

Farm Bill Modification Request

May 9, 2023

Broadband

Background: Big data analyses and precision agriculture, which we expect our academic institutions to inform and our producers to use as conservation practices, cannot be performed without high-speed internet. Currently, big data are being collected, but for many researchers on main campus to access it, they must drive to remote locations and download data manually. There are multiple research stations among the Agricultural Experiment Station system, and due to their rural locations, most have limited access to broadband, including those near main campuses. It is impossible to receive data from weather stations located throughout the states due to the lack of broadband.

Request: *Expand the Rural Broadband Access Program priority list to include State Agricultural Experiment Stations conducting research on cropland and rangeland for use in precision agriculture and/or that will benefit community stakeholders and waive the service area restriction and matching funds for grant applications submitted by State Agricultural Experiment Stations.*

Justification: If broadband were provided to the SAES, there would be instant access, enabling scientists to more quickly and efficiently perform research, a benefit to the agricultural community throughout the United States. Current grants, such as the National Telecommunications and Information Administration grants program, come close by providing broadband and renewable energy to certain communities, but these grants will not fund external broadband to the experiment or weather stations.

Reference: Agriculture Improvement Act of 2018 SEC. 6201; [7 U.S. Code 950bb\(c\)\(2\)\(B\)](#)
“After giving priority to the applications described in clauses (i) and (ii) of subparagraph (A), the Secretary shall then give priority to applications—
(i) for projects to provide broadband service to rural communities—
(I) with a population of less than 10,000 permanent residents;
(II) that are experiencing outmigration and have adopted a strategic community investment plan under section 2008v(d) of this title that includes considerations for improving and expanding broadband service;
(III) with a high percentage of low income families or persons (as defined in section 1471(b) of title 42);
(IV) that are isolated from other significant population centers; or
(V) that provide rapid and expanded deployment of fixed and mobile broadband on cropland and rangeland within a service territory for use in various applications of precision agriculture;
(VI) that provide State Agricultural Experiment Stations conducting research on cropland and rangeland for use in precision agriculture and/or that will benefit community stakeholders; and”

Conservation

Conservation Innovation Grants

The Conservation Innovation Grants (CIG) are a subset of the Environmental Quality Incentives Program (EQIP) that empower farmers to make conservation-focused decisions on working lands. Many of the practices producers use are developed by State Agricultural Experiment Stations (SAES), which operate a network of experimental farms within and across states. SAES are trusted partners of agricultural producers, so they are in a unique position to collect research data, demonstrate conservation practices, and guide producers as they implement the most appropriate conservation practices. Community colleges carrying out demonstration projects are eligible for these grants, but SAES, which perform the same function, are currently ineligible.

Request: *Make State Agricultural Experiment Stations (SAES) eligible for Conservation Innovation Grants.*

Justification: If SAES were eligible for conservation innovation grants, producers would have more information and tools to more accurately determine the impacts of the conservation practices they implement.

Reference: Agriculture Improvement Act of 2018 SEC. 2307; [16 U.S. Code 3839aa-8](#)

“(a)(2) Use

The Secretary may provide grants under this subsection to governmental and non-governmental organizations and persons, on a competitive basis, to carry out projects that—

(A) involve producers who are eligible for payments or technical assistance under the program, **State Agricultural Experiment Stations (SAES)**, or community colleges (as defined in section 3319e(a) of title 7) carrying out demonstration projects on land of the community colleges **or SAES;**”

Regional Conservation Partnership Program

Background: The **Regional Conservation Partnership Program** empowers partnerships among eligible partners to carry out important conservation activities, such as water enhancement and soil erosion prevention. Such conservation projects are regularly carried out by regional, multistate committees of State Agricultural Experiment Stations (SAES), which were originally created with capacity (Hatch) funding to tackle regional agricultural issues and prevent duplication of efforts. The Regional Conservation Partnership Program is not currently authorized to utilize these regional, topical partnerships that already work on important conservation projects.

Request: *Add State Agricultural Experiment Stations (SAES) and multi-state agricultural experiment station committees to the list of eligible partners that may propose research and be included in regional conservation partnership programs.*

Justification: Multistate committees of SAES are designed to answer questions on a regional scale and are uniquely positioned to address the very purpose of the Regional Conservation Partnership Program. If the Regional Conservation Partnership Program could tap into the resources of SAES multistate committees, it could leverage partnerships already in place.

Reference: Agriculture Improvement Act of 2018 SEC. 2301; [16 U.S. Code 3871\(a\)](#)

“(4)Eligible partner

The term “eligible partner” means any of the following:

(A)An agricultural or silvicultural producer association or other group of producers.

(B)A State or unit of local government.

(C)An Indian tribe.

(D)A farmer cooperative.

(E)A water district, irrigation district, acequia, rural water district or association, or other organization with specific water delivery authority to producers on agricultural land.

(F)A municipal water or wastewater treatment entity.

(G)An institution of higher education.

(H)An organization or entity with an established history of working cooperatively with producers on agricultural land, as determined by the Secretary, to address—

(i)local conservation priorities related to agricultural production, wildlife habitat development, or nonindustrial private forest land management; or

(ii)critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource issues.

(I)An organization described in section 3865a(3)(B) of this title.

(J)A conservation district.

(K)A multistate research program administered by a multistate committee of State Agricultural Experiment Stations.”

Request: *Waive the cost contribution of multistate committees of State Agricultural Experiment Stations for the Regional Conservation Partnership Program.*

Justification: State Agricultural Experiment Stations receive a portion of their operating costs through formula, or capacity, funding, which means they must already match their operating costs one-to-one. The Hatch Act specifies that a minimum of 25 percent of these funds, which already require a match, must be spent on regional research activities. This matched funding is the only funding available for multistate committees of State Agricultural Experiment Stations, which perform important regional agricultural research. Because these funds have already been matched at a minimum of one-to-one, further matching requirements are onerous and should be waived. Moreover, the multistate committees have no recourse for finding further matching funds as there are no regional governments to petition to provide such funds.

Reference: Agriculture Improvement Act of 2018 SEC. 2301; [16 U.S. Code 3871b\(c\)](#)

“(1)In general

Under a partnership agreement, the eligible partner shall—

(2) Contribution

(A)In general

An eligible partner shall provide a significant portion of the overall costs of the scope of the project that is the subject of the agreement entered into under subsection (a), as determined by the Secretary.

(B)Form

A contribution of an eligible partner under this paragraph may be in the form of—

(i)direct funding;

(ii)in-kind support; or

(iii)a combination of direct funding and in-kind support.

(C)Treatment

Any amounts expended during the period beginning on the date on which the Secretary announces the approval of an application under subsection (e) and ending on the day before the effective date of the partnership agreement by an eligible partner for staff salaries or development of the partnership agreement may be considered to be a part of the contribution of the eligible partner under this paragraph. **The Secretary may waive the required contribution for multistate committees of State Agricultural Experiment Stations.”**

Request: *Expand the list of priorities for applications to the Regional Conservation Partnership Program to include research to address regional questions about conservation practices and to specify regional research, in addition to local, State, and national efforts.*

Justification: To ensure the Regional Conservation Partnership Program solves regional conservation challenges, a priority for this program should be to assess the effectiveness and impacts of conservation practices across a region. For this reason, priority should be given to projects that address the assessment of conservation practices and that leverage regional partnerships and resources, in addition to local, State, and national.

Reference: Agriculture Improvement Act of 2018 SEC. 2703; [16 U.S. Code 3871b\(e\)](#)

“(4)Priority to certain applications

The Secretary may give a higher priority to applications that—

(A)assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

- (B) have a high percentage of producers in the area to be covered by the agreement;
- (C) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, **regional**, or national efforts;
- (D) build new partnerships with local, State, **regional**, and private entities to include a diversity of stakeholders in the project;
- (E) deliver a high percentage of applied conservation—
 - (i) to achieve conservation benefits **or assess conservation practices**; or
 - (ii) in the case of a project in a critical conservation area under section 3871f of this title, to address the priority resource concern for that critical conservation area;”

Retirement of land-grant college employees

Background: Upon the establishment of the land-grant college system, it was specified in statute that colleges of agriculture were authorized to use federal funds to support retirement systems for their employees. It was further specified that employer contributions to these retirement accounts could include no more than five percent from federal capacity funds. Today, universities are authorized to use the facilities and administrative (indirect) funds from grants, including federal grants, to contribute to retirement accounts, but they are still prevented from using 95 percent of their capacity funding for this purpose.

Request: *The five percent cap on the use of capacity funds for employer contributions to retirement accounts should be eliminated.*

Justification: Capacity funding is the only university revenue that maintains a five percent cap on employer retirement contributions. University accountants, who already track and submit paperwork to demonstrate the one-to-one match required of capacity funding, must create a third pool of funds for retirement contributions, with its own tracking and submission of paperwork to demonstrate adherence to the five percent cap. This administrative burden is replicated across the country at every university that receives capacity funding. Eliminating this cap would significantly streamline accounting.

Reference: [7 U.S. Code 331](#) Retirement of land-grant college employees

“Provided, That there shall not be deducted from Federal funds and deposited to the credit of retirement accounts as employer contributions, amounts in excess of ~~5 per centum of that portion~~ **the qualifying institution’s approved federal composite benefit rate** of the salaries of employees paid from such Federal funds:”