

September 14, 2023

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, D.C. 20510

Dear Leader Schumer and Leader McConnell:

The undersigned trade associations, which collectively represent millions of hardworking American farmers, ranchers, and foresters; commodity producers, processors, users, and consumers; and state agencies, write today regarding the Fiscal Year 2024 Agriculture, Food and Drug Administration, Rural Development appropriations bill. Specifically, we wish to raise concerns with Amendment #1097 as submitted by Sen. Mike Lee of Utah.

The proposed amendment attempts to attach the so-called *Opportunities for Fairness in Farming Act* (or “OFF Act”), to the spending bill. If enacted, this amendment would substantially undermine our members’ ability to promote U.S. agriculture- and natural resource-based commodity products.

This language targets commodity research and promotion boards, better known as “checkoff” programs. Checkoffs were established at the urging of the producers of their respective product. While each individual program operates in a manner uniquely crafted to suit the needs of that specific commodity, generally, a small portion of the sales receipts of that commodity is allocated to a research and promotion board overseen by the U.S. Department of Agriculture (USDA).

Checkoffs are entirely funded and directed by those who pay assessments into them—in other words, producers themselves. As such, all checkoff expenses, including the salaries of USDA personnel overseeing them, are funded by the same receipts they generate. **There are no taxpayer dollars used to implement checkoffs, and no appropriated dollars are used to oversee them pursuant to statute.** For this reason, we hold that Amendment #1097 is not relevant to the FY24 agriculture appropriations bill and respectfully urge the Senate to reject this misguided amendment.

Research and promotion boards exist to develop new markets and strengthen existing channels for specific commodities while conducting important research and promotional activities. They also work to educate consumers on behalf of a particular commodity to expand total demand to the benefit of all producers. Using the pooled resources and stakeholder investments obtained through checkoff assessments, they promote the product as a whole to create an industry-wide benefit through increased sales, consumer awareness, and higher overall demand. For every dollar invested into a commodity checkoff, producers see several more in return. Congress should not interfere with these popular, successful programs which benefit U.S. agriculture and natural resources producers.

Thank you for your consideration, and please do not hesitate to reach out to our organizations directly with any questions or concerns.

Sincerely,

[Signatories listed on the following page]

CC: The Honorable Patty Murray, Chair, Committee on Appropriations
The Honorable Susan Collins, Vice Chair, Committee on Appropriations

American Farm Bureau Federation
American Honey Producers Association
American Mushroom Institute
American Soybean Association
American Sheep industry Association
American Wood Council
Clean Fuels Alliance America
Corn Refiners Association
National Association of State Departments of Agriculture
National Cattlemen's Beef Association
National Christmas Tree Association
National Cotton Council
National Council of Farmer Cooperatives
National Milk Producers Federation
National Oilseed Processors Association
National Pecan Federation
National Pork Producers Council
National Potato Council
National Sorghum Producers
National Watermelon Association
North American Blueberry Council
Southeastern Lumber Manufacturers
Soy Aquaculture Alliance
Soy Transportation Coalition
United Egg Producers
U.S. Peanut Federation