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# U.S. Agricultural Policy Review, 2023

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# U.S. Agricultural Policy Review, 2023

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## Abstract

This report is the 2023 edition of the annual U.S. Agricultural Policy Review series documenting developments in U.S. Federal policies related to production agriculture, agrofood value chains, and food and nutrition assistance. Most prominently, 2023 saw the expiration of many provisions of the Agriculture Improvement Act of 2018 (AIA; Public Law 115–334) at the end of fiscal year 2023, which were then extended through the end of fiscal year 2024 as part of the Further Continuing Appropriations and Other Extensions Act, 2024 (Public Law 118–22). Developments specifically in the production agriculture domain were focused on disaster assistance, continuing to address supply chain challenges that emerged during the Coronavirus (COVID-19) pandemic, improving and streamlining program delivery, and agricultural climate mitigation. Developments related to agrofood value chains have focused on increasing competition and transparency, enhancing resilience, and improving sustainability. Major changes in USDA food and nutrition assistance programs largely have related to the expiration of waivers and policies implemented in response to the Coronavirus (COVID-19) pandemic, which expanded the scope and reach of the programs and allowed for flexibilities in their administration.

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**Keywords:** Farm policy, production agriculture, agrofood value chains, food and nutrition assistance

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## What Is the Issue?

U.S. Federal agricultural and food policies seek to accomplish various objectives: providing an income safety net for agricultural producers, minimizing the negative environmental effects of agricultural production, ensuring that agricultural supply chains are equipped to provide adequate quantities of safe food to consumers, and helping address food and nutrition insecurity. Different tools are used to meet these policy objectives—including cost sharing, direct payments, provision of credit, and access to services. This report details developments in U.S. Federal agricultural and food policies in calendar year 2023—with a focus on policies related to production agriculture, agrofood value chains, and food and nutrition assistance.

## What Did the Study Find?

Major developments in U.S. Federal agricultural policies in 2023 occurred within the production agriculture, agrofood value chain, and food and nutrition assistance policy domains. Most prominently, most provisions of the 2018 Farm Bill (the Agriculture Improvement Act of 2018 (AIA; Public Law 115–334)) expired at the end of fiscal year 2023 but were then extended through the end of fiscal year 2024 as part of the Further Continuing Appropriations and Other Extensions Act, 2024 (Public Law 118–22).

Developments related to production agriculture spanned different policy areas, such as ad hoc assistance programs, standing farm programs, climate, equity, and organics, including:

- The launch of new ad hoc assistance programs: the Emergency Livestock Relief Program 2022, the Emergency Relief Program 2022, the Emergency Grain Storage Facility Assistance Program, the Rice Production Program, the Milk Loss Program, and the Pandemic Assistance Revenue Program.
- Discretionary changes to certain commodity programs: the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program; the Livestock Forage Disaster Program; and the Livestock Indemnity Program.
- The expansion of certain conservation programs, largely as a result of new funding from the 2022 Inflation Reduction Act.

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- Several rounds of relief for different classes of distressed borrowers, also using funds from the Inflation Reduction Act.
- Updates to and expansions in coverage for certain existing crop insurance products, as well as the introduction of new insurance products.
- Investments in improved greenhouse gas emissions measurement and monitoring for the agriculture and forest sectors.
- The launch of the Discrimination Financial Assistance Program, which offered \$2.2 billion in financial assistance from the Inflation Reduction Act for borrowers who experienced discrimination in USDA farm lending programs.
- Regulatory changes for organics, including a rule that strengthens organic enforcement and specifies organic livestock and poultry standards.
- New assistance for organic producers and those transitioning to organic to help overcome barriers in organic production.

New programs or developments related to agrofood value chains in 2023 focused on competition, transparency, resilience, and sustainability in the food system. Efforts to enhance competition and transparency in the market included the launch of a cattle-contracts library; new rules on transparency in poultry grower contracting and tournaments; and the establishment of a USDA, Farmer Seed Liaison. Initiatives to enhance food system resilience included the launch of the USDA, Resilient Food Systems Infrastructure Program (RFSI); programs to increase resiliency in the meat processing industry; and the creation of 11 Regional Food Business Centers and 1 national Intertribal Food Business Center. Sustainability efforts included the release of a draft national strategy to reduce U.S. food loss and waste.

Major developments in U.S. food and nutrition assistance programs mostly centered on the unwinding of temporary changes first introduced in 2020, following action by Congress in response to the Coronavirus (COVID-19) pandemic. These changes included the end of emergency allotments for the Supplemental Nutrition Assistance Program (SNAP) that supplemented regular benefits, administrative flexibilities for various programs, and the Pandemic Electronic Benefit Transfer (P-EBT) program. Other major developments included changes to SNAP work requirements for able-bodied adults without dependents (ABAWD); the implementation of a new rule amending the eligibility criteria that schools and school districts must meet to be able to serve free meals to all students; and the authorization of new Supply Chain Assistance funding to support school meal programs.

## **How Was the Study Conducted?**

USDA, Economic Research Service researchers compiled details from various sources on U.S. Federal policies and programs announced or introduced in 2023 related to food and agriculture. Among these sources were Federal Register notices; budget documents; program agency websites, fact sheets, handbooks, and implementation documents; and USDA press releases. The authors obtained data for providing context on program trends and events from the relevant Federal agency databases, such as the USDA, Farm Service Agency's Emergency Relief Program Dashboard; the USDA, Risk Management Agency's Summary of Business data; and the USDA, Food and Nutrition Service's program data.

# U.S. Agricultural Policy Review, 2023

## Introduction

This report is the 2023 edition of the annual Agricultural Policy Review series. In this study, the authors examined a subset of calendar year 2023's developments in policies related to production agriculture, agrofood value chains, and food and nutrition assistance, including the passage of new legislation, implementation of new programs, and revisions to existing programs. While nearly all of the developments covered in this year's report were wholly or partly implemented by the U.S. Department of Agriculture (USDA), this report does not cover all USDA activities. Instead, the report focuses on developments solely related to food and agriculture, excluding developments in forestry and rural development.

Various mechanisms can bring about changes in food and agricultural policy. Notably, many agricultural and food policies and programs are authorized in the U.S. Farm Bill, legislation updated roughly every 5 years, with the most recent update entering into force in 2018 as the Agriculture Improvement Act of 2018 (AIA; Public Law (Pub. L.) 115–334).<sup>1</sup> Programs authorized in the Farm Bill are rarely implemented in the same year that a Farm Bill is enacted, as the programs often require rulemaking, staff education, and outreach before being fully deployed. In some cases, programs related to food and agriculture are authorized or amended through other legislative vehicles.<sup>2</sup> This approach is sometimes used to provide ad hoc assistance to the agricultural sector in response to unforeseen events. Agencies can also make discretionary changes to existing programs under certain conditions.

We observed policy changes against the background of the wider agricultural economy in 2023, a year that saw mostly lower commodity prices and rising production expenses,<sup>3</sup> which affected production agriculture, agrofood value chains, and food and nutrition assistance. Most prominently, most provisions of the AIA expired at the end of fiscal year 2023 before a new Farm Bill or an extension had been passed. However, most provisions of the AIA were then extended through the end of fiscal year 2024 as part of the Further Continuing Appropriations and Other Extensions Act, 2024 (Pub. L. 118–22),<sup>4</sup> signed into law in November 2023. Developments related to production agriculture affected various policy areas in 2023, including ad hoc assistance, standing farm programs, climate, equity, and organics. Changes in agrofood value chain policies largely focused on improving market transparency and supporting the development of resilient food systems. Food and nutrition assistance developments mostly related to the unwinding of temporary changes first introduced in 2020, following action by Congress in response to the Coronavirus (COVID-19) pandemic. Some developments included an end to temporary increases to benefit levels, the phasing out of temporary flexibilities in program rules, and the expiration of the Pandemic Electronic Benefit Transfer (P-EBT) program.

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<sup>1</sup> Most provisions of the AIA expired in September 2023 but were extended in November 2023 as part of the Further Continuing Appropriations and Other Extensions Act, 2024 (Pub. L. 118–22), while lawmakers continued negotiations on a new Farm Bill. See the discussion below in the Farm Bill section for more information.

<sup>2</sup> For example, the Consolidated Appropriations Act, 2023 (Pub. L. 117–328) authorized \$3.74 billion in assistance for agricultural losses.

<sup>3</sup> For a broader discussion of the conditions of the farm economy in 2023, see USDA, Economic Research Service, 2024.

<sup>4</sup> Division B, Title I, Section 102 of the Act extended the authorities of the AIA, with some additional amendments and exceptions.

## Farm Bill

The Farm Bill is a multi-year omnibus law that includes a wide variety of food- and agriculture-related policies, spanning the different stages of the supply chain covered in this report. A new Farm Bill is enacted roughly every 5 years, with the Agriculture Improvement Act (AIA) of 2018 (Pub. L. 115–334) as the most recent iteration. Many of the AIA’s provisions expired on September 30, 2023, before a new Farm Bill or AIA extension was passed. The implications of a Farm Bill’s expiration vary by program, depending upon whether the program is authorized through the end of a fiscal year (October–September) or crop year and if the program uses discretionary funding (which is provided through separate appropriations acts) or mandatory funding (provided by the Farm Bill). Most Farm Bill programs were not disrupted<sup>5</sup> by the AIA expiration, as an extension of most AIA provisions through September 30, 2024, had been included as a section of the Further Continuing Appropriations and Other Extensions Act, 2024 (Pub. L. 118–22, Division B, §102), signed into law on November 16, 2023 (less than 2 months after the AIA’s expiration). This legislation continued authorities from AIA through the end of fiscal year 2024 and the 2024 crop year, extended mandatory spending programs that have a budget baseline (which incurs no additional budgetary costs), and provided \$177 million in new mandatory funding for most programs that did not have a budget baseline.<sup>6 7</sup>

## Production Agriculture

Policy changes related to production agriculture in 2023 included developments related to ad hoc assistance programs, as well as changes to standing farm programs authorized in the Farm Bill. Developments in these two areas are explored separately below.

### Ad Hoc Assistance

Although several new ad hoc assistance programs were announced in 2023 to address particular losses, several of the policy developments related to ad hoc assistance in 2023 were updates or extensions to existing programs. Table 1 summarizes disaster and other ad hoc assistance programs, as well as pandemic assistance programs, covered in this report.

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<sup>5</sup> Although most programs were not disrupted, some programs that operate on a fiscal year and that receive mandatory funding were not able to enter into new contracts or process new applications/enrollments but were authorized to make payments on existing contracts or enrollments during the gap between AIA expiration and passage of the extension.

<sup>6</sup> The extension granted additional funding to 19 of the 21 programs in the AIA that did not have a budget baseline—the exceptions being Program Implementation funding for Title I (which was a one-time supplement for 2019) and the Biorefinery Assistance program. Unobligated balances from the Biorefinery Assistance program were rescinded to offset the mandatory funding for the other 19 programs, but the Biorefinery Assistance program was nonetheless expected to retain sufficient funding to continue operating in fiscal year 2024. See Monke (2023) for a discussion of Farm Bill programs without budget baseline. For more details on the Federal budget process, see Heniff (2012).

<sup>7</sup> A more detailed explanation of the implications of Farm Bill expiration for the different types of programs can be found in Monke et al., 2024.



Table 1

**Ad hoc assistance program developments, 2023**

Initiative	Administering agency	Description
<b>Disaster and other ad hoc assistance</b>		
<i>Extensions to existing programs</i>		
Emergency Relief Program (ERP) Phase 2 <sup>1 2</sup>	USDA, FSA	Payments disbursed to producers for losses not covered under ERP Phase 1 or by Federal crop insurance or the Noninsured Crop Disaster Assistance Program (NAP) who incurred losses in calendar years 2020 and 2021
Emergency Livestock Relief Program (ELRP) Phase 2 <sup>1 3</sup>	USDA, FSA	Second phase of assistance offered to livestock producers who experienced loss of winter forage and deterioration of grazing cover due to wildfires or drought conditions in 2021 and incurred costs associated with providing supplemental feed
<i>New programs</i>		
Emergency Relief Program (ERP) 2022 <sup>4 5</sup>	USDA, FSA	Temporary assistance program providing payments to eligible crop producers for losses from qualifying disaster events that occurred in calendar year 2022
Emergency Livestock Relief Program (ELRP) 2022 <sup>4 6</sup>	USDA, FSA	Temporary assistance program providing payments to livestock producers who faced increased supplemental feed costs as a result of forage losses due to qualifying drought or wildfire in calendar year 2022
Emergency Grain Storage Facility Assistance Program (EGSFP) <sup>7 8</sup>	USDA, FSA	Provided cost-share assistance to replace or acquire grain storage infrastructure and equipment for producers affected by extreme weather events that destroyed commercial grain facilities
Rice Production Program (RPP) <sup>4 9</sup>	USDA, FSA	Provided assistance to rice producers related to their planted and prevented planted acres in 2022
Milk Loss Program (MLP) <sup>10 11</sup>	USDA, FSA	Provided assistance to dairy operations that were unable to sell their milk on the commercial milk market due to qualifying weather events in calendar years 2020, 2021, and 2022
<b>Pandemic assistance</b>		
<i>Extensions to existing programs</i>		
Changes to Coronavirus Food Assistance Program (CFAP) 1 and CFAP 2 <sup>12 13</sup>	USDA, FSA	Additional CFAP 2 payment for underserved producers and other minor program adjustments
Pandemic Market Volatility Assistance Program (PMVAP) <sup>14 15</sup>	USDA, AMS	Expands assistance under PMVAP to farmers with fluid milk sales between 5 million pounds and 9 million pounds
<i>New programs</i>		
Pandemic Assistance Revenue Program (PARP) <sup>12 16</sup>	USDA, FSA	Implemented to assist producers of agricultural commodities that suffered 15 percent or greater loss in revenue for calendar year 2020 (relative to 2018 or 2019) as a result of the Coronavirus pandemic

FSA = Farm Service Agency. AMS = Agricultural Marketing Service.

<sup>1</sup> Authorized by the Extending Government Funding and Delivering Emergency Assistance Act (Public Law (Pub. L.) 117-43).

<sup>2</sup> See 88 Federal Register (FR) 1862, 88 FR 39767, and 88 FR 62285 for more information.

<sup>3</sup> See 88 FR 66366 for more information.

<sup>4</sup> Authorized by the Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

<sup>5</sup> See 88 FR 74404 for more information.

<sup>6</sup> See 88 FR 66361 for more information.

<sup>7</sup> Authorized by section 5(b) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(b)).

<sup>8</sup> See 88 FR 16230 and 88 FR 52109 for more information.

<sup>9</sup> See 88 FR 30070 and Rice Production Program (RPP) Factsheet for more information.

<sup>10</sup> Authorized by the Extending Government Funding and Delivery Emergency Assistance Act (Pub. L. 117-43) and the Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

<sup>11</sup> See 88 FR 62285 for more information.

<sup>12</sup> See 88 FR 1862 for more information.

<sup>13</sup> Authorized by sections 5(b), (d), and the of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(b), (d), and (e)), and the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136).

<sup>14</sup> Authorized in the CARES Act (Pub. L. 116-136).

<sup>15</sup> See USDA, AMS PMVAP web page.

<sup>16</sup> Authorized by the Consolidated Appropriations Act, 2021 (Pub. L. 116-260).

Source: Compiled by USDA, Economic Research Service using sources cited in footnotes.

## *Disaster and Other Ad Hoc Assistance*

In January 2023, USDA launched Phase 2 of the Emergency Relief Program (ERP), which provided additional assistance to producers who suffered eligible losses not covered under ERP Phase 1, which was implemented during calendar year 2022. ERP was funded under the Extending Government Funding and Delivering Emergency Assistance Act (Pub. L. 117-43), which was passed in September 2021 and authorized \$10 billion to help compensate producers for natural disaster losses that occurred in 2020 and 2021. The program was administered in two phases. Phase 1, launched in 2022, delivered assistance to producers using administrative data from existing participants in either the Federal Crop Insurance Program (FCIP) or the Noninsured Crop Disaster Assistance Program (NAP).

ERP Phase 2 launched in January 2023 (USDA, Commodity Credit Corporation (CCC) & USDA, Farms Service Agency (FSA), 2023). Phase 2 provided assistance for producers for eligible losses not covered under ERP Phase 1 and who experienced losses in both production and quality. Phase 2 required producers to submit applications showing a decline in revenue that was, in part, due to qualifying disaster events in 2020 and 2021. Payments under ERP Phase 2 were based on the difference in allowable gross revenue in the applicable disaster year and a benchmark year prior to the eligible disaster years (either 2018 or 2019). This difference was multiplied by an ERP factor of 70 percent and then adjusted for payments received under other temporary assistance programs. In June, the program rules were revised to include the value of certain crops when those crops did not directly generate revenue for the producer, including wine grape producers who produced wine from their production or producers of forage that was stored on farm and later fed to livestock (USDA, FSA, 2023h). As with previous temporary disaster programs, recipients were required to purchase NAP or crop insurance for the 2 following crop years.

Out of the \$8.3 billion that was disbursed through ERP by January 2024, \$7.5 billion was disbursed under Phase 1 (89.4 percent of total ERP payments), most of which was delivered in calendar year 2022 (figure 1). Phase 1 payments of \$6.3 billion went to nonspecialty crops (84.6 percent of Phase 1 payments), with the remaining \$1.1 billion disbursed to specialty crop growers (15.4 percent of Phase 1 payments). Phase 2 disbursed \$879 million (10.6 percent of total ERP payments), most of which was delivered in calendar year 2023, with \$470 million (53.5 percent of Phase 2 payments) going to specialty<sup>8</sup> and high value crops<sup>9</sup> and \$409 million (46.5 percent of Phase 2 payments) going to other crops (USDA, FSA, 2024).<sup>10</sup>

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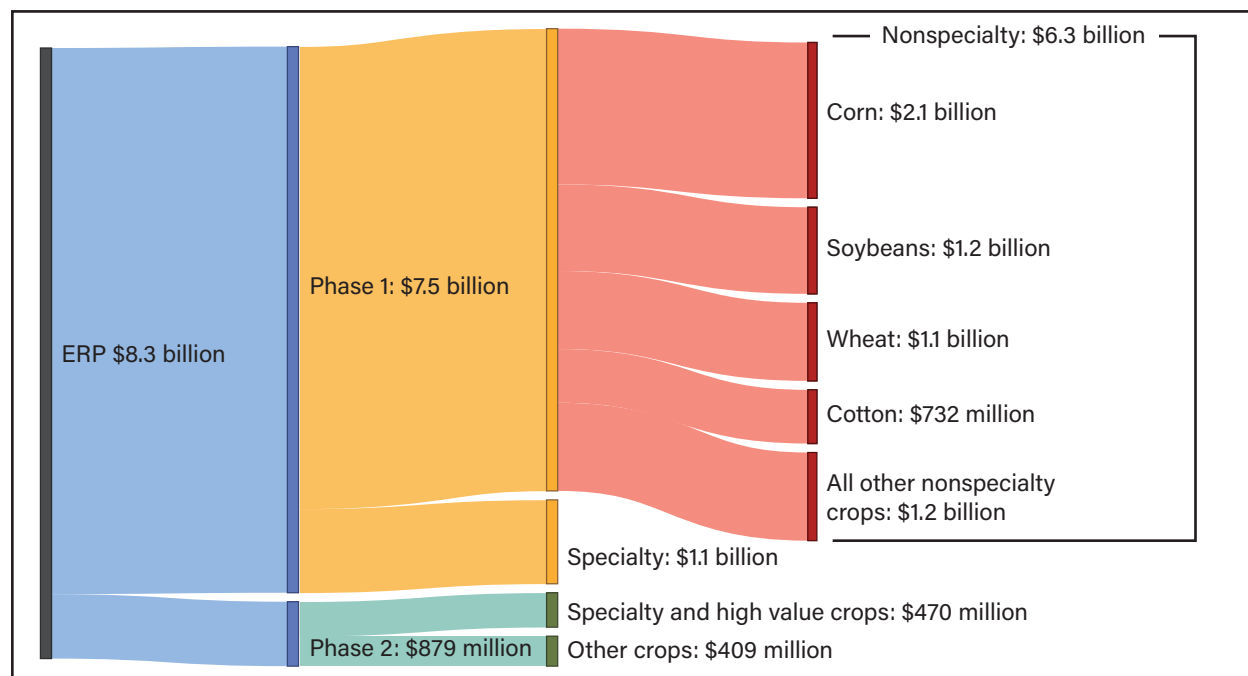
<sup>8</sup> According to program rules, “specialty crops” means fruits, tree nuts, vegetables, culinary herbs and spices, medicinal plants, and nursery, floriculture, and horticulture crops. For further details, see 7 CFR 760.1901.

<sup>9</sup> According to program rules, “high value crop” means: (1) any eligible crop not specifically identified as a specialty crop or listed in the definition of “other crop;” and (2) any eligible crop, regardless of whether it is identified as a specialty crop or listed in the definition of “other crop” if the crop is a direct market crop, organic crop, or a crop grown for a specific market in which specialized products can be sold resulting in an increased value compared with the typical market for the crops, as determined by the USDA, FSA, Deputy Administrator. For further details, see 7 CFR 760.1901.

<sup>10</sup> Under program rules, “other crops” means cotton, peanuts, rice, feedstock, and any crop grown with an intended use of grain, silage, or forage, unless the crop meets the requirements to be defined as a “high value crop.” For further details, see 7 CFR 760.1901.

Figure 1

**Emergency Relief Program (ERP) payments, by phase and commodity type**



Note: Figure is based on available data as of January 25, 2024.

Source: USDA, Economic Research Service using USDA, Farm Service Agency, Emergency Relief Program Dashboard data.

The Extending Government Funding and Delivering Emergency Assistance Act (Pub. L. 117–43) allocated \$750 million of the \$10 billion in agricultural disaster assistance to assist livestock producers. The implementation of this provision resulted in the Emergency Livestock Relief Program (ELRP), which was used to compensate livestock producers for 2021 drought and wildfire losses. At the launch of ELRP, USDA indicated that the program would potentially be administered in two phases if a second round of assistance was deemed necessary. Launched in 2022, the initial assistance (Phase 1) used existing administrative data from the Livestock Forage Disaster Program (LFP) to determine eligibility and calculate final payment rates. In September 2023, the USDA, Farm Service Agency (FSA) announced that a second phase of ELRP would be implemented to provide recipients of Phase 1 payments with additional assistance to compensate for the loss of winter grazing resulting from prior drought and wildfire conditions (USDA, FSA, 2023m). Like Phase 1, Phase 2 was based on existing administrative data; producers who received an ELRP Phase 1 payment automatically received a Phase 2 payment equal to 20 percent of the payment amount made to each producer under ELRP Phase 1 (USDA, FSA, 2023n).

ERP and ELRP were authorized only to cover losses due to eligible natural disasters occurring during calendar years 2020 and 2021. When Congress authorized \$3.74 billion in assistance in the Disaster Relief Supplemental Appropriations Act, 2023 (Division N of the Consolidated Appropriations Act, 2023 (2023 CAA; Pub. L. 117–328)), new iterations of ERP and ELRP, deemed ERP 2022 and ELRP 2022, were launched to distribute this assistance. Eligible losses included production losses, losses of revenue, and quality declines for crops, trees, bushes, and vines caused by eligible natural disasters occurring in calendar year 2022. As with ERP and ELRP, a portion of these funds (\$500 million) was set aside specifically to provide assistance to livestock producers.

Like the original iteration of the program, ERP 2022 was administered in two steps, referred to as tracks. Track 1 was similar to ERP Phase 1, as Track 1 utilized existing administrative data from USDA, Risk Management Agency (RMA) and USDA, FSA to send out prefilled applications for producers that received a

crop insurance or NAP indemnity payment for losses during the eligible time frame. Payments under Track 1 were calculated separately for crops insured through USDA, RMA and the FCIP versus those covered through USDA, FSA under NAP. Although both calculations were based on a producer's coverage level under FCIP or NAP, USDA, RMA-insured payments were adjusted by progressive factoring. This progressive factoring mechanism reduced payment rates as the payment range increased as a means of ensuring that the limited funding available for the program was distributed to a larger number of producers rather than to distribute larger payments to fewer producers (USDA, FSA, 2023q). Progressive factoring was not applied to NAP payments.<sup>11</sup> A final 75-percent payment factor was applied to all ERP 2022 Track 1 payments to keep assistance within prescribed funding levels (USDA, FSA, 2023g). Track 2 provided assistance for losses in revenue, production, and quality losses of crops that did not receive assistance under Track 1. Payments under Track 2 were calculated using a revenue-based approach that also utilized progressive factoring (USDA, FSA, 2023r). As with the original iteration of ERP, producers receiving assistance under ERP 2022 were required to purchase crop insurance or NAP for 2 subsequent crop years.

ELRP 2022 was implemented with the goal of helping ranchers that faced increased supplemental feed costs as a result of forage losses associated with drought or wildfire in calendar year 2022. As with ELRP, ELRP 2022 used existing data from the 2022 LFP to quickly determine eligibility and calculate payments (USDA, FSA, 2023f). To be eligible for ELRP 2022: producers must have been LFP participants in 2022; suffered grazing losses; and be located in a U.S. county categorized as having either D2 level drought for at least 8 consecutive weeks, D3 level drought for any length of time, or the producers were unable to graze their livestock on federally managed land due to wildfire (USDA, FSA, 2023m). Payments under ELRP 2022 were equal to the producer's 2022 LFP payment, multiplied by a 75-percent ELRP payment factor (90 percent for underserved producers<sup>12</sup>), and then multiplied by an additional 25-percent payment factor to ensure that assistance remained within available funding limits. If funds remain after initial payments, a subsequent round of assistance may be issued.

Several additional ad hoc programs were announced in 2023, including the Emergency Grain Storage Facility Assistance Program (EGSFP), the Rice Production Program (RPP), and the Milk Loss Program (MLP). EGSFP was created using funds from the Commodity Credit Corporation after extreme weather in 2021 and 2022 damaged grain storage facilities in several U.S. States,<sup>13</sup> which eliminated storage options for many producers and limited their ability to engage in marketing opportunities (USDA, FSA, 2023c). The program provided eligible producers with cost share assistance to build new storage infrastructure, restore existing storage infrastructure, and acquire drying and handling equipment. Total EGSFP assistance was originally capped at \$20 million but was later increased to \$80 million in funding for cost share assistance due to high demand for the program (USDA, FSA, 2023d). RPP provided \$250 million<sup>14</sup> in financial assistance to rice producers affected by higher production costs during the 2022 crop year (USDA, FSA, 2023e). Payments under RPP were based on 2022 planted and prevented planted acreage (USDA, FSA, 2023p). Finally, MLP

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<sup>11</sup> Progressive factoring was not applied to ERP Track 1 payments calculated based on NAP participation, as that program typically provides coverage to smaller producers and nontraditional crops. Additionally, nontraditional crops are less likely to be eligible for coverage under the Federal Crop Insurance Program, which offers higher levels of risk coverage. For more information, see 88 FR 74404, footnote 18.

<sup>12</sup> USDA defines four groups as "historically underserved," including farmers or ranchers who are beginning; socially disadvantaged; veterans; and/or limited resourced. For more information, see USDA, Farm Production and Conservation, *Get Started! A Guide to USDA Resources for Historically Underserved Farmers and Ranchers* (2022).

<sup>13</sup> EGSFP was made available for producers (in Illinois, Indiana, Iowa, Kentucky, Minnesota, Missouri, North Dakota, South Dakota, and Tennessee) that were located in a county within a 30-mile radius of a grain elevator that was damaged or destroyed between December 1, 2021 and August 1, 2022 as a result of an eligible disaster event (USDA, FSA, 2023l).

<sup>14</sup> Authorized in the 2023 CAA.

was announced in September 2023. MLP provided disaster assistance for certain milk losses caused by qualifying disaster events in calendar years 2020, 2021, and 2022, as authorized through the Extending Government Funding and Delivering Emergency Assistance Act (Pub. L. 117–43) and the Disaster Relief Supplemental Appropriations Act, 2023 (Division N of the 2023 CAA). Although this legislation authorized other disaster relief programs (such as ERP and ELRP), MLP was the first program launched under these authorizations specifically addressing milk losses. MLP provided assistance for eligible dairy operations for milk that was either dumped or removed from the commercial milk market without compensation due to qualifying disaster events. Payments were based on the estimated value<sup>15</sup> of any dumped milk in the claim period (USDA, FSA, 2023b).

### *Pandemic Assistance*

Most developments in pandemic assistance in 2023 were related to adjustments in previously implemented programs. A USDA rule published in January 2023 made several minor changes to the Coronavirus Food Assistance Program 1 (CFAP 1) and Coronavirus Food Assistance Program 2 (CFAP 2) (USDA, CCC & USDA, FSA, 2023).<sup>16</sup> Most prominently, this rule authorized an additional CFAP 2 payment to underserved farmers and ranchers, equal to 15 percent of each producer’s original CFAP 2 payment. Also in January 2023, a second round of Pandemic Market Volatility Assistance Program (PMVAP) payments was announced to distribute the remaining funds originally allocated for the program (USDA, AMS, n.d.). The second round of PMVAP extended payments to eligible fluid milk production between 5 million pounds and 9 million pounds between July and December 2020. Payment rates for the second round of payments remained at 80 percent of the estimated loss in revenue.

The same rule that revised certain provisions of CFAP also announced the Pandemic Assistance Revenue Program (PARP). Using funding authorized in the Consolidated Appropriations Act, 2021 (2021 CAA; Pub. L. 116–260), PARP provided assistance to eligible producers of agricultural commodities who suffered 15 percent or greater losses in revenue (relative to 2018 or 2019) in calendar year 2020 as a result of the COVID-19 pandemic. Producers of a wide range of commodities were eligible for PARP, including producers of commodities that were not eligible for CFAP 1 and CFAP 2. PARP payments were equivalent to the difference in allowable gross revenue from 2018 or 2019 (as chosen by the producer) and allowable gross revenue from 2020 (USDA, FSA, 2023k). This difference was multiplied by a payment factor of 80 percent (90 percent for underserved producers), net of any payments previously received from either round of CFAP (CFAP 1 or CFAP 2), the Pandemic Livestock Indemnity Program (PLIP), the Spot Market Hog Pandemic Program (SMHPP), or ERP.

### **Standing Farm Programs**

Policy developments related to standing farm programs in 2023 included: discretionary changes to some commodity programs; expansions in some conservation programs; assistance to distressed farm loan program borrowers; the launch of a pilot program to expedite farm loan program applications; and changes to the crop insurance program to expand certain program rules, update certain products, expand coverage of existing products, and introduce new crop insurance product lines (table 2).

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<sup>15</sup> Calculated based on the operation’s average per-cow daily milk production in a base reference period, the number of milking cows in the claim period, the number of days that milk was dumped, and the per hundredweight pay price (gross price net hauling rate and promotion fee).

<sup>16</sup> For more details on previous developments related to CFAP, see Baldwin et al., 2023a and Baldwin et al., 2023b.

Table 2

**Developments in standing farm programs, 2023**

<b>Initiative</b>	<b>Administering agency</b>	<b>Description</b>
<b>Commodity programs</b>		
Changes to livestock eligible for assistance under Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP), Livestock Forage Program (LFP), and Livestock Indemnity Program (LIP) <sup>1</sup>	USDA, FSA	<ul style="list-style-type: none"> <li>• ELAP, LFP, and LIP rules were revised to extend eligibility to livestock maintained for pleasure, roping, pets, or show</li> <li>• Clarification that horses or other animals used for racing or wagering are ineligible</li> <li>• Restrictions on ostrich eligibility were removed for LFP and ELAP</li> </ul>
<b>Conservation</b>		
Program expansions	USDA, NRCS	<ul style="list-style-type: none"> <li>• Expansion of activities or areas eligible for IRA funding<sup>2</sup></li> <li>• Increased annual payments for Conservation Stewardship Program (CSP)<sup>3</sup></li> </ul>
Program expansion	USDA, FSA	Expansions to Emergency Conservation Program <sup>1 4</sup>
<b>Credit</b>		
Assistance to distressed Farm Loan Program (FLP) borrowers <sup>5</sup>	USDA, FSA	<p>Section 22006 of the IRA authorized \$3.1 billion for USDA to provide relief for distressed borrowers with certain USDA, FSA direct and guaranteed loans and to expedite assistance for those whose agricultural operations are at financial risk. In 2023, this assistance included:</p> <ul style="list-style-type: none"> <li>• Cash flow-based assistance<sup>6</sup></li> <li>• Additional automatic assistance for distressed direct borrowers<sup>7</sup></li> <li>• Extraordinary measures assistance<sup>8</sup></li> <li>• Additional assistance for distressed guaranteed FLP borrowers<sup>9</sup></li> <li>• Assistance for guaranteed FLP borrowers flagged for liquidation and qualified direct Emergency Loan borrowers<sup>10</sup></li> </ul>
Application Fast Track Pilot Program <sup>11</sup>	USDA, FSA	<ul style="list-style-type: none"> <li>• Launch of pilot program to expedite processing of Direct Farm Operating Loans and Farm Ownership Loans for qualified borrowers</li> </ul>
<b>Crop insurance</b>		
Amending crop insurance rules and regulations	USDA, RMA	<ul style="list-style-type: none"> <li>• Amended regulations related to Actual Production History and other changes to improve transparency<sup>12</sup></li> <li>• Technical amendment clarifying Approved Insurance Providers policy cancellations<sup>13</sup></li> <li>• Revisions to Good Farming Practices Handbook<sup>14</sup></li> </ul>

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Initiative	Administering agency	Description
Improvement of certain existing crop insurance products	USDA, RMA	<ul style="list-style-type: none"> <li>• Updates to Annual Forage and Rainfall Index Program<sup>15</sup></li> <li>• Changes to Whole-Farm Revenue Protection and Micro-Farm<sup>15</sup></li> <li>• Quality loss option offered for 7 specialty crops<sup>16</sup></li> <li>• Expanded coverage for oil type olives in the olive program<sup>16</sup></li> <li>• Additional flexibilities for the pistachio program<sup>16</sup></li> <li>• Early harvest insurance flexibility for sugarbeets<sup>17</sup></li> <li>• Hurricane Insurance Protection – Wind Index (HIP-WI) expanded to include Tropical Storm Option<sup>18</sup></li> <li>• Counties added to Margin Protection plan<sup>19</sup></li> <li>• Expanded availability of enterprise units<sup>20</sup></li> <li>• Availability of insurance for sesame under written agreement<sup>15</sup></li> </ul>
Introduction of new crop insurance products lines	USDA, RMA	<ul style="list-style-type: none"> <li>• New grapevine insurance program<sup>21</sup></li> <li>• New crop insurance policy for kiwifruit<sup>22</sup></li> <li>• New pomegranate insurance program<sup>16</sup></li> <li>• New Weaned Calf Risk Protection<sup>23</sup></li> <li>• New Controlled Environment program<sup>24</sup></li> </ul>

FSA = Farm Service Agency. FCIC = Federal Crop Insurance Corporation. IRA = Inflation Reduction Act. NRCS = Natural Resources Conservation Service. RMA = Risk Management Agency.

<sup>1</sup> See 88 Federal Register (FR) 1862 for more information.

<sup>2</sup> See Climate-Smart Agriculture and Forestry (CSAF) Mitigation Activities List for fiscal year 2024 and Agricultural Conservation Easements Program (ACEP) and the Inflation Reduction Act Fact Sheet on the USDA, NRCS website.

<sup>3</sup> See USDA Increases Minimum Annual Payment for Conservation Stewardship Program page on USDA, NRCS website.

<sup>4</sup> See USDA, FSA Notice Emergency Conservation Program (ECP)-88.

<sup>5</sup> Authorized through Section 22006 of the Inflation Reduction Act (IRA; Public Law (Pub. L.) 117-169).

<sup>6</sup> See Inflation Reduction Act Section 22006: Cash Flow-Based Assistance Fact Sheet on USDA's farmers.gov website.

<sup>7</sup> See Inflation Reduction Act Section 22006: Additional Automatic Payments for Distressed Borrowers Fact Sheet on USDA's farmers.gov website.

<sup>8</sup> See Inflation Reduction Act Section 22006: Extraordinary Measures Assistance Fact Sheet on USDA's farmers.gov website.

<sup>9</sup> See USDA Press Release Number 0166.23.

<sup>10</sup> See USDA Press Release Number 0244.23.

<sup>11</sup> See 88 FR 51260 for more information.

<sup>12</sup> See 88 FR 42015, 88 FR 59789, 88 FR 70339 for more information.

<sup>13</sup> See 88 FR 71731 for more information.

<sup>14</sup> See Good Farming Practice Determination Standards Handbook: 2024 and Succeeding Crop Years.

<sup>15</sup> See the USDA, RMA website for more information.

<sup>16</sup> See Risk Management Agency 2023 Accomplishments on the RMA website.

<sup>17</sup> See 88 FR 78226 for more information.

<sup>18</sup> See HIP-WI and Tropical Storm Option: Expansion-2023 on the USDA, RMA website for more information.

<sup>19</sup> See Margin Protection for Federal Crop Insurance Fact Sheet on the USDA, RMA website.

<sup>20</sup> See Enterprise Units Fact Sheet on the USDA, RMA website.

<sup>21</sup> See Grapevine Fact Sheet on the USDA, RMA website.

<sup>22</sup> See Kiwifruit Crop Insurance Fact Sheet on the USDA, RMA website.

<sup>23</sup> See Weaned Calf Risk Protection Fact Sheet on the USDA, RMA website.

<sup>24</sup> See Controlled Environment landing page on the USDA, RMA website for more information.

Source: Compiled by USDA, Economic Research Service using sources cited in footnotes.

## Commodity Programs

USDA made discretionary changes to certain commodity programs in 2023. These changes included a new rule that amended the definition of eligible livestock for the following USDA programs: Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP); the Livestock Forage Disaster Program (LFP); and the Livestock Indemnity Program (LIP) (USDA, CCC & USDA, FSA, 2023). Before the revision, livestock maintained for pleasure, roping, pets, or show were ineligible under the three programs. However, USDA, FSA removed those restrictions with this rule, recognizing that animals kept for these purposes in a commercial operation could be available for marketing by the farm. At the same time, the rule clarified that horses or other animals intended for racing or wagering are ineligible for ELAP, LFP, or LIP. In the same vein, the rule removed the restriction on the eligibility of ostriches for ELAP and LFP. This restriction on ostriches was removed because ostriches satisfy more than half of their energy requirement through the consumption of forages and legumes. Accordingly, ostriches can be considered grazing animals for purposes of ELAP and LFP.

## Conservation

USDA expanded several conservation programs in 2023. Many of these changes were the result of funding increases authorized in the 2022 Inflation Reduction Act (IRA; Pub. L. 117–169). The IRA authorized additional funds for existing voluntary USDA conservation programs to support agricultural producers and forest landowners in implementing climate-smart practices.<sup>17</sup> Program expansions resulting from this increased funding included the addition of several Climate-Smart Agricultural and Forestry Mitigation Activities to the Environmental Quality Incentive Program (EQIP) and Conservation Stewardship Program (CSP);<sup>18</sup> an increase in the minimum annual CSP payment from \$1,500 to \$4,000 starting in fiscal year 2024; and an expansion in the national priority areas eligible for IRA funding for both the Agricultural Land Easements (ALE) and Wetland Reserve Easements (WRE) options under the Agricultural Conservation Easements Program (ACEP).

Outside of IRA-related program expansions, USDA expanded assistance available under the Emergency Conservation Program (ECP) in 2023. ECP authorizes payments to farmers and ranchers to rehabilitate farmland damaged by certain natural disasters and to implement emergency water conservation in periods of drought. In 2023, ECP rules were revised to authorize eligibility of State-owned and federally-owned lands under certain conditions in order to allow producers leasing such lands to participate in ECP (USDA, CCC & USDA, FSA, 2023).<sup>19</sup> ECP was also authorized to provide cost-share assistance to producers for clearing snow from feed stocks, water supplies, and feeding areas under certain circumstances.<sup>20</sup> Although clearing snow for the purposes of feeding and watering livestock is typically covered under ELAP, ELAP regulations stipulate that such assistance can only be used by producers who experience damage to feed or must transport additional feed as a result of a storm. Several U.S. States experienced severe winter storms in 2023 and incurred expenses from snow removal. This policy change is retroactive for storms that occurred on or after October 1, 2022.

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<sup>17</sup> In fiscal year 2023, the IRA made available an additional \$250 million for EQIP, \$250 million for RCPP, \$250 million for CSP, and \$100 million for ACEP. In fiscal year 2024, the IRA provided an additional \$1.65 billion for EQIP, \$754 million for RCPP, \$472 million for CSP, and \$189 million for ACEP.

<sup>18</sup> For a complete list of authorized activities, see USDA, NRCS (2023c).

<sup>19</sup> Although ECP regulations specified that public land was ineligible for ECP cost-share assistance, coverage of public lands has long been USDA, FSA policy, with field staff providing ECP assistance to public lands since at least the 1990s. Public lands were not formally added to the regulation until the January 2023 rule. For more information, see USDA, CCC & USDA, FSA (2023).

<sup>20</sup> See USDA, FSA Notice ECP-88 for more information.



## Credit

The IRA made \$3.1 billion in relief available to USDA to provide assistance to distressed borrowers with direct or guaranteed loans through USDA, FSA. While some relief programs were initially launched in 2022 (Baldwin et al., 2023a), additional rounds of relief targeted to other borrowers were announced in 2023. In February, USDA, FSA announced a new tool to provide financial assistance to borrowers before the borrowers experienced loan delinquency, in addition to those who were already delinquent on their loans. This cash flow-based assistance was offered to direct borrowers with certain USDA, FSA/Farm Loan Program (FLP) loans who could show that they were unable to develop a feasible plan to ensure sufficient cash flow to make their next loan payment using a recent balance sheet or operating plan. Borrowers who qualified were given a one-time credit to their account to cover the missed payment or upcoming loan installment payment (USDA, FSA, 2023o).

As part of the \$3.1 billion in IRA assistance, in March 2023, USDA announced the availability of approximately \$123 million in additional automatic financial assistance to distressed direct loan borrowers after an initial round of this assistance was disbursed in October 2022 (USDA, FSA, 2023i). The assistance was automatically provided to direct FLP borrowers who met one of the following three criteria (assistance offered for each type of borrower is included in parenthesis):

- borrowers whose interest owed was greater than principal owed (assistance was equal to outstanding interest as of March 27, 2023);
- borrowers who were past due as of September 30, 2022, but by fewer than 60 days, or became delinquent between September 30, 2022, and October 18, 2022 (assistance was equal to the delinquent amount plus the next installment payment, not to exceed the remaining balance); or
- borrowers who restructured or had accepted an offer to restructure their loan after February 28, 2020 (assistance was equal to the outstanding delinquency, plus the next installment).

Although other rounds of IRA assistance targeted borrowers who had become delinquent on their loans, some borrowers took extraordinary measures to keep their loans current and thus did not qualify for that assistance. For those borrowers who took extraordinary measures to make their loan payments, USDA announced assistance in March 2023 (USDA, FSA, 2023j). Among the measures<sup>21</sup> that qualified for extraordinary measures assistance were:

- deferring a non-FSA loan;
- obtaining additional debt not ordinarily taken on in the normal course of business through resources outside of USDA, FSA and/or formal or informal loans from family members or individuals;
- delinquency as of May 19, 2023, on essential family living and farm operating expenses;
- early withdrawal of nonliquid assets, such as retirement funds with related fees or penalties for early withdrawal; and
- the sale of essential assets that are required to maintain the current operation level of the farm and household.

For those who took one of the qualifying extraordinary measures, USDA, FSA made payments equal to the amount of funds obtained through the extraordinary measure(s) that were used to make the payment(s) to USDA, FSA, with a maximum payment being the full amount of the installment paid. Payments were

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<sup>21</sup> For full details on qualifying for extraordinary measurement assistance, see the FSA letter “Inflation Reduction Act Section 22006 Extraordinary Measures Assistance” from May 19, 2023, on [Farmers.gov](https://www.farmers.gov).

required to be reinvested in the farm operation or used to address the consequences of the extraordinary measure that was taken.

In August 2023, additional automatic financial assistance was announced for qualifying guaranteed FLP borrowers. Payments were automatically offered to borrowers based upon the following criteria (USDA, n.d.):

- payment of any outstanding delinquency on all qualifying FLP guaranteed loans as of October 18, 2022;
- payment on a qualifying FLP guaranteed loan that had been restructured between March 1, 2020, and August 11, 2023; or
- payment on certain deferred FLP guaranteed loans, not to exceed \$100,000 in response to COVID-19, disasters, or other revenue shortfalls.

Borrowers who met more than one of the above criteria could receive a payment based upon the criteria that would offer the largest payment amount.

As a part of assistance for guaranteed borrowers announced in August 2023, USDA, FSA also provided relief to qualifying FLP guaranteed loan borrowers determined to be distressed borrowers. This determination was made based on the liability for the remaining Federal debt that was subject to debt collection and garnishment after the liquidation of their guaranteed loan account as of July 31, 2023.

In November 2023, USDA announced an additional \$208 million to assist qualifying guaranteed and direct Emergency Loan borrowers. Of those funds, \$80 million was designated for borrowers of qualified guaranteed loans that were flagged for liquidation as of November 30, 2023 (USDA, 2023c). The remaining \$128 million provided assistance to borrowers who had outstanding Emergency Loans as of November 30, 2023.

Finally, in August 2023, USDA launched Application Fast Track (AFT), a pilot program that expedites the processing of direct operating loans and farm ownership loans. The program identifies several financial variables and minimum thresholds that are reliable statistical indicators of debt repayment, which are then used as a replacement for traditional underwriting for applicants meeting the identified criteria. The new pilot process is expected to reduce application processing times while also significantly reducing the staff time required to process those loans (USDA, FSA, 2023a).

### *Crop Insurance*

Changes to the USDA, Federal Crop Insurance Program (FCIP) in 2023 aimed to improve the program's transparency, availability, and effectiveness as a risk management tool for producers. FCIP's changes amended crop insurance rules and regulations, improved certain existing crop insurance products, and introduced new insurance products.

Various changes were made to crop insurance rules and regulations in 2023 for improved program clarity and transparency. These changes included amendments to crop insurance regulations to incorporate existing actual production history requirements directly into the Common Crop Insurance Policy Basic Provisions (USDA, Federal Crop Insurance Corporation (FCIC), 2023a);<sup>22</sup> authorizing the availability of enterprise

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<sup>22</sup> Correcting amendments to this rule were subsequently made in August and October. See 88 FR 59789 and 88 FR 70339 for further information.

units<sup>23</sup> and whole farm units<sup>24</sup> to be designated in the actuarial documents (USDA, FCIC, 2023a); clarifying that an Approved Insurance Provider can only cancel a crop insurance policy with USDA, FCIC's express written consent (USDA, FCIC, 2023c); and revising the program's Good Farming Practices Handbook to recognize all conservation practices endorsed by the USDA, NRCS as Good Farming Practices for crop insurance purposes (USDA, FCIC, 2023d).

Aside from changes to program rules, several improvements were made to existing crop insurance products in 2023. In May 2023, USDA, RMA announced updates to the Annual Forage and Rainfall Index Program (effective from the 2024 crop year) with the aim of allowing producers greater flexibility to better meet their risk management needs. The Annual Forage and Rainfall Index Program provides coverage for acreage used as feed and fodder by livestock (USDA, RMA, 2024). This program, which was introduced as a pilot program in the 2007 crop year, has consistently grown each year the program has been available (figure 2). At 227.80 million acres and \$4.37 billion in insured liabilities, the program represented 46 percent of insured acreage but just 2.2 percent of insured liabilities in the FCIP in crop year 2022. Indemnities are based on a rainfall index, which tracks precipitation deviation across all counties in Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas (correlating these data with forage production). The program updates for improved flexibility included allowing producers to insure a chosen portion of their eligible acres rather than the previous requirement of insuring all eligible acres. Other updates have included modifying the program from 4 to 12 growing seasons; moving the acreage reporting deadline; adding new planting dates with their respective acreage reporting dates; and updating the Rainfall Index Basic Provisions to incorporate guidance on situations involving double cropping with different insurance plans.

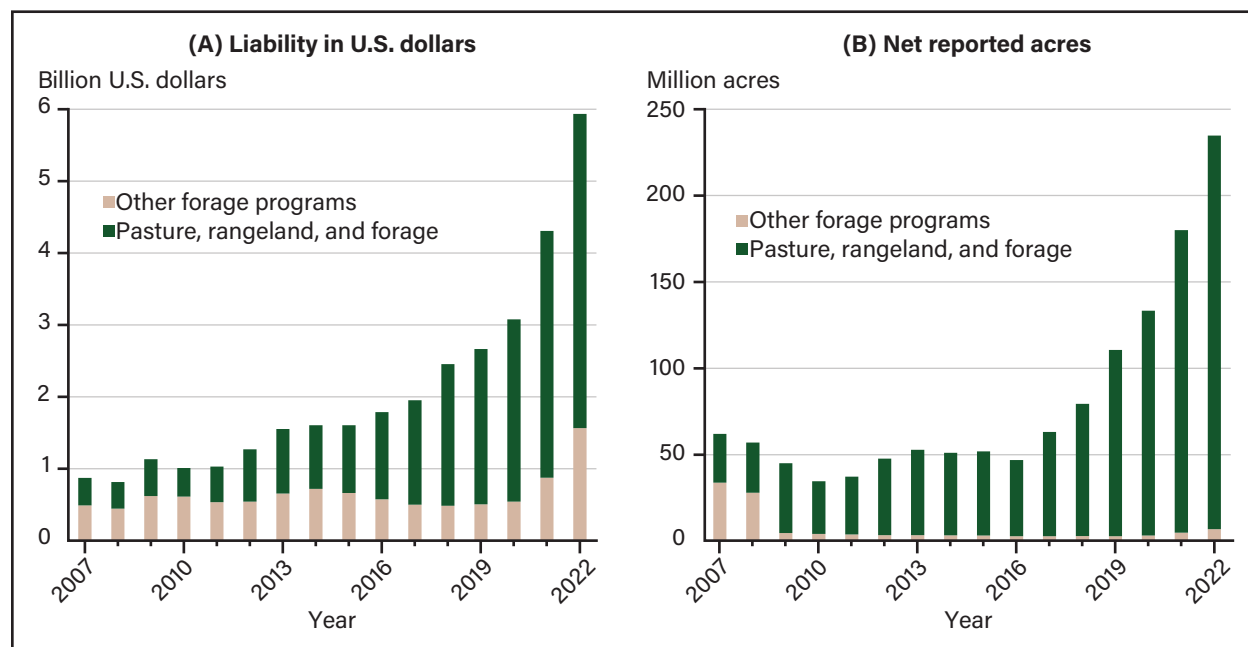
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<sup>23</sup> As per the USDA, RMA Crop Insurance Handbook, an enterprise unit is an insurance unit structure that “consists of all insurable acreage of the same insured crop in the county in which the insured has a share on the date coverage begins for the crop year.”

<sup>24</sup> As per the USDA, RMA Crop Insurance Handbook, a whole-farm unit is an insurance unit structure that “consists of all insurable acreage of all insured crops planted in the county in which the insured has a share on the date coverage begins for each crop for the crop year and for which the whole-farm unit structure is available.”

Figure 2

**U.S. Federal Crop Insurance Program participation for forage crops, 2007-22**



Note: The “other forage programs” includes alfalfa seed, annual forage, forage production, forage seeding, grass seed, and rye.

Source: USDA, Economic Research Service using data from USDA, Risk Management Agency Summary of Business as of July 8, 2024.

Other improvements to existing crop insurance products in 2023 included:

- Enhancements to Whole Farm Revenue Protection (WFRP), such as enabling all eligible producers to access higher coverage levels of 80 percent and 85 percent, offering the option to buy catastrophic coverage level policies for individual crops alongside WFRP, and extending the yield history consideration to a maximum of 10 years for crops not covered by another Federal policy;
- Introducing additional flexibilities to the Micro-Farm program, allowing producers to combine Micro-Farm with other Federal crop insurance policies and extending eligibility to vertically integrated entities;
- Launching a quality loss option for 7 specialty crops,<sup>25</sup> increasing the number of crops for which quality loss coverage is available to 24;
- Expanding coverage for oil type olives in the olive program, including updating oil conversion factors and allowing for contract pricing on oil type olives;
- Offering additional flexibilities for the pistachio program, including allowing producers with fewer than 4 years of production history to use transitional yields;
- Changes to the sugarbeet crop insurance policy to make the early harvest adjustment feature an optional choice for producers;<sup>26</sup>

<sup>25</sup> These seven specialty crops are avocados, blueberries, cranberries, grapes, peaches, stone fruit, and table grapes.

<sup>26</sup> This revision stems from the 2018 response to producer requests to mitigate the impact on their actual production history (APH) databases from early harvesting of sugar beets. Early harvesting is sometimes required by processors. Because this harvesting occurs before sugarbeets reach full maturity, early harvested sugarbeets are typically smaller with less sugar, leading to lower net pounds of raw sugar listed in the APH database for that year. With the new rule, producers can now opt into the early harvest adjustment and choose which years in their APH database will include the adjusted early harvest yields.

- Expansion of the Hurricane Insurance Protection-Wind Index (HIP-WI) Endorsement with a Tropical Storm Option that extends coverage to include damage from named tropical storms<sup>27</sup> and is available in 1,010 counties across multiple States;<sup>28</sup>
- Expansion of the Margin Protection insurance plan for corn and soybean farmers to an additional 1,255 new counties for soybeans and 1,729 counties for corn;
- Expanded availability of enterprise unit<sup>29</sup> coverage for 17 additional crops;<sup>30</sup> and
- Expansion of the actual production history (APH) plan for sesame to allow producers to request written agreements in any area where sesame or similar crops have been successfully grown.

Throughout 2023, USDA, RMA also announced the introduction of new commodity product lines that were also intended to expand the reach of FCIP. These new lines included:

- A grapevine insurance program providing coverage for the loss of grafted vines caused by natural perils—available in select counties in California, Idaho, Michigan, New York, Ohio, Oregon, Pennsylvania, Texas, and Washington;
- A kiwifruit insurance program providing actual production history coverage, available in 12 counties in California;
- A pomegranate insurance program covering weather and quality losses, available in 8 counties in California;
- The Weaned Calf Risk Protection program insuring revenue for spring calving operations, available in 509 counties in Colorado, Nebraska, South Dakota, and Texas; and
- The Controlled Environment dollar plan<sup>31</sup> insurance program for urban, specialty crop, organic, and other producers who grow in fully enclosed controlled environments, available in 127 counties in 25 States.<sup>32</sup>

## Climate

There were several developments in climate-related policy in 2023. These developments fell within three broad categories: (1) expansions in existing USDA conservation programs funded by the IRA to support agricultural producers and forest landowners in implementing climate-smart practices; (2) efforts to measure and monitor net carbon emissions; and (3) water in the western United States (table 3).

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<sup>27</sup> As identified by the U.S. National Oceanic and Atmospheric Administration (NOAA), with maximum sustained winds exceeding 34 knots and precipitation of more than 6 inches within 4 days. Both wind and precipitation triggers must be met for an indemnity payment.

<sup>28</sup> Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, and Virginia.

<sup>29</sup> An enterprise unit allows a producer to insure all acres of a specific crop within a county under one combined policy, unlike other unit structures that require separate insurance for different acreage segments. Premiums for enterprise units are generally lower on account of the reduced risk resulting from spreading production across a wider area, a practice known as geographic diversification. Generally, the larger the enterprise unit, the lower the associated risk and the higher the discount on the insurance premium.

<sup>30</sup> These 17 crops are alfalfa seed, buckwheat, cabbage, cultivated wild rice, extra long staple cotton, flax, fresh market tomatoes, forage production, grass seed, millet, mint, mustard, onions, potatoes, processing tomatoes, safflower, and sesame.

<sup>31</sup> Dollar plans base the insured's guarantee on inventory values reported by the producer.

<sup>32</sup> Alabama, California, Colorado, Delaware, Florida, Hawaii, Iowa, Kentucky, Maine, Maryland, Michigan, Minnesota, New York, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin.

Table 3  
**Climate-related policy developments, 2023**

Initiative	Administering agency or lead	Description
Program expansions	USDA, NRCS	<ul style="list-style-type: none"> <li>Expansion of activities or areas eligible for IRA funding<sup>1</sup></li> <li>Increased annual payments for Conservation Stewardship Program (CSP)<sup>2</sup></li> </ul>
Investment in Improved GHG Measurement, Monitoring, Reporting and Verification for Agriculture and Forestry <sup>3</sup>	USDA, NRCS	<ul style="list-style-type: none"> <li>\$300 million investment to collect field-based data and improve mitigation outcome estimates for NRCS programs and the national inventory, which supports USDA's broader measurement, monitoring, reporting, and verification of GHG emissions and carbon sequestration portfolio</li> </ul>
Western Water and Working Lands Framework for Conservation Action <sup>4</sup>	USDA, NRCS	<ul style="list-style-type: none"> <li>New investments and strategies to help farmers and ranchers conserve water, address climate change, and build drought resilience in the West</li> </ul>
WaterSMART Initiative <sup>5</sup>	USDA, NRCS and U.S. Department of the Interior	<ul style="list-style-type: none"> <li>Three new priority areas added to initiative</li> </ul>

IRA = Inflation Reduction Act. GHG=greenhouse gas. NRCS = Natural Resources Conservation Service.

<sup>1</sup> See Climate-Smart Agriculture and Forestry (CSAF) Mitigation Activities List for fiscal year 2024 and Agricultural Conservation Easements Program (ACEP) and the Inflation Reduction Act Fact Sheet on the USDA, NRCS website.

<sup>2</sup> See USDA Increases Minimum Annual Payment for Conservation Stewardship Program page on USDA, NRCS website.

<sup>3</sup> See USDA Investment in Improved GHG Measurement, Monitoring, Reporting and Verification for Agriculture and Forestry through the Inflation Reduction Act Fact Sheet on the USDA, NRCS website.

<sup>4</sup> See Western Water and Working Lands Framework for Conservation Action.

<sup>5</sup> See WaterSMART Initiative landing page on the USDA, NRCS website.

Source: Compiled by USDA, Economic Research Service using sources cited in footnotes.

In addition to IRA-funded expansions in existing USDA, NRCS programs to support agricultural producers and forest landowners in implementing climate-smart practices (see above “Conservation” section), in July 2023, USDA announced that it would invest \$300 million (also using IRA resources) to improve measurement, monitoring, reporting, and verification of greenhouse gas (GHG) emissions and carbon sequestration.<sup>33</sup> Improved measurement, monitoring, reporting, and verification in agriculture will enable cost effective emissions reductions, the evaluation of land cover change and land use, determining the impacts of natural disasters (e.g., wildfires and droughts) on net emissions, and assessments of emissions reductions.

In February 2023, USDA announced new investments and strategies to help farmers and ranchers conserve water, address climate change, and build drought resilience in the West. The Western Water and Working Lands Framework for Conservation Action, funded in part by the IRA, is a new comprehensive strategy for 17 western States organized under USDA, NRCS (USDA, Natural Resources Conservation Service (NRCS), 2023b). This framework supports and coordinates efforts to address resource challenges and threats across U.S. State boundaries. Some of these efforts include identifying major water and land resource challenges, guidelines for identifying vulnerable agricultural landscapes, and strategies to help USDA, NRCS State leaders, water resource managers, and producers. Guided by the Western Water and Working Lands Framework, the WaterSMART Initiative expanded into three new priority areas (the Medera Irrigation

<sup>33</sup> This new investment advances priorities of the National Strategy to Advance an Integrated U.S. Greenhouse Gas Measurement, Monitoring, and Information System, which was released in November 2023.

District of California, Kohala Watershed Partnership Area of Hawaii, and the Quincy Columbia Basin Irrigation District West Canal Area of Washington) in 2023. The initiative invested \$25 million in these new areas in addition to the 37 existing priority areas. This initiative helps farmers and ranchers conserve water and build drought resilience.

## Equity

Policy developments related to equity in 2023 included efforts to address inequities, burdens, and barriers in USDA financial assistance and the release of various reports and plans on improving equity (table 4).

Table 4  
**Equity-related policy developments, 2023**

Initiative	Administering agency	Description
Discrimination Financial Assistance Program (DFAP) <sup>1</sup>	USDA	Financial assistance of \$2.2 billion was made available for eligible farmers, ranchers, and forest landowners who experienced discrimination in USDA farm lending programs prior to January 2021
USDA Equity Commission Interim Report <sup>2</sup>	USDA	Publication of report including 32 recommendations for USDA to reduce disparities and advance equity for underserved communities
Equity Action plans for all USDA Mission Areas <sup>3</sup>	USDA	A release of 14 action plans for USDA agencies and mission areas, highlighting agency progress and goals in improving equity
USDA Language Access Plan <sup>4</sup>	USDA	The publication of a plan to ensure that individuals with limited English proficiency receive meaningful access to USDA resources, programs, and activities

<sup>1</sup> Authorized by the Inflation Reduction Act (Pub. L. 117-169). For further information, see the Discrimination Financial Assistance Program website.

<sup>2</sup> See *Interim Report 2023* on the USDA Equity Commission website.

<sup>3</sup> See Equity Action Plans landing page on the USDA website.

<sup>4</sup> See *USDA Language Access Plan* on the USDA website.

Source: Compiled by USDA, Economic Research Service using sources cited in footnotes.

In July 2023, USDA opened applications for its Discrimination Financial Assistance Program (DFAP). DFAP was developed under the authorization of Section 22007(e) of the 2022 IRA, which appropriated \$2.2 billion for the purpose. Section 22007(e) directed USDA to provide financial assistance to producers who had experienced discrimination in USDA farm lending programs prior to January 1, 2021. The legislation further mandated that the program be administered through nongovernmental entities. In accordance with this provision, USDA contracted outside vendors to serve as central program administrators and regional hubs to conduct outreach, assist with applications, process applications, manage call centers, and operate local offices. Community groups were also engaged as cooperators to provide more extensive program outreach and technical assistance. To be eligible for the program, applicants must have either experienced discrimination by the USDA in any of its farm lending programs<sup>34</sup> prior to January 1, 2021, or be a current debtor with assigned or assumed USDA farm lending debt that was the subject of USDA discrimination that occurred prior to

<sup>34</sup> Eligible farm lending programs include: farm ownership loans, farm operating loans, microloans, youth loans, farm storage facility loans, emergency loans, economic emergency loans, emergency livestock loans, soil and water loans, conservation loans, softwood timber loans, and grazing loans. While both direct and guaranteed loans were covered under DFAP, only discrimination occurring on the part of USDA was covered, not discrimination by a non-USDA lender.

January 1, 2021. Types of discrimination covered under the program included: race, color, or national origin/ethnicity (including status as a member of a Native American Tribe); sex, sexual orientation, or gender identity; religion; age; marital status; disability; or reprisal/retaliation for prior civil rights activity. To be eligible for assistance, applicants were required to provide information to substantiate experienced discrimination. Required information included: instances of failure to provide appropriate assistance, delays in processing loans or loan servicing applications, denial of a loan or loan servicing, prevention from applying for a loan or loan servicing, adverse loan terms, or unduly onerous supervision of loan requirements.

In addition to DFAP, USDA continued efforts to identify barriers to equity and strategize on how equitable access could be attained. To that end, the USDA Equity Commission<sup>35</sup> released an interim report in February 2023 that identified ways that USDA operations and programs could be adjusted to better meet the needs of a wide range of stakeholders. The interim report recommended 32 actions in 4 areas: (1) how USDA works with farmers, ranchers, and producers on a daily basis; (2) department-wide changes within USDA; (3) USDA's commitment to farmworkers and their families; and (4) re-evaluating other USDA programs (such as cooperative extension service programming and nutrition assistance programs). In addition to informing the work of USDA and the Equity Commission to improve equity in USDA operations and programs, the Interim Report informed the Commission's final report.<sup>36</sup>

Additional efforts were dedicated to developing plans on how to improve equity. First, following on from the release of the Department-wide Equity Action Plan in 2022, there has been a more granular focus on activities advanced in 2023 through the publication of 14 equity action plans spanning each USDA mission area.<sup>37</sup> These plans both highlighted USDA agency achievements in improving equity outcomes, as well as detailed ongoing actions or goals. Planning efforts also extended to the drafting of a USDA Language Access Plan in November 2023 (USDA, 2023b). In line with a 2022 Department of Justice memo on strengthening the Federal Government's commitment to language access, the goal of the plan has been to ensure that USDA agencies, offices, and staff take reasonable steps to ensure that individuals with limited English proficiency have meaningful access to USDA benefits, services, and information on the USDA's programs and activities.<sup>38</sup>

## Organics

Several developments occurred in organic agricultural policy in 2023: regulatory changes aimed at reducing fraud and clarifying standards for organic livestock and poultry; an increase in the payment rate for the Organic Certification Cost Share Program; and the creation of several one-time payment programs to aid transitioning and organic producers in overcoming barriers to organic production (table 5).

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<sup>35</sup> The commission was established by Section 1006 of the American Rescue Plan Act of 2021 (ARPA; Public Law 117-2) and amended by Section 22007 of the 2022 Inflation Reduction Act.

<sup>36</sup> The Equity Commission's final report was published on February 22, 2024, and can be found on USDA's Equity Commission website.

<sup>37</sup> All plans are publicly available on USDA's Equity Action Plans website.

<sup>38</sup> In February 2024, USDA issued an updated Equity Plan announcing new strategies for fiscal year 2024.



Table 5

**Organics-related policy developments, 2023**

Initiative	Administering agency	Description
Amendments to USDA organic regulations to strengthen organic enforcement (SOE) <sup>1</sup>	USDA, AMS	<ul style="list-style-type: none"> <li>• Rulemaking aimed at reducing fraud; strengthening oversight over organic producers, handlers, and certifiers; and improving USDA's enforcement mechanisms</li> </ul>
Organic Livestock and Poultry Standards (OLPS) rule <sup>2</sup>	USDA, AMS	<ul style="list-style-type: none"> <li>• Rulemaking updating livestock and poultry regulation aimed at promoting animal welfare, encouraging consistent practices, and aligning with consumer expectations regarding outdoor access</li> </ul>
Organic Certification Cost Share Program (OCCSP) <sup>3</sup>	USDA, FSA	<ul style="list-style-type: none"> <li>• Organic certification cost-share assistance to producers and handlers of agricultural products increased to 75 percent of costs paid, with a maximum of \$750 per certification scope</li> </ul>
Investment in conservation assistance for producers transitioning to organic <sup>4</sup>	USDA, NRCS	<ul style="list-style-type: none"> <li>• Financial and technical assistance for producers to adopt a new organic management standard under the Environmental Quality Incentives Program (EQIP)</li> <li>• Separate funding to partner with six organic technical experts through 5-year agreements to develop educational regional networks</li> </ul>
Organic Market Development Grant Program (OMDG) <sup>5</sup>	USDA, AMS	<ul style="list-style-type: none"> <li>• Grant program to support development of organic markets</li> </ul>
Organic Dairy Marketing Assistance Program (ODMAP) <sup>6</sup>	USDA, FSA	<ul style="list-style-type: none"> <li>• Marketing assistance to eligible certified organic dairy producers</li> </ul>

AMS = Agricultural Marketing Service. FSA = Farm Service Agency. NRCS = Natural Resources Conservation Service.

<sup>1</sup> See 88 Federal Register (FR) 3548 for further information.

<sup>2</sup> See 88 FR 75394 for further information.

<sup>3</sup> See *Organic Certification Cost Share Program Fact Sheet* on the USDA, FSA website.

<sup>4</sup> See Funding opportunity USDA-NRCS-NHQ-OAN-23-NOFO0001227.

<sup>5</sup> See Funding opportunity USDA-AMS-TM-OMDG-G-23-0019; *Organic Market Development Grants (OMDG) Fact Sheet* on the USDA, AMS website.

<sup>6</sup> See 88 FR 33562 for further information; Authorized by section 5e of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(e)).

Source: Compiled by USDA, Economic Research Service using sources cited in footnotes.

The Strengthening Organic Enforcement (SOE) rule was announced in January 2023 in response to the organic market's continued growth and the international complexity of the supply chain, which both can increase the risk of fraud<sup>39</sup> and mishandling<sup>40</sup> of organic products. The risk of fraud in organics is elevated due to high price premiums and shortages, coupled with the credence nature of organics, such that businesses or consumers cannot easily verify their organic attributes. While the scale of organic fraud is unknown (Ferreira et al., 2021), the USDA, Agricultural Marketing Service (AMS) National Organic Program (NOP) and organic stakeholders have uncovered cases of fraud in organic supply chains, including several indictments of multimillion-dollar fraud schemes in recent years (U.S. Department of Justice, 2022; U.S.

<sup>39</sup> Federal regulations define organic fraud as deceptive representation, sale, or labeling of nonorganic agricultural products or ingredients as 100-percent organic, organic, or made with organic (specified ingredients or food group(s)). See 7 CFR 205.2 for more information.

<sup>40</sup> Mishandling is when an entity unintentionally compromises the unique attributes that make a product organic and can include exposure of organic products to chemicals (e.g., nonpermitted pesticides in organic production) or commingling of organic and nonorganic products. See 88 FR 3548 for further information.

Department of Justice, 2023). In this environment, SOE implemented changes to promote the organic program's integrity, which was mandated by the 2018 Farm Bill. Changes to the organic program from SOE can be grouped into four major themes: (1) reducing the number of uncertified entities in the organic supply chain (including by requiring that all brokers, traders, exporters, and importers gain certification); (2) requiring the use of Import Certificates for all organic imports; (3) clarifying USDA, AMS' authority to oversee and enforce certification activities; and (4) strengthening oversight of accredited certifying agents. The rule's implementation went into effect in March 2024.

The second major regulatory change for organics was the Organic Livestock and Poultry Standards (OLPS) final rule.<sup>41</sup> Inconsistencies in enforcing prior regulation led to market failure because of asymmetries in information between producers and consumers and to certifier shopping (producers searching for a certifier allowing for particular applications of the regulations).<sup>42</sup> OLPS updated NOP's regulations concerning the production and handling of organic livestock and poultry by adding new provisions for livestock care and production practices (e.g., prohibit debeaking or induced molting), living conditions (e.g., swine must be in group housing and birds must be provided with one linear foot of exit area for every 360 birds on poultry houses' exits), transportation (e.g., ensures animals are fit for transport), and slaughter (e.g., facilities must adhere to USDA humane slaughter standards<sup>43</sup>). The new rule went into effect on January 2, 2024, and all operations must comply with the rule's requirements by January 2, 2025 (with some exceptions for poultry stocking density and poultry house exit area requirements, for which compliance is mandated by January 2029).

USDA also announced in May 2023 that the reimbursement rate for the USDA, FSA Organic Certification Cost Share Program (OCCSP) would be increased for program year 2023. OCCSP provides financial assistance to producers and handlers to reduce the cost of organic certification.<sup>44</sup> While 75 percent is the maximum reimbursement rate allowed by the statute, reimbursement rates from fiscal year 2020 to fiscal year 2022 were limited to 50 percent of total certification costs, not to exceed a maximum of \$500 per scope (i.e., crops, livestock, wild crops, processing/handling, and State Organic Program fees), due to limited funding availability. USDA, FSA raised the reimbursement rate to the statutorily allowed maximum level of 75 percent of certification costs for program year 2023, up to a maximum of \$750 per certification scope.

USDA announced three, one-time funding opportunities in 2023 to facilitate domestic organic production through USDA, NRCS; USDA, AMS; and USDA, FSA. The first opportunity, unveiled as part of the Organic Transition Initiative (OTI)<sup>45</sup> in April 2023, was a \$70-million investment to assist producers with a new organic management standard under the USDA, NRCS Environmental Quality Incentives Program (EQIP). The funding expands available technical assistance to producers in adopting conservation activi-

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<sup>41</sup> USDA published the Organic Livestock and Poultry Practices (OLPP) final rule (82 FR 7042) in January 2017, followed by a withdrawal of the OLPP (Withdrawal Rule) (83 FR 10775) in March 2018. The Withdrawal Rule assumed that USDA lacked the authority to make animal welfare provisions. Based on USDA's longstanding interpretation of the Organic Foods Production Act of 1990 (Title XXI of the Food, Agriculture, Conservation and Trade Act of 1990, Pub. L. 101-624), USDA indicated with this new rule that it has the authority to issue regulation on animal welfare issues. Additionally, the Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94) directed USDA to publish a new final rule.

<sup>42</sup> For example, previous regulations required year-round outdoor access for all animals, but some producers and certifiers interpreted "porches" (screened, elevated patio structures) as sufficient outdoor access. In contrast, other certifiers required producers to allow access to soil and vegetation. Even in that latter case, certifiers differed on how much outdoor space was required.

<sup>43</sup> As defined in 7 U.S. Code 1902.

<sup>44</sup> Costs eligible for reimbursement include application fees, inspection costs, fees related to equivalency agreement requirements, travel and per diem for inspectors, user fees, sales assessments, and postage.

<sup>45</sup> The Organic Transition Initiative (OTI) is a \$300 million multi-agency investment announced in 2022. OTI programs through USDA, AMS; USDA, FSA; USDA, NRCS; and USDA, RMA aimed to help build new and better markets and streams of income for farmers and producers.

ties and practices that align with the National Organic Standard. The adoption of the new standard was supported by an additional \$5 million invested by USDA, NRCS for partnerships with six organic technical experts through 5-year agreements, which require the expert to develop regional networks and support USDA, NRCS staff, including hosting hands-on organic training and fielding organic-related staff questions. The second opportunity (also part of the OTI) was the Organic Market Development Grants (OMDG) program, which was authorized to fund up to \$75 million from the Commodity Credit Corporation (CCC) in competitive grants to support the development of new and expanded organic markets. Grants ranging from \$10,000 to \$3 million were made available for projects to build and expand capacity for certified organic production, aggregation, processing, manufacturing, storing, transporting, wholesaling, distribution, and development of consumer markets. The third opportunity was the Organic Dairy Marketing Assistance Program (ODMAP), which provided marketing assistance to small organic dairy operations. The program made \$104 million available from the CCC for operations that produce organic milk from dairy cows, dairy goats, or dairy sheep. Eligible operations could receive a payment for up to a maximum of 5 million pounds of combined organic milk production based on organic milk marketed for the 2022 calendar year. New, transitioning, or expanding dairy operations could request ODMAP payments based on projected 2023 milk production instead. ODMAP payments were split into two tranches, with \$15 million distributed through the first round of assistance and an additional \$5 million distributed through the second round of assistance to all eligible applicants who had received the first payment.

## Agrofood Policies

Policy developments related to the wider agrofood supply chain in 2023 aimed at a variety of objectives, including increasing competition and transparency, enhancing resilience, and improving sustainability (table 6).

Table 6  
**Agrofood policy developments, 2023**

Initiative	Administering agency	Description
<b>Increasing competition and transparency</b>		
Cattle Contracts Library <sup>1</sup>	USDA, AMS	A cattle-contracts library was launched to increase market transparency for cattle producers
Transparency in Poultry Grower Contracting and Tournaments <sup>2</sup>	USDA, AMS	New rules were added to the Packers and Stockyards Act regulations to increase transparency in contracts between poultry growers and poultry dealers
Farmer Seed Liaison and associated seed competition actions <sup>3</sup>	USDA	Establishes a point of contact within the USDA that connects seed growers with intellectual property administrators, antitrust regulators, licensing and labeling enforcers, and other Federal partners
Agricultural Competition Partnership <sup>4</sup>	USDA	Provides funding to State attorney general offices to support research, education and training, innovation, and enforcement activities aimed at the promotion of fair and competitive food and agricultural markets
Local Meat Capacity Grants (Local MCap) <sup>5</sup>	USDA, AMS	Provides \$75 million in grant funding for small scale projects
Indigenous Animals Grant <sup>6</sup>	USDA, AMS and USDA, RD	Provides support to projects that improve Tribal Nations' supply chain resilience and restores local indigenous food systems
Preserving Trust Benefits under Packers and Stockyards Act <sup>7</sup>	USDA, AMS	New rule added to the Packers and Stockyards Act regulations that establishes a statutory trust for the benefit of unpaid cash sellers of livestock

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Initiative	Administering agency	Description
<b>Enhancing resilience in the food system</b>		
Resilient Food Systems Infrastructure Program <sup>8</sup>	USDA, AMS	Provides up to \$420 million in funding to enhance resilience in the food supply chain
Regional Food Business Centers <sup>9</sup>	USDA, AMS	Creation of 11 Regional and 1 National Intertribal Food Business Centers to support a resilient, diverse, and competitive food system by providing localized assistance to support small to mid-sized producers, processors, and distributors
USDA Urban Service Centers <sup>10</sup>	USDA	New centers located within urban areas and staffed by USDA, FSA and USDA, NRCS that will offer support on accessing farm loan, conservation, disaster assistance, and risk management programs
Pandemic Assistance for Cotton Merchandisers <sup>11</sup>	USDA, AMS	Makes nearly \$100 million in funding available to cotton merchandisers who purchased cotton from or marketed on behalf of a U.S. cotton producer
Revisions to Economic Adjustment for Textile Mills <sup>12</sup>	USDA, AMS	Update to Economic Adjustment for Textile Mills program that requires participants in the program to enter into an Upland Cotton Domestic User Agreement and submit documentation to USDA, AMS on the consumption of upland cotton
Healthy Food Financing Initiative Partnerships Program <sup>13</sup>	USDA, RD	Offers grant funding to new or existing regional, State, or local public-private partnerships to improve access to fresh, healthy food in underserved communities
Farm Labor Stabilization and Protection Pilot Program <sup>14</sup>	USDA, FSA and USDA, AMS	Provides \$65 million in funding to support agricultural employers in implementing labor standards that promote a safe, healthy work environment to improve food and agricultural supply chain resiliency
<b>Improving sustainability</b>		
Draft national strategy to reduce U.S. food loss and waste <sup>15</sup>	USDA, EPA, FDA	Comprehensive strategy to prevent the loss and waste of food, and increase the recycling of organic materials

AMS = Agricultural Marketing Service. EPA = U.S. Environmental Protection Agency. FSA = Farm Service Agency. FDA = U.S. Department of Health and Human Services, Food and Drug Administration. RD = Rural Development. Local MCap=Local meat capacity.

<sup>1</sup> See 87 Federal Register (FR) 74951 for more information.

<sup>2</sup> See 88 FR 83210 for more information.

<sup>3</sup> See USDA's Seed Liaison on USDA, AMS website for more information.

<sup>4</sup> See *Agricultural Competition Partnership* on USDA, AMS website for more information.

<sup>5</sup> See Notice of Funding Opportunity USDA-AMS-TM-LMCG-G-23-0017.

<sup>6</sup> See Notice of Funding Opportunity USDA-TM-IAHMP-G-23-0018.

<sup>7</sup> See 88 FR 41015 for more information.

<sup>8</sup> See *Resilient Food Systems Infrastructure Program* on USDA, AMS website for more information.

<sup>9</sup> See *USDA Regional Food Business Centers Program* on USDA, AMS website for more information.

<sup>10</sup> See *Urban Service Centers* on USDA, FSA website for more information.

<sup>11</sup> See 88 FR 51259 for more information.

<sup>12</sup> See 88 FR 74330 for more information.

<sup>13</sup> See Notice of Funding Opportunity CDFA Number 10.872 for more information.

<sup>14</sup> See Notice of Funding Opportunity USDA-FSA-OA-FLSP-G-23-0001 for more information.

<sup>15</sup> See 88 FR 84322 for more information.

Source: Compiled by USDA, Economic Research Service using sources cited in footnotes.

In 2023, various initiatives aimed at increasing competition and improving transparency in the agrofood supply chain. First authorized under the 2022 Consolidated Appropriations Act (CAA; Pub. L. 117–103) in January 2023, USDA launched a pilot program for the Cattle Contracts Library. The program, which is designed to increase market transparency for cattle producers, requires meat packers that have historically slaughtered 5 percent or more of all fed cattle slaughtered nationally in the previous 5 calendar years to submit information regarding contracts for the purchase of cattle to USDA, AMS (USDA, Agricultural Marketing Service (AMS), 2023i). Required information includes: volumes purchased, supplemental information on cattle requirements, associated premium and discount schedules, delivery and transportation terms and payments, schedules or appendices of financing, risk-sharing, profit sharing, or other financial arrangements. USDA, AMS summarizes the data collected and makes the data available in a public dashboard that is updated on a weekly basis.

Other efforts were undertaken to improve transparency in the poultry industry. Over time, the poultry industry has gravitated toward becoming increasingly vertically integrated<sup>46</sup> (MacDonald, 2014; Martinez, 2002). Frequently, poultry companies exercise a high degree of ownership throughout the poultry supply chain, from hatcheries to the plants where the birds are harvested and processed. However, poultry companies (also referred to as dealers) often engage in a contractual relationship with producers or growers who will feed and grow the birds from hatchlings until the birds are ready for harvest. Against this background, USDA, AMS released a final rule on transparency in poultry grower contracting and tournaments in November 2023 in an effort to increase transparency for poultry growers.<sup>47</sup> This rule amends the Packers and Stockyards Act, 1921 (Pub. L. 67–51) to include disclosures and information that live poultry dealers must furnish to poultry growers with whom dealers make poultry growing arrangements (USDA, AMS, 2023f). The new rules aim to increase transparency in the contracts between the poultry growers and the poultry dealers to prevent misrepresentation that may inhibit a grower’s ability to choose amongst competing live poultry dealers on a level playing field.

In terms of increasing competition in the agrofood sector, USDA introduced the Farmer Seed Liaison initiative in March 2023 to promote competition and innovation in seed markets. The program establishes a point of contact within the USDA that connects seed growers with intellectual property administrators, antitrust regulators, licensing and labeling enforcers, and other Federal partners. The program, which was created in response to Executive Order 14036 on promoting competition in the U.S. economy, is geared toward bringing more transparency to seed markets, amplifying the voice of producers, and promoting access to seeds for research and plant breeding (USDA, AMS, 2023h).

The Agricultural Competition Partnership is another USDA initiative aimed at increasing competition in food and agricultural markets, using funding authorized in the American Rescue Plan Act (ARPA) of 2021 (Pub. L. 117–2). The partnership has provided funding to State-level attorneys general offices to support fairness and competition in food and agricultural markets. Funding can be used for a variety of uses: small amounts to assist in the purchase of support technologies, preliminary analysis services, or economic services; support for large-scale enforcement activities related to antitrust or unfair business activities; research related to antitrust and fair business practices; education and training activities; and the development of new infrastructure or practices that enhance enforcement or promote market fairness.

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<sup>46</sup> Vertical integration refers to a business model where different stages of production activities are owned by a single firm, as opposed to separate companies. As noted in MacDonald, 2014, in the poultry industry, a single firm often “owns hatcheries, feed mills, processing plants, and trucks, and they contract with independent growers to raise birds for meat and for hatchery eggs.”

<sup>47</sup> The contractual arrangement most commonly used in broiler production is known as a tournament system. Integrators using this system determine grower payments by ranking relative performance among a group of competing growers.

The meat packing industry was another focal point for 2023, with efforts undertaken to increase capacity for local processors and for the harvesting of indigenous animals. In April 2023, USDA began accepting applications for the Local Meat Capacity Grant (Local MCAP) program, which provided \$75 million for local meat-processing-capacity development. Local MCAP grants ranged from \$10,000 to \$5 million. Individuals, sole proprietors, or other businesses engaged in meat and poultry processing were eligible to apply for assistance through Local MCAP.

In another effort to increase meat processing capacity, USDA launched the Indigenous Animals Harvesting and Meat Processing Grant Program (IAG). The IAG program has provided support to projects that work to: enhance Tribal Nations' supply chain resilience, restore local Indigenous food systems, support Indigenous processing methods, and expand local capacity for the harvesting, processing, manufacturing, storing, transporting, wholesaling, and distribution of animal proteins (USDA, AMS, 2023b). Applications were required to: include Indigenous animals and meat processing activities, including building, expanding, or upgrading fixed or mobile Indigenous meat, food-sovereignty harvesting, or processing facilities; buying and modernizing an inoperable or outdated processing facility; or enhancing infrastructure to improve humane handling and slaughter.

In June 2023, USDA announced new rules designed to strengthen the supply chain in the livestock industry. To provide a safety net for cash sellers of livestock against a default in payment by buyers, USDA announced a new rule for Preserving Trust Benefits Under the Packers and Stockyards Act. The rule revises the Packers and Stockyards regulations (7 U.S.C. 181) to provide instructions for livestock sellers who wish to preserve their interest in the livestock dealer trust<sup>48</sup> under the Act. The rule includes procedures and timelines for a livestock seller to notify the livestock dealer and the Secretary of Agriculture that a full payment has not been received. The rule, which applies only to cash sales, requires sellers to notify livestock dealers and the Secretary within 30 days of the final due date of the payment or within 15 days of notice that a dealer's payment instrument has been dishonored (USDA, AMS, 2023d).

Other efforts were directed toward enhancing resilience throughout the supply chain more broadly. In May 2023, USDA announced the Resilient Food Systems Infrastructure Program. The program provides up to \$420 million in funding from the American Rescue Plan Act (ARPA) to achieve various objectives, including enhancing resilience in the food supply chain by providing more and better markets to small farms and food businesses and supporting the development of job opportunities (USDA, AMS, 2023e). Funding through the program is directed to departments of agriculture within U.S. States and territories, which will then award subgrants.

While funding for the creation of a network of Regional Food Business Centers to support a more resilient, diverse, and competitive food system was announced in September 2022, the locations and organizations selected to lead each of the 12 centers were released in May 2023. Together, the 12 centers serve all areas of the country, with 11 centers focused on specific geographic regions<sup>49</sup> and 1 National Intertribal Food Business Center (USDA, AMS, 2023g). The centers provide localized assistance to assist small to mid-sized producers, processors, and distributors in accessing new and better markets, support business planning and

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<sup>48</sup> The rule notes that the livestock dealer trust was established by Congress under the 2021 Consolidated Appropriations Act (Pub. L. 116–260) “to protect livestock sellers doing business with dealers. The trust is specifically intended to keep inventories of livestock and the proceeds therefrom in trust so that livestock sellers are paid.” For more information, see 88 FR 41015.

<sup>49</sup> The 11 areas (and corresponding centers in parentheses) are Northwest and Rocky Mountain (Colorado State University), Southwest (University of California), North Central (Region Five Development Commission), Heartland (University of Nebraska – Lincoln), Rio Grande Colonias (Texas A&M AgriLife), Great Lakes Midwest (Michigan State University Center for Regional Food Systems), Delta (Mississippi Delta Council for Farmworker Opportunities), Appalachia (Rural Action, Inc.), Northeast (National Association of State Departments of Agriculture Foundation), Southeast (Locus/Georgia Minority Outreach Network), and Islands and Remote Areas (Hawaii Good Food Alliance).

value chain coordination, and assist stakeholders in navigating and using Federal grants, programs, and services. Each center has three main focus areas: (1) act as regional hubs to coordinate with stakeholders including the USDA, other Federal, State, and Tribal agencies, regional commissions, and the other Regional Food Business Centers; (2) provide direct business technical assistance and food value and supply chain coordination to small- and mid-sized food and farm businesses (producers, processors, distributors, and other businesses); and (3) provide financial assistance to businesses working towards expansion and other investment through subawards. The Regional Food Business Centers partner with organizations to create regional solutions that increase farm viability, value chain development, market transparency, food access, and food sovereignty and target their work to historically underinvested communities in their region.

In another effort to provide technical assistance to producers in the agrofood supply chain, USDA announced in July 2023 that 17 new Urban Service Centers will be established and staffed by USDA, FSA and USDA, NRCS employees. The centers will offer: support accessing farm loans, conservation, disaster assistance, and risk management programs similar to those offered in the more than 2,300 existing county service centers across the country. Along with the Urban Service Centers, 10 new urban county committees were established to help with the administration of USDA, FSA programs. The USDA is also investing \$40 million from ARPA to fund partnerships and collaborations with local organizations and universities to offer outreach, education, training, and technical assistance to urban producers (USDA, FPAC, 2023).

Two announcements in 2023 related to cotton and textiles industry assistance. In August, USDA announced funding availability for cotton merchandisers under the Pandemic Assistance for Cotton Merchandisers Program (USDA, AMS, 2023c). The program made nearly \$100 million in funding from the 2023 CAA available to cotton merchandisers who purchased cotton from or marketed on behalf of a U.S. cotton producer between March 1, 2020, and December 29, 2022. Payments were based upon the volume of cotton marketed by a merchandiser, with payments declining from \$5 per bale for the first 500,000 bales to \$2.50 per bale for 500,001 to 1 million bales, and down to \$1.25 for each bale over 1 million. Then in October, USDA revised the regulations for the Economic Adjustment Assistance for Textile Mills to provide guidance for domestic manufacturers that consume U.S. grown cotton and wish to participate in the program (USDA, AMS, 2023a). The rule requires participants in the program to enter into an Upland Cotton Domestic User Agreement and submit cotton consumption reports to USDA, AMS each month. The revisions also added definitions and participant responsibilities in an effort to prevent fraud, waste, and abuse of the program.

Other efforts were directed at ensuring that local food systems provide access to healthy foods in underserved areas. In August 2023, USDA announced \$30 million in ARPA funding to expand the Healthy Food Financing Initiative (HFFI). HFFI was established by the 2014 Farm Bill to improve access to healthy foods in underserved areas while also creating and preserving quality jobs and revitalizing low-income communities. The 2023 expansion creates a new Local and Regional Healthy Food Financing Initiative Partnerships Program (HFFI Partnerships Program), which offers grant funding to new or existing regional, State, or local public-private partnerships to improve access to fresh, healthy food in underserved communities (USDA, Rural Development, 2023). Grants could be used for: supporting existing local food funds or financing programs, establishing or growing a healthy food financing fund for underserved communities, increasing internal or external capacity building, or identifying and improving access to seed capital. Awards under the HFFI Partnership Program ranged from \$200,000 to \$3 million.

The resiliency of agrofood supply chains also includes access to a stable workforce. In September 2023, USDA, AMS announced the Farm Labor Stabilization and Protection Pilot Grant Program. The program provides \$65 million in grants authorized by ARPA to support agricultural employers to implement labor standards that promote a safe, healthy work environment to improve food and agricultural supply chain resili-

ency. The program also places a special emphasis on the H-2A visa program, requiring eligible applicants to meet all U.S. Department of Labor and U.S. Department of Homeland Security regulatory requirements for the program. The grants, which offer a maximum award of \$2 million, can be used for costs related to the hiring and onboarding of U.S. and H-2A workers as well as compliance costs.

The final supply chain-related effort of 2023 focused on sustainability. In December 2023, the U.S. Environmental Protection Agency, USDA, and the U.S. Department of Health and Human Services, Food and Drug Administration jointly released a Draft National Strategy for Reducing Food Loss and Waste and Recycling Organics. The strategy outlines actions that can be taken to prevent the loss and waste of food, with the goal of cutting food loss in half by 2030, which is in line with United Nations Sustainable Development Goal Target 12.3 on food loss and waste (U.S. Environmental Protection Agency (EPA), 2023). The strategy proposes a variety of actions focused around four objectives: (1) prevent food loss where possible; (2) prevent food waste where possible; (3) increase the recycling rate for all organic waste; and (4) support policies that incentivize and encourage food loss and waste prevention and organics recycling (EPA et al., 2023). The strategy also notes that actions taken to avert food loss and waste have the potential to substantially reduce greenhouse gas emissions from methane (CH<sub>4</sub>), as an estimated 58 percent of landfill methane emissions come from food waste.

## Food and Nutrition Assistance

Major policy developments for USDA, Food and Nutrition Service’s (FNS) largest food and nutrition assistance programs in 2023 largely related to temporary changes first introduced in March 2020 following action by Congress in response to the COVID-19 pandemic (Jones et al., 2022; Jones & Toossi, 2024; Toossi et al., 2021; Toossi & Jones, 2023). With the expiration of the Federal Government’s pandemic public health emergency declaration on May 11, 2023, States and USDA began unwinding remaining expansions to the scope and coverage of existing programs. Congress also allowed temporary programs like the Pandemic Electronic Benefit Transfer (P-EBT) program (created in the initial aftermath of the COVID-19 pandemic) to expire (table 7).

Table 7  
**Food and nutrition assistance policy developments, 2023**

Initiative	Description
<b>Food and nutrition assistance programs</b>	
Supplemental Nutrition Assistance Program (SNAP)	<ul style="list-style-type: none"> <li>• Emergency allotments supplementing regular benefits ended after the issuance of February 2023 benefits in those U.S. States that had not already ended emergency allotments<sup>1</sup></li> <li>• SNAP Online Purchasing Pilot expanded to Alaska<sup>2</sup></li> <li>• Temporary exemptions for certain higher education students were phased out 30 days after the public health emergency expiration<sup>3</sup></li> <li>• Waivers that were still in effect allowing certain temporary administrative flexibilities in some areas were phased out with the public health emergency expiration<sup>3</sup></li> <li>• The nationwide suspension of work requirements for able-bodied adults without dependents (ABAWDs) was lifted beginning in July 2023 following the public health emergency expiration, but individual States may still waive the requirements<sup>3</sup></li> <li>• ABAWD work requirements expanded to adults under the age of 51 beginning September 2023 and to adults under the age of 53 beginning October 2023; veterans, homeless individuals, and young adults exiting foster care have been exempted<sup>4</sup></li> </ul>

continued on next page ►



Initiative	Description
Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	<ul style="list-style-type: none"> <li>• A temporary increase in the WIC cash value benefit for fruit and vegetable purchases was extended and adjusted for inflation through fiscal year 2023 and fiscal year 2024<sup>1 5 6</sup></li> <li>• Remaining waivers issued in response to the Coronavirus (COVID-19) pandemic expired 90 days after the expiration of the public health emergency<sup>7</sup></li> <li>• Waivers issued in response to infant formula supply chain issues were phased out from February 2023 through June 2023<sup>8</sup></li> <li>• Waivers promoting the modernization of WIC through building or enhancing remote eligibility determinations and benefits issuance were authorized through September 2026 or the end of the project<sup>9</sup></li> </ul>
National School Lunch Program (NSLP), the School Breakfast Program (SBP), and the Child and Adult Care Food Program (CACFP)	<ul style="list-style-type: none"> <li>• Transitional nutrition standards pertaining to flavored milk, whole grains, and sodium limits (established in 2022 for the 2022–2023 and 2023–2024 school years) remained in place until subsequent standards are developed through rulemaking<sup>10</sup></li> <li>• The Keep Kids Fed Act, which temporarily raised Federal reimbursement amounts for meals served through the NSLP, SBP, and CACFP, expired on June 30, 2023<sup>11</sup></li> <li>• The “Identified Student Percentage,” or the percent of students certified to receive free meals through participation in other means-tested programs, required for schools or school districts to become eligible to serve free meals to all students through the Community Eligibility Provision was lowered to 25 percent from 40 percent effective October 26, 2023<sup>12</sup></li> <li>• USDA authorized an additional \$90 million in assistance to schools to support school meal programs<sup>13</sup></li> <li>• Nearly \$1.3 billion in Supply Chain Assistance Funds was distributed to schools<sup>14</sup></li> </ul>
Pandemic Electronic Benefit Transfer (P-EBT)	<ul style="list-style-type: none"> <li>• Allowed to expire at the end of September 2023<sup>15</sup></li> </ul>
<b>Other developments</b>	
Summer EBT (S-EBT)	<ul style="list-style-type: none"> <li>• States intending to participate in the new Summer EBT program were required to inform USDA, Food and Nutrition Service by January 1, 2024<sup>16</sup></li> </ul>
Emergency food network	<ul style="list-style-type: none"> <li>• Another nearly \$1 billion was issued for additional USDA Foods purchases to support the emergency food network<sup>17</sup></li> <li>• Nearly \$500 million in additional support for first-of-their-kind cooperative agreements to allow States and Tribes to directly purchase local foods for distribution through emergency food providers<sup>18</sup></li> <li>• The awarding of more than \$58.5 million for The Emergency Food Assistance Program (TEFAP) Reach and Resiliency Grants for a total of \$100 million across fiscal years 2022 and 2023<sup>19</sup></li> </ul>

<sup>1</sup> See Consolidated Appropriations Act, 2023 (Pub. L. 117–328).

<sup>2</sup> See USDA, Food and Nutrition Service (FNS) Press Release FNS 010.23 for more information.

<sup>3</sup> See SNAP – *Expiration of Program Flexibilities for the COVID-19 Public Health Emergency* policy memo on the USDA, FNS website.

<sup>4</sup> See Fiscal Responsibility Act of 2023 (Pub. L. 118–5).

<sup>5</sup> See Continuing Appropriations Act, 2024 and Other Extensions Act (Pub. L. 118–15).

<sup>6</sup> These benefits were subsequently made permanent through rulemaking in April 2024. See 89 Federal Register (FR) 28488.

<sup>7</sup> See *Updated Expiration Schedule for Existing FNS-Approved WIC COVID-19 Waivers*, WIC Policy Memorandum Number 2021-10 on the USDA, FNS website.

<sup>8</sup> See *Unwinding Infant Formula Flexibilities in WIC*, WIC Policy Memorandum #2023-3 on the USDA, FNS website.

<sup>9</sup> See *Additional WIC Flexibilities to Support Outreach, Innovation, and Modernization Efforts through ARPA (American Rescue Plan Act) Nationwide Waivers*.

<sup>10</sup> See *Question and Answer Guidance on the Final Rule Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium Effective July 1, 2022*, USDA, FNS Policy Memo #SP 04-2022, Child and Adult Care Food Program 04-2022.

<sup>11</sup> See Keep Kids Fed Act of 2022 (Pub. L. 117–158).

<sup>12</sup> See 88 FR 65778, *Summary of Final Rule Child Nutrition Programs: Community Eligibility Provision – Increasing Options for Schools*.

<sup>13</sup> See USDA Press Releases Numbers 0163.23 and 0207.23 on the USDA website.

<sup>14</sup> See *Supply Chain Assistance Funding for Schools Technical Assistance & Guidance* on the USDA, FNS website.

<sup>15</sup> See *P-EBT Deadline Issuance Letter* policy memo.

<sup>16</sup> See *2024 Summer EBT (Electronic Benefit Transfer) Implementing States, Territories, and Tribes* on the USDA, FNS website.

<sup>17</sup> See *Commodity Purchases for Emergency Food Providers Technical Assistance & Guidance* on the USDA, FNS website.

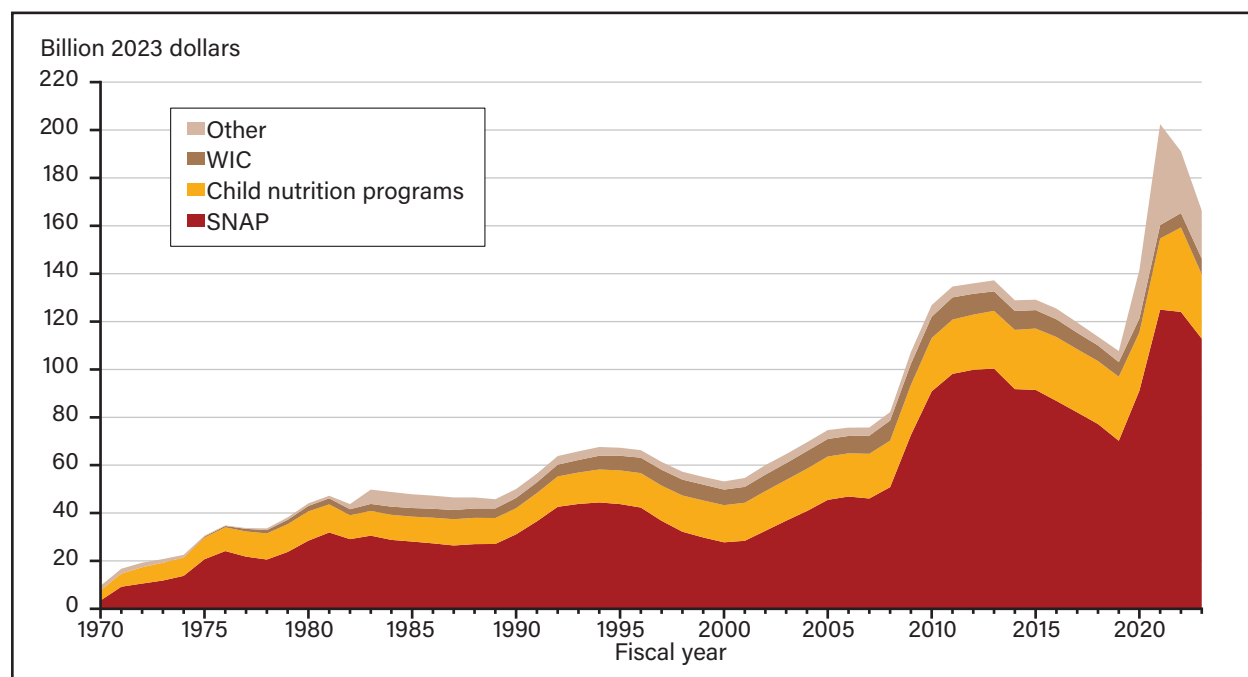
<sup>18</sup> See *Fact Sheet: USDA Support for Food Banks and the Emergency Food System* on the USDA, FNS website.

<sup>19</sup> See *The Emergency Food Assistance Program (TEFAP) Reach and Resiliency Grant Initiative* on the USDA, FNS website.

Source: Compiled by USDA, Economic Research Service using sources cited in footnotes.

Total food and nutrition assistance spending in fiscal year 2023 (October 1, 2022–September 30, 2023) amounted to \$166.4 billion, a decline from fiscal year 2022 expenditures (Jones & Toossi, 2024) (figure 3).

Figure 3  
**Inflation-adjusted USDA spending on food and nutrition assistance, fiscal years 1970–2023**



WIC = Special Supplemental Nutrition Program for Women, Infants, and Children. SNAP = Supplemental Nutrition Assistance Program. Child nutrition = National School Lunch Program, School Breakfast Program, Special Milk Program, related commodity costs, Child and Adult Care Food Program, and Summer Food Service Program. Other = All other Federal spending on USDA food and nutrition assistance programs, including Pandemic Electronic Benefit Transfer in fiscal years 2020–23 and the Farmers to Families Food Box Program in fiscal year 2020–21.

Note: Figure is based on historical program data released by USDA, Food and Nutrition Service (FNS) in December 2023 and total spending data from the September 2023 Program Information Report (Keydata) released by USDA, FNS in December 2023. Spending is noted in billions of 2023 dollars, adjusted using the Personal Consumption Expenditures price index, U.S. Department of Commerce, Bureau of Economic Analysis.

Source: USDA, Economic Research Service using USDA, FNS data; and USDA, Agricultural Marketing Service data.

The largest of USDA’s food and nutrition assistance programs in 2023 were: the Supplemental Nutrition Assistance Program (SNAP), the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Child and Adult Care Food Program (CACFP), and Pandemic Electronic Benefit Transfer (P-EBT).

SNAP provides benefits that vary with household income based on meeting certain income, asset, and other criteria; benefits are structured to increase as household income declines. These benefits are used to purchase groceries at authorized retailers via electronic benefit transfer (EBT). In fiscal year 2023, spending on SNAP totaled \$112.8 billion (figure 3).

From 2020 to 2022, SNAP benefits were expanded in several ways to address need, and various flexibilities were extended to U.S. States to help meet the challenges of the COVID-19 pandemic. In 2023, the end of the public health emergency led to the expiration of several components of the SNAP pandemic response. The 2023 CAA ended the pandemic's emergency allotments (which had increased all households' benefits up to the maximum benefit or by \$95 per month, whichever was larger) after the issuance of February 2023 benefits in those U.S. States and territories that had not yet ended emergency allotments.<sup>50</sup> The nationwide suspension of work requirements for able-bodied adults without dependents (ABAWDs) also ended in 2023. ABAWDs are typically subject to a benefit receipt time limit of 3 months every 3 years unless the recipient meets work requirements. This time limit was suspended in 2020 but reinstated in July 2023, meaning ABAWDs who did not meet work requirements first hit the 3-month time limit in October 2023. The Fiscal Responsibility Act of 2023 (Pub. L. 118–5) modified the population subject to ABAWD work requirements. The Act gradually increased the maximum age of those subject to the requirement from age 49 to age 54 (effective October 2024). At the same time, the Act extended additional exemptions from the ABAWD work requirements to veterans, homeless individuals, and young adults formerly in foster care.

Aside from the change in ABAWD requirements, the public health emergency expiration also had implications for other elements of the SNAP pandemic response. First, some higher education students were temporarily eligible for SNAP during the pandemic if the students participated in certain work study programs or had an expected family financial contribution of zero. These pathways were phased out 30 days after the public health emergency expiration. In addition, various other administrative flexibilities granted to States were also phased out from February through June 2023, with the public health emergency expiration.

The final development related to SNAP was the expansion of the SNAP Online Purchasing Pilot to Alaska in June 2023. With this expansion, online benefit redemption was available to recipients in all 50 States and Washington, DC.

WIC provides supplemental food packages, along with nutrition education, breastfeeding support, and healthcare referrals, to low-income pregnant and postpartum women, infants, and children up to 5 years of age who are at nutritional risk.<sup>51</sup> In response to the COVID-19 pandemic, the Federal Government issued waivers allowing for flexibilities in the program implementation to facilitate social distancing and relieve administrative burdens on existing and prospective program participants. Most of the waivers issued in response to the COVID-19 pandemic expired 90 days after the end of the public health emergency. However, key flexibilities including remote services have continued under the waiver authority provided in ARPA. The majority of these waivers supporting the modernization of WIC continue through September 2026 or the end of the project. Another set of waivers issued in response to infant formula supply chain issues resulting from the COVID-19 pandemic and exacerbated by a 2022 recall of infant formula were phased out from February 2023 through June 2023. Also in response to the COVID-19 pandemic, in March 2021, States were given the option in fiscal year 2021 to temporarily increase the program's cash value benefit for fruit and

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<sup>50</sup> This ended emergency allotment issuance in 32 States, Washington, DC, Guam, and the U.S. Virgin Islands. Thirty-three States ended emergency allotments in the first quarter of 2023; South Carolina ended issuance early after the January 2023 benefit issuance. For a complete timeline of changes to SNAP emergency allotments, see infographic *Recent changes to SNAP benefit amounts on the USDA, FNS website*.

<sup>51</sup> For a detailed overview of WIC, see Hodges et al., 2024.

vegetable purchases (one part of the WIC food package) for a period of up to 4 consecutive months, from \$9.00 (adults) and \$11.00 (children) to an amount less than or equal to \$35.00 per participant. Through subsequent legislation, States were required to increase the cash value benefit amount to \$24.00 for child participants, \$43.00 for pregnant and postpartum women participants, and \$47.00 for breastfeeding participants from October 1 through December 31, 2021. Subsequent legislation<sup>52</sup> in December 2021, March 2022, December 2022, and September 2023, extended these higher amounts (adjusted for inflation) through March 2022, September 2022, September 2023, and September 2024, respectively.<sup>53</sup> In fiscal year 2023, spending on WIC totaled \$6.6 billion (figure 3).

NSLP, the SBP, and the CACFP provide free and low-cost meals to children in schools and in childcare.<sup>54</sup> Meals served through these programs must meet Federal nutrition standards, among other requirements. However (in response to supply chain issues stemming from the COVID-19 pandemic), USDA established transitional nutrition standards for NSLP, SBP, and CACFP meals in February 2022. These standards pertained to flavored milk, whole grains, and sodium for the 2022–2023 and 2023–2024 school years to allow schools and childcare providers additional time to recover from the effects of the pandemic. Other notable changes included the expiration of the Keep Kids Fed Act of 2022 (Pub. L. 117–158) at the end of June 2023 and changes to the Community Eligibility Provision (CEP) in October 2023. The Keep Kids Fed Act had increased Federal reimbursement rates to schools and childcare centers for NSLP, SBP, and CACFP meals for the 2022–2023 school year. CEP allows schools or school districts in high poverty areas to serve meals at no cost to all children and reimburses schools based on the share of their students who are directly certified to receive free meals through their participation in other nutrition assistance programs. The change lowered that share to 25 percent from 40 percent, thereby extending eligibility for CEP to more schools and school districts.<sup>55</sup> USDA also provided additional funds for school meal programs in 2023. In June, USDA announced \$1.3 billion in Supply Chain Assistance funds for school meal programs to address elevated food and labor costs that continued to affect school meal programs into the 2023–2024 school year. USDA also authorized an additional \$90 million in assistance to schools to support school meal programs in 2023. In fiscal year 2023, spending on these three programs totaled \$26.3 billion (figure 3).<sup>56</sup>

The temporary Pandemic Electronic Benefit Transfer (P-EBT) program was authorized in the Families First Coronavirus Response Act of 2020 (Pub. L. 116-127) in March 2020. The program provided benefits, equal to the value of school meals, to school children eligible for free or reduced-price meals and pre-school-age SNAP-enrolled children in areas where the pandemic had disrupted school operations and access to childcare. Benefits were used to purchase groceries via EBT, much like SNAP benefits. This program was allowed to expire at the end of September 2023, and U.S. States and territories were required to issue the final retroactive benefits no later than December 31, 2023. Throughout the course of fiscal year 2023, \$13.7 billion in P-EBT benefits were issued nationwide.

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<sup>52</sup> The additional legislation was: the Further Extending Government Funding Act of 2022 (Pub. L. 117–70), passed in December 2021; the Consolidated Appropriations Act, 2022 (Pub. L. 117–103), passed in March 2022; the Consolidated Appropriations Act, 2023 (Pub. L. 117–328), passed in December 2022; and the Continuing Appropriations Act, 2024 and Other Extensions Act (Pub. L. 118–15), passed in September 2023.

<sup>53</sup> In April 2024, USDA codified the higher cash value benefit amounts with annual adjustments for inflation through the Revisions in the WIC Food Packages Final Rule (89 FR 28488).

<sup>54</sup> Although the Child and Adult Food Care Program does serve some older or functionally impaired adults, more than 95 percent of its meals are served to children.

<sup>55</sup> For more information, see 7 CFR Part 245.9(f).

<sup>56</sup> This amount excludes about \$547 million in spending on the Summer Food Service Program, a much smaller Child Nutrition Program that provides children in low-income areas with free meals, primarily in the summer months when most schools are closed for instruction.

Federal legislation enacted in 2022 authorized the creation of a new, permanent food and nutrition assistance program, the Summer Electronic Benefits Transfer Program (Summer EBT), to begin operating in Summer 2024.<sup>57</sup> Through this program, low-income households with school-aged children receive benefits that can be used to purchase groceries during the summer months when most schools are closed for instruction. States, territories, and Tribal Nations interested in operating Summer EBT in 2024 were required to notify USDA, FNS by January 1, 2024. As of January 9, 2024, 35 States, 5 territories, and 4 Tribal Nations had notified USDA, FNS of their interest to do so.

Finally, USDA announced additional resources to support the emergency food network maintaining the investments for additional food purchases and improved infrastructure. In June 2023, USDA announced another nearly \$1 billion in assistance from the CCC to support additional USDA Foods purchases for the emergency food network and nearly \$500 million in additional support for cooperative agreements to allow States and Tribes to directly purchase local foods for distribution through emergency food providers, on top of the \$400 million provided in fiscal year 2022. Also in June, USDA announced \$58.5 million in The Emergency Food Assistance Program (TEFAP) Reach and Resiliency grants to expand the reach of the network into remote, rural, Tribal, and/or low-income areas for a total of nearly \$100 million across fiscal years 2022 and 2023.

## Summary and Conclusion

This report examines developments in U.S. Federal agricultural policies in 2023—specifically, policies related to production agriculture, agrofood value chains, and food and nutrition assistance. Most prominently, 2023 saw the expiration of many provisions of the Agriculture Improvement Act of 2018 (AIA; Pub. L. 115–334). Most provisions of AIA were then extended through the end of fiscal year 2024 as part of the Further Continuing Appropriations and Other Extensions Act, 2024 (Pub. L. 118–22).

Policy changes in the production agriculture sphere spanned different policy areas—including ad hoc assistance, standing farm programs, climate, equity, and organics. Ad hoc assistance developments included changes to programs launched in 2022, as well as a slate of new programs. Phase 2 of the Emergency Relief Program and the Emergency Livestock Relief Program were both carried out in 2023. New programs were launched to provide assistance to producers impacted by events largely occurring in 2022, including the Emergency Relief Program 2022, Emergency Livestock Relief Program 2022, Emergency Grain Storage Facility Assistance Program, Rice Production Program, and Milk Loss Program. Additional assistance to producers related to impacts from the COVID-19 pandemic was also offered, including through additional Coronavirus Food Assistance Program (CFAP) 2 payments to underserved producers, an expansion of assistance under the Pandemic Market Volatility Assistance Program, and the launch of the new Pandemic Assistance Revenue Program.

Changes in standing farm programs occurred in commodity programs, conservation, credit, and crop insurance. Standing program policy developments included discretionary changes on species eligible for assistance under the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP), Livestock Forage Disaster Program (LFP), and Livestock Indemnity Program (LIP). Changes to conservation programs in 2023 focused on expanding certain conservation programs as a result of new funding from the Inflation Reduction Act (IRA; Pub. L. 117–169). With respect to agricultural credit, most develop-

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<sup>57</sup> Authorized by the Consolidated Appropriations Act, 2023 (Pub. L. 117–328).

ments related to new rounds of assistance for distressed borrowers, also using funding from the IRA. The Application Fast Track Pilot Program to expedite the processing of certain loans for qualified buyers was also launched in 2023. Changes to crop insurance in 2023 included rules amending crop insurance regulations, improvements to certain existing crop insurance products, and the introduction of several new crop insurance product lines (including Weaned Calf Risk Protection and Controlled Environment crop insurance products).

Climate-related developments included new investments in greenhouse gas measurement, monitoring, reporting, and verification for agriculture and forestry, and new investments in water conservation. The most prominent equity-related development in 2023 was the launch of the Discrimination Financial Assistance Program. The program offered \$2.2 billion in financial assistance for eligible producers who experienced discrimination in USDA farm lending programs prior to January 2021. Organic policy developments included new rules for Strengthening Organic Enforcement and Organic Livestock and Poultry Standards, as well as an increased payment rate for the Organic Certification Cost Share Program and several one-time payment programs to aid transitioning and established organic producers in overcoming barriers in organic production.

Agrofood value chain policy developments in 2023 centered around enhancing competition, transparency, resilience, and sustainability. Actions related to competition and transparency included the launch of a cattle-contracts library; new rules on transparency in poultry grower contracting and tournaments; the establishment of a Farmer Seed Liaison; new rules preserving trust benefits under the Packers and Stockyards regulation; and the launching of an Agricultural Competition Partnership in conjunction with State Attorney Generals. Efforts to enhance supply chain resilience included the launch of the Resilient Food Systems Infrastructure Program, programs to enhance local meat processing capacity, and the creation of 11 Regional Food Business Centers and 1 national Intertribal Food Business Center. The publication of a draft national strategy to reduce U.S. food loss and waste contributed to sustainability efforts in U.S. agricultural supply chains.

Policy changes to major food and nutrition assistance programs in 2023 largely focused on unwinding expansions to programs or administrative flexibilities put into place beginning in 2020 as a response to the COVID-19 pandemic. These changes included ending Supplemental Nutrition Assistance Program (SNAP) emergency allotments, ending waivers allowing certain administrative flexibilities for SNAP and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and allowing the temporary Pandemic Electronic Benefit Transfer (P-EBT) program to expire at the end of September 2023. Other major developments in food and nutrition assistance included expanding the able-bodied adults without dependents work requirements for SNAP and lowering the percentage of students certified to receive free meals through participation in other nutrition assistance programs necessary for schools or school districts to become eligible to serve free meals to all students through the Community Eligibility Provision to 25 percent from 40 percent.

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