about farming, and expand green spaces.

5. Also in response to your answer for Senator Booker's question about urban farming, I've heard from community members in Erie, PA, specifically, that NRCS staff have told them that there are no resources for urban agriculture. Given your offer to contact you regarding what cities I'm hearing from, how will the USDA work to improve urban resources in northwest PA?

**RESPONSE:** USDA offers a wide variety of programs and services to urban producers to help them start, expand, and improve their operations. This includes conservation, disaster assistance, crop insurance, and safety-net programs. More information can be found at: [farmers.gov/urban](https://farmers.gov/urban).

6. As a follow-up to Senator Welch's question on my behalf, what additional plans does USDA have to further strengthen enforcement of Packers & Stockyards Act?

**RESPONSE:** In 2021, President Biden issued Executive Order 14036, Promoting Competition in the American Economy, that directed USDA to consider issuing new rules under the Packers & Stockyards Act to address certain practices and concerns in the livestock and poultry industries. As outlined in USDA's report "[Agricultural Competition: A Plan In Support Of Fair And Competitive Markets Report](#)," USDA is deploying a range of tools to promote competition, including investing \$1 billion directly in more choices for producers with new and expanded meat and poultry processing. USDA is also deploying a wide range of regulatory and transparency toolkits to promote competition, including enhancing the enforcement of the Packers & Stockyards Act, greater transparency under the Livestock Mandatory Reporting Act, a new Cattle Contract Library Pilot, and more. With respect to Packers & Stockyards enforcement, AMS is leading a range of initiatives on rulemaking and enforcement. On rulemaking, our already announced rulemaking efforts include the publication of three rules in support of the President's initiative:

- (1) Transparency in Poultry Grower Contracting and Tournaments
- (2) Inclusive Competition and Market Integrity under the Packers and Stockyards Act
- (3) Unfair Practices, Undue Preferences, and Harm to Competition.

Additionally, we have also put forward an Advanced Notice of Proposed Rulemaking entitled "Poultry Growing Tournament Systems: Fairness and Related Concerns."

7. The Inflation Reduction Act included significant funding to support climate-smart agriculture through the Department's conservation programs. Organic is a time-tested and highly-regulated climate-smart agricultural system. What steps is the Department taking to ensure organic and transitioning producers are automatically eligible for conservation funding?

**RESPONSE:** The FY2023 NRCS *Climate-Smart Agriculture and Forestry (CSAF) Mitigation Activities* list includes 137 activities, including practices, enhancements, and bundles. These listed activities are expected to provide climate change mitigation benefits of carbon sequestration or GHG emissions reduction and can be estimated using COMET-Planner ([www.comet-planner.com](http://www.comet-planner.com)). Organic and in-transition to organic producers may request technical and financial assistance to address resource concerns specific to their operation, and may select from the list of CSAF activities. All producers must meet eligibility requirements specific to the program rules and regulations, but states may offer separate organic funding pools for financial assistance.

**Senator Mitch McConnell**

1. Following the devastating tornadoes which swept across Kentucky in December 2021, President Biden promised to do whatever it takes, as long as it takes, to help those impacted. Almost 15 months after this tragic event, USDA released the Emergency Grain Storage Facility Assistance Program (EGSFP) to assist impacted producers who need to rebuild or replace lost grain storage. However, the program is only available to farmers if they waited to replace their lost capacity. Given the time it took for USDA to deliver this program, and that it was previewed on September 26, 2022, why was this program limited to producers who waited to replace their storage?
- a. If this decision was due to the funding source for the program, did USDA explore other funding options?

**RESPONSE:** On March 16, 2023, in response to language secured by Leader McConnell in the 2022 Appropriations Report, USDA announced financial assistance for eligible producers under the new Emergency Grain Storage Facility Program (EGSFP). While the report language did not provide USDA with specific funding, USDA worked to explore all opportunities to provide assistance. USDA was ultimately able to leverage Commodity Credit Corporation (CCC) authorities to establish a \$20 million program to provide one-time assistance to help producers in certain states and counties impacted by disaster events between December 1, 2021, and August 1, 2022, that damaged local commercial grain elevators.

- b. Is USDA currently exploring other programs or funding options to assist producers who replaced their lost storage capacity prior to the EGSFP being published in the Federal Register?



**RESPONSE:** USDA's Farm Service Agency also offers assistance through the Farm Storage Facility Loan Program, which provides low-interest financing so producers can build or update facilities to store eligible commodities.

**Senator Cindy Hyde-Smith**

Agriculture is Mississippi's number one industry, and poultry is my state's number one agricultural commodity in terms of production value.

- a. Large broiler processing plants in Mississippi are accustomed to operating under line speed waivers that allow them to operate evisceration lines at speeds of up to 175 birds per minute. They have consistently demonstrated that operating highly automated lines at this speed does not pose a threat to worker safety. Yet there are broiler plants in South America, Asia, Canada, and Europe safely using the same equipment at speeds of over 200 birds per minute.
2. Given that other countries can safely operate evisceration lines at speeds over 175 birds per minute, why is FSIS putting the U.S. chicken industry at a global competitive disadvantage by prohibiting our broiler plants from doing the same?

**RESPONSE:** Our existing regulations cap line speeds at 140 bpm in poultry plants. FSIS has granted line speed waivers to qualifying young chicken establishments participating in the New Poultry Inspection System (NPIS) to operate at line speeds up to 175 bpm. In response to litigation challenging the waiver program, FSIS has modified the poultry line speed waivers to facilitate a study, by the same expert team evaluating swine line speeds, on the effects of increased line speed on worker safety. Poultry establishments with existing line speed waivers that opted into the study and agreed to provide worker safety data received a modified waiver. FSIS will evaluate the study team's findings and recommendations in determining future actions, which could include revising our line speed regulations.

3. OSHA data show that from 1994 through 2019, a period in which we saw substantial increases in line speeds, bird size, and automation, the total recordable poultry processing illness and injury rate decreased by 91 percent. That statistic suggests that faster evisceration line speeds do not compromise worker safety. Yet even with this information readily available, FSIS has made continuation of the line speed waivers contingent on an additional study contracted to a third party by the USDA to focus on worker—*not food*—safety.
  - a. This loosely-defined study has caused a great deal of confusion and uncertainty in the poultry industry. The industry has not received any information from USDA

about the timing of this study or how the agency intends to apply the data acquired to develop potential rulemaking.

Why did USDA find it necessary to force plants to participate in a worker safety study outside of the FSIS mission area rather than simply accessing relevant Department of Labor data?

**RESPONSE:** Participation in the modified line speed waiver program and worker safety study is entirely voluntary. Existing data and peer-reviewed literature are not adequate to accurately assess the impact of increased line speed on worker safety. That is why FSIS contracted with experts to undertake a comprehensive assessment. .

4. What is the timeline for the completion of this study?

**RESPONSE:** The modified line speed waivers will conclude on March 31, 2024, a year from the date they were granted. During this time, the worker safety experts will complete data analysis and send their draft report to FSIS. USDA will inform Congress if there are any changes to the contract timeline.

5. As you know, Mississippi is one of the top rice producing states in the country. I want to thank you for your help in getting the assistance that Congress passed last year out to our rice farmers this spring. That will go a long way.

- a. However, the root of the problem in the U.S. rice economy is that our producers continue to operate at a competitive disadvantage to farmers in India, a country which over-subsidizes its rice to the point that it undercuts our nation and the rest of the world without any ramifications. I brought this issue up last September with now Under Secretary Taylor at her nomination hearing, and I would like to follow up with you.

6. What actions has USDA taken to work with USTR on addressing this issue with India?

**RESPONSE:** USDA continues to work proactively and closely with USTR to address these long-standing concerns with India's domestic support measures for rice producers. In 2022, pursuant to the 2013 WTO Bali Decision on Public Stockholding, the United States coordinated with a coalition of WTO Members to hold bilateral consultations with India. WTO Members pointedly questioned India's continued lack of transparency and the market-distortive effects of its approach to public stockholding. On April 6, 2023 the United States submitted another Member co-sponsored counternotification to this Committee highlighting discrepancies in India's notifications of its domestic support for rice and wheat producers. To this day, we continue to engage with India, including through deliberate actions with like-minded WTO Members in the WTO Committee on Agriculture.

7. Can you commit to working with Ambassador Tai to stop the systemic abuse of WTO commitments?

**RESPONSE:** We remain fully committed to holding India accountable to its international trade obligations, and to working with USTR to uphold and protect U.S. agriculture's rights at the WTO.

**Senator Roger Marshall, M.D.**

1. **Tariffs:** Does the Commerce Department consult with USDA when they are putting in place duties and tariffs on Agriculture input products like fertilizer?

**RESPONSE:** The Commerce Department does not routinely consult with USDA when conducting remedy determinations in antidumping and countervailing duty investigations. Commerce's trade remedy determinations are made in accordance with U.S. trade law as well as Commerce's regulations and administrative practice. Under these laws, Commerce cannot consider extra-statutory factors, such as supply chain interruptions, when conducting a trade remedy proceeding. Commerce's determinations in a trade remedy proceeding are the result of a quasi-judicial process that considers the information on the record and comments submitted by interested parties.

2. During trade and tariff discussions is there any type of cost benefit analyses done?

**RESPONSE:** In antidumping and countervailing duty investigations, Commerce determines whether the alleged dumping or subsidizing is occurring, and if so, the margin of dumping or amount of subsidy. The USITC determines whether the U.S. industry producing the like domestic product (for example, fertilizer) is materially injured or threatened with material injury by reason of the imports under investigation. Neither Commerce or the International Trade Commission examine the costs to consumers resulting from a trade remedy.

3. **Set Rulemaking:** Secretary Vilsack, the EPA has proposed a "Set" rulemaking that is required by consent decree to be finalized by June 14, 2023. Unfortunately, the EPA proposed to set biomass-based diesel and advanced biofuel volumes that are lower than current blending levels AND lower than increased capacity that is coming on-line in 2023 alone. The EPA's volumes are inconsistent with every credible estimate of production capacity and would put about \$5B of announced investments to increase crush capacity at risk. At the heart of EPA's thinking appears to be a failure to acknowledge current market data on the availability of feedstock to support significant increases in the proposed volumes for advanced biofuels and biomass-based diesel fuels. USDA is the repository of the federal government's expertise on agricultural markets.

- a. What actions is USDA taking to provide EPA with more accurate information regarding feedstock availability for advanced and biomass-based diesel fuels?
- b. Is USDA input being considered by EPA in the rulemaking process?

**RESPONSE TO ALL:** USDA has engaged in discussions with officials at EPA over how various levels of biomass based diesel would impact various agricultural markets. USDA and EPA work collaboratively to ensure that USDA input is considered in the rulemaking process.

4. **Set Rule and Rural Economic Impacts: Crush Capacity:** Over the last year, \$5B in investments in rural America to increase crush capacity for soybeans have been announced, driven by the EPA's implementation of the Renewable Fuel Standard as Congress intended since President Biden took office. Additionally, ethanol producers continue to invest in new technologies to increase their yields of distillers corn oil, another important low-carbon feedstock for biomass-based diesel fuels. Unfortunately, the EPA has diverted from its strong record in the last several years with its "Set" proposal for advanced biofuels and biomass-based diesel -by proposing volumes lower than current blending levels and lower than increased capacity coming online in 2023 alone. If these numbers stand, the \$5B in crush capacity investments will be at significant risk.
- a. How would an increase of this magnitude in crush capacity increase feedstock availability?
  - b. Do you believe the EPA took these announced investments in crush capacity and enhanced corn oil recovery into account when putting together its Set proposal?
  - c. Can you speak to what it would mean for rural communities across the country to see an influx of this type of investment and conversely, what the consequences would be of losing this investment?

**RESPONSE TO ALL:** The American Soybean Association states that U.S. crushing capacity was 2.2 billion bushels per year as of November 2022. If all announced projects were completed, capacity could increase by 753 million bushels per year by the end of 2026. This would be enough to produce an additional 1.1 billion gallons of renewable diesel, which would generate 1.8 billion additional D4 RINs, but it does depend on the availability of soybeans or other feedstocks to be crushed. USDA has worked to make double cropping of soybeans and other potential second crops easier for farmers through a series of actions to improve insurance options. This helps farmers meet some of the needs of increased domestic oilseed crush, as well as other domestic and foreign markets.

While I do not know if EPA considered announced investments in crush capacity when putting together the Set proposal, I can tell you that USDA's Office of the Chief Economist has provided analysis of USDA data including soybean and oilseed markets as EPA has looked for information as it considers comments it received following the Set proposal. Through the 2022 compliance year, EPA reduced the advanced biofuel requirement by the same amount that it has been obliged to reduce the cellulosic biofuel requirement, which limits the opportunity for growth in non-cellulosic advanced biofuels. As I have said many times before, I believe that renewable fuels represent a great opportunity to build new markets for farmers, new industries for rural America, and a way for agriculture to participate in the effort to remove greenhouse gases from the atmosphere. If these capacity investments do not move forward, then new opportunities in rural communities – like construction jobs and operations jobs and completed facilities, and new markets for America's farmers – may not be realized to their full potential.

5. **ICAO Model Would Make Crop-Based SAF Ineligible for IRA Tax**

**Credits:** Secretary Vilsack, I was pleased to see the Biden Administration launch the Sustainable Aviation Fuel (SAF) Grand Challenge, which calls for 3 billion gallons of SAF production by 2030, and the [SAF Roadmap](#). As noted in the report: (1.) *"In 2021, approximately five million gallons of SAF were produced domestically. Going from 5 million to 3 billion gal/yr. by 2030 is a 600-fold increase that requires 122% year-over-year growth in production to 2030."* (2.) *"More than 400 biorefineries and 1 billion tons of biomass and/or gaseous carbon oxide feedstock will be needed to produce 35 billion gal/yr. by 2050."* (3.) *"Given the limited time – less than 8 years – to meet the 2030 goal [3 billion gallons], and considering the time required for SAF production infrastructure to be built, the path to meeting the 2030 goals requires an immediate focus on commercially ready conversion technologies and feedstocks."* Given this understanding, I am concerned that as the Administration is implementing the Inflation Reduction Act's clean energy tax credits for Sustainable Aviation Fuel – both 40B and 45Z – it is planning to rely on non-US modeling which relies on outdated data and would effectively prohibit U.S. crop-based feedstocks from receiving credits. This directly contradicts the Administration's own SAF Roadmap which identifies these feedstocks as necessary to meet the 2030 goal. The U.S. Department of Energy manages the gold standard model (Argonne GREET) for measuring greenhouse gas (GHG) reductions from liquid fuels.

- a. What actions is USDA taking through the interagency process or otherwise to: 1) advocate for the use of the Department of Energy's Argonne GREET model for implementation of 40B and 45Z to ensure a level playing field for domestic crop-based feedstocks; and 2) ensure that the US government will NOT solely rely on a foreign, outdated model designed to dictate outcomes that would undercut the ability to meet the 3 billion gallon goal by 2030?

**RESPONSE:** USDA is supporting improvements to the GREET model that will more accurately capture the carbon intensity of on farm inputs and climate-smart

farming practices. Examples of recent improvements include GREET's capability at tracking how fertilizer application, pesticide application, and oilseed cover crops impact the carbon intensity of biofuels.

6. **Outdated Modeling at EPA Fails to Account for On-Farm Carbon Emissions Reductions in RFS:** Secretary Vilsack, an ongoing challenge and frustration facing the biofuels sector is EPA's failure to update its greenhouse gas (GHG) modeling to reflect improvements achieved by the U.S. biofuels industry. The Department of Energy's Argonne National Lab has developed the GREET model, which is the best and most complete model in the world for tracking greenhouse gas emissions. Most significantly for today's conversation, it accounts for both on-farm carbon sequestration in the biofuel supply chain and efficiency improvements at the plant. Currently, EPA utilizes models that do not fully capture these and other carbon reduction benefits associated with biofuels. Failure to utilize updated science and modeling undercounts progress already made toward meeting goals of decarbonizing the fuel supply and undercuts our ability to meet the targets set forth in emerging areas like aviation jet fuel.
- a. What steps is USDA taking to ensure that the EPA utilizes sound science and modeling like the GREET model moving forward as the agency implements the RFS set rule and biofuels policy across the federal government?

**RESPONSE:** USDA has been actively engaging with EPA and other federal government agencies in estimating the lifecycle greenhouse gas emissions associated with biofuel consumption in policy and regulatory contexts. For example, EPA consults with USDA in assessing the GHG analysis under the RFS. USDA's role in this process is to provide input based on the latest science, data and information on factors that influence GHG emissions. Some specific examples of analysis USDA has undertaken in the past or is currently undertaking include a) a life-cycle analysis of corn ethanol in 2018, b) a life-cycle analysis of biodiesel, renewable diesel, and sustainable aviation fuel, which is ongoing, and c) ongoing updates to the GREET to ensure it incorporates the best available science.

7. **Action Needed to Permit Sale of E15 Year-Round in 2023 and Prevent Gas Price Increases:** Secretary Vilsack, in response to the crippling effect of rising energy prices Americans have experienced across the country, in April of 2022, President Biden took bold action to address this through issuing an emergency waiver to allow E-15 gasoline to be sold during the summer of 2022. Thank you for your work on this action by the President. As a result, consumers saw savings of between 15 and 30 cents per gallon across the country where E-15 was sold. As we approach the summer driving season in 2023, we are again facing the same challenges where consumers will soon see an increase in the price of gas unless action is taken to permit the sale of E-15 year-round.

- a. Secretary Vilsack, will the Administration act in time for the summer driving season to permit the sale of E15 year-round across the country?

**RESPONSE:** The decision of whether to permit E15 sales to occur year-round ultimately resides with EPA. USDA offers subject matter expertise on this issue, such as a report that the Office of the Chief Economist released last summer on this topic: <https://www.usda.gov/sites/default/files/documents/e15-market-opportunities.pdf>.

8. Many recipients of ReConnect Broadband Program awards have reported delays of many months before the awards are finalized. While the delays seemingly occur at many steps throughout the process, those posed by environmental and historical preservation reviews significantly contribute to the long wait times leading up to disbursement of funds to an awardee. Do you have any suggestions regarding how the process may be improved?

**RESPONSE:** USDA works closely with our applicants to try to make this process as smooth and timely as possible. The agency has taken a number of steps to improve and expedite this process. Recently we hired 4 additional staff dedicated to ReConnect environmental reviews and processing, including environmental specialists and archeologists, which we expect will help us to review the environmental information associated with each project and clear projects more quickly. USDA also recently entered into a contract with a consulting firm which will further expand the number of people we have which will move projects more quickly through the environmental review process. We are also working to make improvements to our staff guidance and program policies to ensure projects receive environmental clearance as quickly as possible so awardees can begin construction.

9. With billions of dollars and millions of unserved Americans at stake, it is prudent and responsible for the federal government to invest taxpayer resources that ensure rural Americans receive the same levels of service available to urban consumers. What do future-proof broadband networks look like to USDA, how can Congress help ensure networks that will meet the needs of consumers over the long-run are built when using USDA broadband deployment loan and grant programs?

**RESPONSE:** Considering today's technologies, a future proofed network would actually be a fiber-based system to allow for the increased bandwidth demand. To ensure networks can handle future requirements, Congress should set a minimum construction requirement that all federally funded broadband projects be capable of delivering 100 Mbps symmetrical service.

10. Close coordination among federal and state agencies will be essential to avoid deploying duplicative government-funded broadband networks in rural areas. How is USDA coordinating with other broadband deployment programs - such as those administered by the FCC, NTIA, and Treasury?

**RESPONSE:** USDA meets regularly and on an ad hoc basis with the FCC/NTIA/Treasury to ensure that federal dollars are spent in the most efficient way possible. Additionally, USDA shares information with our federal partners regarding the awards made under our programs to enable other agencies to take those awards into consideration to ensure projects do not overlap or overbuild existing services already made available.

11. In its FY 2024 budget submission, is USDA including any programs that would use CCC funds and rely solely on section 5 of the CCC Charter Act as authority for the program? If so, please describe each of those programs.

**RESPONSE:**

USDA's FY24 budget proposal can be found here:

<https://www.usda.gov/sites/default/files/documents/2024-usda-budget-summary.pdf>

USDA's FY24 explanatory notes for the Commodity Credit Corporation can be found here: <https://www.usda.gov/sites/default/files/documents/30-2024-CCC.pdf>

12. When USDA establishes a new financial assistance program, it usually issues a notice of funding availability for interested stakeholders. Sometimes, USDA will submit the notice to Congress as a rule under the Congressional Review Act. But for a number of programs established using CCC funds, USDA has not submitted those notices to Congress.
- a. Can you explain the inconsistency and why USDA isn't uniformly submitting these types of notices to Congress under the CRA?"

**RESPONSE:** USDA complies with all requirements laid out by the CCC Charter Act and the Congressional Review Act.

13. Secretary Vilsack, as illustrated by the ongoing and historic outbreak of highly pathogenic avian influenza across the country, foreign animal disease threats continue to pose a threat to the Nation's agriculture and economy. The looming threat of diseases like African Swine Fever reaching U.S. shores spurred Congress to fund the construction of the National Bio and Agro-Defense Facility (NBAF) in Manhattan, Kansas to replace the aging Plum Island Animal Disease Center operated by the Department of Homeland Security (DHS). Though DHS bore responsibility for constructing the facility, USDA will own and operate the NBAF and the agricultural defense research conducted there. In its 2017 report *Defense of Animal Agriculture*, the Bipartisan Commission on Biodefense proposed that USDA and DHS develop a NBAF business plan that "would engage the public and private sectors; consider domestic and global markets for agrodefense research and development; and identify a dollar figure that defines the need and the opportunity" to ensure that the federal government fully leverages the facility's capacity and capabilities. Congress included a requirement in the Consolidated Appropriations Act, 2021 (Public Law 116-26) addressing this recommendation by requiring a NBAF



strategic research plan (to be updated biennially), and a joint USDA/DHS integrated budget plan to be submitted annually to the Director of the Office of Management and Budget alongside submissions for the President's Budget Request, and to annually submit a report on this plan to Congress.

- a. Has USDA developed these plans? If so, please transmit the current strategic research plan and report to Congress on the integrated budget plan. If not, please explain why and when USDA anticipates their completion.

**RESPONSE:** The USDA Agricultural Research Service (ARS) National Bio and Agro-Defense Facility (NBAF) strategic research plan is laid out in the 'Creating a National Asset for America's Biosecurity Infrastructure' document at <https://www.usda.gov/sites/default/files/documents/nbaf-strategic-vision.pdf>.

- b. How is the Agriculture Research Service approaching research partnerships with industry and other entities outside of USDA?

- i. Is USDA in discussions with private sector entities to conduct research at the facility?

**RESPONSE:** USDA ARS NBAF Agrosecurity Partnerships for Innovative Research (ASPIRE) Program provides the framework by which NBAF will enhance America's agricultural biosecurity by forming strategic partnerships to support the NBAF Strategic Plan and National Biodefense Strategy.

- c. Congress has provided appropriations for the transition of the NBAF from DHS to USDA. What is the current timeline for final transfer of the NBAF from DHS to USDA? Please provide a description of all transition activities that have occurred to-date.

**RESPONSE:** The U.S. Department of Homeland Security's (DHS) Science & Technology Directorate (S&T) reported in December 2022 that contractor construction and commissioning for NBAF in Manhattan, KS was complete.

The USDA team at NBAF now has unfettered access to the facility.

At the beginning of the year, USDA began a phase called the "operational endurance period" to test and validate building systems before NBAF's transfer from DHS to USDA.

Next steps on the final transfer of NBAF from DHS to USDA are contingent on successful completion of the operational endurance period. Completion is

anticipated sometime this year.

- d. When does USDA anticipate the NBAF becoming operational and initiating research at the facility?

**RESPONSE:** During the operational endurance period, USDA's work processes are being tested and validated in accordance with the building systems.

One of the major advances NBAF has made since entering the operational endurance period at the beginning of the year was the start of the science preparatory phase in mid-February. This phase represents a shift from focusing on operational standup of the facility to beginning the process for standing up the science programs at NBAF.

The operations and science teams are working together to accomplish as much as possible during this phase. Scientists are confirming laboratory set-up, evaluating standardized laboratory work processes for consistency and safety, and ensuring equipment is functioning appropriately. These are critical initial steps to ensure all research and diagnostics can be accomplished safely and effectively.

- e. What are USDA's security plans for the NBAF, both physical security of the building and cyber biosecurity for its research activities?

**RESPONSE:** USDA assumed responsibility for site security of the NBAF campus on May 1, 2021. There is 24/7 support for access control and emergency response. The site is compliant with Homeland Security Presidential Directive (HSPD)-12 identification standards and incorporates best practices and guidelines from the Interagency Security Committee as established in Executive Order 12977.

- i. What is the current state of security at the facility?

**RESPONSE:** The design for NBAF security incorporates concepts for multiple layers and graded protection that help to provide real-time and automated safeguards. Protecting NBAF as a national security asset is a priority for USDA. USDA is implementing national standards for physical security as established by the Interagency Security Committee.

NBAF has established partnerships with local and Federal law enforcement, including the Federal Bureau of Investigation and is seeking to formalize these collaborations. NBAF also partners with the Kansas Intelligence Fusion Center, a collaboration among federal, state, local and tribal agencies, as well as private sector entities, to monitor regional threats.

Additionally, USDA's Agricultural Research Service actively participates in the National Cyber Investigative Joint Task Force through assignment of an Executive Liaison in support of research security initiatives.

- f. Does the NBAF have its own power supply?

**RESPONSE:** Yes. The Central Utility Plant provides dedicated power with backup and redundancy.

**Senator Charles Grassley**

1. In the 2018 Farm Bill, Congress made it clear that Certified Crop Advisors should be fully recognized by NRCS as Technical Service Providers. While there has been a signed MOU with the American Society of Agronomy, NRCS has failed to fully recognize crop advisors as approved technical service providers. Do you know why NRCS has failed to implement this provision from the 2018 Farm Bill?

**RESPONSE:** Certified Crop Advisor is the most frequently used 3<sup>rd</sup> party certification for new NRCS Technical Service Providers. There are 42 out of 188 practices and activities in the NRCS Registry which recognize the technical competence of American Society of Agronomy's Certified Crop Advisors (CCA) and/or Certified Professional Agronomists. The activities and practices capture a wide array of conservation from nutrient management, soil health, transition to organic, pest management, and numerous singular agronomic practices.

The recently established MOU explores opportunities to remove barriers for CCAs and expand the list of practices and activities for which the CCA certification established technical competency. The MOU is the foundation for expanding CCA training, outreach and certification opportunities while keeping integrity and equity in the program.

2. EPA has issued a proposed interim decision restricting the use of common rodenticides. The Department of Agriculture has commented on the rule. USDA has said the proposed restrictions on use of rodenticides would be devastating to U.S. agriculture resulting in potential loss of rodent control and increased crop damage, not to mention the spread of animal and human diseases. Do you agree that these restrictions would result in loss of rodent control and have you personally been in contact with EPA Administrator Regan about restricting the use of rodenticides?

**RESPONSE:** While I am not going to comment on pre-decisional interagency communication, I can say that USDA believes the mitigation measures described in EPA's proposal could have effects on American agriculture and USDA operations, and we provided feedback along with technical suggestions to EPA on how these restrictions could be adjusted to maintain access and responsible use of these pesticides to protect agricultural and natural resources. We also recognize that EPA's proposal is a proposal, and we know EPA takes its public comment process seriously. We expect that USDA comments, as well

as many other comments submitted by stakeholders and the public, will help EPA to minimize any potential effects of its proposal while ensuring safety to public health and the environment.

3. The appreciated value of a farm often represents the lifetime savings and wealth of a family farmer. In effect, the farm itself is their retirement plan. Like-kind exchanges help farmers transition into a secure retirement. Families also use like-kind exchanges to grow their farming businesses and to conserve land for future generations. I have concerns that the President's proposal to limit real estate like-kind exchanges could impose significant economic burdens on family farmers. Did the Administration consult with you on the impact its proposal would have on family farms?

**RESPONSE:** I appreciate your concern about this important issue, and will continue to ensure that the Administration is considering agriculture as it makes decisions.

4. On November 16, 2020, GAO issued a report titled, "*Farm Programs: USDA Has Improved Its Completion of Eligibility Compliance Reviews, but Additional Oversight is Needed*". GAO made five recommendations that FSA improve the accuracy and monitoring of its compliance review tracking system data among other items. However, since the report was issued nearly two and a half years have passed with all recommendations remaining open by GAO. Can you report any action taken to comply with the GAO report by FSA? Could you provide Congress with a timeline of expected actions being taken to complete the recommendations in the report?

**RESPONSE:** FSA is working to submit information to close all recommendations to GAO.

5. With the passage of the bipartisan infrastructure bill, there are even more funds and programs being utilized to address the digital divide. In the past, there have been concerns that the different programs have not coordinated as closely with each other to make sure that we are truly connecting all Americans in an efficient manner. How is USDA coordinating with other broadband deployment programs - such as those administered by the FCC, NTIA, and Treasury?

**RESPONSE:** USDA meets regularly and on an ad hoc basis with the FCC/NTIA/Treasury to ensure that federal dollars are spent in the most efficient way possible. Additionally, USDA shares information with our federal partners regarding the awards made under our programs to enable other agencies to take those awards into consideration to ensure projects do not overlap or overbuild existing services already made available.

**Senator John Thune**

1. During the hearing, you testified that the ReConnect Program "does not address the issue of unserved areas" and that the "ReConnect Program as we are currently administering it is focused on existing broadband systems."

- a. Can you please clarify how you are currently administering the ReConnect Program?

**RESPONSE:** With each funding announcement, an eligibility speed is established to determine if an area has sufficient access to broadband. If an area does not have this speed available to customers, then the area is considered eligible for funding.

- b. Will any funds go to areas that do not have any broadband service today?

**RESPONSE:** Funds will go to areas that do not meet the eligibility speed requirements established in each funding announcement.

How much ReConnect funding goes to providers to upgrade their existing networks to increase speeds available to their customers, and how much funding goes to providers to build new network facilities to unserved locations?

**RESPONSE:** We have not completed an analysis of this nature and would need to set definitions on what is meant by new network facilities. Startup operations would definitely be new facilities and there are not many of those. We would need to consider whether an existing system being extended into an area with no facilities today would be considered new or upgraded facilities.

2. Under the Infrastructure Investment and Jobs Act, Congress provided USDA with \$2,000,000,000 to go to areas where at least 50 percent of households do not have access to broadband at speeds of 25/3 Mbps.

- a. How many locations that have no service today will get broadband service under this funding?

**RESPONSE:** We are currently completing round 4 of ReConnect which will use up all the IJABIL funding provided for the ReConnect Program. Once this funding round is complete, we will be able to report on how many locations that do not have access to speeds of 25/3 Mbps will get broadband service.

- b. How many locations under the 50 percent threshold will receive funding that already have broadband service from a provider other than the funding recipient today at speeds of at least 25/3 Mbps?

**RESPONSE:** We are currently completing round 4 of ReConnect which will use up all the IJJA funding provided for the ReConnect Program. Once this funding round is complete, we will be able to answer this question.

- c. What percentage of the total funding at the 50 percent unserved threshold will go to locations that have broadband service today at speeds of at least 25/3 Mbps?

**RESPONSE:** We are currently completing round 4 of ReConnect which will use up all the IJJA funding provided for the ReConnect Program. Once this funding round is complete, we will be able to answer this question.

3. Under the Consolidated Appropriations Act, 2022, Congress provided USDA with \$436,605,000 to go to areas where at least 90 percent of households do not have access to broadband at speeds of 25/3 Mbps.

a. How many locations that have no service today will get service under this funding?

**RESPONSE:** We anticipate utilizing most of this funding during the next funding round of ReConnect. Once that funding round is complete we will be able to answer this question.

b. What percentage of this funding will go to locations that already have broadband service of at least 25/3 Mbps?

**RESPONSE:** We anticipate utilizing most of this funding during the next funding round of ReConnect. Once that funding round is complete we will be able to answer this question.

4. USDA's Economic Research Service estimates that net cash farm income is estimated to fall more than 20 percent in 2023. While this followed an increase in 2022, the chart released by USDA illustrates a pattern of increases and decreases – rather than a steady and consistent approach of prosperity in agriculture.

a. In your view, should farm policy provide an effective safety net for the challenging times ahead?

**RESPONSE:** Yes.

5. Nutritious meals are critical to academic success, and schools strive to serve students healthy, balanced meals. I've heard concerns from South Dakota schools that USDA's proposed rule on school nutrition standards would make it harder to feed students, especially considering the current inflation, supply chain, and labor challenges.

a. As USDA considers changes to school nutrition standards, will the department commit to improving coordination with and incorporating input from the personnel in schools who are working to keep students fed?

**RESPONSE:** USDA and the Biden-Harris Administration are deeply committed to strengthening nutrition in school meals to give kids a healthy start, and we are equally committed to doing that in a way that is workable and provides schools with the support they need to succeed. School meals are the main source of nutrition for millions of children every school day, and so we know when we move the needle on nutrition, even a little, the impacts can be profound.

School nutrition professionals have worked tirelessly throughout the pandemic and beyond to ensure that children maintain access to healthy meals. And USDA has done—and will continue to do—everything in our power to support them. USDA has provided schools and states with

billions of dollars in additional resources and significant flexibilities and will continue to support them so they can serve the most nutritious meals possible.

USDA issued a “bridge rule” last year setting interim standards for sodium, whole grains, and milk, which is currently in place for schools. If we had not acted, when pandemic meal-pattern flexibilities ended, schools would have had to meet requirements for milk, whole grains, and sodium that were more stringent than schools had to meet in recent years— and in the case of sodium—ever. The transitional standards set by USDA provide schools and industry with certainty and a realistic path forward for the next two school years as they transition from pandemic operations.

It also gave USDA the time and space to engage extensively with a broad range of stakeholders. We held more than 50 listening sessions with a diverse range of stakeholders with different perspectives—school nutrition professionals, as well as nutrition experts, parents, industry partners, and from Congress.

Based on feedback from our school meal partners and the latest nutrition science, USDA proposed incremental updates to the school meal standards in a few key areas. We heard loud and clear from schools that they are still facing tremendous challenges and need stability and time to make any changes, and the proposed rule builds in time for planning and implementation. As proposed, no major changes would occur before July 1, 2025 (school year 2025-26).

During the 90-day comment period, which ended on May 10, we encouraged all interested stakeholders to submit formal comments to help us refine the final rule, with the goal of updating meal standards in a way that moves the needle for children’s health, is workable, and provides schools and industry with the stability that they need.

Well-nourished children will be more successful in and out of the classroom and will have better health outcomes. We will continue to listen to and work with all our school meal partners to support the growth, health, and well-being of children.

6. As you know, I’m a strong supporter of the Conservation Reserve Program, or CRP, which plays a critical role in conserving marginal lands and providing wildlife habitat. I’ll continue working to make the program a more effective, working lands-oriented option for producers in the next farm bill. I’m also interested in exploring ways to improve prioritization of enrolling marginal, environmentally sensitive acres in the program.
- a. What ideas do you have for better targeting the enrollment of marginal, environmentally sensitive acres into CRP?

**RESPONSE:** While nearing the statutory acreage limitation for the program is a concern for USDA to continue to hold meaningful signups, USDA is continuing to identify opportunities to ensure that key acreage is enrolled. Through innovative work, the Department has partnered with external partners to protect acres within migratory corridors for big game in the west and birds in

the mid-west. These targeted enrollments are establishing and protecting critical habitat. Continued flexibility for USDA to target this type of works is appreciated.

In the 2018 Farm Bill, FSA lost the ability to compensate producers for the management of CRP land throughout the term of their contracts. This increases the financial burden for producers and has increased the number of producers choosing not to re-enroll. +While this is the producer's choice, this creates vulnerability for highly sensitive land to be converted back into cropland which may result in increased run off or less wildlife habitat.

FSA continues to refine the geospatial data that is used to determine program eligibility as technology and science give us better tools to review offers. USDA appreciates the support for Monitoring, Evaluation, and Assessment projects to continually evaluate CRP and its outcomes.

7. Farmers and ranchers are constantly looking for ways to strengthen their operations through efforts to improve soil health and increase productivity, but data is often not available on the environmental and financial impacts of conservation practices like reduced tillage, cover crops, and nutrient management. Senator Klobuchar and I have introduced the Agriculture Innovation Act that seeks to help producers access information on how conservation and production practices increase crop yield, bolster soil health, and ultimately improve profitability.
- a. Do you believe that improved data about the farm-scale effects of conservation would help address the challenge producers face with increasing productivity while using less resources?

**RESPONSE:** USDA believes that better data generally leads to more informed decisions, and supports providing farmers and ranchers with data that can help improve profitability while supporting conservation objectives. NRCS has a range of tools that provide data on natural resource concerns, including soil health, and continues to develop and refine these tools.

8. I remain concerned with Brazil's repeated failure to quickly disclose atypical cases of BSE – a neurological disease of cattle – which could pose a significant threat to the health and safety of the U.S. cattle herd. Last month, Brazil reported another atypical case of BSE to the World Animal Organization for Animal Health following a significant delay after identifying it. I'd like to reiterate my previous request to halt Brazilian fresh beef imports until a thorough investigation is conducted into Brazil's food safety review process.
- a. Is USDA considering a suspension of Brazilian beef imports?

**RESPONSE:** USDA understands concerns about Brazil's recent atypical BSE cases. The World Organization for Animal Health (WOAH) requires member countries to report listed diseases within 24 hours of detection, not sampling. Each country determines how it will comply with these requirements and many, including Brazil, send samples to foreign laboratories for confirmatory testing, which comprises the official detection. Brazil consistently reports its testing results within



this timeline. We have spoken with Brazil about the importance of timely confirmatory testing and reporting, and the U.S. Chief Veterinary Officer is continuing those conversations.

9. The EPA has proposed a “Set” rulemaking that is required by consent decree to be finalized by June 14, 2023. Unfortunately, the EPA proposed to set biomass-based diesel and advanced biofuel volumes that are lower than current blending levels AND lower than increased capacity that is coming on-line in 2023 alone. The EPA’s volumes are inconsistent with every credible estimate of production capacity and would put about \$5B of announced investments to increase crush capacity at risk. At the heart of EPA’s thinking appears to be a failure to acknowledge current market data on the availability of feedstock to support significant increases in the proposed volumes for advanced biofuels and biomass-based diesel fuels. USDA is the repository of the federal government’s expertise on agricultural markets.

- a. What actions is USDA taking to provide EPA with more accurate information regarding feedstock availability for advanced and biomass-based diesel fuel?

**RESPONSE:** The Office of the Chief Economist in conjunction with the Food and Agricultural Policy Research Institute authored a white paper containing an empirical analysis using the latter’s commodity market modeling system of how increasing the biomass-based diesel mandate beyond the proposed rule may impact agricultural markets. The model considered larger increases of 200, 400, and 600 million biomass-based diesel gallons over the 2023-2025 (which would represent a 19.1% increase in the mandate in 2025 above the EPA proposed volume). This resulted in a small impact on soybean prices (0.7%) and an 8% increase in soybean oil prices. Thus, the analysis indicates that increases in biomass-based diesel production could occur without significant disruptions on agricultural commodity markets.

- b. Is USDA input being considered by EPA in the rulemaking process?

**RESPONSE:** On March 31, 2023 USDA sent the white paper described in part (2a) to EPA for their consideration and has responded to follow-up questions from EPA regarding the analysis.

10. Over the last year, \$5B in investments in rural America to increase crush capacity for soybeans have been announced, driven by the EPA’s implementation of the Renewable Fuel Standard as Congress intended since President Biden took office. Additionally, ethanol producers continue to invest in new technologies to increase their yields of distillers corn oil, another important low-carbon feedstock for biomass-based diesel fuels. Unfortunately, the EPA has diverted from its strong record in the last several years with its “Set” proposal for advanced biofuels and biomass-based diesel -by proposing volumes lower than current blending levels and lower than increased capacity coming online in 2023 alone. If these numbers stand, the \$5B in crush capacity investments will be at significant risk.

- a. How would an increase of this magnitude in crush capacity increase feedstock availability?
- b. Do you believe the EPA took these announced investments in crush capacity and enhanced corn oil recovery into account when putting together its Set proposal?
- c. Can you speak to what it would mean for rural communities across the country to see an influx of this type of investment and conversely, what the consequences would be of losing this investment?

**RESPONSE TO ALL:** The American Soybean Association states that U.S. crushing capacity was 2.2 billion bushels per year as of November 2022. If all announced projects are completed, capacity will increase by 753 million bushels per year by the end of 2026. This is enough to produce an additional 1.1 billion gallons of renewable diesel, which would generate 1.8 billion additional D4 RINs. Through the 2022 compliance year, EPA reduced the advanced biofuel requirement by the same amount that it has been obliged to reduce the cellulosic biofuel requirement, which limits the opportunity for growth in non-cellulosic advanced biofuels. If these capacity investments do not move forward, then new opportunities in rural communities – like construction jobs and operations jobs and completed facilities – may not be realized to their full potential.

11. An ongoing challenge and frustration facing the biofuels sector is EPA’s failure to update its greenhouse gas (GHG) modeling to reflect improvements achieved by the U.S. biofuels industry. The Department of Energy’s Argonne National Lab has developed the GREET model, which is the best and most complete model in the world for tracking greenhouse gas emissions. Most significantly for today’s conversation, it accounts for both on-farm carbon sequestration in the biofuel supply chain and efficiency improvements at the plant. Currently, EPA utilizes models that do not fully capture these and other carbon reduction benefits associated with biofuels. Failure to utilize updated science and modeling undercounts progress already made toward meeting goals of decarbonizing the fuel supply and undercuts our ability to meet the targets set forth in emerging areas like aviation jet fuel.

- a. What steps is USDA taking to ensure that the EPA utilizes sound science and modeling like the GREET model moving forward as the agency implements the RFS set rule and biofuels policy across the federal government?
- b. What actions is USDA taking through the interagency process or otherwise to advocate for the use of GREET to ensure a level playing field for domestic crop-based feed stocks against foreign sources of energy and other technologies?

**RESPONSE TO ALL:** USDA has been actively engaging with EPA and other federal government agencies in estimating the lifecycle greenhouse gas emissions associated with biofuel consumption in policy and regulatory contexts. For example, EPA consults with USDA in assessing the GHG analysis under the RFS. USDA’s role in this process is to provide input based on the latest science, data and information on factors that influence GHG emissions.

12. In response to the crippling effect of rising energy prices Americans have experienced across the country, in April of 2022, President Biden took bold action to address this through issuing an emergency waiver to allow E-15 gasoline to be sold during the summer of 2022. Thank you for your work on this action by the president. As a result, consumers saw savings of between 15 and 30 cents per gallon across the country where E-15 was sold. As we approach the summer driving season in 2023, we are again facing the same challenges where consumers will soon see an increase in the price of gas unless action is taken to permit the sale of E-15 year-round.

- a. Will the administration act in time to prevent the disruption of year-round E15 sales after consumers have had this option for four summer driving seasons?

**RESPONSE:** USDA does not make a regulatory determination about whether E15 is available year-round. In March 2023, EPA proposed to remove the 1-psi waiver for gasoline-ethanol blends containing 10 percent ethanol in the following states: Illinois, Iowa, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. EPA issued this proposed rule in response to the 1-psi volatility waiver removal requests from these state governors. Once finalized the rule will effectively allow year-round sale of E15 in these states starting in 2024.