Noteworthy Provisions in CR/Appropriations Package

Overview

As part of the Senate agreement to reopen the government, negotiators included both one-year extension of the farm bill and agriculture appropriations for fiscal year (FY) 2026. Although the farm bill extension addressed key end-of-year deadlines, it failed to properly address priorities, programs and fixes left behind in reconciliation. The appropriations package on the other hand made substantial policy updates while also failing to properly address the hurt done to food assistance programs in the One Big Ugly Bill.
The following are noteworthy agriculture items from the Senate agreement.

Farm Bill Extension

- The bill extended the provisions of the farm bill for one year (until September 30, 2026) unless such provisions were extended to a later date in another law (e.g., commodity programs under H.R. 1).
- The bill also extends the suspension of permanent law for an additional crop or calendar year as applicable for the commodity.
- The extension excluded date changes for mandatory funding for orphans. This is appropriate for most programs, which received funding until 2031 through reconciliation. However, the extension language fails to fund the Biorefinery Assistance Program and the Biobased Markets Program, which currently have no money for this or future years.
- The language also leaves out additional funding for Foundation for Food and Ag Research (FFAR), which was only given one year of funding in Reconciliation and needs more money to continue normal operation.
- Payment limits for EQIP and CSP:
  - Both programs were subject to payment limits for the lifetime of the 2018 Farm Bill, which were extended in the 2024 Farm Bill extension but waived in 2025. This extension would waive the payment limits again. These changes, on top of changes that occurred in H.R.1 to remove AGI limits for producers, cause concerns that the programs would funnel money to the largest operators.
  - The separate, lower EQIP payment limit for organic producers is retained under this extension.

Agriculture Appropriations

SNAP

- Funds SNAP at $107.48 billion for FY 2026 (compared to $123.2 billion for FY 2025), maintaining the cuts from the Big Ugly Bill (H.R.1).
- Provides $6 billion in contingency funds, short of the roughly $9 billion needed to fund a month of benefits. If there is a shutdown at the end of FY 2026, SNAP benefits will be at risk again.
- Includes a study on the feasibility of applying a Buy American requirement to SNAP. Application to SNAP is not feasible and would only serve to <u>severely</u> restrict what can be purchased.
- There is *not* language included in either the CR or ag appropriations to hold states harmless for their error rates during the shutdown (or prior).

Hemp

- This package contains language to change the farm bill definition of hemp, severely restricting what is considered federally legal.
- The proposed language would limit hemp to 0.3 percent total THC (currently hemp must contain no more than a 0.3 percent concentration of delta-9 THC). All legal hemp products would be limited to 0.4mg of total THC per container. This limitation could have negative consequences for many hemp businesses around the country, and hemp cannabinoid stakeholders claim that this will lead to the closure of the majority of hemp businesses across the county.
- The proposed language also clarifies that synthetic and non-plant derived cannabinoids are not considered hemp. This language seeks to prevent the unregulated sale of intoxicating hemp-derived products.
- There is specific language to ensure industrial hemp (fiber and grain) remains legal.
- These provisions would not go into effect for one year, giving stakeholders the opportunity to come together and work with Congress to create a comprehensive plan for hemp and hemp-derived products.

Miscellaneous

- Extension of Livestock Mandatory Reporting (LMR). LMR's statutory authority was set to expire in 2020 and has been extended through appropriations since then.
- Cuts $2 million of funding for the Office of Urban Agriculture and Innovative Production.
- Slashes $3.5 million from the Value Added Producer Grant Program.
- Includes $1 million to assess USDA's needs for transferring Food for Peace from USAID to USDA. USDA is directed to complete the assessment within 60 days of passage.

Grain Standards Act

- Extends fee collection authority and the advisory committee until the end of the continuing resolution (January 30, 2026).
- Extends the authorization for appropriations (to the extent fees are insufficient) and limits on administrative and supervisory costs under the Act to include fiscal year 2026.