

Minority Views on Committee Print, as reported by the Committee on Agriculture, required by S. Con. Res. 14

Summary

At the beginning of the 117th Congress, the Chairman made a commitment to strengthen the reputation of the House Committee on Agriculture, including its history of bipartisanship in finding commonsense solutions to help the farmers, ranchers, and rural communities each of us represent. Unfortunately, that commitment has been cast aside twice since January 2021. Now we find ourselves again presented with an unvetted bill laced with short sighted policies.

The process by which this Committee considered the “Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022” was fatally flawed in almost every way possible. The result is a reckless and wasteful bill that ignores the immediate and critical needs of rural America. As the Republican Members of this Committee, we could not in good faith support such a defective process or product.

The problems with this legislation are deep-seated, beginning with the underlying goal to increase government spending by an eye-watering \$3.5 trillion over the next 10 years, including \$89.1 billion within the jurisdiction of the House Agriculture Committee. This spending comes on the heels of trillions of dollars in COVID relief as well as hundreds of billions of dollars in deficit spending under the American Rescue Plan Act (P.L. 117-2), all of which has presumably gone out the door without an ounce of Congressional oversight.

One would think if this Committee intended to spend \$89.1 billion—a number comparable to the combined five-year baseline for crop insurance, conservation, and commodity programs under the 2018 Farm Bill—there would be a deliberative and public process with stakeholder testimony to inform its development. Our constituents deserve nothing less. That, however, was not the case. Instead, this legislation was drafted behind closed doors by Democrat Leadership.

Compounding on the problem of moving a bill that is completely unvetted is the fact that the Republican Members of this Committee did not see language until less than 24-hours before the business meeting commenced, and only seconds before it was released to the public.

Importantly, this occurred after we called on the Chairman to engage in a transparent process. However, by not sharing the text with sufficient time to evaluate the impacts, the Majority thwarted the ability of the Republicans, and many Committee Democrat Members, to participate in the markup. That is the antithesis of transparency.

More concerning than not having a meaningful debate about spending and policy is not having the opportunity to debate at all. Unfortunately, that is the position we found ourselves in when the Committee convened to markup a woefully incomplete bill. When text was finally released, both Republicans and Democrats were shocked to learn the legislative measure was more than \$22 billion short of the Committee’s instructions under the House-passed budget resolution.

Members were further amazed to learn from the Chairman during the markup that an additional \$28 billion in spending would be added to the bill by Democrat Leadership *after* the Committee completed the markup—a stunning dereliction of process. We have grave concerns about moving forward without the opportunity to debate and vote on the full level of spending within the jurisdiction of our Committee. If the numbers stated by the Chairman are accurate, he either intends to exceed the Committee’s instructions, or has plans to gore someone’s ox and include offsets that have never seen the light of day. Indeed, several Democrats on the Committee echoed our concerns about moving forward in such a way. Sadly, the Committee ignored those concerns and proceeded, driven not by policy but instead by an artificial, pointless deadline and the will of the Speaker.

Subtitle A – General Provisions

While the Majority has touted this package as being responsive to the needs of rural Americans, on two of the most salient issues facing farm families—taxes and the farm safety net—this legislation is silent.

There is not one word in this bill addressing the devastating consequences of the tax policies proposed by this Administration in the Democrats’ broader reconciliation package.

The Majority went out of its way to avoid assuaging the anxieties of nearly every farm constituency by hiding behind procedural curtains. They refused to formally commit the Committee to a position they all professed to hold: that this reconciliation package should not raise taxes on farmers, ranchers, and small businesses.

Rather than join us in publicly stating clear, unequivocal, bipartisan opposition to balancing this colossal spending package on the backs of rural family and small businesses, the Majority punted. They chose to argue the Agriculture Committee has no right to express its opinions and preferences on tax policy, because taxes are outside of our Committee’s jurisdiction.

It is impossible to square this view with our understanding of the proper role of the Committee on Agriculture as the champions and defenders of rural America. If tax proposals—or any other policies—threaten our constituents, this Committee has an obligation to participate vigorously in the debate and the right to express its collective opinion on any matter it deems appropriate.

Additionally, the lack of attention paid to the farm safety net is a slap in the face of the hard-working men and women who feed and clothe this nation and the world. After consecutive years of extreme weather events across the country and less than two weeks after a devastating hurricane wreaked havoc across Louisiana and other states in the mid-south, one would think this reconciliation process would be a prime vehicle to enact assistance for those producers. In fact, just over a month prior to the markup, the Committee unanimously approved a measure to authorize appropriations for disaster assistance in 2020 and 2021. An amendment offered by Representative Julia Letlow (R-LA) would have used a portion of the Committee’s unspent reconciliation instruction to enact the policy approved by the Committee and appropriate \$8.5 billion in assistance for struggling producers. Unfortunately, that amendment was defeated 26 to

25. While the Majority may pay lip service to producers, this process provides clear evidence their priorities do not include production agriculture.

Subtitle B – Forestry

In recent years, the U.S. has experienced several of the worst and most destructive wildfire seasons on record. With 10.1 million acres burned in 2020, last year was a notably difficult fire season for impacted states and communities. This year, more than five million acres have already burned, including at least 79 large fires like Bootleg, Dixie, Caldor and many others that are still uncontained and destroying communities. The agency estimates there are approximately 80 million acres in need of immediate restoration and at least 63 million acres at “high or very high risk of wildfire.” Further, Forest Service researchers have identified more than 100 communities at higher projected risk than the Paradise wildfire in 2018.

Wildfires are a national emergency, yet this crisis will go unsolved unless there is a fundamental shift in how treatments are prioritized and forest lands are managed. As such, the Forest Service needs additional funding, resources, and new authorities to help reduce the threat of catastrophic wildfire.

This legislation appears to provide important resources to help the Forest Service and land managers reduce fuel loads and better manage. Despite this significant appropriation of \$40 billion, these provisions, when taken together, are unworkable and do little to encourage the management necessary to prevent catastrophic fire, due primarily to the various restrictions and new administrative hurdles the subtitle creates, as well as an overemphasis on non-commercial activities.

For example, in Sec.11001, the bill focuses on non-commercial hazardous fuel reduction projects, while only allowing for commercial projects if approved by the Secretary. This restriction makes little sense because commercial projects are essential for the broader treatment of many of the acres at high risk of wildfire. Discouraging commercial participation, as this bill does, will only limit the number of potential projects and possible forest health benefits.

Secondly, funding would be delayed. There are provisions in the subtitle entirely new to the Forest Service, such as the old growth language (Sec.11001) which would require the agency to enter into rulemaking. Such new rulemaking would delay projects and funding, as it would likely take the Forest Service a minimum of two years to complete. It is also probable projects would be delayed because of the requirements on collaboratives, which take many partners and time to develop. With some of the most devastating wildfires in recorded history occurring in recent years, the needs are both substantial and immediate, and the West cannot wait for the completion of additional bureaucratic processes before receiving vital help that would prevent life-threatening fires.

Additionally, within the post-fire recovery plans, there are restrictions on salvage logging. Salvage logging is critical for quickly removing dead and dying trees, which are often public hazards. If not removed through salvage projects, these trees will remain public hazards, slow forest regeneration after a fire, and be little more than fuel for future devastating fires.

Finally, while the bill does provide funding for restoration projects, with significant restrictions, billions of dollars are also provided for non-essential activities such as the Civilian Climate Corps, mature forest protection, species protection, the Forest Legacy Program, and urban and community forest acquisition. The focus should be on catastrophic wildfire prevention and the treatment of the millions of at-risk acres.

Thus, while the subtitle provides significant funding for forestry-related activities, the entire section is unworkable, ineffective, and counterproductive because of the restrictions it imposes, the limitations it contains, and the delays it would create.

To address these numerous and fundamental problems with the subtitle, an amendment was offered by Representative Doug LaMalfa (R-CA). This amendment removed the extraneous provisions in both Sec. 11001 and Sec. 11002 and proposed allocating that funding where it is most needed: hazardous fuels reduction, vegetation management, forest restoration and reforestation. To target the acres in most need of treatment, the amendment also required the Forest Service to focus fuels reduction projects on the most at-risk acres by using the Forest Service's most recent maps and data. Finally, the amendment contained and funded both Representative LaMalfa's RESTORE Act and Representative Johnson's (R-SD) FIRE Act. These proposals would give the Forest Service authorities to perform more landscape scale treatments and expedite the removal of salvage after a fire.

Representative LaMalfa also offered three additional amendments that would have improved the forestry provisions in the bill. Specifically, these amendments would have provided additional funding for restoration work for post-fire areas, additional funding for firefighting staffing and retention, and targeted funding for rapid response fire suppression.

All four amendments were voted down by the Majority, regardless of some voicing their support for the goals of each.

While we are encouraged to see support for forest management in this legislation, the rush to enact the subtitle is confounding, given the ongoing lack of support from the Majority for these activities. During the conferencing of the 2018 Farm Bill, House Republicans offered numerous provisions contained in the House-passed Farm Bill to encourage better forest management and new authorities which would have helped prevent loss of life and property from wildfires. Despite the great need for inclusion, Senate Democrats refused to even discuss these critical reforms. As a result, we have lost three years where the Forest Service could have been authorizing more hazardous fuels reduction and landscape scale projects that would have directly mitigated the escalating threat of today's wildfires, thereby protecting citizens, their homes and property, and our nation's forest lands.

Subtitle C – Rural Development and Energy

Throughout the COVID-19 pandemic, members of the Minority offered many proposals to use and expand the authorities of USDA to rebuild rural infrastructure. In February 2021, during the first reconciliation debacle, we introduced many of these proposals in an attempt to improve the Committee's reconciliation instructions. They were rejected on a party line vote.

While the Majority finally acquiesced to several of the proposals they previously rejected, particularly with respect to the needs of rural businesses and rural water systems, it is too little, too late. These provisions are insufficient to the need, and the Majority cannot escape the burdens their considerable delay has heaped on those who they have finally deemed worthy of help.

In addition, the Majority proposes to create yet another new grant program ostensibly focused on “rural prosperity.” Yet, the program and its purpose remain an enigma. More than \$3.5 billion can be used for “conducting comprehensive rural development and predevelopment activities and planning,” “supporting organizational operating expenses,” and “implementing planned rural development projects and activities.” These nebulous limitations imply no limitation at all and effectively create a slush fund for the Secretary and unelected bureaucrats to dole out at their discretion.

In fact, the only meaningful limitation imposed on using the funds under this program is a requirement that any construction activity financed by a grant pay prevailing wages. This limitation will have the impact of driving up the cost of construction in rural communities precisely when we should be seeking to stretch our dollars furthest.

Coupled with the utter lack of Departmental oversight the past three years, the Minority members are concerned about the ability for this program to ultimately deliver value for the taxpayer and the rural residents who are promised assistance under this legislation.

Subtitle D – Research and Urban Agriculture

Investments in agriculture research are critical to ensuring American agriculture remains at the forefront of innovation and productivity.

As mentioned at the beginning of the markup, other countries, like China, are outspending the United States on research investments. While there is bipartisan agreement investing in agriculture research is important, we believe the Committee print completely misses the mark in providing the proper resources to ensure American producers can continue to provide the safest, most abundant, and most affordable food and fiber supply in history.

Instead of providing funding for the various, far-reaching Department research programs, the Majority restricted the funding to only those projects that pertain to climate change research. If the Majority truly cared about investing in agriculture research, they would not include this limitation and let the programs carry out research projects as intended.

Rather than continue to hamstring the research that can be done, Representatives Randy Feenstra (R-IA) and Chris Jacobs (R-NY) offered amendments that would expand the list of eligible projects the Agricultural Research Service (ARS) would be able to conduct with the money provided in the Committee print to include research on contagious animal pathogens and eradication of the spotted lanternfly. Unfortunately, these commonsense amendments were not adopted.

Another amendment offered by Representative Jim Baird (R-IN) would expand the list of eligible research projects funded through the Agriculture Advanced Research and Development Authority (AGARDA). The 2018 Farm Bill created AGARDA to conduct advanced research on mechanization in the specialty crop industry, plant pests and diseases, and veterinary countermeasures to biological threats. The Committee print provides \$380 million to this program—a program that has never been funded—and limits eligible projects to climate-related research. This amendment would have made the qualified projects, as defined in the 2018 Farm Bill, eligible for the funding. Alas, the amendment was defeated 27 to 24.

As previously mentioned, we support our land grant and non-land grant colleges of agriculture as they are key to conducting agriculture research that is then taught to students and disseminated to communities through the Cooperative Extension Service. However, it is no secret the buildings at these institutions are outdated and require much-needed maintenance and upgrades. According to a recent report¹ on infrastructure at U.S. colleges and schools of agriculture, the cost of this deferred maintenance is \$11.5 billion.

If the Majority were interested in making impactful investments to improve our agriculture research infrastructure, they would clear the deferred maintenance backlog at our colleges of agriculture. Instead, the Committee print provides only \$3.65 billion to address this issue through the Research Facilities Act, of which will not clear even one-third of the backlog.

Subtitle E - Miscellaneous

The Supplemental Nutrition Assistance Program (SNAP) has seen considerable growth in recent years, with a brief, noticeable reduction in participation and cost during the former Administration. For example, the cost of the program more than doubled from \$37.6 billion in 2008, to nearly \$80 billion at its peak in 2013. In 2019, the lowest participation numbers were recorded since 2008, with 35.7 million individuals receiving the benefit totaling \$60.3 billion in taxpayer dollars.

At the onset of the pandemic, 36.8 million people were receiving benefits. However, by June 2021—the most recent month with available data—the rolls increased to 42.34 million people. The average benefit per person was \$121.13 in February 2020, which increased to \$227.23 by June 2021. There was a slight uptick in enrollment in early 2021, likely due to the exclusion of pandemic unemployment insurance as found in December’s Consolidated Appropriations Act, 2021.

Total FY2020 spending on SNAP was \$79.2 billion, and thus far in FY2021, \$83.6 billion. Benefits are the bulk of this spending, with state administrative costs, nutrition education, employment and training, and other miscellaneous expenses accounting for roughly six percent of total SNAP spending. For perspective, total FY2020 spending by the Food and Nutrition Service (FNS) on nutrition-related programs (e.g., SNAP, child nutrition, WIC, territory grants) was \$109.5 billion; SNAP occupies more than 72 percent of FNS annual spending.²

¹ <https://www.aplu.org/library/a-national-study-of-capital-infrastructure-at-colleges-and-schools-of-agriculture-an-update/file>

² <https://www.fns.usda.gov/data/june-2021-keydata-report>

An amendment, offered by Representative Jim Hagedorn (R-MN), repealed Section 2301 of the Families First Coronavirus Response Act (FFCRA), which would reinstate the time limit— and subsequently the work requirement—for able-bodied adults without dependents (ABAWD). The Majority continues to fail Main Street by not expecting productivity from able-bodied, childless SNAP recipients between the ages of 18-49, in addition to job and wage-killing policies across multiple Committees and sectors of the population. Nearly 70 percent of ABAWDs report zero income, so either they are working undisclosed jobs, or simply not engaging in a workforce that so desperately needs them. At a time when open jobs exceed the number of individuals seeking employment, and during our nation’s second largest expansion of welfare entitlements, it is more important than ever to reinstate a 20 hour-per-week work or training requirement for these adults.

Ignoring this should be the Majority’s burden, not their legacy.

As expected, the Majority launched into their typical tirade of inside-the-beltway talking points, perpetuated by pro-poverty “think” tanks and progressive socialists who would rather see a dependent voter base than a productive society. At the forefront of these talking points was a comment that “the majority of people who are able to work...actually do work.” According to the Department’s own research, only 29 percent of able-bodied, childless adults between the ages of 18 and 49 report earned income. The Majority continued to discuss specific populations and their inability to work. Interestingly, hundreds of organizations have placed each population into substantive employment: Veterans, young people aging out of foster care, and the homeless. Like so many other of the Majority’s scripted points, excluding certain populations for political gain is loathsome.

And without fail, it was again referenced that Republicans “beat on poor people.” This multi-year talking point, used as a Democrat response every time a Republican dare mention SNAP, is overdramatized and tired. It is used to fill space rather than talk about how to better serve more than 42 million people through productivity and dignity, and not the toxic “charity” Democrats have come to rely on to win support and serve as a basis for their big-government agenda.

The principle of reciprocal obligation, by which the taxpayer helps the recipient but the recipient in exchange is expected to take steps to help himself, has been abandoned. Democrats have replaced the idea of mutual obligation by unconditional entitlement.³

This amendment, part of En Bloc #4, was voted down 27 to 24.

Another amendment, offered by Representative Kat Cammack (R-FL), would prohibit the implementation of the SNAP benefit increase until the Government Accountability Office (GAO) completes their investigation, initiated by Ranking Members Thompson and Boozman on August 13, 2021. The Department released the Thrifty Food Plan (TFP) update on August 16, 2021— after a Sunday announcement in *The New York Times*— which increases the SNAP benefit by 25 percent, effective October 1, 2021. This process resulted in a \$254 billion increase in the ten-year Farm Bill baseline. It included questionable shifts in policy and procedure that

³ <https://www.heritage.org/sites/default/files/2021-02/BG3589.pdf>

undo 45 years of precedent and was completed with zero public notice or opportunity for public comment—a likely violation of the Administrative Procedure Act.

Per Section 4002 of the bipartisan 2018 Farm Bill, the Department is directed to regularly update the TFP, the market basket that serves as the basis for SNAP allotments. Before the directive in the 2018 Farm Bill, the TFP had not been updated since 2006, and before that, 1999 and 1983.

In January 2021, President Biden issued an Executive Order and subsequent explanatory notes to ensure the update started in 2021. Nowhere within the Order, nor the Farm Bill and its accompanying report language is there mention of cost neutrality or the avoidance of. Even the CBO scored it neutral in 2018, based on nearly 40 years of precedent, and again within their June 2021 baseline update.

After several questions from Committee Republicans, staff received the first update from the Department on its progress on June 15, 2021. Noticeably, the optimization model appeared to differ from the one used in 2006, which should not, as it is simply based on a series of very standard inputs and constraints. While the Department reiterated they were expediting the process NOT at the cost of a rigorous and comprehensive review, there is vast disagreement on that assertion, including from Department bureaucrats. This comprehensive review has shown to take longer than 12 months historically, yet this year's update took less than six. When questioned, the Department stated, “when something is important to you, you get it done.”

Interestingly, the current Secretary spent eight years under the Obama Administration with zero interest in the Thrifty Food Plan. However, it is evident a choreographed effort by inside-the-beltway, pro-poverty advocates and their media cronies changed his perspective. More than three dozen outlets, including *The Washington Post*, *NBC News*, *Bloomberg*, *CNN*, and *CBS News* amplified the Department's interest in undermining Congressional intent and proceeding with a costly, questionable Thrifty Food Plan update process.

Since the formal release of the update to the Thrifty Food Plan on August 16, further requests have been made, including a request for documents from Republican Leader of the House Committee on Oversight and Reform James Comer (R-KY) and Ranking Member of the Nutrition, Oversight, and Department Operations Subcommittee, Don Bacon (R-NE). Between the former and the GAO investigation, a series of questions must be answered before contemplating the implementation of a shameless Executive Branch exploitation of Congressional intent.

The Majority's response was entirely disingenuous. While Republicans authored the Farm Bill provision, it was an exercise in good governance to ensure these market baskets were updated with regularity and without cost. The Chairman of the House Agriculture Committee at the time of the 2018 Farm Bill, Representative K. Michael Conaway (R-TX) stated the provision was written assuming the precedent of cost-neutrality would be followed, warning the Administration against such unilateral overreach.⁴ The Majority labeled the increase as miniscule, which is telling, as they see \$254 billion in taxpayer contributions as “miniscule.”

⁴ <https://www.nytimes.com/2021/08/15/us/politics/biden-food-stamps.html>

The Majority alluded to Ms. Cammack's amendment requiring the GAO investigation prior to implementation of the TFP update as demonizing people who are struggling, but the amendment would do nothing to impact eligibility nor current benefit allotments.

This amendment, part of En Bloc #4, was voted down 27 to 24.

Lastly, Representative Austin Scott (R-GA) offered and withdrew an amendment related to Pandemic-EBT, a program established in March 2020 as part of the FFCRA, which provides funds to American families to make up for the meals, in particular breakfast and lunch, missed when schools were closed due to COVID-19. Through this program, eligible low-income children can receive temporary nutrition benefits loaded onto Electronic Benefit Transfer (EBT) cards for use in purchasing food. To be eligible for P-EBT benefits, a student must qualify for free or reduced-price meals under the National School Lunch Program or participate in SNAP. Congress extended this program in the Continuing Appropriations Act 2021, the Consolidated Appropriations Act 2021, and the American Rescue Plan of 2021.

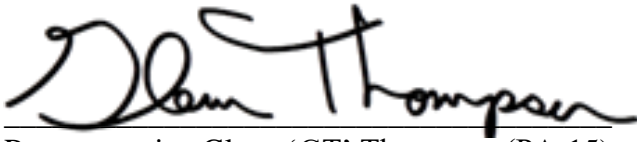
Unfortunately, this program has disintegrated in recent months in terms of eligibility (or lack thereof) and inequities amongst use. Congressional staff with lobbyist spouses are receiving cards in D.C., to the tune of hundreds to thousands of dollars per child. Households, regardless of income, in New York City received \$1320 per child in two lump-sum payments, no questions asked. Affluent families in Tennessee are receiving hundreds of dollars in benefits by virtue of zip code.

Both the Majority and the Department's passive response warrants action, and it is noted Republican leadership of both this Committee and the Committee on Oversight and Government Reform initiated an Office of the Inspector General (OIG) investigation on July 12, 2021.

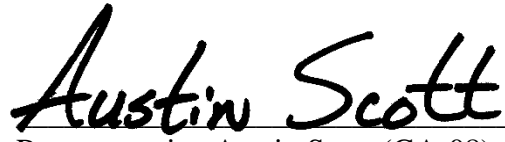
Again, this amendment was offered and withdrawn.

In Closing

As detailed in these views, we believe the Majority demonstrated just how broken Washington has become. The process, from drafting to consideration, was an affront to the hardworking farm families each of us represent. We are disappointed by the path we see this Committee headed down. Our collective efforts to participate meaningfully in this reconciliation process were stymied at every turn by the Majority. However, we are hopeful that there is time to change course and we see the opportunity to work together again to serve the farmers, ranchers, foresters, and rural communities that are the backbone of our great nation.



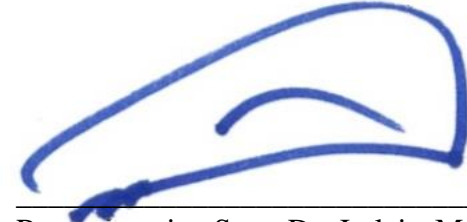
Representative Glenn 'GT' Thompson (PA-15)
Republican Leader



Representative Austin Scott (GA-08)



Representative Rick Crawford (AR-01)



Representative Scott DesJarlais, M.D. (TN-04)



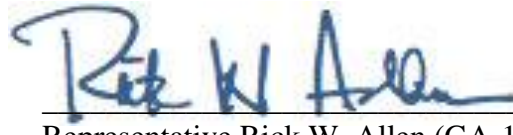
Representative Vicky Hartzler (MO-04)



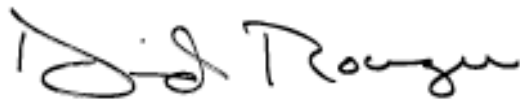
Representative Doug LaMalfa (CA-01)



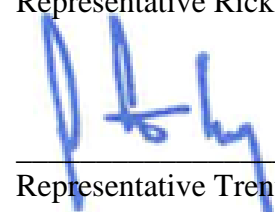
Representative Rodney Davis (IL-13)



Representative Rick W. Allen (GA-12)



Representative David Rouzer (NC-07)



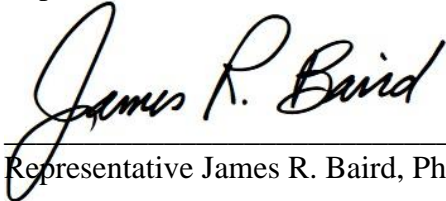
Representative Trent Kelly (MS-01)



Representative Don Bacon (NE-02)



Representative Dusty Johnson (SD-AL)



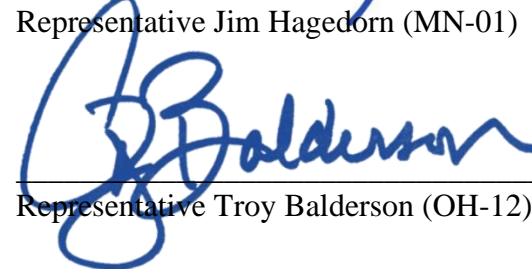
Representative James R. Baird, Ph.D. (IN-04)



Representative Jim Hagedorn (MN-01)



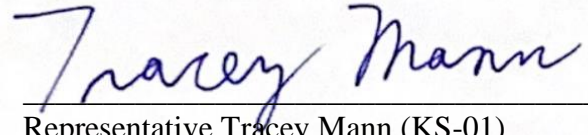
Representative Chris Jacobs (NY-27)



Representative Troy Balderson (OH-12)



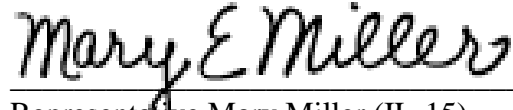
Representative Michael Cloud (TX-27)



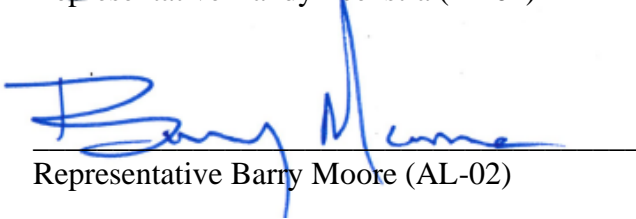
Representative Tracey Mann (KS-01)



Representative Randy Feenstra (IA-04)



Representative Mary Miller (IL-15)




Representative Barry Moore (AL-02)



Representative Kat Cammack (FL-03)



Representative Michelle Fischbach (MN-07)



Representative Julia Letlow, Ph.D. (LA-05)