



# House and Senate Side-By-Side Farm Bill Provisions

	House H.R. 2	Senate S. 3042	AFBF Position
<b>Title I - Commodities</b>			
<b>ARC and PLC</b>	ARC-CO and PLC are reauthorized. Farmers will have an opportunity to elect a program for the 2019 to 2023 crop years. ARC-IC is eliminated. <u>Default option remains PLC.</u>	ARC-CO, ARC-IC and PLC are reauthorized. Farmers will have an opportunity to elect a program for the 2019 to 2023 crop years. <u>Farms not electing will be automatically enrolled in ARC-CO.</u> *Allows producers to switch their ARC/PLC election in 2021.	We support revenue and price based safety nets and use of RMA yields in ARC-CO. Keep both changes to ARC and PLC. We support the default option of current enrollment.
<b>ARC-CO Farm Location</b>	Based on the physical location of the farm.	Based on the physical location of the farm.	
<b>ARC Yields</b>	Use RMA yield data where available. Calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and non-irrigated covered commodities.	Use the best source of yield data. Plug yields in benchmark revenue calculation now based on 75% of T-Yields (was 70%). Trend-Adjusted Yield factors taken into consideration for ARC-CO payments.	
<b>PLC Reference Prices</b>	Includes a floating PLC reference price that can reach as high as 115% of the reference price.	No changes made to PLC reference prices.	
<b>PLC Payment Yields</b>	One-time opportunity to update payment yields in counties impacted by D4 drought for 20 or more consecutive weeks.	NA	Support House
<b>One-Time Sign Up for ARC and PLC</b>	Allows for a one-time program contract for enrollment into ARC and PLC through 2023.	NA	
<b>Base Acres - Non-covered commodity</b>	Allows Secretary to included non-covered commodities such as fruits, vegetables or wild rice planted on base to be considered the same as planting a covered commodity.	Allows Secretary to included non-covered commodities such as fruits, vegetables or wild rice planted on base to be considered the same as planting a covered commodity.	Same
<b>Base Acres Review/Update</b>	Farms with base acres and no covered commodity planted or prevented planting at any point from 2009 through 2017, the base acres become unassigned and ineligible for any ARC and PLC payments.	Requires USDA to review the establishment, calculation, reallocation, adjustment, and reduction of base acres under the 2014 Farm Bill and provide a report within 2 years to the House and Senate Agriculture Committees.	We support only voluntary base acre updating and not a mandatory base acre update. Acquiesce to Senate.
<b>Timing of Payments</b>	NA	Within 30 days of the end of the marketing year payments rates will be announced.	Acquiesce to Senate
<b>Economic Adjustment Assistance for Upland Cotton</b>	Assistance at 3.15¢ per pound.	Mandatory funding for Economic Adjustment Assistance for Upland Cotton through 2021, then converted to discretionary.	Oppose Senate, Support House

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<b>Actively Engaged in Farming</b>	Broadens definition of family member for actively engaged determination for program eligibility to include nieces, nephews and first cousins.	Includes significantly tighter actively engaged provisions that limit only one person or entity in a farm operation to meet actively engaged requirement by providing management activities – all other persons or entities must provide labor contribution to meet requirements for program eligibility.	Oppose Senate, Support House
	Applies the payment limit and AGI to everyone in a pass-through entity (S corp, LLC) rather than the entity itself (i.e. treats pass-through entities like general partnerships and joint ventures).	Significant contribution of active personal management is defined as either 500 hours annually or 25% of the management hours necessary for the operation annually.	
<b>Adjusted Gross Income Limitation</b>	Current AGI Limitation is continued at \$900,000.	Senate establishes an AGI Limitation of \$700,000, this is down from \$900,000.	Oppose Senate, Support House
<b>Payment Limitations</b>	Continues current \$125,000 per person payment limit for ARC/PLC payments; maintains separate \$125,000 limit for peanuts.	Continues current \$125,000 per person payment limit for ARC/PLC payments; maintains separate \$125,000 limit for peanuts.	Same – AFBF opposes payment limits.
<b>Sugar</b>	Extends the sugar program.	Extends the sugar program.	Same – AFBF supports the sugar program.
<b>Dairy</b>			
<b>Name</b>	Dairy Risk Management Program	Dairy Risk Coverage	
<b>Relation to LGM-Dairy</b>	Allows farms to use both Dairy Risk Coverage and LGM-Dairy but not on the same milk production.	NA	Support House
<b>Annual Enrollment</b>	Locked in to Coverage Election for Life of Farm Bill.	NA	Support Senate
<b>Tier 1 Coverage</b>	Increases maximum coverage to as much as \$9 hundredweight.	Increases maximum coverage to as much as \$9 hundredweight.	Same
<b>Covered Milk Production</b>	Can cover 0% to 90% in 5% increments of farm's production history.	Can cover 0% to 90% in 5% increments of farm's production history.	Same
<b>Tier 1 Premiums</b>	Reduced by as much as 80%.	Reduced by as much as 80%.	Same
<b>Small Farm Discount</b>	NA	Farms with a less than 2 million pounds of production history get 50% discount. Farms with less than 10 million pounds get 25% discount.	Acquiesce to Senate
<b>Tier 2 Premiums/Coverage</b>	Tier 2 coverage is only available to \$8 per hundredweight.	Tier 2 premium rates are increased. Tier 2 coverage is only available to \$8 per hundredweight.	
<b>Catastrophic Coverage</b>	NA	Set at \$5 per hundredweight that does not exceed 40 percent of the farm production history.	Acquiesce to Senate

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<b>Repayment of Premiums</b>	NA	Refunds dairy operators for premiums paid into Margin Protection Program for 2014 to 2017.	AFBF opposes offset. Support repayment.
<b>Feed Costs</b>	Directs USDA to study costs of average feed costs.	NA	Acquiesce to House
<b>Class I Milk Price</b>	Changes fluid milk price to average of Class III and IV plus 74¢.	Changes fluid milk price to average of Class III and IV plus 74¢.	Same
<b>Milk Donation Program</b>	NA	Authorizes up to \$5 million for a Milk Donation Program to provide nutrition assistance to low income groups and to reduce food wastes. Eligible dairy organizations can receive reimbursement for qualified expenses.	Acquiesce to Senate
<b>Title II - Conservation</b>			
<b>Overall Spend</b>	+ \$656 million over the life of the bill.	+ \$290 million over the life of the bill.	House provides more on the ground conservation, streamlining, and flexibility for the 5-year life of this bill.
<b>Minimal Effects, Wetlands</b>	Establishes a requirement for NRCS to conduct a rulemaking to implement the minimal effect exemptions within 180 days after enactment.	Requires bureaucratic consultation with State technical committees, Wildlife and Water Resources agencies, FSA, Fish and Wildlife Service and Commodity organizations.	Support House
<b>Mitigation Banking</b>	\$10 million CCC funds and \$5 million in annual appropriations through 2023.	\$5 million in annual appropriations through 2023.	Support House
<b>Conservation Reserve Program Acreage</b>	Increases CRP acreage by 1 million acres each fiscal year to a cap of 29 million acres. Reserve 3 million acres for grassland contracts.	Increase CRP acreage cap to 25 million acres. Adds significant bureaucratic hurdles to general signups and continuous signups. Earmarks funding to Endangered Species Act, CREP, SAFE, and CLEAR which directs significant funding to regional programs.	AFBF supports a cap of 24 million acres. Support House CRP program but without the step down in rates.
<b>CRP Permanent Easements</b>	NA	Requires consultation with State technical committees, Wildlife and Water Resource agencies, FSA, Fish and Wildlife Service and Commodity organizations.	Oppose Senate
<b>CRP Rental Rates</b>	Caps rental rates at 80% of NASS rental rates. Steps down rental rate by reenrollment. Initial enrollment rate capped at 80% of applicable county rental rate. Declines to 65%, 55%, 45%, and 35% for 1st, 2nd, 3rd, and 4th reenrollment.	Payments shall not exceed 88.5% of the estimated rental rates. Direct funding to state wildlife programs.	Support House, but without the step down in rates.
			<i>AFBF Policy: Calculation of CRP rental rates should be re-examined to ensure they mirror, but do not exceed, the rental rates of comparable land in the immediate area. Rates should be based on the agricultural production value of the land.</i>

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<b>Environmental Quality Incentives Program</b>	CSP program is merged into EQIP, funding is incrementally increased to \$3 billion by 2023. Authorization modifies EQIP to fold in many of CSP's most producer friendly provisions. Changes allow flexibility and stewardship contracting by removing the whole farm, 10 million acre and dollar per acre limits of current law CSP.	Cuts EQIP funding levels below FY 2017 and 2018 appropriated levels. Adds significant carveouts for micro-pilot projects, wildlife (10%), urban and soil testing and remediation assistance, socially disadvantaged and beginning farmers and ranchers and wildlife public access program.	<i>AFBF Policy: We support funding for CSP with great accessibility to farmers.</i>
<b>EQIP Livestock</b>	Removes the 60% livestock carve; 5% must go to wildlife practices.	Livestock carveout is 50% of EQIP funding.	Support House with livestock carveout.
<b>EQIP Irrigation</b>	Allows irrigation districts, irrigation associations, and acequias to be eligible for EQIP.	NA	Support House
<b>Conservation Stewardship Program</b>	Repeals CSP program, Current contracts are honored, but no reenrollments will occur. Majority of the CSP funding is shifted to EQIP with up to 50% of the annual funding for stewardship practices.	Continues CSP with a 5-year renewal. Senate changes further complicates CSP and will require layering of conservation performance to re-enroll. USDA data indicates 60% of CSP funding goes to 10 states and 80% goes to 20 states.	
<b>CSP Acreage</b>	Repeals CSP program, Current contracts are honored, but no reenrollments will occur. Majority of the CSP funding is shifted to EQIP to cover stewardship related practices and activities.	Annual enrollment maximum reduced from 10 million to 8.7 million acres reducing program outlays by \$1 billion over 10 years. Adds soil health and activities that mitigate impact of increasing weather volatility as program priorities.	
<b>ACEP</b>	Increases funding for ACEP (Agricultural Conservation Easement Program).	Modifies ACEP (Agricultural Conservation Easement Program) and increases funding.	
<b>RCPP</b>	Increases funding for RCPP (Regional Conservation Partnership Program). Removes the 7% allocation of EQIP, CSP and ACEP to RCPP. 100% directed to conservation practices.	Increases funding to RCPP (Regional Conservation Partnership Program) and maintains the 7% carve-out from EQIP, CSP, and ACEP, with substantial modifications. Directs up to 30% to be used for grant administration.	Support House
<b>Feral Swine Eradication</b>	Pilot Program to provide financial assistance to producers for eradication and control of feral swine.	NA	Support House - Funding should be prioritized for eradication.
<b>Data on Conservation Practices</b>	Reauthorizes the Soil and Water Resources Conservation Act and expands USDA's ability to assess natural resource concerns through enhanced measurement, evaluation, and reporting on conservation program outcomes, but prevents the information from being shared with EPA and others.	Expands data sharing to agencies and organizations outside of USDA. Identify and collect data on the impact of covered conservation practices on crop yields, soil health, risk and farm and ranch profitability.	Oppose both on data privacy concerns.

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Report on Small Wetlands	NA	Mandates NRCS to issue report describing the number of delineated wetlands in the states of ND, SD, MN & IA under one acre. Report will be in increments of 1/10th of an acre.	Oppose Senate
<b>Title III - Trade</b>			
Trade Programs Combined	Combines the current Market Access Program (MAP), Foreign Market Development program (FMD), Emerging Markets Program (EMP), and Technical Assistance for Specialty Crops (TASC). Funded at \$255 million annually.	Combines the current Market Access Program (MAP), Foreign Market Development program (FMD), Emerging Markets Program (EMP), and Technical Assistance for Specialty Crops (TASC). Funded at \$259.5 million annually.	Same – AFBF Supports
<b>Title V - Credit</b>			
Lending	Increases the loan limit for USDA guaranteed farm ownership and farm operating loans from \$700,000 to \$1,750,000, adjusted for inflation.	Increases authorization for USDA loans to \$12 billion annually. \$2 million for direct ownership loans; \$2 million for direct operating loans; \$4 million for guaranteed ownership loans; and \$4 million for guaranteed operating loans.	
Farm Ownership Loans	Direct loans capped at \$600,000 (+\$300,000) and Guaranteed loans capped at \$1,750,000 (+\$351,000).	\$1,750,000 limit	
Farm Operating Loans	Direct loans capped at \$400,000 (+\$100,000) and Guaranteed loans capped at \$1,750,000 (+\$351,000).	\$1,750,000 limit	
<b>Title VI - Rural</b>			
Association Health Plans	The Secretary of Agriculture may establish a loan program and a grant program to assist in the establishment of agricultural association health plans, in order to help bring new health options and lower priced health care coverage to rural Americans.	NA	Support House. AHPs allow small businesses and sole proprietors to offer the same types of health plans that large employers offer.
Broadband: Precision Agriculture Connectivity	Creates a task force to focus on the connectivity and technology needs of precision agriculture.	Creates a task force to focus on the connectivity and technology needs of precision agriculture. Includes a “hold harmless” provision, which the House language does not include.	Support inclusion in final bill. The “hold harmless” provision does not impact the task force.
Rural Jobs and Investment	NA	Allows for the development of jobs accelerator centers and programs located in or serving low-income rural communities.	Support inclusion in final bill.
<b>Title VII - Research, Extension, and Related Matters</b>			
Citrus	Maintains \$25M citrus greening carve out.	Eliminates citrus greening carve out, creating the Citrus Disease Trust Fund.	



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<b>Title IX - Horticulture</b>			
<b>Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)</b>	Clarifies role of State Lead Agencies in implementing EPA regulations, Reconciles FIFRA and ESA to give express authority, Includes PRIA-4	NA	Support House
<b>CWA (Clean Water Act)</b>	Eliminates the requirements of a NPDES permit under the CWA for pesticides approved by FIFRA	NA	Support House
<b>Title XI and X - Crop Insurance</b>			
<b>ARC-CO and Crop Insurance</b>	Existing law prevents ARC-CO and SCO on the same acres. Expands to include to include Area Risk Protection plans as well	NA	Acquiesce to Senate
<b>Hemp</b>	NA	Adds hemp as an agricultural commodity. Several provisions facilitate development of an insurance contract for hemp.	Support Senate
<b>Title XI and XII - Miscellaneous</b>			
<b>National Animal Disease Preparedness</b>	Authorizes National Animal Disease Preparedness and Response Program to address risk of animal pests and diseases affecting U.S. livestock and related industries.	Authorizes but does not fund National Animal Disease Preparedness and Response Program to address risk of animal pests and diseases affecting U.S. livestock and related industries.	Acquiesce to House
<b>Slaughter of Cats and Dogs</b>	Prohibits slaughter of cats and dogs for human consumption, carries at \$2,500 fine.	Prohibits slaughter of cats and dogs for human consumption, carries at \$5,000 fine.	
<b>WOTUS</b>	'Waters of the United States'", published on June 29, 2015 (80 Fed. Reg. 37054), is repealed, and any regulation or policy revised under, or otherwise affected as a result of, that rule shall be applied as if that rule had not been issued.	NA	Support House
<b>Transportation - Definition of Livestock</b>	NA	Expands the definition of livestock to include; llamas, alpacas, live fish, craw fish, and other animals.	Support Senate
<b>Protecting Interstate Commerce</b>	The government of a State or locality therein shall not impose a standard or condition on the production or manufacture of any agricultural product sold or offered for sale in interstate commerce such production or manufacture occurs in another State.	NA	Support House