

House and Senate Side-By-Side Farm Bill Provisions

	House H.R. 2	Senate S. 3042	AFBF Position
Title I - Commodities			
ARC and PLC	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.
ARC-CO Farm Location	Based on the physical location of the farm.	Based on the physical location of the farm.	
ARC Yields	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.	
PLC Reference Prices	Includes a floating PLC reference price that can reach as high as 115% of the reference price.	No changes made to PLC reference prices.	
PLC Payment Yields	One-time opportunity to update payment yields in counties impacted by D4 drought for 20 or more consecutive weeks.	NA	
Base Acres - Non-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.	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
Base Acres Review/Update	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.
Timing of Payments	NA	Within 30 days of the end of the marketing year payments rates will be announced.	Acquiesce to Senate
Economic Adjustment Assistance for Upland Cotton	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

	House H.R. 2	Senate S. 3042	AFBF Position
Actively Engaged in Farming	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.	
Adjusted Gross Income Limitation	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
Payment Limitations	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.
Sugar	Extends the sugar program.	Extends the sugar program.	Same – AFBF supports the sugar program.
Dairy			
Name	Dairy Risk Management Program	Dairy Risk Coverage	
Relation to LGM-Dairy	Allows farms to use both Dairy Risk Coverage and LGM-Dairy but not on the same milk production.	NA	Support House
Annual Enrollment	Locked in to Coverage Election for Life of Farm Bill.	NA	Support Senate
Tier 1 Coverage	Increases maximum coverage to as much as \$9 hundredweight.	Increases maximum coverage to as much as \$9 hundredweight.	Same
Covered Milk Production	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
Tier 1 Premiums	Reduced by as much as 80%.	Reduced by as much as 80%.	Same
Small Farm Discount	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
Tier 2 Premiums/Coverage	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.	
Catastrophic Coverage	NA	Set at \$5 per hundredweight that does not exceed 40 percent of the farm production history.	Acquiesce to Senate

	House H.R. 2	Senate S. 3042	AFBF Position
Repayment of Premiums	NA	Refunds dairy operators for premiums paid into Margin Protection Program for 2014 to 2017.	AFBF opposes offset. Support repayment.
Feed Costs	Directs USDA to study costs of average feed costs.	NA	Acquiesce to House
Class I Milk Price	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
Milk Donation Program	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
Title II - Conservation			
Minimal Effects, Wetlands	Establishes minimal effect exemptions so farmers know about eligibility to avoid violations. Requires consultation with State technical committees, Wildlife and Water Resource agencies, FSA, Fish and Wildlife Service and Commodity organizations.	Requires consultation with State technical committees, Wildlife and Water Resource agencies, FSA, Fish and Wildlife Service and Commodity organizations.	Support House
Mitigation Banking	\$10,000,000 CCC funds and \$5,000,000 in annual appropriations through 2023.	\$5,000,000 in annual appropriations through 2023.	Support House
Conservation Reserve Program Acreage	Increases CRP acreage by 1 million acres each fiscal year to a cap of 29 million acres.	Increase CRP acreage cap to 25 million acres.	AFBF supports a cap of 24 million acres. Senate cap is closer to our goal.
CRP Permanent Easements	NA	Allows expiring CRP contracts to enter into CRP easement program. Acres in the easement program will not count against 25 million acre CRP cap and is permanent or the maximum allowable under State law.	Oppose Senate
CRP Rental Rates	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.	Acquiesce to 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>
Environmental Quality Incentives Program	CSP program is merged into EQIP, funding is increased by \$3 billion.	Continues EQIP at current funding levels.	<i>AFBF Policy: We support funding for CSP with great accessibility to farmers.</i>
EQIP Livestock	Removes the 60% livestock carve; 5% must go to wildlife practices.	Livestock carveout is 50% of EQIP funding.	Support livestock carveout
EQIP Irrigation	Allows irrigation districts, irrigation associations, and acequias to be eligible for EQIP.	NA	Acquiesce to House

	House H.R. 2	Senate S. 3042	AFBF Position
Conservation Stewardship Program	Repeals CSP program, Current contracts are honored, but no reenrollments will occur.	Continues CSP with a 5-year renewal.	<i>AFBF Policy: We support funding for CSP with great accessibility to farmers.</i>
CSP Acreage	Repeals CSP program, Current contracts are honored, but no reenrollments will occur.	Annual enrollment maximum reduced from 10,000,000 to 8,797,000 acres. Adds soil health and activities that mitigate impact of increasing weather volatility as program priorities.	<i>AFBF Policy: We support funding for CSP with great accessibility to farmers.</i>
ACEPP	Increases funding for ACEP (Agricultural Conservation Easement Program).	Continues ACEP (Agricultural Conservation Easement Program) with some modifications.	
RCCP	Increases funding for RCCP (Regional Conservation Partnership Program).	Continues RCCP (Regional Conservation Partnership Program) with some modifications.	
Feral Swine Eradication	Pilot Program to provide financial assistance to producers for eradication and control of feral swine.	NA	Support House - Funding should be prioritized for eradication.
Data on Conservation Practices	Expands USDA's ability to assess natural resource concerns through enhanced measurement, evaluation, and reporting on conservation program outcomes.	Identify and collect data on the impact of covered conservation practices on crop yields, soil health, risk and farm and ranch profitability.	Acquiesce to Senate
Title III - Trade			
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
Title V - Credit			
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	
Title VI - Rural			
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.

	House H.R. 2	Senate S. 3042	AFBF Position
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.
Title VII - Research, Extension, and Related Matters			
Citrus	Maintains \$25M citrus greening carve out.	Eliminates citrus greening carve out, creating the Citrus Disease Trust Fund.	
Title IX - Horticulture			
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)	Clarifies role of State Lead Agencies in implementing EPA regulations, Reconciles FIFRA and ESA to give express authority, Includes PRIA-4	NA	Support House
CWA (Clean Water Act)	Eliminates the requirements of a NPDES permit under the CWA for pesticides approved by FIFRA	NA	Support House
Title XI and X - Crop Insurance			
ARC-CO and Crop Insurance	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
Hemp	NA	Adds hemp as an agricultural commodity. Several provisions facilitate development of an insurance contract for hemp.	Support Senate
Title XI and XII - Miscellaneous			
National Animal Disease Preparedness	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
Slaughter of Cats and Dogs	Prohibits slaughter of cats and dogs for human consumption, carries at \$5,000 fine	NA	
WOTUS	‘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
Protecting Interstate Commerce	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