

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.**

**H. R. 2**

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. ROBERTS

Viz:

1 Strike all after the enacting clause and insert the following:  
2

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Agriculture Improvement Act of 2018”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

- Sec. 1101. Payment acres.
- Sec. 1102. Producer election.
- Sec. 1103. Price loss coverage.

## 2

- Sec. 1104. Agriculture risk coverage.
- Sec. 1105. Repeal of transition assistance for producers of upland cotton.

## Subtitle B—Marketing Loans

- Sec. 1201. Extensions.
- Sec. 1202. Repeal; unshorn pelts.
- Sec. 1203. Economic adjustment assistance for upland cotton users.

## Subtitle C—Sugar

- Sec. 1301. Sugar program.

## Subtitle D—Dairy

## PART I—DAIRY RISK COVERAGE

- Sec. 1401. Dairy risk coverage.

## PART II—REAUTHORIZATIONS AND OTHER DAIRY-RELATED PROVISIONS

- Sec. 1411. Reauthorizations.
- Sec. 1412. Class I skim milk price.
- Sec. 1413. Milk donation program.

## Subtitle E—Supplemental Agricultural Disaster Assistance

- Sec. 1501. Supplemental agricultural disaster assistance.

## Subtitle F—Noninsured Crop Assistance

- Sec. 1601. Noninsured crop assistance program.

## Subtitle G—Administration

- Sec. 1701. Regulations.
- Sec. 1702. Suspension of permanent price support authority.
- Sec. 1703. Implementation.
- Sec. 1704. Definition of significant contribution of active personal management.
- Sec. 1705. Actively engaged in farming requirement.
- Sec. 1706. Adjusted gross income limitation.
- Sec. 1707. Base acres review.
- Sec. 1708. Farm Service Agency accountability.
- Sec. 1709. Technical corrections.
- Sec. 1710. Use of Commodity Credit Corporation.

## TITLE II—CONSERVATION

## Subtitle A—Conservation Reserve Program

- Sec. 2101. Extension and enrollment requirements of conservation reserve program.
- Sec. 2102. Farmable wetland program.
- Sec. 2103. Duties of the Secretary.
- Sec. 2104. Payments.
- Sec. 2105. Conservation reserve enhancement program.
- Sec. 2106. Contracts.
- Sec. 2107. Conservation reserve easements.
- Sec. 2108. Eligible land; State law requirements.

## Subtitle B—Conservation Stewardship Program

- Sec. 2201. Definitions.
- Sec. 2202. Establishment.
- Sec. 2203. Stewardship contracts.
- Sec. 2204. Duties of Secretary.

## Subtitle C—Environmental Quality Incentives Program

- Sec. 2301. Purposes.
- Sec. 2302. Definitions.
- Sec. 2303. Establishment and administration.
- Sec. 2304. Evaluation of applications.
- Sec. 2305. Duties of the Secretary.
- Sec. 2306. Environmental quality incentives program plan.
- Sec. 2307. Limitation on payments.
- Sec. 2308. Conservation innovation grants and payments.
- Sec. 2309. Soil health demonstration pilot project.

## Subtitle D—Other Conservation Programs

- Sec. 2401. Wetland conservation.
- Sec. 2402. Conservation security program.
- Sec. 2403. Conservation of private grazing land.
- Sec. 2404. Soil health and income protection program.
- Sec. 2405. Grassroots source water protection program.
- Sec. 2406. Soil testing and remediation assistance.
- Sec. 2407. Voluntary public access and habitat incentive program.
- Sec. 2408. Agriculture conservation experienced services program.
- Sec. 2409. Remote telemetry data system.
- Sec. 2410. Agricultural conservation easement program.
- Sec. 2411. Regional conservation partnership program.
- Sec. 2412. Wetland conversion.
- Sec. 2413. Delineation of wetlands.
- Sec. 2414. Emergency conservation program.
- Sec. 2415. Watershed protection and flood prevention.
- Sec. 2416. Small watershed rehabilitation program.
- Sec. 2417. Repeal of Conservation Corridor Demonstration Program.
- Sec. 2418. Repeal of cranberry acreage reserve program.
- Sec. 2419. Repeal of National Natural Resources Foundation.
- Sec. 2420. Repeal of flood risk reduction.
- Sec. 2421. Repeal of study of land use for expiring contracts and extension of authority.
- Sec. 2422. Repeal of Integrated Farm Management Program Option.
- Sec. 2423. Repeal of clarification of definition of agricultural lands.
- Sec. 2424. Resource conservation and development program.
- Sec. 2425. Wildlife management.
- Sec. 2426. Healthy forests reserve program.
- Sec. 2427. Watershed protection.
- Sec. 2428. Sense of Congress relating to increased watershed-based collaboration.
- Sec. 2429. Modifications to conservation easement program.

## Subtitle E—Funding and Administration

- Sec. 2501. Funding.
- Sec. 2502. Delivery of technical assistance.

## 4

- Sec. 2503. Administrative requirements for conservation programs.
- Sec. 2504. Definition of acequia.
- Sec. 2505. Authorization of appropriations for water bank program.
- Sec. 2506. Report on land access, tenure, and transition.
- Sec. 2507. Report on small wetlands.
- Sec. 2508. State technical committees.

Subtitle F—Technical Corrections

- Sec. 2601. Farmable wetland program.
- Sec. 2602. Report on program enrollments and assistance.
- Sec. 2603. Delivery of technical assistance.
- Sec. 2604. State technical committees.

TITLE III—TRADE

Subtitle A—Food for Peace Act

- Sec. 3101. Food aid quality.
- Sec. 3102. Generation and use of currencies by private voluntary organizations and cooperatives.
- Sec. 3103. Minimum levels of assistance.
- Sec. 3104. Food Aid Consultative Group.
- Sec. 3105. Oversight, monitoring, and evaluation.
- Sec. 3106. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.
- Sec. 3107. Allowance of distribution costs.
- Sec. 3108. Prepositioning of agricultural commodities.
- Sec. 3109. Annual report regarding food aid programs and activities.
- Sec. 3110. Deadline for agreements to finance sales or to provide other assistance.
- Sec. 3111. Nonemergency food assistance.
- Sec. 3112. Micronutrient fortification programs.
- Sec. 3113. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.

Subtitle B—Agricultural Trade Act of 1978

- Sec. 3201. Priority trade promotion, development, and assistance.

Subtitle C—Other Agricultural Trade Laws

- Sec. 3301. Food for Progress Act of 1985.
- Sec. 3302. Bill Emerson Humanitarian Trust Act.
- Sec. 3303. Promotion of agricultural exports to emerging markets.
- Sec. 3304. Cochran emerging market fellowship program.
- Sec. 3305. Borlaug International Agricultural Science and Technology Fellowship Program.
- Sec. 3306. International food security technical assistance.
- Sec. 3307. McGovern-Dole International Food for Education and Child Nutrition Program.
- Sec. 3308. Global Crop Diversity Trust.
- Sec. 3309. Local and regional food aid procurement projects.
- Sec. 3310. Foreign trade missions.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

## 5

- Sec. 4101. Definition of certification period.
- Sec. 4102. Food distribution program on Indian reservations.
- Sec. 4103. Work requirements for supplemental nutrition assistance program.
- Sec. 4104. Improvements to electronic benefit transfer system.
- Sec. 4105. Retail incentives.
- Sec. 4106. Required action on data match information.
- Sec. 4107. Income verification.
- Sec. 4108. Pilot projects to improve healthy dietary patterns related to fluid milk in the supplemental nutrition assistance program.
- Sec. 4109. Interstate data matching to prevent multiple issuances.
- Sec. 4110. Quality control.
- Sec. 4111. Requirement of live-production environments for certain pilot projects relating to cost sharing for computerization.
- Sec. 4112. Authorization of appropriations.
- Sec. 4113. Assistance for community food projects.
- Sec. 4114. Nutrition education State plans.
- Sec. 4115. Emergency food assistance program.
- Sec. 4116. Technical and conforming amendments.

#### Subtitle B—Commodity Distribution Programs

- Sec. 4201. Commodity distribution program.
- Sec. 4202. Commodity supplemental food program.
- Sec. 4203. Distribution of surplus commodities; special nutrition projects.

#### Subtitle C—Miscellaneous

- Sec. 4301. Purchase of specialty crops.
- Sec. 4302. Seniors farmers' market nutrition program.
- Sec. 4303. The Gus Schumacher food insecurity nutrition incentive.
- Sec. 4304. Harvesting health pilot projects.

### TITLE V—CREDIT

#### Subtitle A—Farm Ownership Loans

- Sec. 5101. Modification of the 3-year experience requirement for purposes of eligibility for farm ownership loans.
- Sec. 5102. Conservation loan and loan guarantee program.
- Sec. 5103. Limitations on amount of farm ownership loans.

#### Subtitle B—Operating Loans

- Sec. 5201. Limitations on amount of operating loans.
- Sec. 5202. Cooperative lending pilot projects.

#### Subtitle C—Administrative Provisions

- Sec. 5301. Beginning farmer and rancher individual development accounts pilot program.
- Sec. 5302. Loan authorization levels.
- Sec. 5303. Loan fund set-asides.
- Sec. 5304. Equitable relief.
- Sec. 5305. Socially disadvantaged farmers and ranchers; qualified beginning farmers and ranchers.
- Sec. 5306. Emergency loan eligibility.

#### Subtitle D—Miscellaneous

## 6

- Sec. 5401. State agricultural mediation programs.
- Sec. 5402. Socially disadvantaged farmers and ranchers.
- Sec. 5403. Sharing of privileged and confidential information.
- Sec. 5404. Removal and prohibition authority; industry-wide prohibition.
- Sec. 5405. Jurisdiction over institution-affiliated parties.
- Sec. 5406. Definition of institution-affiliated party.
- Sec. 5407. Repeal of obsolete provisions; technical corrections.
- Sec. 5408. Corporation as conservator or receiver; certain other powers.
- Sec. 5409. Reporting.
- Sec. 5410. Sense of the Senate.

## TITLE VI—RURAL DEVELOPMENT

## Subtitle A—Consolidated Farm and Rural Development Act

- Sec. 6101. Water, waste disposal, and wastewater facility grants.
- Sec. 6102. Rural water and wastewater technical assistance and training programs.
- Sec. 6103. Rural water and wastewater circuit rider program.
- Sec. 6104. Tribal college and university essential community facilities.
- Sec. 6105. Community facilities direct loans and grants for substance use disorder treatment services.
- Sec. 6106. Emergency and imminent community water assistance grant program.
- Sec. 6107. Water systems for rural and native villages in Alaska.
- Sec. 6108. Rural decentralized water systems.
- Sec. 6109. Solid waste management grants.
- Sec. 6110. Rural business development grants.
- Sec. 6111. Rural cooperative development grants.
- Sec. 6112. Locally or regionally produced agricultural food products.
- Sec. 6113. Appropriate technology transfer for rural areas program.
- Sec. 6114. Rural economic area partnership zones.
- Sec. 6115. Intemediary relending program.
- Sec. 6116. Single application for broadband.
- Sec. 6117. Loan guarantee loan fees.
- Sec. 6118. Rural Business-Cooperative Service programs technical assistance and training.
- Sec. 6119. National rural development partnership.
- Sec. 6120. Grants for NOAA weather radio transmitters.
- Sec. 6121. Rural microentrepreneur assistance program.
- Sec. 6122. Health care services.
- Sec. 6123. Strategic economic and community development.
- Sec. 6124. Delta Regional Authority.
- Sec. 6125. Rural business investment program.

## Subtitle B—Rural Electrification Act of 1936

- Sec. 6201. Electric loan refinancing.
- Sec. 6202. Technical assistance for rural electrification loans.
- Sec. 6203. Loans for telephone service.
- Sec. 6204. Cushion of credit payments program.
- Sec. 6205. Guarantees for bonds and notes issued for electrification or telephone purposes.
- Sec. 6206. Access to broadband telecommunications services in rural areas.
- Sec. 6207. Community Connect Grant Program.

- Sec. 6208. Transparency in the Telecommunications Infrastructure Loan Program.
- Sec. 6209. Refinancing of broadband and telephone loans.
- Sec. 6210. Cybersecurity and grid security improvements.

Subtitle C—Miscellaneous

- Sec. 6301. Distance learning and telemedicine.
- Sec. 6302. Rural energy savings program.
- Sec. 6303. Rural health and safety education programs.
- Sec. 6304. Northern Border Regional Commission reauthorization.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

- Sec. 7101. Purposes of agricultural research, extension, and education.
- Sec. 7102. Matters relating to certain school designations and declarations.
- Sec. 7103. National Agricultural Research, Extension, Education, and Economics Advisory Board.
- Sec. 7104. Citrus disease subcommittee of specialty crop committee.
- Sec. 7105. Veterinary services grant program.
- Sec. 7106. Grants and fellowships for food and agriculture sciences education.
- Sec. 7107. Research equipment grants.
- Sec. 7108. Agricultural and food policy research centers.
- Sec. 7109. Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions.
- Sec. 7110. Next generation agriculture technology challenge.
- Sec. 7111. Nutrition education program.
- Sec. 7112. Authorization for appropriations for Federal agricultural research facilities.
- Sec. 7113. Continuing animal health and disease research programs.
- Sec. 7114. Extension at 1890 land-grant colleges, including Tuskegee University; report.
- Sec. 7115. Report on agricultural research at 1890 land-grant colleges, including Tuskegee University.
- Sec. 7116. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.
- Sec. 7117. Grants to upgrade agriculture and food sciences facilities and equipment at insular area land-grant institutions.
- Sec. 7118. New Beginning for Tribal Students.
- Sec. 7119. Hispanic-serving institutions.
- Sec. 7120. Binational agricultural research and development.
- Sec. 7121. Partnerships to build capacity in international agricultural research, extension, and teaching.
- Sec. 7122. Competitive grants for international agricultural science and education programs.
- Sec. 7123. University research.
- Sec. 7124. Extension service.
- Sec. 7125. Supplemental and alternative crops; hemp.
- Sec. 7126. New Era Rural Technology program.
- Sec. 7127. Capacity building grants for NLGCA institutions.
- Sec. 7128. Agriculture Advanced Research and Development Authority pilot.
- Sec. 7129. Aquaculture assistance programs.
- Sec. 7130. Repeal of rangeland research programs.

- Sec. 7131. Special authorization for biosecurity planning and response.
- Sec. 7132. Distance education and resident instruction grants program for insular area institutions of higher education.
- Sec. 7133. Limitation on designation of entities eligible to receive funds under a capacity program.
- Sec. 7134. Scholarship program for students attending 1890 Institutions.

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

- Sec. 7201. Best utilization of biological applications.
- Sec. 7202. Integrated management systems.
- Sec. 7203. Sustainable agriculture technology development and transfer program.
- Sec. 7204. National training program.
- Sec. 7205. National strategic germplasm and cultivar collection assessment and utilization plan.
- Sec. 7206. National Genetics Resources Program.
- Sec. 7207. National Agricultural Weather Information System.
- Sec. 7208. Agricultural genome to phenome initiative.
- Sec. 7209. High-priority research and extension initiatives.
- Sec. 7210. Organic agriculture research and extension initiative.
- Sec. 7211. Farm business management.
- Sec. 7212. Urban, indoor, and other emerging agricultural production research, education, and extension initiative.
- Sec. 7213. Centers of excellence at 1890 Institutions.
- Sec. 7214. Assistive technology program for farmers with disabilities.
- Sec. 7215. National Rural Information Center Clearinghouse.

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

- Sec. 7301. National food safety training, education, extension, outreach, and technical assistance program.
- Sec. 7302. Integrated research, education, and extension competitive grants program.
- Sec. 7303. Support for research regarding diseases of wheat, triticale, and barley caused by *Fusarium graminearum* or by *Tilletia indica*.
- Sec. 7304. Grants for youth organizations.
- Sec. 7305. Specialty crop research initiative.
- Sec. 7306. Food Animal Residue Avoidance Database program.
- Sec. 7307. Office of Pest Management Policy.
- Sec. 7308. Forestry products advanced utilization research.

Subtitle D—Other Laws

- Sec. 7401. Critical Agricultural Materials Act.
- Sec. 7402. Equity in Educational Land-Grant Status Act of 1994.
- Sec. 7403. Research Facilities Act.
- Sec. 7404. Agricultural and food research initiative.
- Sec. 7405. Extension design and demonstration initiative.
- Sec. 7406. Renewable Resources Extension Act of 1978.
- Sec. 7407. National Aquaculture Act of 1980.
- Sec. 7408. Repeal of review of Agricultural Research Service.
- Sec. 7409. Biomass research and development.
- Sec. 7410. Reinstatement of matching requirement for Federal funds used in extension work at the University of the District of Columbia.



## 9

- Sec. 7411. Enhanced use lease authority pilot program.
- Sec. 7412. Transfer of administrative jurisdiction over portion of Henry A. Wallace Beltsville Agricultural Research Center, Beltsville, Maryland.
- Sec. 7413. Foundation for food and agriculture research.
- Sec. 7414. Assistance for forestry research under the McIntire-Stennis Cooperative Forestry Act.
- Sec. 7415. Legitimacy of industrial hemp research.
- Sec. 7416. Collection of data relating to barley area planted and harvested.
- Sec. 7417. Collection of data relating to the size and location of dairy farms.
- Sec. 7418. Agriculture innovation center demonstration program.
- Sec. 7419. Smith-Lever community extension program.

Subtitle E—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

- Sec. 7501. Agricultural biosecurity communication center.
- Sec. 7502. Assistance to build local capacity in agricultural biosecurity planning, preparation, and response.
- Sec. 7503. Research and development of agricultural countermeasures.
- Sec. 7504. Agricultural biosecurity grant program.

PART II—MISCELLANEOUS PROVISIONS

- Sec. 7511. Farm and Ranch Stress Assistance Network.
- Sec. 7512. Natural products research program.
- Sec. 7513. Sun grant program.
- Sec. 7514. Mechanization and automation for specialty crops.

Subtitle F—Matching Funds Requirement

- Sec. 7601. Matching funds requirement.

TITLE VIII—FORESTRY

Subtitle A—Cooperative Forestry Assistance Act of 1978

- Sec. 8101. State and private forest landscape-scale restoration program.

Subtitle B—Forest and Rangeland Renewable Resources Research Act of 1978

- Sec. 8201. Repeal of recycling research.
- Sec. 8202. Repeal of forestry student grant program.

Subtitle C—Global Climate Change Prevention Act of 1990

- Sec. 8301. Repeals.

Subtitle D—Healthy Forests Restoration Act of 2003

- Sec. 8401. Promoting cross-boundary wildfire mitigation.
- Sec. 8402. Authorization of appropriations for hazardous fuel reduction on Federal land.
- Sec. 8403. Repeal of biomass commercial utilization grant program.
- Sec. 8404. Water Source Protection Program.
- Sec. 8405. Watershed Condition Framework.

## 10

- Sec. 8406. Authorization of appropriations to combat insect infestations and related diseases.
- Sec. 8407. Healthy Forests Reserve Program reauthorization.
- Sec. 8408. Authorization of appropriations for designation of treatment areas.
- Sec. 8409. Administrative review of collaborative restoration projects.

Subtitle E—Repeal or Reauthorization of Miscellaneous Forestry Programs

- Sec. 8501. Repeal of revision of strategic plan for forest inventory and analysis.
- Sec. 8502. Semiarid agroforestry research center.
- Sec. 8503. National Forest Foundation Act.
- Sec. 8504. Conveyance of Forest Service administrative sites.

Subtitle F—Forest Management

- Sec. 8601. Definitions.

PART I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF  
CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES

- Sec. 8611. Categorical exclusion for greater sage-grouse and mule deer habitat.

PART II—MISCELLANEOUS FOREST MANAGEMENT ACTIVITIES

- Sec. 8621. Additional authority for sale or exchange of small parcels of National Forest System land.
- Sec. 8622. Forest Service participation in ACES program.
- Sec. 8623. Authorization for lease of Forest Service sites.
- Sec. 8624. Good neighbor authority.
- Sec. 8625. Wildland-urban interface.
- Sec. 8626. Chattahoochee-Oconee National Forest land adjustment.
- Sec. 8627. Tennessee wilderness.
- Sec. 8628. Additions to Rough Mountain and Rich Hole Wildernesses.
- Sec. 8629. Kisatchie National Forest land conveyance.
- Sec. 8630. Purchase of Natural Resources Conservation Service property, Riverside County, California.
- Sec. 8631. Collaborative Forest Landscape Restoration Program.
- Sec. 8632. Utility infrastructure rights-of-way vegetation management pilot program.
- Sec. 8633. Okhissa Lake rural economic development land conveyance.
- Sec. 8634. Prairie dogs.

PART III—TIMBER INNOVATION

- Sec. 8641. Definitions.
- Sec. 8642. Clarification of research and development program for wood building construction.
- Sec. 8643. Wood innovation grant program.

TITLE IX—ENERGY

- Sec. 9101. Definitions.
- Sec. 9102. Biobased markets program.
- Sec. 9103. Biorefinery assistance.
- Sec. 9104. Repowering assistance program.
- Sec. 9105. Bioenergy program for advanced biofuel.
- Sec. 9106. Biodiesel fuel education program.
- Sec. 9107. Rural Energy for America Program.

## 11

- Sec. 9108. Rural energy self-sufficiency initiative.
- Sec. 9109. Feedstock flexibility program for bioenergy producers.
- Sec. 9110. Biomass Crop Assistance Program.
- Sec. 9111. Biogas research and adoption of biogas systems.
- Sec. 9112. Community Wood Energy Program.
- Sec. 9113. Carbon utilization education program.

## TITLE X—HORTICULTURE

- Sec. 10101. Specialty crops market news allocation.
- Sec. 10102. Local Agriculture Market Program.
- Sec. 10103. Organic production and market data initiatives.
- Sec. 10104. Organic certification.
- Sec. 10105. National organic certification cost-share program.
- Sec. 10106. Food safety education initiatives.
- Sec. 10107. Specialty crop block grants.
- Sec. 10108. Plant variety protection.
- Sec. 10109. Multiple crop and pesticide use survey.
- Sec. 10110. Clarification of use of funds for technical assistance.
- Sec. 10111. Hemp production.
- Sec. 10112. Rule of construction.

## TITLE XI—CROP INSURANCE

- Sec. 11101. Definitions.
- Sec. 11102. Data collection.
- Sec. 11103. Sharing of records.
- Sec. 11104. Use of resources.
- Sec. 11105. Specialty crops.
- Sec. 11106. Insurance period.
- Sec. 11107. Cover crops.
- Sec. 11108. Underserved producers.
- Sec. 11109. Expansion of performance-based discount.
- Sec. 11110. Enterprise units.
- Sec. 11111. Pasture, rangeland, and forage policy for members of Indian tribes.
- Sec. 11112. Submission of policies and materials to board.
- Sec. 11113. Whole farm revenue agent incentives.
- Sec. 11114. Crop production on native sod.
- Sec. 11115. Use of national agricultural statistics service data to combat waste, fraud, and abuse.
- Sec. 11116. Submission of information to corporation.
- Sec. 11117. Acreage report streamlining initiative.
- Sec. 11118. Continuing education for loss adjusters and agents.
- Sec. 11119. Funding for information technology.
- Sec. 11120. Agricultural commodity.
- Sec. 11121. Reimbursement of research, development, and maintenance costs.
- Sec. 11122. Research and development authority.
- Sec. 11123. Education assistance.
- Sec. 11124. Cropland report annual updates.

## TITLE XII—MISCELLANEOUS

## Subtitle A—Livestock

- Sec. 12101. Sheep production and marketing grant program.
- Sec. 12102. National animal health laboratory network.

## 12

- Sec. 12103. National Animal Disease Preparedness, Response, and Recovery Program; National Animal Vaccine and Veterinary Countermeasures Bank.
- Sec. 12104. Study on livestock dealer statutory trust.
- Sec. 12105. Definition of livestock.

## Subtitle B—Agriculture and Food Defense

- Sec. 12201. Repeal of Office of Homeland Security.
- Sec. 12202. Office of Homeland Security.
- Sec. 12203. Agriculture and food defense.
- Sec. 12204. Biological agents and toxins list.
- Sec. 12205. Authorization of appropriations.

## Subtitle C—Historically Underserved Producers

- Sec. 12301. Farming opportunities training and outreach.
- Sec. 12302. Urban agriculture.
- Sec. 12303. Office of Advocacy and Outreach.
- Sec. 12304. Tribal Advisory Committee.
- Sec. 12305. Experienced services program.
- Sec. 12306. Youth outreach and beginning farmer coordination.
- Sec. 12307. Availability of Department of Agriculture programs for veteran farmers and ranchers.

Subtitle D—Department of Agriculture Reorganization Act of 1994  
Amendments

- Sec. 12401. Office of Congressional Relations and Intergovernmental Affairs.
- Sec. 12402. Military Veterans Agricultural Liaison.
- Sec. 12403. Civil rights analyses.
- Sec. 12404. Farm Service Agency.
- Sec. 12405. Under Secretary of Agriculture for Farm Production and Conservation.
- Sec. 12406. Under Secretary of Agriculture for Rural Development.
- Sec. 12407. Administrator of the Rural Utilities Service.
- Sec. 12408. Rural Health Liaison.
- Sec. 12409. Healthy Food Financing Initiative.
- Sec. 12410. Natural Resources Conservation Service.
- Sec. 12411. Office of the Chief Scientist.
- Sec. 12412. Trade and foreign agricultural affairs.
- Sec. 12413. Repeals.
- Sec. 12414. Technical corrections.
- Sec. 12415. Effect of subtitle.
- Sec. 12416. Termination of authority.

## Subtitle E—Other Miscellaneous Provisions

- Sec. 12501. Acer access and development program.
- Sec. 12502. South Carolina inclusion in Virginia/Carolina peanut producing region.
- Sec. 12503. Pet and Women Safety.
- Sec. 12504. Data on conservation practices.
- Sec. 12505. Marketing orders.
- Sec. 12506. Study on food waste.
- Sec. 12507. Report on business centers.
- Sec. 12508. Information technology modernization.

- Sec. 12509. Report on personnel.
- Sec. 12510. Report on absent landlords.
- Sec. 12511. Restriction on use of certain poisons for predator control.
- Sec. 12512. Century farms program.
- Sec. 12513. Report on the importation of live dogs.
- Sec. 12514. Establishment of technical assistance program.
- Sec. 12515. Promise Zones.
- Sec. 12516. Precision agriculture connectivity.
- Sec. 12517. Improved soil moisture and precipitation monitoring.
- Sec. 12518. Study of marketplace fraud of unique traditional foods.
- Sec. 12519. Dairy business innovation initiatives.

#### Subtitle F—General Provisions

- Sec. 12601. Expedited exportation of certain species.
- Sec. 12602. Baiting of migratory game birds.
- Sec. 12603. Pima agriculture cotton trust fund.
- Sec. 12604. Agriculture wool apparel manufacturers trust fund.
- Sec. 12605. Wool research and promotion.
- Sec. 12606. Emergency Citrus Disease Research and Development Trust Fund.
- Sec. 12607. Extension of merchandise processing fees.
- Sec. 12608. Conforming changes to Controlled Substances Act.
- Sec. 12609. National Flood Insurance Program reauthorization.
- Sec. 12610. Emergency assistance for livestock, honey bees, and farm-raised fish.
- Sec. 12611. Administrative units.
- Sec. 12612. Drought and water conservation agreements.
- Sec. 12613. Encouragement of pollinator habitat development and protection.
- Sec. 12614. Repair or replacement of fencing; cost share payments.
- Sec. 12615. Food donation standards.
- Sec. 12616. Micro-grants for food security.
- Sec. 12617. Use of additional Commodity Credit Corporation funds for direct operating microloans under certain conditions.
- Sec. 12618. Business and innovation services essential community facilities.
- Sec. 12619. Rural innovation stronger economy grant program.
- Sec. 12620. Dryland farming agricultural systems.
- Sec. 12621. Remote sensing technologies.
- Sec. 12622. Buy American requirements.
- Sec. 12623. Eligibility for operators on heirs property land to obtain a farm number.
- Sec. 12624. Loans to purchasers of land with undivided interest and no administrative authority.
- Sec. 12625. Farmland ownership data collection.
- Sec. 12626. Rural business investment program.
- Sec. 12627. National Oilheat Research Alliance.

### 1 **SEC. 2. DEFINITION OF SECRETARY.**

2       In this Act, the term “Secretary” means the Sec-  
 3       retary of Agriculture.

1                   **TITLE I—COMMODITIES**  
2                   **Subtitle A—Commodity Policy**

3   **SEC. 1101. PAYMENT ACRES.**

4           Section 1114(e) of the Agricultural Act of 2014 (7  
5 U.S.C. 9014(e)) is amended by adding at the end the fol-  
6 lowing:

7                   “(5) RECALCULATION OF BASE ACRES.—

8                           “(A) IN GENERAL.—If the Secretary recal-  
9                           culates base acres for a farm while a farm is  
10                           engaged in planting and production of fruits,  
11                           vegetables, or wild rice on base acres for which  
12                           a reduction in payment acres was made under  
13                           this subsection, that planting and production  
14                           shall be considered to be the same as the plant-  
15                           ing and production of a covered commodity.

16                           “(B) PROHIBITION.—Nothing in this para-  
17                           graph provides authority for the Secretary to  
18                           recalculate base acres for a farm.”.

19   **SEC. 1102. PRODUCER ELECTION.**

20           Section 1115 of the Agricultural Act of 2014 (7  
21 U.S.C. 9015) is amended—

22                   (1) in subsection (a), in the matter preceding  
23                   paragraph (1), by striking “Except as provided in  
24                   subsection (g), for the 2014 through 2018 crop  
25                   years” and inserting “For the 2014 through 2018

1 crop years (except as provided in subsection (g)) and  
2 for the 2019 through 2023 crop years”;

3 (2) in subsection (c)—

4 (A) in the matter preceding paragraph (1),  
5 by inserting “or the 2019 crop year, as applica-  
6 ble” after “2014 crop year”;

7 (B) in paragraph (1), by inserting “or the  
8 2019 crop year, as applicable,” after “2014  
9 crop year”; and

10 (C) in paragraph (2)—

11 (i) by striking “elected price” and in-  
12 serting the following: “elected, as applica-  
13 ble—

14 “(A) price”; and

15 (ii) in subparagraph (A) (as so des-  
16 ignated), by striking the period at the end  
17 and inserting the following: “; and

18 “(B) county coverage for all covered com-  
19 modities on the farm for the 2020 through  
20 2023 crop years.”; and

21 (3) in subsection (g)(1), by inserting “for the  
22 2018 crop year,” before “all of the producers”.

23 **SEC. 1103. PRICE LOSS COVERAGE.**

24 Section 1116 of the Agricultural Act of 2014 (7  
25 U.S.C. 9016) is amended—

1           (1) in subsections (a) and (d) by striking  
2           “2018” each place it appears and inserting “2023”;  
3           and

4           (2) in subsection (c)—

5                 (A) by redesignating paragraphs (1) and  
6                 (2) as subparagraphs (A) and (B), respectively,  
7                 and indenting appropriately;

8                 (B) in the matter preceding subparagraph  
9                 (A) (as so redesignated), by striking “The pay-  
10                 ment” and inserting the following:

11                 “(1) IN GENERAL.—The payment”; and

12                 (C) by adding at the end the following:

13                 “(2) ANNOUNCEMENT.—Not later than 30 days  
14                 after the end of each applicable 12-month marketing  
15                 year for each covered commodity, the Secretary shall  
16                 publish the payment rate determined under para-  
17                 graph (1).”.

18   **SEC. 1104. AGRICULTURE RISK COVERAGE.**

19           Section 1117 of the Agricultural Act of 2014 (7  
20   U.S.C. 9017) is amended—

21                 (1) in subsection (a), in the matter preceding  
22                 paragraph (1)—

23                 (A) by inserting “(beginning with the 2019  
24                 crop year, based on the physical location of the  
25                 farm)” after “payments”; and



1 (B) by inserting “or the 2019 through  
2 2023 crop years, as applicable” after “2014  
3 through 2018 crop years”;

4 (2) in subsection (c)—

5 (A) in paragraph (2)—

6 (i) in subparagraph (A), by striking  
7 “paragraph (4)” and inserting “para-  
8 graphs (4) and (5)”; and

9 (ii) in subparagraph (B), by striking  
10 “(5)” and inserting “(6)”;

11 (B) in paragraph (3)—

12 (i) in subparagraph (A)(ii), by strik-  
13 ing “(5)” and inserting “(6)”; and

14 (ii) in subparagraph (C), by striking  
15 “2018” and inserting “2023”;

16 (C) in paragraph (4)—

17 (i) by striking “If” and inserting “Ef-  
18 fective for the 2019 through 2023 crop  
19 years, if”; and

20 (ii) by striking “70 percent” each  
21 place it appears and inserting “75 per-  
22 cent”;

23 (D) by redesignating paragraph (5) as  
24 paragraph (6); and

1 (E) by inserting after paragraph (4) the  
2 following:

3 “(5) TREND-ADJUSTED YIELD.—The Secretary  
4 shall calculate and use a trend-adjusted yield factor  
5 to adjust the yield determined under paragraph  
6 (2)(A) and subsection (b)(1)(A), taking into consid-  
7 eration, but not exceeding, the trend-adjusted yield  
8 factor that is used to increase yield history under  
9 the endorsement under the Federal Crop Insurance  
10 Act (7 U.S.C. 1501 et seq.) for that crop and coun-  
11 ty.”;

12 (3) in subsection (d)—

13 (A) in paragraph (1), by redesignating  
14 subparagraphs (A) and (B) as clauses (i) and  
15 (ii), respectively, and indenting appropriately;

16 (B) by redesignating paragraphs (1) and  
17 (2) as subparagraphs (A) and (B), respectively,  
18 and indenting appropriately;

19 (C) in the matter preceding subparagraph  
20 (A) (as so redesignated), by striking “The pay-  
21 ment” and inserting the following:

22 “(1) IN GENERAL.—The payment”; and

23 (D) by adding at the end the following:

24 “(2) ANNOUNCEMENT.—Not later than 30 days  
25 after the end of each applicable 12-month marketing

1 year for each covered commodity, the Secretary shall  
2 publish the payment rate determined under para-  
3 graph (1) for each county.”;

4 (4) in subsection (e), in the matter preceding  
5 paragraph (1), by striking “2018” and inserting  
6 “2023”;

7 (5) in subsection (g)—

8 (A) in paragraph (3), by striking “and”  
9 after the semicolon at the end;

10 (B) in paragraph (4)—

11 (i) in the matter preceding subpara-  
12 graph (A), by inserting “effective for the  
13 2014 through 2018 crop years,” before “in  
14 the case of”; and

15 (ii) in subparagraph (B), by striking  
16 the period at the end and inserting “;  
17 and”; and

18 (C) by adding at the end the following:

19 “(5) effective for the 2019 through 2023 crop  
20 years, in the case of county coverage—

21 “(A) effective beginning with actual county  
22 yields for the 2019 crop year, assign an actual  
23 county yield for each planted acre for the crop  
24 year for the covered commodity by giving pri-  
25 ority to—

1           “(i) the use of actual county yields in,  
2           to the maximum extent practicable, a sin-  
3           gle source of data that provides the great-  
4           est national coverage of county-level data;

5           “(ii) the use of a source of data that  
6           may be used to determine an average ac-  
7           tual county yield under subsection  
8           (b)(1)(A) and an average historical county  
9           yield under subsection (c)(2)(A) for the  
10          same county; and

11          “(iii) in the case of a county not in-  
12          cluded in any source of data described in  
13          clauses (i) and (ii), the use of—

14                 “(I) other sources of county yield  
15                 information; or

16                 “(II) the yield history of rep-  
17                 resentative farms in the State, region,  
18                 or crop reporting district, as deter-  
19                 mined by the Secretary; and

20          “(B) in the case of a farm that has a tract  
21          with base acres and that tract crosses a county  
22          boundary—

23                 “(i) prorate the base acres based on  
24                 the quantity of cropland of the tract in  
25                 each county; and

1                   “(ii) calculate any crop revenue on the  
2                   basis described in clause (i).”; and

3                   (6) by adding at the end the following:

4                   “(h) PUBLICATIONS.—

5                   “(1) COUNTY GUARANTEE.—

6                   “(A) IN GENERAL.—For each crop year  
7                   for a covered commodity, the Secretary shall  
8                   publish information describing, for that crop  
9                   year for the covered commodity in each coun-  
10                  ty—

11                  “(i) the agriculture risk coverage  
12                  guarantee for county coverage determined  
13                  under subsection (c)(1);

14                  “(ii) the average historical county  
15                  yield determined under subsection  
16                  (c)(2)(A); and

17                  “(iii) the national average market  
18                  price determined under subsection  
19                  (c)(2)(B).

20                  “(B) TIMING.—

21                  “(i) IN GENERAL.—Except as pro-  
22                  vided in clauses (ii) and (iii), not later  
23                  than 30 days after the end of each applica-  
24                  ble 12-month marketing year, the Sec-

1           retary shall publish the information de-  
2           scribed in subparagraph (A).

3           “(ii) INSUFFICIENT DATA.—In the  
4           case of a covered commodity, such as tem-  
5           perate japonica rice, for which the Sec-  
6           retary cannot determine the national aver-  
7           age market price for the most recent 12-  
8           month marketing year by the date de-  
9           scribed in clause (i) due to insufficient re-  
10          porting of timely pricing data by 1 or more  
11          nongovernmental entities, including a mar-  
12          keting cooperative for the covered com-  
13          modity, as soon as practicable after the  
14          pricing data is made available, the Sec-  
15          retary shall publish information describ-  
16          ing—

17                           “(I) the agriculture risk coverage  
18                           guarantee under subparagraph (A)(i);  
19                           and

20                           “(II) the national average market  
21                           price under subparagraph (A)(iii).

22          “(iii) TRANSITION.—Not later than  
23          60 days after the date of enactment of the  
24          Agriculture Improvement Act of 2018, the  
25          Secretary shall publish the information de-

1           scribed in subparagraph (A) for the 2018  
2           crop year.

3           “(2) ACTUAL AVERAGE COUNTY YIELD.—As  
4           soon as practicable after each crop year, the Sec-  
5           retary shall determine and publish each actual aver-  
6           age county yield for each covered commodity, as de-  
7           termined under subsection (b)(1)(A).

8           “(3) DATA SOURCES FOR COUNTY YIELDS.—  
9           For the 2018 crop year and each crop year there-  
10          after, the Secretary shall make publicly available in-  
11          formation describing, for the most recent crop  
12          year—

13                 “(A) the sources of data used to calculate  
14                 county yields under subsection (c)(2)(A) for  
15                 each covered commodity—

16                         “(i) by county; and

17                         “(ii) nationally; and

18                 “(B) the number and outcome of occur-  
19                 rences in which the Farm Service Agency re-  
20                 viewed, changed, or determined not to change a  
21                 source of data used to calculate county yields  
22                 under subsection (c)(2)(A).”.

1 **SEC. 1105. REPEAL OF TRANSITION ASSISTANCE FOR PRO-**  
2 **DUCERS OF UPLAND COTTON.**

3 Section 1119 of the Agricultural Act of 2014 (7  
4 U.S.C. 9019) is repealed.

5 **Subtitle B—Marketing Loans**

6 **SEC. 1201. EXTENSIONS.**

7 (a) IN GENERAL.—Section 1201(b)(1) of the Agricul-  
8 tural Act of 2014 (7 U.S.C. 9031(b)(1)) is amended by  
9 striking “2018” and inserting “2023”.

10 (b) LOAN RATES.—Section 1202(a) of the Agricul-  
11 tural Act of 2014 (7 U.S.C. 9032(a)) is amended by strik-  
12 ing “2018” each place it appears and inserting “2023”.

13 (c) REPAYMENT.—Section 1204 of the Agricultural  
14 Act of 2014 (7 U.S.C. 9034) is amended—

15 (1) in subsection (e)(2)(B), in the matter pre-  
16 ceding clause (i), by striking “2019” and inserting  
17 “2024”; and

18 (2) in subsection (g), by striking “2018” and  
19 inserting “2023”.

20 (d) LOAN DEFICIENCY PAYMENTS.—

21 (1) EXTENSION.—Section 1205(a)(2)(B) of the  
22 Agricultural Act of 2014 (7 U.S.C. 9035(a)(2)(B))  
23 is amended by striking “2018” and inserting  
24 “2023”.

25 (2) PAYMENTS IN LIEU OF LDPS.—Section  
26 1206 of the Agricultural Act of 2014 (7 U.S.C.



1 9036) is amended in subsections (a) and (d) by  
2 striking “2018” each place it appears and inserting  
3 “2023”.

4 (3) SPECIAL COMPETITIVE PROVISIONS.—Sec-  
5 tion 1208(a) of the Agricultural Act of 2014 (7  
6 U.S.C. 9038(a)) is amended in the matter preceding  
7 paragraph (1) by striking “2019” and inserting  
8 “2024”.

9 (4) AVAILABILITY OF RECOURSE LOANS.—Sec-  
10 tion 1209 of the Agricultural Act of 2014 (7 U.S.C.  
11 9039) is amended in subsections (a)(2) and (b) by  
12 striking “2018” each place it appears and inserting  
13 “2023”.

14 **SEC. 1202. REPEAL; UNSHORN PELTS.**

15 Section 1205 of the Agricultural Act of 2014 (7  
16 U.S.C. 9035) is amended—

17 (1) in subsection (a)(2)—

18 (A) in the paragraph heading, by striking  
19 “UNSHORN PELTS, HAY,” and inserting “HAY”;

20 (B) in subparagraph (A), by striking “non-  
21 graded wool in the form of unshorn pelts and”;

22 and

23 (C) in subparagraph (B) (as amended by  
24 section 1201(d)(1)), by striking “unshorn pelts

25 or”; and

1 (2) in subsection (c)—

2 (A) by striking paragraph (2); and

3 (B) by redesignating paragraph (3) as  
4 paragraph (2).

5 **SEC. 1203. ECONOMIC ADJUSTMENT ASSISTANCE FOR UP-**  
6 **LAND COTTON USERS.**

7 (a) 2008 AUTHORITY.—Section 1207 of the Food,  
8 Conservation, and Energy Act of 2008 (7 U.S.C. 8737)  
9 is amended by striking subsection (c).

10 (b) 2014 AUTHORITY.—Section 1207(c) of the Agri-  
11 cultural Act of 2014 (7 U.S.C. 9037(c)) is amended by  
12 striking paragraph (2) and inserting the following:

13 “(2) VALUE OF ASSISTANCE.—

14 “(A) EFFECTIVE PERIOD.—During the pe-  
15 riod beginning on August 1, 2013, and ending  
16 on July 31, 2020, the value of the assistance  
17 provided under paragraph (1) shall be 3 cents  
18 per pound.

19 “(B) SUBSEQUENT PERIOD.—

20 “(i) IN GENERAL.—Beginning on the  
21 first day after the end of the period de-  
22 scribed in subparagraph (A), and subject  
23 to the availability of appropriations under  
24 clause (ii), the value of the assistance pro-

1                   vided under paragraph (1) shall be 3 cents  
2                   per pound.

3                   “(ii) AUTHORIZATION OF APPROPRIA-  
4                   TIONS.—There are authorized to be appro-  
5                   priated such sums as are necessary to  
6                   carry out clause (i).”.

## 7                   **Subtitle C—Sugar**

### 8                   **SEC. 1301. SUGAR PROGRAM.**

9                   (a) EXTENSION.—Section 156 of the Federal Agri-  
10                  culture Improvement and Reform Act of 1996 (7 U.S.C.  
11                  7272) is amended—

12                   (1) in subsection (a)(4), by striking “2018” and  
13                   inserting “2023”;

14                   (2) in subsection (b)(2), by striking “2018”  
15                   and inserting “2023”; and

16                   (3) in subsection (i), by striking “2018” and in-  
17                   serting “2023”.

18                   (b) ALLOTMENTS.—

19                   (1) ESTIMATES.—Section 359b(a)(1) of the Ag-  
20                   ricultural Adjustment Act of 1938 (7 U.S.C.  
21                   1359bb(a)(1)) is amended in the matter preceding  
22                   subparagraph (A) by striking “2018” and inserting  
23                   “2023”.

24                   (2) EFFECTIVE PERIOD.—Section 359l(a) of  
25                   the Agricultural Adjustment Act of 1938 (7 U.S.C.

1 1359ll(a)) is amended by striking “2018” and in-  
2 sserting “2023”.

## 3 **Subtitle D—Dairy**

### 4 **PART I—DAIRY RISK COVERAGE**

#### 5 **SEC. 1401. DAIRY RISK COVERAGE.**

6 (a) DAIRY RISK COVERAGE.—Part I of subtitle D of  
7 title I of the Agricultural Act of 2014 (7 U.S.C. 9051 et  
8 seq.) is amended in the part heading by striking “**MAR-**  
9 **GIN PROTECTION PROGRAM**” and inserting “**DAIRY**  
10 **RISK COVERAGE**”.

11 (b) DEFINITIONS.—Section 1401 of the Agricultural  
12 Act of 2014 (7 U.S.C. 9051) is amended—

13 (1) by redesignating paragraphs (4) through  
14 (10) as paragraphs (5) through (11), respectively;

15 (2) by inserting after paragraph (3) the fol-  
16 lowing:

17 “(4) CATASTROPHIC COVERAGE.—The term  
18 ‘catastrophic coverage’ means coverage under section  
19 1406(a)(2)(B).”;

20 (3) in paragraph (6) (as so redesignated)—

21 (A) in the paragraph heading, by striking  
22 “MARGIN PROTECTION PROGRAM” and inserting  
23 “DAIRY RISK COVERAGE”;

1 (B) by striking “margin protection pro-  
2 gram” the first place it appears and inserting  
3 “dairy risk coverage”; and

4 (C) by striking “the margin protection pro-  
5 gram” and inserting “dairy risk coverage”;

6 (4) in paragraph (7) (as so redesignated)—

7 (A) in the paragraph heading, by striking  
8 “MARGIN PROTECTION PROGRAM” and inserting  
9 “DAIRY RISK COVERAGE”;

10 (B) by striking “margin protection pro-  
11 gram” the first place it appears and inserting  
12 “dairy risk coverage”; and

13 (C) by striking “the margin protection pro-  
14 gram pursuant to”; and

15 (5) in paragraphs (8) and (9) (as so redesign-  
16 nated), by striking “the margin protection program”  
17 each place it appears and inserting “dairy risk cov-  
18 erage”.

19 (c) CALCULATION OF ACTUAL DAIRY PRODUCTION  
20 MARGIN.—Section 1402(b)(1) of the Agricultural Act of  
21 2014 (7 U.S.C. 9052(b)(1)) is amended in the matter pre-  
22 ceding subparagraph (A) by striking “the margin protec-  
23 tion program” and inserting “dairy risk coverage”.

1 (d) DAIRY RISK COVERAGE ADMINISTRATION.—Sec-  
2 tion 1403 of the Agricultural Act of 2014 (7 U.S.C. 9053)  
3 is amended to read as follows:

4 **“SEC. 1403. DAIRY RISK COVERAGE ADMINISTRATION.**

5 “(a) IN GENERAL.—Beginning with the 2019 cal-  
6 endar year, the Secretary shall administer dairy risk cov-  
7 erage under which participating dairy operations are paid  
8 a dairy risk coverage payment when actual dairy produc-  
9 tion margins are less than the threshold levels for a dairy  
10 risk coverage payment.

11 “(b) REGULATIONS.—Subpart A of part 1430 of title  
12 7, Code of Federal Regulations (as in effect on the date  
13 of enactment of the Agriculture Improvement Act of  
14 2018), shall remain in effect for dairy risk coverage begin-  
15 ning with the 2019 calendar year, except to the extent that  
16 the regulations are inconsistent with any provision of this  
17 Act.”.

18 (e) PARTICIPATION OF DAIRY OPERATIONS IN DAIRY  
19 RISK COVERAGE.—Section 1404 of the Agricultural Act  
20 of 2014 (7 U.S.C. 9054) is amended—

21 (1) in the section heading, by striking “**MAR-**  
22 **GIN PROTECTION PROGRAM**” and inserting  
23 “**DAIRY RISK COVERAGE**”;

24 (2) in subsection (a), by striking “the margin”  
25 and all that follows through “payments” and insert-

1       ing “dairy risk coverage to receive dairy risk cov-  
2       erage payments”;

3           (3) in subsection (b)—

4               (A) in each of paragraphs (1), (3), and  
5               (4), by striking “the margin protection pro-  
6               gram” and inserting “dairy risk coverage”; and

7               (B) by adding at the end the following:

8           “(5) CATASTROPHIC COVERAGE.—A partici-  
9       pating dairy operation may elect to receive cata-  
10      strophic coverage instead of paying a premium  
11      under section 1407.”;

12          (4) in subsection (c)—

13               (A) in paragraphs (1)(A) and (3), by strik-  
14               ing “the margin protection program” each place  
15               it appears and inserting “dairy risk coverage”;

16               (B) in paragraph (1)(B), by striking “of  
17               the margin protection program”; and

18               (C) in paragraph (2)—

19                   (i) by striking “The administrative”  
20                   and inserting the following:

21                   “(A) IN GENERAL.—The administrative”;

22                   and

23                   (ii) by adding at the end the fol-  
24                   lowing:

1           “(B) CATASTROPHIC COVERAGE.—In addi-  
2           tion to the administrative fee under subpara-  
3           graph (A), a participating dairy operation that  
4           elects to receive catastrophic coverage shall pay  
5           an additional administrative fee of \$100.”; and  
6           (5) in subsection (d), by striking “the margin  
7           protection program” and inserting “dairy risk cov-  
8           erage”.

9           (f) PRODUCTION HISTORY OF PARTICIPATING DAIRY  
10          OPERATIONS.—Section 1405 of the Agricultural Act of  
11          2014 (7 U.S.C. 9055) is amended—

12           (1) in subsections (a) and (c), by striking “the  
13           margin protection program” each place it appears  
14           and inserting “dairy risk coverage”; and

15           (2) in subsection (a)(2), by striking “In subse-  
16           quent years” and inserting “During each of the  
17           2014 through 2019 calendar years”.

18          (g) DAIRY RISK COVERAGE PAYMENTS.—Section  
19          1406 of the Agricultural Act of 2014 (7 U.S.C. 9056) is  
20          amended—

21           (1) in the section heading, by striking “**MAR-**  
22           **GIN PROTECTION**” and inserting “**DAIRY RISK**  
23           **COVERAGE**”;

24           (2) by striking “margin protection” each place  
25           it appears and inserting “dairy risk coverage”;



1 (3) in subsection (a)—

2 (A) in paragraph (1)—

3 (i) by striking “to \$4.00” and all that  
4 follows through “\$5.50” and inserting the  
5 following: “to—

6 “(A) in the case of catastrophic coverage,  
7 \$5.00;

8 “(B) \$5.50”; and

9 (ii) by adding at the end the fol-  
10 lowing:

11 “(C) in the case of production subject to  
12 premiums under section 1407(b), any amount  
13 described in subparagraph (B), \$8.50, or \$9.00;  
14 and”; and

15 (B) in paragraph (2)—

16 (i) by striking “(2) a percentage” and  
17 inserting the following:

18 “(2)(A) a percentage”;

19 (ii) in subparagraph (A) (as so des-  
20 ignated)—

21 (I) by striking “beginning with  
22 25 percent and not exceeding” and in-  
23 serting “that does not exceed”; and

24 (II) by striking the period at the  
25 end and inserting “; or”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(B) in the case of catastrophic coverage, a cov-  
4 erage level of 40 percent of the production history  
5 of the participating dairy operation.”; and

6 (4) in subsection (c), in the subsection heading,  
7 by striking “MARGIN PROTECTION” and inserting  
8 “DAIRY RISK COVERAGE”.

9 (h) PREMIUMS FOR DAIRY RISK COVERAGE.—Sec-  
10 tion 1407 of the Agricultural Act of 2014 (7 U.S.C. 9057)  
11 is amended—

12 (1) in the section heading, by striking “**MAR-**  
13 **GIN PROTECTION PROGRAM**” and inserting  
14 “**DAIRY RISK COVERAGE**”;

15 (2) in subsection (a), in the matter preceding  
16 paragraph (1), by striking “the margin protection  
17 program” and inserting “dairy risk coverage”;

18 (3) in subsection (b)—

19 (A) in paragraph (2)—

20 (i) by striking “Except as” and all  
21 that follows through “the” and inserting  
22 “The”;

23 (ii) by striking the rows relating to  
24 the \$4.00, \$4.50, and \$5.00 coverage lev-  
25 els;

1 (iii) by striking “\$0.009” and insert-  
 2 ing “\$0.02”;

3 (iv) by striking “\$0.016” and insert-  
 4 ing “\$0.04”;

5 (v) by striking “\$0.040” and inserting  
 6 “\$0.07”;

7 (vi) by striking “\$0.063” and insert-  
 8 ing “\$0.10”;

9 (vii) by striking “\$0.087” and insert-  
 10 ing “\$0.12”;

11 (viii) by striking “\$0.142” and insert-  
 12 ing “\$0.14”; and

13 (ix) by adding at the end of the table  
 14 the following:

“\$8.50	\$0.16
\$9.00	\$0.18”; and

15 (B) by striking paragraph (3);

16 (4) in subsection (c)(2)—

17 (A) by striking the rows relating to the  
 18 \$4.00, \$4.50, and \$5.00 coverage levels;

19 (B) by striking “\$0.100” and inserting  
 20 “\$0.144”;

21 (C) by striking “\$0.155” and inserting  
 22 “\$0.24”;

23 (D) by striking “\$0.290” and inserting  
 24 “\$0.42”;

1 (E) by striking “\$0.830” and inserting  
2 “\$1.08”;

3 (F) by striking “\$1.060” and inserting  
4 “\$1.32”; and

5 (G) by striking “\$1.360” and inserting  
6 “\$1.68”;

7 (5) in subsection (e)—

8 (A) in paragraph (1), by striking “the  
9 margin protection program” and inserting  
10 “dairy risk coverage”; and

11 (B) in paragraph (2), by striking “A par-  
12 ticipating dairy operation in the margin protec-  
13 tion program” and inserting “A dairy operation  
14 participating in dairy risk coverage”; and

15 (6) by adding at the end the following:

16 “(f) SMALL AND MEDIUM FARM DISCOUNT.—The  
17 premium per hundredweight specified in the tables con-  
18 tained in subsections (b) and (c) for each coverage level  
19 shall be reduced by—

20 “(1) 50 percent for a participating dairy oper-  
21 ation with a production history that is less than  
22 2,000,000 pounds; and

23 “(2) 25 percent for a participating dairy oper-  
24 ation with a production history that is not less than

1       2,000,000 pounds and not greater than 10,000,000  
2       pounds.

3       “(g) REPAYMENT OF PREMIUMS.—

4               “(1) IN GENERAL.—The Secretary shall repay  
5       each dairy operation that participated in the margin  
6       protection program, as in effect for each of calendar  
7       years 2014 through 2017, an amount equal to the  
8       difference between—

9               “(A) the total amount of premiums paid by  
10       the participating dairy operation under this sec-  
11       tion for the applicable calendar year; and

12               “(B) the total amount of payments made  
13       to the participating dairy operation under sec-  
14       tion 1406 for that calendar year.

15               “(2) APPLICABILITY.—Paragraph (1) shall only  
16       apply to a calendar year for which the amount de-  
17       scribed in subparagraph (A) of that paragraph is  
18       greater than the amount described in subparagraph  
19       (B) of that paragraph.”.

20       (i) EFFECT OF FAILURE TO PAY ADMINISTRATIVE  
21       FEES OR PREMIUMS.—Section 1408 of the Agricultural  
22       Act of 2014 (7 U.S.C. 9058) is amended—

23               (1) in subsection (a)(2), by striking “margin  
24       protection” and inserting “dairy risk coverage”; and

1           (2) in subsection (b), by striking “the margin  
2           protection program” and inserting “dairy risk cov-  
3           erage”.

4           (j) DURATION.—Section 1409 of the Agricultural Act  
5 of 2014 (7 U.S.C. 9059) is amended—

6           (1) by striking “The margin protection pro-  
7           gram” and inserting “Dairy risk coverage”; and

8           (2) by striking “2018” and inserting “2023”.

9           (k) ADMINISTRATION AND ENFORCEMENT.—Section  
10 1410 of the Agricultural Act of 2014 (7 U.S.C. 9060) is  
11 amended—

12           (1) in subsections (a) and (c), by striking “the  
13           margin protection program” each place it appears  
14           and inserting “dairy risk coverage”; and

15           (2) in subsection (b), by striking “margin pro-  
16           tection” and inserting “dairy risk coverage”.

## 17           **PART II—REAUTHORIZATIONS AND OTHER**

### 18                           **DAIRY-RELATED PROVISIONS**

#### 19           **SEC. 1411. REAUTHORIZATIONS.**

20           (a) FORWARD PRICING.—Section 1502(e) of the  
21 Food, Conservation, and Energy Act of 2008 (7 U.S.C.  
22 8772(e)) is amended—

23           (1) in paragraph (1), by striking “2018” and  
24           inserting “2023”; and

1           (2) in paragraph (2), by striking “2021” and  
2           inserting “2026”.

3           (b) INDEMNITY PROGRAM.—Section 3 of Public Law  
4 90–484 (7 U.S.C. 4553) is amended by striking “2018”  
5 and inserting “2023”.

6           (c) PROMOTION AND RESEARCH.—Section 113(e)(2)  
7 of the Dairy Production Stabilization Act of 1983 (7  
8 U.S.C. 4504(e)(2)) is amended by striking “2018” and  
9 inserting “2023”.

10 **SEC. 1412. CLASS I SKIM MILK PRICE.**

11           (a) CLASS I SKIM MILK PRICE.—Section 8c(5)(A) of  
12 the Agricultural Adjustment Act (7 U.S.C. 608c(5)(A)),  
13 reenacted with amendments by the Agricultural Marketing  
14 Agreement Act of 1937, is amended by striking “Through-  
15 out” in the third sentence and all that follows through  
16 the period at the end of the fourth sentence and inserting  
17 “Throughout the 2-year period beginning on the effective  
18 date of this sentence (and subsequent to such 2-year pe-  
19 riod unless modified by amendment to the order involved),  
20 for purposes of determining prices for milk of the highest  
21 use classification, the Class I skim milk price per hundred-  
22 weight specified in section 1000.50(b) of title 7, Code of  
23 Federal Regulations (or successor regulations), shall be  
24 the sum of the adjusted Class I differential specified in  
25 section 1000.52 of such title 7 (or successor regulations),

1 plus the adjustment to Class I prices specified in sections  
2 1005.51(b), 1006.51(b), and 1007.51(b) of such title 7  
3 (or successor regulations), plus the simple average of the  
4 advanced pricing factors computed in sections  
5 1000.50(q)(1) and 1000.50(q)(2) of such title 7 (or suc-  
6 cessor regulations), plus \$0.74.”.

7 (b) EFFECTIVE DATE AND IMPLEMENTATION.—

8 (1) EFFECTIVE DATE.—The amendment made  
9 by subsection (a) shall take effect on the first day  
10 of the first month beginning more than 120 days  
11 after the date of enactment of this Act.

12 (2) IMPLEMENTATION.—Implementation of the  
13 amendment made by subsection (a) shall not be sub-  
14 ject to any of the following:

15 (A) The notice and comment provisions of  
16 section 553 of title 5, United States Code.

17 (B) The notice and hearing requirements  
18 of section 8c(3) of the Agricultural Adjustment  
19 Act (7 U.S.C. 608c(3)), reenacted with amend-  
20 ments by the Agricultural Marketing Agreement  
21 Act of 1937.

22 (C) The order amendment requirements of  
23 section 8c(17) of that Act (7 U.S.C. 608c(17)).

24 (D) A referendum under section 8c(19) of  
25 that Act (7 U.S.C. 608c(19)).



1 **SEC. 1413. MILK DONATION PROGRAM.**

2 (a) IN GENERAL.—Part III of subtitle D of title I  
3 of the Agricultural Act of 2014 (7 U.S.C. 9071) is amend-  
4 ed to read as follows:

5 **“PART III—MILK DONATION PROGRAM**

6 **“SEC. 1431. MILK DONATION PROGRAM.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) ELIGIBLE DAIRY ORGANIZATION.—The  
9 term ‘eligible dairy organization’ means a dairy  
10 farmer (either individually or as part of a coopera-  
11 tive), or a dairy processor, who—

12 “(A) accounts to a Federal milk marketing  
13 order marketwide pool; and

14 “(B) incurs qualified expenses under sub-  
15 section (e).

16 “(2) ELIGIBLE DISTRIBUTOR.—The term ‘eligi-  
17 ble distributor’ means a public or private nonprofit  
18 organization that distributes donated eligible milk.

19 “(3) ELIGIBLE MILK.—The term ‘eligible milk’  
20 means Class I fluid milk products produced and  
21 processed in the United States.

22 “(4) ELIGIBLE PARTNERSHIP.—The term ‘eligi-  
23 ble partnership’ means a partnership between an eli-  
24 gible dairy organization and an eligible distributor.

25 “(5) PARTICIPATING PARTNERSHIP.—The term  
26 ‘participating partnership’ means an eligible partner-

1 ship for which the Secretary has approved a dona-  
2 tion and distribution plan for eligible milk under  
3 subsection (c)(2).

4 “(b) PROGRAM REQUIRED; PURPOSES.—Not later  
5 than 180 days after the date of enactment of the Agri-  
6 culture Improvement Act of 2018, the Secretary shall es-  
7 tablish and administer a milk donation program for the  
8 purposes of—

9 “(1) encouraging the donation of eligible milk;

10 “(2) providing nutrition assistance to individ-  
11 uals in low-income groups; and

12 “(3) reducing food waste.

13 “(c) DONATION AND DISTRIBUTION PLANS.—

14 “(1) IN GENERAL.—To be eligible to receive re-  
15 imbursement under subsection (d), an eligible part-  
16 nership shall submit to the Secretary a donation and  
17 distribution plan that—

18 “(A) describes the process that the eligible  
19 partnership will use for the donation, proc-  
20 essing, transportation, temporary storage, and  
21 distribution of eligible milk;

22 “(B) includes an estimate of the quantity  
23 of eligible milk that the eligible partnership will  
24 donate each year, based on—

25 “(i) preplanned donations; and

1                   “(ii) contingency plans to address un-  
2                   anticipated donations; and

3                   “(C) describes the rate at which the eligi-  
4                   ble partnership will be reimbursed, which shall  
5                   be based on a percentage of the limitation de-  
6                   scribed in subsection (e)(2).

7                   “(2) REVIEW AND APPROVAL.—Not less fre-  
8                   quently than annually, the Secretary shall—

9                   “(A) review donation and distribution  
10                  plans submitted under paragraph (1); and

11                  “(B) determine whether to approve or dis-  
12                  approve each of those donation and distribution  
13                  plans.

14                  “(d) REIMBURSEMENT.—

15                  “(1) IN GENERAL.—On receipt of appropriate  
16                  documentation under paragraph (2), the Secretary  
17                  shall reimburse an eligible dairy organization that is  
18                  a member of a participating partnership on a reg-  
19                  ular basis for qualified expenses described in sub-  
20                  section (e).

21                  “(2) DOCUMENTATION.—

22                  “(A) IN GENERAL.—An eligible dairy orga-  
23                  nization shall submit to the Secretary such doc-  
24                  umentation as the Secretary may require to

1 demonstrate the qualified expenses described in  
2 subsection (e) of the eligible dairy organization.

3 “(B) VERIFICATION.—The Secretary may  
4 verify the accuracy of documentation submitted  
5 under subparagraph (A) by spot checks and au-  
6 dits.

7 “(3) RETROACTIVE REIMBURSEMENT.—In pro-  
8 viding reimbursements under paragraph (1), the  
9 Secretary may provide reimbursements for qualified  
10 expenses incurred before the date on which the do-  
11 nation and distribution plan for the applicable par-  
12 ticipating partnership was approved by the Sec-  
13 retary.

14 “(e) QUALIFIED EXPENSES.—

15 “(1) IN GENERAL.—The amount of a reim-  
16 bursement under subsection (d) shall be an amount  
17 equal to the product of—

18 “(A) the quantity of eligible milk donated  
19 by the eligible dairy organization under a dona-  
20 tion and distribution plan approved by the Sec-  
21 retary under subsection (e); and

22 “(B) subject to the limitation under para-  
23 graph (2), the rate described in that donation  
24 and distribution plan under subsection  
25 (c)(1)(C).

1           “(2) LIMITATION.—Expenses eligible for reim-  
2           bursement under subsection (d) shall not exceed the  
3           value that an eligible dairy organization incurred by  
4           accounting to the Federal milk marketing order pool  
5           at the difference in the Class I milk value and the  
6           lowest classified price for the applicable month (ei-  
7           ther Class III milk or Class IV milk).

8           “(f) PREAPPROVAL.—

9           “(1) IN GENERAL.—The Secretary shall—

10           “(A) establish a process for an eligible  
11           partnership to apply for preapproval of dona-  
12           tion and distribution plans under subsection (e);  
13           and

14           “(B) not less frequently than annually,  
15           preapprove an amount for qualified expenses  
16           described in subsection (e) that the Secretary  
17           will allocate for reimbursement under each do-  
18           nation and distribution plan preapproved under  
19           subparagraph (A), based on an assessment of—

20           “(i) the feasibility of the plan; and

21           “(ii) the extent to which the plan ad-  
22           vances the purposes described in sub-  
23           section (b).

24           “(2) PREFERENCE.—In preapproving amounts  
25           for reimbursement under paragraph (1)(B), the Sec-

1       retary shall give preference to eligible partnerships  
2       that will provide funding and in-kind contributions  
3       in addition to the reimbursements.

4               “(3) ADJUSTMENTS.—

5                       “(A) IN GENERAL.—The Secretary shall  
6       adjust or increase amounts preapproved for re-  
7       imbursement under paragraph (1)(B) based on  
8       performance and demand.

9                       “(B) REQUESTS FOR INCREASE.—

10                               “(i) IN GENERAL.—The Secretary  
11       shall establish a procedure for a partici-  
12       pating partnership to request an increase  
13       in the amount preapproved for reimburse-  
14       ment under paragraph (1)(B) based on  
15       changes in conditions.

16                               “(ii) INTERIM APPROVAL; INCRE-  
17       MENTAL INCREASE.—The Secretary may  
18       provide an interim approval of an increase  
19       requested under clause (i) and an incre-  
20       mental increase in the amount of reim-  
21       bursement to the applicable participating  
22       partnership to allow time for the Secretary  
23       to review the request without interfering  
24       with the donation and distribution of eligi-  
25       ble milk by the participating partnership.

1 “(g) PROHIBITION ON RESALE OF PRODUCTS.—

2 “(1) IN GENERAL.—An eligible distributor that  
3 receives eligible milk donated under this section may  
4 not sell the products back into commercial markets.

5 “(2) PROHIBITION ON FUTURE PARTICIPA-  
6 TION.—An eligible distributor that the Secretary de-  
7 termines has violated paragraph (1) shall not be eli-  
8 gible for any future participation in the program es-  
9 tablished under this section.

10 “(h) ADMINISTRATION.—The Secretary shall pub-  
11 licize opportunities to participate in the program estab-  
12 lished under this section.

13 “(i) REVIEWS.—The Secretary shall conduct appro-  
14 priate reviews or audits to ensure the integrity of the pro-  
15 gram established under this section.

16 “(j) FUNDING.—Of the funds of the Commodity  
17 Credit Corporation, the Secretary shall use to carry out  
18 this section \$8,000,000 for fiscal year 2019, and  
19 \$5,000,000 for each fiscal year thereafter, to remain avail-  
20 able until expended.”.

21 (b) CONFORMING AMENDMENT.—Section 1401 of the  
22 Agricultural Act of 2014 (7 U.S.C. 9051) is amended, in  
23 the matter preceding paragraph (1), by striking “and part  
24 III”.

1                   **Subtitle E—Supplemental**  
2                   **Agricultural Disaster Assistance**

3   **SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER AS-**  
4                   **SISTANCE.**

5           (a) MEMBERS OF INDIAN TRIBES.—Section  
6 1501(a)(1)(B) of the Agricultural Act of 2014 (7 U.S.C.  
7 9081(a)(1)(B)) is amended—

8                   (1) by redesignating clauses (iii) and (iv) as  
9                   clauses (iv) and (v), respectively; and

10                   (2) by inserting after clause (ii) the following:

11                               “(iii) an Indian tribe or tribal organi-  
12                               zation (as those terms are defined in sec-  
13                               tion 4 of the Indian Self-Determination  
14                               and Education Assistance Act (25 U.S.C.  
15                               5304));”.

16           (b) LIVESTOCK INDEMNITY PROGRAM.—Section  
17 1501(b) of the Agricultural Act of 2014 (7 U.S.C.  
18 9081(b)) is amended—

19                   (1) in paragraph (1)(B), by striking “cold.”  
20                   and inserting “cold, on the condition that in the case  
21                   of the death loss of unweaned livestock due to that  
22                   adverse weather, the Secretary may disregard any  
23                   management practice, vaccination protocol, or lack  
24                   of vaccination by the eligible producer on a farm.”;  
25                   and



1 (2) by adding at the end the following:

2 “(5) SHARING OF BISON MARKET VALUE  
3 DATA.—To ensure that payments made under this  
4 subsection relating to bison are consistent with the  
5 market value of bison, the Secretary shall annually  
6 seek input and data from the bison industry (includ-  
7 ing bison producer groups) relating to the market  
8 value of bison.”.

9 (c) TREE ASSISTANCE PROGRAM.—Section 1501(e)  
10 of the Agricultural Act of 2014 (7 U.S.C. 9081(e)) is  
11 amended—

12 (1) in paragraph (3), in the matter preceding  
13 subparagraph (A), by striking “paragraph (4)” and  
14 inserting “paragraphs (4) and (5)”; and

15 (2) by adding at the end the following:

16 “(5) PAYMENT RATE FOR BEGINNING AND VET-  
17 ERAN PRODUCERS.—Subject to paragraph (4), in  
18 the case of a beginning farmer or rancher or a vet-  
19 eran farmer or rancher (as those terms are defined  
20 in section 2501(a) of the Food, Agriculture, Con-  
21 servation, and Trade Act of 1990 (7 U.S.C.  
22 2279(a)) that is eligible to receive assistance under  
23 this subsection, the Secretary shall provide reim-  
24 bursement of 75 percent of the costs under subpara-  
25 graphs (A)(i) and (B) of paragraph (3).”.

1           **Subtitle F—Noninsured Crop**  
2                           **Assistance**

3   **SEC. 1601. NONINSURED CROP ASSISTANCE PROGRAM.**

4           Section 196 of the Federal Agriculture Improvement  
5 and Reform Act of 1996 (7 U.S.C. 7333) is amended—

6                   (1) in subsection (a)—

7                           (A) in paragraph (1), by adding at the end  
8 the following:

9                                   “(C) DATA COLLECTION AND SHARING.—

10                   The Secretary shall coordinate with the Admin-  
11                   istrator of the Risk Management Agency on the  
12                   type and format of data received under the non-  
13                   insured crop disaster assistance program that—

14                                   “(i) best facilitates the use of that  
15                   data in developing policies or plans of in-  
16                   surance offered under the Federal Crop In-  
17                   surance Act (7 U.S.C. 1501 et seq.); and

18                                   “(ii) ensures the availability of that  
19                   data on a regular basis.

20                                   “(D) COORDINATION.—The Secretary shall  
21                   coordinate between the agencies of the Depart-  
22                   ment that provide programs or services to farm-  
23                   ers and ranchers that are potentially eligible for  
24                   the noninsured crop disaster assistance pro-  
25                   gram under this section—

1 “(i) to make available coverage  
2 under—

3 “(I) the fee waiver under sub-  
4 section (k)(2); or

5 “(II) the premium discount  
6 under subsection (l)(3); and

7 “(ii) to share eligibility information to  
8 reduce paperwork and avoid duplication.”;  
9 and

10 (B) in paragraph (4)—

11 (i) in subparagraph (B), by striking  
12 clause (i) and inserting the following:

13 “(i) IN GENERAL.—

14 “(I) AGRICULTURAL ACT OF  
15 2014.—As determined by the Sec-  
16 retary, native sod acreage that has  
17 been tilled for the production of a cov-  
18 ered crop during the period beginning  
19 on February 8, 2014, and ending on  
20 the date of enactment of the Agri-  
21 culture Improvement Act of 2018  
22 shall be subject to 4 cumulative years  
23 of a reduction in benefits under this  
24 section as described in this subpara-  
25 graph.

1 “(II) SUBSEQUENT YEARS.—

2 “(aa) NON-HAY AND NON-  
3 FORAGE CROPS.—During the  
4 first 4 crop years of planting, as  
5 determined by the Secretary, na-  
6 tive sod acreage that has been  
7 tilled for the production of a cov-  
8 ered crop other than a hay or  
9 forage crop after the date of en-  
10 actment of the Agriculture Im-  
11 provement Act of 2018 shall be  
12 subject to 4 cumulative years of  
13 a reduction in benefits under this  
14 section as described in this sub-  
15 paragraph.

16 “(bb) HAY AND FORAGE  
17 CROPS.—During each crop year  
18 of planting, as determined by the  
19 Secretary, native sod acreage  
20 that has been tilled for the pro-  
21 duction of a hay or forage crop  
22 after the date of enactment of  
23 the Agriculture Improvement Act  
24 of 2018 shall be subject to 4 cu-  
25 mulative years of a reduction in

1 benefits under this section as de-  
2 scribed in this subparagraph.”;

3 (ii) by redesignating subparagraph  
4 (C) as subparagraph (D);

5 (iii) by inserting after subparagraph  
6 (B) the following:

7 “(C) NATIVE SOD CONVERSION CERTIFI-  
8 CATION.—

9 “(i) CERTIFICATION.—As a condition  
10 on the receipt of benefits under this sec-  
11 tion, a producer that has tilled native sod  
12 acreage for the production of an insurable  
13 crop as described in subparagraph (B)(i)  
14 shall certify to the Secretary that acreage  
15 using—

16 “(I) an acreage report form of  
17 the Farm Service Agency (FSA-578  
18 or any successor form); and

19 “(II) 1 or more maps.

20 “(ii) CORRECTIONS.—Beginning on  
21 the date on which a producer submits a  
22 certification under clause (i), as soon as  
23 practicable after the producer discovers a  
24 change in tilled native sod acreage de-  
25 scribed in that clause, the producer shall

1 submit to the Secretary any appropriate  
2 corrections to a form or map described in  
3 subclause (I) or (II) of that clause.

4 “(iii) ANNUAL REPORTS.—Not later  
5 than January 1, 2019, and each January  
6 1 thereafter through January 1, 2023, the  
7 Secretary shall submit to the Committee  
8 on Agriculture of the House of Representa-  
9 tives and the Committee on Agriculture,  
10 Nutrition, and Forestry of the Senate a re-  
11 port that describes the tilled native sod  
12 acreage that has been certified under  
13 clause (i) in each county and State as of  
14 the date of submission of the report.”; and

15 (iv) in subparagraph (D) (as so reded-  
16 igned)—

17 (I) by striking “This paragraph”  
18 and inserting the following:

19 “(i) IN GENERAL.—Subject to clause  
20 (ii), this paragraph”; and

21 (II) by adding at the end the fol-  
22 lowing:

23 “(ii) ELECTION.—A governor of a  
24 State other than a State described in

1 clause (i) may elect to have this paragraph  
2 apply to the State.”;

3 (2) in subsection (b)—

4 (A) in paragraph (1), by striking “not  
5 later than 30 days” and inserting “by an ap-  
6 propriate deadline”; and

7 (B) by adding at the end the following:

8 “(4) STREAMLINED SUBMISSION PROCESS.—

9 The Secretary shall establish a streamlined process  
10 for the submission of records and acreage reports  
11 under paragraphs (2) and (3) for—

12 “(A) diverse production systems such as  
13 those typical of urban production systems, other  
14 small-scale production systems, and direct-to-  
15 consumer production systems; and

16 “(B) additional coverage under subsection  
17 (1)—

18 “(i) for maximum liabilities not great-  
19 er than \$100,000; and

20 “(ii) that is equivalent to the process  
21 described in the regulations for microloan  
22 operating loans under parts 761 and 764  
23 of title 7, Code of Federal Regulations (as  
24 in effect on the date of enactment of the  
25 Agriculture Improvement Act of 2018).”;

1 (3) in subsection (d)—

2 (A) by redesignating paragraphs (1), (2),  
3 and (3) as paragraphs (2), (3), and (4), respec-  
4 tively;

5 (B) by inserting before paragraph (2) (as  
6 so redesignated) the following:

7 “(1) the producer’s share of the total acres de-  
8 voted to the eligible crop; by”; and

9 (C) in paragraph (2) (as so redesignated),  
10 by striking “established yield for the crop” and  
11 inserting “approved yield for the crop, as deter-  
12 mined by the Secretary”;

13 (4) in subsection (e)—

14 (A) in paragraph (1), by striking “farm”  
15 and inserting “approved”;

16 (B) in paragraph (2)—

17 (i) in the second sentence—

18 (I) by inserting “approved” be-  
19 fore “yield”; and

20 (II) by striking “Subject” and in-  
21 serting the following:

22 “(B) CALCULATION.—Subject”; and

23 (ii) in the matter preceding subpara-  
24 graph (B) (as so designated)—



1 (I) by striking “yield coverage”  
2 and inserting “an approved yield”;  
3 and

4 (II) by striking “The Secretary”  
5 and inserting the following:

6 “(A) IN GENERAL.—The Secretary”; and

7 (C) in paragraph (3), by striking “transi-  
8 tional yield of the producer” and inserting  
9 “county expected yield”;

10 (5) in subsection (i)(2), by striking “exceed  
11 \$125,000” and inserting the following: “exceed—

12 “(A) in the case of catastrophic coverage  
13 under subsection (c), \$125,000; and

14 “(B) in the case of additional coverage  
15 under subsection (l), \$300,000”;

16 (6) in subsection (k)(1)—

17 (A) in subparagraph (A), by striking  
18 “\$250” and inserting “\$325”; and

19 (B) in subparagraph (B)—

20 (i) by striking “\$750” and inserting  
21 “\$825”; and

22 (ii) by striking “\$1,875” and insert-  
23 ing “\$1,950”; and

24 (7) in subsection (l)—

25 (A) in paragraph (1)—

1 (i) by redesignating subparagraphs  
2 (A), (B), and (C) as subparagraphs (B),  
3 (C), and (D), respectively;

4 (ii) by inserting before subparagraph  
5 (B) (as so redesignated) the following:

6 “(A) the producer’s share of the total acres  
7 devoted to the crop;” and

8 (iii) in subparagraph (C) (as so reded-  
9 igned), by inserting “, contract price, or  
10 other premium price (such as a local, or-  
11 ganic, or direct market price, as elected by  
12 the producer)” after “price”;

13 (B) by striking paragraphs (3) and (5);

14 and

15 (C) by redesignating paragraph (4) as  
16 paragraph (3).

## 17 **Subtitle G—Administration**

### 18 **SEC. 1701. REGULATIONS.**

19 Section 1601(c)(2) of the Agricultural Act of 2014  
20 (7 U.S.C. 9091(c)(2)) is amended—

21 (1) in the matter preceding subparagraph (A),  
22 by striking “title and sections 11003 and 11017”  
23 and inserting “title, sections 11003 and 11017, title  
24 I of the Agriculture Improvement Act of 2018 and

1 the amendments made by that title, and section  
2 10109 of that Act”;

3 (2) in subparagraph (A), by adding “and” at  
4 the end;

5 (3) in subparagraph (B), by striking “; and”  
6 and inserting a period; and

7 (4) by striking subparagraph (C).

8 **SEC. 1702. SUSPENSION OF PERMANENT PRICE SUPPORT**  
9 **AUTHORITY.**

10 Section 1602 of the Agricultural Act of 2014 (7  
11 U.S.C. 9092) is amended by striking “2018” each place  
12 it appears and inserting “2023”.

13 **SEC. 1703. IMPLEMENTATION.**

14 Section 1614 of the Agricultural Act of 2014 (7  
15 U.S.C. 9097) is amended—

16 (1) by striking subsection (b) and inserting the  
17 following:

18 “(b) STREAMLINING.—In implementing this title, the  
19 Secretary shall—

20 “(1) reduce administrative burdens and costs to  
21 producers by streamlining and reducing paperwork,  
22 forms, and other administrative requirements, in-  
23 cluding through the implementation of the Acreage  
24 Crop Reporting and Streamlining Initiative that, in  
25 part, shall ensure that—

1           “(A) a producer (or an agent of a pro-  
2           ducer) may report information electronically  
3           (including geospatial data) or conventionally to  
4           the Department of Agriculture;

5           “(B) the Department of Agriculture col-  
6           lects and collates producer information that al-  
7           lows cross-agency collation, including by—

8                   “(i) using farm numbers, common-  
9                   land-unit identifiers, or other common  
10                  identifiers to enable data across the farm  
11                  production and conservation mission area  
12                  to be collated by farm, field, and operator  
13                  or owner;

14                   “(ii) recording and making available  
15                  data at the smallest possible unit, such as  
16                  field-level; and

17                   “(iii) harmonizing methods for deter-  
18                  mining yields and property descriptions;  
19                  and

20           “(C) on the request of the producer (or  
21           agent thereof), the Department of Agriculture  
22           electronically shares with the producer (or  
23           agent) in real time and without cost to the pro-  
24           ducer (or agent) the common land unit data, re-  
25           lated farm level data, conservation practices

1 and other information of the producer through  
2 a single Department-wide login;

3 “(2) improve coordination, information sharing,  
4 and administrative work with the Farm Service  
5 Agency, the Risk Management Agency, the Natural  
6 Resources Conservation Service, and other agencies,  
7 as determined appropriate by the Secretary, includ-  
8 ing by—

9 “(A) streamlining processes and reducing  
10 paperwork for cross-agency interactions, such  
11 as acreage reports and conservation compliance  
12 determinations; and

13 “(B) utilizing common acreage reporting  
14 processes to collect relevant field-level data such  
15 that a producer—

16 “(i) has the option to report—

17 “(I) to any of those agencies; and

18 “(II) electronically; and

19 “(ii) does not need to report duplica-  
20 tive information; and

21 “(3) take advantage of new technologies to en-  
22 hance the efficiency and effectiveness of program de-  
23 livery to producers, including by—

24 “(A) providing an option, as practicable,  
25 for uploading other farm- or field-level data

1 that is unrelated to program requirements, such  
2 as input costs or field characteristics, such as  
3 soil test results;

4 “(B) maintaining historical information  
5 and allowing users to examine trends on a field-  
6 or farm-level;

7 “(C) providing access to agency tools, such  
8 as farm- or field-level estimates of benefits of  
9 existing or prospective conservation practices;

10 “(D) developing data standards and secu-  
11 rity procedures to allow optional precision agri-  
12 culture or other third-party providers to develop  
13 applications to use or feed into the datasets and  
14 analysis; and

15 “(E) developing methods to summarize the  
16 improved yield or reduced risk relating to con-  
17 servation best practices through cooperative ex-  
18 tension services or other similar means, while  
19 ensuring the privacy of individual producers.”;  
20 and

21 (2) by adding at the end the following:

22 “(e) DEOBLIGATION OF UNLIQUIDATED OBLIGA-  
23 TIONS.—

24 “(1) IN GENERAL.—Subject to paragraph (3),  
25 any payment obligated or otherwise made available

1 by the Secretary under this title on or after the date  
2 of enactment of the Agriculture Improvement Act of  
3 2018 that is not disbursed to the recipient by the  
4 date that is 5 years after the date on which the pay-  
5 ment is obligated or otherwise made available  
6 shall—

7 “(A) be deobligated; and

8 “(B) revert to the Treasury.

9 “(2) OUTSTANDING PAYMENTS.—

10 “(A) IN GENERAL.—Subject to paragraph  
11 (3), any payment obligated or otherwise made  
12 available by the Farm Service Agency (or any  
13 predecessor agency of the Department of Agri-  
14 culture) under the laws described in subpara-  
15 graph (B) before the date of enactment of the  
16 Agriculture Improvement Act of 2018, that is  
17 not disbursed by the date that is 5 years after  
18 the date on which the payment is obligated or  
19 otherwise made available shall—

20 “(i) be deobligated; and

21 “(ii) revert to the Treasury.

22 “(B) LAWS DESCRIBED.—The laws re-  
23 ferred to in subparagraph (A) are any of the  
24 following:

25 “(i) This title.

1           “(ii) Title I of the Food, Conserva-  
2           tion, and Energy Act of 2008 (7 U.S.C.  
3           8702 et seq.).

4           “(iii) Title I of the Farm Security and  
5           Rural Investment Act of 2002 (7 U.S.C.  
6           7901 et seq.).

7           “(iv) The Agricultural Market Transi-  
8           tion Act (7 U.S.C. 7201 et seq.).

9           “(v) Titles I through XI of the Food,  
10          Agriculture, Conservation, and Trade Act  
11          of 1990 (Public Law 101–624; 104 Stat.  
12          3374) and the amendments made by those  
13          titles.

14          “(vi) Titles I through X of the Food  
15          Security Act of 1985 (Public Law 99–198;  
16          99 Stat. 1362) and the amendments made  
17          by those titles.

18          “(vii) Titles I through XI of the Agri-  
19          culture and Food Act of 1981 (Public Law  
20          97–98; 95 Stat. 1218) and the amend-  
21          ments made by those titles.

22          “(viii) Titles I through X of the Food  
23          and Agriculture Act of 1977 (Public Law  
24          95–113; 91 Stat. 917) and the amend-  
25          ments made by those titles.



1           “(3) WAIVER.—The Secretary may delay the  
2           date of the deobligation and reversion under para-  
3           graph (1) or (2) of any payment—

4                   “(A) that is the subject of—

5                           “(i) ongoing administrative review or  
6                           appeal;

7                           “(ii) litigation; or

8                           “(iii) the settlement of an estate; or

9                   “(B) for which the Secretary otherwise de-  
10           termines that the circumstances are such that  
11           the delay is equitable.”.

12 **SEC. 1704. DEFINITION OF SIGNIFICANT CONTRIBUTION OF**  
13 **ACTIVE PERSONAL MANAGEMENT.**

14           Section 1001(a) of the Food Security Act of 1985  
15 (7 U.S.C. 1308(a)) is amended by adding at the end the  
16 following:

17           “(6) SIGNIFICANT CONTRIBUTION OF ACTIVE  
18           PERSONAL MANAGEMENT.—The term ‘significant  
19           contribution of active personal management’ means  
20           active personal management activities performed by  
21           a person with a direct or indirect ownership interest  
22           in the farming operation on a regular, continuous,  
23           and substantial basis to the farming operation, and  
24           that meet at least one of the following to be consid-  
25           ered significant:

1           “(A) Are performed for at least 25 percent  
2           of the total management hours required for the  
3           farming operation on an annual basis.

4           “(B) Are performed for at least 500 hours  
5           annually for the farming operation.”.

6 **SEC. 1705. ACTIVELY ENGAGED IN FARMING REQUIRE-**  
7 **MENT.**

8           Section 1001A(b) of the Food Security Act of 1985  
9 (7 U.S.C. 1308–1(b)) is amended by adding at the end  
10 the following:

11           “(3) **ACTIVELY ENGAGED IN FARMING RE-**  
12 **QUIREMENT.—**

13           “(A) **IN GENERAL.—**Notwithstanding any  
14 other provision of this section, section 1001,  
15 and sections 1001B through 1001F, and any  
16 regulations to implement those provisions or  
17 sections, the Secretary shall consider not more  
18 than 1 person or legal entity per farming oper-  
19 ation to be actively engaged in farming using  
20 active personal management.

21           “(B) **REQUIREMENTS.—**The Secretary  
22 may only consider a person or legal entity to be  
23 actively engaged in farming using active per-  
24 sonal management under subparagraph (A) if  
25 the person or legal entity—

1           “(i) together with other persons or  
2           legal entities in the farming operation  
3           qualifying as actively engaged in farming  
4           under paragraph (2), does not collectively  
5           receive, directly or indirectly, an amount  
6           equal to more than the limitation under  
7           section 1001(b);

8           “(ii) does not use the active manage-  
9           ment contribution allowed under this sec-  
10          tion to qualify as actively engaged in farm-  
11          ing in more than 1 farming operation; and

12          “(iii) manages a farming operation  
13          that does not substantially share equip-  
14          ment, labor, or management with persons  
15          or legal entities that, together with the  
16          person or legal entity, collectively receive,  
17          directly or indirectly, an amount equal to  
18          more than the limitation under section  
19          1001(b).”.

20 **SEC. 1706. ADJUSTED GROSS INCOME LIMITATION.**

21          Section 1001D(b)(1) of the Food Security Act of  
22          1985 (7 U.S.C. 1308–3a(b)(1)) is amended by striking  
23          “\$900,000” and inserting “\$700,000”.

1 **SEC. 1707. BASE ACRES REVIEW.**

2 (a) IN GENERAL.—The Secretary shall review the es-  
3 tablishment, calculation, reallocation, adjustment, and re-  
4 duction of base acres under part II of subtitle A of title  
5 I of the Agricultural Act of 2014 (7 U.S.C. 9011 et seq.).

6 (b) REPORT.—Not later than 2 years after the date  
7 of enactment of this Act, the Secretary shall submit to  
8 the Committee on Agriculture of the House of Representa-  
9 tives and the Committee on Agriculture, Nutrition, and  
10 Forestry of the Senate a report describing the results of  
11 the review under subsection (a).

12 **SEC. 1708. FARM SERVICE AGENCY ACCOUNTABILITY.**

13 (a) IN GENERAL.—Not later than 1 year after the  
14 date of enactment of this Act, the Secretary, in consulta-  
15 tion with the Inspector General of the Department of Ag-  
16 riculture, shall establish policies, procedures, and plans to  
17 improve program accountability and integrity through tar-  
18 geted and coordinated activities, including utilizing data  
19 mining to identify and reduce errors, waste, fraud, and  
20 abuse in programs administered by the Farm Service  
21 Agency.

22 (b) REPORT.—Not later than 2 years after the date  
23 of enactment of this Act, and annually thereafter through  
24 fiscal year 2023, the Secretary shall submit to the Com-  
25 mittee on Agriculture of the House of Representatives and

1 the Committee on Agriculture, Nutrition, and Forestry of  
2 the Senate a report describing a summary of—

3 (1) the existing efforts of the Department of  
4 Agriculture to eliminate errors, waste, fraud, and  
5 abuse, including efforts that involve coordination  
6 with other departments or agencies;

7 (2) identified weaknesses or program integrity  
8 issues that contribute to errors, waste, fraud, and  
9 abuse in Farm Service Agency programs and plans  
10 for actions to be taken to address and reduce those  
11 weaknesses or program integrity issues;

12 (3) the existing and planned data sampling and  
13 mining activities of the Farm Service Agency;

14 (4) errors, waste, fraud, or abuse identified  
15 through activities under subsection (a); and

16 (5) any plans for administrative actions or rec-  
17 ommendations for legislative changes relating to re-  
18 ducing errors, waste, fraud, and abuse in programs  
19 of the Department of Agriculture.

20 **SEC. 1709. TECHNICAL CORRECTIONS.**

21 (a) Section 1112(c)(2) of the Agricultural Act of  
22 2014 (7 U.S.C. 9012(c)(2)) is amended by striking sub-  
23 paragraph (A) and inserting the following:

24 “(A) Any acreage on the farm enrolled  
25 in—

1                   “(i) the conservation reserve program  
2                   established under subchapter B of chapter  
3                   1 of subtitle D of title XII of the Food Se-  
4                   curity Act of 1985 (16 U.S.C. 3831 et  
5                   seq.); or

6                   “(ii) a wetland reserve easement  
7                   under section 1265C of the Food Security  
8                   Act of 1985 (16 U.S.C. 3865e).”.

9           (b) Section 1614(d) of the Agricultural Act of 2014  
10 (7 U.S.C. 9097(d)) is amended—

11           (1) in paragraph (1), by striking “pursuant 2  
12           U.S.C. 901(a)” and inserting “pursuant to section  
13           251(a) of the Balanced Budget and Emergency Def-  
14           icit Control Act of 1985 (2 U.S.C. 901(a))”; and

15           (2) by striking “subtitles B” each place it ap-  
16           pears and inserting “subtitle B”.

17 **SEC. 1710. USE OF COMMODITY CREDIT CORPORATION.**

18           (a) IN GENERAL.—The Secretary shall use the funds,  
19 facilities, and authorities of the Commodity Credit Cor-  
20 poration to carry out this title and the amendments made  
21 by this title.

22           (b) IMPLEMENTATION.—Of the funds of the Com-  
23 modity Credit Corporation, the Secretary shall make avail-  
24 able to the Administrator of the Farm Service Agency to

1 carry out this title and the amendments made by this title  
2 \$100,000,000, to remain available until expended.

3 **TITLE II—CONSERVATION**  
4 **Subtitle A—Conservation Reserve**  
5 **Program**

6 **SEC. 2101. EXTENSION AND ENROLLMENT REQUIREMENTS**  
7 **OF CONSERVATION RESERVE PROGRAM.**

8 Section 1231 of the Food Security Act of 1985 (16  
9 U.S.C. 3831) is amended—

10 (1) in subsection (a), by striking “2018” and  
11 inserting “2023”;

12 (2) in subsection (b)(1)—

13 (A) in subparagraph (A)(i), by striking  
14 “or” at the end and inserting “and”; and

15 (B) in subparagraph (B), by striking “Agri-  
16 cultural Act of 2014” and inserting “Agri-  
17 culture Improvement Act of 2018”;

18 (3) in subsection (d)—

19 (A) in paragraph (1)—

20 (i) in subparagraph (D), by striking  
21 “and” at the end;

22 (ii) in subparagraph (E), by striking  
23 the period at the end and inserting “;  
24 and”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(F) each of fiscal years 2019 through  
4 2023, not more than 25,000,000 acres.”; and

5 (B) in paragraph (2)—

6 (i) in subparagraph (A)—

7 (I) by striking “limitations” and  
8 inserting “limitation”; and

9 (II) by striking “2018” and in-  
10 sserting “2023”; and

11 (ii) in subparagraph (B)—

12 (I) by striking “may” and insert-  
13 ing “shall”;

14 (II) by striking “land with expir-  
15 ing” and inserting the following:

16 “land, as determined by the Sec-  
17 retary—

18 “(i) with expiring”;

19 (III) in clause (i) (as so des-  
20 ignated), by striking the period at the  
21 end and inserting a semicolon; and

22 (IV) by adding at the end the fol-  
23 lowing:

24 “(ii) at risk of conversion or develop-  
25 ment; or



1 “(iii) of ecological significance, includ-  
2 ing land that—

3 “(I) may assist in the restoration  
4 of threatened or endangered species  
5 under the Endangered Species Act of  
6 1973 (16 U.S.C. 1531 et seq.);

7 “(II) may assist in preventing a  
8 species from being listed as a threat-  
9 ened or endangered species under the  
10 Endangered Species Act of 1973 (16  
11 U.S.C. 1531 et seq.); or

12 “(III) improves or creates wildlife  
13 habitat corridors.”; and

14 (iii) in subparagraph (C)—

15 (I) by striking “the Secretary  
16 shall make” and inserting “the Sec-  
17 retary shall—

18 “(i) make”;

19 (II) in clause (i) (as so des-  
20 ignated), by striking the period at the  
21 end and inserting “; and”; and

22 (III) by adding at the end the  
23 following:

24 “(ii) offer enrollment under subpara-  
25 graph (A) during any period that any

1 other land may be enrolled in the conserva-  
2 tion reserve.”; and

3 (C) by adding at the end the following:

4 “(3) ADDITIONAL ENROLLMENT PROCEDURE.—

5 “(A) GRASSLANDS AND CONTINUOUS SIGN-  
6 UP.—With respect to enrollment in the con-  
7 servation reserve program using continuous  
8 sign-up under section 1234(d)(2)(A)(ii) or of  
9 grassland described in subsection (b)(3), the  
10 Secretary shall allow producers to submit appli-  
11 cations for enrollment on a continuous basis.

12 “(B) ANNUAL ENROLLMENT.—Subject to  
13 the availability of acreage for enrollment in the  
14 conservation reserve program for a fiscal year  
15 in accordance with paragraph (1), the Secretary  
16 shall enter into contracts under the conserva-  
17 tion reserve program for each fiscal year.

18 “(4) STATE ACRES FOR WILDLIFE ENHANCE-  
19 MENT.—

20 “(A) IN GENERAL.—For the purposes of  
21 applying the limitations in paragraph (1), the  
22 Secretary shall give priority to land—

23 “(i) enrolled in the conservation re-  
24 serve program using continuous sign-up  
25 under section 1234(d)(2)(A)(ii); and



- 1 “(bb) a contour grass sod strip;
- 2 “(cc) a prairie strip;
- 3 “(dd) a filterstrip;
- 4 “(ee) a riparian buffer;
- 5 “(ff) a wetland or a wetland buff-
- 6 er;
- 7 “(gg) a saturated buffer;
- 8 “(hh) a bioreactor; or
- 9 “(ii) another similar water qual-
- 10 ity practice, as determined by the Sec-
- 11 retary; or
- 12 “(II) will be enrolled in the conserva-
- 13 tion reserve program using continuous
- 14 sign-up under section 1234(d)(2)(A)(ii).
- 15 “(B) SEDIMENT AND NUTRIENT LOAD-
- 16 INGS.—In carrying out subparagraph (A), the
- 17 Secretary shall consider land that—
- 18 “(i) is located in a watershed im-
- 19 pacted by sediment and nutrient; and
- 20 “(ii) if enrolled, will reduce sediment
- 21 loadings, nutrient loadings, and harmful
- 22 algal blooms, as determined by the Sec-
- 23 retary.
- 24 “(C) ACREAGE.—Of the acres maintained
- 25 in the conservation reserve in accordance with

1 paragraph (1), to the maximum extent prac-  
2 ticable, not less than 40 percent of acres en-  
3 rolled in the conservation reserve using contin-  
4 uous sign-up under section 1234(d)(2)(A)(ii)  
5 shall be of land described in subparagraph (A).

6 “(D) REPORT.—The Secretary shall—

7 “(i) in the monthly publication of the  
8 Secretary describing conservation reserve  
9 program statistics, include a description of  
10 enrollments through the priority under this  
11 paragraph; and

12 “(ii) publish on the website of the  
13 Farm Service Agency an annual report de-  
14 scribing a summary of, with respect to the  
15 enrollment priority under this paragraph—

16 “(I) new enrollments;

17 “(II) expirations;

18 “(III) geographic distribution;

19 and

20 “(IV) estimated water quality  
21 benefits.”; and

22 (4) by adding at the end the following:

23 “(j) STATE ACRES FOR WILDLIFE ENHANCEMENT.—

24 “(1) IN GENERAL.—A State or Indian Tribe, in  
25 consultation with the applicable State technical com-

1       mittee established under section 1261(a), may sub-  
2       mit to the Secretary a request to designate within  
3       the State or territory of the Indian Tribe a State  
4       acres for wildlife enhancement area (referred to in  
5       this subsection as a ‘SAFE area’) in accordance  
6       with this subsection.

7               “(2) REQUESTS.—A request submitted under  
8       paragraph (1) shall—

9               “(A) include a description of—

10               “(i) the specific wildlife species that  
11               would benefit from the creation of the  
12               habitat;

13               “(ii) the number of acres requested  
14               for enrollment;

15               “(iii) the geographic area where the  
16               habitat would be created; and

17               “(iv) the 1 or more specific practices  
18               to be conducted for the benefit of the wild-  
19               life species described in clause (i);

20               “(B) be in accordance with State or na-  
21               tional wildlife habitat plans or goals; and

22               “(C) include a wildlife monitoring and  
23               evaluation plan.

24               “(3) PRIORITY.—The Secretary may give pri-  
25       ority to requests submitted under paragraph (1)—

1 “(A) that cover an area—

2 “(i) on which the habitat for a par-  
3 ticular species may be declining or in dan-  
4 ger of declining;

5 “(ii) the designation of which would  
6 help—

7 “(I) to prevent the listing of a  
8 species as a threatened species or an  
9 endangered species under the Endan-  
10 gered Species Act of 1973 (16 U.S.C.  
11 1531 et seq.); or

12 “(II) to remove a species from  
13 the list of threatened species or en-  
14 dangered species under that Act;

15 “(iii) that is adjacent to other con-  
16 servation land, including to establish wild-  
17 life corridors and large blocks of conserva-  
18 tion land; or

19 “(iv) that provides economic or social  
20 value to the local community for outdoor  
21 recreation activities; or

22 “(B) that include a commitment of funds  
23 from which to pay for incentive payments to an  
24 agricultural producer that enrolls land in the

1 conservation reserve program within a SAFE  
2 area.

3 “(4) REGIONAL BALANCE.—To the maximum  
4 extent practicable, the Secretary shall maintain a re-  
5 gional balance in the designation of SAFE areas.

6 “(5) REPORT.—The Secretary shall—

7 “(A) in the monthly publication of the Sec-  
8 retary describing conservation reserve program  
9 statistics, include a description of enrollments  
10 in SAFE areas; and

11 “(B) publish on the website of the Farm  
12 Service Agency an annual report describing a  
13 summary of, with respect to SAFE areas—

14 “(i) new enrollments;

15 “(ii) expirations;

16 “(iii) geographic distribution; and

17 “(iv) estimated wildlife benefits.”.

18 **SEC. 2102. FARMABLE WETLAND PROGRAM.**

19 Section 1231B(a)(1) of the Food Security Act of  
20 1985 (16 U.S.C. 3831b(a)(1)) is amended by striking  
21 “2018” and inserting “2023”.

22 **SEC. 2103. DUTIES OF THE SECRETARY.**

23 (a) COST-SHARE AND RENTAL PAYMENTS.—Section  
24 1233(a)(1) of the Food Security Act of 1985 (16 U.S.C.  
25 3833(a)(1)) is amended by inserting “, including the cost



1 of fencing and other water distribution practices, if appli-  
2 cable” after “interest”.

3 (b) SPECIFIED ACTIVITIES PERMITTED.—Section  
4 1233(b) of the Food Security Act of 1985 (16 U.S.C.  
5 3833(b)) is amended by striking paragraph (1) and insert-  
6 ing the following:

7 “(1) harvesting, grazing, or other commercial  
8 use of the forage, without any reduction in the rent-  
9 al rate, in response to—

10 “(A) drought;

11 “(B) flooding;

12 “(C) a state of emergency caused by  
13 drought or wildfire that—

14 “(i) is declared by the Governor, in  
15 consultation with the State Committee of  
16 the Farm Service Agency, of the State in  
17 which the land that is subject to a contract  
18 under the conservation reserve program is  
19 located;

20 “(ii) covers any part of the State or  
21 the entire State; and

22 “(iii) the Secretary does not object to  
23 the declaration under clause (i) by not  
24 later than 5 business days after the date of  
25 declaration; or

1 “(D) other emergency;”.

2 (c) HARVESTING AND GRAZING.—Section 1233 of  
3 the Food Security Act of 1985 (16 U.S.C. 3833) is  
4 amended by adding at the end the following:

5 “(e) HARVESTING AND GRAZING.—

6 “(1) IN GENERAL.—The Secretary may permit  
7 harvesting and grazing in accordance with para-  
8 graphs (2) through (5) of subsection (b) on any land  
9 subject to a contract under the conservation reserve  
10 program.

11 “(2) EXCEPTION.—The Secretary, in coordina-  
12 tion with the applicable State technical committee  
13 established under section 1261(a), may determine  
14 for any year that harvesting or grazing described in  
15 paragraph (1) shall not be permitted on land subject  
16 to a contract under the conservation reserve pro-  
17 gram in a particular county if harvesting or grazing  
18 for that year would cause long-term damage to vege-  
19 tative cover on that land.”.

20 **SEC. 2104. PAYMENTS.**

21 Section 1234 of the Food Security Act of 1985 (16  
22 U.S.C. 3834) is amended—

23 (1) in subsection (c)—

1           (A) by redesignating paragraphs (1) and  
2           (2) as subparagraphs (A) and (B), respectively,  
3           and indenting appropriately;

4           (B) by inserting before subparagraph (A)  
5           (as so redesignated) the following:

6           “(1) SIGNING AND PRACTICE INCENTIVE PAY-  
7           MENTS.—

8           “(A) IN GENERAL.—In the case of a con-  
9           tinuous enrollment contract, the Secretary may  
10           make an incentive payment to an owner or op-  
11           erator of eligible land in an amount sufficient  
12           to encourage participation in the program es-  
13           tablished under this subchapter.

14           “(B) LIMITATION ON MAKING PAY-  
15           MENTS.—The Secretary may only make an in-  
16           centive payment under subparagraph (A) if the  
17           national average market price received by pro-  
18           ducers during the previous 12-month marketing  
19           year for major covered commodities is greater  
20           than the national average market price received  
21           by producers during the most recent 10 mar-  
22           keting years for major covered commodities.

23           “(2) TREE THINNING AND OTHER PRAC-  
24           TICES.—”; and

1 (C) in paragraph (2)(B) (as so des-  
2 ignated), by striking “paragraph (1)” and in-  
3 serting “subparagraph (A)”;

4 (2) in subsection (d)—

5 (A) in paragraph (3)(A)—

6 (i) by striking “Secretary may” and  
7 inserting the following: “Secretary—

8 “(i) may”;

9 (ii) in clause (i) (as so designated), by  
10 striking the period at the end and inserting  
11 “; and”; and

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(ii) shall prioritize the enrollment of  
15 marginal and environmentally sensitive  
16 land that is the subject of the contract  
17 offer.”; and

18 (B) in paragraph (5)—

19 (i) in subparagraph (A), by striking  
20 “other” before “year,”;

21 (ii) in subparagraph (C)—

22 (I) by striking “The Secretary  
23 may use” and inserting “Subject to  
24 paragraph (3)(A)(ii), with respect to”;  
25 and

1 (II) by striking “rental rates”  
2 the first place it appears and inserting  
3 the following: “rental rates, the Sec-  
4 retary—

5 “(i) shall apply the limitation de-  
6 scribed in subsection (g)(1); and

7 “(ii) may use the estimates”; and

8 (iii) by adding at the end the fol-  
9 lowing:

10 “(D) RENTAL RATE LIMITATION.—Except  
11 in the case of an incentive payment under sub-  
12 section (c), a payment under this subchapter  
13 shall not exceed 88.5 percent of the estimated  
14 rental rate determined under subparagraph  
15 (A).”; and  
16 (3) in subsection (g)—

17 (A) in paragraph (1), by striking “The  
18 total” and inserting “Except as provided in  
19 paragraph (2), the total”; and

20 (B) by striking paragraph (2) and insert-  
21 ing the following:

22 “(2) WELLHEAD PROTECTION.—Paragraph (1)  
23 and section 1001D(b) shall not apply to rental pay-  
24 ments received by a rural water district or associa-

1           tion for land that is enrolled under this subchapter  
2           for the purpose of protecting a wellhead.”.

3   **SEC. 2105. CONSERVATION RESERVE ENHANCEMENT PRO-**  
4                           **GRAM.**

5           (a) IN GENERAL.—Subchapter B of chapter 1 of sub-  
6 title D of title XII of the Food Security Act of 1985 is  
7 amended by inserting after section 1231 (16 U.S.C. 3831)  
8 the following:

9   **“SEC. 1231A. CONSERVATION RESERVE ENHANCEMENT**  
10                           **PROGRAM.**

11           “(a) DEFINITIONS.—In this section:

12                   “(1) ELIGIBLE LAND.—The term ‘eligible land’  
13 means land that is eligible to be included in the pro-  
14 gram established under this subchapter.

15                   “(2) ELIGIBLE PARTNER.—The term ‘eligible  
16 partner’ means—

17                           “(A) a State;

18                           “(B) a political subdivision of a State;

19                           “(C) an Indian tribe (as defined in section  
20 4 of the Indian Self-Determination and Edu-  
21 cation Assistance Act (25 U.S.C. 5304));

22                           “(D) a nongovernmental organization;

23                           “(E) an institution of higher education (as  
24 defined in section 101(a) of the Higher Edu-  
25 cation Act of 1965 (20 U.S.C. 1001(a)));

1                   “(F) a State cooperative extension service;

2                   “(G) a research institute; and

3                   “(H) any other entity, as determined ap-  
4                   propriate by the Secretary.

5                   “(3) MANAGEMENT.—The term ‘management’  
6                   means an activity conducted by an owner or oper-  
7                   ator under a contract entered into under this sub-  
8                   chapter after the establishment of a conservation  
9                   practice on eligible land, to regularly maintain or en-  
10                  hance the vegetative cover established by the con-  
11                  servation practice—

12                   “(A) throughout the term of the contract;  
13                  and

14                   “(B) consistent with the conservation plan  
15                  that covers the eligible land.

16                  “(4) PROGRAM.—The term ‘program’ means a  
17                  conservation reserve enhancement program carried  
18                  out under an agreement under subsection (b)(1).

19                  “(b) AGREEMENTS.—

20                   “(1) IN GENERAL.—The Secretary may enter  
21                  into an agreement with an eligible partner to carry  
22                  out a conservation reserve enhancement program—

23                   “(A) to assist in enrolling eligible land in  
24                  the program established under this subchapter;

25                  and





1 under clause (i), as determined by the Sec-  
2 retary in consultation with eligible part-  
3 ners; and

4 “(B) require the eligible partner to provide  
5 funds.

6 “(3) EFFECT ON EXISTING AGREEMENTS.—

7 “(A) IN GENERAL.—Subject to subpara-  
8 graph (B), an agreement under this subsection  
9 shall not affect, modify, or interfere with exist-  
10 ing agreements under this subchapter.

11 “(B) MODIFICATION OF EXISTING AGREE-  
12 MENTS.—To implement this section, the sig-  
13 natories to an agreement under this subsection  
14 may mutually agree to a modification of an  
15 agreement entered into before the date of enact-  
16 ment of this section under the Conservation Re-  
17 serve Enhancement Program established by the  
18 Secretary under this subchapter.

19 “(c) PAYMENTS.—

20 “(1) FUNDING REQUIREMENT.—Funds pro-  
21 vided by an eligible partner may be in cash, in-kind  
22 contributions, or technical assistance.

23 “(2) MARGINAL PASTURELAND COST-SHARE  
24 PAYMENTS.—The Secretary shall ensure that cost-  
25 share payments to an owner or operator to install

1 stream fencing, crossings, and alternative water de-  
2 velopment on marginal pastureland under a program  
3 reflect the fair market value of the cost of installa-  
4 tion.

5 “(3) COST-SHARE AND PRACTICE INCENTIVE  
6 PAYMENTS.—

7 “(A) IN GENERAL.—On request of an  
8 owner or operator, the Secretary shall provide  
9 cost-share payments when a major conservation  
10 practice component is completed under a pro-  
11 gram, as determined by the Secretary.

12 “(B) ASSIGNMENT TO ELIGIBLE PART-  
13 NER.—An owner or operator may assign cost-  
14 share and practice incentive payments to an eli-  
15 gible partner if the eligible partner installs the  
16 conservation practice or conducts the ongoing  
17 management of the conservation practice on be-  
18 half of the owner or operator.

19 “(4) RIPARIAN BUFFER MANAGEMENT PAY-  
20 MENTS.—

21 “(A) IN GENERAL.—In the case of an  
22 agreement under subsection (b)(1) that includes  
23 riparian buffers as an eligible practice, the Sec-  
24 retary shall make cost-share payments to en-  
25 courage the regular management of the riparian

1           buffer throughout the term of the agreement,  
2           consistent with the conservation plan that cov-  
3           ers the eligible land.

4                   “(B) LIMITATION.—The amount of pay-  
5           ments received by an owner or operator under  
6           subparagraph (A) shall not be greater than 100  
7           percent of the normal and customary projected  
8           management cost, as determined by the Sec-  
9           retary, in consultation with the applicable State  
10          technical committee established under section  
11          1261(a).

12          “(d) FORESTED RIPARIAN BUFFER PRACTICE.—

13                   “(1) FOOD-PRODUCING WOODY PLANTS.—In  
14          the case of an agreement under subsection (b)(1)  
15          that includes forested riparian buffers as an eligible  
16          practice, the Secretary shall allow an owner or oper-  
17          ator—

18                           “(A) to plant food-producing woody plants  
19          in the forested riparian buffers, on the condi-  
20          tions that—

21                                   “(i) the plants shall contribute to the  
22                                   conservation of soil, water quality, and  
23                                   wildlife habitat; and

24   “(ii) the planting shall be consistent  
25                                   with—

1                   “(I) recommendations of the ap-  
2                   plicable State technical committee es-  
3                   tablished under section 1261(a); and

4                   “(II) technical guide standards of  
5                   the applicable field office of the Nat-  
6                   ural Resources Conservation Service;  
7                   and

8                   “(B) to harvest from plants described in  
9                   subparagraph (A), on the conditions that—

10                   “(i) the harvesting shall not damage  
11                   the conserving cover or otherwise have a  
12                   negative impact on the conservation con-  
13                   cerns targeted by the program; and

14                   “(ii) only native plant species appro-  
15                   priate to the region shall be used within 35  
16                   feet of the watercourse.

17                   “(2) TECHNICAL ASSISTANCE.—For the pur-  
18                   pose of enrolling forested riparian buffers in a pro-  
19                   gram, the Administrator of the Farm Service Agen-  
20                   cy, in consultation with the Chief of the Forest Serv-  
21                   ice—

22                   “(A) shall provide funds for technical as-  
23                   sistance directly to a State forestry agency; and

24                   “(B) is encouraged to partner with a non-  
25                   governmental organization—

1 “(i) to make recommendations for  
2 conservation practices under the program;

3 “(ii) to provide technical assistance  
4 necessary to carry out the conservation  
5 practices recommended under clause (i);  
6 and

7 “(iii) to implement riparian buffers  
8 by—

9 “(I) pooling and submitting ap-  
10 plications on behalf of owners and op-  
11 erators in a specific watershed; and

12 “(II) carrying out management  
13 activities for the duration of the pro-  
14 gram.

15 “(e) ACREAGE.—Of the acres of land maintained in  
16 the conservation reserve in accordance with section  
17 1231(d)(1), to the maximum extent practicable, not less  
18 than 20 percent of the acres enrolled in the conservation  
19 reserve program using continuous sign-up under section  
20 1234(d)(2)(A)(ii) shall be enrolled under an agreement  
21 under subsection (b)(1).

22 “(f) STATUS REPORT.—Not later than 180 days  
23 after the end of each fiscal year, the Secretary shall sub-  
24 mit to Congress a report that describes, with respect to  
25 each agreement entered into under subsection (b)(1)—

1 “(1) the status of the agreement;

2 “(2) the purposes and objectives of the agree-  
3 ment;

4 “(3) the Federal and eligible partner commit-  
5 ments made under the agreement; and

6 “(4) the progress made in fulfilling those com-  
7 mitments.”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) Section 1240R(c)(3) of the Food Security  
10 Act of 1985 (16 U.S.C. 3839bb–5(c)(3)) is amended  
11 by striking “a special conservation reserve enhance-  
12 ment program described in section 1234(f)(4)” and  
13 inserting “the Conservation Reserve Enhancement  
14 Program under section 1231A”.

15 (2) Section 1244(f)(3) of the Food Security Act  
16 of 1985 (16 U.S.C. 3844(f)(3)) is amended by strik-  
17 ing “subsection (d)(2)(A)(ii) or (g)(2) of section  
18 1234” and inserting “section 1231A or  
19 1234(d)(2)(A)(ii)”.

20 **SEC. 2106. CONTRACTS.**

21 (a) IN GENERAL.—Section 1235 of the Food Security  
22 Act of 1985 (16 U.S.C. 3835) is amended—

23 (1) by striking subsection (e);

24 (2) by redesignating subsections (f) through (h)  
25 as subsections (e) through (g), respectively;

- 1           (3) in subsection (e) (as so redesignated)—
- 2           (A) in paragraph (1)—
- 3           (i) in the matter preceding subpara-
- 4           graph (A), by striking “retired farmer or
- 5           rancher” and inserting “contract holder”;
- 6           (ii) by striking “retired or retiring
- 7           owner or operator” each place it appears
- 8           and inserting “contract holder”;
- 9           (iii) in subparagraph (A), in the mat-
- 10          ter preceding clause (i), by striking “1
- 11          year” and inserting “2 years”;
- 12          (iv) in subparagraph (B), by inserting
- 13          “purchase, including a lease with a term of
- 14          less than 5 years and an option to” before
- 15          “purchase”;
- 16          (v) in subparagraph (D), by striking
- 17          “and” at the end;
- 18          (vi) by redesignating subparagraph
- 19          (E) as subparagraph (F); and
- 20          (vii) by inserting after subparagraph
- 21          (D) the following:
- 22          “(E) give priority to the enrollment of the
- 23          land in—

1 “(i) the conservation stewardship pro-  
2 gram established under subchapter B of  
3 chapter 2;

4 “(ii) the environmental quality incen-  
5 tives program established under chapter 4;  
6 or

7 “(iii) the agricultural conservation  
8 easement program established under sub-  
9 title H; and”;

10 (B) in paragraph (2)(A), by striking  
11 “under the” and inserting the following:  
12 “under—

13 “(i) the conservation reserve program  
14 for grasslands described in section  
15 1231(b)(3); or

16 “(ii) the”; and

17 (4) by adding at the end the following:

18 “(h) OWNER OR OPERATOR ELECTION RELATING TO  
19 CONSERVATION RESERVE EASEMENTS.—

20 “(1) DEFINITION OF COVERED CONTRACT.—In  
21 this subsection, the term ‘covered contract’ means a  
22 contract entered into under this subchapter—

23 “(A) during the period beginning on the  
24 date of enactment of this subsection and ending  
25 on September 30, 2023; and



1           “(B) that covers land enrolled in the con-  
2           servation reserve program—

3                   “(i) under the clean lakes, estuaries,  
4                   and rivers priority described in section  
5                   1231(d)(5); or

6                   “(ii) that is located in a State acres  
7                   for wildlife enhancement area under sec-  
8                   tion 1231(j).

9           “(2) ELECTION.—On the expiration of a cov-  
10           ered contract, an owner or operator party to the cov-  
11           ered contract shall elect—

12                   “(A) not to reenroll the land under the  
13                   contract;

14                   “(B) to reenroll the land under the con-  
15                   tract, on the conditions that—

16                           “(i) the annual rental payment shall  
17                           be decreased by 40 percent; and

18                           “(ii) no incentive payments shall be  
19                           provided under the contract; or

20                   “(C) not to reenroll the land under the  
21                   contract and to enroll the land under the con-  
22                   tract in a conservation reserve easement under  
23                   section 1231C.

24           “(3) EXCEPTION.—On the expiration of a cov-  
25           ered contract, if land enrolled in the conservation re-

1       serve program under that contract is determined by  
2       the Secretary to not be suitable for permanent pro-  
3       tection through a conservation reserve easement  
4       under section 1231C, notwithstanding paragraph  
5       (2)(B), the Secretary shall allow the land to be re-  
6       enrolled under the terms of the conservation reserve  
7       program in effect on the date of expiration.”.

8       (b)       CONFORMING        AMENDMENT.—Section  
9       1241(a)(1)(B) of the Food Security Act of 1985 (16  
10       U.S.C. 3841(a)(1)(B)) is amended by striking “1235(f)”  
11       and inserting “1235(e)”.

12       **SEC. 2107. CONSERVATION RESERVE EASEMENTS.**

13       Subchapter B of chapter 1 of subtitle D of title XII  
14       of the Food Security Act of 1985 is amended by inserting  
15       after section 1231B (16 U.S.C. 3831b) the following:

16       **“SEC. 1231C. CONSERVATION RESERVE EASEMENTS.**

17       “(a) IN GENERAL.—

18               “(1) ENROLLMENT.—The Secretary shall offer  
19       to enroll land in the conservation reserve program  
20       through a conservation reserve easement in accord-  
21       ance with this section.

22               “(2) EXCLUSION OF ACREAGE LIMITATION.—

23       For purposes of applying the limitations in section  
24       1231(d)(1), the Secretary shall not count acres of  
25       land enrolled under this section.

1           “(b) ELIGIBLE LAND.—Only land subject to an ex-  
2    pired covered contract (as defined in section 1235(h)(1))  
3    shall be eligible for enrollment through a conservation re-  
4    serve easement under this section.

5           “(c) TERM.—The term of a conservation reserve  
6    easement shall be—

7           “(1) permanent; or

8           “(2) the maximum period allowed by State law.

9           “(d) AGREEMENTS.—To be eligible to enroll land in  
10   the conservation reserve program through a conservation  
11   reserve easement, the owner of the land shall enter into  
12   an agreement with the Secretary—

13           “(1) to grant an easement on the land to the  
14   Secretary;

15           “(2) to implement a conservation reserve ease-  
16   ment plan developed for the land under subsection  
17   (h)(1);

18           “(3) to create and record an appropriate deed  
19   restriction in accordance with applicable State law to  
20   reflect the easement;

21           “(4) to provide a written statement of consent  
22   to the easement signed by any person holding a se-  
23   curity interest in the land;

24           “(5) to comply with the terms and conditions of  
25   the easement and any related agreements; and

1           “(6) to permanently retire any existing base  
2 history for the land covered by the easement.

3           “(e) TERMS AND CONDITIONS OF EASEMENTS.—

4           “(1) IN GENERAL.—A conservation reserve  
5 easement shall include terms and conditions that—

6           “(A) permit—

7           “(i) repairs, improvements, and in-  
8 spections on the land that are necessary to  
9 maintain existing public drainage systems;  
10 and

11           “(ii) owners to control public access  
12 on the land while identifying access routes  
13 to be used for restoration activities and  
14 management and easement monitoring;

15           “(B) prohibit—

16           “(i) the alteration of wildlife habitat  
17 and other natural features of the land, un-  
18 less specifically authorized by the Secretary  
19 as part of the conservation reserve ease-  
20 ment plan;

21           “(ii) the spraying of the land with  
22 chemicals or the mowing of the land, ex-  
23 cept where the spraying or mowing is au-  
24 thorized by the Secretary or is necessary—

1                   “(I) to comply with Federal or  
2                   State noxious weed control laws;

3                   “(II) to comply with a Federal or  
4                   State emergency pest treatment pro-  
5                   gram; or

6                   “(III) to meet habitat needs of  
7                   specific wildlife species;

8                   “(iii) any activity to be carried out on  
9                   the land of the owner or successor that is  
10                  immediately adjacent to, and functionally  
11                  related to, the land that is subject to the  
12                  easement if the activity will alter, degrade,  
13                  or otherwise diminish the functional value  
14                  of the land; and

15                  “(iv) the adoption of any other prac-  
16                  tice that would tend to defeat the purposes  
17                  of the conservation reserve program, as de-  
18                  termined by the Secretary; and

19                  “(C) include any additional provision that  
20                  the Secretary determines is appropriate to carry  
21                  out this section or facilitate the practical ad-  
22                  ministration of this section.

23                  “(2) VIOLATION.—On the violation of a term or  
24                  condition of a conservation reserve easement—

1           “(A) the conservation reserve easement  
2 shall remain in force; and

3           “(B) the Secretary may require the owner  
4 to refund all or part of any payments received  
5 by the owner under the program, with interest  
6 on the payments, as determined appropriate by  
7 the Secretary.

8           “(3) COMPATIBLE USES.—Land subject to a  
9 conservation reserve easement may be used for com-  
10 patible economic uses, including hunting and fishing,  
11 managed timber harvest, or periodic haying or graz-  
12 ing, if the use—

13           “(A) is specifically permitted by the con-  
14 servation reserve easement plan developed for  
15 the land; and

16           “(B) is consistent with the long-term pro-  
17 tection and enhancement of the conservation re-  
18 sources for which the easement was established.

19           “(f) COMPENSATION.—

20           “(1) DETERMINATION.—

21           “(A) PERMANENT EASEMENTS.—The Sec-  
22 retary shall pay as compensation for a perma-  
23 nent conservation reserve easement acquired  
24 under this section an amount necessary to en-

1           courage enrollment of land in such a conserva-  
2           tion reserve easement, based on the lowest of—

3                   “(i) the fair market value of the land,  
4                   as determined by the Secretary, using the  
5                   Uniform Standards of Professional Ap-  
6                   praisal Practice or an areawide market  
7                   analysis or survey;

8                   “(ii) the amount corresponding to a  
9                   geographical limitation, as determined by  
10                  the Secretary in regulations prescribed by  
11                  the Secretary; or

12                  “(iii) the offer made by the land-  
13                  owner.

14                  “(B) OTHER.—Compensation for a con-  
15                  servation reserve easement that is not perma-  
16                  nent due to a restriction in applicable State law  
17                  shall be not less than 50 percent, but not more  
18                  than 75 percent, of the compensation that  
19                  would be paid for a permanent conservation re-  
20                  serve easement.

21                  “(2) FORM OF PAYMENT.—Compensation for a  
22                  conservation reserve easement shall be provided by  
23                  the Secretary in the form of a cash payment, in an  
24                  amount determined under paragraph (1).

1           “(3) PAYMENTS.—The Secretary may provide  
2           payment under this paragraph to a landowner  
3           using—

4                   “(A) 10 annual payments; or

5                   “(B) 1 payment.

6           “(4) TIMING.—The Secretary shall provide any  
7           annual easement payment obligation under para-  
8           graph (3)(A) as early as practicable in each fiscal  
9           year.

10           “(5) PAYMENTS TO OTHERS.—The Secretary  
11           shall make a payment, in accordance with regula-  
12           tions prescribed by the Secretary, in a manner as  
13           the Secretary determines is fair and reasonable  
14           under the circumstances, if an owner who is entitled  
15           to a payment under this section—

16                   “(A) dies;

17                   “(B) becomes incompetent;

18                   “(C) is succeeded by another person or en-  
19           tity who renders or completes the required per-  
20           formance; or

21                   “(D) is otherwise unable to receive the  
22           payment.

23           “(g) TECHNICAL ASSISTANCE.—



1           “(1) IN GENERAL.—The Secretary shall assist  
2 owners in complying with the terms and conditions  
3 of a conservation reserve easement.

4           “(2) CONTRACTS OR AGREEMENTS.—The Sec-  
5 retary may enter into 1 or more contracts with pri-  
6 vate entities or agreements with a State, nongovern-  
7 mental organization, or Indian Tribe to carry out  
8 necessary maintenance of a conservation reserve  
9 easement if the Secretary determines that the con-  
10 tract or agreement will advance the purposes of the  
11 conservation reserve program.

12           “(h) ADMINISTRATION.—

13           “(1) CONSERVATION RESERVE EASEMENT  
14 PLAN.—The Secretary shall develop a conservation  
15 reserve easement plan for any land subject to a con-  
16 servation reserve easement, which shall include prac-  
17 tices and activities necessary to maintain, protect,  
18 and enhance the conservation value of the enrolled  
19 land.

20           “(2) DELEGATION OF EASEMENT ADMINISTRA-  
21 TION.—

22           “(A) FEDERAL, STATE, OR LOCAL GOV-  
23 ERNMENT AGENCIES.—The Secretary may dele-  
24 gate any of the management, monitoring, and  
25 enforcement responsibilities of the Secretary

1 under this section to other Federal, State, or  
2 local government agencies that have the appro-  
3 priate authority, expertise, and resources nec-  
4 essary to carry out those delegated responsibil-  
5 ities.

6 “(B) CONSERVATION ORGANIZATIONS.—  
7 The Secretary may delegate any management  
8 responsibilities of the Secretary under this sec-  
9 tion to conservation organizations if the Sec-  
10 retary determines the conservation organization  
11 has similar expertise and resources.”.

12 **SEC. 2108. ELIGIBLE LAND; STATE LAW REQUIREMENTS.**

13 The Secretary shall revise paragraph (4) of section  
14 1410.6(d) of title 7, Code of Federal Regulations, to pro-  
15 vide that land shall not be ineligible for enrollment in the  
16 conservation reserve program established under sub-  
17 chapter B of chapter 1 of subtitle D of title XII of the  
18 Food Security Act of 1985 (16 U.S.C. 3831 et seq.) under  
19 that paragraph if the Deputy Administrator (as defined  
20 in section 1410.2(b) of title 7, Code of Federal Regula-  
21 tions (or successor regulations)), in consultation with the  
22 applicable State technical committee established under  
23 section 1261(a) of the Food Security Act of 1985 (16  
24 U.S.C. 3861(a)) determines, under such terms and condi-  
25 tions as the Deputy Administrator, in consultation with

1 the State technical committee, determines to be appro-  
2 priate, that making that land eligible for enrollment in  
3 that program is in the best interests of that program.

## 4 **Subtitle B—Conservation** 5 **Stewardship Program**

### 6 **SEC. 2201. DEFINITIONS.**

7 Section 1238D of the Food Security Act of 1985 (16  
8 U.S.C. 3838d) is amended—

9 (1) in paragraph (2)(B)—

10 (A) in clause (i), by striking “and” at the  
11 end;

12 (B) in clause (ii), by striking the period at  
13 the end and inserting a semicolon; and

14 (C) by adding at the end the following:

15 “(iii) development of a comprehensive  
16 conservation plan, as defined in section  
17 1238G(f)(1);

18 “(iv) soil health planning, including  
19 planning to increase soil organic matter;  
20 and

21 “(v) activities that will assist a pro-  
22 ducer to adapt to, or mitigate against, in-  
23 creasing weather volatility.”; and

1           (2) in paragraph (7), by striking the period at  
2           the end and inserting the following: “through the  
3           use of—

4                   “(A) quality criteria under a resource man-  
5                   agement system;

6                   “(B) predictive analytics tools or models  
7                   developed or approved by the Natural Resources  
8                   Conservation Service;

9                   “(C) data from past and current enroll-  
10                  ment in the program; and

11                  “(D) other methods that measure con-  
12                  servation and improvement in priority resource  
13                  concerns, as determined by the Secretary.”.

14 **SEC. 2202. ESTABLISHMENT.**

15           (a) **EXTENSION.**—Section 1238E(a) of the Food Se-  
16           curity Act of 1985 (16 U.S.C. 3838e(a)) is amended in  
17           the matter preceding paragraph (1) by striking “2018”  
18           and inserting “2023”.

19           (b) **EXCLUSIONS.**—Section 1238E(b)(2) of the Food  
20           Security Act of 1985 (16 U.S.C. 3838e(b)(2)) is amended  
21           in the matter preceding paragraph (1) by striking “the  
22           Agricultural Act of 2014” and inserting “the Agriculture  
23           Improvement Act of 2018”.

1 **SEC. 2203. STEWARDSHIP CONTRACTS.**

2 Section 1238F of the Food Security Act of 1985 (16  
3 U.S.C. 3838f) is amended—

4 (1) in subsection (b), by striking paragraph (1)  
5 and inserting the following:

6 “(1) RANKING OF APPLICATIONS.—

7 “(A) IN GENERAL.—In evaluating contract  
8 offers submitted under subsection (a), the Sec-  
9 retary shall rank applications based on—

10 “(i) the natural resource conservation  
11 and environmental benefits that result  
12 from the conservation treatment on all ap-  
13 plicable priority resource concerns at the  
14 time of submission of the application;

15 “(ii) the degree to which the proposed  
16 conservation activities increase natural re-  
17 source conservation and environmental  
18 benefits; and

19 “(iii) other consistent criteria, as de-  
20 termined by the Secretary.

21 “(B) ADDITIONAL CRITERION.—If 2 or  
22 more applications receive the same ranking  
23 under subparagraph (A), the Secretary shall  
24 rank those contracts based on the extent to  
25 which the actual and anticipated conservation  
26 benefits from each contract are provided at the

1 lowest cost relative to other similarly beneficial  
2 contract offers.”; and  
3 (2) in subsection (e)—  
4 (A) in paragraph (2)—  
5 (i) by inserting “new or improved”  
6 after “integrate”; and  
7 (ii) by inserting “demonstrating con-  
8 tinued improvement during the additional  
9 5-year period,” after “operation,”; and  
10 (B) in paragraph (3)(B), by striking “to  
11 exceed the stewardship threshold of” and in-  
12 serting “to adopt or improve conservation ac-  
13 tivities, as determined by the Secretary, to  
14 achieve higher levels of performance with re-  
15 spect to not less than”.

16 **SEC. 2204. DUTIES OF SECRETARY.**

17 Section 1238G of the Food Security Act of 1985 (16  
18 U.S.C. 3838g) is amended—

19 (1) in subsection (c)—  
20 (A) in the matter preceding paragraph  
21 (1)—  
22 (i) by striking “Agricultural Act of  
23 2014, and ending on September 30, 2022”  
24 and inserting “Agriculture Improvement

1 Act of 2018, and ending on September 30,  
2 2028”; and

3 (ii) by striking “, to the maximum ex-  
4 tent practicable”;

5 (B) in paragraph (1)—

6 (i) by inserting “to the maximum ex-  
7 tent practicable,” before “enroll”; and

8 (ii) by striking “10,000,000” and in-  
9 serting “8,797,000”; and

10 (C) in paragraph (2)—

11 (i) by inserting “notwithstanding any  
12 other provision of this subchapter,” before  
13 “manage”; and

14 (ii) by striking “all financial” and all  
15 that follows through the period at the end  
16 and inserting the following: “all—

17 “(A) financial assistance, including pay-  
18 ments made under subsections (d)(5), (e), and  
19 (f);

20 “(B) technical assistance; and

21 “(C) any other expenses associated with  
22 enrollment or participation in the program.”;

23 (2) in subsection (d), by adding at the end the  
24 following:





1 (as so redesignated) and inserting the fol-  
2 lowing:

3 “(1) DEFINITIONS.—In this subsection:

4 “(A) ADVANCED GRAZING MANAGE-  
5 MENT.—The term ‘advanced grazing manage-  
6 ment’ means the use of a combination of graz-  
7 ing practices (as determined by the Secretary),  
8 which may include management-intensive rota-  
9 tional grazing, that provide for—

10 “(i) improved soil health and carbon  
11 sequestration;

12 “(ii) drought resilience;

13 “(iii) wildlife habitat;

14 “(iv) wildfire mitigation;

15 “(v) control of invasive plants; and

16 “(vi) water quality improvement.

17 “(B) MANAGEMENT-INTENSIVE ROTA-  
18 TIONAL GRAZING.—The term ‘management-in-  
19 tensive rotational grazing’ means a strategic,  
20 adaptively managed multipasture grazing sys-  
21 tem in which animals are regularly and system-  
22 atically moved to fresh pasture in a manner  
23 that—

24 “(i) maximizes the quantity and qual-  
25 ity of forage growth;

1 “(ii) improves manure distribution  
2 and nutrient cycling;

3 “(iii) increases carbon sequestration  
4 from greater forage harvest;

5 “(iv) improves the quality and quan-  
6 tity of cover for wildlife;

7 “(v) provides permanent cover to pro-  
8 tect the soil from erosion; and

9 “(vi) improves water quality.

10 “(C) RESOURCE-CONSERVING CROP ROTA-  
11 TION.—The term”; and

12 (iii) in subparagraph (C) (as so des-  
13 ignated)—

14 (I) in clause (iv) (as so redesign-  
15 nated), by striking “and” at the end;  
16 and

17 (II) by inserting after clause (iv)  
18 (as so redesignated) the following:

19 “(v) builds soil organic matter; and”;

20 (E) in paragraph (2) (as so redesignated),  
21 by striking “improve resource-conserving” and  
22 all that follows through the period at the end  
23 and inserting the following: “improve, manage,  
24 and maintain—

25 “(A) resource-conserving crop rotations; or

1 “(B) advanced grazing management.”;

2 (F) in paragraph (3)—

3 (i) by striking “paragraph (1)” and  
4 inserting “paragraph (2)”; and

5 (ii) by striking “and maintain” and  
6 all that follows through the period at the  
7 end and inserting “or improve, manage,  
8 and maintain resource-conserving crop ro-  
9 tations or advanced grazing management  
10 for the term of the contract.”; and

11 (G) by adding at the end the following:

12 “(4) AMOUNT OF PAYMENT.—Subject to the re-  
13 striction under subsection (c)(2), an additional pay-  
14 ment provided under paragraph (2) shall be not less  
15 than 150 percent of the annual payment amount de-  
16 termined by the Secretary under subsection (d)(2).”;

17 (4) by redesignating subsections (f) through (i)  
18 as subsections (g) through (j), respectively;

19 (5) by inserting after subsection (e) the fol-  
20 lowing:

21 “(f) PAYMENT FOR COMPREHENSIVE CONSERVATION  
22 PLAN.—

23 “(1) DEFINITION OF COMPREHENSIVE CON-  
24 SERVATION PLAN.—In this subsection, the term  
25 ‘comprehensive conservation plan’ means a conserva-

1       tion plan that meets or exceeds the stewardship  
2       threshold for each priority resource concern identi-  
3       fied by the Secretary under subsection (a)(2).

4               “(2) PAYMENT FOR COMPREHENSIVE CON-  
5       SERVATION PLAN.—Subject to the restriction under  
6       subsection (c)(2), the Secretary shall provide a 1-  
7       time payment to a producer that develops and imple-  
8       ments a comprehensive conservation plan.

9               “(3) AMOUNT OF PAYMENT.—The Secretary  
10       shall determine the amount of payment under para-  
11       graph (2) based on—

12               “(A) the number of priority resource con-  
13       cerns addressed in the comprehensive conserva-  
14       tion plan; and

15               “(B) the number of types of land uses in-  
16       cluded in the comprehensive conservation  
17       plan.”;

18       (6) in subsection (g) (as so redesignated)—

19               (A) by striking “2014 through 2018” and  
20       inserting “2019 through 2023”; and

21               (B) by inserting “or acequias” after “In-  
22       dian tribes”; and

23       (7) in subsection (i) (as so redesignated)—

1 (A) by striking the subsection designation  
2 and heading and all that follows through “The  
3 Secretary” and inserting the following:

4 “(i) ORGANIC CERTIFICATION.—

5 “(1) COORDINATION.—The Secretary”; and

6 (B) by adding at the end the following:

7 “(2) ALLOCATION.—

8 “(A) IN GENERAL.—Using funds made  
9 available for the program for each of fiscal  
10 years 2019 through 2023, the Secretary shall  
11 allocate funding to States to support organic  
12 production and transition to organic production  
13 through paragraph (1).

14 “(B) DETERMINATION.—The Secretary  
15 shall determine the allocation to a State under  
16 subparagraph (A) based on—

17 “(i) the certified and transitioning or-  
18 ganic operations of the State; and

19 “(ii) the organic acreage of the  
20 State.”;

21 (8) in subsection (j) (as so redesignated), by  
22 striking “subsection (f)” and inserting “subsection  
23 (g)”; and

24 (9) by adding at the end the following:

1       “(k) STREAMLINING AND COORDINATION.—To the  
2 maximum extent feasible, the Secretary shall provide for  
3 streamlined and coordinated procedures for the program  
4 and the environmental quality incentives program under  
5 chapter 4, including applications, contracting, conserva-  
6 tion planning, conservation practices, and related adminis-  
7 trative procedures.

8       “(l) SOIL HEALTH.—To the maximum extent fea-  
9 sible, the Secretary shall manage the program to enhance  
10 soil health.

11       “(m) ANNUAL REPORT.—Each fiscal year, the Sec-  
12 retary shall submit to the Committee on Agriculture of  
13 the House of Representatives and the Committee on Agri-  
14 culture, Nutrition, and Forestry of the Senate a report  
15 describing—

16           “(1) the national average rate of funding per  
17 acre for the program for that fiscal year, including  
18 a description of whether the program is managed in  
19 accordance with the restriction under subsection  
20 (c)(2); and

21           “(2) the payment rates for conservation activi-  
22 ties offered to producers under the program and an  
23 analysis of whether payment rates can be reduced  
24 for the most expensive conservation activities.”.

1 **Subtitle C—Environmental Quality**  
2 **Incentives Program**

3 **SEC. 2301. PURPOSES.**

4 Section 1240 of the Food Security Act of 1985 (16  
5 U.S.C. 3839aa) is amended—

6 (1) in paragraph (3)—

7 (A) in subparagraph (B), by striking  
8 “and” at the end; and

9 (B) by adding at the end the following:

10 “(D) adapting to, and mitigating against,  
11 increasing weather volatility; and”; and

12 (2) in paragraph (4)—

13 (A) by striking “to make beneficial, cost  
14 effective changes to production systems (includ-  
15 ing conservation practices related to organic  
16 production)” and inserting “to address identi-  
17 fied, new, or expected resource concerns associ-  
18 ated with changes to production systems, in-  
19 cluding conservation practices related to organic  
20 production”; and

21 (B) by striking “livestock, pest or irriga-  
22 tion management” and inserting “crops and  
23 livestock, pest management, irrigation manage-  
24 ment, drought resiliency measures”.

1 **SEC. 2302. DEFINITIONS.**

2 Section 1240A of the Food Security Act of 1985 (16  
3 U.S.C. 3839aa–1) is amended—

4 (1) by redesignating paragraphs (1) through  
5 (4) and (5) as paragraphs (2) through (5) and (7),  
6 respectively;

7 (2) by inserting before paragraph (2) (as so re-  
8 designated) the following:

9 “(1) CONSERVATION PLANNING SURVEY.—The  
10 term ‘conservation planning survey’ means a plan  
11 that—

12 “(A) is developed by—

13 “(i) a State or unit of local govern-  
14 ment (including a conservation district);

15 “(ii) a Federal agency; or

16 “(iii) a third-party provider certified  
17 under section 1242(e) (including a certified  
18 rangeland professional);

19 “(B) assesses rangeland or cropland func-  
20 tion and describes conservation activities to en-  
21 hance the economic and ecological management  
22 of that land;

23 “(C) can be incorporated into a com-  
24 prehensive planning document required by the  
25 Secretary for enrollment in a conservation pro-  
26 gram of the Department of Agriculture; and



1           “(D) provides recommendations for enroll-  
2           ment in the program or other conservation pro-  
3           grams of the Department of Agriculture.”;

4           (3) in paragraph (2) (as so redesignated), in  
5           subparagraph (B)—

6           (A) by redesignating clause (vi) as clause  
7           (vii);

8           (B) by inserting after clause (v) the fol-  
9           lowing:

10           “(vi) Land that facilitates the avoid-  
11           ance of crossing an environmentally sen-  
12           sitive area, as determined by the Sec-  
13           retary.”; and

14           (C) in clause (vii) (as so redesignated), by  
15           inserting “identified or expected” before “re-  
16           source concerns”;

17           (4) in paragraph (5) (as so redesignated)—

18           (A) in subparagraph (A)—

19           (i) in clause (iv), by striking “and” at  
20           the end;

21           (ii) by redesignating clause (v) as  
22           clause (vii); and

23           (iii) by inserting after clause (iv) the  
24           following:

25           “(v) soil tests for—

1                   “(I) heavy metals, volatile or-  
2                   ganic compounds, polycyclic aromatic  
3                   hydrocarbons, and other contami-  
4                   nants; and

5                   “(II) biological and physical soil  
6                   health;

7                   “(vi) scientifically based soil remedi-  
8                   ation practices to be carried out by the  
9                   producer, as determined by the Secretary;  
10                  and”;

11                  (B) in subparagraph (B)—

12                   (i) in clause (i), by striking “and” at  
13                   the end;

14                   (ii) by redesignating clause (ii) as  
15                   clause (v); and

16                   (iii) by inserting after clause (i) the  
17                   following:

18                   “(ii) resource-conserving crop rotation  
19                   planning;

20                   “(iii) soil health planning, including  
21                   planning to increase soil organic matter;

22                   “(iv) a conservation planning survey;  
23                   and”;

24                  (5) by inserting after paragraph (5) (as so re-  
25                  designated) the following:

1           “(6) PRODUCER.—The term ‘producer’ includes  
2           an acequia.”.

3 **SEC. 2303. ESTABLISHMENT AND ADMINISTRATION.**

4           Section 1240B of the Food Security Act of 1985 (16  
5 U.S.C. 3839aa–2) is amended—

6           (1) in subsection (a), by striking “2019” and  
7           inserting “2023”;

8           (2) in subsection (b)(2)—

9           (A) by striking “A contract” and inserting  
10          the following:

11           “(A) IN GENERAL.—A contract”; and

12           (B) by adding at the end the following:

13           “(B) WILDLIFE PRACTICES.—

14           “(i) IN GENERAL.—In the case of a  
15           contract under the program entered into  
16           solely for the establishment of 1 or more  
17           annual management practices for the ben-  
18           efit of wildlife, notwithstanding any max-  
19           imum contract term established by the  
20           Secretary, the contract shall have a term  
21           that does not exceed 10 years.

22           “(ii) INCLUSIONS.—A contract under  
23           the program may include a practice that  
24           provides incentives to producers to—

1                   “(I) carry out postharvest flood-  
2                   ing to provide seasonal wetland habi-  
3                   tat for waterfowl and migratory birds  
4                   during the fall and winter months;  
5                   and

6                   “(II) maintain the hydrology of  
7                   temporary and seasonal wetlands of  
8                   not more than 2 acres in order to  
9                   maintain waterfowl and migratory  
10                  bird habitat on working cropland.”;

11                  (3) in subsection (d)—

12                   (A) in paragraph (4)(B)—

13                   (i) in clause (i)—

14                   (I) by striking “Not more than”  
15                   and inserting “The Secretary shall  
16                   provide at least”;

17                   (II) by striking “may be pro-  
18                   vided”; and

19                   (III) by striking “the purpose of”  
20                   and inserting “all costs related to”;

21                   (ii) in clause (ii), by striking “90-day”  
22                   and inserting “180-day”; and

23                   (iii) by adding at the end the fol-  
24                   lowing:

1                   “(iii) OPTION TO OPT OUT.—A pro-  
2                   ducer described in subparagraph (A) shall  
3                   be given the opportunity to opt out of the  
4                   advance payments under clause (i).”; and  
5                   (B) by adding at the end the following:

6                   “(7) REVIEW AND GUIDANCE FOR COST SHARE  
7                   RATES.—

8                   “(A) IN GENERAL.—Not later than 365  
9                   days after the date of enactment of this para-  
10                  graph, the Secretary shall—

11                  “(i) review the cost share rates of  
12                  payments made to producers for practices  
13                  on eligible land under this section; and

14                  “(ii) evaluate whether those rates are  
15                  the least costly rates of payment that—

16                         “(I) encourage participation in  
17                         the program; and

18                         “(II) encourage implementation  
19                         of the most effective practices to ad-  
20                         dress local natural resource concerns  
21                         on eligible land.

22                  “(B) GUIDANCE.—

23                         “(i) IN GENERAL.—The Secretary  
24                         shall issue guidance to States to consider

1 the use of the least costly rate of payment  
2 to producers for practices.

3 “(ii) CONSIDERATIONS.—In deter-  
4 mining the least costly rate of payment to  
5 producers under clause (i), the Secretary  
6 shall consider the rate of payment that—

7 “(I) encourages participation in  
8 the program; and

9 “(II) most effectively addresses  
10 local natural resource concerns on eli-  
11 gible land.

12 “(8) REVIEW OF CONSERVATION PRACTICE  
13 STANDARDS.—

14 “(A) REVIEW.—Not later than 365 days  
15 after the date of enactment of this paragraph,  
16 the Secretary shall review conservation practice  
17 standards under the program to evaluate oppor-  
18 tunities to increase flexibility within conserva-  
19 tion practice standards while ensuring equiva-  
20 lent natural resource benefits.

21 “(B) GUIDANCE.—If the Secretary identi-  
22 fies under subparagraph (A) a conservation  
23 practice standard that can be modified to pro-  
24 vide more flexibility without compromising nat-  
25 ural resource benefits, the Secretary shall issue

1 guidance for revising the applicable conserva-  
2 tion practice standard.

3 “(9) INCREASED PAYMENTS FOR HIGH-PRI-  
4 ORITY PRACTICES.—

5 “(A) STATE DETERMINATION.—Each  
6 State, in consultation with the State technical  
7 committee established under section 1261(a) for  
8 the State, may designate 10 practices to be eli-  
9 gible for increased payments under subpara-  
10 graph (B), on the condition that the practice,  
11 as determined by the Secretary—

12 “(i) has received a high Natural Re-  
13 sources Conservation Service evaluation  
14 score for addressing specific causes of im-  
15 pairment relating to excessive nutrients in  
16 groundwater or surface water or for ad-  
17 dressing the conservation of water to ad-  
18 vance drought mitigation;

19 “(ii) meets other environmental prior-  
20 ities; and

21 “(iii) is geographically targeted to ad-  
22 dress a natural resource concern in a spe-  
23 cific watershed.

24 “(B) INCREASED PAYMENTS.—Notwith-  
25 standing paragraph (2), the Secretary may in-

1           crease the amount that would otherwise be pro-  
2           vided for a practice under this subsection to not  
3           more than 90 percent of the costs associated  
4           with planning, design, materials, equipment, in-  
5           stallation, labor, management, maintenance, or  
6           training.”;

7           (4) in subsection (f)—

8                 (A) in paragraph (1)—

9                     (i) by striking “2014 through 2018”  
10                    and inserting “2019 through 2023”;

11                   (ii) by striking “60” and inserting  
12                    “50”; and

13                   (iii) by striking “production.” and in-  
14                    serting “production, including grazing  
15                    management practices.”;

16                 (B) in paragraph (2)—

17                     (i) by striking “For each” and insert-  
18                    ing the following:

19                         “(A) FISCAL YEARS 2014 THROUGH 2018.—  
20                    For each”; and

21                     (ii) by adding at the end the fol-  
22                    lowing:

23                         “(B) FISCAL YEARS 2019 THROUGH 2023.—  
24                    For each of fiscal years 2019 through 2023, at  
25                    least 10 percent of the funds made available for



1 payments under the program shall be targeted  
2 at practices benefitting wildlife habitat under  
3 subsection (g).”; and

4 (C) by adding at the end the following:

5 “(3) REVIEW OF PROCESS FOR DETERMINING  
6 ANNUAL FUNDING ALLOCATIONS TO STATES.—

7 “(A) IN GENERAL.—Not later than 365  
8 days after the date of enactment of the Agri-  
9 culture Improvement Act of 2018, the Secretary  
10 shall review the process for determining annual  
11 funding allocations to States under the pro-  
12 gram.

13 “(B) CONSIDERATIONS.—In conducting  
14 the review under subparagraph (A), the Sec-  
15 retary shall consider—

16 “(i) the roles of, in determining an-  
17 nual funding allocations to States—

18 “(I) relevant data on local nat-  
19 ural resource concerns, including the  
20 outcomes of the Conservation Effects  
21 Assessment Project carried out by the  
22 Natural Resources Conservation Serv-  
23 ice; and

24 “(II) the recommendations of  
25 State technical committees established

1 under section 1261(a) and other local  
2 stakeholder input;

3 “(ii) how to utilize the data and local  
4 input described in subclauses (I) and (II)  
5 of clause (i) such that, to the maximum ex-  
6 tent practicable, consideration of local nat-  
7 ural resource concerns is a leading factor  
8 when determining annual funding alloca-  
9 tions to States; and

10 “(iii) the process used at the national  
11 level to evaluate State budget proposals  
12 and allocate funds to achieve priority nat-  
13 ural resource objectives, including the fac-  
14 tors considered in ranking State pro-  
15 posals.”;

16 (5) in subsection (h)—

17 (A) by striking paragraph (1) and insert-  
18 ing the following:

19 “(1) AVAILABILITY OF PAYMENTS.—The Sec-  
20 retary may provide water conservation and system  
21 efficiency payments under this subsection to an enti-  
22 ty described in paragraph (2) or a producer for—

23 “(A) water conservation scheduling, water  
24 distribution efficiency, soil moisture monitoring,  
25 or an appropriate combination thereof;

1           “(B) irrigation-related structural or other  
2           measures that conserve surface water or  
3           groundwater, including managed aquifer recov-  
4           ery practices; or

5           “(C) a transition to water-conserving  
6           crops, water-conserving crop rotations, or def-  
7           icit irrigation.”;

8           (B) by redesigning paragraph (2) as para-  
9           graph (3);

10          (C) by inserting after paragraph (1) the  
11          following:

12          “(2) ELIGIBILITY OF CERTAIN ENTITIES.—

13                 “(A) IN GENERAL.—Notwithstanding sec-  
14                 tion 1001(f)(6), the Secretary may enter into a  
15                 contract under this subsection with a State, ir-  
16                 rigation district, groundwater management dis-  
17                 trict, acequia, or similar entity under a stream-  
18                 lined contracting process to implement water  
19                 conservation or irrigation practices under a wa-  
20                 tershed-wide project that will effectively con-  
21                 serve water, provide fish and wildlife habitat, or  
22                 provide for drought-related environmental miti-  
23                 gation, as determined by the Secretary.

24                 “(B) IMPLEMENTATION.—Water conserva-  
25                 tion or irrigation practices that are the subject

1 of a contract entered into under subparagraph  
2 (A) shall be implemented on—

3 “(i) eligible land of a producer; or

4 “(ii) land that is under the control of  
5 an irrigation district, a groundwater man-  
6 agement district, an acequia, or a similar  
7 entity.

8 “(C) WAIVER AUTHORITY.—The Secretary  
9 may waive the applicability of the limitations in  
10 section 1001D(b) or section 1240G for a pay-  
11 ment made under a contract entered into under  
12 this paragraph if the Secretary determines that  
13 the waiver is necessary to fulfill the objectives  
14 of the project.”;

15 (D) in paragraph (3) (as so redesign-  
16 nated)—

17 (i) in the matter preceding subpara-  
18 graph (A), by striking “to a producer” and  
19 inserting “under this subsection”;

20 (ii) in subparagraph (A), by striking  
21 “the eligible land of the producer is lo-  
22 cated, there is a reduction in water use in  
23 the operation of the producer” and insert-  
24 ing “the land on which the practices will  
25 be implemented is located, there is a re-

1           duction in water use in the operation on  
2           that land”; and

3                   (iii) in subparagraph (B), by inserting  
4           “except in the case of an application under  
5           paragraph (2),” before “the producer  
6           agrees”; and

7           (E) by adding at the end the following:

8                   “(4) EFFECT.—Nothing in this section author-  
9           izes the Secretary to modify the process for deter-  
10          mining the annual allocation of funding to States  
11          under the program.”;

12                   (6) in subsection (i)(3), by striking “\$20,000  
13          per year or \$80,000 during any 6-year period” and  
14          inserting “\$160,000 during the period of fiscal years  
15          2019 through 2023”; and

16           (7) by adding at the end the following:

17           “(j) MICRO-EQIP PILOT PROGRAM.—

18                   “(1) IN GENERAL.—On request of not more  
19          than 10 States, the Secretary may establish under  
20          the environmental quality incentives program a pilot  
21          program in that State under which the Secretary  
22          may—

23                           “(A) provide financial and technical assist-  
24                   ance to small-scale agricultural producers, in-  
25                   cluding beginning farmers and ranchers and

1 limited resource producers, that enter into con-  
2 tracts with the Secretary under the pilot pro-  
3 gram to address natural resource concerns re-  
4 lating to production on small-scale agricultural  
5 operations; and

6 “(B) conduct outreach to small-scale agri-  
7 cultural producers to increase participation in  
8 the pilot program.

9 “(2) PAYMENTS.—

10 “(A) IN GENERAL.—The Secretary shall  
11 determine whether a small-scale agricultural  
12 producer is eligible to receive payments under  
13 this subsection—

14 “(i) on a State-by-State basis;

15 “(ii) in consultation with the technical  
16 committee established under section  
17 1261(a) of the State in which the small-  
18 scale agricultural producer is located; and

19 “(iii) based on factors that may in-  
20 clude—

21 “(I) the operations of a small-  
22 scale agricultural producer, including  
23 with respect to adjusted gross income  
24 and gross sales;

1                   “(II) demographic data relating  
2                   to small-scale agricultural producers  
3                   compiled by the National Agricultural  
4                   Statistics Service; and

5                   “(III) other relevant information,  
6                   as determined by the Secretary.

7                   “(B) AMOUNT.—The Secretary shall pro-  
8                   vide payments under this subsection to a pro-  
9                   ducer that is eligible for the payments under  
10                  subparagraph (A) in an amount that the Sec-  
11                  retary determines is necessary to achieve the  
12                  purpose described in paragraph (1)(A).

13                  “(3) APPLICATIONS.—

14                  “(A) IN GENERAL.—To be eligible to re-  
15                  ceive financial and technical assistance under  
16                  this subsection, a producer that is eligible for  
17                  the assistance under paragraph (2)(A) shall  
18                  submit to the Secretary an application at such  
19                  time, in such manner, and containing such in-  
20                  formation as the Secretary may require.

21                  “(B) ADMINISTRATION.—To the maximum  
22                  extent practicable, the Secretary shall limit the  
23                  administrative burdens, and the regulatory bar-  
24                  riers that contribute to administrative burdens,  
25                  on producers applying for payments under this

1 subsection, including by streamlining the appli-  
2 cation and approval processes for payments.

3 “(4) PILOT PROGRAM COORDINATOR.—The Sec-  
4 retary may designate a pilot program coordinator in  
5 each State who—

6 “(A) at the time of designation is an em-  
7 ployee of the Natural Resources Conservation  
8 Service in that State; and

9 “(B) shall be responsible for—

10 “(i) public outreach relating to the  
11 pilot program under this subsection;

12 “(ii) assisting producers in the sub-  
13 mission of applications under the pilot pro-  
14 gram; and

15 “(iii) distributing financial and tech-  
16 nical assistance under this subsection in  
17 that State.

18 “(5) REPORT.—Not later than May 1, 2022,  
19 the Secretary shall submit to the Committee on Ag-  
20 riculture of the House of Representatives and the  
21 Committee on Agriculture, Nutrition, and Forestry  
22 of the Senate a report describing the results of the  
23 pilot program under this subsection, including—



1           “(A) steps taken under paragraph (3)(B)  
2           to limit administrative burdens and regulatory  
3           barriers; and

4           “(B) to the maximum extent practicable,  
5           demographic information about each small-scale  
6           agricultural producer participating in the pilot  
7           program.”.

8   **SEC. 2304. EVALUATION OF APPLICATIONS.**

9           Section 1240C(a) of the Food Security Act of 1985  
10          (16 U.S.C. 3839aa–3(a)) is amended—

11           (1) by striking “that will ensure” and inserting  
12           the following: “that shall—

13           “(1) ensure”;

14           (2) in paragraph (1) (as so designated), by  
15           striking the period at the end and inserting “; and”;  
16           and

17           (3) by adding at the end the following:

18           “(2) give priority to the consideration of the  
19           most effective practices to address natural resource  
20           concerns on eligible land.”.

21   **SEC. 2305. DUTIES OF THE SECRETARY.**

22           Section 1240F of the Food Security Act of 1985 (16  
23          U.S.C. 3839aa–6) is amended—

24           (1) by striking “To the extent appropriate,”  
25           and inserting the following:

1       “(a) ASSISTANCE TO PRODUCERS.—To the extent  
2 appropriate,”; and

3               (2) by adding at the end the following:

4       “(b) STREAMLINING AND COORDINATION.—To the  
5 maximum extent feasible, the Secretary shall—

6               “(1) provide for streamlined and coordinated  
7 procedures for the program and the conservation  
8 stewardship program under subchapter B of chapter  
9 2, including applications, contracting, conservation  
10 planning, conservation practices, and related admin-  
11 istrative procedures; and

12               “(2) coordinate management of the program  
13 and the conservation stewardship program under  
14 subchapter B of chapter 2 to facilitate the ability of  
15 a participant in the program to enroll in the con-  
16 servation stewardship program after meeting the  
17 stewardship threshold (as defined in section 1238D)  
18 for not less than 2 priority resource concerns under  
19 that program.

20       “(c) SOIL HEALTH.—To the maximum extent fea-  
21 sible, the Secretary shall manage the program to enhance  
22 soil health.”.

1 **SEC. 2306. ENVIRONMENTAL QUALITY INCENTIVES PRO-**  
2 **GRAM PLAN.**

3 Section 1240E(a)(3) of the Food Security Act of  
4 1985 (16 U.S.C. 3839aa–5(a)(3)) is amended by inserting  
5 “progressive” before “implementation”.

6 **SEC. 2307. LIMITATION ON PAYMENTS.**

7 Section 1240G of the Food Security Act of 1985 (16  
8 U.S.C. 3839aa–7) is amended by striking “2014 through  
9 2018” and inserting “2019 through 2023”.

10 **SEC. 2308. CONSERVATION INNOVATION GRANTS AND PAY-**  
11 **MENTS.**

12 Section 1240H of the Food Security Act of 1985 (16  
13 U.S.C. 3839aa–8) is amended—

14 (1) in subsection (a)(2)—

15 (A) by redesignating subparagraphs (E)  
16 and (F) as subparagraphs (F) and (G), respec-  
17 tively;

18 (B) by inserting after subparagraph (D)  
19 the following:

20 “(E) partner with farmers to develop inno-  
21 vative conservation practices for urban, indoor,  
22 or other emerging agricultural practices to in-  
23 crease—

24 “(i) green space;

25 “(ii) pollinator habitat;

26 “(iii) stormwater management;

1 “(iv) carbon sequestration; and  
2 “(v) access to agricultural production  
3 sites through land tenure agreements and  
4 other contracts;”;  
5 (C) in subparagraph (F) (as so redesign-  
6 nated), by striking “and” at the end;  
7 (D) in subparagraph (G) (as so redesign-  
8 nated), by striking the period at the end and in-  
9 serting “; and”; and  
10 (E) by adding at the end the following:  
11 “(H) utilize edge-of-field and other moni-  
12 toring practices on farms—  
13 “(i) to quantify the impacts of con-  
14 servation practices utilized under the pro-  
15 gram; and  
16 “(ii) to assist producers in making the  
17 best conservation investments for their op-  
18 eration.”; and  
19 (2) in subsection (b)(2), by striking “2018”  
20 and inserting “2023”.

21 **SEC. 2309. SOIL HEALTH DEMONSTRATION PILOT PROJECT.**

22 Chapter 4 of subtitle D of title XII of the Food Secu-  
23 rity Act of 1985 (16 U.S.C. 3839aa et seq.) is amended  
24 by adding at the end the following:

1 **“SEC. 1240I. SOIL HEALTH DEMONSTRATION PILOT**  
2 **PROJECT.**

3 “(a) IN GENERAL.—The Secretary shall carry out a  
4 pilot project that provides financial incentives, as deter-  
5 mined by the Secretary, to producers to adopt practices  
6 designed to improve soil health, including by increasing  
7 carbon levels in soil (or ‘soil carbon levels’).

8 “(b) REQUIREMENTS.—In establishing the pilot  
9 project under subsection (a), the Secretary shall—

10 “(1) identify geographic regions of the United  
11 States, including not less than 1 drought prone re-  
12 gion, based on factors such as soil type, cropping  
13 history, and water availability, in which to establish  
14 the pilot project;

15 “(2) establish payments to provide an incentive  
16 for the use of practices approved under the pilot  
17 project that—

18 “(A) improve soil health;

19 “(B) increase carbon levels in the soil; or

20 “(C) meet the goals described in subpara-  
21 graphs (A) and (B); and

22 “(3) establish protocols for measuring carbon  
23 levels in soil to measure gains in soil health as a re-  
24 sult of the practices used in the pilot project.

25 “(c) STUDY; REPORT TO CONGRESS.—

1           “(1) STUDY.—Not later than September 30,  
2           2022, the Secretary shall conduct a study regarding  
3           changes in soil health, and, if feasible, economic out-  
4           comes, as a result of the practices used in the pilot  
5           project established under subsection (a).

6           “(2) REPORT TO CONGRESS.—Not later than  
7           September 30, 2023, the Secretary shall submit to  
8           Congress a report describing and analyzing the re-  
9           sults of the study conducted under paragraph (1).

10          “(d) FUNDING.—Of the funds made available to  
11          carry out this chapter, the Secretary may use to carry out  
12          the pilot project under subsection (a) \$15,000,000 for  
13          each of fiscal years 2019 through 2023.”.

## 14           **Subtitle D—Other Conservation** 15           **Programs**

### 16          **SEC. 2401. WETLAND CONSERVATION.**

17          Section 1222(c) of the Food Security Act of 1985 (16  
18          U.S.C. 3822(c)) is amended by inserting before the period  
19          at the end the following: “in the presence of the affected  
20          person, as long as the affected person makes themselves  
21          available for the on-site visit”.

### 22          **SEC. 2402. CONSERVATION SECURITY PROGRAM.**

23          Subchapter A of chapter 2 of subtitle D of title XII  
24          of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)  
25          is repealed.

1 **SEC. 2403. CONSERVATION OF PRIVATE GRAZING LAND.**

2 Section 1240M of the Food Security Act of 1985 (16  
3 U.S.C. 3839bb) is amended—

4 (1) in subsection (c)(2), by adding at the end  
5 the following:

6 “(C) PARTNERSHIPS.—In carrying out the  
7 program under this section, the Secretary shall  
8 provide education and outreach activities  
9 through partnerships with—

10 “(i) land-grant colleges and univer-  
11 sities (as defined in section 1404 of the  
12 National Agricultural Research, Extension,  
13 and Teaching Policy Act of 1977 (7 U.S.C.  
14 3103)); and

15 “(ii) nongovernmental organizations.”;

16 and

17 (2) in subsection (e), by striking “2018” and  
18 inserting “2023”.

19 **SEC. 2404. SOIL HEALTH AND INCOME PROTECTION PRO-**  
20 **GRAM.**

21 Chapter 5 of subtitle D of title XII of the Food Secu-  
22 rity Act of 1985 is amended by inserting after section  
23 1240M (16 U.S.C. 3839bb) the following:

1 **“SEC. 1240N. SOIL HEALTH AND INCOME PROTECTION PRO-**  
2 **GRAM.**

3 “(a) DEFINITION OF ELIGIBLE LAND.—In this sec-  
4 tion:

5 “(1) IN GENERAL.—The term ‘eligible land’  
6 means land that—

7 “(A) is selected by the owner or operator  
8 of the land for proposed enrollment in the pro-  
9 gram under this section; and

10 “(B) as determined by the Secretary—

11 “(i) had a cropping history or was  
12 considered to be planted during the 3 crop  
13 years preceding the crop year described in  
14 subsection (b)(2); and

15 “(ii) is verified to be less-productive  
16 land, as compared to other land on the ap-  
17 plicable farm.

18 “(2) EXCLUSION.—The term ‘eligible land’ does  
19 not include any land covered by a conservation re-  
20 serve program contract under subchapter B of chap-  
21 ter 1 that expires during the crop year described in  
22 subsection (b)(2).

23 “(b) ESTABLISHMENT.—

24 “(1) IN GENERAL.—The Secretary shall estab-  
25 lish a voluntary soil health and income protection  
26 program under which eligible land is enrolled



1 through the use of agreements to assist owners and  
2 operators of eligible land to conserve and improve  
3 the soil, water, and wildlife resources of the eligible  
4 land.

5 “(2) DEADLINE FOR PARTICIPATION.—Eligible  
6 land may be enrolled in the program under this sec-  
7 tion only during the first crop year beginning after  
8 the date of enactment of the Agriculture Improve-  
9 ment Act of 2018.

10 “(c) AGREEMENTS.—

11 “(1) REQUIREMENTS.—An agreement described  
12 in subsection (b) shall—

13 “(A) be entered into by the Secretary, the  
14 owner of the eligible land, and (if applicable)  
15 the operator of the eligible land; and

16 “(B) provide that, during the term of the  
17 agreement—

18 “(i) the lowest practicable cost peren-  
19 nial conserving use cover crop for the eligi-  
20 ble land, as determined by the applicable  
21 State conservationist after considering the  
22 advice of the applicable State technical  
23 committee, shall be planted on the eligible  
24 land;

1                   “(ii) except as provided in paragraph  
2                   (5), the owner or operator of the eligible  
3                   land shall pay the cost of planting the con-  
4                   serving use cover crop under clause (i);

5                   “(iii) subject to paragraph (6), the eli-  
6                   gible land may be harvested for seed,  
7                   hayed, or grazed outside the nesting and  
8                   brood-rearing period established for the ap-  
9                   plicable county;

10                  “(iv) the eligible land may be eligible  
11                  for a walk-in access program of the appli-  
12                  cable State, if any; and

13                  “(v) a nonprofit wildlife organization  
14                  may provide to the owner or operator of  
15                  the eligible land a payment in exchange for  
16                  an agreement by the owner or operator not  
17                  to harvest the conserving use cover.

18                  “(2) PAYMENTS.—Except as provided in para-  
19                  graphs (5) and (6)(B)(ii), the annual rental rate for  
20                  a payment under an agreement described in sub-  
21                  section (b) shall be equal to 50 percent of the aver-  
22                  age rental rate for the applicable county under sec-  
23                  tion 1234(d), as determined by the Secretary.

1           “(3) LIMITATION ON ENROLLED LAND.—Not  
2 more than 15 percent of the eligible land on a farm  
3 may be enrolled in the program under this section.

4           “(4) TERM.—

5                 “(A) IN GENERAL.—Except as provided in  
6 subparagraph (B), each agreement described in  
7 subsection (b) shall be for a term of 3, 4, or 5  
8 years, as determined by the parties to the  
9 agreement.

10           “(B) EARLY TERMINATION.—

11                 “(i) SECRETARY.—The Secretary may  
12 terminate an agreement described in sub-  
13 section (b) before the end of the term de-  
14 scribed in subparagraph (A) if the Sec-  
15 retary determines that the early termi-  
16 nation of the agreement is necessary.

17                 “(ii) OWNERS AND OPERATORS.—An  
18 owner and (if applicable) an operator of el-  
19 igible land enrolled in the program under  
20 this section may terminate an agreement  
21 described in subsection (b) before the end  
22 of the term described in subparagraph (A)  
23 if the owner and (if applicable) the oper-  
24 ator pay to the Secretary an amount equal

1                   to the amount of rental payments received  
2                   under the agreement.

3                   “(5) BEGINNING, SMALL, SOCIALLY DISADVAN-  
4 TAGED, YOUNG, OR VETERAN FARMERS AND RANCH-  
5 ERS.—With respect to a beginning, small, socially  
6 disadvantaged, young, or veteran farmer or rancher,  
7 as determined by the Secretary—

8                   “(A) an agreement described in subsection  
9                   (b) shall provide that, during the term of the  
10 agreement, the beginning, underserved, or  
11 young farmer or rancher shall pay 50 percent  
12 of the cost of planting the conserving use cover  
13 crop under paragraph (1)(B)(i); and

14                   “(B) the annual rental rate for a payment  
15 under an agreement described in subsection (b)  
16 shall be equal to 75 percent of the average rent-  
17 al rate for the applicable county under section  
18 1234(d), as determined by the Secretary.

19                   “(6) HARVESTING, HAYING, AND GRAZING OUT-  
20 SIDE APPLICABLE PERIOD.—The harvesting for  
21 seed, haying, or grazing of eligible land under para-  
22 graph (1)(B)(iii) outside of the nesting and brood-  
23 rearing period established for the applicable county  
24 shall be subject to the conditions that—

1           “(A) with respect to eligible land that is so  
2           hayed or grazed, adequate stubble height shall  
3           be maintained to protect the soil on the eligible  
4           land, as determined by the applicable State con-  
5           servationist after considering the advice of the  
6           applicable State technical committee; and

7           “(B) with respect to eligible land that is so  
8           harvested for seed—

9                   “(i) the eligible land shall not be eligi-  
10                   ble to be insured or reinsured under the  
11                   Federal Crop Insurance Act (7 U.S.C.  
12                   1501 et seq.); and

13                   “(ii) the rental payment otherwise ap-  
14                   plicable to the eligible land under this sub-  
15                   section shall be reduced by 25 percent.

16           “(d) FUNDING.—There are authorized to be appro-  
17           priated such sums as are necessary to carry out this sec-  
18           tion.”.

19   **SEC. 2405. GRASSROOTS SOURCE WATER PROTECTION**  
20                   **PROGRAM.**

21           Section 1240O of the Food Security Act of 1985 (16  
22           U.S.C. 3839bb-2) is amended by striking subsection (b)  
23           and inserting the following:

1 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to carry out this section  
3 \$25,000,000 for each of fiscal years 2019 through 2023.”.

4 **SEC. 2406. SOIL TESTING AND REMEDIATION ASSISTANCE.**

5 Chapter 5 of subtitle D of title XII of the Food Secu-  
6 rity Act of 1985 is amended by inserting after section  
7 12400 (16 U.S.C. 3839bb–2) the following:

8 **“SEC. 1240P. SOIL TESTING AND REMEDIATION ASSIST-**  
9 **ANCE.**

10 “(a) DEFINITION OF PRODUCER.—In this section,  
11 the term ‘producer’ includes a small-scale producer of  
12 food.

13 “(b) SOIL HEALTH AND QUALITY.—To improve the  
14 health and quality of the soil used for agricultural produc-  
15 tion, the Secretary shall work with producers to mitigate  
16 the presence of contaminants in soil, including by carrying  
17 out subsections (c), (d), and (e).

18 “(c) SOIL TESTING PROTOCOL.—

19 “(1) IN GENERAL.—The Secretary, in consulta-  
20 tion with the Administrator of the Environmental  
21 Protection Agency, shall establish a coordinated soil  
22 testing protocol to simplify the process used by pro-  
23 ducers to evaluate soil health, including testing for—

24 “(A) the optimal level of constituents in  
25 and characteristics of the soil, such as organic

1 matter, nutrients, and the potential presence of  
2 soil contamination from heavy metals, volatile  
3 organic compounds, polycyclic aromatic hydro-  
4 carbons, or other contaminants; and

5 “(B) biological and physical characteristics  
6 indicative of proper soil functioning.

7 “(2) PUBLIC AVAILABILITY.—The Secretary  
8 shall make the soil testing protocol established under  
9 paragraph (1) available to the public.

10 “(d) SOIL ASSESSMENT AND REMEDIATION TECH-  
11 NICAL ASSISTANCE.—

12 “(1) IN GENERAL.—The Secretary shall provide  
13 technical assistance to a producer carrying out a soil  
14 assessment or soil remediation practice that shall in-  
15 clude—

16 “(A) an overall review of the health of the  
17 soil used by the producer for agricultural pro-  
18 duction;

19 “(B) testing of the soil, if applicable, to de-  
20 termine the suitability of the soil for agricul-  
21 tural production;

22 “(C) based on the results of the soil tested  
23 under subparagraph (B), a consultation with  
24 the producer and a determination of the qual-

1           ity, health, and level of contamination of the  
2           soil adequate—

3                   “(i) to protect against a health risk to  
4                   producers;

5                   “(ii) to limit contaminants from enter-  
6                   ing agricultural products for human con-  
7                   sumption; and

8                   “(iii) to regenerate and sustain the  
9                   soil; and

10                  “(D) recommendations on methods to con-  
11                  duct remediation or soil building efforts to im-  
12                  prove soils and ensure that the producers—

13                   “(i) are not growing products in soils  
14                   with high levels of heavy metals, volatile  
15                   organic compounds, polycyclic aromatic hy-  
16                   drocarbons, or other contaminants;

17                   “(ii) have appropriate information re-  
18                   garding financial resources and conserva-  
19                   tion practices available to keep soil healthy,  
20                   including practices, as defined in section  
21                   1240A; and

22                   “(iii) are given information about ex-  
23                   perts, including experts outside of the Nat-  
24                   ural Resources Conservation Service, that  
25                   may provide assistance to producers to



1           oversee and monitor soil under remediation  
2           or regeneration to ensure soils are suitable  
3           for agricultural production in the future.

4           “(2) EDUCATION AND OUTREACH.—The Sec-  
5       retary shall conduct education and outreach to pro-  
6       ducers regarding the uses of soil and methods of ad-  
7       dressing soil contamination and soil health degrada-  
8       tion.

9           “(e) REFERRAL.—On the request of a producer,  
10       where soil is found to pose an imminent hazard to human  
11       health, the Secretary may refer the producer to the Ad-  
12       ministrators of the Environmental Protection Agency for  
13       additional assistance for remediation under section 104(k)  
14       of the Comprehensive Environmental Response, Com-  
15       pensation, and Liability Act of 1980 (42 U.S.C.  
16       9604(k)).”.

17       **SEC. 2407. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**  
18                 **CENTIVE PROGRAM.**

19       (a) CONSERVATION INNOVATION GRANTS AND PAY-  
20       MENTS.—Section 1240H of the Food Security Act of 1985  
21       (16 U.S.C. 3839aa–8) is amended—

22           (1) in the section heading, by striking  
23       “GRANTS” and inserting “**GRANTS, VOLUNTARY**  
24       **PUBLIC ACCESS AND HABITAT INCENTIVE PRO-**  
25       **GRAM,**”; and

1           (2) by redesignating subsection (c) as sub-  
2           section (d).

3           (b) MODIFICATIONS AND MERGING OF PROVI-  
4           SIONS.—Section 1240R of the Food Security Act of 1985  
5           (16 U.S.C. 3839bb–5) is amended—

6           (1) in subsection (b)—

7                 (A) in paragraph (1), by redesignating  
8                 subparagraphs (A) and (B) as clauses (i) and  
9                 (ii), respectively, and indenting appropriately;  
10                and

11               (B) by redesignating paragraphs (1) and  
12               (2) as subparagraphs (A) and (B), respectively,  
13               and indenting appropriately;

14           (2) in subsection (c), by redesignating para-  
15           graphs (1) through (5) as subparagraphs (A)  
16           through (E), respectively, and indenting appro-  
17           priately;

18           (3) in subsection (d)—

19                 (A) in paragraph (1), by striking “section”  
20                 and inserting “subsection”; and

21                 (B) by redesignating paragraphs (1) and  
22                 (2) as subparagraphs (A) and (B), respectively,  
23                 and indenting appropriately;

24           (4) in subsection (e), by striking “section” and  
25           inserting “subsection”;

1 (5) by striking subsection (f);

2 (6) by redesignating subsections (a) through (e)  
3 as paragraphs (1) through (5), respectively, and in-  
4 denting appropriately;

5 (7) by adding at the end the following:

6 “(6) FUNDING.—Of the funds made available  
7 to carry out this chapter, the Secretary shall use to  
8 carry out this subsection \$40,000,000 for the period  
9 of fiscal years 2019 through 2023.”;

10 (8) by striking the section designation and  
11 heading and all that follows through “The Secretary  
12 shall establish a voluntary public access program” in  
13 paragraph (1) (as so redesignated) and inserting the  
14 following:

15 “(c) VOLUNTARY PUBLIC ACCESS AND HABITAT IN-  
16 CENTIVE PROGRAM.—

17 “(1) IN GENERAL.—Out of the funds made  
18 available to carry out this chapter, the Secretary  
19 shall carry out a voluntary public access program  
20 (referred to in this subsection as the ‘program’);  
21 and

22 (9) by moving subsection (c) (as so amended  
23 and redesignated) so as to appear after subsection  
24 (b) of section 1240H (16 U.S.C. 3839aa–8) (as  
25 amended by subsection (a)(2)).

1 **SEC. 2408. AGRICULTURE CONSERVATION EXPERIENCED**  
2 **SERVICES PROGRAM.**

3 Section 1252 of the Food Security Act of 1985 (16  
4 U.S.C. 3851) is amended by adding at the end the fol-  
5 lowing:

6 “(e) **TERMINATION OF EFFECTIVENESS.**—The au-  
7 thority provided by this section terminates effective Octo-  
8 ber 1, 2023.”.

9 **SEC. 2409. REMOTE TELEMETRY DATA SYSTEM.**

10 The Food Security Act of 1985 is amended by insert-  
11 ing after section 1252 (16 U.S.C. 3851) the following:

12 **“SEC. 1253. REMOTE TELEMETRY DATA SYSTEM.**

13 “(a) **FINDING.**—Congress finds that a remote telem-  
14 etry data system, as used for irrigation scheduling—

15 “(1) combines the use of field, weather, crop,  
16 soil, and irrigation data to ensure that the precise  
17 quantity of necessary water is applied to crops; and

18 “(2) saves water and energy while sustaining or  
19 increasing crop yields.

20 “(b) **BEST PRACTICE.**—In carrying out the environ-  
21 mental quality incentives program established under chap-  
22 ter 4 of subtitle D, the Secretary shall encourage as a best  
23 management practice the use of remote telemetry data  
24 systems for irrigation scheduling.”.

1 **SEC. 2410. AGRICULTURAL CONSERVATION EASEMENT**  
2 **PROGRAM.**

3 (a) **PURPOSES.**—Section 1265(b)(3) of the Food Se-  
4 curity Act of 1985 (16 U.S.C. 3865(b))(3) is amended by  
5 inserting “that may negatively impact the agricultural  
6 uses and conservation values” before “; and”.

7 (b) **DEFINITIONS.**—Section 1265A of the Food Secu-  
8 rity Act of 1985 (16 U.S.C. 3865a) is amended—

9 (1) in paragraph (1)(B), by striking “subject to  
10 an agricultural land easement plan, as approved by  
11 the Secretary”;

12 (2) in paragraph (2)(A), by striking “govern-  
13 ment or an Indian tribe” and inserting “govern-  
14 ment, an Indian tribe, or an acequia”; and

15 (3) in paragraph (3)—

16 (A) in subparagraph (A)(i), by striking  
17 “entity;” and inserting “entity, unless the land  
18 will be enrolled in an agricultural land easement  
19 under subparagraph (B);”;

20 (B) by redesignating subparagraphs (B)  
21 and (C) as subparagraphs (C) and (D), respec-  
22 tively; and

23 (C) by inserting after subparagraph (A)  
24 the following:

25 “(B) in the case of an agricultural land  
26 easement, agricultural land that meets the con-

1           ditions described in clauses (ii) and (iii) of sub-  
2           paragraph (A) that is owned by an organization  
3           described in paragraph (2)(B), on the condi-  
4           tions that—

5                   “(i) if the organization that owns the  
6                   land is also the eligible entity that would  
7                   hold the agricultural land easement, the  
8                   organization that owns the land shall cer-  
9                   tify to the Secretary on submission of the  
10                  application that the land will be owned by  
11                  a farmer or rancher that is not an organi-  
12                  zation described in paragraph (2)(B) on  
13                  acquisition of the agricultural land ease-  
14                  ment;

15                   “(ii) if the organization that owns the  
16                   land is not the eligible entity that would  
17                   hold the agricultural land easement, the  
18                   organization that owns the land shall cer-  
19                   tify, through an agreement, contract, or  
20                   guarantee with the Secretary on submis-  
21                   sion of the application, that the organiza-  
22                   tion will identify a farmer or rancher that  
23                   is not an organization described in para-  
24                   graph (2)(B) and effect the timely subse-  
25                   quent transfer of the ownership of the land

1 to that farmer or rancher after the date of  
2 acquisition of the agricultural land ease-  
3 ment; and

4 “(iii) if the organization that certified  
5 the timely subsequent transfer of the own-  
6 ership of the land under clause (ii)  
7 breaches the agreement, contract, or guar-  
8 antee without justification and without a  
9 plan to effect the timely transfer of the  
10 land, that organization shall reimburse the  
11 Secretary for the entire amount of the  
12 Federal share of cost of each applicable ag-  
13 ricultural land easement.”.

14 (c) AGRICULTURAL LAND EASEMENTS.—Section  
15 1265B of the Food Security Act of 1985 (16 U.S.C.  
16 3865b) is amended—

17 (1) in subsection (a)(2), by striking “provide”  
18 and all that follows through the period at the end  
19 and inserting “implement the program, including  
20 technical assistance with the development of a con-  
21 servation plan under subsection (b)(3).”; and

22 (2) in subsection (b)—

23 (A) in paragraph (2)—

24 (i) in subparagraph (A), in the matter  
25 preceding clause (i), by striking “para-

1 graph (4)” and inserting “paragraph (5)”;

2 and

3 (ii) in subparagraph (B), by striking

4 clause (ii) and inserting the following:

5 “(ii) NON-FEDERAL SHARE.—The  
6 non-Federal share provided by an eligible  
7 entity under clause (i) may comprise—

8 “(I) a charitable donation or  
9 qualified conservation contribution (as  
10 defined in section 170(h) of the Inter-  
11 nal Revenue Code of 1986) from the  
12 private landowner from which the ag-  
13 ricultural land easement will be pur-  
14 chased;

15 “(II) costs associated with secur-  
16 ing a deed to the agricultural land  
17 easement, including the cost of ap-  
18 praisal, survey, inspection, and title;  
19 and

20 “(III) other costs, as determined  
21 by the Secretary.”;

22 (B) by redesignating paragraphs (3)  
23 through (5) as paragraphs (4) through (6), re-  
24 spectively;



1 (C) by inserting after paragraph (2) the  
2 following:

3 “(3) CONDITION ON ASSISTANCE.—An eligible  
4 entity applying for cost-share assistance under this  
5 subsection shall develop an agricultural land ease-  
6 ment plan—

7 “(A) with the landowner of the eligible  
8 land subject to the agricultural land easement;  
9 and

10 “(B) that—

11 “(i) describes the natural resource  
12 concerns on the eligible land subject to the  
13 agricultural land easement;

14 “(ii) describes the conservation meas-  
15 ures and practices that the landowner of  
16 the eligible land subject to the agricultural  
17 land easement may employ to address the  
18 concerns under clause (i);

19 “(iii) in the case of grasslands of spe-  
20 cial environmental significance, requires  
21 the management of grasslands according to  
22 a grasslands management plan; and

23 “(iv) in the case of highly erodible  
24 cropland, requires the implementation of a  
25 conservation plan that includes, at the op-

1                   tion of the Secretary, the conversion of  
2                   highly erodible cropland to less intensive  
3                   uses.”;

4                   (D) in paragraph (4) (as so redesign-  
5                   nated)—

6                   (i) in subparagraph (B)—

7                   (I) in clause (i), by striking  
8                   “and” at the end;

9                   (II) in clause (ii), by striking the  
10                  period at the end and inserting “;  
11                  and”;

12                  (III) by adding at the end the  
13                  following:

14                  “(iii) consultation with the appro-  
15                  priate State technical committee estab-  
16                  lished under section 1261 to adjust evalua-  
17                  tion and ranking criteria to account for ge-  
18                  ographic nuances if those adjustments—

19                  “(I) meet the purposes of the  
20                  program; and

21                  “(II) continue to maximize the  
22                  benefits of Federal investment under  
23                  the program.”; and

24                  (ii) by adding at the end the fol-  
25                  lowing:

1           “(D) PRIORITY.—In evaluating applica-  
2           tions under the program, the Secretary may  
3           give priority to an application for the purchase  
4           of an agricultural land easement that, as deter-  
5           mined by the Secretary, maintains agricultural  
6           viability.”;

7           (E) in paragraph (5) (as so redesign-  
8           ated)—

9           (i) in subparagraph (B)(i), by striking  
10           “paragraph (5)” and inserting “paragraph  
11           (6)”;

12           (ii) in subparagraph (C)—

13           (I) in clause (i), by inserting  
14           “and the agricultural activities to be  
15           conducted on the eligible land” after  
16           “program”; and

17           (II) by striking clause (iv) and  
18           inserting the following:

19           “(iv) exclude a right of inspection, un-  
20           less the eligible entity fails to provide mon-  
21           itoring reports to the Secretary;”;

22           (iii) by redesignating subparagraphs  
23           (D) and (E) as subparagraphs (E) and  
24           (F), respectively; and

1 (iv) by inserting after subparagraph  
2 (C) the following:

3 “(D) ADDITIONAL PERMITTED TERMS AND  
4 CONDITIONS.—An eligible entity may include  
5 terms and conditions for an agricultural land  
6 easement that—

7 “(i) are intended to keep the land  
8 subject to the agricultural land easement  
9 in farmer ownership, as determined by the  
10 Secretary; and

11 “(ii) include other relevant activities  
12 relating to the agricultural land easement,  
13 as determined by the Secretary.”; and

14 (F) in paragraph (6) (as so redesign-  
15 nated)—

16 (i) in subparagraph (B)—

17 (I) in clause (iii), by redesign-  
18 nating subclauses (I) through (III) as  
19 items (aa) through (cc), respectively,  
20 and indenting appropriately;

21 (II) by redesignating clauses (i)  
22 through (iii) as subclauses (I) through  
23 (III), respectively, and indenting ap-  
24 propriately;

1 (III) in the matter preceding sub-  
2 clause (I) (as so redesignated), by  
3 striking “entity will” and inserting  
4 the following: “eligible entity—  
5 “(i) will”;

6 (IV) in clause (i)(III)(cc) (as so  
7 redesignated), by striking the period  
8 at the end and inserting a semicolon;  
9 and

10 (V) by adding at the end the fol-  
11 lowing:

12 “(ii) has—

13 “(I) been accredited by the Land  
14 Trust Accreditation Commission, or  
15 by an equivalent accrediting body, as  
16 determined by the Secretary; and

17 “(II) acquired not fewer than 10  
18 agricultural land easements under the  
19 program; and

20 “(III) successfully met the re-  
21 sponsibilities of the eligible entity  
22 under the applicable agreements with  
23 the Secretary, as determined by the  
24 Secretary, relating to agricultural land

1 easements that the eligible entity has  
2 acquired under the program; or

3 “(iii) is a State department of agri-  
4 culture or other State agency with statu-  
5 tory authority for farm and ranchland pro-  
6 tection that has—

7 “(I) acquired not fewer than 10  
8 agricultural land easements under the  
9 program; and

10 “(II) successfully met the respon-  
11 sibilities of the eligible entity under  
12 the applicable agreements with the  
13 Secretary, as determined by the Sec-  
14 retary, relating to agricultural land  
15 easements that the eligible entity has  
16 acquired under the program.”;

17 (ii) by redesignating subparagraph  
18 (C) as subparagraph (D); and

19 (iii) by inserting after subparagraph  
20 (B) the following:

21 “(C) TERMS AND CONDITIONS.—Notwith-  
22 standing paragraph (5)(C), to account for geo-  
23 graphic and other differences among States and  
24 regions, an eligible entity certified under sub-  
25 paragraph (A) may use terms and conditions

1 established by the eligible entity for agricultural  
2 land easements, on the condition that those  
3 terms and conditions shall be consistent with  
4 the purposes of the program.”.

5 (d) WETLAND RESERVE EASEMENTS.—Section  
6 1265C of the Food Security Act of 1985 (16 U.S.C.  
7 3865c) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1)(D), by inserting “and  
10 acequias” after “Indian tribes”; and

11 (B) in paragraph (3)—

12 (i) in subparagraph (B)—

13 (I) in clause (iii), by striking  
14 “and” at the end;

15 (II) by redesignating clause (iv)  
16 as clause (v); and

17 (III) by inserting after clause  
18 (iii) the following:

19 “(iv) the ability of the land to seques-  
20 ter carbon; and”; and

21 (ii) in subparagraph (C), by inserting  
22 “and improving water quality” before the  
23 period at the end;

24 (2) in subsection (d)(2), by striking “or Indian  
25 tribe” and inserting “Indian tribe, or acequia”;

1           (3) in subsection (e), by striking “or Indian  
2       tribe” and inserting “Indian tribe, or acequia”; and

3           (4) in subsection (f)—

4                 (A) by redesignating paragraphs (2) and  
5                 (3) as paragraphs (3) and (4), respectively; and

6                 (B) by inserting after paragraph (1) the  
7       following:

8           “(2) NATIVE VEGETATION.—The Secretary may  
9       allow the establishment or restoration of an alter-  
10      native vegetative community on the entirety of the  
11      eligible land subject to a wetland reserve easement  
12      if that alternative vegetative community—

13                 “(A) will substantially support or benefit  
14                 migratory waterfowl or other wetland wildlife;  
15                 or

16                 “(B) will meet local resource concerns or  
17                 needs (including as an element of a regional,  
18                 State, or local wildlife initiative or plan).”.

19       (e) ADMINISTRATION.—Section 1265D of the Food  
20      Security Act of 1985 (16 U.S.C. 3865d) is amended—

21           (1) in subsection (a)—

22                 (A) in paragraph (2), by inserting “subject  
23                 to paragraph (2),” before “lands owned”;



1           (B) by redesignating paragraphs (1)  
2 through (4) as subparagraphs (A) through (D),  
3 respectively, and indenting appropriately;

4           (C) in the matter preceding subparagraph  
5 (A) (as so redesignated), by striking “The Sec-  
6 retary” and inserting the following:

7           “(1) IN GENERAL.—The Secretary”; and

8           (D) by adding at the end the following:

9           “(2) LAND OWNED BY ACEQUIAS.—Notwith-  
10 standing paragraph (1)(B), the Secretary may use  
11 program funds for the purpose of acquiring an ease-  
12 ment on land owned by an acequia.”; and

13           (2) in subsection (d)—

14           (A) in paragraph (1), by striking “trans-  
15 ferred into the program” and inserting “en-  
16 rolled in an easement under section 1265C(b)”;  
17 and

18           (B) by adding at the end the following:

19           “(3) AGRICULTURAL LAND EASEMENTS.—A  
20 farmer or rancher who owns eligible land subject to  
21 an agricultural land easement may enter into a con-  
22 tract under subchapter B of chapter 1.”.

1 **SEC. 2411. REGIONAL CONSERVATION PARTNERSHIP PRO-**  
2 **GRAM.**

3 (a) ESTABLISHMENT AND PURPOSES.—Section 1271  
4 of the Food Security Act of 1985 (16 U.S.C. 3871) is  
5 amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1), by inserting “, in-  
8 cluding grant agreements under section  
9 1271C(d),” after “partnership agreements”;  
10 and

11 (B) in paragraph (2), by striking “con-  
12 tracts with producers” and inserting “program  
13 contracts with eligible producers”; and

14 (2) in subsection (b)—

15 (A) in paragraph (1), in the matter pre-  
16 ceeding subparagraph (A), by striking “use cov-  
17 ered programs” and inserting “carry out con-  
18 servation activities”;

19 (B) by striking paragraph (2) and insert-  
20 ing the following:

21 “(2) To further the conservation, protection,  
22 restoration, and sustainable use of soil, water (in-  
23 cluding sources of drinking water), wildlife, agricul-  
24 tural land, and related natural resources on eligible  
25 land on a regional or watershed scale.”;

26 (C) in paragraph (3)—

1 (i) in the matter preceding subpara-  
2 graph (A), by inserting “eligible” before  
3 “producers”; and

4 (ii) in subparagraph (B), by striking  
5 “installation” and inserting “adoption, in-  
6 stallation,”; and

7 (D) by adding at the end the following:

8 “(4) To encourage the flexible and streamlined  
9 delivery of conservation assistance to eligible pro-  
10 ducers through partnership agreements.

11 “(5) To encourage alignment of partnership  
12 projects with other Federal, State, and local agen-  
13 cies and programs addressing similar natural re-  
14 source or environmental concerns in a coordinated  
15 manner.

16 “(6) To engage eligible producers in conserva-  
17 tion projects to achieve greater conservation out-  
18 comes and benefits for eligible producers than would  
19 otherwise be achieved.

20 “(7) To advance conservation and rural commu-  
21 nity development goals simultaneously.”.

22 (b) DEFINITIONS.—Section 1271A of the Food Secu-  
23 rity Act of 1985 (16 U.S.C. 3871a) is amended—

24 (1) in paragraph (1)—

1 (A) in the matter preceding subparagraph  
2 (A), by inserting “a purpose, activity, or agree-  
3 ment under any of” after “means”; and

4 (B) by adding at the end the following:

5 “(E) The conservation reserve program es-  
6 tablished under subchapter B of chapter 1 of  
7 subtitle D.

8 “(F) The program established by the Sec-  
9 retary to carry out the Watershed Protection  
10 and Flood Prevention Act (16 U.S.C. 1001 et  
11 seq.), except for any program established by the  
12 Secretary to carry out section 14 (16 U.S.C.  
13 1012) of that Act.”;

14 (2) by striking paragraphs (2) and (3) and in-  
15 serting the following:

16 “(2) ELIGIBLE ACTIVITY.—The term ‘eligible  
17 activity’ means—

18 “(A) an eligible activity under the statu-  
19 tory authority for a covered program; and

20 “(B) any other related activity that an eli-  
21 gible partner determines will help address nat-  
22 ural resource concerns, subject to the approval  
23 of the Secretary.

24 “(3) ELIGIBLE LAND.—The term ‘eligible land’  
25 means—

1           “(A) eligible land under the statutory au-  
2           thority for a covered program; and

3           “(B) any other agricultural or nonindus-  
4           trial private forest land or associated land on  
5           which the Secretary determines an eligible ac-  
6           tivity would help address natural resource con-  
7           cerns.”;

8           (3) in paragraph (4)—

9           (A) in subparagraph (E), by inserting  
10          “acequia,” after “irrigation district,”; and

11          (B) by adding at the end the following:

12          “(I) An organization described in clause  
13          (i), (ii), or (iii) of section 1265A(2)(B).

14          “(J) A conservation district.”;

15          (4) by redesignating paragraphs (5) and (6) as  
16          paragraphs (6) and (7), respectively;

17          (5) by inserting after paragraph (4) the fol-  
18          lowing:

19          “(5) ELIGIBLE PRODUCER.—The term ‘eligible  
20          producer’ means a person, legal entity, or Indian  
21          tribe that is an owner or operator on eligible land.”;

22          and

23          (6) by adding at the end the following:

1           “(8) PROGRAM CONTRACT.—The term ‘program  
2           contract’ means the contract established by the Sec-  
3           retary under section 1271C(b)(1).”.

4           (c) REGIONAL CONSERVATION PARTNERSHIPS.—Sec-  
5           tion 1271B of the Food Security Act of 1985 (16 U.S.C.  
6           3871b) is amended—

7           (1) in subsection (a), by inserting “eligible” be-  
8           fore “producers”;

9           (2) by striking subsection (b) and inserting the  
10          following:

11         “(b) MAXIMUM LENGTH.—

12           “(1) IN GENERAL.—Except as provided in para-  
13           graph (2), the term of a partnership agreement shall  
14           not be longer than 5 years.

15         “(2) EXCEPTIONS.—

16           “(A) CONCURRENT PROGRAM DEAD-  
17           LINE.—Subject to approval by the Secretary,  
18           the term of a partnership agreement may be  
19           longer than 5 years if the longer period is con-  
20           current with a deadline established under a  
21           State or Federal program that relates specifi-  
22           cally to the project.

23           “(B) SPECIAL CIRCUMSTANCES.—In the  
24           case of special circumstances outside the control  
25           of an eligible partner (as determined by the

1 Secretary) that have created a delay in the im-  
2 plementation of a project of the eligible partner,  
3 the eligible partner may request an extension of  
4 the term of the partnership agreement.

5 “(3) PARTNERSHIP AGREEMENT RENEWALS.—

6 If an eligible partner demonstrates to the satisfac-  
7 tion of the Secretary that the eligible partner has  
8 made progress in addressing 1 or more natural re-  
9 source concerns defined in the partnership agree-  
10 ment, not earlier than 1 year before the date of expi-  
11 ration of the partnership agreement, the eligible  
12 partner may request from the Secretary a renewal of  
13 the partnership agreement, including a renewal of  
14 funding, through an expedited approval process—

15 “(A) to continue to implement the partner-  
16 ship agreement;

17 “(B) to expand the scope of the partner-  
18 ship agreement;

19 “(C) to enroll additional eligible producers;  
20 or

21 “(D) to carry out other conservation activi-  
22 ties relating to the project, including the assess-  
23 ment of the project under subsection (c)(1)(E),  
24 as mutually agreed by the Secretary and the eli-  
25 gible partner.”;

- 1                   (3) in subsection (c)—
- 2                    (A) in paragraph (1)—
- 3                      (i) in subparagraph (A)—
- 4                        (I) by redesignating clauses (iii)
- 5                        and (iv) as clauses (iv) and (v), re-
- 6                        spectively; and
- 7                        (II) by striking clauses (i) and
- 8                        (ii) and inserting the following:
- 9                        “(i) 1 or more natural resource con-
- 10                       cerns that the project shall address;
- 11                       “(ii) the eligible activities on eligible
- 12                       land to be conducted under the project to
- 13                       address the natural resource concerns;
- 14                       “(iii) the implementation timeline for
- 15                       carrying out the project, including any in-
- 16                       terim milestones;”;
- 17                       (ii) in subparagraph (B), by inserting
- 18                       “eligible” before “producers”;
- 19                       (iii) in subparagraph (C), by striking
- 20                       “a producer” each place it appears and in-
- 21                       serting “an eligible producer”;
- 22                       (iv) in subparagraph (D), by inserting
- 23                       “or in-kind contributions” after “addi-
- 24                       tional funds”; and



1 (v) in subparagraph (E), by striking  
2 “of the project’s effects; and” and insert-  
3 ing the following: “of—

4 “(i) the progress made by the project  
5 in addressing each natural resource con-  
6 cern defined in the partnership agreement,  
7 including in a quantified form; and

8 “(ii) as appropriate, other environ-  
9 mental, economic, or social outcomes of the  
10 project; and”; and

11 (B) in paragraph (2)—

12 (i) by striking “An eligible” and in-  
13 serting the following:

14 “(A) IN GENERAL.—An eligible”; and

15 (ii) by adding at the end the fol-  
16 lowing:

17 “(B) FORM.—A contribution of an eligible  
18 partner under this paragraph may be in the  
19 form of—

20 “(i) direct funding;

21 “(ii) in-kind support; or

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

24 “(C) TREATMENT.—Any amounts ex-  
25 pended during the period beginning on the date

1           on which the Secretary announces the approval  
2           of an application under subsection (e) and end-  
3           ing on the day before the effective date of the  
4           partnership agreement by an eligible partner  
5           for staff salaries or development of the partner-  
6           ship agreement shall be considered to be a part  
7           of the contribution of the eligible partner under  
8           this paragraph.”;

9           (4) by redesignating subsection (d) as sub-  
10          section (e);

11          (5) by inserting after subsection (c) the fol-  
12          lowing:

13          “(d) DUTIES OF SECRETARY.—The Secretary shall—

14               “(1) establish a timeline for carrying out the  
15               duties of the Secretary under a partnership agree-  
16               ment, including—

17                       “(A) entering into contracts with eligible  
18                       producers;

19                       “(B) providing financial assistance to eligi-  
20                       ble producers; and

21                       “(C) in the case of a partnership agree-  
22                       ment that is a grant agreement under section  
23                       1271C(d), providing the grant amounts to the  
24                       eligible partner;

1           “(2) establish in each State a program coordi-  
2 nator for the State, who shall be responsible solely  
3 for providing assistance to eligible partners and eli-  
4 gible producers under the program;

5           “(3) establish guidance to assist eligible part-  
6 ners with carrying out the assessment required  
7 under subsection (c)(1)(E);

8           “(4) provide to each eligible partner that has  
9 entered into a partnership agreement—

10           “(A) a semiannual report describing the  
11 status of each pending and obligated contract  
12 under the project of the eligible partner; and

13           “(B) an annual report describing how the  
14 Secretary used amounts reserved by the Sec-  
15 retary for that year for technical assistance  
16 under section 1271D(f);

17           “(5) allow an eligible partner to use a new or  
18 modified conservation practice standard under a  
19 partnership agreement, if the Secretary ensures that  
20 the new or modified conservation practice stand-  
21 ard—

22           “(A) is based on the best available science;

23           “(B) is implemented after consultation  
24 with the Secretary at the local level to assess

1 the anticipated effectiveness of the new or  
2 modified conservation practice standard; and

3 “(C) effectively addresses natural resource  
4 concerns; and

5 “(6) ensure that any eligible activity effectively  
6 addresses natural resource concerns.”; and

7 (6) in subsection (e) (as redesignated by para-  
8 graph (4))—

9 (A) by striking paragraph (2) and insert-  
10 ing the following:

11 “(2) CRITERIA USED.—In carrying out the  
12 process described in paragraph (1), the Secretary  
13 shall—

14 “(A) make public the criteria used in eval-  
15 uating applications; and

16 “(B) in the case of an application sub-  
17 mitted by a lead eligible partner that identifies  
18 a local conservation district as another eligible  
19 partner for the project, evaluate the engage-  
20 ment of the lead eligible partner with the local  
21 conservation district to ensure local input.”;

22 (B) in paragraph (3)—

23 (i) by striking the paragraph designa-  
24 tion and heading and all that follows

1 through “description of—” and inserting  
2 the following:

3 “(3) CONTENTS.—The Secretary shall develop  
4 a simplified application process that requires each  
5 application submitted under this subsection to in-  
6 clude a description of—”;

7 (ii) in subparagraph (C), by striking  
8 “, including the covered programs to be  
9 used”; and

10 (iii) in subparagraph (D), by inserting  
11 “or in-kind” after “financial”;  
12 (C) in paragraph (4)—

13 (i) in the matter preceding subpara-  
14 graph (A), by striking “may” and inserting  
15 “shall”;

16 (ii) in subparagraphs (A) and (B), by  
17 inserting “eligible” before “producers”  
18 each place it appears;

19 (iii) by striking subparagraph (D);

20 (iv) by redesignating subparagraphs  
21 (E) and (F) as subparagraphs (G) and  
22 (H), respectively; and

23 (v) by inserting after subparagraph  
24 (C) the following:

1           “(D) build new partnerships at the local,  
2           State, and corporate levels or include a diversity  
3           of stakeholders in the project;

4           “(E) deliver a high percentage of applied  
5           conservation—

6                   “(i) to address the identified natural  
7                   resource concerns; or

8                   “(ii) in the case of a project in a crit-  
9                   ical conservation area under section  
10                  1271F, to address the critical conservation  
11                  condition for that critical conservation  
12                  area;

13           “(F)(i) develop and implement new water-  
14           shed or habitat plans to address 1 or more nat-  
15           ural resource concerns; or

16                   “(ii) implement the project consistent with  
17                   existing watershed restoration plans;”;

18           (D) by adding at the end the following:

19           “(5) REVIEW.—To the extent practicable, after  
20           receipt of an application under this subsection, the  
21           Secretary shall provide to each applicant information  
22           and feedback (including written information and  
23           feedback, as the Secretary determines to be appro-  
24           priate) throughout the annual program application

1 process for any improvements that could be made to  
2 the application.”.

3 (d) ASSISTANCE TO ELIGIBLE PRODUCERS.—Section  
4 1271C of the Food Security Act of 1985 (16 U.S.C.  
5 3871c) is amended—

6 (1) in the section heading, by inserting “**ELIGI-**  
7 **BLE**” before “**PRODUCERS**”;

8 (2) by striking subsections (a) and (b) and in-  
9 serting the following:

10 “(a) IN GENERAL.—An eligible producer may receive  
11 financial or technical assistance to conduct eligible activi-  
12 ties on eligible land through a program contract entered  
13 into with the Secretary.

14 “(b) PROGRAM CONTRACTS.—

15 “(1) IN GENERAL.—The Secretary shall estab-  
16 lish a program contract to be entered into with an  
17 eligible producer to conduct eligible activities on eli-  
18 gible land, subject to such terms and conditions as  
19 the Secretary may establish.

20 “(2) APPLICATION BUNDLES.—

21 “(A) IN GENERAL.—An eligible partner  
22 may submit to the Secretary, on behalf of eligi-  
23 ble producers, a bundle of applications for as-  
24 sistance under the program through program  
25 contracts to address a substantial portion of a

1 natural resource concern defined in the partner-  
2 ship agreement.

3 “(B) PRIORITY.—The Secretary shall give  
4 priority to applications described in subpara-  
5 graph (A).”;

6 (3) in subsection (c)—

7 (A) in paragraph (1), by striking “In ac-  
8 cordance with statutory requirements of the  
9 covered programs involved, the Secretary may  
10 make payments to a producer” and inserting  
11 “Subject to section 1271D, the Secretary may  
12 make payments to an eligible producer”;

13 (B) in paragraph (2), by inserting “eligi-  
14 ble” before “producers” each place it appears;  
15 and

16 (C) in paragraph (3), by striking “partici-  
17 pating” and inserting “eligible”; and

18 (4) by adding at the end the following:

19 “(d) FUNDING ARRANGEMENTS THROUGH GRANT  
20 AGREEMENTS.—

21 “(1) IN GENERAL.—A partnership agreement  
22 may be a grant agreement entered into with an eligi-  
23 ble partner in accordance with this subsection.

24 “(2) REQUIREMENTS.—Under a grant agree-  
25 ment under paragraph (1)—



1           “(A) using amounts made available to  
2 carry out this subtitle, the Secretary shall pro-  
3 vide to the eligible partner a grant;

4           “(B) the eligible partner shall carry out el-  
5 ible activities on eligible land (including by  
6 contracting with 1 or more producers, if the eli-  
7 gible partner determines the contracting to be  
8 appropriate), on the condition that the eligible  
9 activities directly or indirectly benefit agricul-  
10 tural producers (including forestry producers),  
11 to address natural resource concerns on a re-  
12 gional or watershed scale, such as—

13           “(i) infrastructure investments relat-  
14 ing to agricultural or nonindustrial private  
15 forest production that would benefit mul-  
16 tiple producers, such as a multiproducer ir-  
17 rigation water delivery system, including  
18 investments to address drought;

19           “(ii) projects addressing water quality  
20 or quantity concerns (including drought) in  
21 coordination with producers, including the  
22 development and implementation of water-  
23 shed plans;

24           “(iii) projects that use innovative ap-  
25 proaches to leveraging the Federal invest-

1                   ment in conservation with private financial  
2                   mechanisms, in conjunction with agricul-  
3                   tural production or forest resource man-  
4                   agement, such as—

5                               “(I) the provision of perform-  
6                               ance-based payments to eligible pro-  
7                               ducers; and

8                               “(II) support for an environ-  
9                               mental market;

10                              “(iv) projects that facilitate pilot test-  
11                              ing of new conservation practices, tech-  
12                              nologies, or activities;

13                              “(v) projects that promote the long-  
14                              term viability and sustainability of agricul-  
15                              tural land through innovative agricultural  
16                              land and water protection strategies and  
17                              mechanisms, including projects that sup-  
18                              port the transfer of land to beginning  
19                              farmers and ranchers, veteran farmers and  
20                              ranchers, socially disadvantaged farmers  
21                              and ranchers, and limited resource farmers  
22                              and ranchers; and

23                              “(vi) other projects for which the Sec-  
24                              retary determines that the goals and objec-

1           tives of the program would be easier to  
2           achieve through the grant agreement; and  
3           “(C) the Secretary may provide technical  
4           and administrative assistance, as mutually  
5           agreed by the parties.

6           “(3) NONAPPLICABILITY OF ADJUSTED GROSS  
7           INCOME LIMITATION.—The adjusted gross income  
8           limitation described in section 1001D(b)(1) shall not  
9           apply to the receipt by an eligible partner of a grant  
10          under this subsection.

11          “(4) LIMITATION.—The Secretary may not use  
12          more than 30 percent of funding made available to  
13          carry out the program for grant agreements.

14          “(5) REPORTS.—An eligible partner that enters  
15          into a grant agreement under this subsection shall  
16          submit to the Secretary—

17                 “(A) any information that the Secretary  
18                 requires to prepare the report under section  
19                 1271E(b); and

20                 “(B) an annual report that describes the  
21                 status of the project carried out by the eligible  
22                 partner, including a description of—

23                         “(i) the use of the grant funds;

24                         “(ii) any subcontracts awarded using  
25                         grant funds;

1 “(iii) the eligible producers receiving  
2 funding using the grant funds;

3 “(iv)(I) the progress made by the  
4 project in addressing each natural resource  
5 concern defined in the grant agreement, in-  
6 cluding in a quantified form; and

7 “(II) as appropriate, other environ-  
8 mental, economic, or social outcomes of the  
9 project; and

10 “(v) any other reporting data the Sec-  
11 retary determines are necessary to ensure  
12 compliance with the program rules.”.

13 (e) FUNDING.—Section 1271D of the Food Security  
14 Act of 1985 (16 U.S.C. 3871d) is amended—

15 (1) in subsection (a)—

16 (A) by striking “\$100,000,000” and in-  
17 serting “\$200,000,000”; and

18 (B) by striking “2014 through 2018” and  
19 inserting “2019 through 2023”;

20 (2) in subsection (c), by striking paragraphs (1)  
21 and (2) and inserting the following:

22 “(1) IN GENERAL.—To ensure that additional  
23 resources are available to carry out the program, in  
24 addition to the funds made available under sub-  
25 section (a), for each fiscal year the Secretary shall

1 transfer 7 percent of the funds and acres made  
2 available for the following programs:

3 “(A) The conservation stewardship pro-  
4 gram established under subchapter B of chapter  
5 2 of subtitle D.

6 “(B) The environmental quality incentives  
7 program established under chapter 4 of subtitle  
8 D.

9 “(C) The agricultural conservation ease-  
10 ment program established under subtitle H.

11 “(2) DURATION OF AVAILABILITY.—Any funds  
12 or acres transferred under paragraph (1) shall re-  
13 main available for obligation only for the purposes of  
14 carrying out the program until expended.

15 “(3) DISTRIBUTION OF FUNDS.—To the max-  
16 imum extent practicable, of projects receiving funds  
17 or acres transferred under paragraph (1) from a  
18 program described in subparagraph (A), (B), or (C)  
19 of that paragraph, the percentage of projects that  
20 shall have purposes similar to the purposes of the  
21 applicable program from which funds or acres were  
22 transferred shall be approximately equal to the per-  
23 centage of funds or acres transferred from the appli-  
24 cable program.”;

25 (3) in subsection (d)—

1           (A) in paragraph (1), by striking “25 per-  
2           cent of the funds and acres to projects based on  
3           a State competitive process administered by the  
4           State Conservationist, with the advice of the  
5           State technical committee” and inserting the  
6           following: “40 percent of the funds and acres to  
7           projects based on a State or multistate competi-  
8           tive process administered by the Secretary at  
9           the local level with the advice of the applicable  
10          State technical committees”;

11          (B) by striking paragraph (2);

12          (C) by redesignating paragraph (3) as  
13          paragraph (2); and

14          (D) in paragraph (2) (as so redesignated),  
15          by striking “35 percent” and inserting “60 per-  
16          cent”;

17          (4) in subsection (e)—

18                 (A) by striking “None of the funds” and  
19                 inserting the following:

20                 “(1) IN GENERAL.—Except as provided in para-  
21                 graph (2), none of the funds”; and

22                 (B) by adding at the end the following:

23                 “(2) PROJECT DEVELOPMENT AND OUT-  
24                 REACH.—Under a partnership agreement, the Sec-  
25                 retary may advance reasonable amounts of funding

1 for technical assistance to eligible partners to con-  
2 duct project development and outreach activities in  
3 a project area, including—

4 “(A) providing outreach and education to  
5 eligible producers for potential participation in  
6 the project;

7 “(B) developing a watershed or habitat  
8 plan;

9 “(C) establishing baseline metrics to sup-  
10 port the development of the assessment re-  
11 quired under section 1271B(c)(1)(E); or

12 “(D) providing technical assistance to eligi-  
13 ble producers.

14 “(3) REIMBURSEMENT.—The Secretary may re-  
15 imburse reasonable amounts of funding for activities  
16 conducted during the period beginning on the date  
17 on which the Secretary announces the approval of an  
18 application under section 1271B(e) and ending on  
19 the day before the effective date of the partnership  
20 agreement.”; and

21 (5) by adding at the end the following:

22 “(f) TECHNICAL ASSISTANCE.—

23 “(1) IN GENERAL.—At the time of project se-  
24 lection, the Secretary shall identify and make pub-  
25 lically available the amount that the Secretary shall

1 use to provide technical assistance under the terms  
2 of the partnership agreement.

3 “(2) LIMITATION.—The Secretary shall limit  
4 costs of the Secretary for technical assistance to  
5 costs specific and necessary to carry out the objec-  
6 tives of the program.

7 “(3) THIRD-PARTY PROVIDERS.—The Secretary  
8 shall develop and implement strategies to encourage  
9 third-party technical service providers to provide  
10 technical assistance to eligible partners pursuant to  
11 a partnership agreement.”.

12 (f) ADMINISTRATION.—Section 1271E of the Food  
13 Security Act of 1985 (16 U.S.C. 3871e) is amended—

14 (1) in subsection (b)—

15 (A) in the matter preceding paragraph (1),  
16 by striking “December 31, 2014” and inserting  
17 “December 31, 2018”;

18 (B) in paragraphs (1) and (2), by inserting  
19 “eligible” before “producers” each place it ap-  
20 pears;

21 (C) by redesignating paragraphs (1)  
22 through (4) as paragraphs (2) through (5), re-  
23 spectively; and

24 (D) by inserting before paragraph (2) (as  
25 so redesignated) the following:



1 “(1) a summary of—

2 “(A) the progress made towards address-  
3 ing the 1 or more natural resource concerns de-  
4 fined for the projects; and

5 “(B) any other related environmental, so-  
6 cial, or economic outcomes of the projects;”;  
7 and

8 (2) by adding at the end the following:

9 “(c) COMPLIANCE WITH CERTAIN REQUIRE-  
10 MENTS.—The Secretary may not provide assistance under  
11 the program to an eligible producer unless the eligible pro-  
12 ducer agrees, during the program year for which the as-  
13 sistance is provided—

14 “(1) to comply with applicable conservation re-  
15 quirements under subtitle B; and

16 “(2) to comply with applicable wetland protec-  
17 tion requirements under subtitle C.

18 “(d) HISTORICALLY UNDERSERVED PRODUCERS.—  
19 To the maximum extent practicable, in carrying out the  
20 program, the Secretary shall work with eligible partners  
21 to maintain eligible benefits available through the covered  
22 programs for beginning farmers and ranchers, veteran  
23 farmers and ranchers, socially disadvantaged farmers and  
24 ranchers, and limited resource farmers and ranchers.

1           “(e) REGULATIONS.—The Secretary shall issue regu-  
2 lations to carry out the program.”.

3           (g) CRITICAL CONSERVATION AREAS.—Section  
4 1271F of the Food Security Act of 1985 (16 U.S.C.  
5 3871f) is amended—

6                 (1) by redesignating subsections (a), (b), and  
7                 (c) as subsections (b), (c), and (e), respectively;

8                 (2) by inserting before subsection (b) (as so re-  
9 designated) the following:

10           “(a) DEFINITIONS.—In this section:

11                 “(1) CRITICAL CONSERVATION AREA.—The  
12 term ‘critical conservation area’ means a geo-  
13 graphical area that contains a critical conservation  
14 condition that can be addressed through the pro-  
15 gram.

16                 “(2) CRITICAL CONSERVATION CONDITION.—  
17 The term ‘critical conservation condition’ means—

18                         “(A) a condition of land that would benefit  
19 from water quality improvement, including  
20 through reducing erosion, promoting sediment  
21 control, and addressing nutrient management  
22 activities affecting large bodies of water of re-  
23 gional, national, or international significance;  
24 and

1           “(B) a condition of land that would benefit  
2           from water quantity improvement, including im-  
3           provement relating to—

4                   “(i) drought;

5                   “(ii) groundwater, surface water, aq-  
6           uifer, or other water sources; or

7                   “(iii) water retention and flood pre-  
8           vention.”;

9           (3) in subsection (b) (as so redesignated)—

10                   (A) by striking “producer” and inserting  
11           “program”; and

12                   (B) by inserting “that address each critical  
13           conservation condition for which the critical  
14           conservation area is designated” before the pe-  
15           riod at the end;

16           (4) in subsection (c) (as so redesignated)—

17                   (A) by redesignating paragraphs (1)  
18           through (3) as paragraphs (2) through (4), re-  
19           spectively;

20                   (B) by inserting before paragraph (2) (as  
21           so redesignated) the following:

22                   “(1) IN GENERAL.—The Secretary shall iden-  
23           tify 1 or more critical conservation conditions that  
24           apply to each critical conservation area designated  
25           under this section after the date of enactment of the

1 Agricultural Act of 2014 (Public Law 113–79; 128  
2 Stat. 649), including the conservation goals and out-  
3 comes sufficient to demonstrate that progress is  
4 being made to address the critical conservation con-  
5 ditions.”;

6 (C) in paragraph (2) (as so redesign-  
7 nated)—

8 (i) by striking subparagraphs (C) and  
9 (D) and inserting the following:

10 “(C) contains a critical conservation condi-  
11 tion; or”;

12 (ii) by redesignating subparagraph  
13 (E) as subparagraph (D); and

14 (iii) in subparagraph (D) (as so redesi-  
15 gnated), by inserting “eligible” before  
16 “producers”; and

17 (D) by striking paragraph (3) (as so redesi-  
18 gnated) and inserting the following:

19 “(3) REVIEW AND WITHDRAWAL.—The Sec-  
20 retary may—

21 “(A) review designations of critical con-  
22 servation areas under this section not more fre-  
23 quently than once every 5 years; and

24 “(B) withdraw designation of a critical  
25 conservation area only if the Secretary deter-

1           mines that the area is no longer a critical con-  
2           servation area.”;

3           (5) by inserting after subsection (c) (as so re-  
4           designated) the following:

5           “(d) **OUTREACH TO ELIGIBLE PARTNERS AND ELIGI-**  
6 **BLE PRODUCERS.**—The Secretary shall provide outreach  
7 and education to eligible partners and eligible producers  
8 in critical conservation areas designated under this section  
9 to encourage the development of projects to address each  
10 critical conservation condition identified by the Secretary  
11 for that critical conservation area.”;

12           (6) in subsection (e) (as so redesignated)—

13           (A) in paragraph (1), by striking “pro-  
14           ducer” and inserting “program”; and

15           (B) by striking paragraph (3); and

16           (7) by adding at the end the following:

17           “(f) **REPORTS.**—Not later than December 31, 2018,  
18 and each year thereafter, the Secretary shall submit to  
19 the Committee on Agriculture of the House of Representa-  
20 tives and the Committee on Agriculture, Nutrition, and  
21 Forestry of the Senate a report describing the status of  
22 each critical conservation condition for each critical con-  
23 servation area designated under this section, including—

24           “(1) the conditions for which each critical con-  
25           servation area is designated;

1           “(2) conservation goals and outcomes sufficient  
2 to demonstrate that progress is being made to ad-  
3 dress the critical conservation conditions;

4           “(3) the partnership agreements selected to ad-  
5 dress each conservation goal and outcome; and

6           “(4) the extent to which each conservation goal  
7 and outcome is being addressed by the partnership  
8 agreements.”.

9 (h) CONFORMING AMENDMENTS.—

10           (1) Section 1271E of the Food Security Act of  
11 1985 (16 U.S.C. 3871e) (as amended by subsection  
12 (f)) is amended—

13           (A) in subsection (a), by striking  
14 “1271B(d)” each place it appears and inserting  
15 “1271B(e)”; and

16           (B) in subsection (b)(5), in the matter pre-  
17 ceding subparagraph (A), by striking  
18 “1271C(b)(2)” and inserting “1271C(d)”.

19           (2) Section 1271F of the Food Security Act of  
20 1985 (16 U.S.C. 3871f) is amended in subsection  
21 (b) (as redesignated by subsection (g)(1)) by strik-  
22 ing “1271D(d)(3)” and inserting “1271D(d)(2)”.

23 **SEC. 2412. WETLAND CONVERSION.**

24           Section 1221(d) of the Food Security Act of 1985  
25 (16 U.S.C. 3821(d)) is amended—

1           (1) by striking “Except as” and inserting the  
2 following:

3           “(1) IN GENERAL.—Except as”; and

4           (2) by adding at the end the following:

5           “(2) DUTY OF THE SECRETARY.—No person  
6 shall become ineligible under paragraph (1) if the  
7 Secretary determines that an exemption under sec-  
8 tion 1222(b) applies to that person.”.

9 **SEC. 2413. DELINEATION OF WETLANDS.**

10       (a) IDENTIFICATION OF MINIMAL EFFECT EXEMP-  
11 TIONS.—Section 1222(d) of the Food Security Act of  
12 1985 (16 U.S.C. 3822(d)) is amended—

13           (1) in the first sentence, by striking “For pur-  
14 poses” and inserting the following:

15           “(1) IN GENERAL.—For purposes”; and

16           (2) in paragraph (1) (as so designated)—

17           (A) in the first sentence, by inserting “not  
18 later than 1 year after the date of enactment of  
19 the Agriculture Improvement Act of 2018, in  
20 accordance with paragraph (2),” before “the  
21 Secretary”; and

22           (B) in the second sentence, by striking  
23 “The Secretary” and inserting the following:

24           “(2) REQUIREMENTS.—The Secretary shall  
25 carry out paragraph (1)—

1           “(A) in compliance with applicable Federal  
2 environmental laws, including the National En-  
3 vironmental Policy Act of 1969 (42 U.S.C.  
4 4321 et seq.);

5           “(B) in accordance with subsections (d)  
6 and (e) of section 12.31 of title 7, Code of Fed-  
7 eral Regulations (as in effect on the date of en-  
8 actment of the Agriculture Improvement Act of  
9 2018); and

10           “(C) in consultation with—

11           “(i) State technical committees estab-  
12 lished under section 1261(a);

13           “(ii) State wildlife and water resource  
14 agencies;

15           “(iii) the Director of the United  
16 States Fish and Wildlife Service;

17           “(iv) State Committees of the Farm  
18 Service Agency; and

19           “(v) agricultural commodity organiza-  
20 tions.

21           “(3) TRAINING OF EMPLOYEES.—The Sec-  
22 retary”.

23           (b) MITIGATION BANKING.—Section 1222(k)(1) of  
24 the Food Security Act of 1985 (16 U.S.C. 3822(k)(1))



1 is amended by striking subparagraph (B) and inserting  
2 the following:

3           “(B) AUTHORIZATION OF APPROPRIA-  
4           TIONS.—There is authorized to be appropriated  
5           to the Secretary to carry out this paragraph  
6           \$5,000,000 for each of fiscal years 2019  
7           through 2023.”.

8 **SEC. 2414. EMERGENCY CONSERVATION PROGRAM.**

9           (a) WATERSHED PROTECTION PROGRAM.—Section  
10 403 of the Agricultural Credit Act of 1978 (16 U.S.C.  
11 2203) is amended—

12           (1) in the section heading, by striking “**MEAS-**  
13           **URES**” and inserting “**WATERSHED PROTECTION**  
14           **PROGRAM**”; and

15           (2) in subsection (a), by inserting “watershed  
16           protection” after “emergency”.

17           (b) PAYMENT LIMITATIONS.—Title IV of the Agricul-  
18           tural Credit Act of 1978 is amended by inserting after  
19           section 403 (16 U.S.C. 2203) the following:

20 **“SEC. 403A. PAYMENT LIMITATION.**

21           “The maximum payment made under the emergency  
22           conservation program to an agricultural producer under  
23           this title may not exceed \$500,000.”.

1           (c) FUNDING AND ADMINISTRATION.—Section 404 of  
2 the Agricultural Credit Act of 1978 (16 U.S.C. 2204) is  
3 amended—

4           (1) in the fourth sentence, by striking “The  
5 Corporation” and inserting the following:

6           “(d) LIMITATION.—The Commodity Credit Corpora-  
7 tion”;

8           (2) in the third sentence, by striking “In imple-  
9 menting the provisions of” and inserting the fol-  
10 lowing:

11           “(c) USE OF COMMODITY CREDIT CORPORATION.—  
12 In implementing”;

13           (3) by striking the second sentence;

14           (4) by striking the section designation and all  
15 that follows through “There are authorized” in the  
16 first sentence and inserting the following:

17 **“SEC. 404. FUNDING AND ADMINISTRATION.**

18           “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized”;

20           (5) in subsection (a) (as so designated), by in-  
21 serting “, to remain available until expended” before  
22 the period at the end; and

23           (6) by inserting after subsection (a) (as so des-  
24 ignated) the following:

1           “(b) SET-ASIDE FOR FENCING.—Of the amounts  
2 made available under subsection (a) for a fiscal year, 25  
3 percent shall be set aside until April 1 of that fiscal year  
4 for the repair or replacement of fencing.”.

5 **SEC. 2415. WATERSHED PROTECTION AND FLOOD PREVEN-**  
6 **TION.**

7           Section 10 of the Watershed Protection and Flood  
8 Prevention Act (16 U.S.C. 1007) is amended by striking  
9 the section designation and all that follows through “No  
10 appropriation” in the second sentence and inserting the  
11 following:

12 **“SEC. 10. FUNDING.**

13           “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
14 is authorized to be appropriated to carry out this Act  
15 \$200,000,000 for each of fiscal years 2019 through 2023.

16           “(b) LIMITATIONS.—No appropriation”.

17 **SEC. 2416. SMALL WATERSHED REHABILITATION PRO-**  
18 **GRAM.**

19           Section 14(h)(2) of the Watershed Protection and  
20 Flood Prevention Act (16 U.S.C. 1012(h)(2)) is amend-  
21 ed—

22           (1) in subparagraph (D), by striking “and” at  
23 the end;

24           (2) in subparagraph (E), by striking the period  
25 at the end and inserting “; and”; and

1 (3) by adding at the end the following:

2 “(F) \$20,000,000 for each of fiscal years  
3 2019 through 2023.”.

4 **SEC. 2417. REPEAL OF CONSERVATION CORRIDOR DEM-**  
5 **ONSTRATION PROGRAM.**

6 (a) IN GENERAL.—Subtitle G of title II of the Farm  
7 Security and Rural Investment Act of 2002 (16 U.S.C.  
8 3801 note; Public Law 107–171) is repealed.

9 (b) CONFORMING AMENDMENT.—Section 5059 of the  
10 Water Resources Development Act of 2007 (16 U.S.C.  
11 3801 note; Public Law 110–114) is repealed.

12 **SEC. 2418. REPEAL OF CRANBERRY ACREAGE RESERVE**  
13 **PROGRAM.**

14 Section 10608 of the Farm Security and Rural In-  
15 vestment Act of 2002 (16 U.S.C. 3801 note; Public Law  
16 107–171) is repealed.

17 **SEC. 2419. REPEAL OF NATIONAL NATURAL RESOURCES**  
18 **FOUNDATION.**

19 Subtitle F of title III of the Federal Agriculture Im-  
20 provement and Reform Act of 1996 (16 U.S.C. 5801 et  
21 seq.) is repealed.

22 **SEC. 2420. REPEAL OF FLOOD RISK REDUCTION.**

23 Section 385 of the Federal Agriculture Improvement  
24 and Reform Act of 1996 (7 U.S.C. 7334) is repealed.

1 **SEC. 2421. REPEAL OF STUDY OF LAND USE FOR EXPIRING**  
2 **CONTRACTS AND EXTENSION OF AUTHORITY.**

3 Section 1437 of the Food, Agriculture, Conservation,  
4 and Trade Act of 1990 (16 U.S.C. 3831 note; Public Law  
5 101–624) is repealed.

6 **SEC. 2422. REPEAL OF INTEGRATED FARM MANAGEMENT**  
7 **PROGRAM OPTION.**

8 Section 1451 of the Food, Agriculture, Conservation,  
9 and Trade Act of 1990 (7 U.S.C. 5822) is repealed.

10 **SEC. 2423. REPEAL OF CLARIFICATION OF DEFINITION OF**  
11 **AGRICULTURAL LANDS.**

12 Section 325 of the Federal Agriculture Improvement  
13 and Reform Act of 1996 (Public Law 104–127; 110 Stat.  
14 992) is repealed.

15 **SEC. 2424. RESOURCE CONSERVATION AND DEVELOPMENT**  
16 **PROGRAM.**

17 Section 1537 of the Agriculture and Food Act of  
18 1981 (16 U.S.C. 3460) is amended to read as follows:

19 **“SEC. 1537. TERMINATION OF EFFECTIVENESS.**

20 “The authority provided by this subtitle terminates  
21 effective October 1, 2023.”.

22 **SEC. 2425. WILDLIFE MANAGEMENT.**

23 (a) IN GENERAL.—The Secretary and the Secretary  
24 of the Interior shall continue to carry out the Working  
25 Lands for Wildlife model of conservation on working land-

1 scapes, as implemented on the day before the date of en-  
2 actment of this Act, in accordance with—

3           (1) the document entitled “Partnership Agree-  
4           ment Between the United States Department of Ag-  
5           riculture Natural Resources Conservation Service  
6           and the United States Department of the Interior  
7           Fish and Wildlife Service”, numbered A-3A75-16-  
8           937, and formalized by the Chief of the Natural Re-  
9           sources Conservation Service on September 15,  
10          2016, and by the Director of the United States Fish  
11          and Wildlife Service on August 4, 2016, as in effect  
12          on September 15, 2016; and

13          (2) United States Fish and Wildlife Service Di-  
14          rector’s Order No. 217, dated August 9, 2016, as in  
15          effect on August 9, 2016.

16          (b) EXPANSION OF MODEL.—The Secretary and the  
17          Secretary of the Interior may expand the conservation  
18          model described in subsection (a) through a new partner-  
19          ship agreement between the Farm Service Agency and the  
20          United States Fish and Wildlife Service for the purpose  
21          of carrying out conservation activities for species conserva-  
22          tion.

23          (c) EXTENSION OF PERIOD OF REGULATORY PRE-  
24          DICTABILITY.—

1           (1) DEFINITION OF PERIOD OF REGULATORY  
2           PREDICTABILITY.—In this subsection, the term “pe-  
3           riod of regulatory predictability” means the period  
4           of regulatory predictability under the Endangered  
5           Species Act of 1973 (16 U.S.C. 1531 et seq.) ini-  
6           tially determined in accordance with the document  
7           and order described in paragraphs (1) and (2), re-  
8           spectively, of subsection (a).

9           (2) EXTENSION.—After the period of regulatory  
10          predictability, on request of the Secretary, the Sec-  
11          retary of the Interior, acting through the Director of  
12          the United States Fish and Wildlife Service, may  
13          provide additional consultation under section 7(a)(2)  
14          of the Endangered Species Act of 1973 (16 U.S.C.  
15          1536(a)(2)), or additional conference under section  
16          7(a)(4) of that Act (16 U.S.C. 1536(a)(4)), as appli-  
17          cable, with the Chief of the Natural Resources Con-  
18          servation Service or the Administrator of the Farm  
19          Service Agency, as applicable, to extend the period  
20          of regulatory predictability.

21          (d) REGULATORY CERTAINTY.—Section 1244 of the  
22          Food Security Act of 1985 (16 U.S.C. 3844) is amended  
23          by adding at the end the following:

24          “(n) REGULATORY CERTAINTY.—

1           “(1) IN GENERAL.—In addition to technical  
2           and programmatic information that the Secretary is  
3           otherwise authorized to provide, on request of a Fed-  
4           eral agency, a State, an Indian tribe, or a unit of  
5           local government, the Secretary may provide tech-  
6           nical and programmatic information—

7                   “(A) subject to paragraph (2), to the Fed-  
8                   eral agency, State, Indian tribe, or unit of local  
9                   government to support specifically the develop-  
10                  ment of mechanisms that would provide regu-  
11                  latory certainty, regulatory predictability, safe  
12                  harbor protection, or other similar regulatory  
13                  assurances to a farmer, rancher, or private non-  
14                  industrial forest landowner under a regulatory  
15                  requirement—

16                           “(i) that relates to soil, water, or wild-  
17                           life; and

18                           “(ii) over which that Federal agency,  
19                           State, Indian tribe, or unit of local govern-  
20                           ment has authority; and

21                           “(B) relating to conservation practices or  
22                           activities that could be implemented by a farm-  
23                           er, rancher, or private nonindustrial forest land-  
24                           owner to address a targeted soil, water, or wild-  
25                           life resource concern that is the direct subject



1 of a regulatory requirement enforced by that  
2 Federal agency, State, Indian tribe, or unit of  
3 local government, as applicable.

4 “(2) MECHANISMS.—The Secretary shall only  
5 provide additional technical and programmatic infor-  
6 mation under paragraph (1) if the mechanisms to be  
7 developed by the Federal agency, State, Indian tribe,  
8 or unit of local government, as applicable, under  
9 paragraph (1)(A) are anticipated to include, at a  
10 minimum—

11 “(A) the implementation of 1 or more con-  
12 servation practices or activities that effectively  
13 addresses the soil, water, or wildlife resource  
14 concern identified under paragraph (1);

15 “(B) the on-site confirmation that the ap-  
16 plicable conservation practices or activities iden-  
17 tified under subparagraph (A) have been imple-  
18 mented;

19 “(C) a plan for a periodic audit, as appro-  
20 priate, of the continued implementation or  
21 maintenance of each of the conservation prac-  
22 tices or activities identified under subparagraph  
23 (A); and

24 “(D) notification to a farmer, rancher, or  
25 private nonindustrial forest landowner of, and

1 an opportunity to correct, any noncompliance  
2 with a requirement to obtain regulatory cer-  
3 tainty, regulatory predictability, safe harbor  
4 protection, or other similar regulatory assur-  
5 ance.

6 “(3) CONTINUING CURRENT COLLABORATION  
7 ON SOIL, WATER, OR WILDLIFE CONSERVATION  
8 PRACTICES.—The Secretary shall—

9 “(A) continue collaboration with Federal  
10 agencies, States, Indian tribes, or local units of  
11 government on existing regulatory certainty,  
12 regulatory predictability, safe harbor protection,  
13 or other similar regulatory assurances in ac-  
14 cordance with paragraph (2); and

15 “(B) continue collaboration with the Sec-  
16 retary of the Interior on consultation under sec-  
17 tion 7(a)(2) of the Endangered Species Act of  
18 1973 (16 U.S.C. 1536(a)(2)) or conference  
19 under section 7(a)(4) of that Act (16 U.S.C.  
20 1536(a)(4)), as applicable, for wildlife conserva-  
21 tion efforts, including the Working Lands for  
22 Wildlife model of conservation on working land-  
23 scapes, as implemented on the day before the  
24 date of enactment of the Agriculture Improve-  
25 ment Act of 2018, in accordance with—

1                   “(i) the document entitled ‘Partner-  
2                   ship Agreement Between the United States  
3                   Department of Agriculture Natural Re-  
4                   sources Conservation Service and the  
5                   United States Department of the Interior  
6                   Fish and Wildlife Service’, numbered A-  
7                   3A75-16-937, and formalized by the Chief  
8                   of the Natural Resources Conservation  
9                   Service on September 15, 2016, and by the  
10                  Director of the United States Fish and  
11                  Wildlife Service on August 4, 2016, as in  
12                  effect on September 15, 2016; and

13                   “(ii) United States Fish and Wildlife  
14                   Service Director’s Order No. 217, dated  
15                   August 9, 2016, as in effect on August 9,  
16                   2016.

17                  “(4) SAVINGS CLAUSE.—Nothing in this sub-  
18                  section—

19                   “(A) preempts, displaces, or supplants any  
20                   authority or right of a Federal agency, a State,  
21                   an Indian tribe, or a unit of local government;

22                   “(B) modifies or otherwise affects, pre-  
23                   empts, or displaces—

24                   “(i) any cause of action; or

1                   “(ii) a provision of Federal or State  
2                   law establishing a remedy for a civil or  
3                   criminal cause of action; or

4                   “(C) applies to a case in which the Depart-  
5                   ment of Agriculture is the originating agency  
6                   requesting a consultation or other technical and  
7                   programmatic information or assistance from  
8                   another Federal agency in assisting farmers,  
9                   ranchers, or nonindustrial private forest land-  
10                  owners participating in a conservation program  
11                  administered by the Secretary.”.

12 **SEC. 2426. HEALTHY FORESTS RESERVE PROGRAM.**

13           (a) **PURPOSES.**—Section 501(a) of the Healthy For-  
14           ests Restoration Act of 2003 (16 U.S.C. 6571(a)) is  
15           amended—

16                   (1) in paragraph (2), by striking “and” at the  
17                   end;

18                   (2) in paragraph (3), by striking the period at  
19                   the end and inserting “; and”; and

20                   (3) by adding at the end the following:

21                   “(4) to conserve forest land that provides habi-  
22                   tat for species described in section 502(b)(2).”.

23           (b) **ELIGIBILITY.**—Section 502 of the Healthy For-  
24           ests Restoration Act of 2003 (16 U.S.C. 6572) is amend-  
25           ed—

1 (1) in subsection (b)—

2 (A) in paragraph (1), by striking “private  
3 land” and all that follows through “which will”  
4 and inserting “private land, including private  
5 forest land or land being restored to forest, the  
6 enrollment of which will maintain,”; and

7 (B) in paragraph (2)—

8 (i) in the matter preceding subpara-  
9 graph (A), by striking “private land” and  
10 all that follows through “which will” and  
11 inserting “private land, including private  
12 forest land or land being restored to forest,  
13 the enrollment of which will maintain,”;

14 (ii) by striking subparagraph (B) and  
15 inserting the following:

16 “(B)(i) are candidates for such listing,  
17 State-listed species, or special concern species;  
18 or

19 “(ii) are deemed a species of greatest con-  
20 servation need under a State wildlife action  
21 plan.”;

22 (2) in subsection (c)—

23 (A) in paragraph (1), by striking “and” at  
24 the end;

1 (B) in paragraph (2), by striking the pe-  
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(3) conserve forest land that provides habitat  
5 for species described in section 502(b)(2).”;

6 (3) in subsection (e)—

7 (A) by striking paragraph (2);

8 (B) by redesignating paragraph (3) as  
9 paragraph (2); and

10 (C) in paragraph (2)(B) (as redesignated  
11 by subparagraph (A))—

12 (i) in clause (ii), by striking “or” at  
13 the end; and

14 (ii) by striking clause (iii) and insert-  
15 ing the following:

16 “(iii) a permanent easement; or

17 “(iv) any combination of the options  
18 described in clauses (i), (ii), and (iii).”;

19 and

20 (4) in subsection (f)(1)(B), by striking clause  
21 (ii) and inserting the following:

22 “(ii)(I) are candidates for such listing,  
23 State-listed species, or special concern spe-  
24 cies; or

1                   “(II) are deemed a species of greatest  
2                   conservation need under a State wildlife  
3                   action plan.”.

4           (c) RESTORATION PLANS.—Section 503(b) of the  
5 Healthy Forests Restoration Act of 2003 (16 U.S.C.  
6 6573(b)) is amended—

7           (1) by redesignating paragraphs (1) and (2) as  
8           subparagraphs (A) and (B), respectively, and indent-  
9           ing appropriately;

10           (2) by striking the subsection designation and  
11           all that follows through “restoration practices” and  
12           inserting the following:

13           “(b) PRACTICES AND MEASURES.—

14           “(1) DEFINITION OF PRACTICES AND MEAS-  
15           URES.—In this subsection, the term ‘practices and  
16           measures’ includes land management practices, vege-  
17           tative treatments, structural practices and measures,  
18           practices to improve biological diversity, practices to  
19           increase carbon sequestration, and other appropriate  
20           activities, as determined by the Secretary.

21           “(2) RESTORATION PLANS.—The restoration  
22           plan may require such restoration practices and  
23           measures”;

24           (3) in subparagraph (A) (as redesignated by  
25           paragraph (1)), by striking “and” at the end; and

1           (4) in subparagraph (B) (as redesignated by  
2           paragraph (1)), by striking the period at the end  
3           and inserting “, or a species deemed a species of  
4           greatest conservation need under a State wildlife ac-  
5           tion plan.”.

6 **SEC. 2427. WATERSHED PROTECTION.**

7           (a) **WATERSHED AREAS.**—Section 2 of the Water-  
8           shed Protection and Flood Prevention Act (16 U.S.C.  
9           1002) is amended in the undesignated matter following  
10           paragraph (3) by inserting “(except in cases in which the  
11           Secretary determines that the undertaking is necessary in  
12           a larger watershed or subwatershed in order to address  
13           regional drought concerns)” after “fifty thousand acres”.

14           (b) **AUTHORITY OF THE SECRETARY.**—Section 3 of  
15           the Watershed Protection and Flood Prevention Act (16  
16           U.S.C. 1003) is amended—

17           (1) by striking the section designation and all  
18           that follows through “In order to assist” and insert-  
19           ing the following:

20 **“SEC. 3. ASSISTANCE TO LOCAL ORGANIZATIONS.**

21           “(a) **IN GENERAL.**—In order to assist”; and

22           (2) by adding at the end the following:

23           “(b) **WAIVER.**—The Secretary may waive the water-  
24           shed plan for works of improvement if the Secretary deter-  
25           mines the watershed plan is unnecessary or duplicative.”.



1 **SEC. 2428. SENSE OF CONGRESS RELATING TO INCREASED**  
2 **WATERSHED-BASED COLLABORATION.**

3 It is the sense of Congress that the Federal Govern-  
4 ment should recognize and encourage partnerships at the  
5 watershed level between nonpoint sources and regulated  
6 point sources to advance the goals of the Federal Water  
7 Pollution Control Act (33 U.S.C. 1251 et seq.) and pro-  
8 vide benefits to farmers, landowners, and the public.

9 **SEC. 2429. MODIFICATIONS TO CONSERVATION EASEMENT**  
10 **PROGRAM.**

11 Title XII of the Food Security Act of 1985 (16  
12 U.S.C. 3801 et seq.) is amended by inserting after subtitle  
13 E the following:

14 **“Subtitle F—Other Conservation**  
15 **Provisions**

16 **“SEC. 1251. MODIFICATIONS TO CONSERVATION EASEMENT**  
17 **PROGRAM.**

18 “(a) DEFINITION OF COVERED PROGRAM.—In this  
19 section, the term ‘covered program’ means wetland reserve  
20 easements under section 1265C.

21 “(b) MODIFICATIONS.—Notwithstanding any other  
22 provision of law applicable to the covered program, subject  
23 to subsection (c), if requested by the landowner, the Sec-  
24 retary shall—

25 “(1) allow land enrolled in the covered program  
26 to be—

1           “(A) modified for water management, gen-  
2           eral maintenance, vegetative cover control, wild-  
3           life habitat management, or any other purpose,  
4           subject to the condition that the modification  
5           shall be approved jointly by—

6                   “(i) the State department of natural  
7                   resources (or equivalent State agency); and

8                   “(ii) the technical committee estab-  
9                   lished under section 1261(a) of the State;  
10                  or

11                  “(B) exchanged for land that has equal or  
12                  greater conservation, wildlife, ecological, and  
13                  economic values, as determined by the Sec-  
14                  retary; and

15                  “(2) provide for the modification of an ease-  
16                  ment under the covered program if the Secretary de-  
17                  termines that the modification—

18                   “(A) would facilitate the practical adminis-  
19                   tration and management of the land covered by  
20                   the easement; and

21                   “(B) would not adversely affect the func-  
22                   tions and values for which the easement was es-  
23                   tablished.

24                  “(c) REQUIREMENTS.—

1           “(1) NO EFFECT ON ENROLLED ACREAGE, ECO-  
2           LOGICAL FUNCTIONS AND VALUES.—A modification  
3           or exchange under subsection (b) shall not—

4                   “(A) result in a net loss of acreage en-  
5                   rolled in the covered program; or

6                   “(B) adversely affect any ecological or con-  
7                   servation function or value for which the appli-  
8                   cable easement was established.

9           “(2) EXCHANGED ACRES.—Any land for which  
10           an exchange is made under subsection (b) shall sat-  
11           isfy all requirements for enrollment in the covered  
12           program.

13           “(3) RESTRICTION ON PAYMENTS.—In modi-  
14           fying any easement under the covered program, the  
15           Secretary shall not increase any payment to any  
16           party to the easement.

17           “(d) COSTS.—A party to an easement under the cov-  
18           ered program that requests a modification or exchange  
19           under subsection (b) shall be responsible for all costs of  
20           the modification or exchange, including—

21                   “(1) an appraisal to determine whether the eco-  
22                   nomic value of the land for which an exchange is  
23                   made under subsection (b) is equal to or greater  
24                   than the value of the land removed from the covered  
25                   program;



1           “\$11,000,000 for the period of fiscal years  
2           2019 through 2023”; and

3           (B) in subparagraph (B)—

4                 (i) by striking “\$33,000,000 for the  
5                 period of fiscal years 2014 through 2018”  
6                 and inserting “\$50,000,000 for the period  
7                 of fiscal years 2019 through 2023, includ-  
8                 ing not more than \$5,000,000 to provide  
9                 outreach and technical assistance,”; and

10                (ii) by striking “retired or retiring  
11                owners and operators” and inserting “con-  
12                tract holders”;

13           (3) in paragraph (2), by striking subparagraphs  
14           (A) through (E) and inserting the following:

15                 “(A) \$400,000,000 for each of fiscal years  
16                 2019 through 2021;

17                 “(B) \$425,000,000 for fiscal year 2022;

18                 and

19                 “(C) \$450,000,000 for fiscal year 2023.”;

20                 and

21           (4) in paragraph (5), by striking subparagraphs  
22           (A) through (E) and inserting the following:

23                 “(A) \$1,473,000,000 for fiscal year 2019;

24                 “(B) \$1,478,000,000 for fiscal year 2020;

25                 “(C) \$1,541,000,000 for fiscal year 2021;

1                   “(D) \$1,571,000,000 for fiscal year 2022;

2                   and

3                   “(E) \$1,595,000,000 for fiscal year

4                   2023.”.

5           (b) AVAILABILITY OF FUNDS.—Section 1241(b) of  
6 the Food Security Act of 1985 (16 U.S.C. 3841(b)) is  
7 amended by striking “2018 (and fiscal year 2019 in the  
8 case of the program specified in subsection (a)(5))” and  
9 inserting “2023”.

10          (c) ALLOCATIONS REVIEW AND UPDATE.—Section  
11 1241(g) of the Food Security Act of 1985 (16 U.S.C.  
12 3841(g)) is amended by striking “REVIEW AND UPDATE”  
13 in the subsection heading and all that follows through  
14 “The Secretary” in paragraph (2) and inserting “UP-  
15 DATE.—The Secretary”.

16          (d) ASSISTANCE TO CERTAIN FARMERS OR RANCH-  
17 ERS FOR CONSERVATION ACCESS.—Section 1241(h)(1) of  
18 the Food Security Act of 1985 (16 U.S.C. 3841(h)(1))  
19 is amended—

20               (1) in the matter preceding subparagraph (A),  
21               by striking “2018” and inserting “2023”; and

22               (2) by striking “5 percent” each place it ap-  
23               pears and inserting “15 percent”.

24          (e) CONSERVATION STANDARDS AND REQUIRE-  
25 MENTS.—Section 1241 of the Food Security Act of 1985

1 (16 U.S.C. 3841) is amended by adding at the end the  
2 following:

3 “(j) CONSERVATION STANDARDS AND REQUIRE-  
4 MENTS.—

5 “(1) IN GENERAL.—Subject to the require-  
6 ments of this title, the Natural Resources Conserva-  
7 tion Service shall serve as the lead agency in devel-  
8 oping and establishing technical standards and re-  
9 quirements for conservation programs carried out  
10 under this title, including—

11 “(A) standards for conservation practices  
12 under this title;

13 “(B) technical guidelines for implementing  
14 conservation practices under this title, including  
15 the location of the conservation practices;

16 “(C) standards for conservation plans; and

17 “(D) payment rates for conservation prac-  
18 tices and activities under programs carried out  
19 under this title.

20 “(2) CONSISTENCY OF FARM SERVICE AGENCY  
21 STANDARDS.—The Administrator of the Farm Serv-  
22 ice Agency shall ensure that the standards and re-  
23 quirements of programs administered by the Farm  
24 Service Agency incorporate and are consistent with  
25 the standards and requirements established by the

1 Natural Resources Conservation Service under para-  
2 graph (1).

3 “(3) LOCAL FLEXIBILITY.—The Secretary shall  
4 establish a procedure to allow, on request of a State  
5 committee of the Farm Service Agency or a State  
6 technical committee established under section  
7 1261(a) to modify any standard or requirement es-  
8 tablished under paragraph (1), that modification if  
9 the modification—

10 “(A) addresses a specific and local natural  
11 resource concern;

12 “(B) is based on science; and

13 “(C) maintains the conservation benefits of  
14 the standards and requirements established  
15 under paragraph (1).”.

16 **SEC. 2502. DELIVERY OF TECHNICAL ASSISTANCE.**

17 Section 1242 of the Food Security Act of 1985 (16  
18 U.S.C. 3842) is amended—

19 (1) in subsection (a)—

20 (A) by striking the subsection designation  
21 and heading and all that follows through “the  
22 term” and inserting the following:

23 “(a) DEFINITIONS.—In this section:

24 “(1) ELIGIBLE PARTICIPANT.—The term”; and

25 (B) by adding at the end the following:



1           “(2) THIRD-PARTY PROVIDER.—The term  
2           ‘third-party provider’ means a commercial entity (in-  
3           cluding a farmer cooperative, agriculture retailer, or  
4           other commercial entity, as determined by the Sec-  
5           retary), a nonprofit entity, a State, a unit of local  
6           government (including a conservation district), or a  
7           Federal agency, that has expertise in the technical  
8           aspect of conservation planning, including nutrient  
9           management planning, watershed planning, or envi-  
10          ronmental engineering.”;

11           (2) in subsection (e), by adding at the end the  
12          following:

13           “(4) CERTIFICATION PROCESS.—The Secretary  
14          shall certify a third-party provider through—

15                   “(A) a certification process administered  
16                   by the Secretary, acting through the Chief of  
17                   the Natural Resources Conservation Service; or

18                   “(B) a non-Federal entity approved by the  
19                   Secretary to perform the certification.

20           “(5) STREAMLINED CERTIFICATION.—The Sec-  
21          retary shall provide a streamlined certification proc-  
22          ess for a third-party provider that has an appro-  
23          priate specialty certification, including a sustain-  
24          ability specialty certification and a 4R nutrient man-

1           agement specialty certification from the American  
2           Society of Agronomy.”; and

3                   (3) in subsection (h)—

4                           (A) by striking paragraph (3) and insert-  
5                   ing the following:

6                   “(3) EXPEDITED REVISION OF STANDARDS.—

7           Not later than 1 year after the date of enactment  
8           of the Agriculture Improvement Act of 2018, the  
9           Secretary shall develop an administrative process  
10          for—

11                   “(A) expediting the establishment and revi-  
12                   sion of conservation practice standards; and

13                   “(B) considering conservation innovations  
14                   with respect to any establishment or revision  
15                   under subparagraph (A).

16                   “(4) REPORT.—Not later than 2 years after the  
17           date of enactment of the Agriculture Improvement  
18           Act of 2018, and every 2 years thereafter, the Sec-  
19           retary shall submit to Congress a report on—

20                   “(A) the administrative process developed  
21                   under paragraph (3);

22                   “(B) conservation practice standards that  
23                   were established or revised under that process;  
24                   and

1           “(C) conservation innovations that were  
2           considered under that process.”.

3 **SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CON-**  
4 **SERVATION PROGRAMS.**

5       (a) INCENTIVES FOR ACEQUIAS.—Section 1244(a) of  
6 the Food Security Act of 1985 (16 U.S.C. 3844(a)) is  
7 amended—

8           (1) in the subsection heading, by striking  
9           “RANCHERS AND INDIAN TRIBES” and inserting  
10          “RANCHERS, INDIAN TRIBES, AND ACEQUIAS”; and

11          (2) in paragraph (2), by adding at the end the  
12          following:

13                 “(F) Acequias.”.

14       (b) ACREAGE LIMITATIONS.—Section 1244(f) of the  
15 Food Security Act of 1985 (16 U.S.C. 3844(f)) is amend-  
16 ed—

17           (1) in paragraph (1)(B), by striking “10” and  
18           inserting “15”; and

19           (2) in paragraph (5), by striking “the Agricul-  
20           tural Act of 2014” and inserting “the Agriculture  
21           Improvement Act of 2018”.

22       (c) FUNDING FOR INDIAN TRIBES.—Section 1244(l)  
23 of the Food Security Act of 1985 (16 U.S.C. 3844(l)) is  
24 amended by striking “may” and inserting “shall”.

1 (d) EXEMPTION FROM CERTAIN REPORTING RE-  
2 QUIREMENTS.—Section 1244(m) of the Food Security Act  
3 of 1985 (16 U.S.C. 3844(m)) is amended—

4 (1) in paragraph (1), by inserting “or com-  
5 modity” after “conservation”; and

6 (2) in paragraph (2), by inserting “or the Farm  
7 Service Agency” before the period at the end.

8 (e) SOURCE WATER PROTECTION.—Section 1244 of  
9 the Food Security Act of 1985 (16 U.S.C. 3844) (as  
10 amended by section 2425(d)) is amended by adding at the  
11 end the following:

12 “(o) SOURCE WATER PROTECTION.—

13 “(1) IN GENERAL.—In carrying out the con-  
14 servation stewardship program under subchapter B  
15 of chapter 2 of subtitle D and the environmental  
16 quality incentives program under chapter 4 of sub-  
17 title D, the Secretary shall encourage water quality  
18 and water quantity practices that—

19 “(A) protect sources of potable water, in-  
20 cluding protecting against public health threats;  
21 and

22 “(B) mutually benefit agricultural pro-  
23 ducers.

1           “(2) COLLABORATION AND PAYMENTS.—In en-  
2           couraging practices under paragraph (1), the Sec-  
3           retary shall—

4                   “(A) work collaboratively with drinking  
5                   water utilities, community water systems, and  
6                   State technical committees established under  
7                   section 1261 to identify local priority areas for  
8                   the protection of source waters for drinking  
9                   water; and

10                   “(B) subject to limitations under the pro-  
11                   grams described in paragraph (1), provide pay-  
12                   ment rates to producers for water quality prac-  
13                   tices or enhancements that primarily result in  
14                   off-farm benefit at a rate sufficient to encour-  
15                   age greater adoption of those practices or en-  
16                   hancements by producers.”.

17           (f) PAYMENTS MADE TO ACEQUIAS.—Section 1244  
18           of the Food Security Act of 1985 (16 U.S.C. 3844) (as  
19           amended by subsection (e)) is amended by adding at the  
20           end the following:

21                   “(p) PAYMENTS MADE TO ACEQUIAS.—

22                   “(1) WAIVER AUTHORITY.—The Secretary may  
23                   waive the applicability of the limitations in section  
24                   1001D(b) or section 1240G for a payment made  
25                   under a contract under this title entered into with

1 an acequia if the Secretary determines that the  
2 waiver is necessary to fulfill the objectives of the  
3 project under the contract.

4 “(2) CONTRACT LIMITATIONS.—If the Secretary  
5 grants a waiver under paragraph (1), the Secretary  
6 shall impose a separate payment limitation, as deter-  
7 mined by the Secretary, for the contract to which  
8 the waiver applies.”.

9 **SEC. 2504. DEFINITION OF ACEQUIA.**

10 (a) IN GENERAL.—Section 1201(a) of the Food Se-  
11 curity Act of 1985 (16 U.S.C. 3801(a)) is amended—

12 (1) by redesignating paragraphs (1) through  
13 (27) as paragraphs (2) through (28), respectively;

14 (2) by inserting before paragraph (2) (as so re-  
15 designated) the following:

16 “(1) ACEQUIA.—The term ‘acequia’ means an  
17 entity that—

18 “(A) is a political subdivision of a State;

19 “(B) is organized for the purpose of man-  
20 aging the operation of an irrigation ditch; and

21 “(C) does not have the authority to impose  
22 taxes or levies.”; and

23 (3) in paragraph (19)(B) (as so redesignated),  
24 by inserting “acequia,” before “or other”.

1 (b) CONFORMING AMENDMENTS.—Section 363 of the  
2 Consolidated Farm and Rural Development Act (7 U.S.C.  
3 2006e) is amended—

4 (1) by striking “section 1201(a)(16)” and in-  
5 serting “section 1201(a)”; and

6 (2) by striking “(16 U.S.C. 3801(a)(16))” and  
7 inserting “(16 U.S.C. 3801(a))”.

8 **SEC. 2505. AUTHORIZATION OF APPROPRIATIONS FOR**  
9 **WATER BANK PROGRAM.**

10 Section 11 of the Water Bank Act (16 U.S.C. 1310)  
11 is amended—

12 (1) in the first sentence, by striking “without  
13 fiscal year” and all that follows through “necessary”  
14 and inserting “\$5,000,000 for each of fiscal years  
15 2019 through 2023, to remain available until ex-  
16 pended,”; and

17 (2) by striking the second sentence.

18 **SEC. 2506. REPORT ON LAND ACCESS, TENURE, AND TRAN-**  
19 **SITION.**

20 Not later than 1 year after the date of enactment  
21 of this Act, the Secretary of Agriculture, in consultation  
22 with the Chief Economist, shall submit to Congress and  
23 make publicly available a report identifying—

24 (1) the barriers that prevent or hinder the abil-  
25 ity of beginning farmers and ranchers and histori-

1 cally underserved producers to acquire or access  
2 farmland;

3 (2) the extent to which Federal programs, in-  
4 cluding agricultural conservation easement pro-  
5 grams, land transition programs, and financing pro-  
6 grams, are improving—

7 (A) farmland access and tenure for begin-  
8 ning farmers and ranchers and historically un-  
9 derserved producers; and

10 (B) farmland transition and succession;  
11 and

12 (3) the regulatory, operational, or statutory  
13 changes that are necessary to improve—

14 (A) the ability of beginning farmers and  
15 ranchers and historically underserved producers  
16 to acquire or access farmland;

17 (B) farmland tenure for beginning farmers  
18 and ranchers and historically underserved pro-  
19 ducers; and

20 (C) farmland transition and succession.

21 **SEC. 2507. REPORT ON SMALL WETLANDS.**

22 (a) IN GENERAL.—The Chief of the Natural Re-  
23 sources Conservation Service shall submit to Congress a  
24 report describing the number of wetlands with an area not  
25 more than 1 acre that have been delineated in each of the



1 States of North Dakota, South Dakota, Minnesota, and  
2 Iowa.

3 (b) REQUIREMENT.—In the report under subsection  
4 (a), the Chief of the Natural Resources Conservation Serv-  
5 ice shall list the number of wetlands acres in each State  
6 described in the report by tenths of an acre, and ensure  
7 the report is based on based available science.

8 **SEC. 2508. STATE TECHNICAL COMMITTEES.**

9 Section 1262(c) of the Food Security Act of 1985 (16  
10 U.S.C. 3862(c)) is amended by adding at the end the fol-  
11 lowing:

12 “(3) RECOMMENDATIONS TO SECRETARY.—  
13 Each State technical committee shall regularly re-  
14 view new and innovative technologies and practices,  
15 including processes to conserve water and improve  
16 water quality and quantity, and make recommenda-  
17 tions to the Secretary for further consideration of  
18 and possible development of conservation practice  
19 standards that incorporate those technologies and  
20 practices.”.

21 **Subtitle F—Technical Corrections**

22 **SEC. 2601. FARMABLE WETLAND PROGRAM.**

23 Section 1231B(b)(2)(A)(i) of the Food Security Act  
24 of 1985 (16 U.S.C. 3831b(b)(2)(A)(i)) is amended by add-  
25 ing a semicolon at the end.

1 **SEC. 2602. REPORT ON PROGRAM ENROLLMENTS AND AS-**  
2 **SISTANCE.**

3 Section 1241(i) of the Food Security Act of 1985 (16  
4 U.S.C. 3841(i)) is amended—

5 (1) by striking paragraphs (2) and (4); and

6 (2) by redesignating paragraphs (3), (5), and

7 (6) as paragraphs (2), (3), and (4), respectively.

8 **SEC. 2603. DELIVERY OF TECHNICAL ASSISTANCE.**

9 Section 1242 of the Food Security Act of 1985 (16  
10 U.S.C. 3842) is amended in subsections (e)(3)(B) and  
11 (f)(4) by striking “third party” each place it appears and  
12 inserting “third-party”.

13 **SEC. 2604. STATE TECHNICAL COMMITTEES.**

14 Section 1261(b)(2) of the Food Security Act of 1985  
15 (16 U.S.C. 3861(b)(2)) is amended by striking “under  
16 section 1262(b)”.

17 **TITLE III—TRADE**

18 **Subtitle A—Food for Peace Act**

19 **SEC. 3101. FOOD AID QUALITY.**

20 Section 202(h)(3) of the Food for Peace Act (7  
21 U.S.C. 1722(h)(3)) is amended by striking “2014 through  
22 2018” and inserting “2019 through 2023”.

1 **SEC. 3102. GENERATION AND USE OF CURRENCIES BY PRI-**  
2 **VATE VOLUNTARY ORGANIZATIONS AND CO-**  
3 **OPERATIVES.**

4 Section 203 of the Food for Peace Act (7 U.S.C.  
5 1723) is amended by striking subsection (b) and inserting  
6 the following:

7 “(b) LOCAL SALES.—In carrying out agreements of  
8 the type referred to in subsection (a), the Administrator  
9 may permit private voluntary organizations and coopera-  
10 tives to sell, in 1 or more recipient countries, or in 1 or  
11 more countries in the same region, commodities distrib-  
12 uted under nonemergency programs under this title for  
13 each fiscal year to generate proceeds to be used as pro-  
14 vided in this section.”.

15 **SEC. 3103. MINIMUM LEVELS OF ASSISTANCE.**

16 Section 204(a) of the Food for Peace Act (7 U.S.C.  
17 1724(a)) is amended in paragraphs (1) and (2) by striking  
18 “2018” each place it appears and inserting “2023”.

19 **SEC. 3104. FOOD AID CONSULTATIVE GROUP.**

20 Section 205 of the Food for Peace Act (7 U.S.C.  
21 1725) is amended—

22 (1) in subsection (d)(1), in the first sentence,  
23 by striking “45” and inserting “30”; and

24 (2) in subsection (f), by striking “2018” and  
25 inserting “2023”.

1 **SEC. 3105. OVERSIGHT, MONITORING, AND EVALUATION.**

2 Section 207(f)(4) of the Food for Peace Act (7  
3 U.S.C. 1726a(f)(4)) is amended—

4 (1) in subparagraph (A)—

5 (A) by striking “\$17,000,000” and insert-  
6 ing “1.5 percent, but not less than  
7 \$17,000,000,”; and

8 (B) by striking “2018” each place it ap-  
9 pears and inserting “2023”; and

10 (2) in subparagraph (B)(i), by striking “2018”  
11 and inserting “2023”.

12 **SEC. 3106. ASSISTANCE FOR STOCKPILING AND RAPID**  
13 **TRANSPORTATION, DELIVERY, AND DIS-**  
14 **TRIBUTION OF SHELF-STABLE PRE-**  
15 **PACKAGED FOODS.**

16 Section 208(f) of the Food for Peace Act (7 U.S.C.  
17 1726b(f)) is amended by striking “2018” and inserting  
18 “2023”.

19 **SEC. 3107. ALLOWANCE OF DISTRIBUTION COSTS.**

20 Section 406(b)(6) of the Food for Peace Act (7  
21 U.S.C. 1736(b)(6)) is amended by striking “distribution  
22 costs” and inserting “distribution costs, including the  
23 types of activities for which costs were paid under this  
24 subsection prior to fiscal year 2017”.

1 **SEC. 3108. PREPOSITIONING OF AGRICULTURAL COMMOD-**  
2 **ITIES.**

3 Section 407(c)(4)(A) of the Food for Peace Act (7  
4 U.S.C. 1736a(c)(4)(A)) is amended by striking “2018”  
5 each place it appears and inserting “2023”.

6 **SEC. 3109. ANNUAL REPORT REGARDING FOOD AID PRO-**  
7 **GRAMS AND ACTIVITIES.**

8 Section 407(f)(1)(A) of the Food for Peace Act (7  
9 U.S.C. 1736a(f)(1)(A)) is amended—

10 (1) by inserting “or each separately” after  
11 “jointly”; and

12 (2) by inserting “by the Administrator, the Sec-  
13 retary, or both, as applicable,” after “Act”.

14 **SEC. 3110. DEADLINE FOR AGREEMENTS TO FINANCE**  
15 **SALES OR TO PROVIDE OTHER ASSISTANCE.**

16 Section 408 of the Food for Peace Act (7 U.S.C.  
17 1736b) is amended by striking “2018” and inserting  
18 “2023”.

19 **SEC. 3111. NONEMERGENCY FOOD ASSISTANCE.**

20 Section 412(e) of the Food for Peace Act (7 U.S.C.  
21 1736f(e)) is amended—

22 (1) in the subsection heading, by striking “MIN-  
23 IMUM LEVEL OF”;

24 (2) in paragraph (1), by striking “2018” and  
25 inserting “2023”;

1           (3) in paragraph (2), by striking  
2           “\$350,000,000” and inserting “\$365,000,000”; and  
3           (4) by adding at the end the following:

4           “(3) FARMER-TO-FARMER PROGRAM.—In deter-  
5           mining the amount expended for a fiscal year for  
6           nonemergency food assistance programs under para-  
7           graphs (1) and (2), amounts expended for that year  
8           to carry out programs under section 501 may be  
9           considered amounts expended for those non-  
10          emergency food assistance programs.

11          “(4) COMMUNITY DEVELOPMENT FUNDS.—In  
12          determining the amount expended for a fiscal year  
13          for nonemergency food assistance programs under  
14          paragraphs (1) and (2), amounts expended for that  
15          year from funds appropriated to carry out part I of  
16          the Foreign Assistance Act of 1961 (22 U.S.C. 2151  
17          et seq.) may be considered amounts expended for  
18          those nonemergency food assistance programs if the  
19          funds are made available through grants or coopera-  
20          tive agreements that—

21                 “(A) strengthen food security in developing  
22                 countries; and

23                 “(B) are consistent with the goals of title  
24                 II.”.

1 **SEC. 3112. MICRONUTRIENT FORTIFICATION PROGRAMS.**

2 Section 415(c) of the Food for Peace Act (7 U.S.C.  
3 1736g–2(c)) is amended by striking “2018” and inserting  
4 “2023”.

5 **SEC. 3113. JOHN OGWONSKI AND DOUG BEREUTER FARM-**  
6 **ER-TO-FARMER PROGRAM.**

7 Section 501 of the Food for Peace Act (7 U.S.C.  
8 1737) is amended—

9 (1) in subsection (b)—

10 (A) in the matter preceding paragraph (1),  
11 by inserting “section 1342 of title 31, United  
12 States Code, or” after “Notwithstanding”; and

13 (B) in paragraph (2), in the matter pre-  
14 ceding subparagraph (A), by inserting “employ-  
15 ees or staff of a State cooperative institution  
16 (as defined in subparagraphs (A) through (D)  
17 of section 1404(18) of the National Agricultural  
18 Research, Extension, and Teaching Policy Act  
19 of 1977 (7 U.S.C. 3103(18)),” after “private  
20 corporations,”;

21 (2) in subsection (d), in the matter preceding  
22 paragraph (1), by striking “2018” and inserting  
23 “2023”; and

24 (3) in subsection (e)(1), in the matter preceding  
25 subparagraph (A), by striking “2018” and inserting  
26 “2023”.

1    **Subtitle B—Agricultural Trade Act**  
2                                   **of 1978**

3    **SEC. 3201. PRIORITY TRADE PROMOTION, DEVELOPMENT,**  
4                                   **AND ASSISTANCE.**

5           (a) IN GENERAL.—Title II of the Agricultural Trade  
6 Act of 1978 (7 U.S.C. 5621 et seq.) is amended by adding  
7 at the end the following:

8    **“Subtitle C—Priority Trade Pro-**  
9                                   **motion, Development, and As-**  
10                                   **sistance**

11   **“SEC. 221. ESTABLISHMENT.**

12           “The Secretary shall carry out activities under this  
13 subtitle—

14                   “(1) to access, develop, maintain, and expand  
15 markets for United States agricultural commodities;  
16 and

17                   “(2) to promote cooperation and the exchange  
18 of information.

19   **“SEC. 222. MARKET ACCESS PROGRAM.**

20           “(a) IN GENERAL.—The Commodity Credit Corpora-  
21 tion shall establish and carry out a program to encourage  
22 the development, maintenance, and expansion of commer-  
23 cial export markets for agricultural commodities (includ-  
24 ing commodities that are organically produced (as defined  
25 in section 2103 of the Organic Foods Production Act of



1 1990 (7 U.S.C. 6502))) through cost-share assistance to  
2 eligible trade organizations that implement a foreign mar-  
3 ket development program.

4 “(b) TYPE OF ASSISTANCE.—Assistance under this  
5 section may be provided in the form of funds of, or com-  
6 modities owned by, the Commodity Credit Corporation, as  
7 determined appropriate by the Secretary.

8 “(c) REQUIREMENTS FOR PARTICIPATION.—To be el-  
9 igible for cost-share assistance under this section, an orga-  
10 nization shall—

11 “(1) be an eligible trade organization;

12 “(2) prepare and submit a marketing plan to  
13 the Secretary that meets the guidelines governing  
14 such plans established by the Secretary; and

15 “(3) meet any other requirements established  
16 by the Secretary.

17 “(d) ELIGIBLE TRADE ORGANIZATIONS.—An eligible  
18 trade organization shall be—

19 “(1) a United States agricultural trade organi-  
20 zation or regional State-related organization that—

21 “(A) promotes the export and sale of agri-  
22 cultural commodities; and

23 “(B) does not stand to profit directly from  
24 specific sales of agricultural commodities;

1           “(2) a cooperative organization or State agency  
2           that promotes the sale of agricultural commodities;  
3           or

4           “(3) a private organization that promotes the  
5           export and sale of agricultural commodities if the  
6           Secretary determines that such organization would  
7           significantly contribute to United States export mar-  
8           ket development.

9           “(e) APPROVED MARKETING PLAN.—

10           “(1) IN GENERAL.—A marketing plan sub-  
11           mitted by an eligible trade organization under this  
12           section shall describe the advertising or other market  
13           oriented export promotion activities to be carried out  
14           by the eligible trade organization with respect to  
15           which assistance under this section is being re-  
16           quested.

17           “(2) REQUIREMENTS.—To be approved by the  
18           Secretary, a marketing plan submitted under this  
19           subsection shall—

20           “(A) specifically describe the manner in  
21           which assistance received by the eligible trade  
22           organization in conjunction with funds and  
23           services provided by the eligible trade organiza-  
24           tion will be expended in implementing the mar-  
25           keting plan;

1           “(B) establish specific market goals to be  
2           achieved as a result of the market access pro-  
3           gram; and

4           “(C) contain any additional requirements  
5           that the Secretary determines to be necessary.

6           “(3) AMENDMENTS.—A marketing plan may be  
7           amended by the eligible trade organization at any  
8           time, with the approval of the Secretary.

9           “(4) BRANDED PROMOTION.—An agreement en-  
10          tered into under this section may provide for the use  
11          of branded advertising to promote the sale of agri-  
12          cultural commodities in a foreign country under  
13          such terms and conditions as may be established by  
14          the Secretary.

15          “(f) OTHER TERMS AND CONDITIONS.—

16                 “(1) MULTIYEAR BASIS.—The Secretary may  
17                 provide assistance under this section on a multiyear  
18                 basis, subject to annual review by the Secretary for  
19                 compliance with the approved marketing plan.

20                 “(2) TERMINATION OF ASSISTANCE.—The Sec-  
21                 retary may terminate any assistance made, or to be  
22                 made, available under this section if the Secretary  
23                 determines that—

1           “(A) the eligible trade organization is not  
2           adhering to the terms and conditions of the  
3           program established under this section;

4           “(B) the eligible trade organization is not  
5           implementing the approved marketing plan or is  
6           not adequately meeting the established goals of  
7           the market access program;

8           “(C) the eligible trade organization is not  
9           adequately contributing its own resources to the  
10          market access program; or

11          “(D) the Secretary determines that termi-  
12          nation of assistance in a particular instance is  
13          in the best interests of the program.

14          “(3) MONITORING AND EVALUATIONS.—

15                 “(A) MONITORING.—The Secretary shall  
16                 monitor the expenditure of funds received under  
17                 this section by recipients of those funds.

18                 “(B) EVALUATIONS.—The Secretary shall  
19                 make evaluations of the expenditure of funds  
20                 received under this section, including—

21                         “(i) an evaluation of the effectiveness  
22                         of the program in developing or maintain-  
23                         ing markets for United States agricultural  
24                         commodities;

1                   “(ii) an evaluation of whether assist-  
2                   ance provided under this section is nec-  
3                   essary to maintain markets for United  
4                   States agricultural commodities; and

5                   “(iii) a thorough accounting of the ex-  
6                   penditure of those funds by the recipient.

7                   “(C) INITIAL EVALUATION.—The Sec-  
8                   retary shall make an initial evaluation of ex-  
9                   penditures of a recipient under this paragraph  
10                  not later than 15 months after the initial provi-  
11                  sion of funds to the recipient.

12                  “(4) USE OF FUNDS.—Funds made available to  
13                  carry out this section—

14                         “(A) shall not be used to provide direct as-  
15                         sistance to any foreign for-profit corporation for  
16                         the use of the corporation in promoting foreign-  
17                         produced products;

18                         “(B) shall not be used to provide direct as-  
19                         sistance to any for-profit corporation that is not  
20                         recognized as a small-business concern de-  
21                         scribed in section 3(a) of the Small Business  
22                         Act (15 U.S.C. 632(a)), excluding—

23                                 “(i) a cooperative;

24                                 “(ii) an association described in the  
25                                 first section of the Act entitled ‘An Act to

1 authorize association of producers of agri-  
2 cultural products’, approved February 18,  
3 1922 (7 U.S.C. 291); and

4 “(iii) a nonprofit trade association;  
5 and

6 “(C) may be used by a United States trade  
7 association, cooperative, or small business for  
8 individual branded promotional activity related  
9 to a United States branded product, if the  
10 beneficiaries of the activity have provided funds  
11 for the activity in an amount that is at least  
12 equivalent to the amount of assistance provided  
13 under this section.

14 “(g) LEVEL OF MARKETING ASSISTANCE.—

15 “(1) IN GENERAL.—The Secretary shall justify  
16 in writing the level of assistance provided to an eligi-  
17 ble trade organization under the program under this  
18 section and the level of cost-sharing required of the  
19 organization.

20 “(2) LIMITATION.—

21 “(A) IN GENERAL.—Except as provided in  
22 subparagraph (B), assistance provided under  
23 this section for activities described in subsection  
24 (e)(4) shall not exceed 50 percent of the cost of  
25 implementing the marketing plan.

1                   “(B) ACTION BY UNITED STATES TRADE  
2 REPRESENTATIVE.—

3                   “(i) IN GENERAL.—The Secretary  
4 may determine not to apply the limitation  
5 described in subparagraph (A) in the case  
6 of agricultural commodities with respect to  
7 which there has been a favorable decision  
8 by the United States Trade Representative  
9 under section 301 of the Trade Act of  
10 1974 (19 U.S.C. 2411).

11                   “(ii) REQUIREMENT.—Criteria for de-  
12 termining that the limitation shall not  
13 apply under clause (i) shall be consistent  
14 and documented.

15 **“SEC. 223. FOREIGN MARKET DEVELOPMENT COOPERATOR**  
16 **PROGRAM.**

17                   “(a) DEFINITION OF ELIGIBLE TRADE ORGANIZA-  
18 TION.—In this section, the term ‘eligible trade organiza-  
19 tion’ means a United States trade organization that—

20                   “(1) promotes the export of 1 or more United  
21 States agricultural commodities; and

22                   “(2) does not have a business interest in or re-  
23 ceive remuneration from specific sales of agricultural  
24 commodities.

1           “(b) ESTABLISHMENT.—The Secretary shall estab-  
2 lish and, in cooperation with eligible trade organizations,  
3 carry out a foreign market development cooperator pro-  
4 gram to maintain and develop foreign markets for United  
5 States agricultural commodities, with a continued signifi-  
6 cant emphasis on the importance of the export of value-  
7 added United States agricultural commodities into emerg-  
8 ing markets.

9           “(c) USE OF FUNDS.—Funds made available to carry  
10 out this section shall be used only to provide—

11                   “(1) cost-share assistance to an eligible trade  
12 organization under a contract or agreement with the  
13 eligible trade organization; and

14                   “(2) assistance for other costs that are appro-  
15 priate to carry out the foreign market development  
16 cooperator program, including contingent liabilities  
17 that are not otherwise funded.

18 **“SEC. 224. E (KIKA) DE LA GARZA AGRICULTURAL FELLOW-**  
19 **SHIP PROGRAM.**

20           “(a) DEFINITION OF EMERGING MARKET.—In this  
21 section, the term ‘emerging market’ means any country,  
22 foreign territory, customs union, or other economic market  
23 that the Secretary determines—

24                   “(1) is taking steps toward a market-oriented  
25 economy through the food, agriculture, or rural busi-



1       ness sectors of the economy of that country, terri-  
2       tory, customs union, or other economic market, as  
3       applicable; and

4               “(2) has the potential to provide a viable and  
5       significant market for United States agricultural  
6       commodities.

7       “(b) ESTABLISHMENT.—The Secretary shall estab-  
8       lish a program, to be known as the ‘E (Kika) de la Garza  
9       Agricultural Fellowship Program’—

10              “(1) to develop agricultural markets in emerg-  
11       ing markets; and

12              “(2) to promote cooperation and exchange of  
13       information between agricultural institutions and ag-  
14       ribusinesses in the United States and emerging mar-  
15       kets.

16       “(c) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—

17              “(1) IN GENERAL.—

18                      “(A) ESTABLISHMENT OF PROGRAM.—To  
19       develop, maintain, or expand markets for ex-  
20       ports of United States agricultural commod-  
21       ities, the Secretary shall make available to  
22       emerging markets the expertise of the United  
23       States—

24                              “(i) to make assessments of food and  
25       rural business systems needs;



1           “(B) necessary subsistence expenses in the  
2           United States and necessary transportation ex-  
3           penses by individuals designated by emerging  
4           markets to enable those individuals to consult  
5           with food and rural business system experts in  
6           the United States to enhance those systems of  
7           those emerging markets;

8           “(C) necessary subsistence expenses in  
9           emerging markets and necessary transportation  
10          expenses of United States food and rural busi-  
11          ness system experts, agricultural producers, and  
12          other individuals knowledgeable in agricultural  
13          and agribusiness matters to assist in transfer-  
14          ring knowledge and expertise to entities in  
15          emerging markets; and

16          “(D) necessary subsistence expenses and  
17          necessary transportation expenses of United  
18          States food and rural business system experts,  
19          including United States agricultural producers  
20          and other United States individuals knowledge-  
21          able in agriculture and agribusiness matters,  
22          and of individuals designated by emerging mar-  
23          kets, to enable those designated individuals to  
24          consult with those United States experts—

1                   “(i) to enhance food and rural busi-  
2                   ness systems of emerging markets; and

3                   “(ii) to transfer knowledge and exper-  
4                   tise to emerging markets.

5                   “(3) COST-SHARING.—The Secretary shall en-  
6                   courage the nongovernmental experts described in  
7                   paragraph (2) to share the costs of, and otherwise  
8                   assist in, the participation of those experts in the  
9                   program under this subsection.

10                  “(4) TECHNICAL ASSISTANCE.—The Secretary  
11                  is authorized to provide, or pay the necessary costs  
12                  for, technical assistance (including the establishment  
13                  of extension services) to enable individuals or other  
14                  entities to carry out recommendations, projects, and  
15                  opportunities in emerging markets, including rec-  
16                  ommendations, projects, and opportunities described  
17                  in clauses (ii) and (iii) of paragraph (1)(A).

18                  “(5) REPORTS TO SECRETARY.—A team that  
19                  receives assistance under paragraph (2)(A) shall pre-  
20                  pare and submit to the Secretary such reports as the  
21                  Secretary may require.

22                  “(6) ADVISORY COMMITTEE.—To provide the  
23                  Secretary with information that may be useful to the  
24                  Secretary in carrying out this subsection, the Sec-  
25                  retary may establish an advisory committee com-

1 posed of representatives of the various sectors of the  
2 food and rural business systems of the United  
3 States.

4 “(7) EFFECT.—The authority provided under  
5 this subsection shall be in addition to and not in  
6 place of any other authority of the Secretary or the  
7 Commodity Credit Corporation.

8 **“SEC. 225. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

9 “(a) ESTABLISHMENT.—The Secretary of Agri-  
10 culture shall establish an export assistance program (re-  
11 ferred to in this section as the ‘program’) to address exist-  
12 ing or potential unique barriers that prohibit or threaten  
13 the export of United States specialty crops.

14 “(b) PURPOSE.—The program shall provide direct as-  
15 sistance through public and private sector projects and  
16 technical assistance, including through the program under  
17 section 2(e) of the Competitive, Special, and Facilities Re-  
18 search Grant Act (7 U.S.C. 3157(e)), to remove, resolve,  
19 or mitigate existing or potential sanitary and  
20 phytosanitary and technical barriers to trade.

21 “(c) PRIORITY.—The program shall address time  
22 sensitive and strategic market access projects based on—

23 “(1) trade effect on market retention, market  
24 access, and market expansion; and

25 “(2) trade impact.

1       “(d) MULTIYEAR PROJECTS.—The Secretary may  
2 provide assistance under the program to a project for  
3 longer than a 5-year period if the Secretary determines  
4 that further assistance would effectively support the pur-  
5 pose of the program described in subsection (b).

6       “(e) ANNUAL REPORT.—Each year, the Secretary  
7 shall submit to the appropriate committees of Congress  
8 a report that contains, for the period covered by the re-  
9 port, a description of—

10           “(1) each factor that affects the export of spe-  
11 cialty crops, including each factor relating to any—

12                   “(A) significant sanitary or phytosanitary  
13 issue;

14                   “(B) trade barrier; or

15                   “(C) emerging sanitary or phytosanitary  
16 issue or trade barrier; and

17           “(2)(A) any funds provided under section  
18 226(c)(4) that were not obligated in a fiscal year;

19 and

20           “(B) a description of why the funds described  
21 in subparagraph (A) were not obligated.

22 **“SEC. 226. FUNDING AND ADMINISTRATION.**

23       “(a) COMMODITY CREDIT CORPORATION.—The Sec-  
24 retary shall use the funds, facilities, and authorities of the  
25 Commodity Credit Corporation to carry out this subtitle.

1       “(b) FUNDING AMOUNT.—For each of fiscal years  
2 2019 through 2023, of the funds of, or an equal value  
3 of commodities owned by, the Commodity Credit Corpora-  
4 tion, the Secretary shall use to carry out this subtitle  
5 \$259,500,000, to remain available until expended.

6       “(c) ALLOCATION.—For each of fiscal years 2019  
7 through 2023, the Secretary shall allocate funds to carry  
8 out this subtitle in accordance with the following:

9           “(1) MARKET ACCESS PROGRAM.—For market  
10 access activities authorized under section 222, of the  
11 funds of, or an equal value of commodities owned  
12 by, the Commodity Credit Corporation, not less than  
13 \$200,000,000 for each fiscal year.

14           “(2) FOREIGN MARKET DEVELOPMENT COOP-  
15 ERATOR PROGRAM.—To carry out section 223, of  
16 the funds of, or an equal value of commodities  
17 owned by, the Commodity Credit Corporation, not  
18 less than \$34,500,000 for each fiscal year.

19           “(3) E (KIKI) DE LA GARZA AGRICULTURAL  
20 FELLOWSHIP PROGRAM.—To provide assistance  
21 under section 224, of the funds of the Commodity  
22 Credit Corporation, not more than \$10,000,000 for  
23 each fiscal year.

24           “(4) TECHNICAL ASSISTANCE FOR SPECIALTY  
25 CROPS.—To carry out section 225, of the funds of

1 the Commodity Credit Corporation, not less than  
2 \$9,000,000 for each fiscal year, to remain available  
3 until expended.

4 “(5) PRIORITY TRADE FUND.—

5 “(A) IN GENERAL.—In addition to the  
6 amounts allocated under paragraphs (1)  
7 through (4), and notwithstanding any limita-  
8 tions in those paragraphs, as determined by the  
9 Secretary, for 1 or more programs under this  
10 subtitle for authorized activities to access, de-  
11 velop, maintain, and expand markets for United  
12 States agricultural commodities, \$6,000,000 for  
13 each fiscal year.

14 “(B) CONSIDERATIONS.—In allocating  
15 funds made available under subparagraph (A),  
16 the Secretary may consider providing a greater  
17 allocation to 1 or more programs under this  
18 subtitle for which the amounts requested under  
19 applications exceed available funding for the 1  
20 or more programs.

21 “(d) CUBA.—Notwithstanding section 908 of the  
22 Trade Sanctions Reform and Export Enhancement Act of  
23 2000 (22 U.S.C. 7207) or any other provision of law,  
24 funds made available under this section may be used to



1 carry out the programs authorized under sections 222 and  
2 223 in Cuba.

3 “(e) AUTHORIZATION FOR APPROPRIATIONS.—In ad-  
4 dition to any other amounts provided under this section,  
5 there are authorized to be appropriated such sums as are  
6 necessary to carry out the programs and authorities under  
7 subsection (e)(5) and sections 222 through 225.”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) MARKET ACCESS PROGRAM.—

10 (A) Section 203 of the Agricultural Trade  
11 Act of 1978 (7 U.S.C. 5623) is repealed.

12 (B) Section 211 of the Agricultural Trade  
13 Act of 1978 (7 U.S.C. 5641) is amended by  
14 striking subsection (c).

15 (C) Section 402(a)(1) of the Agricultural  
16 Trade Act of 1978 (7 U.S.C. 5662(a)(1)) is  
17 amended by striking “203” and inserting  
18 “222”.

19 (D) Section 282(f)(2)(C) of the Agricul-  
20 tural Marketing Act of 1946 (7 U.S.C.  
21 1638a(f)(2)(C)) is amended by striking “section  
22 203 of the Agricultural Trade Act of 1978 (7  
23 U.S.C. 5623)” and inserting “section 222 of  
24 the Agricultural Trade Act of 1978”.

1           (E) Section 718 of the Agriculture, Rural  
2           Development, Food and Drug Administration,  
3           and Related Agencies Appropriations Act, 1999  
4           (7 U.S.C. 5623 note; Public Law 105-277) is  
5           amended by striking “section 203 of the Agri-  
6           cultural Trade Act of 1978 (7 U.S.C. 5623)”  
7           and inserting “section 222 of the Agricultural  
8           Trade Act of 1978”.

9           (F) Section 1302(b) of the Agricultural  
10          Reconciliation Act of 1993 (7 U.S.C. 5623  
11          note; Public Law 103-66) is amended—

12                 (i) in the matter preceding paragraph  
13                 (1), by striking “section 203 of the Agri-  
14                 cultural Trade Act of 1978 (7 U.S.C.  
15                 5623)” and inserting “section 222 of the  
16                 Agricultural Trade Act of 1978”; and

17                 (ii) in paragraph (2), in the matter  
18                 preceding subparagraph (A), by striking  
19                 “section 203 of such Act” and inserting  
20                 “section 222 of that Act”.

21           (2) FOREIGN MARKET DEVELOPMENT COOP-  
22          ERATOR PROGRAM.—Title VII of the Agricultural  
23          Trade Act of 1978 (7 U.S.C. 5721 et seq.) is re-  
24          pealed.

1           (3) E (KIKA) DE LA GARZA AGRICULTURAL FEL-  
2           LOWSHIP PROGRAM.—

3           (A) Section 1542 of the Food, Agriculture,  
4           Conservation, and Trade Act of 1990 (7 U.S.C  
5           5622 note; Public Law 101–624) is amended—

6                   (i) by striking subsection (d);

7                   (ii) by redesignating subsections (e)  
8                   and (f) as subsections (d) and (e), respec-  
9                   tively; and

10                   (iii) in subsection (e) (as so redesign-  
11                   nated)—

12                           (I) in the matter preceding para-  
13                           graph (1), by striking “country” and  
14                           inserting “country, foreign territory,  
15                           customs union, or economic market”;  
16                           and

17                           (II) in paragraph (1), by striking  
18                           “the country” and inserting “that  
19                           country, foreign territory, customs  
20                           union, or economic market, as appli-  
21                           cable”.

22           (B) Section 1543(b)(5) of the Food, Agri-  
23           culture, Conservation, and Trade Act of 1990  
24           (7 U.S.C. 3293(b)(5)) is amended by striking

1 “section 1542(f)” and inserting “section  
2 1542(e)”.

3 (C) Section 1543A(c)(2) of the Food, Agri-  
4 culture, Conservation, and Trade Act of 1990  
5 (7 U.S.C. 5679(c)(2)) is amended by inserting  
6 “and section 224 of the Agricultural Trade Act  
7 of 1978” after “section 1542”.

8 (4) TECHNICAL ASSISTANCE FOR SPECIALTY  
9 CROPS.—Section 3205 of the Farm Security and  
10 Rural Investment Act of 2002 (7 U.S.C. 5680) is re-  
11 pealed.

## 12 **Subtitle C—Other Agricultural** 13 **Trade Laws**

### 14 **SEC. 3301. FOOD FOR PROGRESS ACT OF 1985.**

15 The Food for Progress Act of 1985 (7 U.S.C. 1736o)  
16 is amended—

17 (1) by striking “President” each place it ap-  
18 pears and inserting “Secretary”;

19 (2) in subsection (b)—

20 (A) in paragraph (5)—

21 (i) in subparagraph (E), by striking  
22 “and”;

23 (ii) in subparagraph (F), by striking  
24 the period at the end and inserting “;  
25 and”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(G) a land-grant college or university (as  
4 defined in section 1404 of the National Agricul-  
5 tural Research, Extension, and Teaching Policy  
6 Act of 1977 (7 U.S.C. 3103)).”; and

7 (B) by adding at the end the following:

8 “(10) SECRETARY.—The term ‘Secretary’  
9 means the Secretary of Agriculture.”;

10 (3) in subsection (c)—

11 (A) by striking “food”;

12 (B) by striking “entities to furnish” and  
13 inserting the following: “entities—

14 “(1) to furnish”;

15 (C) in paragraph (1) (as so designated), by  
16 striking the period at the end and inserting “;  
17 or”;

18 (D) by adding at the end the following:

19 “(2) to provide financial assistance under sub-  
20 section (1)(5) to eligible entities.”;

21 (4) in subsection (f)(3), by striking “2018” and  
22 inserting “2023”;

23 (5) in subsection (g), by striking “2018” and  
24 inserting “2023”;

1           (6) in subsection (k), by striking “2018” and  
2           inserting “2023”;

3           (7) in subsection (l)—

4           (A) by striking the subsection designation  
5           and heading and all that follows through “(1)  
6           To enhance” and inserting the following:

7           “(1) SUPPORT FOR AGRICULTURAL DEVELOP-  
8           MENT.—

9           “(1) IN GENERAL.—To enhance”;

10           (B) in paragraph (1), by striking “2018”  
11           and inserting “2023”;

12           (C) in paragraph (4)(B), by inserting “in-  
13           ternal” before “transportation”; and

14           (D) by adding at the end the following:

15           “(5) FLEXIBILITY.—Notwithstanding any other  
16           provision of law, as necessary to carry out this sec-  
17           tion, the following funds shall be used to pay for the  
18           costs described in paragraph (4):

19           “(A) Of the funds of the Corporation de-  
20           scribed in subsection (f)(3), 30 percent.

21           “(B) Of the funds for administrative ex-  
22           penses under paragraph (1), 30 percent.

23           “(C) Of the funds of the Corporation,  
24           \$26,000,000 for each of fiscal years 2019  
25           through 2023.”;

1           (8) in subsection (m), in the subsection head-  
2           ing, by striking “PRESIDENTIAL” and inserting  
3           “SECRETARIAL”;

4           (9) in subsection (n)—

5                 (A) in paragraph (1)—

6                     (i) in subparagraph (A), in the matter  
7                     preceding clause (i), by inserting “and as-  
8                     sistance” after “commodities”; and

9                     (ii) in subparagraph (B), by inserting  
10                    “and assistance made available under this  
11                    section” after “commodities”; and

12                 (B) by striking paragraph (2) and insert-  
13                 ing the following:

14                 “(2) REQUIREMENTS.—

15                     “(A) IN GENERAL.—Not later than 270  
16                     days after the date of enactment of the Agri-  
17                     culture Improvement Act of 2018, the Secretary  
18                     shall issue regulations and revisions to agency  
19                     guidance and procedures necessary to imple-  
20                     ment the amendments made to this section by  
21                     that Act.

22                     “(B) CONSULTATIONS.—Not later than  
23                     270 days after the date of enactment of the Ag-  
24                     riculture Improvement Act of 2018, the Sec-  
25                     retary shall consult with the Committee on Ag-

1           riculture and the Committee on Foreign Affairs  
2           of the House of Representatives and the Com-  
3           mittee on Agriculture, Nutrition, and Forestry  
4           of the Senate relating to regulations issued and  
5           agency guidance and procedures revised under  
6           subparagraph (A).”; and

7           (10) in subsection (o), in the matter preceding  
8           paragraph (1), by striking “(acting through the Sec-  
9           retary)”.

10 **SEC. 3302. BILL EMERSON HUMANITARIAN TRUST ACT.**

11           Section 302 of the Bill Emerson Humanitarian Trust  
12 Act (7 U.S.C. 1736f–1) is amended—

13           (1) in subsection (b)(2)(B)(i), by striking  
14           “2018” each place it appears and inserting “2023”;  
15           and

16           (2) in subsection (h), by striking “2018” each  
17           place it appears and inserting “2023”.

18 **SEC. 3303. PROMOTION OF AGRICULTURAL EXPORTS TO**  
19 **EMERGING MARKETS.**

20           Section 1542(a) of the Food, Agriculture, Conserva-  
21 tion, and Trade Act of 1990 (7 U.S.C. 5622 note; Public  
22 Law 101–624) is amended by striking “2018” and insert-  
23 ing “2023”.



1 **SEC. 3304. COCHRAN EMERGING MARKET FELLOWSHIP**  
2 **PROGRAM.**

3 Section 1543 of the Food, Agriculture, Conservation,  
4 and Trade Act of 1990 (7 U.S.C. 3293) is amended—

5 (1) in subsection (c)—

6 (A) in paragraph (1), by inserting “(which  
7 may include agricultural extension services)”  
8 after “systems”; and

9 (B) in paragraph (2)—

10 (i) by striking “enhance trade” and  
11 inserting the following: “enhance—  
12 “(A) trade”;

13 (ii) in subparagraph (A) (as so des-  
14 ignated) by striking the period at the end  
15 and inserting “; or”; and

16 (iii) by adding at the end the fol-  
17 lowing:

18 “(B) linkages between agricultural inter-  
19 ests in the United States and regulatory sys-  
20 tems governing sanitary and phytosanitary  
21 standards for agricultural products that—

22 “(i) may enter the United States; and

23 “(ii) may pose risks to human, ani-  
24 mal, or plant life or health.”; and

25 (2) in subsection (f)—

1 (A) in paragraph (1), by striking  
2 “\$3,000,000” and inserting “\$4,000,000”;

3 (B) in paragraph (2), by striking  
4 “\$2,000,000” and inserting “\$3,000,000”; and

5 (C) in paragraph (3), by striking  
6 “\$5,000,000” and inserting “\$6,000,000”.

7 **SEC. 3305. BORLAUG INTERNATIONAL AGRICULTURAL**  
8 **SCIENCE AND TECHNOLOGY FELLOWSHIP**  
9 **PROGRAM.**

10 Section 1473G of the National Agricultural Research,  
11 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
12 3319j) is amended—

13 (1) in subsection (c)(2)—

14 (A) in the matter preceding subparagraph  
15 (A), by striking “shall support” and inserting  
16 “support”;

17 (B) in subparagraph (C), by striking  
18 “and” at the end;

19 (C) in subparagraph (D), by striking the  
20 period at the end and inserting “; and”; and

21 (D) by adding at the end the following:

22 “(E) the development of agricultural exten-  
23 sion services in eligible countries.”; and

24 (2) in subsection (f)—

1 (A) by striking “The Secretary” and in-  
2 serting the following:

3 “(1) IN GENERAL.—The Secretary”; and

4 (B) by adding at the end the following:

5 “(2) LEVERAGING ALUMNI ENGAGEMENT.—In  
6 carrying out the purposes and programs under this  
7 section, the Secretary shall encourage ongoing en-  
8 gagement with fellowship recipients who have com-  
9 pleted training under the program to provide advice  
10 regarding, and participate in, new or ongoing agri-  
11 cultural development projects, with a priority for ca-  
12 pacity-building projects, that are sponsored by—

13 “(A) Federal agencies; and

14 “(B) institutions of higher education in the  
15 eligible country of the fellowship recipient.”.

16 **SEC. 3306. INTERNATIONAL FOOD SECURITY TECHNICAL**  
17 **ASSISTANCE.**

18 The Food, Agriculture, Conservation, and Trade Act  
19 of 1990 is amended by inserting after section 1543A (7  
20 U.S.C. 5679) the following:

21 **“SEC. 1543B. INTERNATIONAL FOOD SECURITY TECHNICAL**  
22 **ASSISTANCE.**

23 “(a) DEFINITION OF INTERNATIONAL FOOD SECUR-  
24 ITY.—In this section, the term ‘international food secu-  
25 rity’ means access by any person at any time to food and

1 nutrition that is sufficient for a healthy and productive  
2 life.

3 “(b) COLLECTION OF INFORMATION.—The Secretary  
4 of Agriculture (referred to in this section as the ‘Sec-  
5 retary’) shall compile information from appropriate mis-  
6 sion areas of the Department of Agriculture (including the  
7 Food, Nutrition, and Consumer Services mission area) re-  
8 lating to the improvement of international food security.

9 “(c) PUBLIC AVAILABILITY.—To benefit programs  
10 for the improvement of international food security, the  
11 Secretary shall organize the information described in sub-  
12 section (b) and make the information available in a format  
13 suitable for—

14 “(1) public education; and

15 “(2) use by—

16 “(A) a Federal, State, or local agency;

17 “(B) an agency or instrumentality of the  
18 government of a foreign country;

19 “(C) a domestic or international organiza-  
20 tion, including a domestic or international non-  
21 governmental organization; and

22 “(D) an intergovernmental organization.

23 “(d) TECHNICAL ASSISTANCE.—On request by an en-  
24 tity described in subsection (c)(2), the Secretary may pro-

1 vide technical assistance to the entity to implement a pro-  
2 gram for the improvement of international food security.

3 “(e) PROGRAM PRIORITY.—In carrying out this sec-  
4 tion, the Secretary shall give priority to programs relating  
5 to the development of food and nutrition safety net sys-  
6 tems with a focus on food insecure countries.

7 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
8 is authorized to be appropriated to carry out this section  
9 \$1,000,000 for each of fiscal years 2019 through 2023.”.

10 **SEC. 3307. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**  
11 **EDUCATION AND CHILD NUTRITION PRO-**  
12 **GRAM.**

13 Section 3107 of the Farm Security and Rural Invest-  
14 ment Act of 2002 (7 U.S.C. 1736o–1) is amended—

15 (1) in subsection (a)—

16 (A) by striking “that is” and inserting the  
17 following: “that—

18 “(1) is”;

19 (B) in paragraph (1) (as so designated), by  
20 striking the period at the end and inserting “;  
21 or”;

22 (C) by adding at the end the following:

23 “(2)(A) is produced in and procured from—

24 “(i) a developing country that is a recipi-  
25 ent country; or

1                   “(ii) a developing country in the same re-  
2                   gion as a recipient country; and

3                   “(B) at a minimum, meets each nutritional,  
4                   quality, and labeling standard of the recipient coun-  
5                   try, as determined by the Secretary.”;

6                   (2) in subsection (c)(2)(A)—

7                   (A) in clause (v)(IV), by striking “and” at  
8                   the end;

9                   (B) by redesignating clause (vi) as clause  
10                  (vii); and

11                  (C) by inserting after clause (v) the fol-  
12                  lowing:

13                         “(vi) the costs associated with trans-  
14                         porting the commodities described in sub-  
15                         section (a)(2) from a developing country  
16                         described in subparagraph (A)(ii) of that  
17                         subsection to any designated point of entry  
18                         within the recipient country; and”;

19                  (3) in subsection (f)(1)—

20                  (A) by redesignating subparagraphs (E)  
21                  and (F) as subparagraphs (F) and (G), respec-  
22                  tively; and

23                  (B) by inserting after subparagraph (D)  
24                  the following:

1           “(E) ensure to the maximum extent prac-  
2           ticable that assistance—

3                   “(i) is provided under this section in  
4                   a timely manner; and

5                   “(ii) is available when needed  
6                   throughout the applicable school year;”;  
7                   and

8           (4) in subsection (l)—

9                   (A) in paragraph (2), by striking “2018”  
10                  and inserting “2023”; and

11                  (B) by adding at the end the following:

12                  “(4) PURCHASE OF COMMODITIES.—Of the  
13                  funds made available to carry out this section, not  
14                  more than 10 percent shall be used to purchase agri-  
15                  cultural commodities described in subsection  
16                  (a)(2).”.

17 **SEC. 3308. GLOBAL CROP DIVERSITY TRUST.**

18           Section 3202(c) of the Food, Conservation, and En-  
19           ergy Act of 2008 (22 U.S.C. 2220a note; Public Law 110-  
20           246) is amended by striking “2014 through 2018” and  
21           inserting “2019 through 2023”.

22 **SEC. 3309. LOCAL AND REGIONAL FOOD AID PROCURE-**  
23 **MENT PROJECTS.**

24           Section 3206(e)(1) of the Food, Conservation, and  
25           Energy Act of 2008 (7 U.S.C. 1726c(e)(1)) is amended—

1           (1) by inserting “to the Secretary” after “ap-  
2           propriated”; and

3           (2) by striking “2014 through 2018” and in-  
4           serting “2019 through 2023”.

5 **SEC. 3310. FOREIGN TRADE MISSIONS.**

6           (a) TRIBAL REPRESENTATION ON TRADE MIS-  
7           SIONS.—

8           (1) IN GENERAL.—The Secretary, in consulta-  
9           tion with the Tribal Advisory Committee established  
10          under subsection (b)(2) of section 309 of the De-  
11          partment of Agriculture Reorganization Act of 1994  
12          (7 U.S.C. 6921) (as added by section 12304(2)) (re-  
13          ferred to in this section as the “Advisory Com-  
14          mittee”), shall seek—

15                (A) to support the greater inclusion of  
16                Tribal agricultural and food products in Fed-  
17                eral trade-related activities; and

18                (B) to increase the collaboration between  
19                Federal trade promotion efforts and other Fed-  
20                eral trade-related activities in support of the  
21                greater inclusion sought under subparagraph  
22                (A).

23           (2) INTERDEPARTMENTAL COORDINATION.—In  
24           carrying out activities to increase the collaboration



1 described in paragraph (1)(B), the Secretary shall  
2 coordinate with—

3 (A) the Secretary of Commerce;

4 (B) the Secretary of State;

5 (C) the Secretary of the Interior; and

6 (D) the heads of any other relevant Fed-  
7 eral agencies.

8 (b) REPORT; GOALS.—

9 (1) REPORT.—Not later than 2 years after the  
10 date of enactment of this Act, the Secretary shall  
11 submit a report describing the efforts of the Depart-  
12 ment of Agriculture and other Federal agencies  
13 under this section to—

14 (A) the Advisory Committee;

15 (B) the Committee on Agriculture of the  
16 House of Representatives;

17 (C) the Committee on Energy and Com-  
18 merce of the House of Representatives;

19 (D) the Committee on Agriculture, Nutri-  
20 tion, and Forestry of the Senate;

21 (E) the Committee on Commerce, Science,  
22 and Transportation of the Senate; and

23 (F) the Committee on Indian Affairs of the  
24 Senate.

1           (2) GOALS.—Not later than 90 days after the  
2           date of enactment of this Act, the Secretary shall es-  
3           tablish goals for measuring, in an objective and  
4           quantifiable format, the extent to which Indian  
5           Tribes and Tribal agricultural and food products are  
6           included in the trade-related activities of the Depart-  
7           ment of Agriculture.

8                           **TITLE IV—NUTRITION**  
9                           **Subtitle A—Supplemental**  
10                          **Nutrition Assistance Program**

11   **SEC. 4101. DEFINITION OF CERTIFICATION PERIOD.**

12           Section 3 of the Food and Nutrition Act of 2008 (7  
13   U.S.C. 2012) is amended by striking subsection (f) and  
14   inserting the following:

15           “(f) CERTIFICATION PERIOD.—

16                   “(1) IN GENERAL.—The term ‘certification pe-  
17                   riod’ means the period for which a household shall  
18                   be eligible to receive benefits.

19                   “(2) TIME LIMITS.—

20                           “(A) IN GENERAL.—Except as provided in  
21                           subparagraph (C), the certification period shall  
22                           not exceed 12 months.

23                           “(B) CONTACT.—A State agency shall  
24                           have at least 1 contact with each certified  
25                           household every 12 months.

1                   “(C) ELDERLY OR DISABLED HOUSEHOLD  
2 MEMBERS.—The certification period may be for  
3 a duration of—

4                   “(i) not more than 24 months if each  
5 adult household member is elderly or dis-  
6 abled; or

7                   “(ii) not more than 36 months if—

8                   “(I) each adult household mem-  
9 ber is elderly or disabled; and

10                   “(II) the household of the adult  
11 household member has no earned in-  
12 come at the time of certification.

13                   “(D) EXTENSION OF LIMIT.—The limits  
14 under this paragraph may be extended until the  
15 end of any transitional benefit period estab-  
16 lished under section 11(s).”.

17 **SEC. 4102. FOOD DISTRIBUTION PROGRAM ON INDIAN RES-**  
18 **ERVATIONS.**

19           (a) IN GENERAL.—Section 4(b) of the Food and Nu-  
20 trition Act of 2008 (7 U.S.C. 2013(b)) is amended—

21                   (1) by striking paragraph (4) and inserting the  
22 following:

23                   “(4) ADMINISTRATIVE COSTS.—

24                   “(A) IN GENERAL.—The Secretary shall  
25 pay not less than 80 percent of administrative

1 costs and distribution costs on Indian reserva-  
2 tions as the Secretary determines necessary for  
3 effective administration of such distribution by  
4 a State agency or tribal organization.

5 “(B) WAIVER.—The Secretary shall waive  
6 up to 100 percent of the non-Federal share of  
7 the costs described in subparagraph (A) if the  
8 Secretary determines that—

9 “(i) the tribal organization is finan-  
10 cially unable to provide a greater non-Fed-  
11 eral share of the costs; or

12 “(ii) providing a greater non-Federal  
13 share of the costs would be a substantial  
14 burden for the tribal organization.

15 “(C) LIMITATION.—The Secretary may not  
16 reduce any benefits or services under the food  
17 distribution program on Indian reservations  
18 under this subsection to any tribal organization  
19 that is granted a waiver under subparagraph  
20 (B).

21 “(D) TRIBAL CONTRIBUTION.—The Sec-  
22 retary may allow a tribal organization to use  
23 funds provided to the tribal organization  
24 through a Federal agency or other Federal ben-  
25 efit to satisfy all or part of the non-Federal

1 share of the costs described in subparagraph  
2 (A) if that use is otherwise consistent with the  
3 purpose of the funds.”;

4 (2) in paragraph (6)(F), by striking “2018”  
5 and inserting “2023”; and

6 (3) by adding at the end the following:

7 “(7) AVAILABILITY OF FUNDS.—

8 “(A) IN GENERAL.—Funds made available  
9 for a fiscal year to carry out this subsection  
10 shall remain available for obligation for a period  
11 of 2 fiscal years.

12 “(B) ADMINISTRATIVE COSTS.—Funds  
13 made available for a fiscal year to carry out  
14 paragraph (4) shall remain available for obliga-  
15 tion by the State agency or tribal organization  
16 for a period of 2 fiscal years.”.

17 (b) DEMONSTRATION PROJECT FOR TRIBAL ORGANI-  
18 ZATIONS.—

19 (1) DEFINITIONS.—In this subsection:

20 (A) DEMONSTRATION PROJECT.—The term  
21 “demonstration project” means the demonstra-  
22 tion project established under paragraph (2).

23 (B) FOOD DISTRIBUTION PROGRAM.—The  
24 term “food distribution program” means the  
25 food distribution program on Indian reserva-

1           tions carried out under section 4(b) of the Food  
2           and Nutrition Act of 2008 (7 U.S.C. 2013(b)).

3           (C) INDIAN RESERVATION.—The term “In-  
4           dian reservation” has the meaning given the  
5           term “reservation” in section 3 of the Food and  
6           Nutrition Act of 2008 (7 U.S.C. 2012).

7           (D) INDIAN TRIBE.—The term “Indian  
8           tribe” has the meaning given the term in sec-  
9           tion 4 of the Indian Self-Determination and  
10          Education Assistance Act (25 U.S.C. 5304).

11          (E) SELF-DETERMINATION CONTRACT.—  
12          The term “self-determination contract” has the  
13          meaning given the term in section 4 of the In-  
14          dian Self-Determination and Education Assist-  
15          ance Act (25 U.S.C. 5304).

16          (F) TRIBAL ORGANIZATION.—The term  
17          “tribal organization” has the meaning given the  
18          term in section 3 of the Food and Nutrition Act  
19          of 2008 (7 U.S.C. 2012).

20          (2) ESTABLISHMENT.—Subject to the avail-  
21          ability of appropriations, the Secretary shall estab-  
22          lish a demonstration project under which 1 or more  
23          tribal organizations may enter into self-determina-  
24          tion contracts to purchase agricultural commodities

1 under the food distribution program for the Indian  
2 reservation of that tribal organization.

3 (3) ELIGIBILITY.—

4 (A) CONSULTATION.—The Secretary shall  
5 consult with the Secretary of the Interior and  
6 Indian tribes to determine the process and cri-  
7 teria under which a tribal organization may  
8 participate in the demonstration project.

9 (B) CRITERIA.—The Secretary shall select  
10 for participation in the demonstration project  
11 tribal organizations that—

12 (i) are successfully administering the  
13 food distribution program of the tribal or-  
14 ganization under section 4(b)(2)(B) of the  
15 Food and Nutrition Act of 2008 (7 U.S.C.  
16 2013(b)(2)(B));

17 (ii) have the capacity to purchase ag-  
18 ricultural commodities in accordance with  
19 paragraph (4) for the food distribution  
20 program of the tribal organization; and

21 (iii) meet any other criteria deter-  
22 mined by the Secretary, in consultation  
23 with the Secretary of the Interior and In-  
24 dian tribes.

1           (4) PROCUREMENT OF AGRICULTURAL COM-  
2           MODITIES.—Any agricultural commodities purchased  
3           by a tribal organization under the demonstration  
4           project shall—

5                   (A) be domestically produced;

6                   (B) supplant, not supplement, the type of  
7           agricultural commodities in existing food pack-  
8           ages for that tribal organization;

9                   (C) be of similar or higher nutritional  
10          value as the type of agricultural commodities  
11          that would be supplanted in the existing food  
12          package for that tribal organization; and

13                  (D) meet any other criteria determined by  
14          the Secretary.

15          (5) REPORT.—Not later than 1 year after the  
16          date of enactment of this Act and annually there-  
17          after, the Secretary shall submit to the Committee  
18          on Agriculture of the House of Representatives and  
19          the Committee on Agriculture, Nutrition, and For-  
20          estry of the Senate a report describing the activities  
21          carried out under the demonstration project during  
22          the preceding year.

23          (6) FUNDING.—

24                  (A) AUTHORIZATION OF APPROPRIA-  
25          TIONS.—There is authorized to be appropriated



1 to the Secretary to carry out this subsection  
2 \$5,000,000, to remain available until expended.

3 (B) APPROPRIATIONS IN ADVANCE.—Only  
4 funds appropriated under subparagraph (A) in  
5 advance specifically to carry out this subsection  
6 shall be available to carry out this subsection.

7 (c) CONFORMING AMENDMENT.—Section 3(v) of the  
8 Food and Nutrition Act of 2008 (7 U.S.C. 2012(v)) is  
9 amended by striking “the Indian Self-Determination Act  
10 (25 U.S.C. 450b(b))” and inserting “section 4 of the In-  
11 dian Self-Determination and Education Assistance Act  
12 (25 U.S.C. 5304)”.

13 **SEC. 4103. WORK REQUIREMENTS FOR SUPPLEMENTAL NU-**  
14 **TRITION ASSISTANCE PROGRAM.**

15 (a) WORK REQUIREMENTS FOR ABLE-BODIED  
16 ADULTS WITHOUT DEPENDENTS.—Section 6 of the Food  
17 and Nutrition Act of 2008 (7 U.S.C. 2015) is amended—

18 (1) in subsection (d)—

19 (A) in paragraph (2)—

20 (i) by striking the second sentence;

21 (ii) by striking “, as amended” each  
22 place it appears;

23 (iii) by striking “(F) a person” and  
24 inserting the following:

25 “(vi) a person”;

1 (iv) by striking “(E) employed” and  
2 inserting the following:

3 “(v) employed”;

4 (v) by striking “(D) a regular” and  
5 inserting the following:

6 “(iv) a regular”;

7 (vi) by striking “(C) a bona fide stu-  
8 dent” and inserting the following:

9 “(iii) a bona fide student”;

10 (vii) by striking “(B) a parent” and  
11 inserting the following:

12 “(ii) a parent”;

13 (viii) by striking “(A) currently” and  
14 inserting the following:

15 “(i) currently”; and

16 (ix) by striking “(2) A person who”  
17 and all that follows through “if he or she  
18 is” inserting the following:

19 “(E) EXEMPTIONS.—A person who other-  
20 wise would be required to comply with the re-  
21 quirements of subparagraphs (A) through (D)  
22 shall be exempt from such requirements if the  
23 person is—”; and

24 (B) by inserting after paragraph (1) (as  
25 amended by subparagraph (A)) the following:

1           “(2) ADDITIONAL WORK REQUIREMENTS.—

2                   “(A) DEFINITION OF WORK PROGRAM.—In  
3 this paragraph, the term ‘work program’  
4 means—

5                           “(i) a program under title I of the  
6 Workforce Innovation and Opportunity  
7 Act;

8                           “(ii) a program under section 236 of  
9 the Trade Act of 1974 (19 U.S.C. 2296);

10                           “(iii) a program of employment and  
11 training operated or supervised by a State  
12 or political subdivision of a State that  
13 meets standards approved by the Governor  
14 of the State, including a program under  
15 paragraph (4), other than a job search  
16 program or a job search training program;  
17 and

18                           “(iv) a workforce partnership under  
19 paragraph (4)(N).

20           “(B) WORK REQUIREMENT.—Subject to  
21 the other provisions of this paragraph, no indi-  
22 vidual shall be eligible to participate in the sup-  
23 plemental nutrition assistance program as a  
24 member of any household if, during the pre-  
25 ceding 36-month period, the individual received

1 supplemental nutrition assistance program ben-  
2 efits for not less than 3 months (consecutive or  
3 otherwise) during which the individual did  
4 not—

5 “(i) work 20 hours or more per week,  
6 averaged monthly;

7 “(ii) participate in and comply with  
8 the requirements of a work program for 20  
9 hours or more per week, as determined by  
10 the State agency;

11 “(iii) participate in and comply with  
12 the requirements of a program under sec-  
13 tion 20 or a comparable program estab-  
14 lished by a State or political subdivision of  
15 a State; or

16 “(iv) receive benefits pursuant to sub-  
17 paragraph (C), (D), (E), or (F).

18 “(C) EXCEPTION.—Subparagraph (B)  
19 shall not apply to an individual if the individual  
20 is—

21 “(i) under 18 or over 50 years of age;

22 “(ii) medically certified as physically  
23 or mentally unfit for employment;

1                   “(iii) a parent or other member of a  
2 household with responsibility for a depend-  
3 ent child;

4                   “(iv) otherwise exempt under para-  
5 graph (1)(E); or

6                   “(v) a pregnant woman.

7                   “(D) WAIVER.—

8                   “(i) IN GENERAL.—On the request of  
9 a State agency, the Secretary may waive  
10 the applicability of subparagraph (B) to  
11 any group of individuals in the State if the  
12 Secretary makes a determination that the  
13 area in which the individuals reside—

14                   “(I) has an unemployment rate  
15 of over 10 percent; or

16                   “(II) does not have a sufficient  
17 number of jobs to provide employment  
18 for the individuals.

19                   “(ii) REPORT.—The Secretary shall  
20 report the basis for a waiver under clause  
21 (i) to the Committee on Agriculture of the  
22 House of Representatives and the Com-  
23 mittee on Agriculture, Nutrition, and For-  
24 estry of the Senate.

25                   “(E) SUBSEQUENT ELIGIBILITY.—

1                   “(i) REGAINING ELIGIBILITY.—An in-  
2                   dividual denied eligibility under subpara-  
3                   graph (B) shall regain eligibility to partici-  
4                   pate in the supplemental nutrition assist-  
5                   ance program if, during a 30-day period,  
6                   the individual—

7                                   “(I) works 80 or more hours;

8                                   “(II) participates in and complies  
9                   with the requirements of a work pro-  
10                  gram for 80 or more hours, as deter-  
11                  mined by a State agency; or

12                                  “(III) participates in and com-  
13                  plies with the requirements of a pro-  
14                  gram under section 20 or a com-  
15                  parable program established by a  
16                  State or political subdivision of a  
17                  State.

18                   “(ii) MAINTAINING ELIGIBILITY.—An  
19                  individual who regains eligibility under  
20                  clause (i) shall remain eligible as long as  
21                  the individual meets the requirements of  
22                  clause (i), (ii), or (iii) of subparagraph (B).

23                                  “(iii) LOSS OF EMPLOYMENT.—

24                                   “(I) IN GENERAL.—An individual  
25                  who regained eligibility under clause

1 (i) and who no longer meets the re-  
2 quirements of clause (i), (ii), or (iii) of  
3 subparagraph (B) shall remain eligible  
4 for a consecutive 3-month period, be-  
5 ginning on the date the individual  
6 first notifies the State agency that the  
7 individual no longer meets the re-  
8 quirements of clause (i), (ii), or (iii) of  
9 subparagraph (B).

10 “(II) LIMITATION.—An indi-  
11 vidual shall not receive any benefits  
12 pursuant to subclause (I) for more  
13 than a single 3-month period in any  
14 36-month period.

15 “(F) 15-PERCENT EXEMPTION.—

16 “(i) DEFINITIONS.—In this subpara-  
17 graph:

18 “(I) CASELOAD.—The term  
19 ‘caseload’ means the average monthly  
20 number of individuals receiving sup-  
21 plemental nutrition assistance pro-  
22 gram benefits during the 12-month  
23 period ending the preceding June 30.

24 “(II) COVERED INDIVIDUAL.—  
25 The term ‘covered individual’ means a

1 member of a household that receives  
2 supplemental nutrition assistance pro-  
3 gram benefits, or an individual denied  
4 eligibility for supplemental nutrition  
5 assistance program benefits solely due  
6 to subparagraph (B), who—

7 “(aa) is not eligible for an  
8 exception under subparagraph  
9 (C);

10 “(bb) does not reside in an  
11 area covered by a waiver granted  
12 under subparagraph (D);

13 “(cc) is not complying with  
14 clause (i), (ii), or (iii) of subpara-  
15 graph (B);

16 “(dd) is not receiving sup-  
17 plemental nutrition assistance  
18 program benefits during the 3  
19 months of eligibility provided  
20 under subparagraph (B); and

21 “(ee) is not receiving supple-  
22 mental nutrition assistance pro-  
23 gram benefits under subpara-  
24 graph (E).



1                   “(ii) GENERAL RULE.—Subject to  
2                   clauses (iii) through (vii), a State agency  
3                   may provide an exemption from the re-  
4                   quirements of subparagraph (B) for cov-  
5                   ered individuals.

6                   “(iii) FISCAL YEAR 1998.—Subject to  
7                   clauses (v) and (vii), for fiscal year 1998,  
8                   a State agency may provide a number of  
9                   exemptions such that the average monthly  
10                  number of the exemptions in effect during  
11                  the fiscal year does not exceed 15 percent  
12                  of the number of covered individuals in the  
13                  State in fiscal year 1998, as estimated by  
14                  the Secretary, based on the survey con-  
15                  ducted to carry out section 16(c) for fiscal  
16                  year 1996 and such other factors as the  
17                  Secretary considers appropriate due to the  
18                  timing and limitations of the survey.

19                  “(iv) SUBSEQUENT FISCAL YEARS.—  
20                  Subject to clauses (v) through (vii), for fis-  
21                  cal year 1999 and each subsequent fiscal  
22                  year, a State agency may provide a num-  
23                  ber of exemptions such that the average  
24                  monthly number of the exemptions in ef-  
25                  fect during the fiscal year does not exceed

1           15 percent of the number of covered indi-  
2           viduals in the State, as estimated by the  
3           Secretary under clause (iii), adjusted by  
4           the Secretary to reflect changes in the  
5           State's caseload and the Secretary's esti-  
6           mate of changes in the proportion of mem-  
7           bers of households that receive supple-  
8           mental nutrition assistance program bene-  
9           fits covered by waivers granted under sub-  
10          paragraph (D).

11           “(v) CASELOAD ADJUSTMENTS.—The  
12          Secretary shall adjust the number of indi-  
13          viduals estimated for a State under clause  
14          (iii) or (iv) during a fiscal year if the num-  
15          ber of members of households that receive  
16          supplemental nutrition assistance program  
17          benefits in the State varies from the  
18          State's caseload by more than 10 percent,  
19          as determined by the Secretary.

20           “(vi) EXEMPTION ADJUSTMENTS.—  
21          During fiscal year 1999 and each subse-  
22          quent fiscal year, the Secretary shall in-  
23          crease or decrease the number of individ-  
24          uals who may be granted an exemption by  
25          a State agency under this subparagraph to

1           the extent that the average monthly num-  
2           ber of exemptions in effect in the State for  
3           the preceding fiscal year under this sub-  
4           paragraph is lesser or greater than the av-  
5           erage monthly number of exemptions esti-  
6           mated for the State agency for such pre-  
7           ceding fiscal year under this subparagraph.

8                   “(vii) REPORTING REQUIREMENT.—A  
9           State agency shall submit such reports to  
10          the Secretary as the Secretary determines  
11          are necessary to ensure compliance with  
12          this subparagraph.

13                   “(G) OTHER PROGRAM RULES.—Nothing  
14          in this paragraph shall make an individual eligi-  
15          ble for benefits under this Act if the individual  
16          is not otherwise eligible for benefits under the  
17          other provisions of this Act.”; and

18          (2) by striking subsection (o).

19          (b) EMPLOYMENT AND TRAINING PROGRAMS THAT  
20          MEET STATE AND LOCAL WORKFORCE NEEDS.—Section  
21          6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C.  
22          2015(d)(4)) is amended—

23                  (1) in subparagraph (A)—

24                          (A) in clause (i)—

1 (i) by inserting “, in consultation with  
2 the State workforce development board, or,  
3 if the State demonstrates that consultation  
4 with private employers or employer organi-  
5 zations would be more effective or efficient,  
6 in consultation with private employers or  
7 employer organizations,” after “designed  
8 by the State agency”; and

9 (ii) by striking “that will increase  
10 their ability to obtain regular employ-  
11 ment.” and inserting the following: “that  
12 will—

13 “(I) increase the ability of the  
14 household members to obtain regular  
15 employment; and

16 “(II) meet State or local work-  
17 force needs.”; and

18 (B) in clause (ii), by inserting “and imple-  
19 mented to meet the purposes of clause (i)” after  
20 “under this paragraph”;

21 (2) in subparagraph (B)—

22 (A) in clause (iv), by redesignating sub-  
23 clauses (I) and (II) as items (aa) and (bb), re-  
24 spectively, and indenting appropriately;

1 (B) by redesignating clauses (i) through  
2 (vii) and clause (viii) as subclauses (I) through  
3 (VII) and subclause (IX), respectively, and in-  
4 denting appropriately;

5 (C) by inserting after subclause (VII) (as  
6 so redesignated) the following:

7 “(VIII) Programs or activities  
8 described in subclauses (I) through  
9 (XII) of clause (iv) of section  
10 16(h)(1)(F) that the Secretary deter-  
11 mines, based on the results of the ap-  
12 plicable independent evaluations con-  
13 ducted under clause (vii)(I) of that  
14 section, are effective at increasing em-  
15 ployment or earnings for households  
16 participating in a pilot project under  
17 that section.”;

18 (D) in the matter preceding subclause (I)  
19 (as so redesignated)—

20 (i) by striking “this subparagraph”  
21 and inserting “this clause”;

22 (ii) by inserting “and a program con-  
23 taining a component under subclause (I)  
24 shall contain at least 1 additional compo-  
25 nent” before the colon; and

1 (iii) by striking “(B) For purposes of  
2 this Act, an” and inserting the following:

3 “(B) DEFINITIONS.—In this Act:

4 “(i) EMPLOYMENT AND TRAINING  
5 PROGRAM.—The term”;

6 (E) by adding at the end the following:

7 “(ii) WORKFORCE PARTNERSHIP.—

8 “(I) IN GENERAL.—The term  
9 ‘workforce partnership’ means a pro-  
10 gram that—

11 “(aa) is operated by a pri-  
12 vate employer, an organization  
13 representing private employers,  
14 or a nonprofit organization pro-  
15 viding services relating to work-  
16 force development;

17 “(bb) the Secretary or the  
18 State agency certifies—

19 “(AA) subject to sub-  
20 paragraph (N)(ii), would as-  
21 sist participants who are  
22 members of households par-  
23 ticipating in the supple-  
24 mental nutrition assistance  
25 program in gaining high-

1 quality, work-relevant skills,  
2 training, work, or experience  
3 that will increase the ability  
4 of the participants to obtain  
5 regular employment;

6 “(BB) subject to sub-  
7 paragraph (N)(ii), would  
8 provide participants with not  
9 fewer than 20 hours per  
10 week of training, work, or  
11 experience under subitem  
12 (AA);

13 “(CC) would not use  
14 any funds authorized to be  
15 appropriated by this Act;

16 “(DD) would provide  
17 sufficient information, on re-  
18 quest by the State agency,  
19 for the State agency to de-  
20 termine that participants  
21 who are members of house-  
22 holds participating in the  
23 supplemental nutrition as-  
24 sistance program are ful-  
25 filling any applicable work

1 requirement under this sub-  
2 section;

3 “(EE) would be willing  
4 to serve as a reference for  
5 participants who are mem-  
6 bers of households partici-  
7 pating in the supplemental  
8 nutrition assistance program  
9 for future employment or  
10 work-related programs; and

11 “(FF) meets any other  
12 criteria established by the  
13 Secretary, on the condition  
14 that the Secretary shall not  
15 establish any additional cri-  
16 teria that would impose sig-  
17 nificant paperwork burdens  
18 on the workforce partner-  
19 ship; and

20 “(cc) is in compliance with  
21 the Fair Labor Standards Act of  
22 1938 (29 U.S.C. 201 et seq.), if  
23 applicable.



1                   “(II) INCLUSION.—The term  
2                   ‘workforce partnership’ includes a  
3                   multistate program.”;

4                   (3) in subparagraph (E)—

5                   (A) in the second sentence, by striking  
6                   “Such requirements” and inserting the fol-  
7                   lowing:

8                   “(ii) VARIATION.—The requirements  
9                   under clause (i)”;

10                  (B) by striking “(E) Each State” and in-  
11                  serting the following:

12                  “(E) REQUIREMENTS FOR PARTICIPATION  
13                  FOR CERTAIN INDIVIDUALS.—

14                  “(i) IN GENERAL.—Each State”; and  
15                  (C) adding at the end the following:

16                  “(iii) APPLICATION TO WORKFORCE  
17                  PARTNERSHIPS.—To the extent that a  
18                  State agency requires an individual to par-  
19                  ticipate in an employment and training  
20                  program, the State agency shall consider  
21                  an individual participating in a workforce  
22                  partnership to be in compliance with the  
23                  employment and training requirements.”;

24                  (4) in subparagraph (H), by striking “(B)(v)”  
25                  and inserting “(B)(i)(V)”; and

1 (5) by adding at the end the following:

2 “(N) WORKFORCE PARTNERSHIPS.—

3 “(i) IN GENERAL.—A work registrant  
4 may participate in a workforce partnership  
5 to comply with the requirements of para-  
6 graph (1)(A)(ii) and paragraph (2).

7 “(ii) CERTIFICATION.—In certifying  
8 that a program meets the requirements of  
9 subitems (AA) and (BB) of subparagraph  
10 (B)(ii)(I)(bb) to be certified as a workforce  
11 partnership, the Secretary or the State  
12 agency shall require that the program sub-  
13 mit to the Secretary or State agency suffi-  
14 cient information that describes—

15 “(I) the services and activities of  
16 the program that would provide par-  
17 ticipants with not fewer than 20 hours  
18 per week of training, work, or experi-  
19 ence under those subitems; and

20 “(II) how the program would  
21 provide services and activities de-  
22 scribed in subclause (I) that would di-  
23 rectly enhance the employability or job  
24 readiness of the participant.

1                   “(iii) SUPPLEMENT, NOT SUP-  
2 PLANT.—A State agency may use a work-  
3 force partnership to supplement, not to  
4 supplant, the employment and training  
5 program of the State agency.

6                   “(iv) PARTICIPATION.—A State agen-  
7 cy may provide information on workforce  
8 partnerships, if available, to any member  
9 of a household participating in the supple-  
10 mental nutrition assistance program, but  
11 may not require any member of a house-  
12 hold to participate in a workforce partner-  
13 ship.

14                   “(v) EFFECT.—

15                   “(I) IN GENERAL.—A workforce  
16 partnership shall not replace the em-  
17 ployment or training of an individual  
18 not participating in the workforce  
19 partnership.

20                   “(II) SELECTION.—Nothing in  
21 this subsection affects the criteria or  
22 screening process for selecting partici-  
23 pants by a workforce partnership.

24                   “(vi) LIMITATION ON REPORTING RE-  
25 QUIREMENTS.—In carrying out this sub-

1 paragraph, the Secretary and each applica-  
2 ble State agency shall limit the reporting  
3 requirements of a workforce partnership  
4 to—

5 “(I) on notification that an indi-  
6 vidual is receiving supplemental nutri-  
7 tion assistance program benefits, noti-  
8 fying the applicable State agency that  
9 the individual is participating in the  
10 workforce partnership;

11 “(II) identifying participants who  
12 have completed or are no longer par-  
13 ticipating in the workforce partner-  
14 ship;

15 “(III) identifying changes to the  
16 workforce partnership that result in  
17 the workforce partnership no longer  
18 meeting the certification requirements  
19 of the Secretary or the State agency  
20 under subparagraph (B)(ii)(I)(bb);  
21 and

22 “(IV) providing sufficient infor-  
23 mation, on request by the State agen-  
24 cy, for the State agency to verify that  
25 a participant is fulfilling any applica-

1                   ble work requirements under this sub-  
2                   section.

3                   “(O) REFERRAL OF CERTAIN INDIVID-  
4                   UALS.—

5                   “(i) IN GENERAL.—In accordance  
6                   with such regulations as may be issued by  
7                   the Secretary, with respect to any indi-  
8                   vidual who is not eligible for an exemption  
9                   under paragraph (1)(E) and who is deter-  
10                  mined by an employment and training pro-  
11                  gram component to be ill-suited to partici-  
12                  pate in the employment and training pro-  
13                  gram component, the State agency shall—

14                   “(I) refer the individual to an ap-  
15                   propriate employment and training  
16                   program component;

17                   “(II) refer the individual to an  
18                   appropriate workforce partnership, if  
19                   available;

20                   “(III) reassess the physical and  
21                   mental fitness of the individual under  
22                   paragraph (1)(A); or

23                   “(IV) to the maximum extent  
24                   practicable, coordinate with other  
25                   Federal, State, or local workforce or

1 assistance programs to identify work  
2 opportunities or assistance for the in-  
3 dividual.

4 “(ii) PROCESS.—In carrying out  
5 clause (i), the State agency shall ensure  
6 that an individual undergoing and com-  
7 plying with the process established under  
8 that clause shall not be found to have re-  
9 fused without good cause to participate in  
10 an employment and training program.”.

11 (c) UPDATING WORK-RELATED PILOT PROJECTS.—

12 (1) IN GENERAL.—Section 16(h) of the Food  
13 and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is  
14 amended—

15 (A) in paragraph (1)—

16 (i) in subparagraph (B)(ii), by strik-  
17 ing “6(o)” and inserting “6(d)(2)”;

18 (ii) in subparagraph (E)—

19 (I) in clause (i)—

20 (aa) in subclause (I), by  
21 striking “6(o)(3)” and inserting  
22 “6(d)(2)(C)”;

23 (bb) in subclause (II), by  
24 striking “subparagraph (B) or  
25 (C) of section 6(o)(2)” and in-

1 inserting “clause (ii) or (iii) of sec-  
2 tion 6(d)(2)(B)”;

3 (II) in clause (ii)—

4 (aa) in the matter preceding  
5 subclause (I), by striking “sub-  
6 paragraph (B) or (C) of section  
7 6(o)(2)” and inserting “clause  
8 (ii) or (iii) of section  
9 6(d)(2)(B)”;

10 (bb) in subclause (I), by  
11 striking “6(o)(2)” and inserting  
12 “6(d)(2)(B)”;

13 (cc) in subclause (II), by  
14 striking “6(o)(3)” and inserting  
15 “6(d)(2)(C)”;

16 (dd) in subclause (III), by  
17 striking “6(o)(4)” and inserting  
18 “6(d)(2)(D)”;

19 (ee) in subclause (IV), by  
20 striking “6(o)(6)” and inserting  
21 “6(d)(2)(F)”;

22 (iii) in subparagraph (F)—

23 (I) in clause (ii)(III)(ee)(AA), by  
24 striking “6(o)” and inserting  
25 “6(d)(2)”;

1 (II) in clause (viii)—

2 (aa) in subclause (III), by  
3 striking “September 30, 2018”  
4 and inserting the following: “Sep-  
5 tember 30, 2023, for—

6 “(aa) the continuation of  
7 pilot projects being carried out  
8 under this subparagraph as of  
9 the date of enactment of the Ag-  
10 riculture Improvement Act of  
11 2018, if the pilot projects meet  
12 the limitations described in sub-  
13 clause (II); and

14 “(bb) additional pilot  
15 projects authorized under clause  
16 (x).”; and

17 (bb) by adding at the end  
18 the following:

19 “(IV) FUNDS FOR ADDITIONAL  
20 PILOT PROJECTS.—From amounts  
21 made available under section 18(a)(1),  
22 the Secretary shall use to carry out  
23 clause (x) \$92,500,000 for each of fis-  
24 cal years 2019 and 2020, to remain  
25 available until expended.”; and



1 (III) by adding at the end the  
2 following:

3 “(x) AUTHORITY TO CARRY OUT ADDI-  
4 TIONAL PILOT PROJECTS.—

5 “(I) IN GENERAL.—Subject to  
6 the availability of funds under clause  
7 (viii), the Secretary may carry out 8  
8 or more additional pilot projects using  
9 a competitive grant process.

10 “(II) REQUIREMENTS.—Except  
11 as otherwise provided in this clause, a  
12 pilot project under this clause shall  
13 meet the criteria described in clauses  
14 (i), (ii)(II)(bb), and (iii) through (vi)  
15 and items (aa) through (dd) of clause  
16 (ii)(III).

17 “(III) EVALUATION AND RE-  
18 PORTING.—

19 “(aa) OPTIONAL EVALUA-  
20 TION.—

21 “(AA) IN GENERAL.—  
22 The Secretary shall have the  
23 option to conduct an inde-  
24 pendent longitudinal evalua-  
25 tion of pilot projects carried

1 out under this clause, in ac-  
2 cordance with clause (vii)(I).  
3 “(BB) QUALIFYING  
4 CRITERIA.—If the Secretary  
5 determines to conduct an  
6 independent longitudinal  
7 evaluation under subitem  
8 (AA), to be eligible to par-  
9 ticipate in a pilot project  
10 under this clause, a State  
11 agency shall agree to partici-  
12 pate in the evaluation de-  
13 scribed in clause (vii), in-  
14 cluding providing evidence  
15 that the State has a robust  
16 data collection system for  
17 program administration and  
18 is cooperating to make avail-  
19 able State data on the em-  
20 ployment activities and post-  
21 participation employment,  
22 earnings, and public benefit  
23 receipt of participants to en-  
24 sure proper and timely eval-  
25 uation.

1                   “(bb) REPORTING.—If the  
2                   Secretary determines not to con-  
3                   duct an independent longitudinal  
4                   evaluation under item (aa), sub-  
5                   ject to such terms and conditions  
6                   as the Secretary determines to be  
7                   appropriate and not less fre-  
8                   quently than annually, each State  
9                   agency participating in a pilot  
10                  project carried out under this  
11                  clause shall submit to the Sec-  
12                  retary a report that describes the  
13                  results of the pilot project.

14                  “(IV) VOLUNTARY ACTIVITIES.—  
15                  Except as provided in subclause  
16                  (VIII), employment and training ac-  
17                  tivities under a pilot project carried  
18                  out under this clause shall be vol-  
19                  untary for work registrants.

20                  “(V) ELIGIBILITY.—To be eligi-  
21                  ble to participate in a pilot project  
22                  carried out under this clause, a State  
23                  agency shall commit to maintain at  
24                  least the amount of State funding for  
25                  employment and training programs

1 and services under paragraphs (2)  
2 and (3) and under section 20 as the  
3 State expended for fiscal year 2018.

4 “(VI) LIMITATION.—In carrying  
5 out pilot projects under this clause,  
6 the Secretary shall not be subject to  
7 the limitation described in clause  
8 (viii)(II)(aa).

9 “(VII) PRIORITY.—In selecting  
10 pilot projects under this clause, the  
11 Secretary may give priority to pilot  
12 projects that—

13 “(aa) are targeted to—

14 “(AA) individuals 50  
15 years of age or older;

16 “(BB) formerly incar-  
17 cerated individuals;

18 “(CC) individuals par-  
19 ticipating in a substance  
20 abuse treatment program.

21 “(DD) homeless indi-  
22 viduals;

23 “(EE) people with dis-  
24 abilities seeking to enter the  
25 workforce; or

1                   “(FF) other individuals  
2                   with substantial barriers to  
3                   employment; or

4                   “(bb) support employment  
5                   and workforce participation  
6                   through an integrated and fam-  
7                   ily-focused approach in providing  
8                   supportive services.

9                   “(VIII) PILOT PROJECTS FOR  
10                   MANDATORY PARTICIPATION IN EM-  
11                   PLOYMENT AND TRAINING ACTIVI-  
12                   TIES.—A State agency may be eligible  
13                   to participate in a pilot project under  
14                   this clause to test programs that as-  
15                   sign work registrants to mandatory  
16                   participation in employment and  
17                   training activities, on the conditions  
18                   that—

19                   “(aa) the pilot project pro-  
20                   vides individualized case manage-  
21                   ment designed to help remove  
22                   barriers to employment for par-  
23                   ticipants; and

24                   “(bb) a work registrant is  
25                   not assigned to employment and

1 training activities primarily con-  
2 sisting of job search, job search  
3 training, or workforce activi-  
4 ties.”; and

5 (B) in paragraph (5)—

6 (i) in subparagraph (A)—

7 (I) in the matter preceding clause  
8 (i), by striking “section 6(d)(4)” and  
9 inserting “this paragraph”; and

10 (II) by redesignating clauses (i)  
11 and (ii) as subclauses (I) and (II), re-  
12 spectively, and indenting appro-  
13 priately;

14 (ii) in subparagraph (B)—

15 (I) in clause (ii), by redesignating  
16 subclauses (I) and (II) as items (aa)  
17 and (bb), respectively, and indenting  
18 appropriately;

19 (II) in clause (iv)—

20 (aa) in the matter preceding  
21 subclause (I), by striking “clause  
22 (iii)” and inserting “subclause  
23 (III)”;

24 (bb) in subclause (IV)—

1 (AA) in item (cc), by  
2 striking “section 6(b)” and  
3 inserting “subsection (b)”;  
4 and

5 (BB) by redesignating  
6 items (aa) through (cc) as  
7 subitems (AA) through  
8 (CC), respectively, and in-  
9 denting appropriately; and

10 (cc) by redesignating sub-  
11 clauses (I) through (V) as items  
12 (aa) through (ee), respectively,  
13 and indenting appropriately;

14 (III) by redesignating clauses (i)  
15 through (iv) as subclauses (I) through  
16 (IV), respectively, and indenting ap-  
17 propriately; and

18 (IV) by adding at the end the fol-  
19 lowing:

20 “(V) STATE OPTION.—The State  
21 agency may report relevant data from  
22 a workforce partnership carried out  
23 under subparagraph (N) to dem-  
24 onstrate the number of program par-

1                    participants served by the workforce  
2                    partnership.”;

3                    (iii) in subparagraph (C)—

4                    (I) in clause (iii), by striking  
5                    “and” after the semicolon;

6                    (II) in clause (iv)—

7                    (aa) in the matter preceding  
8                    subclause (I)—

9                    (AA) by striking “para-  
10                    graph (1)(E)” and inserting  
11                    “subparagraph (E) of sec-  
12                    tion 16(h)(1)”; and

13                    (BB) by striking “para-  
14                    graph (1)” and inserting  
15                    “that section”;

16                    (bb) in subclause (I)—

17                    (AA) by striking “para-  
18                    graph (1)(E)(ii)” and insert-  
19                    ing                    “section  
20                    16(h)(1)(E)(ii)”; and

21                    (BB) by striking “sub-  
22                    paragraph (B) or (C) of sec-  
23                    tion 6(o)(2)” and inserting  
24                    “clause (ii) or (iii) of para-  
25                    graph (2)(B)”;



1                   (cc) in subclause (II), by  
2 striking “paragraph (1)(E)” and  
3 inserting “section 16(h)(1)(E)”;  
4 and

5                   (dd) by redesignating sub-  
6 clauses (I) through (III) as items  
7 (aa) through (cc), respectively,  
8 and indenting appropriately;

9                   (III) by redesignating clauses (i),  
10 (ii), (iii), and (iv) as subclauses (I),  
11 (II), (IV), and (VI), respectively, and  
12 indenting appropriately;

13                   (IV) by inserting after subclause  
14 (II) (as so redesignated) the following:

15                   “(III) that the State agency has  
16 consulted with the State workforce  
17 board or, if appropriate, private em-  
18 ployers or employer organizations, in  
19 the design of the employment and  
20 training program;” and

21                   (V) by inserting after subclause  
22 (IV) (as so redesignated) the fol-  
23 lowing:

24                   “(V) that the employment and  
25 training program components of the

1 State agency are responsive to State  
2 or local workforce needs; and”;

3 (iv) in subparagraph (D), by striking  
4 “subparagraph (B)” and inserting “clause  
5 (ii)”;

6 (v) in subparagraph (E), by inserting  
7 “or that the employment and training pro-  
8 gram is not adequately meeting State or  
9 local workforce needs” after “is inad-  
10 equate”;

11 (vi) in subparagraph (F)—

12 (I) in the matter preceding clause  
13 (i), by striking “October 1, 2016” and  
14 inserting “October 1, 2020”;

15 (II) in clause (i), by striking  
16 “and” after the semicolon;

17 (III) in clause (ii), by striking  
18 the period at the end and inserting “;  
19 and”;

20 (IV) by redesignating clauses (i)  
21 and (ii) as subclauses (I) and (II), re-  
22 spectively, and indenting appro-  
23 priately; and

24 (V) by adding at the end the fol-  
25 lowing:



1 (iii) in paragraph (1) (as so des-  
2 ignated)—

3 (I) in subparagraph (D)—

4 (aa) in clause (i), in the  
5 matter preceding subclause (I),  
6 by striking “subparagraph (A)”  
7 and inserting “paragraph (1)”;

8 (bb) in clause (ii), by strik-  
9 ing “clause (i)” and inserting  
10 “subparagraph (A)”; and

11 (cc) in clause (iii), by strik-  
12 ing “clause (i)(III)” and insert-  
13 ing “subparagraph (A)(iii)”;

14 (II) by redesignating subpara-  
15 graph (D) as paragraph (4), and in-  
16 denting appropriately;

17 (III) in subparagraph (C), by  
18 striking “(C)(i) No waiver” and in-  
19 serting the following:

20 “(3) RESTRICTIONS.—

21 “(A) IN GENERAL.—No waiver”;

22 (IV) in subparagraph (B)—

23 (aa) in clause (i), in the  
24 matter preceding subclause (I),

1 by striking “subparagraph (A)”  
2 and inserting “paragraph (1)”;

3 (bb) in clause (ii)—

4 (AA) in the matter pre-  
5 ceding subclause (I), by  
6 striking “subparagraph (A)”  
7 and inserting “paragraph  
8 (1)”;

9 (BB) in subclause (IV),  
10 by striking “this paragraph”  
11 and inserting “this sub-  
12 section”;

13 (cc) in clause (iii), in the  
14 matter preceding subclause (I),  
15 by striking “subparagraph (A)”  
16 and inserting “paragraph (1)”;

17 (dd) in clause (iv)—

18 (AA) in the matter pre-  
19 ceding subclause (I), by  
20 striking “subparagraph (A)”  
21 and inserting “paragraph  
22 (1)”;

23 (BB) in subclause (I),  
24 by striking “the date of en-  
25 actment of this subpara-

1 graph” and inserting “Au-  
2 gust 22, 1996”;

3 (CC) in subclause  
4 (III)(aa), by striking “3(n)”  
5 and inserting “3(q)”;

6 (DD) in subclause  
7 (III)(dd), by striking  
8 “(2)(B)” and inserting  
9 “(1)(E)(ii)”;

10 (EE) in subclause  
11 (III)(ii), by striking “this  
12 paragraph” and inserting  
13 “this subsection”; and

14 (FF) in subclause  
15 (IV)(bb), by striking “this  
16 subclause” and inserting  
17 “this clause”; and

18 (ee) in clause (vi), by strik-  
19 ing “this paragraph” and insert-  
20 ing “this subsection”; and

21 (V) by redesignating subpara-  
22 graph (B) as paragraph (2) and in-  
23 denting appropriately;

24 (iv) in paragraph (2) (as so redesign-  
25 nated)—

1 (I) by redesignating clauses (i)  
2 through (vi) as subparagraphs (A)  
3 through (F), respectively, and indent-  
4 ing appropriately;

5 (II) in subparagraph (A) (as so  
6 redesignated), by redesignating sub-  
7 clauses (I) and (II) as clauses (i) and  
8 (ii), respectively, and indenting appro-  
9 priately;

10 (III) in subparagraph (B) (as so  
11 redesignated), by redesignating sub-  
12 clauses (I) through (IV) as clauses (i)  
13 through (iv), respectively, and indent-  
14 ing appropriately;

15 (IV) in subparagraph (C) (as so  
16 redesignated), by redesignating sub-  
17 clauses (I) and (II) as clauses (i) and  
18 (ii), respectively, and indenting appro-  
19 priately; and

20 (V) in subparagraph (D) (as so  
21 redesignated)—

22 (aa) by redesignating sub-  
23 clauses (I) through (VII) as  
24 clauses (i) through (vii), respec-

1 tively, and indenting appro-  
2 priately;

3 (bb) in clause (iii) (as so re-  
4 designated), by redesignating  
5 items (aa) through (jj) as sub-  
6 clauses (I) through (X), respec-  
7 tively, and indenting appro-  
8 priately; and

9 (cc) in clause (iv) (as so re-  
10 designated), by redesignating  
11 items (aa) and (bb) as subclauses  
12 (I) and (II), respectively, and in-  
13 denting appropriately;

14 (v) in paragraph (3) (as so redesign-  
15 ated)—

16 (I) in subparagraph (A) (as so  
17 redesignated)—

18 (aa) in the matter preceding  
19 subclause (I), by striking “the  
20 date of enactment of this sub-  
21 paragraph” and inserting “No-  
22 vember 28, 1990”; and

23 (bb) in clause (ii), by strik-  
24 ing “(ii) Clause (i)” and insert-  
25 ing the following:



1 “(B) APPLICATION.—Subparagraph (A)”;

2 and

3 (II) in subparagraph (A) (as so  
4 redesignated), by redesignating sub-  
5 clauses (I) and (II) as clauses (i) and  
6 (ii), respectively, and indenting appro-  
7 priately; and

8 (vi) in paragraph (4) (as so redesign-  
9 nated)—

10 (I) by redesignating clauses (i)  
11 through (iii) as subparagraphs (A)  
12 through (C), respectively, and indent-  
13 ing appropriately; and

14 (II) in subparagraph (A) (as so  
15 redesignated), by redesignating sub-  
16 clauses (I) through (IV) as clauses (i)  
17 through (iv), respectively, and indent-  
18 ing appropriately;

19 (B) by striking subsection (d);

20 (C) by redesignating subsections (e)  
21 through (l) as subsections (d) through (k), re-  
22 spectively; and

23 (D) in subsection (e) (as so redesignated),  
24 in the first sentence, by striking “subsection  
25 (b)(1)” and inserting “subsection (b)”.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
2 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027)  
3 is amended by adding at the end the following:

4 “(i) RESTRICTION.—No funds authorized to be ap-  
5 propriated under this Act shall be used to operate a work-  
6 force partnership under section 6(d)(4)(N).”.

7 (e) CONFORMING AMENDMENTS.—

8 (1) Section 5(a) of the Food and Nutrition Act  
9 of 2008 (7 U.S.C. 2014(a)) is amended in the sec-  
10 ond sentence by striking “(d)(2)” and inserting  
11 “(d)(1)(E)”.

12 (2) Section 6(i)(3) of the Food and Nutrition  
13 Act of 2008 (7 U.S.C. 2015(i)(3)) is amended by  
14 striking “(d)” and inserting “(d)(1)”.

15 (3) Section 7(h)(6) of the Food and Nutrition  
16 Act of 2008 (7 U.S.C. 2016(h)(6)) is amended by  
17 striking “17(f)” and inserting “17(e)”.

18 (4) Section 7(i)(1) of the Food and Nutrition  
19 Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by  
20 striking “6(o)(2)” and inserting “6(d)(2)(B)”.

21 (5) Section 7(j)(1)(G) of the Food and Nutri-  
22 tion Act of 2008 (7 U.S.C. 2016(j)(1)(G)) is amend-  
23 ed by striking “17(f)” and inserting “17(e)”.

1           (6) Section 11(n) of the Food and Nutrition  
2           Act of 2008 (7 U.S.C. 2020(n)) is amended by strik-  
3           ing “17(b)(1)” and inserting “17(b)”.

4           (7) Section 16(b)(4) of the Food and Nutrition  
5           Act of 2008 (7 U.S.C. 2025(b)(4)) is amended by  
6           striking “section 6(d)” and inserting “section  
7           6(d)(1)”.

8           (8) Section 20(b)(1) of the Food and Nutrition  
9           Act of 2008 (7 U.S.C. 2029(b)(1)) is amended by  
10          striking “clause (B), (C), (D), (E), or (F) of section  
11          6(d)(2)” and inserting “clause (ii), (iii), (iv), (v), or  
12          (vi) of section 6(d)(1)(E)”.

13          (9) Section 103(a)(2)(D) of the Workforce In-  
14          novation and Opportunity Act (29 U.S.C.  
15          3113(a)(2)(D)) is amended by striking “section 6(o)  
16          of the Food and Nutrition Act of 2008 (7 U.S.C.  
17          2015(o))” and inserting “paragraph (2) of section  
18          6(d) of the Food and Nutrition Act of 2008 (7  
19          U.S.C. 2015(d))”.

20          (10) Section 121(b)(2)(B)(iv) of the Workforce  
21          Innovation and Opportunity Act (29 U.S.C.  
22          3151(b)(2)(B)(iv)) is amended by striking “section  
23          6(o) of the Food and Nutrition Act of 2008 (7  
24          U.S.C. 2015(o))” and inserting “paragraph (2) of

1 section 6(d) of the Food and Nutrition Act of 2008  
2 (7 U.S.C. 2015(d))”.

3 (11) Section 23(b)(7)(D)(ii) of the Richard B.  
4 Russell National School Lunch Act (42 U.S.C.  
5 1769d(b)(7)(D)(ii)) is amended by striking “section  
6 17(b)(1)(B) of the Food and Nutrition Act of 2008  
7 (7 U.S.C. 2026(b)(1)(B))” and inserting “paragraph  
8 (2) of section 17(b) of the Food and Nutrition Act  
9 of 2008 (7 U.S.C. 2026(b))”.

10 (12) Section 24(g)(3)(C) of the Richard B.  
11 Russell National School Lunch Act (42 U.S.C.  
12 1769e(g)(3)(C)) is amended by striking “section  
13 17(b)(1)(B) of the Food and Nutrition Act of 2008  
14 (7 U.S.C. 2026(b)(1)(B))” and inserting “paragraph  
15 (2) of section 17(b) of the Food and Nutrition Act  
16 of 2008 (7 U.S.C. 2026(b))”.

17 **SEC. 4104. IMPROVEMENTS TO ELECTRONIC BENEFIT**  
18 **TRANSFER SYSTEM.**

19 (a) **PROHIBITED FEES.**—Section 7 of the Food and  
20 Nutrition Act of 2008 (7 U.S.C. 2016) is amended—

21 (1) in subsection (f)(2)(C), in the subparagraph  
22 heading, by striking “INTERCHANGE” and inserting  
23 “PROHIBITED”; and

24 (2) in subsection (h), by striking paragraph  
25 (13) and inserting the following:

1           “(13) PROHIBITED FEES.—

2                   “(A) DEFINITION OF SWITCHING.—In this  
3 paragraph, the term ‘switching’ means the rout-  
4 ing of an intrastate or interstate transaction  
5 that consists of transmitting the details of a  
6 transaction electronically recorded through the  
7 use of an EBT card in 1 State to the issuer of  
8 the card in—

9                           “(i) the same State; or

10                           “(ii) another State.

11           “(B) PROHIBITION.—

12                   “(i) INTERCHANGE FEES.—No inter-  
13 change fee shall apply to an electronic ben-  
14 efit transfer transaction under this sub-  
15 section.

16                   “(ii) OTHER FEES.—

17                           “(I) IN GENERAL.—No fee  
18 charged by a benefit issuer (including  
19 any affiliate of a benefit issuer), or by  
20 any agent or contractor when acting  
21 on behalf of such benefit issuer, to a  
22 third party relating to the switching  
23 or routing of benefits to the same  
24 benefit issuer (including any affiliate  
25 of the benefit issuer) shall apply to an

1                   electronic benefit transfer transaction  
2                   under this subsection.

3                   “(II) EFFECTIVE DATE.—The  
4                   prohibition under subclause (I) shall  
5                   be effective through fiscal year  
6                   2022.”.

7           (b) EBT PORTABILITY.—Section 7(f)(5) of the Food  
8 and Nutrition Act of 2008 (7 U.S.C. 2016(f)(5)) is  
9 amended by adding at the end the following:

10                   “(C) OPERATION OF INDIVIDUAL POINT OF  
11                   SALE DEVICE BY FARMERS’ MARKETS AND DI-  
12                   RECT MARKETING FARMERS.—A farmers’ mar-  
13                   ket or direct marketing farmer that is exempt  
14                   under paragraph (2)(B)(i) shall be allowed to  
15                   operate an individual electronic benefit transfer  
16                   point of sale device at more than 1 location  
17                   under the same supplemental nutrition assist-  
18                   ance program authorization, if—

19                   “(i) the farmers’ market or direct  
20                   marketing farmer provides to the Secretary  
21                   information on location and hours of oper-  
22                   ation at each location; and

23                   “(ii)(I) the point of sale device used  
24                   by the farmers’ market or direct marketing  
25                   farmer is capable of providing location in-

1 formation of the device through the elec-  
2 tronic benefit transfer system; or

3 “(II) if the Secretary determines that  
4 the technology is not available for a point  
5 of sale device to meet the requirement  
6 under subclause (I), the farmers’ market  
7 or direct marketing farmer provides to the  
8 Secretary any other information, as deter-  
9 mined by the Secretary, necessary to en-  
10 sure the integrity of transactions processed  
11 using the point of sale device.”.

12 (c) EVALUATION OF STATE ELECTRONIC BENEFIT  
13 TRANSFER SYSTEMS.—Section 7(h) of the Food and Nu-  
14 trition Act of 2008 (7 U.S.C. 2016(h)) is amended by add-  
15 ing at the end the following:

16 “(15) GAO EVALUATION AND STUDY OF STATE  
17 ELECTRONIC BENEFIT TRANSFER SYSTEMS.—

18 “(A) EVALUATION.—

19 “(i) IN GENERAL.—Not later than 18  
20 months after the date of enactment of this  
21 paragraph, the Comptroller General of the  
22 United States (referred to in this para-  
23 graph as the ‘Comptroller General’) shall  
24 evaluate for each electronic benefit transfer

1 system of a State agency selected in ac-  
2 cordance with clause (ii)—

3 “(I) any type of fee charged—

4 “(aa) by the benefit issuer  
5 (or an affiliate, agent, or con-  
6 tractor of the benefit issuer) of  
7 the State agency for electronic  
8 benefit transfer-related services,  
9 including electronic benefit trans-  
10 fer-related services that did not  
11 exist before February 7, 2014;  
12 and

13 “(bb) to any retail food  
14 stores, including retail food  
15 stores that are exempt under  
16 subsection (f)(2)(B)(i) for elec-  
17 tronic benefit transfer-related  
18 services;

19 “(II) in consultation with the  
20 Secretary and the retail food stores  
21 within the State, any electronic ben-  
22 efit transfer system outages affecting  
23 the EBT cards of the State agency;

24 “(III) in consultation with the  
25 Secretary, any type of entity that—



1                   “(aa) provides electronic  
2 benefit transfer equipment and  
3 related services to the State  
4 agency, any benefit issuers of the  
5 State agency, or any retail food  
6 stores within the State;

7                   “(bb) routes or switches  
8 transactions through the elec-  
9 tronic benefit transfer system of  
10 the State agency; or

11                   “(cc) has access to trans-  
12 action information in the elec-  
13 tronic benefit transfer system of  
14 the State agency; and

15                   “(IV) in consultation with the  
16 Secretary, any emerging entities, serv-  
17 ices, or technologies in use with re-  
18 spect to the electronic benefit transfer  
19 system of the State agency.

20                   “(ii) SELECTION CRITERIA.—The  
21 Comptroller General shall select for evalua-  
22 tion under clause (i)—

23                   “(I) with respect to each benefit  
24 issuer that provides electronic benefit  
25 transfer-related services to 1 or more

1 State agencies, not fewer than 1 elec-  
2 tronic benefit transfer system pro-  
3 vided by that benefit issuer; and

4 “(II) any electronic benefit trans-  
5 fer system of a State agency that has  
6 experienced significant or frequent  
7 outages during the 2-year period pre-  
8 ceding the date of enactment of this  
9 paragraph.

10 “(B) STUDY.—Not later than 2 years after  
11 the date of enactment of this paragraph, the  
12 Comptroller General shall submit to the Com-  
13 mittee on Agriculture of the House of Rep-  
14 resentatives and the Committee on Agriculture,  
15 Nutrition, and Forestry of the Senate a report  
16 based on the evaluation carried out under sub-  
17 paragraph (A) that includes—

18 “(i) a description of the types of enti-  
19 ties that—

20 “(I) provide electronic benefit  
21 transfer equipment and related serv-  
22 ices to State agencies, benefit issuers,  
23 and retail food stores;

1 “(II) route or switch transactions  
2 through electronic benefit transfer  
3 systems of State agencies; or

4 “(III) have access to transaction  
5 information in electronic benefit  
6 transfer systems of State agencies;

7 “(ii) a description of emerging enti-  
8 ties, services, and technologies in use with  
9 respect to electronic benefit transfer sys-  
10 tems of State agencies; and

11 “(iii) a summary of—

12 “(I) the types of fees charged—

13 “(aa) by benefit issuers (or  
14 affiliates, agents, or contractors  
15 of benefit issuers) of State agen-  
16 cies for electronic benefit trans-  
17 fer-related services, including  
18 whether the types of fees existed  
19 before February 7, 2014; and

20 “(bb) to any retail food  
21 stores, including retail food  
22 stores that are exempt under  
23 subsection (f)(2)(B)(i) for elec-  
24 tronic benefit transfer-related  
25 services;

1                   “(II)(aa) the causes of any elec-  
2                   tronic benefit transfer system outages  
3                   affecting EBT cards; and

4                   “(bb) potential solutions to mini-  
5                   mize the disruption of outages to par-  
6                   ticipating households.

7                   “(16) REVIEW OF EBT SYSTEMS REQUIRE-  
8                   MENTS.—

9                   “(A) REVIEW.—

10                   “(i) IN GENERAL.—Not later than 18  
11                   months after the date of enactment of this  
12                   paragraph, the Secretary shall review for  
13                   each electronic benefit transfer system of a  
14                   State agency selected under clause (ii)—

15                   “(I) any contracts or other agree-  
16                   ments between the State agency and  
17                   the benefit issuer of the State agency  
18                   to determine—

19                   “(aa) the customer service  
20                   requirements of the benefit  
21                   issuer, including call center re-  
22                   quirements; and

23                   “(bb) the consistency and  
24                   compatibility of data provided by  
25                   the benefit issuer to the Sec-

1                   retary for appropriate oversight  
2                   of possible fraudulent trans-  
3                   actions; and

4                   “(II) the use of third-party appli-  
5                   cations that access the electronic ben-  
6                   efit transfer system to provide elec-  
7                   tronic benefit transfer account infor-  
8                   mation to participating households.

9                   “(ii) SELECTION CRITERIA.—The Sec-  
10                  retary shall select for the review under  
11                  clause (i) not fewer than 5 electronic ben-  
12                  efit transfer systems of State agencies, of  
13                  which—

14                   “(I) with respect to each benefit  
15                   issuer that provides electronic benefit  
16                   transfer-related services to 1 or more  
17                   State agencies, not fewer than 1 shall  
18                   be provided by that benefit issuer; and

19                   “(II) not more than 4 shall have  
20                   experienced significant or frequent  
21                   outages during the 2-year period pre-  
22                   ceding the date of enactment of this  
23                   paragraph.

24                   “(B) REGULATIONS AND GUIDANCE.—

25                  Based on the study conducted by the Comp-

1 troller General of the United States under para-  
2 graph (15)(B) and the review conducted by the  
3 Secretary under subparagraph (A), the Sec-  
4 retary shall promulgate such regulations or  
5 issue such guidance as the Secretary determines  
6 appropriate—

7 “(i) to prohibit the imposition of any  
8 fee that is inconsistent with paragraph  
9 (13);

10 “(ii) to minimize electronic benefit  
11 system outages;

12 “(iii) to update procedures to handle  
13 electronic benefit transfer system outages  
14 that minimize disruption to participating  
15 households and retail food stores while pro-  
16 tecting against fraud and abuse;

17 “(iv) to develop cost-effective cus-  
18 tomer service standards for benefit issuers,  
19 including benefit issuer call centers or  
20 other customer service options equivalent  
21 to call centers, that would ensure adequate  
22 customer service for participating house-  
23 holds;

24 “(v) to address the use of third-party  
25 applications that access electronic benefit

1 transfer systems to provide electronic ben-  
2 efit transfer account information to partici-  
3 pating households, including by estab-  
4 lishing safeguards consistent with sections  
5 9(c) and 11(e)(8) to protect the privacy of  
6 data relating to participating households  
7 and approved retail food stores; and

8 “(vi) to improve the reliability of elec-  
9 tronic benefit transfer systems.

10 “(C) REPORT.—Not later than 2 years  
11 after the date of enactment of this paragraph,  
12 the Secretary shall submit to the Committee on  
13 Agriculture of the House of Representatives  
14 and the Committee on Agriculture, Nutrition,  
15 and Forestry of the Senate a report that in-  
16 cludes a description of the effects, if any, on an  
17 electronic benefit transfer system of a State  
18 agency from the use of third-party applications  
19 that access the electronic benefit transfer sys-  
20 tem to provide electronic benefit transfer ac-  
21 count information to participating households.”.

22 (d) APPROVAL OF RETAIL FOOD STORES.—Section  
23 9 of the Food and Nutrition Act (7 U.S.C. 2018) is  
24 amended—

25 (1) in subsection (a)(1)—

1 (A) in the fourth sentence, by striking “No  
2 retail food store” and inserting the following:

3 “(D) VISIT REQUIRED.—No retail food  
4 store”;

5 (B) in the third sentence, by striking “Ap-  
6 proval” and inserting the following:

7 “(C) CERTIFICATE.—Approval”;

8 (C) in the second sentence—

9 (i) by striking “food; and (D) the”  
10 and inserting the following: “food;

11 “(iv) any information, if available,  
12 about the ability of the anticipated or ex-  
13 isting electronic benefit transfer equipment  
14 and service provider of the applicant to  
15 provide sufficient information through the  
16 electronic benefit transfer system to mini-  
17 mize the risk of fraudulent transactions;  
18 and

19 “(v) the”;

20 (ii) by striking “concern; (C) wheth-  
21 er” and inserting the following: “concern;

22 “(iii) whether”;

23 (iii) by striking “applicant; (B) the”  
24 and inserting the following: “applicant;

25 “(ii) the”;



1 (iv) by striking “following: (A) the na-  
2 ture” and inserting the following: “fol-  
3 lowing:

4 “(i) the nature”; and

5 (v) in the matter preceding clause (i)  
6 (as so designated), by striking “In deter-  
7 mining” and inserting the following:

8 “(B) FACTORS FOR CONSIDERATION.—In  
9 determining”; and

10 (D) in the first sentence, by striking  
11 “(a)(1) Regulations” and inserting the fol-  
12 lowing:

13 “(a) AUTHORIZATION TO ACCEPT AND REDEEM  
14 BENEFITS.—

15 “(1) APPLICATIONS.—

16 “(A) IN GENERAL.—Regulations”;

17 (2) in subsection (a), by adding at the end the  
18 following:

19 “(4) ELECTRONIC BENEFIT TRANSFER EQUIP-  
20 MENT AND SERVICE PROVIDERS.—Before imple-  
21 menting clause (iv) of paragraph (1)(B), the Sec-  
22 retary shall issue guidance for retail food stores on  
23 how to select electronic benefit transfer equipment  
24 and service providers that are able to meet the re-  
25 quirements of that clause.”; and

1           (3) in subsection (c), in the first sentence, by  
2           inserting “records relating to electronic benefit  
3           transfer equipment and related services, transaction  
4           and redemption data provided through the electronic  
5           benefit transfer system,” after “purchase invoices,”.

6 **SEC. 4105. RETAIL INCENTIVES.**

7           Section 9 of the Food and Nutrition Act of 2008 (7  
8           U.S.C. 2018) is amended by adding at the end the fol-  
9           lowing:

10          “(i) INCENTIVES.—

11               “(1) DEFINITION OF ELIGIBLE INCENTIVE  
12               FOOD.—In this subsection, the term ‘eligible incen-  
13               tive food’ means food that is—

14                       “(A) identified for increased consumption  
15                       by the most recent Dietary Guidelines for  
16                       Americans published under section 301 of the  
17                       National Nutrition Monitoring and Related Re-  
18                       search Act of 1990 (7 U.S.C. 5341); and

19                       “(B) a fruit, a vegetable, low-fat dairy, or  
20                       a whole grain.

21          “(2) REGULATIONS.—

22               “(A) IN GENERAL.—The Secretary shall  
23               promulgate regulations to clarify the process by  
24               which an approved retail food store may seek a  
25               waiver to offer an incentive that may be used

1           only for the purchase of eligible incentive food  
2           at the point of purchase to a household pur-  
3           chasing food with benefits issued under this  
4           Act.

5           “(B) REGULATIONS.—The regulations  
6           under subparagraph (A) shall establish a proc-  
7           ess under which an approved retail food store,  
8           prior to carrying out an incentive program  
9           under this subsection, shall provide to the Sec-  
10          retary information describing the incentive pro-  
11          gram, including—

12                   “(i) the types of incentives that will be  
13                   offered;

14                   “(ii) the types of foods that will be  
15                   incentivized for purchase; and

16                   “(iii) an explanation of how the incen-  
17                   tive program intends to support meeting  
18                   dietary intake goals.

19          “(3) NO LIMITATION ON BENEFITS.—A waiver  
20          granted under this subsection shall not be used to  
21          carry out any activity that limits the use of benefits  
22          under this Act or any other Federal nutrition law.

23          “(4) EFFECT.—Regulations promulgated under  
24          this subsection shall not affect any requirements  
25          under section 4405 of the Food, Conservation, and

1 Energy Act of 2008 (7 U.S.C. 7517) or section  
2 4304 of the Agriculture Improvement Act of 2018,  
3 including the eligibility of a retail food store to par-  
4 ticipate in a project funded under those sections.

5 “(5) REPORT.—The Secretary shall submit to  
6 the Committee on Agriculture of the House of Rep-  
7 resentatives and the Committee on Agriculture, Nu-  
8 trition, and Forestry of the Senate an annual report  
9 describing the types of incentives approved under  
10 this subsection.”.

11 **SEC. 4106. REQUIRED ACTION ON DATA MATCH INFORMA-**  
12 **TION.**

13 Section 11(e) of the Food and Nutrition Act of 2008  
14 (7 U.S.C. 2020(e)) is amended—

15 (1) in paragraph (24), by striking “and” after  
16 the semicolon;

17 (2) in paragraph (25), by striking the period at  
18 the end and inserting a semicolon; and

19 (3) by adding at the end the following:

20 “(26) that for a household participating in the  
21 supplemental nutrition assistance program, the State  
22 agency shall pursue clarification and verification, if  
23 applicable, of information relating to the cir-  
24 cumstances of the household received from data  
25 matches for the purpose of ensuring an accurate eli-

1 gibility and benefit determination, only if the infor-  
2 mation—

3 “(A) appears to present significantly con-  
4 flicting information from the information that  
5 was used by the State agency at the time of  
6 certification of the household;

7 “(B) is obtained from data matches car-  
8 ried out under subsection (q), (r), or (w); or

9 “(C)(i) is fewer than 60 days old relative  
10 to the current month of participation of the  
11 household; and

12 “(ii) if accurate, would have been required  
13 to be reported by the household based on the  
14 reporting requirements assigned to the house-  
15 hold by the State agency under section 6(c).”.

16 **SEC. 4107. INCOME VERIFICATION.**

17 Section 17 of the Food and Nutrition Act of 2008  
18 (7 U.S.C. 2026) (as amended by section 4103(c)(2)(C))  
19 is amended by adding at the end the following:

20 “(1) PILOT PROJECTS FOR IMPROVING EARNED IN-  
21 COME VERIFICATION.—

22 “(1) IN GENERAL.—Under such terms and con-  
23 ditions as the Secretary considers to be appropriate,  
24 the Secretary shall establish a pilot program (re-  
25 ferred to in this subsection as the ‘pilot program’)

1 under which not more than 8 States may carry out  
2 pilot projects to test strategies to improve the accu-  
3 racy or efficiency of the process for verification of  
4 earned income at certification and recertification of  
5 applicant households for the supplemental nutrition  
6 assistance program.

7 “(2) CONTRACT OPTIONS.—

8 “(A) IN GENERAL.—In carrying out the  
9 pilot program, prior to soliciting applications  
10 for pilot projects from State agencies, the Sec-  
11 retary shall—

12 “(i) assess the availability of up-to-  
13 date earned income information from dif-  
14 ferent commercial data service providers;  
15 and

16 “(ii) make a determination regarding  
17 the overall cost-effectiveness to the Depart-  
18 ment of Agriculture and the State agencies  
19 administering the supplemental nutrition  
20 assistance program of—

21 “(I) the Secretary entering into a  
22 contract with a commercial data serv-  
23 ice provider to provide to State agen-  
24 cies carrying out pilot projects up-to-  
25 date earned income information for

1 verification of the earned income at  
2 certification and recertification of ap-  
3 plicant households for the supple-  
4 mental nutrition assistance program;

5 “(II) the Secretary entering into  
6 an agreement with the Secretary of  
7 Health and Human Services to allow  
8 State agencies carrying out pilot  
9 projects to verify earned income infor-  
10 mation at certification and recertifi-  
11 cation of applicant households for the  
12 supplemental nutrition assistance pro-  
13 gram in the State using up-to-date  
14 earned income information from a  
15 commercial data service provider  
16 under the electronic interface devel-  
17 oped by the State and used by the  
18 State Medicaid agency to verify in-  
19 come eligibility for the State Medicaid  
20 program under title XIX of the Social  
21 Security Act (42 U.S.C. 1396 et seq.);  
22 or

23 “(III) a State agency carrying  
24 out a pilot project entering into a con-  
25 tract with a commercial data service

1 provider to obtain up-to-date earned  
2 income information to verify the  
3 earned income at certification and re-  
4 certification of applicant households  
5 for the supplemental nutrition assist-  
6 ance program in the State.

7 “(B) AUTHORITY TO ENTER INTO CON-  
8 TRACTS.—If determined appropriate by the Sec-  
9 retary, the Secretary may, based on the cost-ef-  
10 fectiveness determination described in subpara-  
11 graph (A)(ii)—

12 “(i) enter into a contract described in  
13 subclause (I) of that subparagraph;

14 “(ii) enter into an agreement de-  
15 scribed in subclause (II) of that subpara-  
16 graph; or

17 “(iii) allow each State agency carrying  
18 out a pilot project to enter into a contract  
19 described in subclause (III) of that sub-  
20 paragraph, on the condition that the Fed-  
21 eral share of the cost of the contract shall  
22 not exceed 75 percent of the total cost of  
23 the contract.

24 “(C) REPORT.—Not later than 1 year  
25 after the date of enactment of this subsection,



1 the Secretary shall submit to the Committee on  
2 Agriculture of the House of Representatives  
3 and the Committee on Agriculture, Nutrition,  
4 and Forestry of the Senate a report that de-  
5 scribes the results of the assessment and deter-  
6 mination under subparagraph (A).

7 “(3) PILOT PROJECTS.—

8 “(A) APPLICATION.—A State agency seek-  
9 ing to carry out a pilot project under the pilot  
10 program shall submit to the Secretary an appli-  
11 cation at such time, in such manner, and con-  
12 taining such information as the Secretary may  
13 require, including—

14 “(i) an identification of the 1 or more  
15 proposed changes to the process for  
16 verifying earned income used by the State  
17 agency;

18 “(ii) a description of how the pro-  
19 posed changes under clause (i) would meet  
20 the purpose described in paragraph (1);  
21 and

22 “(iii) a plan to evaluate how the pro-  
23 posed changes under clause (i) would im-  
24 prove the accuracy or efficiency of the  
25 verification of earned income at certifi-

1 cation and recertification of applicant  
2 households for the supplemental nutrition  
3 assistance program in the State.

4 “(B) SELECTION CRITERIA.—The Sec-  
5 retary shall select to carry out pilot projects  
6 State agencies that, as determined by the Sec-  
7 retary—

8 “(i) do not have access to up-to-date  
9 earned income information for the  
10 verification of earned income at certifi-  
11 cation and recertification of applicant  
12 households for the supplemental nutrition  
13 assistance program in the State;

14 “(ii) would be able to access and use,  
15 for the verification of earned income at  
16 certification and recertification of applicant  
17 households for the supplemental nutrition  
18 assistance program in the State, up-to-date  
19 earned income information used to deter-  
20 mine eligibility for another Federal assist-  
21 ance program; or

22 “(iii) have cost-effective, innovative  
23 approaches to verifying earned income that  
24 would improve the accuracy or efficiency of  
25 the verification of earned income at certifi-

1 cation and recertification of applicant  
2 households for the supplemental nutrition  
3 assistance program in the State.

4 “(4) GRANTS.—The Secretary may make  
5 grants to a State agency to carry out a pilot project.

6 “(5) EFFECT ON OTHER REQUIREMENTS.—A  
7 pilot project carried out under this subsection shall  
8 not alter the eligibility requirements under section 5  
9 or the reporting requirements under section 6(c).

10 “(6) REPORT.—Not later than 180 days after  
11 the date on which the pilot program terminates  
12 under paragraph (8), the Secretary shall submit to  
13 the Committee on Agriculture of the House of Rep-  
14 resentatives and the Committee on Agriculture, Nu-  
15 trition, and Forestry of the Senate a report that de-  
16 scribes the results of the pilot projects carried out  
17 under the pilot program.

18 “(7) FUNDING.—

19 “(A) IN GENERAL.—Out of funds made  
20 available under section 18(a)(1), on October 1,  
21 2018, the Secretary shall make available  
22 \$10,000,000 to carry out this subsection, to re-  
23 main available until expended.

24 “(B) COSTS.—The Secretary shall allocate  
25 not more than 10 percent of the amounts made

1 available under subparagraph (A) to carry out  
2 subparagraphs (A) and (C) of paragraph (2)  
3 and paragraph (6).

4 “(8) TERMINATION.—The pilot program shall  
5 terminate not later than September 30, 2022.”.

6 **SEC. 4108. PILOT PROJECTS TO IMPROVE HEALTHY DIE-**  
7 **TARY PATTERNS RELATED TO FLUID MILK IN**  
8 **THE SUPPLEMENTAL NUTRITION ASSIST-**  
9 **ANCE PROGRAM.**

10 Section 17 of the Food and Nutrition Act of 2008  
11 (7 U.S.C. 2026) (as amended by section 4107) is amended  
12 by adding at the end the following:

13 “(m) PILOT PROJECTS TO IMPROVE HEALTHY DIE-  
14 TARY PATTERNS RELATED TO FLUID MILK CONSUMP-  
15 TION AMONG PARTICIPANTS OR HOUSEHOLDS IN THE  
16 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM THAT  
17 UNDER-CONSUME FLUID MILK.—

18 “(1) DEFINITION OF FLUID MILK.—In this sub-  
19 section, the term ‘fluid milk’ means cow milk, with-  
20 out flavoring or sweeteners, consistent with the most  
21 recent Dietary Guidelines for Americans published  
22 under section 301 of the National Nutrition Moni-  
23 toring and Related Research Act of 1990 (7 U.S.C.  
24 5341), that is packaged in liquid form.

1           “(2) PILOT PROJECTS.—The Secretary shall  
2 carry out, under such terms and conditions as the  
3 Secretary considers to be appropriate, pilot projects  
4 to develop and test methods that would increase the  
5 purchase of fluid milk, in a manner consistent with  
6 the most recent Dietary Guidelines for Americans  
7 published under section 301 of the National Nutri-  
8 tion Monitoring and Related Research Act of 1990  
9 (7 U.S.C. 5341), by individuals or households par-  
10 ticipating in the supplemental nutrition assistance  
11 program that under-consume fluid milk by providing  
12 an incentive for the purchase of fluid milk at the  
13 point of purchase to a household purchasing food  
14 with supplemental nutrition assistance program ben-  
15 efits.

16           “(3) GRANTS OR COOPERATIVE AGREE-  
17 MENTS.—

18           “(A) IN GENERAL.—In carrying out this  
19 subsection, the Secretary may enter into com-  
20 petitively awarded cooperative agreements with,  
21 or provide grants to, a government agency or  
22 nonprofit organization for use in accordance  
23 with projects that meet the strategic goals of  
24 this subsection, including allowing the govern-  
25 ment agency or nonprofit organization to award

1           subgrants to retail food stores authorized under  
2           this Act.

3           “(B) APPLICATION.—To be eligible to re-  
4           ceive a cooperative agreement or grant under  
5           this paragraph, a government agency or non-  
6           profit organization shall submit to the Sec-  
7           retary an application at such time, in such  
8           manner, and containing such information as the  
9           Secretary may require.

10          “(C) SELECTION CRITERIA.—Pilot projects  
11          shall be evaluated against publicly disseminated  
12          criteria that shall include—

13                 “(i) incorporation of a scientifically  
14                 based strategy that is designed to improve  
15                 diet quality through the increased purchase  
16                 of fluid milk for participants or households  
17                 in the supplemental nutrition assistance  
18                 program that under-consume fluid milk;

19                 “(ii) a commitment to a pilot project  
20                 that allows for a rigorous outcome evalua-  
21                 tion, including data collection; and

22                 “(iii) other criteria, as determined by  
23                 the Secretary.

24          “(D) USE OF FUNDS.—Funds provided  
25          under this paragraph shall not be used for any

1 project that limits the use of benefits under this  
2 Act.

3 “(E) DURATION.—Each pilot project car-  
4 ried out under this subsection shall be in effect  
5 for not more than 24 months.

6 “(4) PROJECTS.—Pilot projects carried out  
7 under paragraph (2) shall include projects to deter-  
8 mine whether incentives for the purchase of fluid  
9 milk by individuals or households participating in  
10 the supplemental nutrition assistance program that  
11 under-consume fluid milk result in—

12 “(A) improved nutritional outcomes for  
13 participating individuals or households;

14 “(B) changes in purchasing and consump-  
15 tion of fluid milk among participating individ-  
16 uals or households; or

17 “(C) diets more closely aligned with  
18 healthy eating patterns consistent with the most  
19 recent Dietary Guidelines for Americans pub-  
20 lished under section 301 of the National Nutri-  
21 tion Monitoring and Related Research Act of  
22 1990 (7 U.S.C. 5341).

23 “(5) EVALUATION AND REPORTING.—

24 “(A) EVALUATION.—

25 “(i) INDEPENDENT EVALUATION.—

1                   “(I) IN GENERAL.—The Sec-  
2                   retary shall provide for an inde-  
3                   pendent evaluation of projects selected  
4                   under this subsection that measures  
5                   the impact of the pilot program on  
6                   health and nutrition as described in  
7                   paragraphs (2) through (4).

8                   “(II) REQUIREMENT.—The inde-  
9                   pendent evaluation under subclause  
10                  (I) shall use rigorous methodologies,  
11                  particularly random assignment or  
12                  other methods that are capable of pro-  
13                  ducing scientifically valid information  
14                  regarding which activities are effec-  
15                  tive.

16                  “(ii) COSTS.—The Secretary may use  
17                  funds provided to carry out this subsection  
18                  to pay costs associated with monitoring  
19                  and evaluating each pilot project.

20                  “(B) REPORTING.—Not later than 90 days  
21                  after the last day of fiscal year 2019 and each  
22                  fiscal year thereafter until the completion of the  
23                  last evaluation under subparagraph (A), the  
24                  Secretary shall submit to the Committee on Ag-  
25                  riculture of the House of Representatives and



1 the Committee on Agriculture, Nutrition, and  
2 Forestry of the Senate a report that includes a  
3 description of—

4 “(i) the status of each pilot project;

5 “(ii) the results of the evaluation com-  
6 pleted during the previous fiscal year; and

7 “(iii) to the maximum extent prac-  
8 ticable—

9 “(I) the impact of the pilot  
10 project on appropriate health, nutri-  
11 tion, and associated behavioral out-  
12 comes among households participating  
13 in the pilot project;

14 “(II) baseline information rel-  
15 evant to the stated goals and desired  
16 outcomes of the pilot project; and

17 “(III) equivalent information  
18 about similar or identical measures  
19 among control or comparison groups  
20 that did not participate in the pilot  
21 project.

22 “(C) PUBLIC DISSEMINATION.—In addi-  
23 tion to the reporting requirements under sub-  
24 paragraph (B), evaluation results shall be  
25 shared broadly to inform policy makers, service

1 providers, other partners, and the public to pro-  
2 mote wide use of successful strategies.

3 “(6) FUNDING.—

4 “(A) AUTHORIZATION OF APPROPRIA-  
5 TIONS.—There is authorized to be appropriated  
6 to carry out this subsection \$20,000,000, to re-  
7 main available until expended.

8 “(B) APPROPRIATIONS IN ADVANCE.—

9 Only funds appropriated under subparagraph  
10 (A) in advance specifically to carry out this sub-  
11 section shall be available to carry out this sub-  
12 section.”.

13 **SEC. 4109. INTERSTATE DATA MATCHING TO PREVENT**  
14 **MULTIPLE ISSUANCES.**

15 Section 11 of the Food and Nutrition Act of 2008  
16 (7 U.S.C. 2020) is amended by adding at the end the fol-  
17 lowing:

18 “(w) NATIONAL ACCURACY CLEARINGHOUSE.—

19 “(1) DEFINITION OF INDICATION OF MULTIPLE  
20 ISSUANCE.—In this subsection, the term ‘indication  
21 of multiple issuance’ means an indication, based on  
22 a computer match, that benefits are being issued to  
23 an individual under the supplemental nutrition as-  
24 sistance program from more than 1 State simulta-  
25 neously.

1           “(2) ESTABLISHMENT.—

2                   “(A) IN GENERAL.—The Secretary shall  
3           establish an interstate data system, to be  
4           known as the ‘National Accuracy Clearing-  
5           house’, to prevent the simultaneous issuance of  
6           benefits to an individual by more than 1 State  
7           under the supplemental nutrition assistance  
8           program.

9                   “(B) DATA MATCHING.—The Secretary  
10          shall require that States make available to the  
11          National Accuracy Clearinghouse only such in-  
12          formation as is necessary for the purpose de-  
13          scribed in subparagraph (A).

14                  “(C) DATA PROTECTION.—The informa-  
15          tion made available by States under subpara-  
16          graph (B)—

17                          “(i) shall be used only for the purpose  
18                          described in subparagraph (A); and

19                          “(ii) shall not be retained for longer  
20                          than is necessary to accomplish that pur-  
21                          pose.

22           “(3) ISSUANCE OF INTERIM FINAL REGULA-  
23          TIONS.—Not later than 18 months after the date of  
24          enactment of this subsection, the Secretary shall

1 promulgate regulations (which shall include interim  
2 final regulations) to carry out this subsection that—

3 “(A) incorporate best practices and lessons  
4 learned from the pilot program under section  
5 4032(c) of the Agricultural Act of 2014 (7  
6 U.S.C. 2036c(c));

7 “(B) require a State to take appropriate  
8 action, as determined by the Secretary, with re-  
9 spect to each indication of multiple issuance or  
10 indication that an individual receiving benefits  
11 in 1 State has applied to receive benefits in an-  
12 other State, while ensuring timely and fair serv-  
13 ice to applicants for, and participants in, the  
14 supplemental nutrition assistance program;

15 “(C) limit the information submitted  
16 through or retained by the National Accuracy  
17 Clearinghouse to information necessary to ac-  
18 complish the purpose described in paragraph  
19 (2)(A);

20 “(D) establish safeguards to protect—

21 “(i) the information submitted  
22 through or retained by the National Accu-  
23 racy Clearinghouse, including by limiting  
24 the period of time that information is re-  
25 tained to the period necessary to accom-

1           plish the purpose described in paragraph  
2           (2)(A); and

3           “ (ii) the privacy of information that is  
4           submitted through or retained by the Na-  
5           tional Accuracy Clearinghouse, which shall  
6           include—

7                   “(I) prohibiting any contractor  
8                   who has access to information that is  
9                   submitted through or retained by the  
10                  National Accuracy Clearinghouse from  
11                  using that information for purposes  
12                  not directly related to the purpose de-  
13                  scribed in paragraph (2)(A); and

14                  “(II) other safeguards, consistent  
15                  with subsection (e)(8);

16           “(E) establish a process by which a State  
17           shall—

18                   “(i) not later than 3 years after the  
19                   date of enactment of this subsection, con-  
20                   duct a computer match using the National  
21                   Accuracy Clearinghouse;

22                   “(ii) after the first computer match  
23                   under clause (i), conduct computer  
24                   matches on an ongoing basis, as deter-  
25                   mined by the Secretary;

1                   “(iii) identify and take appropriate ac-  
2                   tion, as determined by the Secretary, with  
3                   respect to each indication of multiple  
4                   issuance or indication that an individual  
5                   receiving benefits in 1 State has applied to  
6                   receive benefits in another State; and

7                   “(iv) protect the identity and location  
8                   of a vulnerable individual (including a vic-  
9                   tim of domestic violence) that is an appli-  
10                  cant to or participant of the supplemental  
11                  nutrition assistance program; and

12                  “(F) include other rules and standards, as  
13                  determined by the Secretary.”.

14 **SEC. 4110. QUALITY CONTROL.**

15       (a) RECORDS.—

16           (1) IN GENERAL.—Section 11(a)(3)(B) of the  
17       Food and Nutrition Act of 2008 (7 U.S.C.  
18       2020(a)(3)(B)) is amended in the matter preceding  
19       clause (i) by inserting “and systems containing those  
20       records” after “subparagraph (A)”.

21           (2) COST SHARING FOR COMPUTERIZATION.—  
22       Section 16(g)(1) of the Food and Nutrition Act of  
23       2008 (7 U.S.C. 2025(g)(1)) is amended—

24           (A) in subparagraph (E), by striking  
25           “and” at the end;

1 (B) in subparagraph (F)(ii), by striking  
2 the period at the end and inserting “; and”;  
3 and

4 (C) by adding at the end the following:

5 “(G) would be accessible by the Secretary  
6 for inspection and audit under section  
7 11(a)(3)(B); and”.

8 (b) QUALITY CONTROL SYSTEM.—Section 16(c)(1) of  
9 the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1))  
10 is amended by striking subparagraph (B) and inserting  
11 the following:

12 “(B) QUALITY CONTROL SYSTEM INTEG-  
13 RITY.—

14 “(i) IN GENERAL.—Not later than  
15 180 days after the date of enactment of  
16 the Agriculture Improvement Act of 2018,  
17 the Secretary shall issue interim final reg-  
18 ulations that—

19 “(I) ensure that the quality con-  
20 trol system established under this sub-  
21 section produces valid statistical re-  
22 sults;

23 “(II) provide for oversight of con-  
24 tracts entered into by a State agency

1 for the purpose of improving payment  
2 accuracy;

3 “(III) ensure the accuracy of  
4 data collected under the quality con-  
5 trol system established under this sub-  
6 section; and

7 “(IV) to the maximum extent  
8 practicable, for each fiscal year, evalu-  
9 ate the integrity of the quality control  
10 process of not fewer than 2 State  
11 agencies, selected in accordance with  
12 criteria determined by the Secretary.

13 “(ii) DEBARMENT.—In accordance  
14 with the nonprocurement debarment proce-  
15 dures under part 417 of title 2, Code of  
16 Federal Regulations (or successor regula-  
17 tions), the Secretary shall bar any person  
18 that, in carrying out the quality control  
19 system established under this subsection,  
20 knowingly submits, or causes to be sub-  
21 mitted, false information to the Sec-  
22 retary.”.

23 (c) ELIMINATION OF STATE BONUSES FOR ERROR  
24 RATES.—



1           (1) IN GENERAL.—Section 16(d) of the Food  
2           and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is  
3           amended—

4                   (A) by striking the subsection heading and  
5           inserting “STATE PERFORMANCE INDICATORS  
6           AND BONUSES.—”; and

7                   (B) in paragraph (2)—

8                           (i) in subparagraph (A)(ii), by strik-  
9                   ing “subparagraph (B)(ii)” and inserting  
10                   “clauses (ii) and (iii) of subparagraph  
11                   (B)”; and

12                           (ii) in subparagraph (B)—

13                                   (I) in the matter preceding clause  
14                           (i), by striking “With respect” and all  
15                           that follows through the end of clause  
16                           (i) and inserting the following:

17                                   “(i) PERFORMANCE MEASUREMENT.—  
18                           With respect to fiscal year 2005 and each  
19                           fiscal year thereafter, the Secretary shall  
20                           measure the performance of each State  
21                           agency with respect to the criteria estab-  
22                           lished under subparagraph (A)(i).”;

23                                   (II) in clause (ii), by striking  
24                           “(ii) subject to paragraph (3),” and  
25                           inserting the following:

1                   “(ii) PERFORMANCE BONUSES FOR  
2 FISCAL YEARS 2005 THROUGH 2017.—With  
3 respect to each of fiscal years 2005  
4 through 2017, subject to paragraph (3),  
5 the Secretary shall”; and

6                   (III) by adding at the end the  
7 following:

8                   “(iii) PERFORMANCE BONUSES FOR  
9 FISCAL YEARS 2018 AND THEREAFTER.—

10                   “(I) IN GENERAL.—With respect  
11 to fiscal year 2018 and each fiscal  
12 year thereafter, subject to subclause  
13 (II) and paragraph (3), the Secretary  
14 shall award performance bonus pay-  
15 ments in the following fiscal year, in  
16 a total amount of \$6,000,000 for each  
17 fiscal year, to State agencies that  
18 meet standards for high or most im-  
19 proved performance established by the  
20 Secretary under subparagraph (A)(ii)  
21 for the measure of application proc-  
22 essing timeliness.

23                   “(II) PERFORMANCE BONUS PAY-  
24 MENTS FOR FISCAL YEAR 2018 PER-  
25 FORMANCE.—The Secretary shall

1                   award performance bonus payments in  
2                   a total amount of \$6,000,000 to State  
3                   agencies in fiscal year 2019 for fiscal  
4                   year 2018 performance, in accordance  
5                   with subclause (I).”.

6                   (2)       CONFORMING        AMENDMENT.—Section  
7                   16(i)(1) of the Food and Nutrition Act of 2008 (7  
8                   U.S.C. 2025(i)(1)) is amended by striking “(as de-  
9                   fined in subsection (d)(1))”.

10 **SEC. 4111. REQUIREMENT OF LIVE-PRODUCTION ENVIRON-**  
11                   **MENTS FOR CERTAIN PILOT PROJECTS RE-**  
12                   **LATING TO COST SHARING FOR COMPUT-**  
13                   **ERIZATION.**

14                   Section 16(g)(1) of the Food and Nutrition Act of  
15 2008 (7 U.S.C. 2025(g)(1)) (as amended by section  
16 4110(a)(2)) is amended—

17                   (1) in subparagraph (F), by redesignating  
18                   clauses (i) and (ii) as subclauses (I) and (II), respec-  
19                   tively, and indenting appropriately;

20                   (2) by redesignating subparagraphs (A) through  
21                   (G) as clauses (i) through (vii), respectively, and in-  
22                   denting appropriately;

23                   (3) in the matter preceding clause (i) (as so re-  
24                   designated)—

1 (A) by striking “paragraphs (2) and (3)”  
2 and inserting “paragraph (2)”; and

3 (B) by striking “in the planning” and in-  
4 serting the following: “in the—  
5 “(A) planning”;

6 (4) in clause (v) (as so redesignated) of sub-  
7 paragraph (A) (as so designated), by striking “im-  
8 plementation, including through pilot projects in lim-  
9 ited areas for major systems changes as determined  
10 under rules promulgated by the Secretary, data from  
11 which” and inserting the following: “implementation,  
12 including a requirement that—

13 “(I) such testing shall be accom-  
14 plished through pilot projects in lim-  
15 ited areas for major systems changes  
16 (as determined under rules promul-  
17 gated by the Secretary);

18 “(II) each pilot project described  
19 in subclause (I) that is carried out be-  
20 fore the implementation of a system  
21 shall be conducted in a live-production  
22 environment; and

23 “(III) the data resulting from  
24 each pilot project carried out under  
25 this clause”; and

1 (5) by adding at the end the following:

2 “(B) operation of 1 or more automatic  
3 data processing and information retrieval sys-  
4 tems that the Secretary determines may con-  
5 tinue to be operated in accordance with clauses  
6 (i) through (vii) of subparagraph (A).”.

7 **SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 18(a)(1) of the Food and Nutrition Act of  
9 2008 (7 U.S.C. 2027(a)(1)) is amended in the first sen-  
10 tence by striking “2018” and inserting “2023”.

11 **SEC. 4113. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.**

12 Section 25(b)(2) of the Food and Nutrition Act of  
13 2008 (7 U.S.C. 2034(b)(2)) is amended—

14 (1) in subparagraph (B) by striking “and” at  
15 the end;

16 (2) in subparagraph (C) by striking “fiscal year  
17 2015 and each fiscal year thereafter.” and inserting  
18 “each of fiscal years 2015 through 2018; and”; and

19 (3) by adding at the end the following:

20 “(D) \$5,000,000 for fiscal year 2019 and  
21 each fiscal year thereafter.”.

22 **SEC. 4114. NUTRITION EDUCATION STATE PLANS.**

23 Section 28(c) of the Food and Nutrition Act of 2008  
24 (7 U.S.C. 2036a(c)) is amended—

25 (1) in paragraph (2)—

1 (A) in subparagraph (B)—

2 (i) in the matter preceding clause (i),  
3 by striking “Except as provided in sub-  
4 paragraph (C), a” and inserting “A”;

5 (ii) in clause (ii), by striking “and”  
6 after the semicolon;

7 (iii) by redesignating clause (iii) as  
8 clause (iv); and

9 (iv) by inserting after clause (ii) the  
10 following:

11 “(iii) describe how the State agency  
12 shall use an electronic reporting system  
13 that measures and evaluates the projects;  
14 and”; and

15 (B) by striking subparagraph (C);

16 (2) in paragraph (3)(B), in the matter pre-  
17 ceding clause (i), by inserting “, the Director of the  
18 National Institute of Food and Agriculture,” before  
19 “and outside stakeholders”;

20 (3) in paragraph (5), by inserting “the ex-  
21 panded food and nutrition education program or”  
22 before “other health promotion”; and

23 (4) by adding at the end the following:

1           “(6) REPORT.—The State agency shall submit  
2           to the Secretary an annual evaluation report in ac-  
3           cordance with regulations issued by the Secretary.”.

4   **SEC. 4115. EMERGENCY FOOD ASSISTANCE PROGRAM.**

5           (a) STATE PLAN.—Section 202A(b) of the Emer-  
6           gency Food Assistance Act of 1983 (7 U.S.C. 7503(b))  
7           is amended—

8           (1) in paragraph (3), by striking “and” after  
9           the semicolon;

10          (2) in paragraph (4), by striking the period at  
11          the end and inserting a semicolon; and

12          (3) by adding at the end the following:

13               “(5) at the option of the State agency, describe  
14               a plan of operation for 1 or more projects in part-  
15               nership with 1 or more emergency feeding organiza-  
16               tions located in the State to harvest, process, and  
17               package donated commodities received under section  
18               203D(d); and

19               “(6) describe a plan, which may include the use  
20               of a State advisory board established under sub-  
21               section (c), that provides emergency feeding organi-  
22               zations or eligible recipient agencies within the State  
23               an opportunity to provide input on the commodity  
24               preferences and needs of the emergency feeding or-  
25               ganization or eligible recipient agency.”.

1 (b) STATE AND LOCAL SUPPLEMENTATION OF COM-  
2 MODITIES.—Section 203D of the Emergency Food Assist-  
3 ance Act of 1983 (7 U.S.C. 7507) is amended by adding  
4 at the end the following:

5 “(d) PROJECTS TO HARVEST, PROCESS, AND PACK-  
6 AGE DONATED COMMODITIES.—

7 “(1) DEFINITION OF PROJECT.—In this sub-  
8 section, the term ‘project’ means the harvesting,  
9 processing, or packaging of unharvested, unproc-  
10 essed, or unpackaged commodities donated by agri-  
11 cultural producers, processors, or distributors for  
12 use by emergency feeding organizations under sub-  
13 section (a).

14 “(2) FEDERAL FUNDING FOR PROJECTS.—

15 “(A) IN GENERAL.—Subject to subpara-  
16 graphs (B) and (C) and paragraph (3), using  
17 funds made available under paragraph (5), the  
18 Secretary may provide funding to States to pay  
19 for the costs of carrying out a project.

20 “(B) FEDERAL SHARE.—The Federal  
21 share of the cost of a project under subpara-  
22 graph (A) shall not exceed 50 percent of the  
23 total cost of the project.

24 “(C) ALLOCATION.—



1                   “(i) IN GENERAL.—Each fiscal year,  
2                   the Secretary shall allocate to States that  
3                   have submitted under section 202A(b)(5) a  
4                   State plan describing a plan of operation  
5                   for a project the funds made available  
6                   under subparagraph (A) based on a for-  
7                   mula determined by the Secretary.

8                   “(ii) REALLOCATION.—If the Sec-  
9                   retary determines that a State will not ex-  
10                  pend all of the funds allocated to the State  
11                  for a fiscal year under clause (i), the Sec-  
12                  retary shall reallocate the unexpended  
13                  funds to other States that have submitted  
14                  under section 202A(b)(5) a State plan de-  
15                  scribing a plan of operation for a project  
16                  during that fiscal year or the subsequent  
17                  fiscal year, as the Secretary determines ap-  
18                  propriate.

19                  “(iii) REPORTS.—Each State to which  
20                  funds are allocated for a fiscal year under  
21                  this subparagraph shall, on a regular basis,  
22                  submit to the Secretary financial reports  
23                  describing the use of the funds.

1           “(3) PROJECT PURPOSES.—A State may only  
2 use Federal funds received under paragraph (2) for  
3 a project the purposes of which are—

4                   “(A) to reduce food waste at the agricul-  
5 tural production, processing, or distribution  
6 level through the donation of food;

7                   “(B) to provide food to individuals in need;  
8 and

9                   “(C) to build relationships between agricul-  
10 tural producers, processors, and distributors  
11 and emergency feeding organizations through  
12 the donation of food.

13           “(4) COOPERATIVE AGREEMENTS.—The Sec-  
14 retary may encourage a State agency that carries  
15 out a project using Federal funds received under  
16 paragraph (2) to enter into cooperative agreements  
17 with State agencies of other States under section  
18 203B(d) to maximize the use of commodities do-  
19 nated under the project.

20           “(5) FUNDING.—Out of funds not otherwise  
21 appropriated, the Secretary of the Treasury shall  
22 transfer to the Secretary to carry out this subsection  
23 \$4,000,000 for each of fiscal years 2019 through  
24 2023, to remain available until the end of the subse-  
25 quent fiscal year.”.

1           (c) FOOD WASTE.—Section 203D of the Emergency  
2 Food Assistance Act of 1983 (7 U.S.C. 7507) (as amend-  
3 ed by subsection (b)) is amended by adding at the end  
4 the following:

5           “(e) FOOD WASTE.—The Secretary shall issue guid-  
6 ance outlining best practices to minimize the food waste  
7 of the commodities donated under subsection (a).”.

8           (d) EMERGENCY FOOD PROGRAM INFRASTRUCTURE  
9 GRANTS.—Section 209(d) of the Emergency Food Assist-  
10 ance Act of 1983 (7 U.S.C. 7511a(d)) is amended by  
11 striking “2018” and inserting “2023”.

12           (e) AVAILABILITY OF COMMODITIES FOR THE EMER-  
13 GENCY FOOD ASSISTANCE PROGRAM.—Section 27(a) of  
14 the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a))  
15 is amended—

16           (1) in paragraph (1), by striking “2018” and  
17 inserting “2023”; and

18           (2) in paragraph (2)—

19           (A) in subparagraph (C), by striking  
20 “2018” and inserting “2023”;

21           (B) in subparagraph (D)—

22           (i) in the matter preceding clause (i),  
23 by striking “2018” and inserting “2023”;

24           (ii) in clause (iii), by striking “and”  
25 after the semicolon;

1 (iii) in clause (iv), by striking “and”  
2 after the semicolon;

3 (iv) by adding at the end the fol-  
4 lowing:

5 “(v) for fiscal year 2019,  
6 \$23,000,000;

7 “(vi) for fiscal year 2020,  
8 \$35,000,000;

9 “(vii) for fiscal year 2021,  
10 \$35,000,000;

11 “(viii) for fiscal year 2022,  
12 \$35,000,000; and

13 “(ix) for fiscal year 2023,  
14 \$35,000,000; and”; and

15 (C) in subparagraph (E)—

16 (i) by striking “2019” and inserting  
17 “2024”;

18 (ii) by striking “(D)(iv)” and insert-  
19 ing “(D)(ix)”; and

20 (iii) by striking “June 30, 2017” and  
21 inserting “June 30, 2023”.

22 **SEC. 4116. TECHNICAL AND CONFORMING AMENDMENTS.**

23 (a) Section 3 of the Food and Nutrition Act of 2008  
24 (7 U.S.C. 2012) is amended—

1           (1) in subsection (d), by striking “7(i)” and in-  
2           serting “7(h)”;

3           (2) in subsection (i), by striking “7(i)” and in-  
4           serting “7(h)”;

5           (3) in subsection (o)(1)(A), by striking “(r)(1)”  
6           and inserting “(q)(1)”.

7           (b) Section 5(a) of the Food and Nutrition Act of  
8           2008 (7 U.S.C. 2014(a)) is amended by striking “3(n)(4)”  
9           each place it appears and inserting “3(m)(4)”.

10          (c) Section 8 of the Food and Nutrition Act of 2008  
11          (7 U.S.C. 2017) is amended—

12           (1) in subsection (e)(1), by striking “3(n)(5)”  
13           and inserting “3(m)(5)”;

14           (2) in subsection (f)(1)(A), by striking  
15           “3(n)(5)” and inserting “3(m)(5)”.

16          (d) Section 9(c) of the Food and Nutrition Act of  
17          2008 (7 U.S.C. 2018(c)) is amended in the third sentence  
18          by striking “to any used by” and inserting “to, and used  
19          by,”.

20          (e) Section 10 of the Food and Nutrition Act of 2008  
21          (7 U.S.C. 2019) is amended in the first sentence—

22           (1) by striking “or the Federal Savings and  
23           Loan Insurance Corporation” each place it appears;  
24           and

1           (2) by striking “3(p)(4)” and inserting  
2           “3(o)(4)”.

3           (f) Section 11 of the Food and Nutrition Act of 2008  
4 (7 U.S.C. 2020) is amended—

5           (1) by striking “3(t)(1)” each place it appears  
6           and inserting “3(s)(1)”; and

7           (2) by striking “3(t)(2)” each place it appears  
8           and inserting “3(s)(2)”.

9           (g) Section 18(e) of the Food and Nutrition Act of  
10 2008 (7 U.S.C. 2027(e)) is amended in the first sentence  
11 by striking “7(f)” and inserting “7(e)”.

12           (h) Section 25(a)(1)(B)(i)(I) of the Food and Nutri-  
13 tion Act of 2008 (7 U.S.C. 2034(a)(1)(B)(i)(I)) is amend-  
14 ed by striking “service;” and inserting “service;”.

15                           **Subtitle B—Commodity**  
16                           **Distribution Programs**

17           **SEC. 4201. COMMODITY DISTRIBUTION PROGRAM.**

18           Section 4(a) of the Agriculture and Consumer Protec-  
19 tion Act of 1973 (7 U.S.C. 612c note; Public Law 93–  
20 86) is amended in the first sentence by striking “2018”  
21 and inserting “2023”.

22           **SEC. 4202. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

23           Section 5 of the Agriculture and Consumer Protec-  
24 tion Act of 1973 (7 U.S.C. 612c note; Public Law 93–  
25 86) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “2018”  
3 and inserting “2023”; and

4 (B) in paragraph (2)(B), in the matter  
5 preceding clause (i), by striking “2018” and in-  
6 serting “2023”;

7 (2) in subsection (d)(2), in the first sentence,  
8 by striking “2018” and inserting “2023”; and

9 (3) in subsection (g)—

10 (A) by striking “Except” and inserting the  
11 following:

12 “(1) IN GENERAL.—Except”; and

13 (B) by adding at the end the following:

14 “(2) CERTIFICATION.—

15 “(A) DEFINITION OF CERTIFICATION PE-  
16 RIOD.—In this paragraph, the term ‘certifi-  
17 cation period’ means the period during which a  
18 participant in the commodity supplemental food  
19 program in a State may continue to receive  
20 benefits under the commodity supplemental  
21 food program without a formal review of the eli-  
22 gibility of the participant.

23 “(B) MINIMUM CERTIFICATION PERIOD.—

24 Subject to subparagraphs (C) and (D), a State  
25 shall establish for the commodity supplemental

1 food program of the State a certification period  
2 of—

3 “(i) not less than 1 year; but

4 “(ii) not more than 3 years.

5 “(C) TEMPORARY CERTIFICATION.—An eli-  
6 gible individual in the commodity supplemental  
7 food program in a State may be provided with  
8 a temporary monthly certification to fill any  
9 caseload slot resulting from nonparticipation by  
10 other certified participants.

11 “(D) APPROVALS.—A certification period  
12 of more than 1 year established by a State  
13 under subparagraph (B) shall be subject to the  
14 approval of the Secretary, who shall approve  
15 such a certification period on the condition  
16 that, with respect to each participant receiving  
17 benefits under the commodity supplemental  
18 food program of the State, the local agency in  
19 the State administering the commodity supple-  
20 mental food program, on an annual basis dur-  
21 ing the certification period applicable to the  
22 participant—

23 “(i) verifies the address and continued  
24 interest of the participant; and



1                   “(ii) has sufficient reason to deter-  
2                   mine that the participant still meets the  
3                   income eligibility standards under para-  
4                   graph (1), which may include a determina-  
5                   tion that the participant has a fixed in-  
6                   come.”.

7   **SEC. 4203. DISTRIBUTION OF SURPLUS COMMODITIES; SPE-**  
8                   **CIAL NUTRITION PROJECTS.**

9                   Section 1114(a)(2)(A) of the Agriculture and Food  
10 Act of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended in the  
11 first sentence by striking “2018” and inserting “2023”.

12                   **Subtitle C—Miscellaneous**

13   **SEC. 4301. PURCHASE OF SPECIALTY CROPS.**

14                   Section 10603(b) of the Farm Security and Rural In-  
15 vestment Act of 2002 (7 U.S.C. 612c-4(b)) is amended  
16 by striking “2018” and inserting “2023”.

17   **SEC. 4302. SENIORS FARMERS’ MARKET NUTRITION PRO-**  
18                   **GRAM.**

19                   Section 4402(a) of the Farm Security and Rural In-  
20 vestment Act of 2002 (7 U.S.C. 3007(a)) is amended by  
21 striking “2018” and inserting “2023”.

22   **SEC. 4303. THE GUS SCHUMACHER FOOD INSECURITY NU-**  
23                   **TRITION INCENTIVE.**

24                   Section 4405 of the Food, Conservation, and Energy  
25 Act of 2008 (7 U.S.C. 7517) is amended—

1 (1) in the section heading, by striking “**FOOD**”  
2 and inserting “**THE GUS SCHUMACHER FOOD**”;

3 (2) in subsection (a)—

4 (A) in paragraph (1), in the matter pre-  
5 ceding subparagraph (A), by striking “means”  
6 and all that follows through the end of subpara-  
7 graph (L) and inserting “means a governmental  
8 agency or nonprofit organization.”; and

9 (B) in paragraph (3)—

10 (i) by striking the period at the end  
11 and inserting “; and”;

12 (ii) by striking “means the” and in-  
13 serting the following: “means—  
14 “(A) the”; and

15 (iii) by adding at the end the fol-  
16 lowing:

17 “(B) the programs for nutrition assistance  
18 under section 19 of that Act (7 U.S.C. 2028).”;

19 (3) in subsection (b)—

20 (A) in paragraph (1)—

21 (i) by redesignating subparagraphs  
22 (B) and (C) as subparagraphs (C) and  
23 (D), respectively;

24 (ii) by inserting after subparagraph  
25 (A) the following:

1 “(B) PARTNERS AND COLLABORATORS.—

2 An eligible entity that receives a grant under  
3 this subsection may partner with, or make sub-  
4 grants to, public, private, nonprofit, or for-prof-  
5 it entities, including—

6 “(i) an emergency feeding organiza-  
7 tion;

8 “(ii) an agricultural cooperative;

9 “(iii) a producer network or associa-  
10 tion;

11 “(iv) a community health organiza-  
12 tion;

13 “(v) a public benefit corporation;

14 “(vi) an economic development cor-  
15 poration;

16 “(vii) a farmers’ market;

17 “(viii) a community-supported agri-  
18 culture program;

19 “(ix) a buying club;

20 “(x) a retail food store participating  
21 in the supplemental nutrition assistance  
22 program;

23 “(xi) a State, local, or tribal agency;

24 “(xii) another eligible entity that re-  
25 ceives a grant; and

1 “(xiii) any other entity the Secretary  
2 designates.”;

3 (iii) in subparagraph (C) (as so reded-  
4 igned), by striking “The” and inserting  
5 “Except as provided in subparagraph  
6 (D)(iii), the”; and

7 (iv) in subparagraph (D) (as so reded-  
8 igned), by adding at the end the fol-  
9 lowing:

10 “(iii) TRIBAL AGENCIES.—The Sec-  
11 retary may allow a tribal agency to use  
12 funds provided to the Indian Tribe of the  
13 tribal agency through a Federal agency  
14 (including the Indian Health Service) or  
15 other Federal benefit to satisfy all or part  
16 of the non-Federal share described in  
17 clause (i), if such use is otherwise con-  
18 sistent with the purpose of such funds.”;

19 (B) in paragraph (2)—

20 (i) in subparagraph (A)—

21 (I) in the matter preceding clause  
22 (i), by striking “For purposes of” and  
23 all that follows through “that” and in-  
24 serting “To receive a grant under this  
25 subsection, an eligible entity shall”;

1 (II) in clause (i), by striking  
2 “meets” and inserting “meet”; and

3 (III) in clause (ii)—

4 (aa) in the matter preceding  
5 subclause (I), by striking “pro-  
6 poses” and inserting “propose”;

7 (bb) by striking subclauses  
8 (II) and (III) and inserting the  
9 following:

10 “(II) would increase the purchase  
11 of fruits and vegetables by low-income  
12 consumers participating in the supple-  
13 mental nutrition assistance program  
14 by providing an incentive for the pur-  
15 chase of fruits and vegetables at the  
16 point of purchase to a household pur-  
17 chasing food with supplemental nutri-  
18 tion assistance program benefits;

19 “(III) except in the case of  
20 projects receiving \$100,000 or less  
21 over 1 year, would measure the pur-  
22 chase of fruits and vegetables by low-  
23 income consumers participating in the  
24 supplemental nutrition assistance pro-  
25 gram;”;

1 (cc) in subclause (IV), by  
2 striking “and” at the end; and

3 (dd) by striking subclause  
4 (V) and inserting the following:

5 “(V) has adequate plans to col-  
6 lect data for reporting and agrees to  
7 provide that information for the re-  
8 port described in paragraph (5); and

9 “(VI) would share information  
10 with the Training and Technical As-  
11 sistance Centers and the Information  
12 and Evaluation Centers (as those  
13 terms are defined in paragraph (4))  
14 for the purposes described in that  
15 paragraph.”; and

16 (ii) in subparagraph (B)—

17 (I) by striking clause (v);

18 (II) by redesignating clause (vi)  
19 as clause (x); and

20 (III) by inserting after clause (iv)  
21 the following:

22 “(v) include a program design—

23 “(I) that provides incentives  
24 when fruits or vegetables are pur-

1           chased using supplemental nutrition  
2           assistance program benefits; and

3                   “(II) in which the incentives  
4           earned may be used only to purchase  
5           fruits or vegetables;

6                   “(vi) have demonstrated the ability to  
7           provide services to underserved commu-  
8           nities;

9                   “(vii) include coordination with mul-  
10          tiple stakeholders, such as farm organiza-  
11          tions, nutrition education programs, coop-  
12          erative extension services, public health de-  
13          partments, health providers, private and  
14          public health insurance agencies, coopera-  
15          tive grocers, grocery associations, and com-  
16          munity-based and nongovernmental organi-  
17          zations;

18                   “(viii) offer supplemental services in  
19          high-need communities, including online  
20          ordering, transportation between home and  
21          store, and delivery services;

22                   “(ix) include food retailers that are  
23          open—

24                           “(I) for extended hours; and

1 “(II) most or all days of the  
2 year; or”; and

3 (C) by striking paragraph (4) and insert-  
4 ing the following:

5 “(4) TRAINING AND TECHNICAL ASSISTANCE  
6 CENTERS; INFORMATION AND EVALUATION CEN-  
7 TERS.—

8 “(A) DEFINITIONS.—In this paragraph:

9 “(i) INFORMATION AND EVALUATION  
10 CENTER.—The term ‘Information and  
11 Evaluation Center’ means any of the infor-  
12 mation and evaluation centers established  
13 under subparagraph (B)(i)(II).

14 “(ii) TRAINING AND TECHNICAL AS-  
15 SISTANCE CENTER.—The term ‘Training  
16 and Technical Assistance Center’ means  
17 any of the training and technical assist-  
18 ance centers established under subpara-  
19 graph (B)(i)(I).

20 “(B) ESTABLISHMENT.—

21 “(i) IN GENERAL.—To provide serv-  
22 ices to eligible entities applying for or re-  
23 ceiving a grant under this subsection or to  
24 partners or collaborators applying for or  
25 receiving a subgrant under paragraph



1 (1)(B), the Secretary shall establish, in ac-  
2 cordance with clause (ii)—

3 “(I) 1 or more training and tech-  
4 nical centers, each of which shall be  
5 known as a ‘Food Insecurity Nutrition  
6 Incentive Program Training and  
7 Technical Assistance Center’; and

8 “(II) 1 or more information and  
9 evaluation centers, each of which shall  
10 be known as a ‘Food Insecurity Nutri-  
11 tion Incentive Program Information  
12 and Evaluation Center’.

13 “(ii) CRITERIA.—

14 “(I) IN GENERAL.—The Sec-  
15 retary shall establish the Training and  
16 Technical Assistance Centers and the  
17 Information and Evaluation Centers  
18 under clause (i) by designating as a  
19 Training and Technical Assistance  
20 Center or an Information or Evalua-  
21 tion Center, as applicable, 1 or more  
22 entities that meet the criteria de-  
23 scribed in subclause (II) or (III), as  
24 applicable.

1                   “(II) TRAINING AND TECHNICAL  
2 ASSISTANCE CENTERS.—To be eligible  
3 to be designated as a Training and  
4 Technical Assistance Center—  
5                   “(aa) an entity shall—  
6                    “(AA) have the capac-  
7                    ity to effectively implement  
8                    and track outreach, training,  
9                    and coordination functions;  
10                   “(BB) be able to  
11                    produce instructional mate-  
12                    rials that can easily be rep-  
13                    licated and distributed  
14                    through multiple formats;  
15                   “(CC) have working re-  
16                    lationships with nonprofit  
17                    and private organizations,  
18                    State and local governments,  
19                    and tribal organizations (as  
20                    defined in section 4 of the  
21                    Indian Self-Determination  
22                    and Education Assistance  
23                    Act (25 U.S.C. 5304));

1 “(DD) have the ability  
2 to work in underserved or  
3 rural communities; and

4 “(EE) have an organi-  
5 zational mission aligned with  
6 the needs of eligible entities  
7 receiving grants under this  
8 subsection; or

9 “(bb) for purposes of car-  
10 rying out subclauses (VII) and  
11 (VIII) of subparagraph (C)(i), an  
12 entity shall—

13 “(AA) have experience  
14 developing or supporting the  
15 development of point of sale  
16 technology; and

17 “(BB) meet any other  
18 criteria, as determined by  
19 the Secretary, to effectively  
20 carry out subclauses (VII)  
21 and (VIII) of subparagraph  
22 (C)(i).

23 “(III) INFORMATION AND EVAL-  
24 UATION CENTERS.—To be eligible to

1 be designated as an Information and  
2 Evaluation Center, an entity shall—

3 “(aa) have experience de-  
4 signing, creating, and maintain-  
5 ing an online, publicly searchable  
6 reporting and informational  
7 clearinghouse; and

8 “(bb) be able to conduct sys-  
9 tematic analysis of the impacts  
10 and outcomes of projects using a  
11 grant under this subsection.

12 “(C) SERVICES.—

13 “(i) TRAINING AND TECHNICAL AS-  
14 SISTANCE CENTERS.—The Training and  
15 Technical Assistance Centers shall provide  
16 services that include—

17 “(I) assisting eligible entities ap-  
18 plying for a grant or partners or col-  
19 laborators applying for a subgrant  
20 under this subsection in—

21 “(aa) assessing the food sys-  
22 tem in the geographical area of  
23 the eligible entity; and

24 “(bb) designing a proposed  
25 project;

1                   “(II) collecting and providing to  
2 eligible entities applying for or receiv-  
3 ing a grant or to partners or collabo-  
4 rators applying for or receiving a  
5 subgrant under this subsection infor-  
6 mation on best practices from existing  
7 projects, including best practices re-  
8 garding communications, signage,  
9 record-keeping, incentive instruments,  
10 integration with point of sale systems,  
11 and reporting;

12                   “(III) disseminating information  
13 and facilitating communication among  
14 eligible entities receiving a grant or  
15 partners or collaborators receiving a  
16 subgrant under this subsection;

17                   “(IV)(aa) identifying common  
18 challenges faced by eligible entities re-  
19 ceiving a grant or partners or collabo-  
20 rators receiving a subgrant under this  
21 subsection; and

22                   “(bb) coordinating the work to-  
23 wards solutions to those challenges;

24                   “(V) communicating with farms,  
25 direct to consumer markets, and gro-

1 cery organizations to share informa-  
2 tion and partner on projects using a  
3 grant or subgrant under this sub-  
4 section;

5 “(VI) assisting with collaboration  
6 among eligible entities receiving a  
7 grant or partners or collaborators re-  
8 ceiving a subgrant under this sub-  
9 section, State agencies, and the Food  
10 and Nutrition Service;

11 “(VII) identifying and providing  
12 to eligible entities applying for or re-  
13 ceiving a grant or partners or collabo-  
14 rators applying for or receiving a  
15 subgrant under this subsection infor-  
16 mation on point of sale technology  
17 that could reduce cost and increase ef-  
18 ficiency of supplemental nutrition as-  
19 sistance program and incentive trans-  
20 action processing at participating au-  
21 thorized retailers;

22 “(VIII) supporting the develop-  
23 ment of the technology described in  
24 clause (VII); and

1                   “(IX) other services identified by  
2                   the Secretary.

3                   “(ii) INFORMATION AND EVALUATION  
4                   CENTERS.—The Information and Evalua-  
5                   tion Centers shall provide services that in-  
6                   clude—

7                   “(I) using standard metrics  
8                   based on outcome measures used for  
9                   existing projects, and in collaboration  
10                  with the Director of the National In-  
11                  stitute of Food and Agriculture and  
12                  the Administrator of the Food and  
13                  Nutrition Service, creating a system  
14                  to collect and compile core data sets  
15                  from eligible entities receiving a grant  
16                  and partners or collaborators receiving  
17                  a subgrant, as appropriate, under this  
18                  subsection;

19                  “(II) beginning with fiscal year  
20                  2020, preparing an annual report  
21                  with summary data and an evaluation  
22                  of each project receiving a grant  
23                  under this subsection during the fiscal  
24                  year preceding the report, that in-  
25                  cludes the amount of grant funds

1 used for the project and the measure-  
2 ment of the outcomes of the project,  
3 for submission to the Secretary; and

4 “(III) other services identified by  
5 the Secretary.

6 “(D) GRANTS AND COOPERATIVE AGREE-  
7 MENTS.—In carrying out this paragraph, the  
8 Secretary, on a competitive basis, shall make  
9 grants to, or enter into cooperative agreements  
10 with—

11 “(i) State cooperative extension serv-  
12 ices;

13 “(ii) nongovernmental organizations;

14 “(iii) Federal, State, or tribal agen-  
15 cies;

16 “(iv) 2-year and 4-year degree-grant-  
17 ing institutions of higher education (as de-  
18 fined in section 101(a) of the Higher Edu-  
19 cation Act of 1965 (20 U.S.C. 1001(a)))  
20 and land-grant colleges and universities (as  
21 defined in section 1404 of the National  
22 Agricultural Research, Extension, and  
23 Teaching Policy Act of 1977 (7 U.S.C.  
24 3103)); and



1                   “(v) other appropriate partners, as  
2                   determined by the Secretary.

3                   “(5) ANNUAL EVALUATION AND REPORT.—

4                   “(A) IN GENERAL.—Annually beginning  
5                   with fiscal year 2020, the Secretary shall con-  
6                   duct, and submit to Congress an evaluation of  
7                   each project receiving a grant under this sub-  
8                   section, including—

9                   “(i) the results of the project;

10                   “(ii) the amount of grant funds used  
11                   for the project; and

12                   “(iii) a measurement of the outcomes  
13                   of the project.

14                   “(B) REQUIREMENT.—The evaluation con-  
15                   ducted under subparagraph (A) shall be based  
16                   on uniform data provided by eligible entities re-  
17                   ceiving a grant under this subsection.

18                   “(C) PUBLIC AVAILABILITY.—The Sec-  
19                   retary shall make the evaluation conducted  
20                   under subparagraph (A), including the data  
21                   provided by eligible entities under subparagraph  
22                   (B), publicly available online in an anonymized  
23                   format that protects confidential, personal, or  
24                   other sensitive data.

1           “(D) REPORTING MECHANISM.—The Sec-  
2           retary shall, to the maximum extent practicable,  
3           include eligible entities receiving a grant under  
4           this subsection, grocers, farmers, health profes-  
5           sionals, researchers, and employees of the De-  
6           partment of Agriculture with direct experience  
7           with implementation of the supplemental nutri-  
8           tion assistance program in the design of—

9                   “(i) the instrument through which  
10                  data will be collected from eligible entities  
11                  under subparagraph (B); and

12                   “(ii) the mechanism for reporting by  
13                  eligible entities.”; and

14           (4) in subsection (c), by striking paragraph (2)  
15           and inserting the following:

16                   “(2) MANDATORY FUNDING.—Of the funds of  
17           the Commodity Credit Corporation, the Secretary  
18           shall use to carry out subsection (b) \$50,000,000 for  
19           fiscal year 2019 and each fiscal year thereafter.

20                   “(3) COSTS.—Of the funds made available  
21           under paragraph (2) for a fiscal year, the Secretary  
22           shall allocate not more than 15 percent—

23                   “(A) to carry out paragraphs (4) and (5)  
24           of subsection (b); and



1 (I) benefits under the Food and  
2 Nutrition Act of 2008 (7 U.S.C. 2011  
3 et seq.); or

4 (II) medical assistance under a  
5 State plan or a waiver of such a plan  
6 under title XIX of the Social Security  
7 Act (42 U.S.C. 1396 et seq.) and en-  
8 rolled under such plan or waiver; and  
9 (ii) a member of a low-income house-  
10 hold that suffers from, or is at risk of de-  
11 veloping, a diet-related health condition.

12 (B) SCOPE OF ELIGIBILITY DETERMINA-  
13 TIONS.—A determination by an eligible entity  
14 or healthcare partner that an individual is a  
15 member for purposes of subparagraph (A) shall  
16 not—

17 (i) constitute a determination that the  
18 individual is eligible for benefits or assist-  
19 ance under title XIX of the Social Security  
20 Act (42 U.S.C. 1396 et seq.) or the Food  
21 and Nutrition Act of 2008 (7 U.S.C. 2011  
22 et seq.), as applicable; or

23 (ii) be a factor in determining whether  
24 the individual is eligible for such benefits  
25 or assistance.

1           (4) PILOT PROJECT.—The term “pilot project”  
2 means a pilot project that is awarded a grant under  
3 subsection (b)(1).

4           (5) PRODUCE PRESCRIPTION PROGRAM.—The  
5 term “produce prescription program” means a pro-  
6 gram that—

7           (A) prescribes fresh fruits and vegetables  
8 to members;

9           (B) may provide—

10           (i) financial or non-financial incen-  
11 tives for members to purchase or procure  
12 fresh fruits and vegetables; and

13           (ii) educational resources on nutrition  
14 to members; and

15           (C) may establish additional accessible lo-  
16 cations for members to procure fresh fruits and  
17 vegetables.

18 (b) GRANT PROGRAM.—

19 (1) ESTABLISHMENT.—

20           (A) IN GENERAL.—The Secretary shall es-  
21 tablish a grant program under which the Sec-  
22 retary shall award grants to eligible entities to  
23 conduct pilot projects that demonstrate and  
24 evaluate the impact of a produce prescription  
25 program on—

1 (i) the improvement of dietary health  
2 through increased consumption of fruits  
3 and vegetables;

4 (ii) the reduction of individual and  
5 household food insecurity; and

6 (iii) the reduction in health care use  
7 and associated costs.

8 (B) HEALTHCARE PARTNERS.—In carrying  
9 out a pilot project using a grant received under  
10 subparagraph (A), an eligible entity shall part-  
11 ner with 1 or more healthcare partners.

12 (C) GRANT APPLICATIONS.—

13 (i) IN GENERAL.—To be eligible to re-  
14 ceive a grant under subparagraph (A), an  
15 eligible entity shall submit to the Secretary  
16 an application containing such information  
17 as the Secretary may require, including the  
18 information described in clause (ii).

19 (ii) APPLICATION.—An application  
20 under clause (i) shall—

21 (I) identify the 1 or more  
22 healthcare partners with which the eli-  
23 gible entity is partnering under sub-  
24 paragraph (B); and

25 (II) include—

1 (aa) a description of the  
2 methods by which an eligible en-  
3 tity shall—

4 (AA) screen and verify  
5 eligibility for members for  
6 participation in a produce  
7 prescription program, in ac-  
8 cordance with procedures es-  
9 tablished under subsection  
10 (a)(3)(A);

11 (BB) implement an ef-  
12 fective produce prescription  
13 program, including the role  
14 of each healthcare partner in  
15 implementing the produce  
16 prescription program;

17 (CC) evaluate members  
18 participating in a produce  
19 prescription program with  
20 respect to the issues de-  
21 scribed in clauses (i)  
22 through (iii) of subpara-  
23 graph (A);

24 (DD) provide edu-  
25 cational opportunities relat-

1                   ing to nutrition to members  
2                   participating in a produce  
3                   prescription program; and

4                   (EE) inform members  
5                   of the availability of the  
6                   produce prescription pilot  
7                   project;

8                   (bb) a description of any ad-  
9                   ditional nonprofit or emergency  
10                  feeding organizations that shall  
11                  be involved in the pilot project  
12                  and the role of each additional  
13                  nonprofit or emergency feeding  
14                  organization in implementing and  
15                  evaluating an effective produce  
16                  prescription program;

17                  (cc) documentation of a  
18                  partnership agreement with a rel-  
19                  evant State Medicaid agency or  
20                  other appropriate entity, as de-  
21                  termined by the Secretary, to  
22                  evaluate the effectiveness of a  
23                  produce prescription program in  
24                  reducing health care use and as-  
25                  sociated costs; and



1                   (dd) any other data nec-  
2                   essary to analyze the impact of a  
3                   produce prescription program, as  
4                   determined by the Secretary.

5           (2) COORDINATION.—In carrying out the grant  
6           program established under paragraph (1), the Sec-  
7           retary shall coordinate with the Secretary of Health  
8           and Human Services and the heads of other appro-  
9           priate Federal agencies that carry out activities re-  
10          lating to healthcare partners.

11          (3) PARTNERSHIPS.—

12               (A) IN GENERAL.—In carrying out the  
13               grant program under paragraph (1), the Sec-  
14               retary may enter into 1 or more memoranda of  
15               understanding with a Federal agency, a State,  
16               or a private partner to ensure the effective im-  
17               plementation and evaluation of each pilot  
18               project.

19               (B) MEMORANDUM OF UNDERSTANDING.—  
20               A memorandum of understanding entered into  
21               under subparagraph (A) shall include—

22                   (i) a description of a plan to provide  
23                   educational opportunities relating to nutri-  
24                   tion to members participating in the  
25                   produce prescription program;

1                   (ii) a description of the role of the  
2                   Federal agency, State, or private partner,  
3                   as applicable, in implementing and evalu-  
4                   ating an effective produce prescription pro-  
5                   gram;

6                   (iii) documentation of a partnership  
7                   agreement with a relevant State Medicaid  
8                   agency or other appropriate entity, as de-  
9                   termined by the Secretary, to evaluate the  
10                  effectiveness of the produce prescription  
11                  program in reducing health care use and  
12                  associated costs; and

13                  (iv) any other data necessary to ana-  
14                  lyze the impact of the produce prescription  
15                  program, as determined by the Secretary.

16                  (c) FUNDING.—

17                  (1) IN GENERAL.—Of the funds of the Com-  
18                  modity Credit Corporation, the Secretary shall use  
19                  to carry out this section \$4,000,000 for each of fis-  
20                  cal years 2019 through 2023, to remain available  
21                  until expended.

22                  (2) COSTS.—The Secretary may use not greater  
23                  than 10 percent of the amounts provided under  
24                  paragraph (1) to pay for the costs of administering,  
25                  monitoring, and evaluating each pilot project.

1                                   **TITLE V—CREDIT**  
2   **Subtitle A—Farm Ownership Loans**  
3   **SEC. 5101. MODIFICATION OF THE 3-YEAR EXPERIENCE RE-**  
4                                   **QUIREMENT FOR PURPOSES OF ELIGIBILITY**  
5                                   **FOR FARM OWNERSHIP LOANS.**

6           (a) IN GENERAL.—Section 302(b) of the Consoli-  
7 dated Farm and Rural Development Act (7 U.S.C.  
8 1922(b)) is amended—

9                   (1) in paragraph (1), in the matter preceding  
10 subparagraph (A)—

11                           (A) by striking “(3)” and inserting “(5)”;

12                           and

13                           (B) by inserting “(not exceeding 2 years)”  
14 after “period of time”;

15                   (2) by redesignating paragraphs (2) and (3) as  
16 paragraphs (4) and (5), respectively; and

17                   (3) by inserting after paragraph (1) the fol-  
18 lowing:

19                           “(2) OTHER ACCEPTABLE EXPERIENCE.—In  
20 determining whether a farmer or rancher has other  
21 acceptable experience under paragraph (1), the Sec-  
22 retary may count any of—

23                                   “(A) not less than 16 hours of post-sec-  
24 ondary education in a field related to agri-  
25 culture;

1           “(B) successful completion of a farm man-  
2           agement curriculum offered by a cooperative ex-  
3           tension service, a community college, an adult  
4           vocational agriculture program, a non-profit or-  
5           ganization, or a land-grant college or university;

6           “(C) an honorable discharge from the  
7           armed forces of the United States;

8           “(D) successful repayment of a youth loan  
9           made under section 311(b);

10          “(E) at least 1 year as hired farm labor  
11          with substantial management responsibilities;

12          “(F) successful completion of a farm  
13          mentorship, apprenticeship, or internship pro-  
14          gram with an emphasis on management re-  
15          quirements and day-to-day farm management  
16          decisions; and

17          “(G) an established relationship with an  
18          individual participating as a counselor who has  
19          experience in farming or ranching or is a re-  
20          tired farmer or rancher in a Service Corps of  
21          Retired Executives program authorized under  
22          section 8(b)(1)(B) of the Small Business Act  
23          (15 U.S.C. 637(b)(1)(B)), or with a local farm  
24          or ranch operator or organization, approved by

1           the Secretary, that is committed to mentoring  
2           the farmer or rancher.

3           “(3) DEEMING RULE.—For purposes of para-  
4           graph (1), a farmer or rancher is deemed to have  
5           participated in the business operations of a farm or  
6           ranch for not less than 3 years or have other accept-  
7           able experience for a period of time, as determined  
8           by the Secretary, if the farmer or rancher meets the  
9           requirements of subparagraphs (E) and (G) of para-  
10          graph (2).”.

11          (b)           CONFORMING           AMENDMENT.—Section  
12 310D(a)(2) of the Consolidated Farm and Rural Develop-  
13 ment Act (7 U.S.C. 1934(a)(2)) is amended by striking  
14 “paragraphs (2) through (4) of section 302” and inserting  
15 “subparagraphs (A) through (D) of section 302(a)(1)”.

16 **SEC. 5102. CONSERVATION LOAN AND LOAN GUARANTEE**  
17 **PROGRAM.**

18          Section 304(h) of the Consolidated Farm and Rural  
19 Development Act (7 U.S.C. 1924(h)) is amended by strik-  
20 ing “2018” and inserting “2023”.

21 **SEC. 5103. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP**  
22 **LOANS.**

23          Section 305 of the Consolidated Farm and Rural De-  
24 velopment Act (7 U.S.C. 1925) is amended in subsection  
25 (a), by striking “smaller of” and all that follows through

1 the period at the end and inserting the following: “lesser  
2 of—

3 “(1) the value of the farm or other security;

4 and

5 “(2) in the case of—

6 “(A) a loan other than a loan guaranteed  
7 by the Secretary, \$600,000 for each of fiscal  
8 years 2019 through 2023; or

9 “(B) a loan guaranteed by the Secretary,  
10 subject to subsection (c), \$1,750,000 for each  
11 of fiscal years 2019 through 2023.”.

## 12 **Subtitle B—Operating Loans**

### 13 **SEC. 5201. LIMITATIONS ON AMOUNT OF OPERATING** 14 **LOANS.**

15 Section 313 of the Consolidated Farm and Rural De-  
16 velopment Act (7 U.S.C. 1943) is amended in subsection  
17 (a)(1), by striking “to exceed” and all that follows through  
18 “Secretary);” and inserting the following: “to exceed, in  
19 the case of—

20 “(A) a loan other than a loan guaranteed  
21 by the Secretary, \$400,000 for each of fiscal  
22 years 2019 through 2023; or

23 “(B) a loan guaranteed by the Secretary,  
24 subject to subsection (c), \$1,750,000 for each  
25 of fiscal years 2019 through 2023;”.

1 **SEC. 5202. COOPERATIVE LENDING PILOT PROJECTS.**

2 Section 313(c)(4)(A) of the Consolidated Farm and  
3 Rural Development Act (7 U.S.C. 1943(c)(4)(A)) is  
4 amended by striking “2018” and inserting “2023”.

5 **Subtitle C—Administrative**  
6 **Provisions**

7 **SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL**  
8 **DEVELOPMENT ACCOUNTS PILOT PROGRAM.**

9 Section 333B(h) of the Consolidated Farm and Rural  
10 Development Act (7 U.S.C. 1983b(h)) is amended by  
11 striking “2018” and inserting “2023”.

12 **SEC. 5302. LOAN AUTHORIZATION LEVELS.**

13 Section 346(b)(1) of the Consolidated Farm and  
14 Rural Development Act (7 U.S.C. 1994(b)(1)) is amend-  
15 ed—

16 (1) in the matter preceding subparagraph (A),  
17 by striking “\$4,226,000,000 for each of fiscal years  
18 2008 through 2018” and inserting  
19 “\$12,000,000,000 for each of fiscal years 2019  
20 through 2023”; and

21 (2) by striking subparagraphs (A) and (B) and  
22 inserting the following:

23 “(A) \$4,000,000,000 shall be for direct  
24 loans, of which—

25 “(i) \$2,000,000,000 shall be for farm  
26 ownership loans under subtitle A; and

1                   “(ii) \$2,000,000,000 shall be for oper-  
2                   ating loans under subtitle B; and

3                   “(B) \$8,000,000,000 shall be for guaran-  
4                   teed loans, of which—

5                   “(i) \$4,000,000,000 shall be for farm  
6                   ownership loans under subtitle A; and

7                   “(ii) \$4,000,000,000 shall be for oper-  
8                   ating loans under subtitle B.”.

9   **SEC. 5303. LOAN FUND SET-ASIDES.**

10           Section 346(b)(2)(A)(ii)(III) of the Consolidated  
11   Farm and Rural Development Act (7 U.S.C.  
12   1994(b)(2)(A)(ii)(III)) is amended by striking “2018”  
13   and inserting “2023”.

14   **SEC. 5304. EQUITABLE RELIEF.**

15           The Consolidated Farm and Rural Development Act  
16   is amended by inserting after section 365 (7 U.S.C. 2008)  
17   the following:

18   **“SEC. 366. EQUITABLE RELIEF.**

19           “(a) IN GENERAL.—Subject to subsection (b), the  
20   Secretary may provide a form of relief described in sub-  
21   section (c) to any farmer or rancher who—

22           “(1) received a direct farm ownership, oper-  
23   ating, or emergency loan under this title; and



1           “(2) the Secretary determines is not in compli-  
2           ance with the requirements of this title with respect  
3           to the loan.

4           “(b) LIMITATION.—The Secretary may only provide  
5 relief to a farm or rancher under subsection (a) if the Sec-  
6 retary determines that the farmer or rancher—

7           “(1) acted in good faith; and

8           “(2) relied on an action of, or the advice of, the  
9           Secretary (including any authorized representative of  
10          the Secretary) to the detriment of the farming or  
11          ranching operation of the farmer or rancher.

12          “(c) FORMS OF RELIEF.—The Secretary may provide  
13 to a farmer or rancher under subsection (a) any of the  
14 following forms of relief:

15           “(1) The farmer or rancher may retain loans or  
16          other benefits received in association with the loan  
17          with respect to which the farmer or rancher was de-  
18          termined to be noncompliant under subsection  
19          (a)(2).

20           “(2) The farmer or rancher may receive such  
21          other equitable relief as the Secretary determines to  
22          be appropriate.

23          “(d) CONDITION.—As a condition of receiving relief  
24 under this section, the Secretary may require the farmer

1 or rancher to take actions designed to remedy the non-  
2 compliance.

3 “(e) ADMINISTRATIVE APPEAL; JUDICIAL REVIEW.—

4 A determination or action of the Secretary under this sec-  
5 tion—

6 “(1) shall be final; and

7 “(2) shall not be subject to administrative ap-  
8 peal or judicial review under chapter 7 of title 5,  
9 United States Code.”.

10 **SEC. 5305. SOCIALLY DISADVANTAGED FARMERS AND**  
11 **RANCHERS; QUALIFIED BEGINNING FARM-**  
12 **ERS AND RANCHERS.**

13 The Consolidated Farm and Rural Development Act  
14 is amended by inserting after section 366 (as added by  
15 section 5304) the following:

16 **“SEC. 367. SOCIALLY DISADVANTAGED FARMERS AND**  
17 **RANCHERS; QUALIFIED BEGINNING FARM-**  
18 **ERS AND RANCHERS.**

19 “In the case of a loan guaranteed by the Secretary  
20 under subtitle A or B to a socially disadvantaged farmer  
21 or rancher (as defined in section 355(e)) or a qualified  
22 beginning farmer or rancher, the Secretary shall—

23 “(1) waive the guarantee fee of 1.5 percent;  
24 and

1           “(2) provide for a standard guarantee plan,  
2           which shall cover an amount equal to 95 percent of  
3           the outstanding principal of the loan.”.

4 **SEC. 5306. EMERGENCY LOAN ELIGIBILITY.**

5           Section 373(b)(2)(B) of the Consolidated Farm and  
6 Rural Development Act (7 U.S.C. 2008h(b)(2)(B)) is  
7 amended—

8           (1) by redesignating clauses (i) and (ii) as sub-  
9           clauses (I) and (II), respectively, and indenting ap-  
10          propriately;

11          (2) in the matter preceding subclause (I) (as so  
12          redesignated), by striking “The Secretary” and in-  
13          serting the following:

14                           “(i) IN GENERAL.—The Secretary”;

15                           and

16          (3) by adding at the end the following:

17                           “(ii) RESTRUCTURED LOANS.—For  
18                           purposes of clause (i), a borrower who was  
19                           restructured with a write-down or restruc-  
20                           turing under section 353 shall not be con-  
21                           sidered to have received debt forgiveness  
22                           on a loan made or guaranteed under this  
23                           title.”.

1                   **Subtitle D—Miscellaneous**

2   **SEC. 5401. STATE AGRICULTURAL MEDIATION PROGRAMS.**

3           (a) ISSUES COVERED BY STATE MEDIATION PRO-  
4 GRAMS.—Section 501(c) of the Agricultural Credit Act of  
5 1987 (7 U.S.C. 5101(c)) is amended—

6                   (1) in paragraph (1)—

7                           (A) in subparagraph (B)—

8                                   (i) in the matter preceding clause (i),  
9                                   by striking “under the jurisdiction of the  
10                                   Department of Agriculture”;

11                                   (ii) in clause (ii), by inserting “and  
12                                   the national organic program established  
13                                   under the Organic Foods Production Act  
14                                   of 1990 (7 U.S.C. 6501 et seq.)” before  
15                                   the period at the end; and

16                                   (iii) by striking clause (vii) and insert-  
17                                   ing the following:

18   “(vii) Lease issues, including land  
19   leases and equipment leases.

20   “(viii) Family farm transition.

21   “(ix) Farmer-neighbor disputes.

22   “(x) Such other issues as the Sec-  
23   retary or the head of the department of  
24   agriculture of each participating State con-  
25   siders appropriate for better serving the

1 agricultural community and persons eligi-  
2 ble for mediation.”; and

3 (B) by adding at the end the following:

4 “(C) MEDIATION SERVICES.—Funding  
5 provided for the mediation program of a quali-  
6 fying State may also be used to provide credit  
7 counseling to persons described in paragraph  
8 (2)—

9 “(i) prior to the initiation of any me-  
10 diation involving the Department of Agri-  
11 culture; or

12 “(ii) unrelated to any ongoing dispute  
13 or mediation in which the Department of  
14 Agriculture is a party.”;

15 (2) in paragraph (2)(A)—

16 (A) in clause (ii), by striking “and” after  
17 the semicolon;

18 (B) in clause (iii), by striking the period at  
19 the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(iv) any other persons involved in an  
22 issue described in any of clauses (i)  
23 through (x) of paragraph (1)(B).”; and

24 (3) in paragraph (3)(F), by striking “that per-  
25 sons” and inserting the following: “that—

1                   “(i) the Department of Agriculture re-  
2                   ceives adequate notification of those issues;  
3                   and

4                   “(ii) persons”.

5           (b) **REPORT REQUIRED.**—Section 505 of the Agricul-  
6   tural Credit Act of 1987 (7 U.S.C. 5105) is amended to  
7   read as follows:

8   **“SEC. 505. REPORT.**

9           “Not later than 2 years after the date of enactment  
10   of the Agriculture Improvement Act of 2018, the Sec-  
11   retary shall submit to Congress a report describing—

12                   “(1) the effectiveness of the State mediation  
13                   programs receiving matching grants under this sub-  
14                   title;

15                   “(2) recommendations for improving the deliv-  
16                   ery of mediation services to producers;

17                   “(3) the steps being taken to ensure that State  
18                   mediation programs receive timely funding under  
19                   this subtitle; and

20                   “(4) the savings to the States as a result of  
21                   having a mediation program.”.

22           (c) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
23   506 of the Agricultural Credit Act of 1987 (7 U.S.C.  
24   5106) is amended by striking “2018” and inserting  
25   “2023”.

1 **SEC. 5402. SOCIALLY DISADVANTAGED FARMERS AND**  
2 **RANCHERS.**

3 (a) IN GENERAL.—Section 4.19 of the Farm Credit  
4 Act of 1971 (12 U.S.C. 2207) is amended—

5 (1) by striking the section designation and  
6 heading and inserting the following:

7 **“SEC. 4.19. YOUNG, BEGINNING, SMALL, AND SOCIALLY DIS-**  
8 **ADVANTAGED FARMERS AND RANCHERS.”;**  
9 **and**

10 (2) in subsection (a), in the first sentence, by  
11 striking “ranchers.” and inserting “ranchers and so-  
12 cially disadvantaged farmers or ranchers (as defined  
13 in section 2501(e) of the Food, Agriculture, Con-  
14 servation, and Trade Act of 1990 (7 U.S.C.  
15 2279(e))).”.

16 (b) CONFORMING AMENDMENT.—Section 5.17(a)(3)  
17 of the Farm Credit Act of 1971 (12 U.S.C. 2252(a)(3))  
18 is amended, in the second sentence, by striking “ranch-  
19 ers.” and inserting “ranchers and socially disadvantaged  
20 farmers or ranchers (as defined in section 2501(e) of the  
21 Food, Agriculture, Conservation, and Trade Act of 1990  
22 (7 U.S.C. 2279(e))).”.

1 **SEC. 5403. SHARING OF PRIVILEGED AND CONFIDENTIAL**  
2 **INFORMATION.**

3 Section 5.19 of the Farm Credit Act of 1971 (12  
4 U.S.C. 2254) is amended by adding at the end the fol-  
5 lowing:

6 “(e) SHARING OF PRIVILEGED AND CONFIDENTIAL  
7 INFORMATION.—A System institution shall not be consid-  
8 ered to have waived the confidentiality of a privileged com-  
9 munication with an attorney or an accountant if the Sys-  
10 tem institution provides the content of the communication  
11 to the Farm Credit Administration pursuant to the super-  
12 visory or regulatory authorities of the Farm Credit Ad-  
13 ministration.”.

14 **SEC. 5404. REMOVAL AND PROHIBITION AUTHORITY; IN-**  
15 **DUSTRY-WIDE PROHIBITION.**

16 Part C of title V of the Farm Credit Act of 1971  
17 is amended by inserting after section 5.29 (12 U.S.C.  
18 2265) the following:

19 **“SEC. 5.29A. REMOVAL AND PROHIBITION AUTHORITY; IN-**  
20 **DUSTRY-WIDE PROHIBITION.**

21 “(a) DEFINITION OF PERSON.—In this section, the  
22 term ‘person’ means—

23 “(1) an individual; and

24 “(2) in the case of a specific determination by  
25 the Farm Credit Administration, a legal entity.



1           “(b) INDUSTRY-WIDE PROHIBITION.—Except as pro-  
2 vided in subsection (c), any person who, pursuant to an  
3 order issued under section 5.28 or 5.29, has been removed  
4 or suspended from office at a System institution or prohib-  
5 ited from participating in the conduct of the affairs of a  
6 System institution shall not, during the period of effective-  
7 ness of the order, continue or commence to hold any office  
8 in, or participate in any manner in the conduct of the af-  
9 fairs of—

10           “(1) any insured depository institution subject  
11 to section 8(e)(7)(A)(i) of the Federal Deposit In-  
12 surance Act (12 U.S.C. 1818(e)(7)(A)(i));

13           “(2) any institution subject to section  
14 8(e)(7)(A)(ii) of the Federal Deposit Insurance Act  
15 (12 U.S.C. 1818(e)(7)(A)(ii));

16           “(3) any insured credit union under the Federal  
17 Credit Union Act (12 U.S.C. 1751 et seq.);

18           “(4) any Federal home loan bank;

19           “(5) any institution chartered under this Act;

20           “(6) any appropriate Federal financial institu-  
21 tions regulatory agency (as defined in section  
22 8(e)(7)(D) of the Federal Deposit Insurance Act (12  
23 U.S.C. 1818(e)(7)(D)));

24           “(7) the Federal Housing Finance Agency; or

25           “(8) the Farm Credit Administration.

1           “(c) EXCEPTION FOR INSTITUTION-AFFILIATED  
2 PARTY THAT RECEIVES WRITTEN CONSENT.—

3                   “(1) IN GENERAL.—

4                           “(A) AFFILIATED PARTIES.—If, on or  
5 after the date on which an order described in  
6 subsection (b) is issued that removes or sus-  
7 pends an institution-affiliated party from office  
8 at a System institution or prohibits an institu-  
9 tion-affiliated party from participating in the  
10 conduct of the affairs of a System institution,  
11 that party receives written consent described in  
12 subparagraph (B), subsection (b) shall not  
13 apply to that party—

14                                   “(i) to the extent provided in the writ-  
15 ten consent received; and

16                                   “(ii) with respect to the institution de-  
17 scribed in each written consent.

18                           “(B) WRITTEN CONSENT DESCRIBED.—  
19 The written consent referred to in subpara-  
20 graph (A) is written consent received from—

21                                   “(i) the Farm Credit Administration;  
22 and

23                                   “(ii) each appropriate Federal finan-  
24 cial institutions regulatory agency (as de-  
25 fined in section 8(e)(7)(D) of the Federal

1           Deposit Insurance Act (12 U.S.C.  
2           1818(e)(7)(D))) of the applicable institu-  
3           tion described in any of paragraphs (1),  
4           (2), (3), or (4) of subsection (b) with re-  
5           spect to which the party proposes to be be-  
6           come an affiliated party.

7           “(2) DISCLOSURE.—Any agency described in  
8           clause (i) or (ii) of paragraph (1)(B) that provides  
9           a written consent under that paragraph shall—

10           “(A) report the action to the Farm Credit  
11           Administration; and

12           “(B) publicly disclose the action.

13           “(3) CONSULTATION BETWEEN AGENCIES.—  
14           The agencies described in clauses (i) and (ii) of  
15           paragraph (1)(B) shall consult with each other be-  
16           fore providing any written consent under that para-  
17           graph.

18           “(d) VIOLATIONS.—A violation of subsection (b) by  
19           any person who is subject to an order described in that  
20           subsection shall be treated as violation of that order.”.

21   **SEC. 5405. JURISDICTION OVER INSTITUTION-AFFILIATED**  
22           **PARTIES.**

23           Part C of title V of the Farm Credit Act of 1971  
24           is amended by inserting after section 5.31 (12 U.S.C.  
25           2267) the following:

1 **“SEC. 5.31A. JURISDICTION OVER INSTITUTION-AFFILIATED**  
2 **PARTIES.**

3 “(a) IN GENERAL.—For purposes of sections 5.25,  
4 5.26, and 5.32, the jurisdiction of the Farm Credit Ad-  
5 ministration over parties, and the authority of the Farm  
6 Credit Administration to initiate actions, shall include en-  
7 forcement authority over institution-affiliated parties.

8 “(b) EFFECT OF SEPARATION ON JURISDICTION AND  
9 AUTHORITY.—Subject to subsection (c), the resignation,  
10 termination of employment or participation, or separation  
11 of an institution-affiliated party (including a separation  
12 caused by the merger, consolidation, conservatorship, or  
13 receivership of a Farm Credit System institution) shall not  
14 affect the jurisdiction and authority of the Farm Credit  
15 Administration to issue any notice or order and proceed  
16 under this part against that party.

17 “(c) LIMITATION.—To proceed against a party under  
18 subsection (b), the notice or order described in that sub-  
19 section shall be served not later than 6 years after the  
20 date on which the party ceased to be an institution-affili-  
21 ated party with respect to the applicable Farm Credit Sys-  
22 tem institution.

23 “(d) APPLICABILITY.—The date on which a party  
24 ceases to be an institution-affiliated party described in  
25 subsection (c) may occur before, on, or after the date of  
26 enactment of this section.”.

1 **SEC. 5406. DEFINITION OF INSTITUTION-AFFILIATED**  
2 **PARTY.**

3 Section 5.35 of the Farm Credit Act of 1971 (12  
4 U.S.C. 2271) is amended—

5 (1) in paragraph (3), by striking “and” at the  
6 end;

7 (2) by redesignating paragraph (4) as para-  
8 graph (5); and

9 (3) by inserting after paragraph (3) the fol-  
10 lowing:

11 “(4) the term ‘institution-affiliated party’  
12 means—

13 “(A) a director, officer, employee, share-  
14 holder, or agent of a System institution;

15 “(B) an independent contractor (including  
16 an attorney, appraiser, or accountant) who  
17 knowingly or recklessly participates in—

18 “(i) a violation of law (including regu-  
19 lations) that is associated with the oper-  
20 ations and activities of 1 or more System  
21 institutions;

22 “(ii) a breach of fiduciary duty; or

23 “(iii) an unsafe practice that causes  
24 or is likely to cause more than a minimum  
25 financial loss to, or a significant adverse  
26 effect on, a System institution; and

1           “(C) any other person, as determined by  
2           the Farm Credit Administration (by regulation  
3           or on a case-by-case basis) who participates in  
4           the conduct of the affairs of a System institu-  
5           tion; and”.

6 **SEC. 5407. REPEAL OF OBSOLETE PROVISIONS; TECHNICAL**  
7           **CORRECTIONS.**

8           (1) Section 1.1(c) of the Farm Credit Act of  
9           1971 (12 U.S.C. 2001(c)) is amended in the first  
10          sentence by striking “including any costs of defea-  
11          sance under section 4.8(b),”.

12          (2) Section 1.2 of the Farm Credit Act of 1971  
13          (12 U.S.C. 2002) is amended by striking subsection  
14          (a) and inserting the following:

15          “(a) COMPOSITION.—The Farm Credit System shall  
16          include the Farm Credit Banks, the bank for cooperatives,  
17          Agricultural Credit Banks, the Federal Land Bank Asso-  
18          ciations, the Federal Land Credit Associations, the Pro-  
19          duction Credit Associations, the agricultural credit asso-  
20          ciations, the Federal Farm Credit Banks Funding Cor-  
21          poration, the Federal Agricultural Mortgage Corporation,  
22          service corporations established pursuant to section 4.25,  
23          and such other institutions as may be made a part of the  
24          Farm Credit System, all of which shall be chartered by

1 and subject to regulation by the Farm Credit Administra-  
2 tion.”.

3 (3) Section 2.4 of the Farm Credit Act of 1971  
4 (12 U.S.C. 2075) is amended by striking subsection  
5 (d).

6 (4) Section 3.0(a) of the Farm Credit Act of  
7 1971 (12 U.S.C. 2121(a)) is amended—

8 (A) in the third sentence, by striking “and  
9 a Central Bank for Cooperatives”; and

10 (B) by striking the fifth sentence.

11 (5) Section 3.2 of the Farm Credit Act of 1971  
12 (12 U.S.C. 2123) is amended—

13 (A) in subsection (a)—

14 (i) in paragraph (1), by striking “not  
15 merged into the United Bank for Coopera-  
16 tives or the National Bank for Coopera-  
17 tives”; and

18 (ii) in paragraph (2)(A), in the matter  
19 preceding clause (i), by striking “(other  
20 than the National Bank for Coopera-  
21 tives)”;

22 (B) by striking subsection (b);

23 (C) in subsection (a)—

24 (i) by striking “(a)(1) Each bank”  
25 and inserting the following:

1 “(a) IN GENERAL.—Each bank”; and

2 (ii) by striking “(2)(A) If approved”

3 and inserting the following:

4 “(b) NOMINATION AND ELECTION.—

5 “(1) IN GENERAL.—If approved”;

6 (D) in subsection (b)(1) (as so des-  
7 ignated)—

8 (i) in subparagraph (B), by striking

9 “(B) The total” and inserting the fol-  
10 lowing:

11 “(2) NUMBER OF VOTES.—The total”; and

12 (ii) by redesignating clauses (i) and

13 (ii) as subparagraphs (A) and (B), respec-  
14 tively, and indenting appropriately; and

15 (E) in paragraph (2) (as so designated), by  
16 striking “paragraph” and inserting “sub-  
17 section”.

18 (6) Section 3.5 of the Farm Credit Act of 1971  
19 (12 U.S.C. 2126) is amended in the third sentence  
20 by striking “district”.

21 (7) Section 3.7(a) of the Farm Credit Act of  
22 1971 (12 U.S.C. 2128(a)) is amended by striking  
23 the second sentence.

24 (8) Section 3.8(b)(1)(A) of the Farm Credit  
25 Act of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended



1 by inserting “(or any successor agency)” after  
2 “Rural Electrification Administration”.

3 (9) Section 3.9(a) of the Farm Credit Act of  
4 1971 (12 U.S.C. 2130(a)) is amended by striking  
5 the third sentence.

6 (10) Section 3.10 of the Farm Credit Act of  
7 1971 (12 U.S.C. 2131) is amended—

8 (A) in subsection (c), by striking the sec-  
9 ond sentence; and

10 (B) in subsection (d)—

11 (i) by striking “district” each place it  
12 appears; and

13 (ii) by inserting “for cooperatives (or  
14 any successor bank)” before “on account”.

15 (11) Section 3.11 of the Farm Credit Act of  
16 1971 (12 U.S.C. 2132) is amended—

17 (A) in subsection (a), in the first sentence,  
18 by striking “subsections (b) and (c) of this sec-  
19 tion” and inserting “subsection (b)”;

20 (B) in subsection (b)—

21 (i) in the first sentence, by striking  
22 “district”; and

23 (ii) in the second sentence, by striking  
24 “Except as provided in subsection (c)  
25 below, all” and inserting “All”;

1 (C) by striking subsection (c); and

2 (D) by redesignating subsections (d)  
3 through (f) as subsections (e) through (e), re-  
4 spectively.

5 (12) Part B of title III of the Farm Credit Act  
6 of 1971 (12 U.S.C. 2141 et seq.) is amended in the  
7 part heading by striking “UNITED AND”.

8 (13) Section 3.20 of the Farm Credit Act of  
9 1971 (12 U.S.C. 2141) is amended—

10 (A) in subsection (a), by striking “or the  
11 United Bank for Cooperatives, as the case may  
12 be”; and

13 (B) in subsection (b), by striking “the dis-  
14 trict banks for cooperatives and the Central  
15 Bank for Cooperatives” and inserting “the con-  
16 stituent banks described in section 413(b) of  
17 the Agricultural Credit Act of 1987 (12 U.S.C.  
18 2121 note; Public Law 100–233)”.

19 (14) Section 3.21 of the Farm Credit Act of  
20 1971 (12 U.S.C. 2142) is repealed.

21 (15) Section 3.28 of the Farm Credit Act of  
22 1971 (12 U.S.C. 2149) is amended by striking “a  
23 district bank for cooperatives and the Central Bank  
24 for Cooperatives” and inserting “the constituent  
25 banks described in section 413(b) of the Agricultural

1 Credit Act of 1987 (12 U.S.C. 2121 note; Public  
2 Law 100–233)”.

3 (16) Section 3.29 of the Farm Credit Act of  
4 1971 (12 U.S.C. 2149a) is repealed.

5 (17) Section 4.0 of the Farm Credit Act of  
6 1971 (12 U.S.C. 2151) is repealed.

7 (18) Section 4.8 of the Farm Credit Act of  
8 1971 (12 U.S.C. 2159) is amended—

9 (A) by striking the section designation and  
10 heading and all that follows through “Each  
11 bank” in subsection (a) and inserting the fol-  
12 lowing:

13 **“SEC. 4.8. PURCHASE AND SALE OF OBLIGATIONS.**

14 “Each bank”; and

15 (B) by striking subsection (b).

16 (19) Section 4.9 of the Farm Credit Act of  
17 1971 (12 U.S.C. 2160) is amended—

18 (A) in subsection (d)—

19 (i) by striking paragraph (2) and in-  
20 serting the following:

21 “(3) REPRESENTATION OF BOARD.—The Farm  
22 Credit System Insurance Corporation shall not have  
23 representation on the board of directors of the Cor-  
24 poration.”;

1 (ii) in the undesignated matter fol-  
2 lowing paragraph (1)(D), by striking “In  
3 selecting” and inserting the following:

4 “(2) CONSIDERATIONS.—In selecting”; and

5 (iii) in paragraph (2) (as so des-  
6 igned), by inserting “of paragraph (1)”  
7 after “(A) and (B)”;

8 (B) by striking subsection (e); and

9 (C) by redesignating subsection (f) as sub-  
10 section (e).

11 (20) Section 4.9A(c) of the Farm Credit Act of  
12 1971 (12 U.S.C. 2162(c)) is amended—

13 (A) by striking “institution, and—” in the  
14 matter preceding paragraph (1) and all that fol-  
15 lows through the period at the end of para-  
16 graph (2) and inserting “institution.”;

17 (B) by striking “If an institution” and in-  
18 sserting the following:

19 “(1) IN GENERAL.—If an institution”;

20 (C) in paragraph (1) (as so designated), by  
21 striking “the receiver of the institution” and in-  
22 sserting “the Farm Credit System Insurance  
23 Corporation, acting as receiver,”; and

24 (D) by adding at the end the following:

1           “(2) FUNDING.—The Farm Credit System In-  
2           surance Corporation shall use such funds from the  
3           Farm Credit Insurance Fund as are sufficient to  
4           carry out this section.”.

5           (21) Section 4.12A(a) of the Farm Credit Act  
6           of 1971 (12 U.S.C. 2184(a)) is amended by striking  
7           paragraph (1) and inserting the following:

8           “(1) IN GENERAL.—A Farm Credit System  
9           bank or association shall provide to a stockholder of  
10          the bank or association a current list of stockholders  
11          of the bank or association not later than 7 calendar  
12          days after the date on which the bank or association  
13          receives a written request for the stockholder list  
14          from the stockholder.”.

15          (22) Section 4.14A of the Farm Credit Act of  
16          1971 (12 U.S.C. 2202a) is amended—

17                 (A) in subsection (a)—

18                         (i) in the matter preceding paragraph  
19                         (1), by inserting “and section 4.36” before  
20                         the colon at the end; and

21                         (ii) in paragraph (5)(B)(ii)(I), by  
22                         striking “4.14C,”;

23                         (B) by striking subsection (h);

1           (C) by redesignating subsections (i)  
2 through (l) as subsections (h) through (k), re-  
3 spectively; and

4           (D) in subsection (k) (as so redesignated),  
5 by striking “production credit”.

6           (23) Section 4.14C of the Farm Credit Act of  
7 1971 (12 U.S.C. 2202e) is repealed.

8           (24) Section 4.17 of the Farm Credit Act of  
9 1971 (12 U.S.C. 2205) is amended in the third sen-  
10 tence by striking “Federal intermediate credit banks  
11 and”.

12           (25) Section 4.19(a) of the Farm Credit Act of  
13 1971 (12 U.S.C. 2207(a)) (as amended by section  
14 5402(a)(2)) is amended—

15           (A) in the first sentence—

16               (i) by striking “district”; and

17               (ii) by striking “Federal land bank as-  
18 sociation and production credit”; and

19           (B) in the second sentence, by striking  
20 “units” and inserting “institutions”.

21           (26) Section 4.38 of the Farm Credit Act of  
22 1971 (12 U.S.C. 2219c) is amended by striking  
23 “The Assistance Board established under section 6.0  
24 and all” and inserting “All”.

1           (27) Section 4.39 of the Farm Credit Act of  
2           1971 (12 U.S.C. 2219d) is amended by striking  
3           “8.0(7))” and inserting “8.0”).

4           (28) Section 5.16 of the Farm Credit Act of  
5           1971 (12 U.S.C. 2251) is amended—

6                   (A) by striking the section designation and  
7           heading and all that follows through “As an al-  
8           ternate” in the matter preceding paragraph (1)  
9           and inserting the following:

10   **“SEC. 5.16. OFFICES, QUARTERS, AND FACILITIES FOR THE**  
11                   **FARM CREDIT ADMINISTRATION.**

12           “(a) OFFICES.—The Farm Credit Administration  
13   shall maintain—

14                   “(1) the principal office of the Farm Credit Ad-  
15           ministration within the Washington-Arlington-Alex-  
16           andria, DC-VA-MD-WV Metropolitan Statistical  
17           Area, as defined by the Office of Management and  
18           Budget; and

19                   “(2) such other offices in the United States as  
20           the Farm Credit Administration determines are nec-  
21           essary.

22           “(b) QUARTERS AND FACILITIES.—As an alter-  
23   native”; and

1 (B) in the undesignated matter following  
2 paragraph (5) of subsection (b) (as so des-  
3 ignated)—

4 (i) in the fifth sentence, by striking  
5 “In actions undertaken by the banks pur-  
6 suant to the foregoing provisions of this  
7 section” and inserting the following:

8 “(5) AGENT FOR BANKS.—In actions under-  
9 taken by the banks pursuant to this section”;

10 (ii) in the fourth sentence, by striking  
11 “The plans” and inserting the following:

12 “(4) APPROVAL OF BOARD.—The plans”;

13 (iii) in the third sentence, by striking  
14 “The powers” and inserting the following:

15 “(3) POWERS OF BANKS.—The powers”;

16 (iv) in the second sentence, by strik-  
17 ing “Such advances” and inserting the fol-  
18 lowing:

19 “(2) ADVANCES.—The advances of funds de-  
20 scribed in paragraph (1)”;

21 (v) in the first sentence, by striking  
22 “The Board” and inserting the following:

23 “(c) FINANCING.—

24 “(1) IN GENERAL.—The Board”.



1           (29) Section 5.17(a)(2) of the Farm Credit Act  
2 of 1971 (12 U.S.C. 2252(a)(2)) is amended by strik-  
3 ing the second and third sentences.

4           (30) Section 5.18 of the Farm Credit Act of  
5 1971 (12 U.S.C. 2253) is repealed.

6           (31) Section 5.19 of the Farm Credit Act of  
7 1971 (12 U.S.C. 2254) is amended—

8           (A) in subsection (a)—

9                 (i) in the first sentence, by striking  
10 “Except for Federal land bank associa-  
11 tions, each” and inserting “Each”; and

12                 (ii) by striking the second sentence;

13 and

14           (B) in subsection (b)—

15                 (i) by striking “(b)(1) Each” and in-  
16 sserting “(b) Each”;

17                 (ii) in the matter preceding paragraph

18 (2) (as so designated)—

19                 (I) in the second sentence, by  
20 striking “, except with respect to any  
21 actions taken by any banks of the  
22 System under section 4.8(b),”; and

23                 (II) by striking the third sen-  
24 tence; and

1 (iii) by striking paragraphs (2) and  
2 (3).

3 (32) Section 5.31 of the Farm Credit Act of  
4 1971 (12 U.S.C. 2267) is amended in the second  
5 sentence by striking “4.14A(i)” and inserting  
6 “4.14A(h)”.

7 (33) Section 5.32(h) of the Farm Credit Act of  
8 1971 (12 U.S.C. 2268(h)) is amended by striking  
9 “4.14A(i)” and inserting “4.14A(h)”.

10 (34) Section 5.35 of the Farm Credit Act of  
11 1971 (12 U.S.C. 2271) is amended in paragraph (5)  
12 (as redesignated by section 5406(2))—

13 (A) in subparagraph (A), by adding “and”  
14 at the end;

15 (B) by striking subparagraph (B);

16 (C) by redesignating subparagraph (C) as  
17 subparagraph (B); and

18 (D) in subparagraph (B) (as so redesign-  
19 nated)—

20 (i) by striking “after December 31,  
21 1992,”; and

22 (ii) by striking “by the Farm Credit  
23 System Assistance Board under section 6.6  
24 or”.

1           (35) Section 5.38 of the Farm Credit Act of  
2           1971 (12 U.S.C. 2274) is amended by striking “a  
3           farm” and all that follows through “land bank” and  
4           inserting “a Farm Credit Bank board, officer, or  
5           employee shall not remove any director or officer of  
6           any”.

7           (36) Section 5.44 of the Farm Credit Act of  
8           1971 (12 U.S.C. 2275) is repealed.

9           (37) Section 5.58(2) of the Farm Credit Act of  
10          1971 (12 U.S.C. 2277a–7(2)) is amended by strik-  
11          ing the second sentence.

12          (38) Section 5.60 of the Farm Credit Act of  
13          1971 (12 U.S.C. 2277a–9) is amended—

14                (A) in subsection (b), by striking the sub-  
15                section designation and heading and all that  
16                follows through “The Corporation” in para-  
17                graph (2) and inserting the following:

18          “(b) AMOUNTS IN FUND.—The Corporation”; and

19                (B) in subsection (c)(2), by striking “In-  
20                surance Fund to—” in the matter preceding  
21                subparagraph (A) and all that follows through  
22                “ensure” in subparagraph (B) and inserting  
23                “Insurance Fund to ensure”.

24          (39) Title VI of the Farm Credit Act of 1971  
25          (12 U.S.C. 2278a et seq.) is repealed.

1           (40) Section 7.9 of the Farm Credit Act of  
2           1971 (12 U.S.C. 2279c-2) is amended by striking  
3           subsection (c).

4           (41) Section 7.10(a) of the Farm Credit Act of  
5           1971 (12 U.S.C. 2279d(a)) is amended by striking  
6           paragraph (4) and inserting the following:

7           “(4) the institution pays to the Farm Credit In-  
8           surance Fund the amount by which the total capital  
9           of the institution exceeds 6 percent of the assets;”.

10          (42) Section 8.0 of the Farm Credit Act of  
11          1971 (12 U.S.C. 2279aa) is amended—

12               (A) in paragraph (2), by striking  
13               “means—” in the matter preceding subpara-  
14               graph (A) and all that follows through the pe-  
15               riod at the end of the undesignated matter fol-  
16               lowing subparagraph (B) and inserting “means  
17               the board of directors established under section  
18               8.2.”;

19               (B) by striking paragraphs (6) and (8);

20               (C) by redesignating paragraphs (7), (9),  
21               and (10) as paragraphs (6), (7), and (8), re-  
22               spectively; and

23               (D) in subparagraph (B)(i) of paragraph  
24               (7) (as so redesignated), by striking “(b)  
25               through (d)” and inserting “(b) and (c)”.

1           (43) Section 8.2 of the Farm Credit Act of  
2           1971 (12 U.S.C. 2279aa-2) is amended—

3                   (A) by striking subsection (a);

4                   (B) in subsection (b), by striking the sub-  
5           section designation and heading and all that  
6           follows through the period at the end of para-  
7           graph (1) and inserting the following:

8           “(a) IN GENERAL.—

9                   “(1) ESTABLISHMENT.—The Corporation shall  
10           be under the management of the board of direc-  
11           tors.”;

12                   (C) in subsection (a) (as so designated)—

13                           (i) by striking “permanent board”  
14           each place it appears and inserting  
15           “Board”;

16                           (ii) by striking paragraph (3);

17                           (iii) by redesignating paragraphs (4)  
18           through (10) as paragraphs (3) through  
19           (9), respectively; and

20                           (iv) in paragraph (3)(A) (as so redес-  
21           ignated), by striking “(6)” and inserting  
22           “(5)”;

23                   (D) by redesignating subsection (c) as sub-  
24           section (b).

1           (44) Section 8.4(a)(1) of the Farm Credit Act  
2 of 1971 (12 U.S.C. 2279aa-4(a)(1)) is amended—

3           (A) in the sixth sentence—

4                 (i) by striking “Class B” and insert-  
5 ing the following:

6                     “(iii) CLASS B STOCK.—Class B”; and

7                 (ii) by striking “8.2(b)(2)(B)” and in-  
8 serting “8.2(a)(2)(B)”;

9           (B) in the fifth sentence—

10                (i) by striking “Class A” and insert-  
11 ing the following:

12                   “(ii) CLASS A STOCK.—Class A”; and

13                (ii) by striking “8.2(b)(2)(A)” and in-  
14 serting “8.2(a)(2)(A)”;

15           (C) in the fourth sentence, by striking  
16 “The stock” and inserting the following:

17                   “(D) CLASSES OF STOCK.—

18                         “(i) IN GENERAL.—The stock”;

19           (D) by striking the third sentence and in-  
20 serting the following:

21                   “(C) OFFERS.—

22                         “(i) IN GENERAL.—The Board shall  
23 offer the voting common stock to banks,  
24 other financial institutions, insurance com-  
25 panies, and System institutions under such

1 terms and conditions as the Board may  
2 adopt.

3 “(ii) REQUIREMENTS.—The voting  
4 common stock shall be fairly and broadly  
5 offered to ensure that—

6 “(I) no institution or institutions  
7 acquire a disproportionate share of  
8 the total quantity of the voting com-  
9 mon stock outstanding of a class of  
10 stock; and

11 “(II) capital contributions and  
12 issuances of voting common stock for  
13 the contributions are fairly distributed  
14 between entities eligible to hold class  
15 A stock and class B stock.”;

16 (E) in the second sentence, by striking  
17 “Each share” and inserting the following:

18 “(B) NUMBER OF VOTES.—Each share”;

19 and

20 (F) in the first sentence, by striking “The  
21 Corporation” and inserting the following:

22 “(A) IN GENERAL.—The Corporation”.

23 (45) Section 8.6 of the Farm Credit Act of  
24 1971 (12 U.S.C. 2279aa-6) is amended—

25 (A) by striking subsection (d);

1 (B) by redesignating subsection (e) as sub-  
2 section (d); and

3 (C) in paragraph (2) of subsection (d) (as  
4 so redesignated), by striking “8.0(9))” and in-  
5 serting “8.0”).

6 (46) Section 8.9 of the Farm Credit Act of  
7 1971 (12 U.S.C. 2279aa–9) is amended by striking  
8 “4.14C,” each place it appears.

9 (47) Section 8.11(e) of the Farm Credit Act of  
10 1971 (12 U.S.C. 2279aa–11(e)) is amended by  
11 striking “8.0(7))” and inserting “8.0”).

12 (48) Section 8.32(a) of the Farm Credit Act of  
13 1971 (12 U.S.C. 2279bb–1(a)) is amended—

14 (A) in the first sentence of the matter pre-  
15 ceding paragraph (1), by striking “Not sooner  
16 than the expiration of the 3-year period begin-  
17 ning on the date of enactment of the Farm  
18 Credit System Reform Act of 1996, the” and  
19 inserting “The”; and

20 (B) in paragraph (1)(B), by striking  
21 “8.0(9)(C))” and inserting “8.0(7)(C))”.

22 (49) Section 8.33(b)(2)(A) of the Farm Credit  
23 Act of 1971 (12 U.S.C. 2279bb–2(b)(2)(A)) is  
24 amended by striking “8.6(e)” and inserting  
25 “8.6(d))”.



1           (50) Section 8.35 of the Farm Credit Act of  
2           1971 (12 U.S.C. 2279bb–4) is amended by striking  
3           subsection (e).

4           (51) Section 8.38 of the Farm Credit Act of  
5           1971 (12 U.S.C. 2279bb–7) is repealed.

6           (52) Section 4 of the Agricultural Marketing  
7           Act (12 U.S.C. 1141b) is repealed.

8           (53) Section 5 of the Agricultural Marketing  
9           Act (12 U.S.C. 1141c) is repealed.

10          (54) Section 6 of the Agricultural Marketing  
11          Act (12 U.S.C. 1141d) is repealed.

12          (55) Section 7 of the Agricultural Marketing  
13          Act (12 U.S.C. 1141e) is repealed.

14          (56) Section 8 of the Agricultural Marketing  
15          Act (12 U.S.C. 1141f) is repealed.

16          (57) Section 14 of the Agricultural Marketing  
17          Act (12 U.S.C. 1141i) is repealed.

18          (58) The Act of June 22, 1939 (53 Stat. 853,  
19          chapter 239; 12 U.S.C. 1141d–1), is repealed.

20          (59) Section 201(e) of the Emergency Relief  
21          and Construction Act of 1932 (12 U.S.C. 1148) is  
22          repealed.

23          (60) Section 2 of the Act of July 14, 1953 (67  
24          Stat. 150, chapter 192; 12 U.S.C. 1148a–4), is re-  
25          pealed.

1           (61) Section 32 of the Farm Credit Act of 1937  
2           (12 U.S.C. 1148b) is repealed.

3           (62) Section 33 of the Farm Credit Act of 1937  
4           (12 U.S.C. 1148c) is repealed.

5           (63) Section 34 of the Farm Credit Act of 1937  
6           (12 U.S.C. 1148d) is repealed.

7           (64) The Joint Resolution of March 3, 1932  
8           (47 Stat. 60, chapter 70; 12 U.S.C. 1401 et seq.),  
9           is repealed.

10 **SEC. 5408. CORPORATION AS CONSERVATOR OR RECEIVER;**

11 **CERTAIN OTHER POWERS.**

12           Part E of title V of the Farm Credit Act of 1971  
13 is amended by inserting after section 5.61B (12 U.S.C.  
14 2277a–10b) the following:

15 **“SEC. 5.61C. CORPORATION AS CONSERVATOR OR RE-**

16 **CEIVER; CERTAIN OTHER POWERS.**

17           “(a) DEFINITION OF INSTITUTION.—In this section,  
18 the term ‘institution’ includes any System institution for  
19 which the Corporation has been appointed as conservator  
20 or receiver.

21           “(b) CERTAIN POWERS AND DUTIES OF CORPORA-  
22 TION AS CONSERVATOR OR RECEIVER.—In addition to the  
23 powers inherent in the express grant of corporate author-  
24 ity under section 5.58(9), and other powers exercised by  
25 the Corporation under this part, the Corporation shall

1 have the following express powers to act as a conservator  
2 or receiver:

3           “(1) RULEMAKING AUTHORITY OF CORPORA-  
4           TION.—The Corporation may prescribe such regula-  
5           tions as the Corporation determines to be appro-  
6           priate regarding the conduct of conservatorships or  
7           receiverships.

8           “(2) GENERAL POWERS.—

9           “(A) SUCCESSOR TO SYSTEM INSTITU-  
10           TION.—The Corporation shall, as conservator or  
11           receiver, and by operation of law, succeed to—

12                   “(i) all rights, titles, powers, and  
13                   privileges of the System institution, and of  
14                   any stockholder, member, officer, or direc-  
15                   tor of such System institution with respect  
16                   to the System institution and the assets of  
17                   the System institution; and

18                   “(ii) title to the books, records, and  
19                   assets of any previous conservator or other  
20                   legal custodian of such System institution.

21           “(B) OPERATE THE SYSTEM INSTITU-  
22           TION.—The Corporation may, as conservator or  
23           receiver—

24                   “(i) take over the assets of and oper-  
25                   ate the System institution with all the pow-

1           ers of the stockholders or members, the di-  
2           rectors, and the officers of the System in-  
3           stitution and conduct all business of the  
4           System institution;

5           “(ii) collect all obligations and money  
6           due the System institution;

7           “(iii) perform all functions of the Sys-  
8           tem institution in the name of the System  
9           institution which are consistent with the  
10          appointment as conservator or receiver;

11          “(iv) preserve and conserve the assets  
12          and property of such System institution;  
13          and

14          “(v) provide by contract for assistance  
15          in fulfilling any function, activity, action,  
16          or duty of the Corporation as conservator  
17          or receiver.

18          “(C) FUNCTIONS OF SYSTEM INSTITU-  
19          TION’S OFFICERS, DIRECTORS, MEMBERS, AND  
20          STOCKHOLDERS.—The Corporation may, by  
21          regulation or order, provide for the exercise of  
22          any function by any stockholder, member, direc-  
23          tor, or officer of any System institution for  
24          which the Corporation has been appointed con-  
25          servator or receiver.

1           “(D) POWERS AS CONSERVATOR.—Subject  
2 to any Farm Credit Administration approvals  
3 required under this Act, the Corporation may,  
4 as conservator, take such action as may be—

5                   “(i) necessary to put the System insti-  
6 tution in a sound and solvent condition;  
7 and

8                   “(ii) appropriate to carry on the busi-  
9 ness of the System institution and preserve  
10 and conserve the assets and property of  
11 the System institution.

12           “(E) ADDITIONAL POWERS AS RE-  
13 CEIVER.—The Corporation may, as receiver, liq-  
14 uidate the System institution and proceed to re-  
15 alize upon the assets of the System institution,  
16 in such manner as the Corporation determines  
17 to be appropriate.

18           “(F) ORGANIZATION OF NEW SYSTEM  
19 BANK.—The Corporation may, as receiver with  
20 respect to any System bank, organize a bridge  
21 System bank under subsection (h).

22           “(G) MERGER; TRANSFER OF ASSETS AND  
23 LIABILITIES.—

1                   “(i) IN GENERAL.—Subject to clause  
2                   (ii), the Corporation may, as conservator  
3                   or receiver—

4                   “(I) merge the System institution  
5                   with another System institution; and

6                   “(II) transfer or sell any asset or  
7                   liability of the System institution in  
8                   default without any approval, assign-  
9                   ment, or consent with respect to such  
10                  transfer.

11                  “(ii) APPROVAL.—No merger or  
12                  transfer under clause (i) may be made to  
13                  another System institution (other than a  
14                  bridge System bank under subsection (h))  
15                  without the approval of the Farm Credit  
16                  Administration.

17                  “(H) PAYMENT OF VALID OBLIGATIONS.—  
18                  The Corporation, as conservator or receiver,  
19                  shall, to the extent that proceeds are realized  
20                  from the performance of contracts or the sale of  
21                  the assets of a System institution, pay all valid  
22                  obligations of the System institution in accord-  
23                  ance with the prescriptions and limitations of  
24                  this section.

25                  “(I) INCIDENTAL POWERS.—

1                   “(i) IN GENERAL.—The Corporation  
2                   may, as conservator or receiver—

3                   “(I) exercise all powers and au-  
4                   thorities specifically granted to con-  
5                   servators or receivers, respectively,  
6                   under this section and such incidental  
7                   powers as shall be necessary to carry  
8                   out such powers; and

9                   “(II) take any action authorized  
10                  by this section, which the Corporation  
11                  determines is in the best interests  
12                  of—

13                  “(aa) the System institution  
14                  in receivership or conservator-  
15                  ship;

16                  “(bb) System institutions;

17                  “(cc) System institution  
18                  stockholders or investors; or

19                  “(dd) the Corporation.

20                  “(ii) TERMINATION OF RIGHTS AND  
21                  CLAIMS.—

22                  “(I) IN GENERAL.—Except as  
23                  provided in subclause (II), notwith-  
24                  standing any other provision of law,  
25                  the appointment of the Corporation as

1 receiver for a System institution and  
2 the succession of the Corporation, by  
3 operation of law, to the rights, titles,  
4 powers, and privileges described in  
5 subparagraph (A) shall terminate all  
6 rights and claims that the stock-  
7 holders and creditors of the System  
8 institution may have, arising as a re-  
9 sult of their status as stockholders or  
10 creditors, against the assets or charter  
11 of the System institution or the Cor-  
12 poration.

13 “(II) EXCEPTIONS.—Subclause  
14 (I) shall not terminate the right to  
15 payment, resolution, or other satisfac-  
16 tion of the claims of stockholders and  
17 creditors described in that subclause,  
18 as permitted under paragraphs (10)  
19 and (11) and subsection (d).

20 “(iii) CHARTER.—Notwithstanding  
21 any other provision of law, for purposes of  
22 this section, the charter of a System insti-  
23 tution shall not be considered to be an  
24 asset of the System institution.





1                   which shall be not less than 90 days after  
2                   the publication of such notice; and

3                   “(ii) republish such notice approxi-  
4                   mately 1 month and 2 months, respec-  
5                   tively, after the publication under clause  
6                   (i).

7                   “(C) MAILING REQUIRED.—The receiver  
8                   shall mail a notice similar to the notice pub-  
9                   lished under subparagraph (B)(i) at the time of  
10                  such publication to any creditor shown on the  
11                  System institution’s books—

12                   “(i) at the creditor’s last address ap-  
13                   pearing in such books; or

14                   “(ii) upon discovery of the name and  
15                   address of a claimant not appearing on the  
16                   System institution’s books within 30 days  
17                   after the discovery of such name and ad-  
18                   dress.

19                  “(4) RULEMAKING AUTHORITY RELATING TO  
20                  DETERMINATION OF CLAIMS.—The Corporation may  
21                  prescribe regulations regarding the allowance or dis-  
22                  allowance of claims by the receiver and providing for  
23                  administrative determination of claims and review of  
24                  such determination.

1           “(5) PROCEDURES FOR DETERMINATION OF  
2 CLAIMS.—

3           “(A) DETERMINATION PERIOD.—

4                   “(i) IN GENERAL.—Before the end of  
5 the 180-day period beginning on the date  
6 any claim against a System institution is  
7 filed with the Corporation as receiver, the  
8 Corporation shall determine whether to  
9 allow or disallow the claim and shall notify  
10 the claimant of any determination with re-  
11 spect to such claim.

12                   “(ii) EXTENSION OF TIME.—The pe-  
13 riod described in clause (i) may be ex-  
14 tended by a written agreement between the  
15 claimant and the Corporation.

16                   “(iii) MAILING OF NOTICE SUFFI-  
17 CIENT.—The requirements of clause (i)  
18 shall be deemed to be satisfied if the notice  
19 of any determination with respect to any  
20 claim is mailed to the last address of the  
21 claimant which appears—

22                           “(I) on the System institution’s  
23 books;

24                           “(II) in the claim filed by the  
25 claimant; or

1                   “(III) in documents submitted in  
2                   proof of the claim.

3                   “(iv) CONTENTS OF NOTICE OF DIS-  
4                   ALLOWANCE.—If any claim filed under  
5                   clause (i) is disallowed, the notice to the  
6                   claimant shall contain—

7                   “(I) a statement of each reason  
8                   for the disallowance; and

9                   “(II) the procedures available for  
10                  obtaining agency review of the deter-  
11                  mination to disallow the claim or judi-  
12                  cial determination of the claim.

13                  “(B) ALLOWANCE OF PROVEN CLAIMS.—  
14                  The receiver shall allow any claim received on  
15                  or before the date specified in the notice pub-  
16                  lished under paragraph (3)(B)(i) by the receiver  
17                  from any claimant which is proved to the satis-  
18                  faction of the receiver.

19                  “(C) DISALLOWANCE OF CLAIMS FILED  
20                  AFTER END OF FILING PERIOD.—

21                  “(i) IN GENERAL.—Except as pro-  
22                  vided in clause (ii), claims filed after the  
23                  date specified in the notice published under  
24                  paragraph (3)(B)(i) shall be disallowed  
25                  and such disallowance shall be final.

1                   “(ii) CERTAIN EXCEPTIONS.—Clause  
2                   (i) shall not apply with respect to any  
3                   claim filed by any claimant after the date  
4                   specified in the notice published under  
5                   paragraph (3)(B)(i) and such claim may  
6                   be considered by the receiver if—

7                   “(I) the claimant did not receive  
8                   notice of the appointment of the re-  
9                   ceiver in time to file such claim before  
10                  such date; and

11                  “(II) such claim is filed in time  
12                  to permit payment of such claim.

13                  “(D) AUTHORITY TO DISALLOW CLAIMS.—

14                  “(i) IN GENERAL.—The receiver may  
15                  disallow any portion of any claim by a  
16                  creditor or claim of security, preference, or  
17                  priority which is not proved to the satisfac-  
18                  tion of the receiver.

19                  “(ii) PAYMENTS TO LESS THAN  
20                  FULLY SECURED CREDITORS.—In the case  
21                  of a claim of a creditor against a System  
22                  institution which is secured by any prop-  
23                  erty or other asset of such System institu-  
24                  tion, any receiver appointed for any Sys-  
25                  tem institution—

1                   “(I) may treat the portion of  
2                   such claim which exceeds an amount  
3                   equal to the fair market value of such  
4                   property or other asset as an unse-  
5                   cured claim against the System insti-  
6                   tution; and

7                   “(II) may not make any payment  
8                   with respect to such unsecured por-  
9                   tion of the claim other than in connec-  
10                  tion with the disposition of all claims  
11                  of unsecured creditors of the System  
12                  institution.

13                  “(iii) EXCEPTIONS.—No provision of  
14                  this paragraph shall apply with respect  
15                  to—

16                  “(I) any extension of credit from  
17                  any Federal Reserve bank or the  
18                  United States Treasury to any System  
19                  institution; or

20                  “(II) any security interest in the  
21                  assets of the System institution secur-  
22                  ing any such extension of credit.

23                  “(E) NO JUDICIAL REVIEW OF DETER-  
24                  MINATION PURSUANT TO SUBPARAGRAPH (D).—  
25                  No court may review the Corporation’s deter-

1           mination pursuant to subparagraph (D) to dis-  
2           allow a claim.

3           “(F) LEGAL EFFECT OF FILING.—

4           “(i) STATUTE OF LIMITATION  
5           TOLLED.—For purposes of any applicable  
6           statute of limitations, the filing of a claim  
7           with the receiver shall constitute a com-  
8           mencement of an action.

9           “(ii) NO PREJUDICE TO OTHER AC-  
10          TIONS.—Subject to paragraph (12) and  
11          the determination of claims by a receiver,  
12          the filing of a claim with the receiver shall  
13          not prejudice any right of the claimant to  
14          continue any action which was filed before  
15          the appointment of the receiver.

16          “(6) PROVISION FOR JUDICIAL DETERMINATION  
17          OF CLAIMS.—

18          “(A) IN GENERAL.—Before the end of the  
19          60-day period beginning on the earlier of—

20                 “(i) the end of the period described in  
21                 paragraph (5)(A)(i) with respect to any  
22                 claim against a System institution for  
23                 which the Corporation is receiver; or

1                   “(ii) the date of any notice of dis-  
2                   allowance of such claim pursuant to para-  
3                   graph (5)(A)(i),

4                   the claimant may request administrative review  
5                   of the claim in accordance with paragraph (7)  
6                   or file suit on such claim (or continue an action  
7                   commenced before the appointment of the re-  
8                   ceiver) in the district or territorial court of the  
9                   United States for the district within which the  
10                  System institution’s principal place of business  
11                  is located or the United States District Court  
12                  for the District of Columbia (and such court  
13                  shall have jurisdiction to hear such claim).

14                  “(B) STATUTE OF LIMITATIONS.—If any  
15                  claimant fails to file suit on such claim (or con-  
16                  tinue an action commenced before the appoint-  
17                  ment of the receiver), before the end of the 60-  
18                  day period described in subparagraph (A), the  
19                  claim shall be deemed to be disallowed (other  
20                  than any portion of such claim which was al-  
21                  lowed by the receiver) as of the end of such pe-  
22                  riod, such disallowance shall be final, and the  
23                  claimant shall have no further rights or rem-  
24                  edies with respect to such claim.



1           “(7) REVIEW OF CLAIMS; ADMINISTRATIVE  
2 HEARING.—If any claimant requests review under  
3 this paragraph in lieu of filing or continuing any ac-  
4 tion under paragraph (6) and the Corporation  
5 agrees to such request, the Corporation shall con-  
6 sider the claim after opportunity for a hearing on  
7 the record. The final determination of the Corpora-  
8 tion with respect to such claim shall be subject to ju-  
9 dicial review under chapter 7 of title 5, United  
10 States Code.

11           “(8) EXPEDITED DETERMINATION OF  
12 CLAIMS.—

13           “(A) ESTABLISHMENT REQUIRED.—The  
14 Corporation shall establish a procedure for ex-  
15 pedited relief outside of the routine claims proc-  
16 ess established under paragraph (5) for claim-  
17 ants who—

18           “(i) allege the existence of legally  
19 valid and enforceable or perfected security  
20 interests in assets of any System institu-  
21 tion for which the Corporation has been  
22 appointed receiver; and

23           “(ii) allege that irreparable injury will  
24 occur if the routine claims procedure is fol-  
25 lowed.

1           “(B) DETERMINATION PERIOD.—Before  
2           the end of the 90-day period beginning on the  
3           date any claim is filed in accordance with the  
4           procedures established pursuant to subpara-  
5           graph (A), the Corporation shall—

6                   “(i) determine—

7                           “(I) whether to allow or disallow  
8                           such claim; or

9                           “(II) whether such claim should  
10                          be determined pursuant to the proce-  
11                          dures established pursuant to para-  
12                          graph (5); and

13                          “(ii) notify the claimant of the deter-  
14                          mination, and if the claim is disallowed,  
15                          provide a statement of each reason for the  
16                          disallowance and the procedure for obtain-  
17                          ing agency review or judicial determina-  
18                          tion.

19           “(C) PERIOD FOR FILING OR RENEWING  
20           SUIT.—Any claimant who files a request for ex-  
21           pedited relief shall be permitted to file a suit,  
22           or to continue a suit filed before the appoint-  
23           ment of the receiver, seeking a determination of  
24           the claimant’s rights with respect to such secu-  
25           rity interest after the earlier of—

1                   “(i) the end of the 90-day period be-  
2                   ginning on the date of the filing of a re-  
3                   quest for expedited relief; or

4                   “(ii) the date the Corporation denies  
5                   the claim.

6                   “(D) STATUTE OF LIMITATIONS.—If an  
7                   action described in subparagraph (C) is not  
8                   filed, or the motion to renew a previously filed  
9                   suit is not made, before the end of the 30-day  
10                  period beginning on the date on which such ac-  
11                  tion or motion may be filed in accordance with  
12                  subparagraph (B), the claim shall be deemed to  
13                  be disallowed as of the end of such period  
14                  (other than any portion of such claim which  
15                  was allowed by the receiver), such disallowance  
16                  shall be final, and the claimant shall have no  
17                  further rights or remedies with respect to such  
18                  claim.

19                  “(E) LEGAL EFFECT OF FILING.—

20                  “(i) STATUTE OF LIMITATION  
21                  TOLLED.—For purposes of any applicable  
22                  statute of limitations, the filing of a claim  
23                  with the receiver shall constitute a com-  
24                  mencement of an action.

1                   “(ii) NO PREJUDICE TO OTHER AC-  
2                   TIONS.—Subject to paragraph (12), the fil-  
3                   ing of a claim with the receiver shall not  
4                   prejudice any right of the claimant to con-  
5                   tinue any action which was filed before the  
6                   appointment of the receiver.

7                   “(9) AGREEMENT AS BASIS OF CLAIM.—

8                   “(A) REQUIREMENTS.—Except as provided  
9                   in subparagraph (B), any agreement which does  
10                  not meet the requirements set forth in section  
11                  5.61(d) shall not form the basis of, or substan-  
12                  tially comprise, a claim against the receiver or  
13                  the Corporation.

14                  “(B) EXCEPTION TO CONTEMPORANEOUS  
15                  EXECUTION REQUIREMENT.—Notwithstanding  
16                  section 5.61(d), any agreement relating to an  
17                  extension of credit between a Federal Reserve  
18                  bank or the United States Treasury and any  
19                  System institution which was executed before  
20                  such extension of credit to such System institu-  
21                  tion shall be treated as having been executed  
22                  contemporaneously with such extension of credit  
23                  for purposes of subparagraph (A).

24                  “(10) PAYMENT OF CLAIMS.—

1           “(A) IN GENERAL.—The receiver may, in  
2           the receiver’s discretion and to the extent funds  
3           are available from the assets of the System in-  
4           stitution, pay creditor claims which are allowed  
5           by the receiver, approved by the Corporation  
6           pursuant to a final determination pursuant to  
7           paragraph (7) or (8), or determined by the final  
8           judgment of any court of competent jurisdiction  
9           in such manner and amounts as are authorized  
10          under this Act.

11          “(B) LIQUIDATION PAYMENTS.—The re-  
12          ceiver may, in the receiver’s sole discretion, pay  
13          from the assets of the System institution por-  
14          tions of proved claims at any time, and no li-  
15          ability shall attach to the Corporation (in such  
16          Corporation’s corporate capacity or as receiver),  
17          by reason of any such payment, for failure to  
18          make payments to a claimant whose claim is  
19          not proved at the time of any such payment.

20          “(C) RULEMAKING AUTHORITY OF COR-  
21          PORATION.—The Corporation may prescribe  
22          such rules, including definitions of terms, as it  
23          deems appropriate to establish a single uniform  
24          interest rate for or to make payments of post  
25          insolvency interest to creditors holding proven

1 claims against the receivership estates of Sys-  
2 tem institutions following satisfaction by the re-  
3 ceiver of the principal amount of all creditor  
4 claims.

5 “(11) PRIORITY OF EXPENSES AND CLAIMS.—

6 “(A) IN GENERAL.—Amounts realized  
7 from the liquidation or other resolution of any  
8 System institution by any receiver appointed for  
9 such System institution shall be distributed to  
10 pay claims (other than secured claims to the ex-  
11 tent of any such security) in the following order  
12 of priority:

13 “(i) Administrative expenses of the re-  
14 ceiver.

15 “(ii) If authorized by the Corporation,  
16 wages, salaries, or commissions, including  
17 vacation, severance, and sick leave pay  
18 earned by an individual—

19 “(I) in an amount that is not  
20 more than \$11,725 for each individual  
21 (as indexed for inflation, by regulation  
22 of the Corporation); and

23 “(II) that is earned 180 days or  
24 fewer before the date of appointment  
25 of the Corporation as receiver.







1 full all claims in any priority de-  
2 scribed clauses (i) through (vii) of  
3 subparagraph (A), distribution on  
4 that priority of claims shall be made  
5 on a pro rata basis.

6 “(ii) DISTRIBUTION OF REMAINING  
7 ASSETS.—Following the payment of all  
8 claims in accordance with subparagraph  
9 (A), the receiver shall distribute the re-  
10 mainder of the assets of the System insti-  
11 tution to the owners of stock, participation  
12 certificates, and other equities in accord-  
13 ance with the priorities for impairment  
14 under the bylaws of the System institution.

15 “(iii) ELIGIBLE BORROWER STOCK.—  
16 Notwithstanding subparagraph (C) or any  
17 other provision of this section, eligible bor-  
18 rower stock shall be retired in accordance  
19 with section 4.9A.

20 “(C) EFFECT OF STATE LAW.—

21 “(i) IN GENERAL.—The provisions of  
22 subparagraph (A) shall not supersede the  
23 law of any State except to the extent such  
24 law is inconsistent with the provisions of

1           such subparagraph, and then only to the  
2           extent of the inconsistency.

3           “(ii) PROCEDURE FOR DETERMINA-  
4           TION OF INCONSISTENCY.—Upon the Cor-  
5           poration’s own motion or upon the request  
6           of any person with a claim described in  
7           subparagraph (A) or any State which is  
8           submitted to the Corporation in accordance  
9           with procedures which the Corporation  
10          shall prescribe, the Corporation shall deter-  
11          mine whether any provision of the law of  
12          any State is inconsistent with any provi-  
13          sion of subparagraph (A) and the extent of  
14          any such inconsistency.

15          “(iii) JUDICIAL REVIEW.—The final  
16          determination of the Corporation under  
17          clause (ii) shall be subject to judicial re-  
18          view under chapter 7 of title 5, United  
19          States Code.

20          “(D) ACCOUNTING REPORT.—Any dis-  
21          tribution by the Corporation in connection with  
22          any claim described in subparagraph (A)(vii)  
23          shall be accompanied by the accounting report  
24          required under paragraph (15)(B).

25          “(12) SUSPENSION OF LEGAL ACTIONS.—

1           “(A) IN GENERAL.—After the appointment  
2 of a conservator or receiver for a System insti-  
3 tution, the conservator or receiver may request  
4 a stay for a period not to exceed—

5                   “(i) 45 days, in the case of any con-  
6 servator; and

7                   “(ii) 90 days, in the case of any re-  
8 ceiver,

9 in any judicial action or proceeding to which  
10 such System institution is or becomes a party.

11           “(B) GRANT OF STAY BY ALL COURTS RE-  
12 QUIRED.—Upon receipt of a request by any  
13 conservator or receiver pursuant to subpara-  
14 graph (A) for a stay of any judicial action or  
15 proceeding in any court with jurisdiction of  
16 such action or proceeding, the court shall grant  
17 such stay as to all parties.

18           “(13) ADDITIONAL RIGHTS AND DUTIES.—

19                   “(A) PRIOR FINAL ADJUDICATION.—The  
20 Corporation shall abide by any final  
21 unappealable judgment of any court of com-  
22 petent jurisdiction which was rendered before  
23 the appointment of the Corporation as conser-  
24 vator or receiver.

1           “(B) RIGHTS AND REMEDIES OF CONSER-  
2 VATOR OR RECEIVER.—In the event of any ap-  
3 pealable judgment, the Corporation as conser-  
4 vator or receiver shall—

5           “(i) have all the rights and remedies  
6 available to the System institution (before  
7 the appointment of such conservator or re-  
8 ceiver) and the Corporation in its cor-  
9 porate capacity, including removal to Fed-  
10 eral court and all appellate rights; and

11           “(ii) not be required to post any bond  
12 in order to pursue such remedies.

13           “(C) NO ATTACHMENT OR EXECUTION.—  
14 No attachment or execution may issue by any  
15 court on—

16           “(i) assets in the possession of the re-  
17 ceiver; or

18           “(ii) the charter of a System institu-  
19 tion for which the Corporation has been  
20 appointed receiver.

21           “(D) LIMITATION ON JUDICIAL REVIEW.—  
22 Except as otherwise provided in this subsection,  
23 no court shall have jurisdiction over—

24           “(i) any claim or action for payment  
25 from, or any action seeking a determina-

1                   tion of rights with respect to, the assets of  
2                   any System institution for which the Cor-  
3                   poration has been appointed receiver, in-  
4                   cluding assets which the Corporation may  
5                   acquire from itself as such receiver; or

6                   “(ii) any claim relating to any act or  
7                   omission of such System institution or the  
8                   Corporation as receiver.

9                   “(E) DISPOSITION OF ASSETS.—In exer-  
10                  cising any right, power, privilege, or authority  
11                  as receiver in connection with any sale or dis-  
12                  position of assets of any System institution for  
13                  which the Corporation is acting as receiver, the  
14                  Corporation shall, to the maximum extent prac-  
15                  ticable, conduct its operations in a manner  
16                  which—

17                  “(i) maximizes the net present value  
18                  return from the sale or disposition of such  
19                  assets;

20                  “(ii) minimizes the amount of any loss  
21                  realized in the resolution of cases;

22                  “(iii) ensures adequate competition  
23                  and fair and consistent treatment of  
24                  offerors;

1                   “(iv) prohibits discrimination on the  
2                   basis of race, sex, or ethnic groups in the  
3                   solicitation and consideration of offers; and

4                   “(v) mitigates the potential for serious  
5                   adverse effects to the rest of the System.

6                   “(14) STATUTE OF LIMITATIONS FOR ACTIONS  
7                   BROUGHT BY CONSERVATOR OR RECEIVER.—

8                   “(A) IN GENERAL.—Notwithstanding any  
9                   provision of any contract, the applicable statute  
10                  of limitations with regard to any action brought  
11                  by the Corporation as conservator or receiver  
12                  shall be—

13                  “(i) in the case of any contract claim,  
14                  the longer of—

15                         “(I) the 6-year period beginning  
16                         on the date the claim accrues; or

17                         “(II) the period applicable under  
18                         State law; and

19                  “(ii) in the case of any tort claim, the  
20                  longer of—

21                         “(I) the 3-year period beginning  
22                         on the date the claim accrues; or

23                         “(II) the period applicable under  
24                         State law.

1           “(B) DETERMINATION OF THE DATE ON  
2 WHICH A CLAIM ACCRUES.—For purposes of  
3 subparagraph (A), the date on which the stat-  
4 ute of limitations begins to run on any claim  
5 described in such subparagraph shall be the  
6 later of—

7           “(i) the date of the appointment of  
8 the Corporation as conservator or receiver;  
9 or

10           “(ii) the date on which the cause of  
11 action accrues.

12           “(C) REVIVAL OF EXPIRED STATE CAUSES  
13 OF ACTION.—

14           “(i) IN GENERAL.—In the case of any  
15 tort claim described in clause (ii) for which  
16 the statute of limitation applicable under  
17 State law with respect to such claim has  
18 expired not more than 5 years before the  
19 appointment of the Corporation as conser-  
20 vator or receiver, the Corporation may  
21 bring an action as conservator or receiver  
22 on such claim without regard to the expira-  
23 tion of the statute of limitation applicable  
24 under State law.

1                   “(ii) CLAIMS DESCRIBED.—A tort  
2                   claim referred to in clause (i) is a claim  
3                   arising from fraud, intentional misconduct  
4                   resulting in unjust enrichment, or inten-  
5                   tional misconduct resulting in substantial  
6                   loss to the System institution.

7                   “(15) ACCOUNTING AND RECORDKEEPING RE-  
8                   QUIREMENTS.—

9                   “(A) IN GENERAL.—The Corporation as  
10                  conservator or receiver shall, consistent with the  
11                  accounting and reporting practices and proce-  
12                  dures established by the Corporation, maintain  
13                  a full accounting of each conservatorship and  
14                  receivership or other disposition of System in-  
15                  stitutions in default.

16                  “(B) ANNUAL ACCOUNTING OR REPORT.—  
17                  With respect to each conservatorship or receiv-  
18                  ership to which the Corporation was appointed,  
19                  the Corporation shall make an annual account-  
20                  ing or report, as appropriate, available to the  
21                  Farm Credit Administration Board.

22                  “(C) AVAILABILITY OF REPORTS.—Any re-  
23                  port prepared pursuant to subparagraph (B)  
24                  shall be made available by the Corporation upon  
25                  request to any stockholder of the System insti-



1           tution for which the Corporation was appointed  
2           conservator or receiver or any other member of  
3           the public.

4           “(D) RECORDKEEPING REQUIREMENT.—

5           “(i) IN GENERAL.—Except as pro-  
6           vided in clause (ii), after the end of the 6-  
7           year period beginning on the date the Cor-  
8           poration is appointed as receiver of a Sys-  
9           tem institution, the Corporation may de-  
10          stroy any records of such System institu-  
11          tion which the Corporation, in the Cor-  
12          poration’s discretion, determines to be un-  
13          necessary unless directed not to do so by  
14          a court of competent jurisdiction or gov-  
15          ernmental agency, or prohibited by law.

16          “(ii) OLD RECORDS.—Notwith-  
17          standing clause (i), the Corporation may  
18          destroy records of a System institution  
19          which are at least 10 years old as of the  
20          date on which the Corporation is appointed  
21          as the receiver of such System institution  
22          in accordance with clause (i) at any time  
23          after such appointment is final, without re-  
24          gard to the 6-year period of limitation con-  
25          tained in clause (i).

1           “(16) FRAUDULENT TRANSFERS.—

2                   “(A) IN GENERAL.—The Corporation, as  
3 conservator or receiver for any System institu-  
4 tion, may avoid a transfer of any interest of a  
5 System institution-affiliated party, or any per-  
6 son who the Corporation determines is a debtor  
7 of the System institution, in property, or any  
8 obligation incurred by such party or person,  
9 that was made within 5 years of the date on  
10 which the Corporation was appointed conser-  
11 vator or receiver if such party or person volun-  
12 tarily or involuntarily made such transfer or in-  
13 curred such liability with the intent to hinder,  
14 delay, or defraud the System institution, the  
15 Farm Credit Administration, or the Corpora-  
16 tion.

17                   “(B) RIGHT OF RECOVERY.—To the extent  
18 a transfer is avoided under subparagraph (A),  
19 the Corporation may recover, for the benefit of  
20 the System institution, the property trans-  
21 ferred, or, if a court so orders, the value of  
22 such property (at the time of such transfer)  
23 from—

24                           “(i) the initial transferee of such  
25 transfer or the System institution-affiliated

1 party or person for whose benefit such  
2 transfer was made; or

3 “(ii) any immediate or mediate trans-  
4 feree of any such initial transferee.

5 “(C) RIGHTS OF TRANSFEREE OR OBLI-  
6 GEE.—The Corporation may not recover under  
7 subparagraph (B) from—

8 “(i) any transferee that takes for  
9 value, including satisfaction or securing of  
10 a present or antecedent debt, in good faith;  
11 or

12 “(ii) any immediate or mediate good  
13 faith transferee of such transferee.

14 “(D) RIGHTS UNDER THIS PARAGRAPH.—  
15 The rights under this paragraph of the Cor-  
16 poration shall be superior to any rights of a  
17 trustee or any other party (other than any  
18 party which is a Federal agency) under title 11,  
19 United States Code.

20 “(17) ATTACHMENT OF ASSETS AND OTHER IN-  
21 JUNCTIVE RELIEF.—Subject to paragraph (18), any  
22 court of competent jurisdiction may, at the request  
23 of the Corporation (in the Corporation’s capacity as  
24 conservator or receiver for any System institution or  
25 in the Corporation’s corporate capacity with respect

1 to any asset acquired or liability assumed by the  
2 Corporation under section 5.61), issue an order in  
3 accordance with Rule 65 of the Federal Rules of  
4 Civil Procedure, including an order placing the as-  
5 sets of any person designated by the Corporation  
6 under the control of the court and appointing a  
7 trustee to hold such assets.

8 “(18) STANDARDS.—

9 “(A) SHOWING.—Rule 65 of the Federal  
10 Rules of Civil Procedure shall apply with re-  
11 spect to any proceeding under paragraph (17)  
12 without regard to the requirement of such rule  
13 that the applicant show that the injury, loss, or  
14 damage is irreparable and immediate.

15 “(B) STATE PROCEEDING.—If, in the case  
16 of any proceeding in a State court, the court  
17 determines that rules of civil procedure avail-  
18 able under the laws of such State provide sub-  
19 stantially similar protections to such party’s  
20 right to due process as Rule 65 (as modified  
21 with respect to such proceeding by subpara-  
22 graph (A)), the relief sought by the Corporation  
23 pursuant to paragraph (17) may be requested  
24 under the laws of such State.

1           “(19) TREATMENT OF CLAIMS ARISING FROM  
2 BREACH OF CONTRACTS EXECUTED BY THE RE-  
3 CEIVER OR CONSERVATOR.—Notwithstanding any  
4 other provision of this subsection, any final and  
5 unappealable judgment for monetary damages en-  
6 tered against a receiver or conservator for a System  
7 institution for the breach of an agreement executed  
8 or approved by such receiver or conservator after the  
9 date of its appointment shall be paid as an adminis-  
10 trative expense of the receiver or conservator. Noth-  
11 ing in this paragraph shall be construed to limit the  
12 power of a receiver or conservator to exercise any  
13 rights under contract or law, including terminating,  
14 breaching, canceling, or otherwise discontinuing such  
15 agreement.

16           “(c) PROVISIONS RELATING TO CONTRACTS EN-  
17 TERED INTO BEFORE APPOINTMENT OF CONSERVATOR  
18 OR RECEIVER.—

19           “(1) AUTHORITY TO REPUDIATE CONTRACTS.—  
20 In addition to any other rights a conservator or re-  
21 ceiver may have, the conservator or receiver for a  
22 System institution may disaffirm or repudiate any  
23 contract or lease—

24                   “(A) to which such System institution is a  
25 party;

1           “(B) the performance of which the conser-  
2           vator or receiver, in the conservator’s or receiv-  
3           er’s discretion, determines to be burdensome;  
4           and

5           “(C) the disaffirmance or repudiation of  
6           which the conservator or receiver determines, in  
7           the conservator’s or receiver’s discretion, will  
8           promote the orderly administration of the Sys-  
9           tem institution’s affairs.

10          “(2) TIMING OF REPUDIATION.—The Corpora-  
11          tion as conservator or receiver for any System insti-  
12          tution shall determine whether or not to exercise the  
13          rights of repudiation under this subsection within a  
14          reasonable period following such appointment.

15          “(3) CLAIMS FOR DAMAGES FOR REPUDI-  
16          ATION.—

17                 “(A) IN GENERAL.—Except as otherwise  
18                 provided in subparagraph (C) and paragraphs  
19                 (4), (5), and (6), the liability of the conservator  
20                 or receiver for the disaffirmance or repudiation  
21                 of any contract pursuant to paragraph (1) shall  
22                 be—

23                         “(i) limited to actual direct compen-  
24                         satory damages; and

25                         “(ii) determined as of—

1                   “(I) the date of the appointment  
2                   of the conservator or receiver; or

3                   “(II) in the case of any contract  
4                   or agreement referred to in paragraph  
5                   (8), the date of the disaffirmance or  
6                   repudiation of such contract or agree-  
7                   ment.

8                   “(B) NO LIABILITY FOR OTHER DAM-  
9                   AGES.—For purposes of subparagraph (A), the  
10                  term ‘actual direct compensatory damages’ does  
11                  not include—

12                   “(i) punitive or exemplary damages;

13                   “(ii) damages for lost profits or op-  
14                  portunity; or

15                   “(iii) damages for pain and suffering.

16                  “(C) MEASURE OF DAMAGES FOR REPUDI-  
17                  ATION OF FINANCIAL CONTRACTS.—In the case  
18                  of any qualified financial contract or agreement  
19                  to which paragraph (8) applies, compensatory  
20                  damages shall be—

21                   “(i) deemed to include normal and  
22                  reasonable costs of cover or other reason-  
23                  able measures of damages utilized in the  
24                  industries for such contract and agreement  
25                  claims; and

1                   “(ii) paid in accordance with this sub-  
2                   section and subsection (j), except as other-  
3                   wise specifically provided in this section.

4                   “(4) LEASES UNDER WHICH THE SYSTEM IN-  
5                   STITUTION IS THE LESSEE.—

6                   “(A) IN GENERAL.—If the conservator or  
7                   receiver disaffirms or repudiates a lease under  
8                   which the System institution was the lessee, the  
9                   conservator or receiver shall not be liable for  
10                  any damages (other than damages determined  
11                  pursuant to subparagraph (B)) for the  
12                  disaffirmance or repudiation of such lease.

13                  “(B) PAYMENTS OF RENT.—Notwith-  
14                  standing subparagraph (A), the lessor under a  
15                  lease to which such subparagraph applies  
16                  shall—

17                         “(i) be entitled to the contractual rent  
18                         accruing before the later of the date—

19                                 “(I) the notice of disaffirmance  
20                                 or repudiation is mailed; or

21                                 “(II) the disaffirmance or repudi-  
22                                 ation becomes effective, unless the les-  
23                                 sor is in default or breach of the  
24                                 terms of the lease; and



1                   “(ii) have no claim for damages under  
2                   any acceleration clause or other penalty  
3                   provision in the lease; and

4                   “(iii) have a claim for any unpaid  
5                   rent, subject to all appropriate offsets and  
6                   defenses, due as of the date of the appoint-  
7                   ment, which shall be paid in accordance  
8                   with this subsection and subsection (j).

9                   “(5) LEASES UNDER WHICH THE SYSTEM IN-  
10                  STITUTION IS THE LESSOR.—

11                  “(A) IN GENERAL.—If the conservator or  
12                  receiver repudiates an unexpired written lease  
13                  of real property of the System institution under  
14                  which the System institution is the lessor and  
15                  the lessee is not, as of the date of such repudi-  
16                  ation, in default, the lessee under such lease  
17                  may either—

18                         “(i) treat the lease as terminated by  
19                         such repudiation; or

20                         “(ii) remain in possession of the lease-  
21                         hold interest for the balance of the term of  
22                         the lease, unless the lessee defaults under  
23                         the terms of the lease after the date of  
24                         such repudiation.

1           “(B) PROVISIONS APPLICABLE TO LESSEE  
2           REMAINING IN POSSESSION.—If any lessee  
3           under a lease described in subparagraph (A) re-  
4           mains in possession of a leasehold interest pur-  
5           suant to clause (ii) of such subparagraph—

6                   “(i) the lessee—

7                           “(I) shall continue to pay the  
8                           contractual rent pursuant to the  
9                           terms of the lease after the date of  
10                          the repudiation of such lease; and

11                           “(II) may offset against any rent  
12                           payment which accrues after the date  
13                           of the repudiation of the lease, any  
14                           damages which accrue after such date  
15                           due to the nonperformance of any ob-  
16                           ligation of the System institution  
17                           under the lease after such date; and

18                           “(ii) the conservator or receiver shall  
19                           not be liable to the lessee for any damages  
20                           arising after such date as a result of the  
21                           repudiation, other than the amount of any  
22                           offset allowed under clause (i)(II).

23           “(6) CONTRACTS FOR THE SALE OF REAL  
24           PROPERTY.—

1           “(A) IN GENERAL.—If the conservator or  
2 receiver repudiates any contract (which repudi-  
3 ates any contract that meets the requirements  
4 of paragraphs (1) through (4) of section  
5 5.61(d) for the sale of real property, and the  
6 purchaser of such real property under such con-  
7 tract is in possession and is not, as of the date  
8 of such repudiation, in default, such purchaser  
9 may either—

10                   “(i) treat the contract as terminated  
11 by such repudiation; or

12                   “(ii) remain in possession of such real  
13 property.

14           “(B) PROVISIONS APPLICABLE TO PUR-  
15 CHASER REMAINING IN POSSESSION.—If any  
16 purchaser of real property under any contract  
17 described in subparagraph (A) remains in pos-  
18 session of such property pursuant to clause (ii)  
19 of such subparagraph—

20                   “(i) the purchaser—

21                           “(I) shall continue to make all  
22 payments due under the contract after  
23 the date of the repudiation of the con-  
24 tract; and

1                   “(II) may offset against any such  
2                   payments any damages which accrue  
3                   after such date due to the non-  
4                   performance (after such date) of any  
5                   obligation of the System institution  
6                   under the contract; and

7                   “(ii) the conservator or receiver  
8                   shall—

9                   “(I) not be liable to the pur-  
10                  chaser for any damages arising after  
11                  that date as a result of the repudi-  
12                  ation, other than the amount of any  
13                  offset allowed under clause (i)(II);

14                  “(II) deliver title to the pur-  
15                  chaser in accordance with the con-  
16                  tract; and

17                  “(III) have no obligation under  
18                  the contract, other than the perform-  
19                  ance required under subclause (II).

20                  “(C) ASSIGNMENT AND SALE ALLOWED.—

21                  “(i) IN GENERAL.—No provision of  
22                  this paragraph shall be construed as lim-  
23                  iting the right of the conservator or re-  
24                  ceiver to assign the contract described in

1           subparagraph (A) and sell the property  
2           subject to the contract and this paragraph.

3           “(ii) NO LIABILITY AFTER ASSIGN-  
4           MENT AND SALE.—If an assignment and  
5           sale described in clause (i) is con-  
6           summated, the Corporation, acting as con-  
7           servator or receiver, shall have no further  
8           liability under the applicable contract de-  
9           scribed in subparagraph (A) or with re-  
10          spect to the real property which was the  
11          subject of such contract.

12          “(7) PROVISIONS APPLICABLE TO SERVICE CON-  
13          TRACTS.—

14          “(A) SERVICES PERFORMED BEFORE AP-  
15          POINTMENT.—In the case of any contract for  
16          services between any person and any System in-  
17          stitution for which the Corporation has been  
18          appointed conservator or receiver, any claim of  
19          such person for services performed before the  
20          appointment of the conservator or the receiver  
21          shall be—

22                  “(i) a claim to be paid in accordance  
23                  with subsections (b) and (d); and

1                   “(ii) deemed to have arisen as of the  
2                   date the conservator or receiver was ap-  
3                   pointed.

4                   “(B) SERVICES PERFORMED AFTER AP-  
5                   POINTMENT AND PRIOR TO REPUDIATION.—If,  
6                   in the case of any contract for services de-  
7                   scribed in subparagraph (A), the conservator or  
8                   receiver accepts performance by the other per-  
9                   son before the conservator or receiver makes  
10                  any determination to exercise the right of repu-  
11                  diation of such contract under this section—

12                  “(i) the other party shall be paid  
13                  under the terms of the contract for the  
14                  services performed; and

15                  “(ii) the amount of such payment  
16                  shall be treated as an administrative ex-  
17                  pense of the conservatorship or receiver-  
18                  ship.

19                  “(C) ACCEPTANCE OF PERFORMANCE NO  
20                  BAR TO SUBSEQUENT REPUDIATION.—The ac-  
21                  ceptance by any conservator or receiver of serv-  
22                  ices referred to in subparagraph (B) in connec-  
23                  tion with a contract described in such subpara-  
24                  graph shall not affect the right of the conser-  
25                  vator or receiver, to repudiate such contract

1 under this section at any time after such per-  
2 formance.

3 “(8) CERTAIN QUALIFIED FINANCIAL CON-  
4 TRACTS.—

5 “(A) DEFINITIONS.—In this paragraph:

6 “(i) COMMODITY CONTRACT.—The  
7 term ‘commodity contract’ means—

8 “(I) with respect to a futures  
9 commission merchant, a contract for  
10 the purchase or sale of a commodity  
11 for future delivery on, or subject to  
12 the rules of, a contract market or  
13 board of trade;

14 “(II) with respect to a foreign fu-  
15 tures commission merchant, a foreign  
16 future;

17 “(III) with respect to a leverage  
18 transaction merchant, a leverage  
19 transaction;

20 “(IV) with respect to a clearing  
21 organization, a contract for the pur-  
22 chase or sale of a commodity for fu-  
23 ture delivery on, or subject to the  
24 rules of, a contract market or board  
25 of trade that is cleared by such clear-

1           ing organization, or commodity option  
2           traded on, or subject to the rules of,  
3           a contract market or board of trade  
4           that is cleared by such clearing orga-  
5           nization;

6                   “(V) with respect to a commodity  
7                   options dealer, a commodity option;

8                   “(VI) any other agreement or  
9                   transaction that is similar to any  
10                  agreement or transaction referred to  
11                  in this clause;

12                  “(VII) any combination of the  
13                  agreements or transactions referred to  
14                  in this clause;

15                  “(VIII) any option to enter into  
16                  any agreement or transaction referred  
17                  to in this clause;

18                  “(IX) a master agreement that  
19                  provides for an agreement or trans-  
20                  action referred to in any of subclauses  
21                  (I) through (VIII), together with all  
22                  supplements to any such master  
23                  agreement, without regard to whether  
24                  the master agreement provides for an  
25                  agreement or transaction that is not a



1 commodity contract under this clause,  
2 except that the master agreement  
3 shall be considered to be a commodity  
4 contract under this clause only with  
5 respect to each agreement or trans-  
6 action under the master agreement  
7 that is referred to in subclause (I),  
8 (II), (III), (IV), (V), (VI), (VII), or  
9 (VIII); or

10 “(X) any security agreement or  
11 arrangement or other credit enhance-  
12 ment related to any agreement or  
13 transaction referred to in this clause,  
14 including any guarantee or reimburse-  
15 ment obligation in connection with  
16 any agreement or transaction referred  
17 to in this clause.

18 “(ii) FORWARD CONTRACT.—The  
19 term ‘forward contract’ means—

20 “(I) a contract (other than a  
21 commodity contract) for the purchase,  
22 sale, or transfer of a commodity or  
23 any similar good, article, service,  
24 right, or interest which is presently or  
25 in the future becomes the subject of

1 dealing in the forward contract trade,  
2 or product or byproduct thereof, with  
3 a maturity date more than 2 days  
4 after the date the contract is entered  
5 into, including a repurchase or reverse  
6 repurchase transaction (whether or  
7 not such repurchase or reverse repur-  
8 chase transaction is a repurchase  
9 agreement), consignment, lease, swap,  
10 hedge transaction, deposit, loan, op-  
11 tion, allocated transaction, unallocated  
12 transaction, or any other similar  
13 agreement;

14 “(II) any combination of agree-  
15 ments or transactions referred to in  
16 subclauses (I) and (III);

17 “(III) any option to enter into  
18 any agreement or transaction referred  
19 to in subclause (I) or (II);

20 “(IV) a master agreement that  
21 provides for an agreement or trans-  
22 action referred to in subclauses (I)  
23 through (III), together with all sup-  
24 plements to any such master agree-  
25 ment, without regard to whether the

1 master agreement provides for an  
2 agreement or transaction that is not a  
3 forward contract under this clause,  
4 except that the master agreement  
5 shall be considered to be a forward  
6 contract under this clause only with  
7 respect to each agreement or trans-  
8 action under the master agreement  
9 that is referred to in subclause (I),  
10 (II), or (III); or

11 “(V) any security agreement or  
12 arrangement or other credit enhance-  
13 ment related to any agreement or  
14 transaction referred to in subclause  
15 (I), (II), (III), or (IV), including any  
16 guarantee or reimbursement obliga-  
17 tion in connection with any agreement  
18 or transaction referred to in any such  
19 subclause.

20 “(iii) PERSON.—The term ‘person’—

21 “(I) has the meaning given the  
22 term in section 1 of title 1, United  
23 States Code; and

24 “(II) includes any governmental  
25 entity.

1                   “(iv) QUALIFIED FINANCIAL CON-  
2                   TRACT.—The term ‘qualified financial con-  
3                   tract’ means any securities contract, com-  
4                   modity contract, forward contract, repur-  
5                   chase agreement, swap agreement, and any  
6                   similar agreement that the Corporation de-  
7                   termines by regulation, resolution, or order  
8                   to be a qualified financial contract for pur-  
9                   poses of this paragraph.

10                   “(v) REPURCHASE AGREEMENT.—

11                   “(I) IN GENERAL.—The term ‘re-  
12                   purchase agreement’ (including with  
13                   respect to a reverse repurchase agree-  
14                   ment)—

15                   “(aa) means—

16                   “(AA) an agreement,  
17                   including related terms,  
18                   which provides for the trans-  
19                   fer of one or more certifi-  
20                   cates of deposit, mortgage-  
21                   related securities (as such  
22                   term is defined in section  
23                   3(a) of the Securities Ex-  
24                   change Act of 1934 (15  
25                   U.S.C. 78c(a))), mortgage

1 loans, interests in mortgage-  
2 related securities or mort-  
3 gage loans, eligible bankers'  
4 acceptances, qualified for-  
5 eign government securities  
6 or securities that are direct  
7 obligations of, or that are  
8 fully guaranteed by, the  
9 United States or any agency  
10 of the United States against  
11 the transfer of funds by the  
12 transferee of such certifi-  
13 cates of deposit, eligible  
14 bankers' acceptances, securi-  
15 ties, mortgage loans, or in-  
16 terests with a simultaneous  
17 agreement by such trans-  
18 feree to transfer to the  
19 transferor thereof certifi-  
20 cates of deposit, eligible  
21 bankers' acceptances, securi-  
22 ties, mortgage loans, or in-  
23 terests as described above,  
24 at a date certain not later  
25 than 1 year after such

1 transfers or on demand,  
2 against the transfer of  
3 funds, or any other similar  
4 agreement;

5 “(BB) any combination  
6 of agreements or trans-  
7 actions referred to in  
8 subitems (AA) and (CC);

9 “(CC) any option to  
10 enter into any agreement or  
11 transaction referred to in  
12 subitem (AA) or (BB);

13 “(DD) a master agree-  
14 ment that provides for an  
15 agreement or transaction re-  
16 ferred to in subitem (AA),  
17 (BB), or (CC), together with  
18 all supplements to any such  
19 master agreement, without  
20 regard to whether the mas-  
21 ter agreement provides for  
22 an agreement or transaction  
23 that is not a repurchase  
24 agreement under this item,  
25 except that the master

1 agreement shall be consid-  
2 ered to be a repurchase  
3 agreement under this item  
4 only with respect to each  
5 agreement or transaction  
6 under the master agreement  
7 that is referred to in  
8 subitem (AA), (BB), or  
9 (CC); and

10 “(EE) any security  
11 agreement or arrangement  
12 or other credit enhancement  
13 related to any agreement or  
14 transaction referred to in  
15 any of subitems (AA)  
16 through (DD), including any  
17 guarantee or reimbursement  
18 obligation in connection with  
19 any agreement or trans-  
20 action referred to in any  
21 such subitem; and

22 “(bb) does not include any  
23 repurchase obligation under a  
24 participation in a commercial  
25 mortgage, loan unless the Cor-





1                   therein (including any interest  
2                   therein or based on the value  
3                   thereof) or any option on any of  
4                   the foregoing, including any op-  
5                   tion to purchase or sell any such  
6                   security, certificate of deposit,  
7                   mortgage loan, interest, group or  
8                   index, or option, and including  
9                   any repurchase or reverse repur-  
10                  chase transaction on any such se-  
11                  curity, certificate of deposit,  
12                  mortgage loan, interest, group or  
13                  index, or option (whether or not  
14                  the repurchase or reverse repur-  
15                  chase transaction is a repurchase  
16                  agreement);

17                   “(bb) any option entered  
18                   into on a national securities ex-  
19                   change relating to foreign cur-  
20                   rencies;

21                   “(cc) the guarantee (includ-  
22                   ing by novation) by or to any se-  
23                   curities clearing agency of any  
24                   settlement of cash, securities,  
25                   certificates of deposit, mortgage

1 loans or interests therein, group  
2 or index of securities, certificates  
3 of deposit, or mortgage loans or  
4 interests therein (including any  
5 interest therein or based on the  
6 value thereof) or option on any of  
7 the foregoing, including any op-  
8 tion to purchase or sell any such  
9 security, certificate of deposit,  
10 mortgage loan, interest, group or  
11 index, or option (whether or not  
12 the settlement is in connection  
13 with any agreement or trans-  
14 action referred to in any of items  
15 (aa), (bb), and (dd) through  
16 (kk));

17 “(dd) any margin loan;

18 “(ee) any extension of credit  
19 for the clearance or settlement of  
20 securities transactions;

21 “(ff) any loan transaction  
22 coupled with a securities collar  
23 transaction, any prepaid securi-  
24 ties forward transaction, or any  
25 total return swap transaction

1 coupled with a securities sale  
2 transaction;

3 “(gg) any other agreement  
4 or transaction that is similar to  
5 any agreement or transaction re-  
6 ferred to in this subclause;

7 “(hh) any combination of  
8 the agreements or transactions  
9 referred to in this subclause;

10 “(ii) any option to enter into  
11 any agreement or transaction re-  
12 ferred to in this subclause;

13 “(jj) a master agreement  
14 that provides for an agreement or  
15 transaction referred to in any of  
16 items (aa) through (ii), together  
17 with all supplements to any such  
18 master agreement, without re-  
19 gard to whether the master  
20 agreement provides for an agree-  
21 ment or transaction that is not a  
22 securities contract under this  
23 subclause, except that the master  
24 agreement shall be considered to  
25 be a securities contract under

500

1 this subclause only with respect  
2 to each agreement or transaction  
3 under the master agreement that  
4 is referred to in item (aa), (bb),  
5 (cc), (dd), (ee), (ff), (gg), (hh),  
6 or (ii); and

7 “(kk) any security agree-  
8 ment or arrangement or other  
9 credit enhancement related to  
10 any agreement or transaction re-  
11 ferred to in this subclause, in-  
12 cluding any guarantee or reim-  
13 bursement obligation in connec-  
14 tion with any agreement or  
15 transaction referred to in this  
16 subclause; and

17 “(II) does not include any pur-  
18 chase, sale, or repurchase obligation  
19 under a participation in a commercial  
20 mortgage loan unless the Corporation  
21 determines by regulation, resolution,  
22 or order to include any such agree-  
23 ment within the meaning of such  
24 term.

1 “(vii) SWAP AGREEMENT.—The term  
2 ‘swap agreement’ means—

3 “(I) any agreement, including the  
4 terms and conditions incorporated by  
5 reference in any such agreement, that  
6 is—

7 “(aa) an interest rate swap,  
8 option, future, or forward agree-  
9 ment, including a rate floor, rate  
10 cap, rate collar, cross-currency  
11 rate swap, and basis swap;

12 “(bb) a spot, same day-to-  
13 morrow, tomorrow-next, forward,  
14 or other foreign exchange pre-  
15 cious metals or other commodity  
16 agreement;

17 “(cc) a currency swap, op-  
18 tion, future, or forward agree-  
19 ment;

20 “(dd) an equity index or eq-  
21 uity swap, option, future, or for-  
22 ward agreement;

23 “(ee) a debt index or debt  
24 swap, option, future, or forward  
25 agreement;

1                   “(ff) a total return, credit  
2                   spread or credit swap, option, fu-  
3                   ture, or forward agreement;

4                   “(gg) a commodity index or  
5                   commodity swap, option, future,  
6                   or forward agreement;

7                   “(hh) a weather swap, op-  
8                   tion, future, or forward agree-  
9                   ment;

10                  “(ii) an emissions swap, op-  
11                  tion, future, or forward agree-  
12                  ment; or

13                  “(jj) an inflation swap, op-  
14                  tion, future, or forward agree-  
15                  ment;

16                  “(II) any agreement or trans-  
17                  action that is similar to any other  
18                  agreement or transaction referred to  
19                  in this clause and that is of a type  
20                  that has been, is presently, or in the  
21                  future becomes, the subject of recur-  
22                  rent dealings in the swap or other de-  
23                  rivatives markets (including terms  
24                  and conditions incorporated by ref-  
25                  erence in such agreement) and that is

1 a forward, swap, future, option or  
2 spot transaction on one or more rates,  
3 currencies, commodities, equity securi-  
4 ties or other equity instruments, debt  
5 securities or other debt instruments,  
6 quantitative measures associated with  
7 an occurrence, extent of an occur-  
8 rence, or contingency associated with  
9 a financial, commercial, or economic  
10 consequence, or economic or financial  
11 indices or measures of economic or fi-  
12 nancial risk or value;

13 “(III) any combination of agree-  
14 ments or transactions referred to in  
15 this clause;

16 “(IV) any option to enter into  
17 any agreement or transaction referred  
18 to in this clause;

19 “(V) a master agreement that  
20 provides for an agreement or trans-  
21 action referred to in any of subclauses  
22 (I) through (IV), together with all  
23 supplements to any such master  
24 agreement, without regard to whether  
25 the master agreement contains an

1 agreement or transaction that is not a  
2 swap agreement under this clause, ex-  
3 cept that the master agreement shall  
4 be considered to be a swap agreement  
5 under this clause only with respect to  
6 each agreement or transaction under  
7 the master agreement that is referred  
8 to in subclause (I), (II), (III), or (IV);  
9 and

10 “(VI) any security agreement or  
11 arrangement or other credit enhance-  
12 ment related to any agreements or  
13 transactions referred to in any of sub-  
14 clauses (I) through (V), including any  
15 guarantee or reimbursement obliga-  
16 tion in connection with any agreement  
17 or transaction referred to in any such  
18 subclause.

19 “(viii) TRANSFER.—The term ‘trans-  
20 fer’ means every mode, direct or indirect,  
21 absolute or conditional, voluntary or invol-  
22 untary, of disposing of or parting with  
23 property or with an interest in property,  
24 including retention of title as a security in-



1                   terest and foreclosure of the equity of re-  
2                   demption of a System institution.

3                   “(ix) TREATMENT OF MASTER AGREE-  
4                   MENT AS 1 AGREEMENT.—For purposes of  
5                   this subparagraph—

6                   “(I) any master agreement for  
7                   any contract or agreement described  
8                   in this subparagraph (or any master  
9                   agreement for such a master agree-  
10                  ment or agreements), together with all  
11                  supplements to the master agreement,  
12                  shall be treated as a single agreement  
13                  and a single qualified financial con-  
14                  tact; and

15                  “(II) if a master agreement con-  
16                  tains provisions relating to agree-  
17                  ments or transactions that are not  
18                  qualified financial contracts, the mas-  
19                  ter agreement shall be deemed to be a  
20                  qualified financial contract only with  
21                  respect to those transactions that are  
22                  themselves qualified financial con-  
23                  tracts.

24                  “(B) RIGHTS OF PARTIES TO CON-  
25                  TRACTS.—Subject to paragraphs (9) and (10),

1           and notwithstanding any other provision of this  
2           Act (other than subsection (b)(9) and section  
3           5.61(d)) or any other Federal or State law, no  
4           person shall be stayed or prohibited from exer-  
5           cising—

6                   “(i) any right such person has to  
7                   cause the termination, liquidation, or accel-  
8                   eration of any qualified financial contract  
9                   with a System institution which arises  
10                  upon the appointment of the Corporation  
11                  as receiver for such System institution at  
12                  any time after such appointment;

13                   “(ii) any right under any security  
14                   agreement or arrangement or other credit  
15                   enhancement related to one or more quali-  
16                   fied financial contracts described in clause  
17                   (i); or

18                   “(iii) any right to offset or net out  
19                   any termination value, payment amount, or  
20                   other transfer obligation arising under, or  
21                   in connection with, 1 or more contracts  
22                   and agreements described in clause (i), in-  
23                   cluding any master agreement for such  
24                   contracts or agreements.

1           “(C) APPLICABILITY OF OTHER PROVI-  
2           SIONS.—Subsection (b)(12) shall apply in the  
3           case of any judicial action or proceeding  
4           brought against any receiver referred to in sub-  
5           paragraph (A), or the System institution for  
6           which such receiver was appointed, by any  
7           party to a contract or agreement described in  
8           subparagraph (B)(i) with such System institu-  
9           tion.

10           “(D) CERTAIN TRANSFERS NOT AVOID-  
11           ABLE.—

12           “(i) IN GENERAL.—Notwithstanding  
13           paragraph (11) or any other Federal or  
14           State law relating to the avoidance of pref-  
15           erential or fraudulent transfers, the Cor-  
16           poration, whether acting as such or as con-  
17           servator or receiver of a System institu-  
18           tion, may not avoid any transfer of money  
19           or other property in connection with any  
20           qualified financial contract with a System  
21           institution.

22           “(ii) EXCEPTION FOR CERTAIN  
23           TRANSFERS.—Clause (i) shall not apply to  
24           any transfer of money or other property in  
25           connection with any qualified financial con-

1           tract with a System institution if the Cor-  
2           poration determines that the transferee  
3           had actual intent to hinder, delay, or de-  
4           fraud such System institution, the credi-  
5           tors of such System institution, or any  
6           conservator or receiver appointed for such  
7           System institution.

8           “(E) CERTAIN PROTECTIONS IN EVENT OF  
9           APPOINTMENT OF CONSERVATOR.—Notwith-  
10          standing any other provision of this Act (other  
11          than subparagraph (G), paragraph (10), sub-  
12          section (b)(9), and section 5.61(d)) or any other  
13          Federal or State law, no person shall be stayed  
14          or prohibited from exercising—

15                 “(i) any right such person has to  
16                 cause the termination, liquidation, or accel-  
17                 eration of any qualified financial contract  
18                 with a System institution in a conservator-  
19                 ship based upon a default under such fi-  
20                 nancial contract which is enforceable under  
21                 applicable noninsolvency law;

22                 “(ii) any right under any security  
23                 agreement or arrangement or other credit  
24                 enhancement related to one or more quali-

1           fied financial contracts described in clause  
2           (i); and

3           “(iii) any right to offset or net out  
4           any termination values, payment amounts,  
5           or other transfer obligations arising under  
6           or in connection with such qualified finan-  
7           cial contracts.

8           “(F) CLARIFICATION.—No provision of law  
9           shall be construed as limiting the right or  
10          power of the Corporation, or authorizing any  
11          court or agency to limit or delay, in any man-  
12          ner, the right or power of the Corporation to  
13          transfer any qualified financial contract in ac-  
14          cordance with paragraphs (9) and (10) or to  
15          disaffirm or repudiate any such contract in ac-  
16          cordance with paragraph (1).

17          “(G) WALKAWAY CLAUSES NOT EFFEC-  
18          TIVE.—

19          “(i) DEFINITION OF WALKAWAY  
20          CLAUSE.—In this subparagraph, the term  
21          ‘walkaway clause’ means any provision in a  
22          qualified financial contract that suspends,  
23          conditions, or extinguishes a payment obli-  
24          gation of a party, in whole or in part, or

1 does not create a payment obligation of a  
2 party that would otherwise exist—

3 “(I) solely because of—

4 “(aa) the status of the party  
5 as a nondefaulting party in con-  
6 nection with the insolvency of a  
7 System institution that is a party  
8 to the contract; or

9 “(bb) the appointment of, or  
10 the exercise of rights or powers  
11 by, the Corporation as a conser-  
12 vator or receiver of the System  
13 institution; and

14 “(II) not as a result of the exer-  
15 cise by a party of any right to offset,  
16 setoff, or net obligations that exist  
17 under—

18 “(aa) the contract;

19 “(bb) any other contract be-  
20 tween those parties; or

21 “(cc) applicable law.

22 “(ii) TREATMENT.—Notwithstanding  
23 the provisions of subparagraphs (B) and  
24 (E), no walkaway clause shall be enforce-

1           able in a qualified financial contract of a  
2           System institution in default.

3           “(iii) LIMITED SUSPENSION OF CER-  
4           TAIN OBLIGATIONS.—In the case of a  
5           qualified financial contract referred to in  
6           clause (ii), any payment or delivery obliga-  
7           tions otherwise due from a party pursuant  
8           to the qualified financial contract shall be  
9           suspended from the time the receiver is ap-  
10          pointed until the earlier of—

11                   “(I) the time such party receives  
12                   notice that such contract has been  
13                   transferred pursuant to subparagraph  
14                   (B); or

15                   “(II) 5:00 p.m. (eastern time) on  
16                   the business day following the date of  
17                   the appointment of the receiver.

18           “(H) RECORDKEEPING REQUIREMENTS.—  
19           The Corporation, in consultation with the Farm  
20           Credit Administration, may prescribe regula-  
21           tions requiring more detailed recordkeeping by  
22           any System institution with respect to qualified  
23           financial contracts (including market valu-  
24           ations), only if such System institution is sub-

1           ject to subclause (I), (III), or (IV) of section  
2           5.61B(a)(1)(A)(ii).

3           “(9) TRANSFER OF QUALIFIED FINANCIAL CON-  
4           TRACTS.—

5           “(A) DEFINITIONS.—In this paragraph:

6           “(i) CLEARING ORGANIZATION.—The  
7           term ‘clearing organization’ has the mean-  
8           ing given the term in section 402 of the  
9           Federal Deposit Insurance Corporation  
10          Improvement Act of 1991 (12 U.S.C.  
11          4402).

12          “(ii) FINANCIAL INSTITUTION.—The  
13          term ‘financial institution’ means a System  
14          institution, a broker or dealer, a depository  
15          institution, a futures commission mer-  
16          chant, or any other institution, as deter-  
17          mined by the Corporation by regulation to  
18          be a financial institution.

19          “(B) REQUIREMENT.—In making any  
20          transfer of assets or liabilities of a System insti-  
21          tution in default which includes any qualified fi-  
22          nancial contract, the conservator or receiver for  
23          such System institution shall either—

24                 “(i) transfer to one financial institu-  
25                 tion, other than a financial institution for





1                   any claim described in subclause (II)  
2                   or (III) under any such contract; or  
3                   “(ii) transfer none of the qualified fi-  
4                   nancial contracts, claims, property or other  
5                   credit enhancement referred to in clause (i)  
6                   (with respect to such person and any affil-  
7                   iate of such person).

8                   “(C) TRANSFER TO FOREIGN BANK, FOR-  
9                   EIGN FINANCIAL INSTITUTION, OR BRANCH OR  
10                  AGENCY OF A FOREIGN BANK OR FINANCIAL IN-  
11                  STITUTION.—In transferring any qualified fi-  
12                  nancial contracts and related claims and prop-  
13                  erty under subparagraph (B)(i), the conservator  
14                  or receiver for the System institution shall not  
15                  make such transfer to a foreign bank, financial  
16                  institution organized under the laws of a for-  
17                  eign country, or a branch or agency of a foreign  
18                  bank or financial institution unless, under the  
19                  law applicable to such bank, financial institu-  
20                  tion, branch or agency, to the qualified financial  
21                  contracts, and to any netting contract, any se-  
22                  curity agreement or arrangement or other cred-  
23                  it enhancement related to one or more qualified  
24                  financial contracts, the contractual rights of the  
25                  parties to such qualified financial contracts,

1 netting contracts, security agreements or ar-  
2 rangements, or other credit enhancements are  
3 enforceable substantially to the same extent as  
4 permitted under this section.

5 “(D) TRANSFER OF CONTRACTS SUBJECT  
6 TO THE RULES OF A CLEARING ORGANIZA-  
7 TION.—In the event that a conservator or re-  
8 ceiver transfers any qualified financial contract  
9 and related claims, property, and credit en-  
10 hancements pursuant to subparagraph (B)(i)  
11 and such contract is cleared by or subject to the  
12 rules of a clearing organization, the clearing or-  
13 ganization shall not be required to accept the  
14 transferee as a member by virtue of the trans-  
15 fer.

16 “(10) NOTIFICATION OF TRANSFER.—

17 “(A) DEFINITION OF BUSINESS DAY.—In  
18 this paragraph, the term ‘business day’ means  
19 any day other than any Saturday, Sunday, or  
20 any day on which either the New York Stock  
21 Exchange or the Federal Reserve Bank of New  
22 York is closed.

23 “(B) NOTIFICATION.—If—

24 “(i) the conservator or receiver for a  
25 System institution in default makes any

1 transfer of the assets and liabilities of such  
2 System institution; and

3 “(ii) the transfer includes any quali-  
4 fied financial contract, the conservator or  
5 receiver shall notify any person who is a  
6 party to any such contract of such transfer  
7 by 5:00 p.m. (eastern time) on the busi-  
8 ness day following the date of the appoint-  
9 ment of the receiver in the case of a receiv-  
10 ership, or the business day following such  
11 transfer in the case of a conservatorship.

12 “(C) CERTAIN RIGHTS NOT ENFORCE-  
13 ABLE.—

14 “(i) RECEIVERSHIP.—A person who is  
15 a party to a qualified financial contract  
16 with a System institution may not exercise  
17 any right that such person has to termi-  
18 nate, liquidate, or net such contract under  
19 paragraph (8)(B) of this subsection, solely  
20 by reason of or incidental to the appoint-  
21 ment of a receiver for the System institu-  
22 tion (or the insolvency or financial condi-  
23 tion of the System institution for which the  
24 receiver has been appointed)—

1                   “(I) until 5:00 p.m. (eastern  
2                   time) on the business day following  
3                   the date of the appointment of the re-  
4                   ceiver; or

5                   “(II) after the person has re-  
6                   ceived notice that the contract has  
7                   been transferred pursuant to para-  
8                   graph (9)(B).

9                   “(ii) CONSERVATORSHIP.—A person  
10                  who is a party to a qualified financial con-  
11                  tract with a System institution may not ex-  
12                  ercise any right that such person has to  
13                  terminate, liquidate, or net such contract  
14                  under paragraph (8)(E) of this subsection,  
15                  solely by reason of or incidental to the ap-  
16                  pointment of a conservator for the System  
17                  institution (or the insolvency or financial  
18                  condition of the System institution for  
19                  which the conservator has been appointed).

20                  “(iii) NOTICE.—For purposes of this  
21                  paragraph, the Corporation as receiver or  
22                  conservator of a System institution shall be  
23                  deemed to have notified a person who is a  
24                  party to a qualified financial contract with  
25                  such System institution if the Corporation

1           has taken steps reasonably calculated to  
2           provide notice to such person by the time  
3           specified in subparagraph (B).

4           “(D) TREATMENT OF BRIDGE SYSTEM IN-  
5           STITUTIONS.—The following System institu-  
6           tions shall not be considered to be a financial  
7           institution for which a conservator, receiver,  
8           trustee in bankruptcy, or other legal custodian  
9           has been appointed or which is otherwise the  
10          subject of a bankruptcy or insolvency pro-  
11          ceeding for purposes of paragraph (9):

12                   “(i) A bridge System bank.

13                   “(ii) A System institution organized  
14                   by the Corporation or the Farm Credit Ad-  
15                   ministration, for which a conservator is ap-  
16                   pointed either—

17                           “(I) immediately upon the orga-  
18                           nization of the System institution; or

19                           “(II) at the time of a purchase  
20                           and assumption transaction between  
21                           the System institution and the Cor-  
22                           poration as receiver for a System in-  
23                           stitution in default.

24           “(11) DISAFFIRMANCE OR REPUDIATION OF  
25          QUALIFIED FINANCIAL CONTRACTS.—In exercising

1 the rights of disaffirmance or repudiation of a con-  
2 servator or receiver with respect to any qualified fi-  
3 nancial contract to which a System institution is a  
4 party, the conservator or receiver for such System  
5 institution shall either—

6 “(A) disaffirm or repudiate all qualified fi-  
7 nancial contracts between—

8 “(i) any person or any affiliate of  
9 such person; and

10 “(ii) the System institution in default;

11 or

12 “(B) disaffirm or repudiate none of the  
13 qualified financial contracts referred to in sub-  
14 paragraph (A) (with respect to such person or  
15 any affiliate of such person).

16 “(12) CERTAIN SECURITY INTERESTS NOT  
17 AVOIDABLE.—No provision of this subsection shall  
18 be construed as permitting the avoidance of any le-  
19 gally enforceable or perfected security interest in any  
20 of the assets of any System institution except where  
21 such an interest is taken in contemplation of the  
22 System institution’s insolvency or with the intent to  
23 hinder, delay, or defraud the System institution or  
24 the creditors of such System institution.

25 “(13) AUTHORITY TO ENFORCE CONTRACTS.—

1           “(A) IN GENERAL.—The conservator or re-  
2           ceiver may enforce any contract, other than a  
3           director’s or officer’s liability insurance contract  
4           or a System institution bond, entered into by  
5           the System institution notwithstanding any pro-  
6           vision of the contract providing for termination,  
7           default, acceleration, or exercise of rights upon,  
8           or solely by reason of, insolvency or the ap-  
9           pointment of or the exercise of rights or powers  
10          by a conservator or receiver.

11          “(B) CERTAIN RIGHTS NOT AFFECTED.—  
12          No provision of this paragraph may be con-  
13          strued as impairing or affecting any right of the  
14          conservator or receiver to enforce or recover  
15          under a director’s or officer’s liability insurance  
16          contract or institution bond under other appli-  
17          cable law.

18          “(C) CONSENT REQUIREMENT.—

19                 “(i) IN GENERAL.—Except as other-  
20                 wise provided by this section, no person  
21                 may exercise any right or power to termi-  
22                 nate, accelerate, or declare a default under  
23                 any contract to which the System institu-  
24                 tion is a party, or to obtain possession of  
25                 or exercise control over any property of the



1 System institution or affect any contrac-  
2 tual rights of the System institution, with-  
3 out the consent of the conservator or re-  
4 ceiver, as appropriate, during the 45-day  
5 period beginning on the date of the ap-  
6 pointment of the conservator, or during the  
7 90-day period beginning on the date of the  
8 appointment of the receiver, as applicable.

9 “(ii) CERTAIN EXCEPTIONS.—No pro-  
10 vision of this subparagraph shall apply to  
11 a director or officer liability insurance con-  
12 tract or an institution bond, to the rights  
13 of parties to certain qualified financial con-  
14 tracts pursuant to paragraph (8), or shall  
15 be construed as permitting the conservator  
16 or receiver to fail to comply with otherwise  
17 enforceable provisions of such contract.

18 “(14) EXCEPTION FOR FEDERAL RESERVE AND  
19 THE UNITED STATES TREASURY.—No provision of  
20 this subsection shall apply with respect to—

21 “(A) any extension of credit from any Fed-  
22 eral Reserve bank or the United States Treas-  
23 ury to any System institution; or

1           “(B) any security interest in the assets of  
2           the System institution securing any such exten-  
3           sion of credit.

4           “(15) SAVINGS CLAUSE.—The meanings of  
5           terms used in this subsection—

6           “(A) are applicable for purposes of this  
7           subsection only; and

8           “(B) shall not be construed or applied so  
9           as to challenge or affect the characterization,  
10          definition, or treatment of any similar terms  
11          under any other law, regulation, or rule, includ-  
12          ing—

13                  “(i) the Gramm-Leach-Bliley Act (12  
14                  U.S.C. 1811 note; Public Law 106–102);

15                  “(ii) the Legal Certainty for Bank  
16                  Products Act of 2000 (7 U.S.C. 27 et  
17                  seq.);

18                  “(iii) the securities laws (as that term  
19                  is defined in section 3(a) of the Securities  
20                  Exchange Act of 1934 (15 U.S.C. 78c(a)));  
21                  and

22                  “(iv) the Commodity Exchange Act (7  
23                  U.S.C. 1 et seq.).

24          “(d) VALUATION OF CLAIMS IN DEFAULT.—

1           “(1) IN GENERAL.—Notwithstanding any other  
2           provision of Federal law or the law of any State and  
3           regardless of the method which the Corporation de-  
4           termines to utilize with respect to a System institu-  
5           tion in default or in danger of default, including  
6           transactions authorized under subsection (h) and  
7           section 5.61(a), this subsection shall govern the  
8           rights of the creditors of such System institution.

9           “(2) MAXIMUM LIABILITY.—The maximum li-  
10          ability of the Corporation, acting as receiver or in  
11          any other capacity, to any person having a claim  
12          against the receiver or the System institution for  
13          which such receiver is appointed shall equal the  
14          amount such claimant would have received if the  
15          Corporation had liquidated the assets and liabilities  
16          of such System institution without exercising the  
17          Corporation’s authority under subsection (h) or sec-  
18          tion 5.61(a).

19          “(3) ADDITIONAL PAYMENTS AUTHORIZED.—

20                 “(A) IN GENERAL.—The Corporation may,  
21                 in its discretion and in the interests of mini-  
22                 mizing its losses, use its own resources to make  
23                 additional payments or credit additional  
24                 amounts to or with respect to or for the ac-  
25                 count of any claimant or category of claimants.

1           Notwithstanding any other provision of Federal  
2           or State law, or the constitution of any State,  
3           the Corporation shall not be obligated, as a re-  
4           sult of having made any such payment or cred-  
5           ited any such amount to or with respect to or  
6           for the account of any claimant or category of  
7           claimants, to make payments to any other  
8           claimant or category of claimants.

9           “(B) MANNER OF PAYMENT.—The Cor-  
10          poration may make the payments or credit the  
11          amounts specified in subparagraph (A) directly  
12          to the claimants or may make such payments or  
13          credit such amounts to an open System institu-  
14          tion to induce such System institution to accept  
15          liability for such claims.

16          “(e) LIMITATION ON COURT ACTION.—Except as  
17          provided in this section, no court may take any action,  
18          except at the written request of the Board of Directors,  
19          to restrain or affect the exercise of powers or functions  
20          of the Corporation as a conservator or a receiver.

21          “(f) LIABILITY OF DIRECTORS AND OFFICERS.—

22                  “(1) IN GENERAL.—A director or officer of a  
23          System institution may be held personally liable for  
24          monetary damages in any civil action—

1           “(A) brought by, on behalf of, or at the re-  
2           quest or direction of the Corporation;

3           “(B) prosecuted wholly or partially for the  
4           benefit of the Corporation—

5           “(i) acting as conservator or receiver  
6           of that System institution;

7           “(ii) acting based on a suit, claim, or  
8           cause of action purchased from, assigned  
9           by, or otherwise conveyed by that receiver  
10          or conservator; or

11          “(iii) acting based on a suit, claim, or  
12          cause of action purchased from, assigned  
13          by, or otherwise conveyed in whole or in  
14          part by a System institution or an affiliate  
15          of a System institution in connection with  
16          assistance provided under section 5.61(a);  
17          and

18          “(C) for, as determined under the applica-  
19          ble State law—

20          “(i) gross negligence; or

21          “(ii) any similar conduct, including  
22          conduct that demonstrates a greater dis-  
23          regard of a duty of care than gross neg-  
24          ligence, such as intentional tortious con-  
25          duct.



1                   “(ii) INTENT OF CONGRESS.—It is the  
2                   intent of the Congress that, in order to  
3                   prevent unnecessary hardship or losses to  
4                   the customers of any System bank in de-  
5                   fault with respect to which a bridge Sys-  
6                   tem bank is chartered, the Corporation  
7                   should—

8                   “(I) continue to honor commit-  
9                   ments made by the System bank in  
10                  default to creditworthy customers; and

11                  “(II) not interrupt or terminate  
12                  adequately secured loans which are  
13                  transferred under this subsection and  
14                  are being repaid by the debtor in ac-  
15                  cordance with the terms of the loan  
16                  instrument.

17                  “(B) AUTHORITIES.—Once chartered by  
18                  the Farm Credit Administration, the bridge  
19                  System bank may—

20                  “(i) assume such liabilities of the Sys-  
21                  tem bank or banks in default or in danger  
22                  of default as the Corporation may, in its  
23                  discretion, determine to be appropriate;

24                  “(ii) purchase such assets of the Sys-  
25                  tem bank or banks in default or in danger

1 of default as the Corporation may, in its  
2 discretion, determine to be appropriate;  
3 and

4 “(iii) perform any other temporary  
5 function which the Corporation may, in its  
6 discretion, prescribe in accordance with  
7 this Act.

8 “(C) ARTICLES OF ASSOCIATION.—The ar-  
9 ticles of association and organization certificate  
10 of a bridge System bank as approved by the  
11 Corporation shall be executed by 3 representa-  
12 tives designated by the Corporation.

13 “(D) INTERIM DIRECTORS.—A bridge Sys-  
14 tem bank shall have an interim board of direc-  
15 tors consisting of not fewer than 5 nor more  
16 than 10 members appointed by the Corporation.

17 “(2) CHARTERING.—

18 “(A) CONDITIONS.—The Farm Credit Ad-  
19 ministration may charter a bridge System bank  
20 only if the Board of Directors determines  
21 that—

22 “(i) the amount which is reasonably  
23 necessary to operate such bridge System  
24 bank will not exceed the amount which is  
25 reasonably necessary to save the cost of



1 liquidating 1 or more System banks in de-  
2 fault or in danger of default with respect  
3 to which the bridge System bank is char-  
4 tered;

5 “(ii) the continued operation of such  
6 System bank or banks in default or in dan-  
7 ger of default with respect to which the  
8 bridge System bank is chartered is essen-  
9 tial to provide adequate farm credit serv-  
10 ices in the 1 or more communities where  
11 each such System bank in default or in  
12 danger of default is or was providing those  
13 farm credit services; or

14 “(iii) the continued operation of such  
15 System bank or banks in default or in dan-  
16 ger of default with respect to which the  
17 bridge System bank is chartered is in the  
18 best interest of the Farm Credit System or  
19 the public.

20 “(B) BRIDGE SYSTEM BANK TREATED AS  
21 BEING IN DEFAULT FOR CERTAIN PURPOSES.—  
22 A bridge System bank shall be treated as being  
23 in default at such times and for such purposes  
24 as the Corporation may, in its discretion, deter-  
25 mine.

1           “(C) MANAGEMENT.—A bridge System  
2 bank, upon the granting of its charter, shall be  
3 under the management of a board of directors  
4 consisting of not fewer than 5 nor more than  
5 10 members appointed by the Corporation, in  
6 consultation with the Farm Credit Administra-  
7 tion.

8           “(D) BYLAWS.—The board of directors of  
9 a bridge System bank shall adopt such bylaws  
10 as may be approved by the Corporation.

11           “(3) TRANSFER OF ASSETS AND LIABILITIES.—

12           “(A) TRANSFER UPON GRANT OF CHAR-  
13 TER.—Upon the granting of a charter to a  
14 bridge System bank pursuant to this sub-  
15 section, the Corporation, as receiver, may trans-  
16 fer any assets and liabilities of the System bank  
17 to the bridge System bank in accordance with  
18 paragraph (1).

19           “(B) SUBSEQUENT TRANSFERS.—At any  
20 time after a charter is granted to a bridge Sys-  
21 tem bank, the Corporation, as receiver, may  
22 transfer any assets and liabilities of such Sys-  
23 tem bank in default as the Corporation may, in  
24 its discretion, determine to be appropriate in  
25 accordance with paragraph (1).

1           “(C) EFFECTIVE WITHOUT APPROVAL.—

2           The transfer of any assets or liabilities of a  
3           System bank in default or danger of default  
4           transferred to a bridge System bank shall be ef-  
5           fective without any further approval under Fed-  
6           eral or State law, assignment, or consent with  
7           respect thereto.

8           “(4) POWERS OF BRIDGE SYSTEM BANKS.—

9           Each bridge System bank chartered under this sub-  
10          section shall, to the extent described in the charter  
11          of the System bank in default with respect to which  
12          the bridge System bank is chartered, have all cor-  
13          porate powers of, and be subject to the same provi-  
14          sions of law as, any System bank, except that—

15                 “(A) the Corporation may—

16                         “(i) remove the interim directors and  
17                         directors of a bridge System bank;

18                         “(ii) fix the compensation of members  
19                         of the interim board of directors and the  
20                         board of directors and senior management,  
21                         as determined by the Corporation in its  
22                         discretion, of a bridge System bank; and

23                         “(iii) waive any requirement estab-  
24                         lished under Federal or State law which  
25                         would otherwise be applicable with respect

1 to directors of a bridge System bank, on  
2 the condition that the waiver of any re-  
3 quirement established by the Farm Credit  
4 Administration shall require the concur-  
5 rence of the Farm Credit Administration;

6 “(B) the Corporation may indemnify the  
7 representatives for purposes of paragraph  
8 (1)(B) and the interim directors, directors, offi-  
9 cers, employees, and agents of a bridge System  
10 bank on such terms as the Corporation deter-  
11 mines to be appropriate;

12 “(C) no requirement under any provision  
13 of law relating to the capital of a System insti-  
14 tution shall apply with respect to a bridge Sys-  
15 tem bank;

16 “(D) the Farm Credit Administration  
17 Board may establish a limitation on the extent  
18 to which any person may become indebted to a  
19 bridge System bank without regard to the  
20 amount of the bridge System bank’s capital or  
21 surplus;

22 “(E)(i) the board of directors of a bridge  
23 System bank shall elect a chairperson who may  
24 also serve in the position of chief executive offi-  
25 cer, except that such person shall not serve ei-

1           ther as chairperson or as chief executive officer  
2           without the prior approval of the Corporation;  
3           and

4           “(ii) the board of directors of a bridge Sys-  
5           tem bank may appoint a chief executive officer  
6           who is not also the chairperson, except that  
7           such person shall not serve as chief executive  
8           officer without the prior approval of the Cor-  
9           poration;

10          “(F) the Farm Credit Administration may  
11          waive any requirement for a fidelity bond with  
12          respect to a bridge System bank at the request  
13          of the Corporation;

14          “(G) any judicial action to which a bridge  
15          System bank becomes a party by virtue of its  
16          acquisition of any assets or assumption of any  
17          liabilities of a System bank in default shall be  
18          stayed from further proceedings for a period of  
19          up to 45 days at the request of the bridge Sys-  
20          tem bank;

21          “(H) no agreement which tends to dimin-  
22          ish or defeat the right, title or interest of a  
23          bridge System bank in any asset of a System  
24          bank in default acquired by it shall be valid

1           against the bridge System bank unless such  
2           agreement—

3                   “(i) is in writing;

4                   “(ii) was executed by such System  
5           bank in default and the person or persons  
6           claiming an adverse interest thereunder,  
7           including the obligor, contemporaneously  
8           with the acquisition of the asset by such  
9           System bank in default;

10                   “(iii) was approved by the board of di-  
11           rectors of such System bank in default or  
12           its loan committee, which approval shall be  
13           reflected in the minutes of said board or  
14           committee; and

15                   “(iv) has been, continuously from the  
16           time of its execution, an official record of  
17           such System bank in default;

18                   “(I) notwithstanding subsection 5.61(d)(2),  
19           any agreement relating to an extension of credit  
20           between a System bank, Federal Reserve bank,  
21           or the United States Treasury and any System  
22           institution which was executed before the exten-  
23           sion of credit by such lender to such System in-  
24           stitution shall be treated as having been exe-

1           cuted contemporaneously with such extension of  
2           credit for purposes of subparagraph (H); and

3           “(J) except with the prior approval of the  
4           Corporation and the concurrence of the Farm  
5           Credit Administration, a bridge System bank  
6           may not, in any transaction or series of trans-  
7           actions, issue capital stock or be a party to any  
8           merger, consolidation, disposition of substan-  
9           tially all of the assets or liabilities of the bridge  
10          System bank, sale or exchange of capital stock,  
11          or similar transaction, or change its charter.

12          “(5) CAPITAL.—

13                 “(A) NO CAPITAL REQUIRED.—The Cor-  
14                 poration shall not be required to—

15                         “(i) issue any capital stock on behalf  
16                         of a bridge System bank chartered under  
17                         this subsection; or

18                         “(ii) purchase any capital stock of a  
19                         bridge System bank, except that notwith-  
20                         standing any other provision of Federal or  
21                         State law, the Corporation may purchase  
22                         and retain capital stock of a bridge System  
23                         bank in such amounts and on such terms  
24                         as the Corporation, in its discretion, deter-  
25                         mines to be appropriate.

1           “(B) OPERATING FUNDS IN LIEU OF CAP-  
2           ITAL.—Upon the organization of a bridge Sys-  
3           tem bank, and thereafter, as the Corporation  
4           may, in its discretion, determine to be necessary  
5           or advisable, the Corporation may make avail-  
6           able to the bridge System bank, upon such  
7           terms and conditions and in such form and  
8           amounts as the Corporation may in its discre-  
9           tion determine, funds for the operation of the  
10          bridge System bank in lieu of capital.

11          “(C) AUTHORITY TO ISSUE CAPITAL  
12          STOCK.—Whenever the Farm Credit Adminis-  
13          tration Board determines it is advisable to do  
14          so, the Corporation shall cause capital stock of  
15          a bridge System bank to be issued and offered  
16          for sale in such amounts and on such terms and  
17          conditions as the Corporation may, in its discre-  
18          tion, determine.

19          “(6) EMPLOYEE STATUS.—Representatives for  
20          purposes of paragraph (1)(C), interim directors, di-  
21          rectors, officers, employees, or agents of a bridge  
22          System bank are not, solely by virtue of service in  
23          any such capacity, officers or employees of the  
24          United States. Any employee of the Corporation, the  
25          Farm Credit Administration, or any Federal instru-



1        mentality who serves at the request of the Corpora-  
2        tion as a representative for purposes of paragraph  
3        (1)(C), interim director, director, officer, employee,  
4        or agent of a bridge System bank shall not—

5                “(A) solely by virtue of service in any such  
6                capacity lose any existing status as an officer or  
7                employee of the United States for purposes of  
8                any provision of law; or

9                “(B) receive any salary or benefits for  
10              service in any such capacity with respect to a  
11              bridge System bank in addition to such salary  
12              or benefits as are obtained through employment  
13              with the Corporation or such Federal instru-  
14              mentality.

15              “(7) ASSISTANCE AUTHORIZED.—The Corpora-  
16              tion may, in its discretion, provide assistance under  
17              section 5.61(a) to facilitate any merger or consolida-  
18              tion of a bridge System bank in the same manner  
19              and to the same extent as such assistance may be  
20              provided to a qualifying insured System bank (as de-  
21              fined in section 5.61(a)(2)(B)) or to facilitate a  
22              bridge System bank’s acquisition of any assets or  
23              the assumption of any liabilities of a System bank  
24              in default or in danger of default.

1           “(8) DURATION OF BRIDGE SYSTEM BANKS.—  
2           Subject to paragraphs (10) and (11), the status of  
3           a bridge System bank as such shall terminate at the  
4           end of the 2-year period following the date it was  
5           granted a charter. The Farm Credit Administration  
6           Board may, in its discretion, extend the status of  
7           the bridge System bank as such for 3 additional 1-  
8           year periods.

9           “(9) TERMINATION OF BRIDGE SYSTEM BANKS  
10          STATUS.—The status of any bridge System bank as  
11          such shall terminate upon the earliest of—

12                 “(A) the merger or consolidation of the  
13                 bridge System bank with a System institution  
14                 that is not a bridge System bank, on the condi-  
15                 tion that the merger or consolidation shall be  
16                 subject to the approval of the Farm Credit Ad-  
17                 ministration;

18                 “(B) at the election of the Corporation and  
19                 with the approval of the Farm Credit Adminis-  
20                 tration, the sale of a majority or all of the cap-  
21                 ital stock of the bridge System bank to a Sys-  
22                 tem institution or another bridge System bank;

23                 “(C) at the election of the Corporation,  
24                 and with the approval of the Farm Credit Ad-  
25                 ministration, either the assumption of all or

1 substantially all of the liabilities of the bridge  
2 System bank, or the acquisition of all or sub-  
3 stantially all of the assets of the bridge System  
4 bank, by a System institution that is not a  
5 bridge System bank or other entity as per-  
6 mitted under applicable law; and

7 “(D) the expiration of the period provided  
8 in paragraph (8), or the earlier dissolution of  
9 the bridge System bank as provided in para-  
10 graph (11).

11 “(10) EFFECT OF TERMINATION EVENTS.—

12 “(A) MERGER OR CONSOLIDATION.—A  
13 bridge System bank that participates in a merg-  
14 er or consolidation as provided in paragraph  
15 (9)(A) shall be for all purposes a System insti-  
16 tution, with all the rights, powers, and privi-  
17 leges thereof, and such merger or consolidation  
18 shall be conducted in accordance with, and shall  
19 have the effect provided in, the provisions of ap-  
20 plicable law.

21 “(B) CHARTER CONVERSION.—Following  
22 the sale of a majority or all of the capital stock  
23 of the bridge System bank as provided in para-  
24 graph (9)(B), the Farm Credit Administration  
25 Board may amend the charter of the bridge

1 System bank to reflect the termination of the  
2 status of the bridge System bank as such,  
3 whereupon the System bank shall remain a Sys-  
4 tem bank, with all of the rights, powers, and  
5 privileges thereof, subject to all laws and regu-  
6 lations applicable thereto.

7 “(C) ASSUMPTION OF LIABILITIES AND  
8 SALE OF ASSETS.—Following the assumption of  
9 all or substantially all of the liabilities of the  
10 bridge System bank, or the sale of all or sub-  
11 stantially all of the assets of the bridge System  
12 bank, as provided in paragraph (9)(C), at the  
13 election of the Corporation, the bridge System  
14 bank may retain its status as such for the pe-  
15 riod provided in paragraph (8).

16 “(D) AMENDMENTS TO CHARTER.—Fol-  
17 lowing the consummation of a transaction de-  
18 scribed in subparagraph (A), (B), or (C) of  
19 paragraph (9), the charter of the resulting Sys-  
20 tem institution shall be amended by the Farm  
21 Credit Administration to reflect the termination  
22 of bridge System bank status, if appropriate.

23 “(11) DISSOLUTION OF BRIDGE SYSTEM  
24 BANK.—

1           “(A) IN GENERAL.—Notwithstanding any  
2 other provision of State or Federal law, if the  
3 bridge System bank’s status as such has not  
4 previously been terminated by the occurrence of  
5 an event specified in subparagraph (A), (B), or  
6 (C) of paragraph (9)—

7           “(i) the Corporation, after consulta-  
8 tion with the Farm Credit Administration,  
9 may, in its discretion, dissolve a bridge  
10 System bank in accordance with this para-  
11 graph at any time; and

12           “(ii) the Corporation, after consulta-  
13 tion with the Farm Credit Administration,  
14 shall promptly commence dissolution pro-  
15 ceedings in accordance with this paragraph  
16 upon the expiration of the 2-year period  
17 following the date the bridge System bank  
18 was chartered, or any extension thereof, as  
19 provided in paragraph (8).

20           “(B) PROCEDURES.—The Farm Credit  
21 Administration Board shall appoint the Cor-  
22 poration as receiver for a bridge System bank  
23 upon determining to dissolve the bridge System  
24 bank. The Corporation as such receiver shall  
25 wind up the affairs of the bridge System bank

1 in conformity with the provisions of law relating  
2 to the liquidation of closed System banks. With  
3 respect to any such bridge System bank, the  
4 Corporation as such receiver shall have all the  
5 rights, powers, and privileges and shall perform  
6 the duties related to the exercise of such rights,  
7 powers, or privileges granted by law to a re-  
8 ceiver of any insured System bank and, not-  
9 withstanding any other provision of law in the  
10 exercise of such rights, powers, and privileges,  
11 the Corporation shall not be subject to the di-  
12 rection or supervision of any State agency or  
13 other Federal agency.

14 “(12) MULTIPLE BRIDGE SYSTEM BANKS.—The  
15 Corporation may, in the Corporation’s discretion, or-  
16 ganize, and the Farm Credit Administration may, in  
17 its discretion, charter, 2 or more bridge System  
18 banks under this subsection to assume any liabilities  
19 and purchase any assets of a single System institu-  
20 tion in default.

21 “(i) CERTAIN SALES OF ASSETS PROHIBITED.—

22 “(1) PERSONS WHO ENGAGED IN IMPROPER  
23 CONDUCT WITH, OR CAUSED LOSSES TO, SYSTEM IN-  
24 STITUTIONS.—The Corporation shall prescribe regu-  
25 lations which, at a minimum, shall prohibit the sale

1 of assets of a failed System institution by the Cor-  
2 poration to—

3 “(A) any person who—

4 “(i) has defaulted, or was a member  
5 of a partnership or an officer or director of  
6 a corporation that has defaulted, on 1 or  
7 more obligations the aggregate amount of  
8 which exceed \$1,000,000, to such failed  
9 System institution;

10 “(ii) has been found to have engaged  
11 in fraudulent activity in connection with  
12 any obligation referred to in clause (i); and

13 “(iii) proposes to purchase any such  
14 asset in whole or in part through the use  
15 of the proceeds of a loan or advance of  
16 credit from the Corporation or from any  
17 System institution for which the Corpora-  
18 tion has been appointed as conservator or  
19 receiver;

20 “(B) any person who participated, as an  
21 officer or director of such failed System institu-  
22 tion or of any affiliate of such System institu-  
23 tion, in a material way in transactions that re-  
24 sulted in a substantial loss to such failed Sys-  
25 tem institution;

1           “(C) any person who has been removed  
2           from, or prohibited from participating in the af-  
3           fairs of, such failed System institution pursuant  
4           to any final enforcement action by the Farm  
5           Credit Administration;

6           “(D) any person who has demonstrated a  
7           pattern or practice of defalcation regarding ob-  
8           ligations to such failed System institution; or

9           “(E) any person who is in default on any  
10          loan or other extension of credit from such  
11          failed System institution which, if not paid, will  
12          cause substantial loss to the System institution  
13          or the Corporation.

14          “(2) DEFAULTED DEBTORS.—Except as pro-  
15          vided in paragraph (3), any person who is in default  
16          on any loan or other extension of credit from the  
17          System institution, which, if not paid, will cause  
18          substantial loss to the System institution or the Cor-  
19          poration, may not purchase any asset from the con-  
20          servator or receiver.

21          “(3) SETTLEMENT OF CLAIMS.—Paragraph (1)  
22          shall not apply to the sale or transfer by the Cor-  
23          poration of any asset of any System institution to  
24          any person if the sale or transfer of the asset re-



1 solves or settles, or is part of the resolution or settle-  
2 ment, of—

3 “(A) 1 or more claims that have been, or  
4 could have been, asserted by the Corporation  
5 against the person; or

6 “(B) obligations owed by the person to any  
7 System institution, or the Corporation.

8 “(4) DEFINITION OF DEFAULT.—For purposes  
9 of this subsection, the term ‘default’ means a failure  
10 to comply with the terms of a loan or other obliga-  
11 tion to such an extent that the property securing the  
12 obligation is foreclosed upon.

13 “(j) EXPEDITED PROCEDURES FOR CERTAIN  
14 CLAIMS.—

15 “(1) TIME FOR FILING NOTICE OF APPEAL.—  
16 The notice of appeal of any order, whether interlocu-  
17 tory or final, entered in any case brought by the  
18 Corporation against a System institution’s director,  
19 officer, employee, agent, attorney, accountant, or ap-  
20 praiser or any other person employed by or pro-  
21 viding services to a System institution shall be filed  
22 not later than 30 days after the date of entry of the  
23 order. The hearing of the appeal shall be held not  
24 later than 120 days after the date of the notice of

1 appeal. The appeal shall be decided not later than  
2 180 days after the date of the notice of appeal.

3 “(2) SCHEDULING.—A court of the United  
4 States shall expedite the consideration of any case  
5 brought by the Corporation against a System insti-  
6 tution’s director, officer, employee, agent, attorney,  
7 accountant, or appraiser or any other person em-  
8 ployed by or providing services to a System institu-  
9 tion. As far as practicable the court shall give such  
10 case priority on its docket.

11 “(3) JUDICIAL DISCRETION.—The court may  
12 modify the schedule and limitations stated in para-  
13 graphs (1) and (2) in a particular case, based on a  
14 specific finding that the ends of justice that would  
15 be served by making such a modification would out-  
16 weigh the best interest of the public in having the  
17 case resolved expeditiously.

18 “(k) BOND NOT REQUIRED; AGENTS; FEE.—The  
19 Corporation as conservator or receiver of a System institu-  
20 tion shall not be required to furnish bond and may appoint  
21 an agent or agents to assist in its duties as such conser-  
22 vator or receiver. All fees, compensation, and expenses of  
23 liquidation and administration shall be fixed by the Cor-  
24 poration and may be paid by it out of funds coming into  
25 its possession as such conservator or receiver.

1           “(1)                   CONSULTATION                   REGARDING  
2 CONSERVATORSHIPS AND RECEIVERSHIPS.—To the ex-  
3 tent practicable—

4                   “(1) the Farm Credit Administration shall con-  
5 sult with the Corporation prior to taking a  
6 preresolution action concerning a System institution  
7 that may result in a conservatorship or receivership;  
8 and

9                   “(2) the Corporation, acting in the capacity of  
10 the Corporation as a conservator or receiver, shall  
11 consult with the Farm Credit Administration prior  
12 to taking any significant action impacting System  
13 institutions or service to System borrowers.

14           “(m) APPLICABILITY.—This section shall become ap-  
15 plicable with respect to the power of the Corporation to  
16 act as a conservator or receiver on the date on which the  
17 Farm Credit Administration appoints the Corporation as  
18 a conservator or receiver under section 4.12 or 8.41.”.

19 **SEC. 5409. REPORTING.**

20           (a) DEFINITION OF FARM LOAN.—In this section,  
21 the term “farm loan” means—

22                   (1) a farm ownership loan under subtitle A of  
23 the Consolidated Farm and Rural Development Act  
24 (7 U.S.C. 1922 et seq.); and

1           (2) an operating loan under subtitle B of that  
2 Act (7 U.S.C. 1941 et seq.).

3           (b) REPORTS.—

4           (1) PREPARATION.—For each fiscal year, the  
5 Secretary shall prepare a report that includes—

6           (A) aggregate data based on a review of  
7 each outstanding farm loan made or guaranteed  
8 by the Secretary describing, for the United  
9 States and for each State and county in the  
10 United States—

11                   (i) the age of the recipient producer;

12                   (ii) the duration that the recipient  
13 producer has engaged in agricultural pro-  
14 duction;

15                   (iii) the size of the farm or ranch of  
16 the recipient producer;

17                   (iv) the race, ethnicity, and gender of  
18 the recipient producer;

19                   (v) the agricultural commodity or  
20 commodities, or type of enterprise, for  
21 which the loan was secured;

22                   (vi) the amount of the farm loan  
23 made or guaranteed;

24                   (vii) the type of the farm loan made  
25 or guaranteed; and

1 (viii) the default rate of the farm loan  
2 made or guaranteed;

3 (B) for each State and county in the  
4 United States, data demonstrating the number  
5 of outstanding farm loans made or guaranteed,  
6 according to loan size cohort; and

7 (C) an assessment of actual loans made or  
8 guaranteed as measured against target partici-  
9 pation rates for beginning and socially dis-  
10 advantaged farmers, broken down by State, as  
11 described in sections 346(b)(2) and 355 of the  
12 Consolidated Farm and Rural Development Act  
13 (7 U.S.C. 1994(b)(2), 2003).

14 (2) SUBMISSION OF REPORT.—The report de-  
15 scribed in paragraph (1) shall be—

16 (A) submitted—

17 (i) to—

18 (I) the Committee on Agriculture  
19 of the House of Representatives;

20 (II) the Committee on Appropria-  
21 tions of the House of Representatives;

22 (III) the Committee on Agri-  
23 culture, Nutrition, and Forestry of  
24 the Senate; and

1 (IV) the Committee on Appro-  
2 priations of the Senate; and

3 (ii) not later than December 30,  
4 2018, and annually thereafter; and

5 (B) made publically available not later  
6 than 90 days after the date described in sub-  
7 paragraph (A)(ii).

8 (c) COMPREHENSIVE REVIEW.—

9 (1) IN GENERAL.—Not later than 4 years after  
10 the date of enactment of this Act (and every 5 years  
11 thereafter), the Secretary shall—

12 (A) prepare a comprehensive review of all  
13 reports submitted under subsection (b)(2);

14 (B) identify trends within data outlined in  
15 subsection (b)(1), including the extent to which  
16 target annual participation rates for beginning  
17 and socially disadvantaged farmers (as defined  
18 by the Secretary) are being met for each loan  
19 type; and

20 (C) provide specific actions the Depart-  
21 ment will take to improve the performance of  
22 direct and guaranteed loans with respect to un-  
23 derserved producers and any recommendations  
24 the Secretary may make for further congres-  
25 sional action.

1           (2) SUBMISSION OF COMPREHENSIVE RE-  
2           VIEW.—The comprehensive review described in para-  
3           graph (1) shall be—

4                   (A) submitted to—

5                           (i) the Committee on Agriculture of  
6                           the House of Representatives;

7                           (ii) the Committee on Appropriations  
8                           of the House of Representatives;

9                           (iii) the Committee on Agriculture,  
10                          Nutrition, and Forestry of the Senate; and

11                          (iv) the Committee on Appropriations  
12                          of the Senate; and

13                   (B) made publicly available not later than  
14                   90 days after the date of submission under sub-  
15                   paragraph (A).

16           (d) PRIVACY.—In preparing any report or review  
17           under this section, the Secretary shall aggregate or de-  
18           identify the data in a manner sufficient to ensure that the  
19           identity of a recipient producer associated with the data  
20           cannot be ascertained.

21   **SEC. 5410. SENSE OF THE SENATE.**

22           It is the sense of the Senate that —

23                   (1) sections 346 and 355 of the Consolidated  
24                   Farm and Rural Development Act (7 U.S.C. 1994,  
25                   2003) reserve amounts to incentivize participation in

1 Farm Service Agency loan programs for qualified  
2 beginning farmers and ranchers and socially dis-  
3 advantaged farmers;

4 (2) under current law—

5 (A) for direct loans, 75 percent of the  
6 funding for farm ownership loans and 50 per-  
7 cent of operating loans are reserved for the first  
8 11 months of the fiscal year; and

9 (B) for guaranteed loans, 40 percent of  
10 available funding is reserved for ownership  
11 loans and farm operating loans for the first 1/2  
12 of the fiscal year; and

13 (3) all participants of the Farm Service Agency  
14 loan programs should strive to encourage beginning  
15 farmers and ranchers and socially disadvantaged  
16 farmers to use Farm Service Agency loans.

17 **TITLE VI—RURAL**  
18 **DEVELOPMENT**

19 **Subtitle A—Consolidated Farm and**  
20 **Rural Development Act**

21 **SEC. 6101. WATER, WASTE DISPOSAL, AND WASTEWATER**  
22 **FACILITY GRANTS.**

23 Section 306(a)(2)(B) of the Consolidated Farm and  
24 Rural Development Act (7 U.S.C. 1926(a)(2)(B)) is  
25 amended—



1 (1) in clause (iii), by striking “\$100,000” each  
2 place it appears and inserting “\$200,000”; and

3 (2) in clause (vii), by striking “2018” and in-  
4 serting “2023”.

5 **SEC. 6102. RURAL WATER AND WASTEWATER TECHNICAL**  
6 **ASSISTANCE AND TRAINING PROGRAMS.**

7 Section 306(a)(14) of the Consolidated Farm and  
8 Rural Development Act (7 U.S.C. 1926(a)(14)) is amend-  
9 ed—

10 (1) in subparagraph (A)—

11 (A) in clause (ii), by striking “and” at the  
12 end;

13 (B) in clause (iii), by striking the period at  
14 the end and inserting “; and”; and

15 (C) by adding at the end the following:

16 “(iv) identify options to enhance the  
17 long-term sustainability of rural water and  
18 waste systems, including operational prac-  
19 tices, revenue enhancements, policy revi-  
20 sions, partnerships, consolidation, regional-  
21 ization, or contract services.”;

22 (2) by striking subparagraph (B) and inserting  
23 the following:

1           “(B) SELECTION PRIORITY.—In selecting  
2 recipients of grants to be made under subpara-  
3 graph (A), the Secretary shall give priority to—

4           “(i) private nonprofit organizations  
5 that have experience in providing the tech-  
6 nical assistance and training described in  
7 subparagraph (A) to associations serving  
8 rural areas in which residents have low in-  
9 come and in which water supply systems or  
10 waste facilities are unhealthful; and

11           “(ii) recipients that will provide tech-  
12 nical assistance and training programs to  
13 address the contamination of drinking  
14 water and surface water supplies by  
15 emerging contaminants, including per- and  
16 polyfluoroalkyl substances and  
17 perfluorooctanoic acid.”; and

18           (3) in subparagraph (C)—

19           (A) by striking “1 nor more than 3” and  
20 inserting “3 percent and not more than 5”; and

21           (B) by striking “1 per centum” and insert-  
22 ing “3 percent”.

1 **SEC. 6103. RURAL WATER AND WASTEWATER CIRCUIT**  
2 **RIDER PROGRAM.**

3 Section 306(a)(22)(B) of the Consolidated Farm and  
4 Rural Development Act (7 U.S.C. 1926(a)(22)(B)) is  
5 amended by striking “\$20,000,000 for fiscal year 2014  
6 and each fiscal year thereafter” and inserting  
7 “\$25,000,000 for each of fiscal years 2019 through  
8 2023”.

9 **SEC. 6104. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL**  
10 **COMMUNITY FACILITIES.**

11 Section 306(a)(25)(C) of the Consolidated Farm and  
12 Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is  
13 amended by striking “2018” and inserting “2023”.

14 **SEC. 6105. COMMUNITY FACILITIES DIRECT LOANS AND**  
15 **GRANTS FOR SUBSTANCE USE DISORDER**  
16 **TREATMENT SERVICES.**

17 Section 306(a) of the Consolidated Farm and Rural  
18 Development Act (7 U.S.C. 1926(a)) is amended by add-  
19 ing at the end the following:

20 “(27) DIRECT LOANS AND GRANTS FOR SUB-  
21 STANCE USE DISORDER TREATMENT SERVICES.—

22 “(A) SELECTION PRIORITY.—In selecting  
23 recipients of loans or grants (not including  
24 loans guaranteed by the Secretary) for the de-  
25 velopment of essential community facilities  
26 under this section, the Secretary shall give pri-

1 ority to entities eligible for those loans or  
2 grants—

3 “(i) to develop facilities to provide  
4 substance use disorder (including opioid  
5 substance use disorder)—

6 “(I) prevention services;

7 “(II) treatment services;

8 “(III) recovery services; or

9 “(IV) any combination of those  
10 services; and

11 “(ii) that employ staff that have ap-  
12 propriate expertise and training in how to  
13 identify and treat individuals with sub-  
14 stance use disorders.

15 “(B) USE OF FUNDS.—An eligible entity  
16 described in subparagraph (A) that receives a  
17 loan or grant described in that subparagraph  
18 may use the loan or grant funds for the devel-  
19 opment of telehealth facilities and systems to  
20 provide telehealth services for substance use  
21 disorder treatment.”.

22 **SEC. 6106. EMERGENCY AND IMMINENT COMMUNITY**  
23 **WATER ASSISTANCE GRANT PROGRAM.**

24 Section 306A of the Consolidated Farm and Rural  
25 Development Act (7 U.S.C. 1926a) is amended—

1           (1) in subsection (b)(1), by striking “; and”  
2           and inserting the following: “, particularly to  
3           projects to address contamination that—

4                   “(A) poses a threat to human health or the  
5           environment; and

6                   “(B) was caused by circumstances beyond  
7           the control of the applicant for a grant, includ-  
8           ing circumstances that occurred over a period  
9           of time; and”;

10          (2) in subsection (f)(1), by striking “\$500,000”  
11          and inserting “\$1,000,000”;

12          (3) by redesignating subsection (i) as subsection  
13          (j);

14          (4) by inserting after subsection (h) the fol-  
15          lowing:

16          “(i) INTERAGENCY TASK FORCE ON RURAL WATER  
17          QUALITY.—

18                   “(1) IN GENERAL.—Not later than 90 days  
19           after the date of enactment of the Agriculture Im-  
20           provement Act of 2018, the Secretary shall coordi-  
21           nate and chair an interagency task force to examine  
22           drinking water and surface water contamination in  
23           rural communities, particularly rural communities  
24           that are in close proximity to active or decommis-  
25           sioned military installations in the United States.

1           “(2) MEMBERSHIP.—The interagency task  
2 force shall consist of—

3           “(A) the Secretary;

4           “(B) the Secretary of the Army, acting  
5 through the Chief of Engineers;

6           “(C) the Secretary of Health and Human  
7 Services, acting through—

8           “(i) the Director of the Agency for  
9 Toxic Substances and Disease Registry;  
10 and

11           “(ii) the Director of the Centers for  
12 Disease Control and Prevention;

13           “(D) the Secretary of Housing and Urban  
14 Development;

15           “(E) the Secretary of the Interior, acting  
16 through—

17           “(i) the Director of the United States  
18 Fish and Wildlife Service; and

19           “(ii) the Director of the United States  
20 Geological Survey;

21           “(F) the Administrator of the Environ-  
22 mental Protection Agency; and

23           “(G) representatives from rural drinking  
24 and wastewater entities, State and community  
25 regulators, and appropriate scientific experts

1           that reflect a diverse cross-section of the rural  
2           communities described in paragraph (1).

3           “(3) REPORT.—

4                   “(A) IN GENERAL.—Not later than 360  
5           days after the date of enactment of the Agri-  
6           culture Improvement Act of 2018, the task  
7           force shall submit to the committees described  
8           in subparagraph (B) a report that—

9                           “(i) examines, and identifies issues re-  
10           lating to, water contamination in rural  
11           communities, particularly rural commu-  
12           nities that are in close proximity to active  
13           or decommissioned military installations in  
14           the United States;

15                           “(ii) reviews the extent to which Fed-  
16           eral, State, and local government agencies  
17           coordinate with one another to address the  
18           issues identified under clause (i);

19                           “(iii) recommends how Federal, State,  
20           and local government agencies can work  
21           together in the most effective, efficient,  
22           and cost-effective manner practicable, to  
23           address the issues identified under clause  
24           (i); and

1           “(iv) recommends changes to existing  
2           statutory requirements, regulatory require-  
3           ments, or both, to improve interagency co-  
4           ordination and responsiveness to address  
5           the issues identified under clause (i).

6           “(B) COMMITTEES DESCRIBED.—The com-  
7           mittees referred to in subparagraph (A) are—

8           “(i) the Committee on Agriculture of  
9           the House of Representatives;

10           “(ii) the Committee on Agriculture,  
11           Nutrition, and Forestry of the Senate;

12           “(iii) the Committee on Energy and  
13           Commerce of the House of Representa-  
14           tives;

15           “(iv) the Committee on Environment  
16           and Public Works of the Senate;

17           “(v) the Committee on Armed Serv-  
18           ices of the House of Representatives; and

19           “(vi) the Committee on Armed Serv-  
20           ices of the Senate.”; and

21           (5) in subsection (j) (as so redesignated)—

22           (A) in paragraph (1)(A), by striking “3  
23           nor more than 5” and inserting “5 percent and  
24           not more than 7”; and



1 (B) in paragraph (2), by striking  
2 “\$35,000,000 for each of fiscal years 2008  
3 through 2018” and inserting “\$50,000,000 for  
4 each of fiscal years 2019 through 2023”.

5 **SEC. 6107. WATER SYSTEMS FOR RURAL AND NATIVE VIL-**  
6 **LAGES IN ALASKA.**

7 Section 306D of the Consolidated Farm and Rural  
8 Development Act (7 U.S.C. 1926d) is amended—

9 (1) in subsection (a), by striking “Alaska for”  
10 and inserting “Alaska, a consortium formed pursu-  
11 ant to section 325 of the Department of the Interior  
12 and Related Agencies Appropriations Act, 1998  
13 (Public Law 105–83; 111 Stat. 1597), and Native  
14 villages (as defined in section 3 of the Alaska Native  
15 Claims Settlement Act (43 U.S.C. 1602)) for”;

16 (2) in subsection (b), by inserting “for any  
17 grant awarded under subsection (a)” before the pe-  
18 riod at the end; and

19 (3) in subsection (d)—

20 (A) in paragraph (1), by striking “2018”  
21 and inserting “2023”; and

22 (B) in paragraph (2), by striking “Alaska”  
23 and inserting “Alaska, and not more than 2  
24 percent of the amount made available under  
25 paragraph (1) for a fiscal year may be used by

1 a consortium formed pursuant to section 325 of  
2 the Department of the Interior and Related  
3 Agencies Appropriations Act, 1998 (Public Law  
4 105–83; 111 Stat. 1597),”.

5 **SEC. 6108. RURAL DECENTRALIZED WATER SYSTEMS.**

6 Section 306E of the Consolidated Farm and Rural  
7 Development Act (7 U.S.C. 1926e) is amended—

8 (1) by striking the section heading and insert-  
9 ing “**RURAL DECENTRALIZED WATER SYS-**  
10 **TEMS**”;

11 (2) in subsection (a), by striking “100” and in-  
12 serting “60”;

13 (3) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) by inserting “and subgrants” after  
16 “loans”; and

17 (ii) by inserting “and individually  
18 owned household decentralized wastewater  
19 systems” after “well systems”;

20 (B) by striking paragraph (2) and insert-  
21 ing the following:

22 “(2) **TERMS AND AMOUNTS.**—

23 “(A) **TERMS OF LOANS.**—A loan made  
24 with grant funds under this section—

1                   “(i) shall have an interest rate of 1  
2                   percent; and

3                   “(ii) shall have a term not to exceed  
4                   20 years.

5                   “(B) AMOUNTS.—A loan or subgrant made  
6                   with grant funds under this section shall not  
7                   exceed \$15,000 for each water well system or  
8                   decentralized wastewater system described in  
9                   paragraph (1).”; and

10                   (C) by adding at the end the following:

11                   “(4) GROUND WELL WATER CONTAMINATION.—  
12                   In the event of ground well water contamination, the  
13                   Secretary shall allow a loan or subgrant to be made  
14                   with grant funds under this section for the installa-  
15                   tion of water treatment where needed beyond the  
16                   point of entry, with or without the installation of a  
17                   new water well system.”;

18                   (4) in subsection (c), by striking “productive  
19                   use of individually-owned household water well sys-  
20                   tems” and inserting “effective use of individually  
21                   owned household water well systems, individually  
22                   owned household decentralized wastewater sys-  
23                   tems,”; and

24                   (5) in subsection (d)—

1 (A) by striking “\$5,000,000” and inserting  
2 “\$40,000,000”; and

3 (B) by striking “2014 through 2018” and  
4 inserting “2019 through 2023”.

5 **SEC. 6109. SOLID WASTE MANAGEMENT GRANTS.**

6 Section 310B(b)(2) of the Consolidated Farm and  
7 Rural Development Act (7 U.S.C. 1932(b)(2)) is amended  
8 by striking “2018” and inserting “2023”.

9 **SEC. 6110. RURAL BUSINESS DEVELOPMENT GRANTS.**

10 Section 310B(c)(4)(A) of the Consolidated Farm and  
11 Rural Development Act (7 U.S.C. 1932(c)(4)(A)) is  
12 amended by striking “2018” and inserting “2023”.

13 **SEC. 6111. RURAL COOPERATIVE DEVELOPMENT GRANTS.**

14 Section 310B(e) of the Consolidated Farm and Rural  
15 Development Act (7 U.S.C. 1932(e)) is amended—

16 (1) in paragraph (10), by inserting “(including  
17 research and analysis based on data from the latest  
18 available Economic Census conducted by the Bureau  
19 of the Census)” after “conduct research”; and

20 (2) in paragraph (13), by striking “2018” and  
21 inserting “2023”.

22 **SEC. 6112. LOCALLY OR REGIONALLY PRODUCED AGRICUL-**  
23 **TURAL FOOD PRODUCTS.**

24 Section 310B(g)(9)(B)(iv)(I) of the Consolidated  
25 Farm and Rural Development Act (7 U.S.C.

1 1932(g)(9)(B)(iv)(I) is amended by striking “2018” and  
2 inserting “2023”.

3 **SEC. 6113. APPROPRIATE TECHNOLOGY TRANSFER FOR**  
4 **RURAL AREAS PROGRAM.**

5 Section 310B(i)(4) of the Consolidated Farm and  
6 Rural Development Act (7 U.S.C. 1932(i)(4)) is amended  
7 by striking “2018” and inserting “2023”.

8 **SEC. 6114. RURAL ECONOMIC AREA PARTNERSHIP ZONES.**

9 Section 310B(j) of the Consolidated Farm and Rural  
10 Development Act (7 U.S.C. 1932(j)) is amended by strik-  
11 ing “2018” and inserting “2023”.

12 **SEC. 6115. INTEMEDIARY RELENDING PROGRAM.**

13 Section 310H of the Consolidated Farm and Rural  
14 Development Act (7 U.S.C. 1936b) is amended—

15 (1) by redesignating subsection (e) as sub-  
16 section (i);

17 (2) by inserting after subsection (d) the fol-  
18 lowing:

19 “(e) **LIMITATION ON LOAN AMOUNTS.**—The max-  
20 imum amount of a loan by an eligible entity described in  
21 subsection (b) to individuals and entities for a project  
22 under subsection (c), including the unpaid balance of any  
23 existing loans, shall be the lesser of—

24 “(1) \$400,000; and

1           “(2) 50 percent of the loan to the eligible entity  
2 under subsection (a).

3           “(f) APPLICATIONS.—

4           “(1) IN GENERAL.—To be eligible to receive a  
5 loan or loan guarantee under subsection (a), an eli-  
6 gible entity described in subsection (b) shall submit  
7 to the Secretary an application at such time, in such  
8 manner, and containing such information as the Sec-  
9 retary may require.

10           “(2) EVALUATION.—In evaluating applications  
11 submitted under paragraph (1), the Secretary  
12 shall—

13           “(A)(i) take into consideration the previous  
14 performance of an eligible entity in carrying out  
15 projects under subsection (c); and

16           “(ii) in the case of satisfactory perform-  
17 ance under clause (i), require the eligible entity  
18 to contribute less equity for subsequent loans  
19 without modifying the priority given to subse-  
20 quent applications; and

21           “(B) in assigning priorities to applications,  
22 require an eligible entity to demonstrate that it  
23 has a governing or advisory board made up of  
24 business, civic, and community leaders who are  
25 representative of the communities of the service

1           area, without limitation to the size of the serv-  
2           ice area.

3           “(g) RETURN OF EQUITY.—The Secretary shall es-  
4           tablish a schedule that is consistent with the amortization  
5           schedules of the portfolio of loans made or guaranteed  
6           under subsection (a) for the return of any equity contribu-  
7           tion made under this section by an eligible entity described  
8           in subsection (b), if the eligible entity is—

9                   “(1) current on all principal and interest pay-  
10           ments; and

11                   “(2) in compliance with loan covenants.

12           “(h) REGULATIONS.—The Secretary shall promul-  
13           gate regulations and establish procedures reducing the ad-  
14           ministrative requirements on eligible entities described in  
15           subsection (b), including regulations to carry out the  
16           amendments made to this section by the Agriculture Im-  
17           provement Act of 2018.”; and

18                   (3) in subsection (i) (as so redesignated), by  
19           striking “2018” and inserting “2023”.

20   **SEC. 6116. SINGLE APPLICATION FOR BROADBAND.**

21           Section 331 of the Consolidated Farm and Rural De-  
22           velopment Act (7 U.S.C. 1981) is amended by adding at  
23           the end the following:

24           “(e) SINGLE APPLICATION FOR BROADBAND.—

1           “(1) IN GENERAL.—Subject to paragraphs (2),  
2           (3), and (4), notwithstanding any other provision of  
3           law, broadband facilities and broadband service (as  
4           defined in section 601(b) of the Rural Electrification  
5           Act of 1936 (7 U.S.C. 950bb(b)), may be funded as  
6           an incidental part of any grant, loan, or loan guar-  
7           antee provided under this title or any other provision  
8           of law administered by the Secretary, acting through  
9           the rural development mission area.

10           “(2) LIMITATION.—Except as otherwise author-  
11           ized by an Act of Congress, funding under para-  
12           graph (1) shall not constitute more than 10 percent  
13           of any loan for a fiscal year for any program under  
14           this title or any other provision of law administered  
15           by the Secretary, acting through the rural develop-  
16           ment mission area.

17           “(3) COMPETITIVE HARM.—The Secretary shall  
18           not provide funding under paragraph (1) if the fund-  
19           ing would result in competitive harm to any existing  
20           grant, loan, or loan guarantee described in that  
21           paragraph.

22           “(4) ELIGIBILITY.—Funding under paragraph  
23           (1) shall be granted only for eligible projects de-  
24           scribed in section 601(d)(2) of the Rural Electrifica-  
25           tion Act of 1936 (7 U.S.C. 950bb(d)(2)).”.



1 **SEC. 6117. LOAN GUARANTEE LOAN FEES.**

2 (a) CERTAIN PROGRAMS UNDER CONSOLIDATED  
3 FARM AND RURAL DEVELOPMENT ACT.—Section 333 of  
4 the Consolidated Farm and Rural Development Act (7  
5 U.S.C. 1983) is amended—

6 (1) in paragraph (5), by striking “and” at the  
7 end;

8 (2) in paragraph (6)(E), by striking the period  
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(7) in the case of an insured or guaranteed  
12 loan issued or modified under section 306(a), charge  
13 and collect from the lender fees in such amounts as  
14 are necessary such that—

15 “(A) the sum of—

16 “(i) the total amount of fees so  
17 charged for each fiscal year; and

18 “(ii) the total of the amounts appro-  
19 priated for the insured or guaranteed loans  
20 for the fiscal year; is equal to

21 “(B) the amount of the costs of subsidies  
22 for the insured or guaranteed loans for the fis-  
23 cal year.”.

24 (b) RURAL BROADBAND PROGRAM.—Section 601(c)  
25 of the Rural Electrification Act of 1936 (7 U.S.C.  
26 950bb(c)) is amended by adding at the end the following:

1           “(3) FEES.—In the case of a loan guarantee  
2           issued or modified under this section, the Secretary  
3           shall charge and collect from the lender fees in such  
4           amounts as are necessary such that—

5                   “(A) the sum of—

6                           “(i) the total amount of fees so  
7                           charged for each fiscal year; and

8                           “(ii) the total of the amounts appro-  
9                           priated for the loan guarantees for the fis-  
10                          cal year; is equal to

11                   “(B) the amount of the costs of subsidies  
12                   for the loan guarantees for the fiscal year.”.

13 **SEC. 6118. RURAL BUSINESS-COOPERATIVE SERVICE PRO-**  
14 **GRAMS TECHNICAL ASSISTANCE AND TRAIN-**  
15 **ING.**

16           The Consolidated Farm and Rural Development Act  
17 is amended by inserting after section 367 (as added by  
18 section 5305) the following:

19 **“SEC. 368. RURAL BUSINESS-COOPERATIVE SERVICE PRO-**  
20 **GRAMS TECHNICAL ASSISTANCE AND TRAIN-**  
21 **ING.**

22           “(a) IN GENERAL.—The Secretary may make grants  
23 to public bodies, private nonprofit corporations, economic  
24 development authorities, institutions of higher education,  
25 federally recognized Indian Tribes, and rural cooperatives

1 for the purpose of providing or obtaining technical assist-  
2 ance and training to support funding applications for pro-  
3 grams carried out by the Secretary, acting through the  
4 Administrator of the Rural Business-Cooperative Service.

5 “(b) PURPOSES.—A grant under subsection (a) may  
6 be used—

7 “(1) to assist communities in identifying and  
8 planning for business and economic development  
9 needs;

10 “(2) to identify public and private resources to  
11 finance business and small and emerging business  
12 needs;

13 “(3) to prepare reports and surveys necessary  
14 to request financial assistance for businesses in rural  
15 communities; and

16 “(4) to prepare applications for financial assist-  
17 ance.

18 “(c) SELECTION PRIORITY.—In selecting recipients  
19 of grants under this section, the Secretary shall give pri-  
20 ority to grants serving persistent poverty counties and  
21 high poverty communities, as determined by the Secretary.

22 “(d) FUNDING.—

23 “(1) IN GENERAL.—There is authorized to be  
24 appropriated to carry out this section \$5,000,000 for

1 each of fiscal years 2019 through 2023, to remain  
2 available until expended.

3 “(2) AVAILABILITY.—Any amounts authorized  
4 to be appropriated under paragraph (1) for any fis-  
5 cal year that are not appropriated for that fiscal  
6 year may be appropriated for any succeeding fiscal  
7 year.”.

8 **SEC. 6119. NATIONAL RURAL DEVELOPMENT PARTNER-**  
9 **SHIP.**

10 Section 378 of the Consolidated Farm and Rural De-  
11 velopment Act (7 U.S.C. 2008m) is amended in sub-  
12 sections (g)(1) and (h) by striking “2018” each place it  
13 appears and inserting “2023”.

14 **SEC. 6120. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-**  
15 **TERS.**

16 Section 379B(d) of the Consolidated Farm and Rural  
17 Development Act (7 U.S.C. 2008p(d)) is amended by  
18 striking “2018” and inserting “2023”.

19 **SEC. 6121. RURAL MICROENTREPRENEUR ASSISTANCE**  
20 **PROGRAM.**

21 Section 379E of the Consolidated Farm and Rural  
22 Development Act (7 U.S.C. 2008s) is amended—

23 (1) in subsection (b)(4)(B)(ii)—

24 (A) in the clause heading, by striking  
25 “MAXIMUM AMOUNT” and inserting “AMOUNT”;

1 (B) by inserting “not less than 20 percent  
2 and” before “not more than 25 percent”; and

3 (C) by striking the period at the end and  
4 inserting the following: “, subject to—

5 “(I) satisfactory performance by  
6 the microenterprise development orga-  
7 nization under this section, and

8 “(II) the availability of fund-  
9 ing.”; and

10 (2) in subsection (d)(2)—

11 (A) by striking “\$40,000,000” and insert-  
12 ing “\$20,000,000”; and

13 (B) by striking “2009 through 2018” and  
14 inserting “2019 through 2023”.

15 **SEC. 6122. HEALTH CARE SERVICES.**

16 Section 379G(e) of the Consolidated Farm and Rural  
17 Development Act (7 U.S.C. 2008u(e)) is amended by  
18 striking “2018” and inserting “2023”.

19 **SEC. 6123. STRATEGIC ECONOMIC AND COMMUNITY DEVEL-**  
20 **OPMENT.**

21 Section 379H of the Consolidated Farm and Rural  
22 Development Act (7 U.S.C. 2008v) is amended to read  
23 as follows:

1 **“SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DE-**  
2 **VELOPMENT.**

3 “(a) IN GENERAL.—In the case of any program  
4 under this title or administered by the Secretary, acting  
5 through the rural development mission area, as deter-  
6 mined by the Secretary (referred to in this section as a  
7 ‘covered program’), the Secretary shall give priority to an  
8 application for a project that, as determined and approved  
9 by the Secretary—

10 “(1) meets the applicable eligibility require-  
11 ments of this title or the other applicable author-  
12 izing law;

13 “(2) will be carried out in a rural area; and

14 “(3) supports the implementation of a strategic  
15 community investment plan described in subsection  
16 (d) on a multisectoral and multijurisdictional basis,  
17 to include considerations for improving and expand-  
18 ing broadband services as needed.

19 “(b) RESERVE.—

20 “(1) IN GENERAL.—Subject to paragraph (2),  
21 the Secretary shall reserve not more than 10 percent  
22 of the funds made available for a fiscal year for cov-  
23 ered programs for projects that support the imple-  
24 mentation of a strategic community investment plan  
25 described in subsection (d) on a multisectoral and  
26 multijurisdictional basis.

1           “(2) PERIOD.—Any funds reserved under para-  
2           graph (1) shall only be reserved for the 1-year pe-  
3           riod beginning on the date on which the funds were  
4           first made available, as determined by the Secretary.

5           “(c) APPROVED APPLICATIONS.—

6           “(1) IN GENERAL.—Subject to paragraph (2),  
7           any applicant who submitted an application under a  
8           covered program that was approved before the date  
9           of enactment of this section may amend the applica-  
10          tion to qualify for the funds reserved under sub-  
11          section (b).

12          “(2) RURAL UTILITIES.—Any applicant who  
13          submitted an application under paragraph (2), (14),  
14          or (24) of section 306(a), or section 306A or  
15          310B(b), that was approved by the Secretary before  
16          the date of enactment of this section shall be eligible  
17          for the funds reserved under subsection (b)—

18                  “(A) on the same basis as an application  
19                  submitted under this section; and

20                  “(B) until September 30, 2019.

21          “(d) STRATEGIC COMMUNITY INVESTMENT PLANS.—

22                  “(1) IN GENERAL.—The Secretary shall provide  
23                  assistance to rural communities in developing stra-  
24                  tegic community investment plans.

1           “(2) PLANS.—A strategic community invest-  
2           ment plan described in paragraph (1) shall include—

3                   “(A) a variety of activities designed to fa-  
4                   cilitate the vision of a rural community for the  
5                   future, including considerations for improving  
6                   and expanding broadband services as needed;

7                   “(B) participation by multiple stake-  
8                   holders, including local and regional partners;

9                   “(C) leverage of applicable regional re-  
10                  sources;

11                  “(D) investment from strategic partners,  
12                  such as—

13                           “(i) private organizations;

14                           “(ii) cooperatives;

15                           “(iii) other government entities;

16                           “(iv) Indian Tribes; and

17                           “(v) philanthropic organizations;

18                  “(E) clear objectives with the ability to es-  
19                  tablish measurable performance metrics;

20                  “(F) action steps for implementation; and

21                  “(G) any other elements necessary to en-  
22                  sure that the plan results in a comprehensive  
23                  and strategic approach to rural economic devel-  
24                  opment, as determined by the Secretary.



1           “(3) COORDINATION.—The Secretary shall co-  
2           ordinate with Indian Tribes and local, State, re-  
3           gional, and Federal partners to develop strategic  
4           community investment plans under this subsection.

5           “(4) AUTHORIZATION OF APPROPRIATIONS.—  
6           There is authorized to be appropriated to carry out  
7           this subsection \$5,000,000 for each of fiscal years  
8           2019 through 2023, to remain available until ex-  
9           pended.”.

10 **SEC. 6124. DELTA REGIONAL AUTHORITY.**

11           (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
12 382M(a) of the Consolidated Farm and Rural Develop-  
13 ment Act (7 U.S.C. 2009aa–12(a)) is amended by striking  
14 “2018” and inserting “2023”.

15           (b) TERMINATION OF AUTHORITY.—Section 382N of  
16 the Consolidated Farm and Rural Development Act (7  
17 U.S.C. 2009aa–13) is amended by striking “2018” and  
18 inserting “2023”.

19 **SEC. 6125. RURAL BUSINESS INVESTMENT PROGRAM.**

20           Section 384S of the Consolidated Farm and Rural  
21 Development Act (7 U.S.C. 2009cc–18) is amended by  
22 striking “2018” and inserting “2023”.

1     **Subtitle B—Rural Electrification**  
2                     **Act of 1936**

3     **SEC. 6201. ELECTRIC LOAN REFINANCING.**

4             Section 2(a) of the Rural Electrification Act of 1936  
5 (7 U.S.C. 902(a)) is amended by striking “loans in” and  
6 inserting “loans, or refinance loans made by the Secretary  
7 under this Act, in”.

8     **SEC. 6202. TECHNICAL ASSISTANCE FOR RURAL ELEC-**  
9                     **TRIFICATION LOANS.**

10            Section 2 of the Rural Electrification Act of 1936 (7  
11 U.S.C. 902) is amended by adding at the end the fol-  
12 lowing:

13            “(c) TECHNICAL ASSISTANCE.—

14                    “(1) IN GENERAL.—Not later than 180 days  
15 after the date of enactment of the Agriculture Im-  
16 provement Act of 2018, the Secretary shall enter  
17 into a memorandum of understanding with the Sec-  
18 retary of Energy under which the Secretary of En-  
19 ergy shall provide technical assistance to applicants  
20 for loans made under subsection (a) and section  
21 4(a).

22                    “(2) FORM OF ASSISTANCE.—The technical as-  
23 sistance that the Secretary may request pursuant to  
24 a memorandum of understanding entered into under  
25 paragraph (1) may include—

1                   “(A) direct advice;  
2                   “(B) tools, maps, and training relating  
3           to—  
4                   “(i) the implementation of demand-  
5                   side management of electric and telephone  
6                   service in rural areas;  
7                   “(ii) energy efficiency and conserva-  
8                   tion programs; and  
9                   “(iii) on-grid and off-grid renewable  
10                  energy systems; and  
11                  “(C) any other forms of assistance deter-  
12                  mined necessary by the Secretary.”.

13 **SEC. 6203. LOANS FOR TELEPHONE SERVICE.**

14           Section 201 of the Rural Electrification Act of 1936  
15 (7 U.S.C. 922) is amended—

16           (1) by striking the section designation and all  
17           that follows through “From such sums” and insert-  
18           ing the following:

19 **“SEC. 201. LOANS FOR TELEPHONE SERVICE.**

20           “From such sums”;

21           (2) in the second sentence, by striking “associa-  
22           tions:” and all that follows through “same sub-  
23           scribers.” and inserting “associations.”; and



1 note for the most recent calendar quarter;

2 but

3 “(ii) not greater than 5 percent.”;

4 (2) in subsection (b)(2)—

5 (A) in subparagraph (A)—

6 (i) by striking “The Secretary” and

7 inserting the following:

8 “(i) IN GENERAL.—The Secretary”;

9 (ii) in clause (i) (as so designated), by  
10 striking “Fund to which shall be credited,  
11 on a monthly basis,” and inserting the fol-  
12 lowing: “Fund, to be known as the “rural  
13 economic development subaccount” (re-  
14 ferred to in this paragraph as the “sub-  
15 account”).

16 “(ii) DIFFERENTIAL PAYMENTS.—For  
17 each month through September 2021, the  
18 Secretary shall credit to the subaccount”;

19 and

20 (iii) in clause (ii) (as so designated),  
21 by striking “the 5 percent” and all that  
22 follows through the period at the end and  
23 inserting “5 percent.”;

24 (B) in subparagraph (B)—

1 (i) by striking “is authorized, from  
2 the interest differential sums credited this  
3 subaccount” and inserting “shall, from in-  
4 terest differential sums credited under sub-  
5 paragraph (A)(ii) to the subaccount”; and

6 (ii) by striking “to provide” and in-  
7 serting “provide”;

8 (C) in subparagraph (E), by striking  
9 “rural economic development”; and

10 (D) by adding at the end the following:

11 “(F) FUNDING.—

12 “(i) MANDATORY FUNDING.—Of the  
13 funds of the Commodity Credit Corpora-  
14 tion, the Secretary shall credit to the sub-  
15 account to use for the cost of grants and  
16 loans under subparagraphs (B) through  
17 (E) \$5,000,000 for each of fiscal years  
18 2022 and 2023, to remain available until  
19 expended.

20 “(ii) AUTHORIZATION OF APPROPRIA-  
21 TIONS.—In addition to other amounts  
22 available in the subaccount for the cost of  
23 grants and loans under subparagraphs (B)  
24 through (E), there is authorized to be ap-  
25 propriated to the subaccount for the cost

1 of the grants and loans \$5,000,000 for  
2 each of fiscal years 2022 and 2023, to re-  
3 main available until expended.”.

4 (b) CONFORMING AMENDMENTS.—

5 (1) Section 12(b)(3)(D) of the Rural Elec-  
6 trification Act of 1936 (7 U.S.C. 912(b)(3)(D)) is  
7 amended by striking “313(b)(2)(A)” and inserting  
8 “313(b)(2)(A)(ii)”.

9 (2) Section 313A of the Rural Electrification  
10 Act of 1936 (7 U.S.C. 940c–1) is amended in sub-  
11 sections (c)(4)(A) and (e)(2) by striking  
12 “313(b)(2)(A)” each place it appears and inserting  
13 “313(b)(2)(A)(i)”.

14 **SEC. 6205. GUARANTEES FOR BONDS AND NOTES ISSUED**  
15 **FOR ELECTRIFICATION OR TELEPHONE PUR-**  
16 **POSES.**

17 (a) IN GENERAL.—Section 313A of the Rural Elec-  
18 trification Act of 1936 (7 U.S.C. 940c–1) is amended—

19 (1) in subsection (a)—

20 (A) by striking “Subject to” and inserting  
21 the following:

22 “(1) GUARANTEES.—Subject to”;

23 (B) in paragraph (1) (as so designated), by  
24 striking “basis” and all that follows through  
25 the period at the end and inserting “basis, if

1           the proceeds of the bonds or notes are used to  
2           make utility infrastructure loans, or refinance  
3           bonds or notes issued for those purposes, to a  
4           borrower that has at any time received, or is el-  
5           igible to receive, a loan under this Act.”; and

6                   (C) by adding at the end the following:

7           “(2) TERMS.—A bond or note guaranteed  
8           under this section shall, by agreement between the  
9           Secretary and the borrower—

10                   “(A) be for a term of 30 years (or another  
11           term of years that the Secretary determines is  
12           appropriate); and

13                   “(B) be repaid by the borrower—

14                           “(i) in periodic installments of prin-  
15                           cipal and interest;

16                           “(ii) in periodic installments of inter-  
17                           est and, at the end of the term of the bond  
18                           or note, as applicable, by the repayment of  
19                           the outstanding principal; or

20                           “(iii) through a combination of the  
21                           methods described in clauses (i) and (ii).”;

22           (2) in subsection (b)—

23                   (A) in paragraph (1), by striking “elec-  
24                   trification” and all that follows through the pe-



1           riod at the end and inserting “purposes de-  
2           scribed in subsection (a)(1).”;

3           (B) by striking paragraph (2);

4           (C) by redesignating paragraphs (3) and  
5           (4) as paragraphs (2) and (3), respectively; and

6           (D) in paragraph (2) (as so redesign-  
7           nated)—

8           (i) in subparagraph (A), by striking  
9           “for electrification or telephone purposes”  
10          and inserting “for eligible purposes de-  
11          scribed in subsection (a)(1)”;

12          (ii) in subparagraph (C), by striking  
13          “subsection (a)” and inserting “subsection  
14          (a)(1)”;

15          (3) in subsection (f), by striking “2018” and  
16          inserting “2023”.

17          (b) ADMINISTRATION.—Beginning on the date of en-  
18          actment of the Agriculture Improvement Act of 2018, the  
19          Secretary shall continue to carry out section 313A of the  
20          Rural Electrification Act of 1936 (7 U.S.C. 940c–1) (as  
21          amended by subsection (a)) under a Notice of Solicitation  
22          of Applications until the date on which any regulations  
23          necessary to carry out the amendments made by sub-  
24          section (a) are fully implemented.

1 **SEC. 6206. ACCESS TO BROADBAND TELECOMMUNICATIONS**  
2 **SERVICES IN RURAL AREAS.**

3 Section 601 of the Rural Electrification Act of 1936  
4 (7 U.S.C. 950bb) is amended—

5 (1) in subsection (a), by striking “loans and”  
6 and inserting “grants, loans, and”;

7 (2) in subsection (c)—

8 (A) in the subsection heading, by striking  
9 “LOANS AND” and inserting “GRANTS, LOANS,  
10 AND”;

11 (B) in paragraph (1), by inserting “make  
12 grants and” after “Secretary shall”;

13 (C) by striking paragraph (2) and insert-  
14 ing the following:

15 “(2) PRIORITY.—

16 “(A) IN GENERAL.—In making grants,  
17 loans, or loan guarantees under paragraph (1),  
18 the Secretary shall—

19 “(i) give the highest priority to appli-  
20 cations for projects to provide broadband  
21 service to unserved rural communities that  
22 do not have any residential broadband  
23 service;

24 “(ii) give priority to applications for  
25 projects to provide the maximum level of  
26 broadband service to the greatest propor-

1                   tion of rural households in the proposed  
2                   service area identified in the application;

3                   “(iii) give priority to applications for  
4                   projects to provide rapid and expanded de-  
5                   ployment of fixed and mobile broadband on  
6                   cropland and rangeland within a service  
7                   territory for use in various applications of  
8                   precision agriculture;

9                   “(iv) provide equal consideration to all  
10                  eligible entities, including those that have  
11                  not previously received grants, loans, or  
12                  loan guarantees under paragraph (1); and

13                  “(v) with respect to 2 or more appli-  
14                  cations that are given the same priority  
15                  under clause (i), give priority to an appli-  
16                  cation that requests less grant funding  
17                  than loan funding.

18                  “(B) OTHER.—After giving priority to the  
19                  applications described in clauses (i) and (ii) of  
20                  subparagraph (A), the Secretary shall then give  
21                  priority to applications—

22                  “(i) for projects to provide broadband  
23                  service to rural communities—

24                  “(I) with a population of less  
25                  than 10,000 permanent residents;

1                   “(II) that are experiencing out-  
2 migration and have adopted a stra-  
3 tegic community investment plan  
4 under section 379H(d) that includes  
5 considerations for improving and ex-  
6 panding broadband service;

7                   “(III) with a high percentage of  
8 low income families or persons (as de-  
9 fined in section 501(b) of the Housing  
10 Act of 1949 (42 U.S.C. 1471(b)); or

11                   “(IV) that are isolated from  
12 other significant population centers;  
13 and

14                   “(ii) that were developed with the par-  
15 ticipation of, and will receive a substantial  
16 portion of the funding for the project from,  
17 1 or more stakeholders, including—

18                   “(I) State, local, and tribal gov-  
19 ernments;

20                   “(II) nonprofit institutions;

21                   “(III) community anchor institu-  
22 tions, such as—

23                   “(aa) public libraries;

24                   “(bb) elementary schools  
25 and secondary schools (as defined

1 in section 8101 of the Elemen-  
2 tary and Secondary Education  
3 Act of 1965 (20 U.S.C. 7801));

4 “(cc) institutions of higher  
5 education; and

6 “(dd) health care facilities;

7 “(IV) private entities; and

8 “(V) philanthropic organizations.

9 “(C) IDENTIFICATION OF UNSERVED COM-  
10 MUNITIES.—

11 “(i) IN GENERAL.—In the case of an  
12 application given the highest priority under  
13 subparagraph (A)(i), the Secretary shall  
14 confirm that each unserved rural commu-  
15 nity identified in the application is eligible  
16 for funding by—

17 “(I) conferring with and obtain-  
18 ing data from the Chair of the Fed-  
19 eral Communications Commission and  
20 the Administrator of the National  
21 Telecommunications and Information  
22 Administration with respect to the  
23 service level in the service area pro-  
24 posed in the application;

1                   “(II) reviewing any other source  
2                   that is relevant to service data valida-  
3                   tion, as determined by the Secretary;  
4                   and

5                   “(III) performing site-specific  
6                   testing to verify the unavailability of  
7                   any residential broadband service in  
8                   the unserved rural community.

9                   “(ii) ADJUSTMENTS.—Not less often  
10                  than once every 2 years, the Secretary  
11                  shall review, and may adjust through no-  
12                  tice published in the Federal Register, the  
13                  unserved communities identified under  
14                  clause (i).”;

15                  (D) by redesignating paragraph (3) (as  
16                  added by section 6117(b)) as paragraph (4);  
17                  and

18                  (E) by inserting after paragraph (2) the  
19                  following:

20                  “(3) GRANT AMOUNTS.—

21                  “(A) DEFINITION OF DEVELOPMENT  
22                  COSTS.—In this paragraph, the term ‘develop-  
23                  ment costs’ means costs of—

24                  “(i) construction, including labor and  
25                  materials;

1 “(ii) project applications; and

2 “(iii) other development activities, as  
3 determined by the Secretary.

4 “(B) ELIGIBILITY.—To be eligible for a  
5 grant under this section, the project that is the  
6 subject of the grant shall be carried out in a  
7 rural area.

8 “(C) MAXIMUM.—Except as provided in  
9 subparagraph (D), the amount of any grant  
10 made under this section shall not exceed 50  
11 percent of the development costs of the project  
12 for which the grant is provided.

13 “(D) SECRETARIAL AUTHORITY TO AD-  
14 JUST.—The Secretary may make grants of up  
15 to 75 percent of the development costs of the  
16 project for which the grant is provided to an el-  
17 igible entity if the Secretary determines that  
18 the project serves—

19 “(i) an area of rural households de-  
20 scribed in paragraph (2)(A)(ii); and

21 “(ii) a rural community described in  
22 any of subclauses (I) through (IV) of para-  
23 graph (2)(B)(i).”;

24 (3) in subsection (d)—

25 (A) in paragraph (1)—

1 (i) in subparagraph (A)—

2 (I) in the matter preceding clause

3 (i), by striking “loan or” and insert-  
4 ing “grant, loan, or”;

5 (II) in clause (ii), by striking “a  
6 loan application” and inserting “an  
7 application”; and

8 (III) in clause (iii)—

9 (aa) by striking “service”  
10 and inserting “infrastructure”;

11 (bb) by striking “loan” the  
12 first place it appears;

13 (cc) by striking “3” and in-  
14 serting “5”; and

15 (dd) by striking “proceeds  
16 from the loan made or guaran-  
17 teed under this section are” and  
18 inserting “assistance under this  
19 section is”; and

20 (ii) by adding at the end the fol-  
21 lowing:

22 “(C) RELATION TO UNIVERSAL SERVICE  
23 HIGH-COST SUPPORT.—The Secretary shall co-  
24 ordinate with the Federal Communications  
25 Commission to ensure that any grants, loans, or



1 loan guarantees made under this section com-  
2 plement and do not conflict with universal serv-  
3 ice high-cost support (as defined in section 54.5  
4 of title 47, Code of Federal Regulations, or any  
5 successor regulation) provided by the Commis-  
6 sion.”;

7 (B) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) in the matter preceding clause

10 (i)—

11 (aa) by striking “the pro-  
12 ceeds of a loan made or guaran-  
13 teed” and inserting “assistance”;  
14 and

15 (bb) by striking “for the  
16 loan or loan guarantee” and in-  
17 serting “of the eligible entity”;

18 (II) in clause (i)—

19 (aa) by striking “15” and  
20 inserting “90”; and

21 (bb) by striking “level of  
22 broadband service” and inserting  
23 “level of fixed broadband service,  
24 whether terrestrial or wireless,”;  
25 and

1 (III) in clause (ii), by striking  
2 “3” and inserting “2”;

3 (ii) in subparagraph (C), by striking  
4 clause (ii) and inserting the following:

5 “(ii) EXCEPTIONS.—Clause (i) shall  
6 not apply if the applicant is eligible for  
7 funding under another title of this Act.”;

8 (C) in paragraph (3), in subparagraph (A),  
9 by striking “loan or” and inserting “grant,  
10 loan, or”;

11 (D) in paragraph (4), by striking “loan  
12 or” and inserting “grant, loan, or”;

13 (E) in paragraph (5)(A), in the matter  
14 preceding clause (i), by striking “loan or” and  
15 inserting “grant, loan, or”;

16 (F) in paragraph (6), by striking “loan or”  
17 and inserting “grant, loan, or”;

18 (G) by redesignating paragraph (7) as sub-  
19 paragraph (B) and indenting appropriately;

20 (H) by inserting after paragraph (6) the  
21 following:

22 “(7) APPLICATION PROCESS.—

23 “(A) IN GENERAL.—The Secretary shall  
24 provide to an applicant of a grant, loan, or loan

1           guarantee under this section feedback and deci-  
2           sions on funding in a timely manner.”;

3           (I) in paragraph (7)(B) (as so redesign-  
4           ated), by striking “may seek a determination  
5           of area eligibility prior to preparing a loan ap-  
6           plication under this section.” and inserting the  
7           following: “may, before preparing an applica-  
8           tion under this section—

9                   “(i) seek a determination of area eligi-  
10                   bility; and

11                   “(ii) submit to the Secretary a pro-  
12                   posal for a project, on which the Secretary  
13                   shall provide feedback regarding how the  
14                   proposal could be changed to improve the  
15                   likelihood that the Secretary would approve  
16                   the application.”;

17           (J) in paragraph (10)(A), by striking “15”  
18           and inserting “30”; and

19           (K) by adding at the end the following:

20                   “(11) TECHNICAL ASSISTANCE AND TRAIN-  
21           ING.—

22                   “(A) IN GENERAL.—The Secretary may  
23                   provide eligible entities described in paragraph  
24                   (1) that are applying for a grant, loan, or loan

1 guarantee for a project described in subsection  
2 (e)(2)(A)(i) technical assistance and training—

3 “(i) to prepare reports and surveys  
4 necessary to request grants, loans, and  
5 loan guarantees under this section for  
6 broadband deployment;

7 “(ii) to improve management, includ-  
8 ing financial management, relating to the  
9 proposed broadband deployment;

10 “(iii) to prepare applications for  
11 grants, loans, and loan guarantees under  
12 this section; or

13 “(iv) to assist with other areas of  
14 need identified by the Secretary.

15 “(B) FUNDING.—Not less than 3 percent  
16 and not more than 5 percent of amounts appro-  
17 priated to carry out this section for a fiscal year  
18 shall be used for technical assistance and train-  
19 ing under this paragraph.”;

20 (4) in subsection (e)(1)—

21 (A) in subparagraph (A), by striking “4-  
22 Mbps” and inserting “25-Mbps”; and

23 (B) in subparagraph (B), by striking “1-  
24 Mbps” and inserting “3-Mbps”;

1           (5) in subsection (f), by striking “make a loan  
2           or loan guarantee” and inserting “provide assist-  
3           ance”;

4           (6) in subsection (j)—

5                 (A) in the matter preceding paragraph (1),  
6                 by striking “loan and loan guarantee”;

7                 (B) in paragraph (1), by inserting “grants  
8                 and” after “number of”;

9                 (C) in paragraph (2)—

10                     (i) in subparagraph (A), by striking  
11                     “loan”; and

12                     (ii) in subparagraph (B), by striking  
13                     “loans and” and inserting “grants, loans,  
14                     and”;

15                 (D) in paragraph (3), by striking “loan”;

16           (7) by redesignating subsections (k) and (l) as  
17           subsections (m) and (n), respectively;

18           (8) by inserting after subsection (j) the fol-  
19           lowing:

20           “(k) BROADBAND BUILDOUT DATA.—As a condition  
21           of receiving a grant, loan, or loan guarantee under this  
22           section, a recipient of assistance shall provide to the Sec-  
23           retary complete, reliable, and precise geolocation informa-  
24           tion that indicates the location of new broadband service  
25           that is being provided or upgraded within the service terri-

1 tory supported by the grant, loan, or loan guarantee not  
2 later than 30 days after the earlier of—

3 “(1) the date of completion of any project mile-  
4 stone established by the Secretary; or

5 “(2) the date of completion of the project.

6 “(1) ENVIRONMENTAL REVIEWS.—The Secretary  
7 may obligate, but not disperse, funds under this Act before  
8 the completion of otherwise required environmental, his-  
9 torical, or other types of reviews if the Secretary deter-  
10 mines that a subsequent site-specific review shall be ade-  
11 quate and easily accomplished for the location of towers,  
12 poles, or other broadband facilities in the service area of  
13 the borrower without compromising the project or the re-  
14 quired reviews.”;

15 (9) in subsection (m) (as so redesignated)—

16 (A) in paragraph (1)—

17 (i) by striking “\$25,000,000” and in-  
18 serting “\$150,000,000”; and

19 (ii) by striking “2008 through 2018”  
20 and inserting “2019 through 2023”; and

21 (B) in paragraph (2)(A)—

22 (i) in clause (i), by striking “and” at  
23 the end;

24 (ii) in clause (ii), by striking the pe-  
25 riod at the end and inserting “; and”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(iii) set aside at least 1 percent to be  
4 used for—

5 “(I) conducting oversight under  
6 this section; and

7 “(II) implementing accountability  
8 measures and related activities au-  
9 thorized under this section.”; and

10 (10) in subsection (n) (as so redesignated)—

11 (A) by striking “loan or” and inserting  
12 “grant, loan, or”; and

13 (B) by striking “2018” and inserting  
14 “2023”.

15 **SEC. 6207. COMMUNITY CONNECT GRANT PROGRAM.**

16 Title VI of the Rural Electrification Act of 1936 (7  
17 U.S.C. 950bb et seq.) is amended by adding at the end  
18 the following:

19 **“SEC. 604. COMMUNITY CONNECT GRANT PROGRAM.**

20 “(a) **DEFINITIONS.**—In this section:

21 “(1) **ELIGIBLE BROADBAND SERVICE.**—The  
22 term ‘eligible broadband service’ means broadband  
23 service that has the capability to transmit data at a  
24 speed specified by the Secretary, which may not be  
25 less than the applicable minimum download and

1 upload speeds established by the Federal Commu-  
2 nications Commission in defining the term ‘advanced  
3 telecommunications capability’ for purposes of sec-  
4 tion 706 of the Telecommunications Act of 1996 (47  
5 U.S.C. 1302).

6 “(2) ELIGIBLE SERVICE AREA.—The term ‘eli-  
7 gible service area’ means an area in which  
8 broadband service capacity is less than—

9 “(A) a 10-Mbps downstream transmission  
10 capacity; and

11 “(B) a 1-Mbps upstream transmission ca-  
12 pacity.

13 “(3) ELIGIBLE ENTITY.—

14 “(A) IN GENERAL.—The term ‘eligible en-  
15 tity’ means a legally organized entity that—

16 “(i) is—

17 “(I) an incorporated organiza-  
18 tion;

19 “(II) an Indian Tribe or Tribal  
20 organization;

21 “(III) a State;

22 “(IV) a unit of local government;

23 or

24 “(V) any other legal entity, in-  
25 cluding a cooperative, a private cor-



## 601

1                   poration, or a limited liability com-  
2                   pany, that is organized on a for-profit  
3                   or a not-for-profit basis; and

4                   “(ii) has the legal capacity and au-  
5                   thority to enter into a contract, to comply  
6                   with applicable Federal laws, and to own  
7                   and operate broadband facilities, as pro-  
8                   posed in the application submitted by the  
9                   entity for a grant under the Program.

10                  “(B) EXCLUSIONS.—The term ‘eligible en-  
11                  tity’ does not include—

12                                 “(i) an individual; or

13                                 “(ii) a partnership.

14                  “(4) PROGRAM.—The term ‘Program’ means  
15                  the Community Connect Grant Program established  
16                  under subsection (b).

17                  “(5) RURAL AREA.—The term ‘rural area’ has  
18                  the meaning given the term in section 601(b)(3)(A).

19                  “(b) ESTABLISHMENT.—The Secretary shall estab-  
20                  lish a program, to be known as the ‘Community Connect  
21                  Grant Program’, to provide grants to eligible entities to  
22                  finance broadband transmission in rural areas.

23                  “(c) ELIGIBLE PROJECTS.—An eligible entity that  
24                  receives a grant under the Program shall use the grant  
25                  to carry out a project that—

1           “(1) provides eligible broadband service to,  
2           within the proposed eligible service area described in  
3           the application submitted by the eligible entity—

4                   “(A) each essential community facility  
5                   funded under section 306(a) of the Consoli-  
6                   dated Farm and Rural Development Act (7  
7                   U.S.C. 1926(a)); and

8                   “(B) any required facilities necessary to  
9                   offer that eligible broadband service to each res-  
10                  idential and business customer; and

11           “(2) for not less than 2 years—

12                   “(A) furnishes free wireless eligible  
13                   broadband service to a community center de-  
14                   scribed in subsection (d)(1)(B);

15                   “(B) provides not fewer than 2 computer  
16                   access points for that free wireless eligible  
17                   broadband service; and

18                   “(C) covers the cost of bandwidth to pro-  
19                   vide free eligible broadband service to each es-  
20                   sential community facility funded under section  
21                   306(a) of the Consolidated Farm and Rural  
22                   Development Act (7 U.S.C. 1926(a)) within the  
23                   proposed eligible service area described in the  
24                   application submitted by the eligible entity.

25           “(d) USES OF GRANT FUNDS.—

1           “(1) IN GENERAL.—An eligible entity that re-  
2           ceives a grant under the Program may use the grant  
3           for—

4                   “(A) the construction, acquisition, or leas-  
5                   ing of facilities (including spectrum), land, or  
6                   buildings to deploy eligible broadband service;  
7                   and

8                   “(B) the improvement, expansion, con-  
9                   struction, or acquisition of a community center  
10                  within the proposed eligible service area de-  
11                  scribed in the application submitted by the eli-  
12                  gible entity.

13           “(2) INELIGIBLE USES.—An eligible entity that  
14           receives a grant under the Program shall not use the  
15           grant for—

16                   “(A) the duplication of any existing  
17                   broadband service provided by another entity in  
18                   the eligible service area; or

19                   “(B) operating expenses, except as pro-  
20                   vided in—

21                           “(i) subsection (c)(2)(C) with respect  
22                           to free wireless eligible broadband service;  
23                           and

24                           “(ii) paragraph (1)(A) with respect to  
25                           spectrum.

1           “(3) FREE ACCESS FOR COMMUNITY CEN-  
2           TERS.—Of the amounts provided to an eligible entity  
3           under a grant under the Program, the eligible entity  
4           shall use to carry out paragraph (1)(B) not greater  
5           than the lesser of—

6                   “(A) 10 percent; and

7                   “(B) \$150,000.

8           “(e) MATCHING FUNDS.—

9           “(1) IN GENERAL.—An eligible entity that re-  
10          ceives a grant under the Program shall provide a  
11          cash contribution in an amount that is not less than  
12          15 percent of the amount of the grant.

13          “(2) REQUIREMENTS.—A cash contribution de-  
14          scribed in paragraph (1)—

15                   “(A) shall be used solely for the project for  
16                   which the eligible entity receives a grant under  
17                   the Program; and

18                   “(B) shall not include any Federal funds,  
19                   unless a Federal statute specifically provides  
20                   that those Federal funds may be considered to  
21                   be from a non-Federal source.

22          “(f) APPLICATIONS.—

23          “(1) IN GENERAL.—To be eligible to receive a  
24          grant under the Program, an eligible entity shall  
25          submit to the Secretary an application at such time,

1 in such manner, and containing such information as  
2 the Secretary may require.

3 “(2) REQUIREMENT.—An application submitted  
4 by an eligible entity under paragraph (1) shall in-  
5 clude documentation sufficient to demonstrate the  
6 availability of funds to satisfy the requirement of  
7 subsection (e).

8 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
9 is authorized to be appropriated to carry out this section  
10 \$50,000,000 for each fiscal year.”.

11 **SEC. 6208. TRANSPARENCY IN THE TELECOMMUNICATIONS**  
12 **INFRASTRUCTURE LOAN PROGRAM.**

13 Title VI of the Rural Electrification Act of 1936 (7  
14 U.S.C. 950bb et seq.) (as amended by section 6207) is  
15 amended by adding at the end the following:

16 **“SEC. 605. TRANSPARENCY IN THE TELECOMMUNICATIONS**  
17 **INFRASTRUCTURE LOAN PROGRAM.**

18 “(a) PUBLIC NOTICE OF APPLICATIONS FOR ASSIST-  
19 ANCE.—The Secretary shall publish in the Federal Reg-  
20 ister, and promptly make available to the public, a fully  
21 searchable database on the website of Rural Utilities Serv-  
22 ice that contains, at a minimum—

23 “(1) notice of each application for a loan from  
24 the Telecommunications Infrastructure Loan and

1       Guarantee Program under this Act describing the  
2       application, including—

3               “(A) the identity of the applicant;

4               “(B) a description of the application, in-  
5       cluding—

6                       “(i) each census block proposed to be  
7       served by the applicant; and

8                       “(ii) the amount and type of support  
9       requested by the applicant;

10               “(C) the status of the application;

11               “(D) the estimated number and proportion  
12       of households in each census block under sub-  
13       paragraph (B)(i) that are without telecommuni-  
14       cations service; and

15               “(E) a list of the census block groups, in  
16       a manner specified by the Secretary, to which  
17       the applicant proposes to provide service; and

18               “(2) notice of each borrower receiving assist-  
19       ance under the Telecommunications Infrastructure  
20       Loan and Guarantee Program under this Act, in-  
21       cluding—

22                       “(A) the name of the borrower;

23                       “(B) the type of assistance being received;

24               and

1                   “(C) the purpose for which the borrower is  
2                   receiving the assistance; and

3                   “(3) such other information as is sufficient to  
4                   allow the public to understand the assistance pro-  
5                   vided under the Telecommunications Infrastructure  
6                   Loan and Guarantee Program under this Act.

7                   “(b) OPPORTUNITY FOR THE PUBLIC TO SUBMIT IN-  
8                   FORMATION.—The Secretary shall, with respect to an ap-  
9                   plication for a loan under the Telecommunications Infra-  
10                  structure Loan and Guarantee Program under this Act—

11                  “(1) for a period of not less than 15 days after  
12                  the date on which the notice required by subsection  
13                  (a)(1) is provided with respect to the application,  
14                  provide an opportunity for an interested party to  
15                  voluntarily submit information concerning the serv-  
16                  ices that the party offers in the census blocks de-  
17                  scribed in subsection (a)(1)(B)(i), such that the Sec-  
18                  retary may assess whether approving the application  
19                  would result in any duplication of lines, facilities, or  
20                  systems that are providing reasonably adequate serv-  
21                  ices; and

22                  “(2) if no interested party submits information  
23                  under paragraph (1), consider the number of pro-  
24                  viders in the census block group to be established by  
25                  using broadband deployment data from the most re-

1 cent Form 477 data collection of the Federal Com-  
2 munications Commission.”.

3 **SEC. 6209. REFINANCING OF BROADBAND AND TELEPHONE**  
4 **LOANS.**

5 (a) IN GENERAL.—Section 201 of the Rural Elec-  
6 trification Act of 1936 (7 U.S.C. 922) is amended, in the  
7 fifth sentence, by striking “furnishing telephone service in  
8 rural areas:” and all that follows through “40 per centum  
9 of any loan made under this title.” and inserting “fur-  
10 nishing telephone service in rural areas, including indebt-  
11 edness of recipients on another telecommunications loan  
12 made under this Act.”.

13 (b) BROADBAND.—Section 601(i) of the Rural Elec-  
14 trification Act of 1936 (7 U.S.C. 950bb(i)) is amended  
15 by striking “Act if the use of” and all that follows through  
16 the period at the end and inserting “Act, or on any other  
17 loan if that loan would have been for an eligible purpose  
18 under this Act.”.

19 **SEC. 6210. CYBERSECURITY AND GRID SECURITY IMPROVE-**  
20 **MENTS.**

21 Title III of the Rural Electrification Act of 1936 (7  
22 U.S.C. 931 et seq.) is amended by adding at the end the  
23 following:



1 **“SEC. 319. CYBERSECURITY AND GRID SECURITY IMPROVE-**  
2 **MENTS.**

3 “(a) DEFINITION OF CYBERSECURITY AND GRID SE-  
4 CURITY IMPROVEMENTS.—In this section, the term ‘cyber-  
5 security and grid security improvements’ means invest-  
6 ment in the development, expansion, and modernization  
7 of rural utility infrastructure that addresses known cyber-  
8 security and grid security risks.

9 “(b) LOANS AND LOAN GUARANTEES.—The Sec-  
10 retary may make or guarantee loans under this title and  
11 title I for cybersecurity and grid security improvements.”.

12 **Subtitle C—Miscellaneous**

13 **SEC. 6301. DISTANCE LEARNING AND TELEMEDICINE.**

14 (a) SUBSTANCE USE DISORDER TREATMENT SERV-  
15 ICES.—Section 2333(c) of the Food, Agriculture, Con-  
16 servation, and Trade Act of 1990 (7 U.S.C. 950aaa–2(e))  
17 is amended by adding at the end the following:

18 “(5) SUBSTANCE USE DISORDER TREATMENT  
19 SERVICES.—

20 “(A) IN GENERAL.—Subject to subpara-  
21 graph (B), the Secretary shall make available  
22 not less than 20 percent of amounts made  
23 available under section 2335A for financial as-  
24 sistance under this chapter for substance use  
25 disorder treatment services.

1           “(B) EXCEPTION.—In the case of a fiscal  
2           year for which the Secretary determines that  
3           there are not sufficient qualified applicants to  
4           receive financial assistance for substance use  
5           disorder treatment services to reach the 20-per-  
6           cent requirement under subparagraph (A), the  
7           Secretary may make available less than 20 per-  
8           cent of amounts made available under section  
9           2335A for those services.”.

10          (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
11 2335A of the Food, Agriculture, Conservation, and Trade  
12 Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking  
13 “2018” and inserting “2023”.

14          (c) CONFORMING AMENDMENT.—Section 1(b) of  
15 Public Law 102–551 (7 U.S.C. 950aaa note) is amended  
16 by striking “2018” and inserting “2023”.

17 **SEC. 6302. RURAL ENERGY SAVINGS PROGRAM.**

18          Section 6407 of the Farm Security and Rural Invest-  
19 ment Act of 2002 (7 U.S.C. 8107a) is amended—

20           (1) in subsection (b)(2), by striking “effi-  
21           ciency.” and inserting “efficiency (including cost-ef-  
22           fective on- or off-grid renewable energy or energy  
23           storage systems).”;

24           (2) in subsection (c)—

1           (A) by redesignating paragraphs (4)  
2           through (7) as paragraphs (5) through (8), re-  
3           spectively;

4           (B) by inserting after paragraph (3) the  
5           following:

6           “(4) ELIGIBILITY FOR OTHER LOANS.—The  
7           Secretary shall not include any debt incurred by a  
8           borrower under this section in the calculation of the  
9           debt-equity ratio of the borrower for purposes of eli-  
10          gibility for loans under the Rural Electrification Act  
11          of 1936 (7 U.S.C. 901 et seq.)”;

12          (C) in subparagraph (B) of paragraph (5)  
13          (as so redesignated), by striking “(6)” and in-  
14          serting “(7)”; and

15          (D) by adding at the end the following:

16          “(9) ACCOUNTING.—The Secretary shall take  
17          appropriate steps to streamline the accounting re-  
18          quirements on borrowers under this section while  
19          maintaining adequate assurances of the repayment  
20          of the loans.”;

21          (3) in subsection (d)(1)(A), by striking “3 per-  
22          cent” and inserting “6 percent”;

23          (4) by redesignating subsection (h) as sub-  
24          section (i);

1           (5) by inserting after subsection (g) the fol-  
2           lowing:

3           “(h) PUBLICATION.—Not later than 120 days after  
4 the end of each fiscal year, the Secretary shall publish a  
5 description of—

6           “(1) the number of applications received under  
7 this section for that fiscal year;

8           “(2) the number of loans made to eligible enti-  
9 ties under this section for that fiscal year; and

10           “(3) the recipients of the loans described in  
11 paragraph (2).”;

12           (6) in subsection (i) (as so redesignated), by  
13 striking “2018” and inserting “2023”.

14 **SEC. 6303. RURAL HEALTH AND SAFETY EDUCATION PRO-**  
15 **GRAMS.**

16           (a) IN GENERAL.—Section 502(i) of the Rural Devel-  
17 opment Act of 1972 (7 U.S.C. 2662(i)) is amended—

18           (1) by redesignating paragraph (5) as para-  
19 graph (6); and

20           (2) by inserting after paragraph (4) the fol-  
21 lowing:

22           “(5) SUBSTANCE USE DISORDER EDUCATION  
23 AND PREVENTION.—In making grants under this  
24 subsection, the Secretary shall give priority to an ap-

1       plicant that will use the grant for substance use dis-  
2       order education, prevention, or treatment.”.

3       (b) **TECHNICAL AMENDMENTS.**—Title V of the Rural  
4       Development Act of 1972 (7 U.S.C. 2661 et seq.) (as  
5       amended by subsection (a)) is amended—

6             (1) in section 502, in the matter preceding sub-  
7       section (a), by inserting “(referred to in this title as  
8       the ‘Secretary’)” after “Agriculture”; and

9             (2) by striking “Secretary of Agriculture” each  
10       place it appears (other than in section 502 in the  
11       matter preceding subsection (a)) and inserting “Sec-  
12       retary”.

13       **SEC. 6304. NORTHERN BORDER REGIONAL COMMISSION**  
14             **REAUTHORIZATION.**

15       (a) **ADMINISTRATIVE EXPENSES OF REGIONAL COM-**  
16       **MISSIONS.**—Section 15304(c)(3)(A) of title 40, United  
17       States Code, is amended by striking “unanimous” and in-  
18       serting “majority”.

19       (b) **ECONOMIC AND INFRASTRUCTURE DEVELOP-**  
20       **MENT GRANTS.**—Section 15501 of title 40, United States  
21       Code, is amended—

22             (1) in subsection (a)—

23                     (A) in paragraph (7), by striking “and” at  
24             the end;

1 (B) by redesignating paragraph (8) as  
2 paragraph (9); and

3 (C) by inserting after paragraph (7) the  
4 following:

5 “(8) to grow the capacity for successful commu-  
6 nity economic development in its region; and”;

7 (2) in subsection (b), by striking “paragraphs  
8 (1) through (3)” and inserting “paragraph (1), (2),  
9 (3), or (7)”;

10 (3) in subsection (f), by striking the period at  
11 the end and inserting “, except that financial assist-  
12 ance may be used as otherwise authorized by this  
13 subtitle to attract businesses to the region from out-  
14 side the United States.”.

15 (c) STATE CAPACITY BUILDING GRANT PROGRAM.—

16 (1) DEFINITIONS.—In this subsection:

17 (A) COMMISSION.—The term “Commis-  
18 sion” means the Northern Border Regional  
19 Commission established by section 15301(a)(3)  
20 of title 40, United States Code.

21 (B) COMMISSION STATE.—The term  
22 “Commission State” means each of the States  
23 of Maine, New Hampshire, New York, and  
24 Vermont.

1           (C) ELIGIBLE COUNTY.—The term “eligi-  
2           ble county” means a county described in section  
3           15733 of title 40, United States Code.

4           (D) PROGRAM.—The term “program”  
5           means the State capacity building grant pro-  
6           gram established under paragraph (2).

7           (2) ESTABLISHMENT.—Not later than 180 days  
8           after the date of enactment of this Act, the Commis-  
9           sion shall establish a State capacity building grant  
10          program to provide grants to Commission States to  
11          carry out the purpose under paragraph (3).

12          (3) PURPOSE.—The purpose of the program is  
13          to support the efforts of Commission States—

14               (A) to better support business retention  
15               and expansion in eligible counties;

16               (B) to create programs to encourage job  
17               creation and workforce development;

18               (C) to prepare economic and infrastructure  
19               plans for eligible counties;

20               (D) to expand access to high-speed  
21               broadband;

22               (E) to encourage initiatives that drive in-  
23               vestments in transportation, water, wastewater,  
24               and other critical infrastructure;

1 (F) to create initiatives to increase the ef-  
2 fectiveness of local or regional economic devel-  
3 opers; and

4 (G) to implement new or innovative eco-  
5 nomic development practices that will better po-  
6 sition the Commission States to compete in the  
7 global economy.

8 (4) USE OF FUNDS.—

9 (A) IN GENERAL.—Funds from a grant  
10 under the program may be used to support a  
11 project, program, or expense of the Commission  
12 State in an eligible county.

13 (B) LIMITATION.—Funds from a grant  
14 under the program shall not be used for—

15 (i) the purchase of furniture, fixtures,  
16 or equipment; or

17 (ii) the compensation of—

18 (I) any State member of the  
19 Commission (as described in section  
20 15301(b)(1)(B) of title 40, United  
21 States Code); or

22 (II) any State alternate member  
23 of the Commission (as described in  
24 section 15301(b)(2)(B) of title 40,  
25 United States Code).



1 (5) ANNUAL WORK PLAN.—

2 (A) IN GENERAL.—For each fiscal year,  
3 before providing a grant under the program,  
4 each Commission State shall provide to the  
5 Commission an annual work plan that includes  
6 the proposed use of the grant.

7 (B) APPROVAL.—No grant under the pro-  
8 gram shall be provided to a Commission State  
9 unless the Commission has approved the annual  
10 work plan of the State.

11 (6) AMOUNT OF GRANT.—

12 (A) IN GENERAL.—The amount of a grant  
13 provided to a Commission State under the pro-  
14 gram shall be an amount equal to the share of  
15 the State of administrative expenses of the  
16 Commission for a fiscal year (as determined  
17 under section 15304(c) of title 40, United  
18 States Code).

19 (B) APPROVAL.—For each fiscal year, a  
20 grant provided under the program shall be ap-  
21 proved and made available as part of the ap-  
22 proval of the annual budget of the Commission.

23 (7) GRANT AVAILABILITY.—Funds from a  
24 grant under the program shall be available only dur-  
25 ing the fiscal year for which the grant is provided.

1           (8) REPORT.—Each fiscal year, each Commis-  
2           sion State shall submit to the Commission and make  
3           publicly available a report that describes the use of  
4           the grant funds and the impact of the program in  
5           the State.

6           (9) FUNDING.—

7           (A) IN GENERAL.—There is authorized to  
8           be appropriated such sums as the Commission  
9           determines to be necessary, subject to the con-  
10          dition that the Commission may use not more  
11          than \$5,000,000 to carry out this subsection  
12          for any fiscal year.

13          (B) SUPPLEMENT, NOT SUPPLANT.—  
14          Funds made available to carry out this sub-  
15          section shall supplement and not supplant  
16          funds made available for the Commission and  
17          other activities of the Commission.

18          (d) NORTHERN BORDER REGIONAL COMMISSION.—  
19          Section 15733 of title 40, United States Code, is amend-  
20          ed—

21                 (1) in paragraph (2)—

22                         (A) by inserting “Belknap,” before “Car-  
23                         roll,”; and

24                         (B) by inserting “Cheshire,” before  
25                         “Coos,”; and

1 (2) in paragraph (4)—

2 (A) by inserting “Addison, Bennington,”  
3 before “Caledonia,”;

4 (B) by inserting “Chittenden,” before  
5 “Essex,”;

6 (C) by striking “and” and inserting “Or-  
7 ange,” and

8 (D) by inserting “, Rutland, Washington,  
9 Windham, and Windsor” after “Orleans”.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
11 15751(a) of title 40, United States Code, is amended by  
12 striking “2018” and inserting “2023”.

13 (f) TECHNICAL AMENDMENTS.—Chapters 1, 2, 3,  
14 and 4 of subtitle V of title 40, United States Code, are  
15 redesignated as chapters 151, 153, 155, and 157, respec-  
16 tively.

1 **TITLE VII—RESEARCH, EXTEN-**  
2 **SION, AND RELATED MAT-**  
3 **TERS**

4 **Subtitle A—National Agricultural**  
5 **Research, Extension, and Teach-**  
6 **ing Policy Act of 1977**

7 **SEC. 7101. PURPOSES OF AGRICULTURAL RESEARCH, EX-**  
8 **TENSION, AND EDUCATION.**

9 Section 1402 of the National Agricultural Research,  
10 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
11 3101) is amended—

12 (1) in paragraph (7), by striking “and” after  
13 the semicolon;

14 (2) in paragraph (8), by striking the period at  
15 the end and inserting “; and”; and

16 (3) by adding at the end the following:

17 “(9) support international collaboration that  
18 leverages resources and advances priority food and  
19 agricultural interests of the United States, such  
20 as—

21 “(A) addressing emerging plant and ani-  
22 mal diseases;

23 “(B) improving crop varieties and animal  
24 breeds; and

1                   “(C) developing safe, efficient, and nutri-  
2                   tious food systems.”.

3 **SEC. 7102. MATTERS RELATING TO CERTAIN SCHOOL DES-**  
4 **IGNATIONS AND DECLARATIONS.**

5           (a) STUDY OF FOOD AND AGRICULTURAL  
6 SCIENCES.—Section 1404(14) of the National Agricul-  
7 tural Research, Extension, and Teaching Policy Act of  
8 1977 (7 U.S.C. 3103(14)) is amended—

9                   (1) by striking subparagraph (A) and inserting  
10                   the following:

11                   “(A) IN GENERAL.—

12                   “(i) DEFINITION.—The terms  
13                   ‘NLGCA Institution’ and ‘non-land-grant  
14                   college of agriculture’ mean a public col-  
15                   lege or university offering a baccalaureate  
16                   or higher degree in the study of agricul-  
17                   tural sciences, forestry, or both in any area  
18                   of study described in clause (ii).

19                   “(ii) CLARIFICATION.—An area of  
20                   study referred to in clause (i) may include  
21                   any of the following:

22                   “(I) Agriculture.

23                   “(II) Agricultural business and  
24                   management.

25                   “(III) Agricultural economics.

622

1                   “(IV) Agricultural mechaniza-  
2                   tion.

3                   “(V) Agricultural production op-  
4                   erations.

5                   “(VI) Aquaculture.

6                   “(VII) Agricultural and food  
7                   products processing.

8                   “(VIII) Agricultural and domes-  
9                   tic animal services.

10                  “(IX) Equestrian or equine stud-  
11                  ies.

12                  “(X) Applied horticulture or hor-  
13                  ticulture operations.

14                  “(XI) Ornamental horticulture.

15                  “(XII) Greenhouse operations  
16                  and management.

17                  “(XIII) Turf and turfgrass man-  
18                  agement.

19                  “(XIV) Plant nursery operations  
20                  and management.

21                  “(XV) Floriculture or floristry  
22                  operations and management.

23                  “(XVI) International agriculture.

24                  “(XVII) Agricultural public serv-  
25                  ices.

- 1                   “(XVIII) Agricultural and exten-  
2                   sion education services.
- 3                   “(XIX) Agricultural communica-  
4                   tion or agricultural journalism.
- 5                   “(XX) Animal sciences.
- 6                   “(XXI) Food science.
- 7                   “(XXII) Plant sciences.
- 8                   “(XXIII) Soil sciences.
- 9                   “(XXIV) Forestry.
- 10                  “(XXV) Forest sciences and biol-  
11                  ogy.
- 12                  “(XXVI) Natural resources or  
13                  conservation.
- 14                  “(XXVII) Natural resources  
15                  management and policy.
- 16                  “(XXVIII) Natural resource eco-  
17                  nomics.
- 18                  “(XXIX) Urban forestry.
- 19                  “(XXX) Wood science and wood  
20                  products or pulp or paper technology.
- 21                  “(XXXI) Range science and  
22                  management.
- 23                  “(XXXII) Agricultural engineer-  
24                  ing.

1                   “(XXXIII) Any other area, as  
2                   determined appropriate by the Sec-  
3                   retary.”; and

4                   (2) in subparagraph (C)—

5                   (A) in the matter preceding clause (i), by  
6                   inserting “any institution designated under”  
7                   after “include”;

8                   (B) by striking clause (i); and

9                   (C) in clause (ii)—

10                   (i) by striking “(ii) any institution  
11                   designated under—”;

12                   (ii) by striking subclause (IV);

13                   (iii) in subclause (II), by adding “or”  
14                   at the end;

15                   (iv) in subclause (III), by striking “;  
16                   or” at the end and inserting a period; and

17                   (v) by redesignating subclauses (I),  
18                   (II), and (III) as clauses (i), (ii), and (iii),  
19                   respectively, and indenting appropriately.

20                   (b) DESIGNATION REVIEW.—

21                   (1) IN GENERAL.—Not later than 90 days after  
22                   the date of enactment of this Act, the Secretary  
23                   shall establish a process to review each designated  
24                   NLGCA Institution (as defined in section  
25                   1404(14)(A) of the National Agricultural Research,



1 Extension, and Teaching Policy Act of 1977 (7  
2 U.S.C. 3103(14)(A))) to ensure compliance with  
3 that section (as amended by subsection (a)).

4 (2) VIOLATION.—If the Secretary determines  
5 under paragraph (1) that an NLGCA Institution is  
6 not in compliance with section 1404(14)(A) of the  
7 National Agricultural Research, Extension, and  
8 Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A))  
9 (as amended by subsection (a)), the designation of  
10 that NLGCA Institution shall be revoked.

11 **SEC. 7103. NATIONAL AGRICULTURAL RESEARCH, EXTEN-**  
12 **SION, EDUCATION, AND ECONOMICS ADVI-**  
13 **SORY BOARD.**

14 Section 1408(h) of the National Agricultural Re-  
15 search, Extension, and Teaching Policy Act of 1977 (7  
16 U.S.C. 3123(h)) is amended by striking “2018” and in-  
17 serting “2023”.

18 **SEC. 7104. CITRUS DISEASE SUBCOMMITTEE OF SPECIALTY**  
19 **CROP COMMITTEE.**

20 Section 1408A(a)(2)(D) of the National Agricultural  
21 Research, Extension, and Teaching Policy Act of 1977 (7  
22 U.S.C. 3123a(a)(2)(D)) is amended by striking “2018”  
23 and inserting “2023”.

1 **SEC. 7105. VETERINARY SERVICES GRANT PROGRAM.**

2 Section 1415B of the National Agricultural Research,  
3 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
4 3151b) is amended—

5 (1) in subsection (c)(2)—

6 (A) by striking “to qualified” and inserting  
7 the following: “to—

8 “(A) qualified”;

9 (B) in subparagraph (A) (as so des-  
10 ignated), by striking the period at the end and  
11 inserting “; and”; and

12 (C) by adding at the end the following:

13 “(B) qualified entities for the purpose of  
14 exposing students in grades 11 and 12 to edu-  
15 cation and career opportunities in food animal  
16 medicine.”; and

17 (2) in subsection (h)—

18 (A) by striking the subsection designation  
19 and heading and inserting the following:

20 “(h) FUNDING.—

21 “(1) AUTHORIZATION OF APPROPRIATIONS.—”;

22 (B) in paragraph (1) (as so designated), by  
23 striking “for fiscal year 2014 and each fiscal  
24 year thereafter” and inserting “for each of fis-  
25 cal years 2014 through 2023”; and

26 (C) by adding at the end the following:

1           “(2) PRIORITY.—The Secretary shall award not  
2           less than  $\frac{2}{3}$  of amounts made available for grants  
3           under this section to qualified entities with a focus  
4           on food animal medicine.”.

5   **SEC. 7106. GRANTS AND FELLOWSHIPS FOR FOOD AND AG-**  
6                           **RICULTURE SCIENCES EDUCATION.**

7           Section 1417(m)(2) of the National Agricultural Re-  
8           search, Extension, and Teaching Policy Act of 1977 (7  
9           U.S.C. 3152(m)(2)) is amended by striking “2018” and  
10          inserting “2023”.

11   **SEC. 7107. RESEARCH EQUIPMENT GRANTS.**

12          The National Agricultural Research, Extension, and  
13          Teaching Policy Act of 1977 is amended by inserting after  
14          section 1418 (7 U.S.C. 3153) the following:

15   **“SEC. 1419. RESEARCH EQUIPMENT GRANTS.**

16          “(a) DEFINITION OF ELIGIBLE INSTITUTION.—In  
17          this section, the term ‘eligible institution’ means—

18                 “(1) an institution of higher education (as de-  
19                 fined in section 101(a) of the Higher Education Act  
20                 of 1965 (20 U.S.C. 1001(a))); or

21                 “(2) a State cooperative institution.

22          “(b) GRANTS.—The Secretary may award competi-  
23          tive grants to eligible institutions for the acquisition of  
24          special purpose scientific research equipment for use in

1 the food and agricultural sciences programs of those insti-  
2 tutions.

3 “(c) **MAXIMUM AMOUNT.**—The amount of a grant  
4 under subsection (b) shall not exceed \$500,000.

5 “(d) **PROHIBITION ON CHARGE OF INDIRECT**  
6 **COSTS.**—The cost of the acquisition or depreciation of  
7 equipment purchased with a grant under this section shall  
8 not be—

9 “(1) charged as an indirect cost against another  
10 Federal grant; or

11 “(2) included as part of the indirect cost pool  
12 for purposes of calculating the indirect cost rate of  
13 an eligible institution.

14 “(e) **AUTHORIZATION OF APPROPRIATIONS.**—There  
15 is authorized to be appropriated to carry out this section  
16 \$5,000,000 for each of fiscal years 2019 through 2023.”.

17 **SEC. 7108. AGRICULTURAL AND FOOD POLICY RESEARCH**  
18 **CENTERS.**

19 Section 1419A(e) of the National Agricultural Re-  
20 search, Extension, and Teaching Policy Act of 1977 (7  
21 U.S.C. 3155(e)) is amended by striking “2018” and in-  
22 serting “2023”.

1 **SEC. 7109. EDUCATION GRANTS TO ALASKA NATIVE SERV-**  
2 **ING INSTITUTIONS AND NATIVE HAWAIIAN**  
3 **SERVING INSTITUTIONS.**

4 Section 1419B of the National Agricultural Research,  
5 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
6 3156) is amended—

7 (1) in subsection (a)(3), by striking “2018” and  
8 inserting “2023”; and

9 (2) in subsection (b)(3), by striking “2018”  
10 and inserting “2023”.

11 **SEC. 7110. NEXT GENERATION AGRICULTURE TECHNOLOGY**  
12 **CHALLENGE.**

13 Subtitle C of the National Agricultural Research, Ex-  
14 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3151  
15 et seq.) is amended by adding at the end the following:

16 **“SEC. 1419C. NEXT GENERATION AGRICULTURE TECH-**  
17 **NOLOGY CHALLENGE.**

18 “(a) IN GENERAL.—The Secretary shall establish a  
19 next generation agriculture technology challenge competi-  
20 tion to provide an incentive for the development of innova-  
21 tive mobile technology that removes barriers to entry in  
22 the marketplace for beginning farmers and ranchers (as  
23 defined in section 2501(a) of the Food, Agriculture, Con-  
24 servation, and Trade Act of 1990 (7 U.S.C. 2279(a))).

1           “(b) AMOUNT.—The Secretary may award not more  
2 than \$1,000,000 in the aggregate to 1 or more winners  
3 of the competition under subsection (a).”.

4 **SEC. 7111. NUTRITION EDUCATION PROGRAM.**

5           Section 1425(f) of the National Agricultural Re-  
6 search, Extension, and Teaching Policy Act of 1977 (7  
7 U.S.C. 3175(f)) is amended by striking “2018” and in-  
8 serting “2023”.

9 **SEC. 7112. AUTHORIZATION FOR APPROPRIATIONS FOR**  
10 **FEDERAL AGRICULTURAL RESEARCH FACILI-**  
11 **TIES.**

12           Section 1431 of the National Agricultural Research,  
13 Extension, and Teaching Policy Act Amendments of 1985  
14 (Public Law 99–198; 99 Stat. 1556; 128 Stat. 900) is  
15 amended by striking “2018” and inserting “2023”.

16 **SEC. 7113. CONTINUING ANIMAL HEALTH AND DISEASE RE-**  
17 **SEARCH PROGRAMS.**

18           Section 1433(c)(1) of the National Agricultural Re-  
19 search, Extension, and Teaching Policy Act of 1977 (7  
20 U.S.C. 3195(c)(1)) is amended by striking “2018” and  
21 inserting “2023”.

1 **SEC. 7114. EXTENSION AT 1890 LAND-GRANT COLLEGES, IN-**  
2 **CLUDING TUSKEGEE UNIVERSITY; REPORT.**

3 Section 1444 of the National Agricultural Research,  
4 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
5 3221) is amended—

6 (1) in subsection (a), by striking paragraph (4);

7 and

8 (2) by adding at the end the following:

9 “(g) REPORT.—The Secretary shall annually submit  
10 to Congress a report describing the allocations made to,  
11 and matching funds received by—

12 “(1) eligible institutions under this section; and

13 “(2) institutions designated under the Act of  
14 July 2, 1862 (commonly known as the ‘First Morrill  
15 Act’) (12 Stat. 503, chapter 130; 7 U.S.C. 301 et  
16 seq.).”.

17 **SEC. 7115. REPORT ON AGRICULTURAL RESEARCH AT 1890**  
18 **LAND-GRANT COLLEGES, INCLUDING**  
19 **TUSKEGEE UNIVERSITY.**

20 Section 1445 of the National Agricultural Research,  
21 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
22 3222) is amended by adding at the end the following:

23 “(i) REPORT.—The Secretary shall annually submit  
24 to Congress a report describing the allocations made to,  
25 and matching funds received by—

26 “(1) eligible institutions under this section; and

1           “(2) institutions designated under the Act of  
2           July 2, 1862 (commonly known as the ‘First Morrill  
3           Act’) (12 Stat. 503, chapter 130; 7 U.S.C. 301 et  
4           seq.).”.

5 **SEC. 7116. GRANTS TO UPGRADE AGRICULTURAL AND**  
6           **FOOD SCIENCES FACILITIES AT 1890 LAND-**  
7           **GRANT COLLEGES, INCLUDING TUSKEGEE**  
8           **UNIVERSITY.**

9           Section 1447(b) of the National Agricultural Re-  
10          search, Extension, and Teaching Policy Act of 1977 (7  
11          U.S.C. 3222b(b)) is amended by striking “2018” and in-  
12          serting “2023”.

13 **SEC. 7117. GRANTS TO UPGRADE AGRICULTURE AND FOOD**  
14           **SCIENCES FACILITIES AND EQUIPMENT AT**  
15           **INSULAR AREA LAND-GRANT INSTITUTIONS.**

16          Section 1447B(d) of the National Agricultural Re-  
17          search, Extension, and Teaching Policy Act of 1977 (7  
18          U.S.C. 3222b–2(d)) is amended by striking “2018” and  
19          inserting “2023”.

20 **SEC. 7118. NEW BEGINNING FOR TRIBAL STUDENTS.**

21          Subtitle G of the National Agricultural Research, Ex-  
22          tension, and Teaching Policy Act of 1977 (7 U.S.C. 3221  
23          et seq.) is amended by adding at the end the following:



1 **“SEC. 1450. NEW BEGINNING FOR TRIBAL STUDENTS.**

2 “(a) DEFINITION OF TRIBAL STUDENT.—In this sec-  
3 tion, the term ‘Tribal student’ means a student at a land-  
4 grant college or university that is a member of an Indian  
5 tribe (as defined in section 4 of the Indian Self-Deter-  
6 mination and Education Assistance Act (25 U.S.C.  
7 5304)).

8 “(b) NEW BEGINNING INITIATIVE.—

9 “(1) AUTHORIZATION.—The Secretary may  
10 make competitive grants to land-grant colleges and  
11 universities to provide identifiable support specifi-  
12 cally targeted for Tribal students.

13 “(2) APPLICATION.—A land-grant college or  
14 university that desires to receive a grant under this  
15 section shall submit an application to the Secretary  
16 at such time, in such manner, and accompanied by  
17 such information as the Secretary may require.

18 “(3) USE OF FUNDS.—A land-grant college or  
19 university that receives a grant under this section  
20 shall use the grant funds to support Tribal students  
21 through—

22 “(A) recruiting;

23 “(B) tuition and related fees;

24 “(C) experiential learning; and

25 “(D) student services, including—

26 “(i) tutoring;

1 “(ii) counseling;

2 “(iii) academic advising; and

3 “(iv) other student services that would  
4 increase the retention and graduation rate  
5 of Tribal students enrolled at the land-  
6 grant college or university, as determined  
7 by the Secretary.

8 “(4) MATCHING FUNDS.—A land-grant college  
9 or university that receives a grant under this section  
10 shall provide matching funds toward the cost of car-  
11 rying out the activities described in this section in  
12 an amount equal to not less than 100 percent of the  
13 grant award.

14 “(5) MAXIMUM AMOUNT PER STATE.—No State  
15 shall receive, through grants made under this section  
16 to land-grant colleges and universities located in the  
17 State, more than \$500,000 per year.

18 “(c) REPORT.—Not later than 3 years after the date  
19 of enactment of this section, the Secretary shall submit  
20 to the Committee on Agriculture of the House of Rep-  
21 resentatives and the Committee on Agriculture, Nutrition,  
22 and Forestry and the Committee on Indian Affairs of the  
23 Senate a report that includes an itemized list of grant  
24 funds distributed under this section, including the specific  
25 form of assistance, and the number of Tribal students as-

1 sisted and the graduation rate of Tribal students at land-  
2 grant colleges and universities receiving grants under this  
3 section.

4 “(d) AUTHORIZATION OF APPROPRIATION.—There is  
5 authorized to be appropriated to carry out this section  
6 \$5,000,000 for each of fiscal years 2019 through 2023.”.

7 **SEC. 7119. HISPANIC-SERVING INSTITUTIONS.**

8 Section 1455(c) of the National Agricultural Re-  
9 search, Extension, and Teaching Policy Act of 1977 (7  
10 U.S.C. 3241(c)) is amended by striking “2018” and in-  
11 serting “2023”.

12 **SEC. 7120. BINATIONAL AGRICULTURAL RESEARCH AND**  
13 **DEVELOPMENT.**

14 Section 1458(e) of the National Agricultural Re-  
15 search, Extension, and Teaching Policy Act of 1977 (7  
16 U.S.C. 3291(e)) is amended—

17 (1) in the subsection heading, by striking  
18 “FULL PAYMENT OF FUNDS MADE AVAILABLE FOR  
19 CERTAIN” and inserting “CERTAIN” ;

20 (2) by striking “Notwithstanding” and insert-  
21 ing the following:

22 “(1) FULL PAYMENT OF FUNDS.—Notwith-  
23 standing”;

24 (3) in paragraph (1) (as so designated)—

1 (A) by striking “Israel-United States” and  
2 inserting “United States-Israel”; and

3 (B) by inserting “(referred to in this sub-  
4 section as the ‘BARD Fund’)” after “Develop-  
5 ment Fund”; and

6 (4) by adding at the end the following:

7 “(2) ACTIVITIES.—Activities under the BARD  
8 Fund to promote and support agricultural research  
9 and development that are of mutual benefit to the  
10 United States and Israel shall—

11 “(A) be carried out by the Secretary in a  
12 manner consistent with this section;

13 “(B) accelerate the demonstration, devel-  
14 opment, and application of agricultural solu-  
15 tions resulting from or relating to BARD Fund  
16 programs, including BARD Fund-sponsored re-  
17 search and innovations in drip irrigation, pes-  
18 ticides, aquaculture, livestock, poultry, disease  
19 control, and farm equipment; and

20 “(C) encourage research carried out by  
21 governmental, nongovernmental, and private en-  
22 tities, including through collaboration with col-  
23 leges and universities, research institutions, and  
24 the private sector.”.

1 **SEC. 7121. PARTNERSHIPS TO BUILD CAPACITY IN INTER-**  
2 **NATIONAL AGRICULTURAL RESEARCH, EX-**  
3 **TENSION, AND TEACHING.**

4 The National Agricultural Research, Extension, and  
5 Teaching Policy Act of 1977 is amended by inserting after  
6 section 1458 (7 U.S.C. 3291) the following:

7 **“SEC. 1458A. PARTNERSHIPS TO BUILD CAPACITY IN INTER-**  
8 **NATIONAL AGRICULTURAL RESEARCH, EX-**  
9 **TENSION, AND TEACHING.**

10 “(a) PURPOSE.—The purpose of this section is to  
11 build the capacity, and improve the performance, of cov-  
12 ered Institutions and agricultural higher education institu-  
13 tions in lower and middle income countries performing, or  
14 desiring to perform, activities substantially similar to agri-  
15 cultural research, extension, and teaching activities (re-  
16 ferred to in this section as ‘agricultural higher education  
17 institutions in developing countries’) in order to solve food,  
18 health, nutrition, rural income, and environmental chal-  
19 lenges, especially among chronically food insecure popu-  
20 lations, including by—

21 “(1) promoting partnerships between covered  
22 Institutions and agricultural higher education insti-  
23 tutions in developing countries; and

24 “(2) leveraging the capacity of covered Institu-  
25 tions to partner with agricultural higher education  
26 institutions in developing countries.

1 “(b) DEFINITIONS.—In this section:

2 “(1) 1862 INSTITUTION; 1890 INSTITUTION; 1994  
3 INSTITUTION.—The terms ‘1862 Institution’, ‘1890  
4 Institution’, and ‘1994 Institution’ have the mean-  
5 ings given the terms in section 2 of the Agricultural  
6 Research, Extension, and Education Reform Act of  
7 1998 (7 U.S.C. 7601).

8 “(2) COVERED INSTITUTION.—The term ‘cov-  
9 ered Institution’ means—

10 “(A) an 1862 Institution;

11 “(B) an 1890 Institution;

12 “(C) a 1994 Institution;

13 “(D) an NLGCA Institution;

14 “(E) an Hispanic-serving agricultural col-  
15 lege or university; and

16 “(F) a cooperating forestry school.

17 “(c) AUTHORITY OF THE SECRETARY.—To carry out  
18 the purpose of this section, the Secretary may promote  
19 cooperation and coordination between covered Institutions  
20 and agricultural higher education institutions in devel-  
21 oping countries through—

22 “(1) improving extension by—

23 “(A) encouraging the exchange of research  
24 materials and results between covered Institu-

1           tions and agricultural higher education institu-  
2           tions in developing countries;

3           “(B) facilitating the broad dissemination  
4           of agricultural research through extension; and

5           “(C) assisting with efforts to plan and ini-  
6           tiate extension services in lower and middle in-  
7           come countries;

8           “(2) improving agricultural research by—

9           “(A) in partnership with agricultural high-  
10          er education institutions in developing coun-  
11          tries, encouraging research that addresses prob-  
12          lems affecting food production and security,  
13          human nutrition, agriculture, forestry, livestock,  
14          and fisheries, including local challenges; and

15          “(B) supporting and strengthening na-  
16          tional agricultural research systems in lower  
17          and middle income countries;

18          “(3) supporting the participation of covered In-  
19          stitutions in programs of international organizations,  
20          such as the United Nations, the World Bank, re-  
21          gional development banks, and international agricul-  
22          tural research centers;

23          “(4) improving agricultural teaching and edu-  
24          cation by—

1           “(A) in partnership with agricultural high-  
2           er education institutions in developing coun-  
3           tries, supporting education and teaching relat-  
4           ing to food and agricultural sciences, including  
5           technical assistance, degree training, research  
6           collaborations, classroom instruction, workforce  
7           training, and education programs; and

8           “(B) assisting with efforts to increase stu-  
9           dent capacity, including to encourage equitable  
10          access for women and other underserved popu-  
11          lations, at agricultural higher education institu-  
12          tions in developing countries by promoting part-  
13          nerships with, and improving the capacity of,  
14          covered Institutions;

15          “(5) assisting covered Institutions in strength-  
16          ening their capacity for food, agricultural, and re-  
17          lated research, extension, and teaching programs rel-  
18          evant to agricultural development activities in lower  
19          and middle income countries to promote the applica-  
20          tion of new technology to improve education delivery;

21          “(6) providing support for the internationaliza-  
22          tion of resident instruction programs of covered In-  
23          stitutions;

24          “(7) establishing a program, to be coordinated  
25          by the Director of the National Institute of Food



1 and Agriculture and the Administrator of the For-  
2 eign Agricultural Service, to place interns from cov-  
3 ered Institutions in, or in service to benefit, lower  
4 and middle income countries; and

5 “(8) establishing a program to provide fellow-  
6 ships to students at covered Institutions to study at  
7 foreign agricultural colleges and universities.

8 “(d) ENHANCING LINKAGES.—The Secretary shall  
9 enhance the linkages among covered Institutions, the Fed-  
10 eral Government, international research centers, counter-  
11 part research, extension, and teaching agencies and insti-  
12 tutions in developed countries and developing countries—

13 “(1) to carry out the purpose described in sub-  
14 section (a); and

15 “(2) to make a substantial contribution to the  
16 cause of improved food and agricultural progress  
17 throughout the world.

18 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
19 is authorized to be appropriated to carry out this section  
20 \$10,000,000 for each of fiscal years 2019 through 2023.”.

21 **SEC. 7122. COMPETITIVE GRANTS FOR INTERNATIONAL AG-**  
22 **RICULTURAL SCIENCE AND EDUCATION PRO-**  
23 **GRAMS.**

24 Section 1459A(c)(2) of the National Agricultural Re-  
25 search, Extension, and Teaching Policy Act of 1977 (7

1 U.S.C. 3292b(c)(2)) is amended by striking “2018” and  
2 inserting “2023”.

3 **SEC. 7123. UNIVERSITY RESEARCH.**

4 Section 1463 of the National Agricultural Research,  
5 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
6 3311) is amended by striking “2018” each place it ap-  
7 pears in subsections (a) and (b) and inserting “2023”.

8 **SEC. 7124. EXTENSION SERVICE.**

9 Section 1464 of the National Agricultural Research,  
10 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
11 3312) is amended by striking “2018” and inserting  
12 “2023”.

13 **SEC. 7125. SUPPLEMENTAL AND ALTERNATIVE CROPS;**  
14 **HEMP.**

15 Section 1473D of the National Agricultural Re-  
16 search, Extension, and Teaching Policy Act of 1977 (7  
17 U.S.C. 3319d) is amended—

18 (1) in subsection (a)—

19 (A) by striking “2018” and inserting  
20 “2023”; and

21 (B) by striking “crops,” and inserting  
22 “crops (including canola),”;

23 (2) in subsection (b)—

1 (A) by inserting “for agronomic rotational  
2 purposes and as a habitat for honey bees and  
3 other pollinators” after “alternative crops”; and

4 (B) by striking “commodities whose” and  
5 all that follows through the period at the end  
6 and inserting “commodities.”;

7 (3) in subsection (c)(3)(E), by inserting “(in-  
8 cluding hemp (as defined in section 297A of the Ag-  
9 ricultural Marketing Act of 1946))” after “mate-  
10 rial”; and

11 (4) in subsection (e)(2), by striking “2018” and  
12 inserting “2023”.

13 **SEC. 7126. NEW ERA RURAL TECHNOLOGY PROGRAM.**

14 Section 1473E of the National Agricultural Research,  
15 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
16 3319e) is amended—

17 (1) in subsection (b)(1)(B)—

18 (A) in clause (ii), by striking “and” at the  
19 end;

20 (B) in clause (iii), by striking the period at  
21 the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(iv) precision agriculture.”; and

24 (2) in subsection (d), by striking “2008 through  
25 2012” and inserting “2019 through 2023”.

1 **SEC. 7127. CAPACITY BUILDING GRANTS FOR NLGCA INSTI-**  
2 **TUTIONS.**

3 Section 1473F(b) of the National Agricultural Re-  
4 search, Extension, and Teaching Policy Act of 1977 (7  
5 U.S.C. 3319i(b)) is amended by striking “2018” and in-  
6 serting “2023”.

7 **SEC. 7128. AGRICULTURE ADVANCED RESEARCH AND DE-**  
8 **VELOPMENT AUTHORITY PILOT.**

9 Subtitle K of the National Agricultural Research, Ex-  
10 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3310  
11 et seq.) is amended by adding at the end the following:

12 **“SEC. 1473H. AGRICULTURE ADVANCED RESEARCH AND DE-**  
13 **VELOPMENT AUTHORITY PILOT.**

14 “(a) PURPOSE.—The purpose of this section is to  
15 promote advanced research and development through a  
16 pilot program targeting high-priority research needs for  
17 qualified products and projects, agricultural technologies,  
18 and research tools.

19 “(b) DEFINITIONS.—In this section:

20 “(1) ADVANCED RESEARCH AND DEVELOP-  
21 MENT.—The term ‘advanced research and develop-  
22 ment’ means research and development activities  
23 used to overcome long-term and high-risk research  
24 challenges in agriculture and food through—

25 “(A) targeted acceleration of novel, early  
26 stage innovative agricultural research with

1           promising technology applications and products;

2           or

3           “(B) development of qualified products and  
4           projects, agricultural technologies, or innovative  
5           research tools, which may include—

6                   “(i) prototype testing, preclinical de-  
7                   velopment, or field experimental use;

8                   “(ii) assessing and assisting with  
9                   product approval, clearance, or need for a  
10                  license under—

11                           “(I) the Animal Health Protec-  
12                           tion Act (7 U.S.C. 8301 et seq.);

13                           “(II) the Plant Protection Act (7  
14                           U.S.C. 7701 et seq.); or

15                           “(III) other applicable law; or

16                           “(iii) manufacturing and commer-  
17                           cialization of a product.

18           “(2) AGARDA.—The term ‘AGARDA’ means  
19           the Agriculture Advanced Research and Develop-  
20           ment Authority established by subsection (c)(1).

21           “(3) AGRICULTURAL TECHNOLOGY.—The term  
22           ‘agricultural technology’ means machinery and other  
23           equipment engineered for an applicable and novel  
24           use in agriculture, natural resources, and food relat-

1       ing to the research and development of qualified  
2       products and projects.

3           “(4) DIRECTOR.—The term ‘Director’ means  
4       the Director of the AGARDA.

5           “(5) FUND.—The term ‘Fund’ means the Agri-  
6       culture Advanced Research and Development Fund  
7       established by subsection (e)(1).

8           “(6) OTHER TRANSACTION.—

9           “(A) IN GENERAL.—The term ‘other  
10       transaction’ means a transaction other than a  
11       procurement contract, grant, or cooperative  
12       agreement.

13           “(B) INCLUSION.—The term ‘other trans-  
14       action’ includes a transaction described in sub-  
15       section (c)(6)(A).

16           “(7) PERSON.—The term ‘person’ means—

17           “(A) an individual;

18           “(B) a partnership;

19           “(C) a corporation;

20           “(D) an association;

21           “(E) an entity;

22           “(F) a public or private corporation;

23           “(G) a Federal, State, or local government  
24       agency or department; and

1           “(H) an institution of higher education, in-  
2           cluding a land-grant college or university and a  
3           non-land-grant college of agriculture.

4           “(8) QUALIFIED PRODUCT OR PROJECT.—The  
5           term ‘qualified product or project’ means advanced  
6           research and development of—

7           “(A) engineering, mechanization, or tech-  
8           nology improvements that will address chal-  
9           lenges relating to growing, harvesting, handling,  
10          processing, storing, packing, and distribution of  
11          agricultural products;

12          “(B) plant disease or plant pest recovery  
13          countermeasures to intentional or unintentional  
14          biological or natural threats, including—

15                 “(i) replacement or resistant plant  
16                 cultivars or varieties;

17                 “(ii) other enhanced management  
18                 strategies, including novel chemical, bio-  
19                 logical, or cultural approaches; or

20                 “(iii) diagnostic or surveillance tech-  
21                 nology; and

22          “(C) veterinary countermeasures to inten-  
23          tional or unintentional biological threats (in-  
24          cluding naturally occurring threats), includ-  
25          ing—

1                   “(i) animal vaccine or therapeutic  
2                   products (including anti-infective prod-  
3                   ucts); or

4                   “(ii) diagnostic or surveillance tech-  
5                   nology.

6                   “(9) RESEARCH TOOL.—The term ‘research  
7                   tool’ means a device, technology, procedure, biologi-  
8                   cal material, reagent, computer system, computer  
9                   software, or analytical technique that is developed to  
10                  assist in the discovery, development, or manufacture  
11                  of a qualified product or project.

12                  “(c) AGRICULTURE ADVANCED RESEARCH AND DE-  
13                  VELOPMENT AUTHORITY.—

14                  “(1) ESTABLISHMENT.—There is established  
15                  within the Department of Agriculture the Agri-  
16                  culture Advanced Research and Development Au-  
17                  thority to address long-term and high-risk challenges  
18                  in the development of—

19                         “(A) qualified products and projects;

20                         “(B) agricultural technologies; and

21                         “(C) research tools.

22                  “(2) GOALS.—The goals of the AGARDA are—

23                         “(A) to enhance the economic viability, se-  
24                         curity, and sustainability of agriculture to en-





1                   “(ii) QUALIFICATIONS.—The Director  
2                   shall be an individual who, by reason of  
3                   professional background and experience, is  
4                   especially qualified to advise the Chief Sci-  
5                   entist on, and manage research programs  
6                   addressing, matters pertaining to—

7                                 “(I) advanced research and devel-  
8                                 opment;

9                                 “(II) qualified products and  
10                                projects;

11                               “(III) agricultural technologies;

12                               “(IV) research tools; and

13                               “(V) long-term and high-risk  
14                               challenges relating to the matters de-  
15                               scribed in subclauses (I) through (IV).

16                   “(iii) RELATIONSHIP WITHIN THE DE-  
17                   PARTMENT OF AGRICULTURE.—The Direc-  
18                   tor shall report to the Chief Scientist.

19                   “(4) DUTIES.—To achieve the goals described  
20                   in paragraph (2), the Secretary, acting through the  
21                   Director, shall accelerate advanced research and de-  
22                   velopment by—

23                               “(A) identifying and promoting revolu-  
24                               tionary advances in fundamental sciences;

1           “(B) translating scientific discoveries and  
2 cutting-edge inventions into technological inno-  
3 vations;

4           “(C) incubating and accelerating trans-  
5 formational advances in areas in which industry  
6 by itself is not likely to undertake advanced re-  
7 search and development because of the high-  
8 risk technological or financial uncertainty;

9           “(D) collaborating with Federal agencies,  
10 relevant industries, academia, international  
11 agencies, the Foundation for Food and Agri-  
12 culture Research, and other persons to carry  
13 out the goals described in paragraph (2), in-  
14 cluding convening, at a minimum, annual meet-  
15 ings or working groups to demonstrate the op-  
16 eration and effectiveness of advanced research  
17 and development of qualified products and  
18 projects, agricultural technologies, and research  
19 tools;

20           “(E) conducting ongoing searches for, and  
21 support calls for, potential advanced research  
22 and development of agricultural technologies,  
23 qualified products and projects, and research  
24 tools;

1           “(F) awarding grants and entering into  
2 contracts, cooperative agreements, or other  
3 transactions under paragraph (6) for advanced  
4 research and development of agricultural tech-  
5 nology, qualified products and projects, and re-  
6 search tools;

7           “(G) establishing issue-based multidisci-  
8 plinary discovery teams to reduce the time and  
9 cost of solving specific problems that—

10           “(i) are composed of representatives  
11 from Federal and State agencies, profes-  
12 sional groups, academia, and industry;

13           “(ii) seek novel and effective solutions;  
14 and

15           “(iii) encourage data sharing and  
16 translation of research to field use; and

17           “(H) connecting interested persons with  
18 offices or employees authorized by the Secretary  
19 to advise those persons regarding requirements  
20 under relevant laws that impact the develop-  
21 ment, commercialization, and technology trans-  
22 fer of qualified products and projects, agricul-  
23 tural technologies, and research tools.

24           “(5) PRIORITY.—In awarding grants and enter-  
25 ing into contracts, cooperative agreements, or other

1 transactions under paragraph (4)(F), the Secretary  
2 shall give priority to projects that accelerate the ad-  
3 vanced research and development of—

4 “(A) new technologies to address critical  
5 research needs for specialty crops; and

6 “(B) qualified products and projects that  
7 prevent, protect, and prepare against inten-  
8 tional and unintentional threats to agriculture  
9 and food.

10 “(6) OTHER TRANSACTION AUTHORITIES.—

11 “(A) IN GENERAL.—In carrying out the  
12 pilot program under this section, the Secretary  
13 shall have the authority to enter into other  
14 transactions in the same manner and subject to  
15 the same terms and conditions as transactions  
16 that the Secretary of Defense may enter into  
17 under section 2371 of title 10, United States  
18 Code.

19 “(B) SCOPE.—The authority of the Sec-  
20 retary to enter into contracts, cooperative  
21 agreements, and other transactions under this  
22 subsection shall be in addition to the authorities  
23 under this Act and title I of the Department of  
24 Agriculture and Related Agencies Appropriation  
25 Act, 1964 (7 U.S.C. 3318a), to use contracts,

1 cooperative agreements, and grants in carrying  
2 out the pilot program under this section.

3 “(C) GUIDELINES.—The Secretary shall  
4 establish guidelines regarding the use of the au-  
5 thority under subparagraph (A).

6 “(D) TECHNOLOGY TRANSFER.—In enter-  
7 ing into other transactions, the Secretary may  
8 negotiate terms for technology transfer in the  
9 same manner as a Federal laboratory under  
10 paragraphs (1) through (4) of section 12(b) of  
11 the Stevenson-Wydler Technology Innovation  
12 Act of 1980 (15 U.S.C. 3710a(b)).

13 “(7) AVAILABILITY OF DATA.—

14 “(A) IN GENERAL.—The Secretary shall  
15 require that, as a condition of being awarded a  
16 contract or grant or entering into a cooperative  
17 agreement or other transaction under para-  
18 graph (4)(F), a person shall make available to  
19 the Secretary on an ongoing basis, and submit  
20 to the Secretary on request of the Secretary, all  
21 data relating to or resulting from the activities  
22 carried out by the person pursuant to this sec-  
23 tion.

24 “(B) EXEMPTION FROM DISCLOSURE.—

1                   “(i) IN GENERAL.—This subpara-  
2 graph shall be considered a statute de-  
3 scribed in section 552(b)(3)(B) of title 5,  
4 United States Code.

5                   “(ii) EXEMPTION.—The following in-  
6 formation shall be exempt from disclosure  
7 and withheld from the public:

8                   “(I) Specific technical data or  
9 scientific information that is created  
10 or obtained under this section that re-  
11 veals significant and not otherwise  
12 publicly known vulnerabilities of exist-  
13 ing agriculture and food defenses  
14 against biological, chemical, nuclear,  
15 or radiological threats.

16                   “(II) Trade secrets or commer-  
17 cial or financial information that is  
18 privileged or confidential (within the  
19 meaning of section 552(b)(4) of title  
20 5, United States Code) and obtained  
21 in the conduct of research or as a re-  
22 sult of activities under this section  
23 from a non-Federal party partici-  
24 pating in a contract, grant, coopera-

1                   tive agreement, or other transaction  
2                   under this section.

3                   “(iii) REVIEW.—Information that re-  
4                   sults from research and development ac-  
5                   tivities conducted under this section and  
6                   that would be a trade secret or commercial  
7                   or financial information that is privileged  
8                   or confidential if the information had been  
9                   obtained from a non-Federal party partici-  
10                  pating in a cooperative agreement or other  
11                  transaction shall be withheld from disclo-  
12                  sure under clause (ii) for 5 years.

13                  “(8) MILESTONE-BASED PAYMENTS AL-  
14                  LOWED.—In awarding contracts and grants and en-  
15                  tering into cooperative agreements or other trans-  
16                  actions under paragraph (4)(F), the Secretary  
17                  may—

18                         “(A) use milestone-based awards and pay-  
19                         ments; and

20                         “(B) terminate a project for not meeting  
21                         technical milestones.

22                  “(9) USE OF EXISTING PERSONNEL AUTHORI-  
23                  TIES.—In carrying out this subsection, the Secretary  
24                  may appoint highly qualified individuals to scientific  
25                  or professional positions on the same terms and con-



1       ditions as provided in section 620(b)(4) of the Agri-  
2       cultural Research, Extension, and Education Reform  
3       Act of 1998 (7 U.S.C. 7657(b)(4)).

4           “(10) REPORT AND EVALUATION.—

5               “(A) REPORT.—The Secretary shall sub-  
6       mit to the Committee on Agriculture of the  
7       House of Representatives and the Committee  
8       on Agriculture, Nutrition, and Forestry of the  
9       Senate an annual report examining the actions  
10      undertaken and results generated by the  
11      AGARDA.

12           “(B) EVALUATION.—After the date on  
13      which the AGARDA has been in operation for  
14      3 years, the Comptroller General of the United  
15      States shall conduct an evaluation—

16               “(i) to be completed and submitted to  
17      the Committee on Agriculture of the House  
18      of Representatives and the Committee on  
19      Agriculture, Nutrition, and Forestry of the  
20      Senate not later than 1 year after the date  
21      on which the Comptroller General began  
22      conducting the evaluation;

23               “(ii) describing the extent to which  
24      the AGARDA is achieving the goals de-  
25      scribed in paragraph (2); and

1                   “(iii) including a recommendation on  
2                   whether the AGARDA should be contin-  
3                   ued, terminated, or expanded.

4                   “(d) STRATEGIC PLAN.—

5                   “(1) IN GENERAL.—Not later than 360 days  
6                   after the date of enactment of this section, the Sec-  
7                   retary shall develop and make publically available a  
8                   strategic plan describing the strategic vision that the  
9                   AGARDA shall use—

10                   “(A) to make determinations for future in-  
11                   vestments during the period of effectiveness of  
12                   this section; and

13                   “(B) to achieve the goals described in sub-  
14                   section (c)(2).

15                   “(2) DISSEMINATION.—The Secretary shall  
16                   carry out such activities as the Secretary determines  
17                   to be appropriate to disseminate the information  
18                   contained in the strategic plan under paragraph (1)  
19                   to persons who may have the capacity to substan-  
20                   tially contribute to the activities described in that  
21                   strategic plan.

22                   “(3) COORDINATION; CONSULTATION.—The  
23                   Secretary shall—

24                   “(A) update and coordinate the strategic  
25                   coordination plan under section 221(d)(7) of

1 the Department of Agriculture Reorganization  
2 Act of 1994 with the strategic plan developed  
3 under paragraph (1) for activities relating to  
4 agriculture and food defense countermeasure  
5 development and procurement; and

6 “(B) in developing the strategic plan under  
7 paragraph (1), consult with—

8 “(i) the National Agricultural Re-  
9 search, Extension, Education, and Eco-  
10 nomics Advisory Board established under  
11 section 1408(a);

12 “(ii) the specialty crops committee es-  
13 tablished under section 1408A(a)(1);

14 “(iii) relevant agriculture research  
15 agencies of the Federal Government;

16 “(iv) the National Academies of  
17 Sciences, Engineering, and Medicine;

18 “(v) the National Veterinary Stockpile  
19 Intra-Government Advisory Committee for  
20 Strategic Steering; and

21 “(vi) other appropriate parties, as de-  
22 termined by the Secretary.

23 “(e) FUNDS.—

24 “(1) ESTABLISHMENT.—There is established in  
25 the Treasury the Agriculture Advanced Research

1 and Development Fund, which shall be administered  
2 by the Secretary, acting through the Director—

3 “(A) for the purpose of carrying out this  
4 section; and

5 “(B) in the same manner and subject to  
6 the same terms and conditions as are applicable  
7 to the Secretary of Defense under section 2371  
8 of title 10, United States Code.

9 “(2) DEPOSITS INTO FUND.—

10 “(A) IN GENERAL.—The Secretary, acting  
11 through the Director, may accept and deposit  
12 into the Fund monies received pursuant to cost  
13 recovery or contribution under a contract,  
14 grant, cooperative agreement, or other trans-  
15 action under this section.

16 “(B) CLARIFICATION.—Nothing in this  
17 paragraph authorizes the use of the funds of  
18 the Commodity Credit Corporation to carry out  
19 this section.

20 “(3) FUNDING.—In addition to funds otherwise  
21 deposited in the Fund under paragraph (1) or (2),  
22 there is authorized to be appropriated to the Fund  
23 \$50,000,000 for each of fiscal years 2019 through  
24 2023, to remain available until expended.

1           “(f) TERMINATION OF EFFECTIVENESS.—The au-  
2 thority provided by this section terminates effective Sep-  
3 tember 30, 2023.”.

4 **SEC. 7129. AQUACULTURE ASSISTANCE PROGRAMS.**

5           Section 1477(a)(2) of the National Agricultural Re-  
6 search, Extension, and Teaching Policy Act of 1977 (7  
7 U.S.C. 3324(a)(2)) is amended by striking “2018” and  
8 inserting “2023”.

9 **SEC. 7130. REPEAL OF RANGELAND RESEARCH PROGRAMS.**

10          Subtitle M of the National Agricultural Research,  
11 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
12 3331 et seq.) is repealed.

13 **SEC. 7131. SPECIAL AUTHORIZATION FOR BIOSECURITY**  
14 **PLANNING AND RESPONSE.**

15          Section 1484(a)(2) of the National Agricultural Re-  
16 search, Extension, and Teaching Policy Act of 1977 (7  
17 U.S.C. 3351(a)(2)) is amended by striking “2018” and  
18 inserting “2023”.

19 **SEC. 7132. DISTANCE EDUCATION AND RESIDENT INSTRU-**  
20 **CTION GRANTS PROGRAM FOR INSULAR AREA**  
21 **INSTITUTIONS OF HIGHER EDUCATION.**

22          (a) DISTANCE EDUCATION GRANTS FOR INSULAR  
23 AREAS.—Section 1490(f)(2) of the National Agricultural  
24 Research, Extension, and Teaching Policy Act of 1977 (7

1 U.S.C. 3362(f)(2)) is amended by striking “2018” and in-  
2 serting “2023”.

3 (b) RESIDENT INSTRUCTION GRANTS FOR INSULAR  
4 AREAS.—Section 1491(c)(2) of the National Agricultural  
5 Research, Extension, and Teaching Policy Act of 1977 (7  
6 U.S.C. 3363(c)(2)) is amended by striking “2018” and  
7 inserting “2023”.

8 **SEC. 7133. LIMITATION ON DESIGNATION OF ENTITIES ELI-**  
9 **GIBLE TO RECEIVE FUNDS UNDER A CAPAC-**  
10 **ITY PROGRAM.**

11 Subtitle P of the National Agricultural Research, Ex-  
12 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3371  
13 et seq.) is amended by adding at the end the following:

14 **“SEC. 1493. LIMITATION ON DESIGNATION OF ENTITIES ELI-**  
15 **GIBLE TO RECEIVE FUNDS UNDER A CAPAC-**  
16 **ITY PROGRAM.**

17 “(a) DEFINITION OF CAPACITY PROGRAM.—In this  
18 section, the term ‘capacity program’ means each of the  
19 following agricultural research, extension, education, and  
20 related programs:

21 “(1) The programs for which funds are made  
22 available under subsections (b) and (c) of section 3  
23 of the Smith-Lever Act (7 U.S.C. 343).

1           “(2) The program for which funds are made  
2           available under the Hatch Act of 1887 (7 U.S.C.  
3           361a et seq.).

4           “(3) The program for which funds are made  
5           available under section 1444.

6           “(4) The program for which funds are made  
7           available under section 1445.

8           “(5) The grant program authorized under sec-  
9           tion 1447.

10           “(6) The program for which funds are made  
11           available under Public Law 87-788 (commonly  
12           known as the ‘McIntire-Stennis Cooperative Forestry  
13           Act’) (16 U.S.C. 582a et seq.).

14           “(7) Any other agricultural research, extension,  
15           or education program relating to capacity and infra-  
16           structure, as determined by the Secretary.

17           “(b) LIMITATION.—

18           “(1) IN GENERAL.—Except as provided under  
19           paragraph (2), and notwithstanding any other provi-  
20           sion of law, no additional entity designated after the  
21           date of enactment of this section shall be eligible to  
22           receive funds under a capacity program.

23           “(2) EXCEPTIONS.—

24           “(A) 1994 INSTITUTIONS.—Paragraph (1)  
25           shall not apply in the case of a designation of

1 a 1994 Institution under section 2 of Public  
2 Law 87-788 (commonly known as the  
3 “McIntire-Stennis Cooperative Forestry Act”)  
4 (16 U.S.C. 582a-1).

5 “(B) EXTRAORDINARY CIRCUMSTANCES.—  
6 In the case of extraordinary circumstances or a  
7 situation that would lead to an inequitable re-  
8 sult, as determined by the Secretary, the Sec-  
9 retary may determine that an entity designated  
10 after the date of enactment of this section is el-  
11 igible to receive funds under a capacity pro-  
12 gram.

13 “(c) NO INCREASE IN STATE FUNDING.—No State  
14 shall receive an increase in the amount of capacity pro-  
15 gram funding as a result of the designation of additional  
16 entities as eligible to receive funds under a capacity pro-  
17 gram.”.

18 **SEC. 7134. SCHOLARSHIP PROGRAM FOR STUDENTS AT-**  
19 **TENDING 1890 INSTITUTIONS.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) The Act of August 30, 1890 (commonly  
22 known as the “Second Morrill Act”) (26 Stat. 417,  
23 chapter 841; 7 U.S.C. 321 et seq.), brought about  
24 the establishment of the following 19 public, Afri-  
25 can-American land-grant colleges and universities:



- 1 (A) Alabama A&M University.
- 2 (B) Alcorn State University.
- 3 (C) Central State University.
- 4 (D) Delaware State University.
- 5 (E) Florida A&M University.
- 6 (F) Fort Valley State University.
- 7 (G) Kentucky State University.
- 8 (H) Langston University.
- 9 (I) Lincoln University.
- 10 (J) North Carolina A&T State University.
- 11 (K) Prairie View A&M University.
- 12 (L) South Carolina State University.
- 13 (M) Southern University System.
- 14 (N) Tennessee State University.
- 15 (O) Tuskegee University.
- 16 (P) University of Arkansas Pine Bluff.
- 17 (Q) University of Maryland Eastern Shore.
- 18 (R) Virginia State University.
- 19 (S) West Virginia State University.

20 (2) Funding for agricultural education, re-  
21 search, and extension at the colleges and universities  
22 described in paragraph (1) is authorized to be ap-  
23 propriated to the Department of Agriculture with  
24 each farm bill, which is enacted approximately every  
25 5 years.

1           (3) The Agricultural Act of 2014 (Public Law  
2           113–79; 128 Stat. 649) authorizes the appropriation  
3           of Federal funds for research, education, and exten-  
4           sion activities at the colleges and universities de-  
5           scribed in paragraph (1) and the Agriculture, Rural  
6           Development, Food and Drug Administration, and  
7           Related Agencies Appropriations Act, 2016 (Public  
8           Law 114–113; 129 Stat. 2245) appropriated  
9           \$19,000,000 for education grants for the colleges  
10          and universities described in paragraph (1).

11          (4) There is a great need to increase the num-  
12          ber of young African-Americans seeking careers in  
13          the food and agricultural sciences (as defined in sec-  
14          tion 1404 of the National Agricultural Research,  
15          Extension, and Teaching Policy Act of 1977 (7  
16          U.S.C. 3103)), including agribusiness, food produc-  
17          tion, distribution, and retailing, the clothing indus-  
18          tries, energy and renewable fuels, and farming mar-  
19          keting, finance, and distribution.

20          (5) Scholarship funding provided to increase  
21          the number of young African-American individuals  
22          seeking a career in the food and agricultural  
23          sciences shall be provided with the caveat that those  
24          scholarship students shall commit to pursue a career  
25          in the food and agricultural sciences, including agri-

1 business, food production, distribution, and retailing,  
2 the clothing industries, energy and renewable fuels,  
3 and farming marketing, finance, and distribution.

4 (6) The average age of farmers and producers  
5 in the United States is 60 years of age and con-  
6 tinues to rise.

7 (7) Beginning farmers and ranchers (as defined  
8 in section 7405 of the Farm Security and Rural In-  
9 vestment Act of 2002 (7 U.S.C. 3319f)) need great-  
10 er assistance in the financing of their education be-  
11 cause of the increased startup costs associated with  
12 farming, such as the purchase of land and farming  
13 equipment.

14 (b) PURPOSES.—The purposes of this section and the  
15 amendment made by this section are—

16 (1) to address the national crisis posed by the  
17 aging farmer and producer population in the United  
18 States;

19 (2) to increase the number of young African-  
20 American individuals seeking a career in the food  
21 and agricultural sciences (as defined in section 1404  
22 of the National Agricultural Research, Extension,  
23 and Teaching Policy Act of 1977 (7 U.S.C. 3103)),  
24 including careers in agribusiness, food production,  
25 distribution, and retailing, the clothing industries,

1 energy and renewable fuels, and farming marketing,  
2 finance, and distribution;

3 (3) to reduce the average age of farmers and  
4 producers in the United States;

5 (4) to provide greater assistance to beginning  
6 farmers and ranchers (as defined in section 7405 of  
7 Farm Security and Rural Investment Act of 2002 (7  
8 U.S.C. 3319f)); and

9 (5) to provide scholarships to 1890 land-grant  
10 students seeking careers in the food and agricultural  
11 sciences.

12 (c) SCHOLARSHIP PROGRAM FOR STUDENTS AT-  
13 TENDING 1890-INSTITUTIONS.—Subtitle G of the Na-  
14 tional Agricultural Research, Extension, and Teaching  
15 Policy Act of 1977 (7 U.S.C. 3221 et seq.) (as amended  
16 by section 7118) is amended by adding at the end the fol-  
17 lowing:

18 **“SEC. 1451. SCHOLARSHIPS FOR STUDENTS AT 1890 LAND-**  
19 **GRANT COLLEGES, INCLUDING TUSKEGEE**  
20 **UNIVERSITY.**

21 “(a) IN GENERAL.—The Secretary shall establish a  
22 grant program under which the Secretary shall award a  
23 grant to each 1890 Institution (as defined in section 2  
24 of the Agricultural Research, Extension, and Education  
25 Reform Act of 1998 (7 U.S.C. 7601)) (referred to in this

1 section as an ‘eligible institution’), to award scholarships  
2 to individuals who—

3 “(1) seek to attend the eligible institution; and

4 “(2) intend to pursue a career in the food and  
5 agricultural sciences, including a career in agri-  
6 business, food production, distribution, and retailing,  
7 the clothing industries, energy and renewable fuels,  
8 and farming marketing, finance, and distribution.

9 “(b) FUNDING.—

10 “(1) AUTHORIZATION OF APPROPRIATIONS.—

11 There is authorized to be appropriated to carry out  
12 this section \$19,000,000 for each of fiscal years  
13 2019 through 2023.

14 “(2) ALLOCATION.—Of the funds made avail-  
15 able under paragraph (1) for a fiscal year, the Sec-  
16 retary shall allocate to each eligible institution  
17 \$1,000,000.”.

18 **Subtitle B—Food, Agriculture, Con-**  
19 **servation, and Trade Act of 1990**

20 **SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICA-**  
21 **TIONS.**

22 Section 1624 of the Food, Agriculture, Conservation,  
23 and Trade Act of 1990 (7 U.S.C. 5814) is amended in  
24 the first sentence by striking “2018” and inserting  
25 “2023”.

1 **SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.**

2 Section 1627(d) of the Food, Agriculture, Conserva-  
3 tion, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amend-  
4 ed by striking “2018” and inserting “2023”.

5 **SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**  
6 **VELOPMENT AND TRANSFER PROGRAM.**

7 Section 1628(f)(2) of the Food, Agriculture, Con-  
8 servation, and Trade Act of 1990 (7 U.S.C. 5831(f)(2))  
9 is amended by striking “2018” and inserting “2023”.

10 **SEC. 7204. NATIONAL TRAINING PROGRAM.**

11 Section 1629(i) of the Food, Agriculture, Conserva-  
12 tion, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amend-  
13 ed by striking “2018” and inserting “2023”.

14 **SEC. 7205. NATIONAL STRATEGIC GERMPLOSM AND**  
15 **CULTIVAR COLLECTION ASSESSMENT AND**  
16 **UTILIZATION PLAN.**

17 (a) IN GENERAL.—Section 1632(d) of the Food, Ag-  
18 riculture, Conservation, and Trade Act of 1990 (7 U.S.C.  
19 5841(d)) is amended—

20 (1) in paragraph (5), by striking “and” at the  
21 end;

22 (2) by redesignating paragraph (6) as para-  
23 graph (7); and

24 (3) by inserting after paragraph (5) the fol-  
25 lowing:



1 (B) in the second sentence of paragraph  
2 (1) (as so designated), by striking “The advi-  
3 sory” and inserting the following:

4 “(2) MEMBERSHIP.—The advisory”;

5 (C) in paragraph (2) (as so designated), by  
6 striking “nine” and inserting “13”; and

7 (D) by adding at the end the following:

8 “(3) RECOMMENDATIONS.—

9 “(A) IN GENERAL.—In making rec-  
10 ommendations under paragraph (1), the advi-  
11 sory council shall include recommendations  
12 on—

13 “(i) the state of public cultivar devel-  
14 opment, including—

15 “(I) an analysis of existing  
16 cultivar research investments;

17 “(II) the research gaps relating  
18 to the development of cultivars across  
19 a diverse range of crops; and

20 “(III) an assessment of the state  
21 of commercialization of federally fund-  
22 ed cultivars;

23 “(ii) the training and resources need-  
24 ed to meet future breeding challenges;



1                   “(iii) the appropriate levels of Federal  
2                   funding for cultivar development for under-  
3                   served crops and geographic areas; and

4                   “(iv) the development of the plan de-  
5                   scribed in section 1632(d)(6).”; and

6                   (2) in subsection (c)—

7                   (A) in paragraph (1)—

8                   (i) by striking “Two-thirds” and in-  
9                   serting “6”; and

10                   (ii) by inserting “economics and pol-  
11                   icy,” after “agricultural sciences,”;

12                   (B) in paragraph (2)—

13                   (i) by striking “One-third” and insert-  
14                   ing “3”; and

15                   (ii) by inserting “community develop-  
16                   ment,” after “public policy,”; and

17                   (C) by adding at the end the following:

18                   “(3) 4 of the members shall be appointed from  
19                   among individuals with expertise in public cultivar  
20                   and animal breed development.

21                   “(4) 4 of the members shall be appointed from  
22                   among individuals representing—

23                   “(A) 1862 Institutions (as defined in sec-  
24                   tion 2 of the Agricultural Research, Extension,

1 and Education Reform Act of 1998 (7 U.S.C.  
2 7601));

3 “(B) 1890 Institutions (as defined in sec-  
4 tion 2 of the Agricultural Research, Extension,  
5 and Education Reform Act of 1998 (7 U.S.C.  
6 7601));

7 “(C) eligible institutions (as defined in sec-  
8 tion 502(a) of the Higher Education Act of  
9 1965 (20 U.S.C. 1101a(a))); or

10 “(D) 1994 Institutions (as defined in sec-  
11 tion 532 of the Equity in Educational Land-  
12 Grant Status Act of 1994 (7 U.S.C. 301 note;  
13 Public Law 103–382)).”.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
15 1635(b)(2) of the Food, Agriculture, Conservation, and  
16 Trade Act of 1990 (7 U.S.C. 5844(b)(2)) is amended by  
17 striking “2018” and inserting “2023”.

18 **SEC. 7207. NATIONAL AGRICULTURAL WEATHER INFORMA-**  
19 **TION SYSTEM.**

20 Section 1641(c) of the Food, Agriculture, Conserva-  
21 tion, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amend-  
22 ed by striking “2018” and inserting “2023”.

1 **SEC. 7208. AGRICULTURAL GENOME TO PHENOME INITIA-**  
2 **TIVE.**

3 Section 1671 of the Food, Agriculture, Conservation,  
4 and Trade Act of 1990 (7 U.S.C. 5924) is amended—

5 (1) in the section heading, by inserting “**TO**  
6 **PHENOME**” after “**GENOME**”;

7 (2) by striking subsection (a) and inserting the  
8 following:

9 “(a) GOALS.—The goals of this section are—

10 “(1) to expand knowledge concerning genomes  
11 and phenomes of crops and animals of importance to  
12 the agriculture sector of the United States;

13 “(2) to understand how variable weather, envi-  
14 ronments, and production systems impact the  
15 growth and productivity of specific varieties of crops  
16 and species of animals in order to provide greater  
17 accuracy in predicting crop and animal performance  
18 under variable conditions;

19 “(3) to support research that leverages plant  
20 and animal genomic information with phenotypic  
21 and environmental data through an interdisciplinary  
22 framework, leading to a novel understanding of  
23 plant and animal processes that affect growth, pro-  
24 ductivity, and the ability to predict performance,  
25 which will result in the deployment of superior vari-  
26 eties and species to producers and improved crop

1 and animal management recommendations for farm-  
2 ers and ranchers;

3 “(4) to catalyze and coordinate research that  
4 links genomics and predictive phenomics at different  
5 sites across the United States to achieve advances in  
6 crops and animals that generate societal benefits;

7 “(5) to combine fields such as genetics,  
8 genomics, plant physiology, agronomy, climatology,  
9 and crop modeling with computation and  
10 informatics, statistics, and engineering;

11 “(6) to combine fields such as genetics,  
12 genomics, animal physiology, meat science, animal  
13 nutrition, and veterinary science with computation  
14 and informatics, statistics, and engineering;

15 “(7) to focus on crops and animals that will  
16 yield scientifically important results that will en-  
17 hance the usefulness of many other crops and ani-  
18 mals;

19 “(8) to build on genomic research, such as the  
20 Plant Genome Research Project and the National  
21 Animal Genome Research Program, to understand  
22 gene function in production environments that is ex-  
23 pected to have considerable returns for crops and  
24 animals of importance to the agriculture of the  
25 United States;

1           “(9) to develop improved data analytics to en-  
2           hance understanding of the biological function of  
3           genes;

4           “(10) to allow resources developed under this  
5           section, including data, software, germplasm, and  
6           other biological materials, to be openly accessible to  
7           all persons, subject to any confidentiality require-  
8           ments imposed by law; and

9           “(11) to encourage international partnerships  
10          with each partner country responsible for financing  
11          its own research.”;

12          (3) by striking subsection (b) and inserting the  
13          following:

14          “(b) DUTIES OF SECRETARY.—The Secretary of Ag-  
15          riculture (referred to in this section as the ‘Secretary’)  
16          shall conduct a research initiative, to be known as the ‘Ag-  
17          ricultural Genome to Phenome Initiative’, for the purpose  
18          of—

19                 “(1) studying agriculturally significant crops  
20                 and animals in production environments to achieve  
21                 sustainable and secure agricultural production;

22                 “(2) ensuring that current gaps in existing  
23                 knowledge of agricultural crop and animal genetics  
24                 and phenomics are filled;

1           “(3) identifying and developing a functional un-  
2           derstanding of relevant genes from animals and  
3           agronomically relevant genes from crops that are of  
4           importance to the agriculture sector of the United  
5           States;

6           “(4) ensuring future genetic improvement of  
7           crops and animals of importance to the agriculture  
8           sector of the United States;

9           “(5) studying the relevance of diverse  
10          germplasm as a source of unique genes that may be  
11          of importance in the future;

12          “(6) enhancing genetics to reduce the economic  
13          impact of pathogens on crops and animals of impor-  
14          tance to the agriculture sector of the United States;

15          “(7) disseminating findings to relevant audi-  
16          ences; and

17          “(8) otherwise carrying out this section.”;

18          (4) in subsection (c)(1), by inserting “, acting  
19          through the National Institute of Food and Agri-  
20          culture,” after “The Secretary”;

21          (5) in subsection (e), by inserting “to  
22          Phenome” after “Genome”; and

23          (6) by adding at the end the following:



1           “(E) producing grasses that aid in miti-  
2           gating soil erosion, protect against pollutant  
3           runoff into waterways, and provide other envi-  
4           ronmental benefits;

5           “(F) investigating, preserving, and pro-  
6           tecting native plant species, including grasses  
7           not currently used in turf systems;

8           “(G) creating systems for more economical  
9           and viable turfgrass seed and sod production  
10          throughout the United States; and

11          “(H) investigating the turfgrass  
12          phytobiome and developing biologic products to  
13          enhance soil, enrich plants, and mitigate pests.

14          “(12) NUTRIENT MANAGEMENT.—Research and  
15          extension grants may be made under this section for  
16          the purposes of examining nutrient management  
17          based on the source, rate, timing, and placement of  
18          crop nutrients.

19          “(13) MACADAMIA TREE HEALTH INITIATIVE.—  
20          Research and extension grants may be made under  
21          this section for the purposes of—

22                 “(A) developing and disseminating science-  
23                 based tools and treatments to combat the maca-  
24                 damia felted coccid (*Eriococcus ironsidei*); and



1           “(B) establishing an areawide integrated  
2           pest management program in areas affected by,  
3           or areas at risk of being affected by, the maca-  
4           damia felted coccid (*Eriococcus ironsidei*).

5           “(14) CHRONIC WASTING DISEASE.—Research  
6           and extension grants may be made under this sec-  
7           tion for the purposes of supporting research projects  
8           at land-grant colleges and universities (as defined in  
9           section 1404 of the National Agricultural Research,  
10          Extension, and Teaching Policy Act of 1977 (7  
11          U.S.C. 3103)) with established deer research pro-  
12          grams for the purposes of treating, mitigating, or  
13          eliminating chronic wasting disease in free-ranging  
14          white-tailed deer populations.”.

15          (b) PULSE CROP HEALTH INITIATIVE.—Section  
16          1672(e)(5) of the Food, Agriculture, Conservation, and  
17          Trade Act of 1990 (7 U.S.C. 5925(e)(5)) is amended by  
18          striking “2018” and inserting “2023”.

19          (c) TRAINING COORDINATION FOR FOOD AND AGRI-  
20          CULTURE PROTECTION.—Section 1672(f)(5) of the Food,  
21          Agriculture, Conservation, and Trade Act of 1990 (7  
22          U.S.C. 5925(f)(5)) is amended by striking “2018” and in-  
23          serting “2023”.

1 (d) POLLINATOR PROTECTION.—Section 1672(g) of  
2 the Food, Agriculture, Conservation, and Trade Act of  
3 1990 (7 U.S.C. 5925(g)) is amended—

4 (1) in paragraphs (1)(B), (2)(B), and (3), by  
5 striking “2018” each place it appears and inserting  
6 “2023”;

7 (2) by redesignating paragraphs (4) and (5) as  
8 paragraphs (5) and (7), respectively;

9 (3) by inserting after paragraph (3) the fol-  
10 lowing:

11 “(4) POLLINATOR HEALTH TASK FORCE.—

12 “(A) IN GENERAL.—Not later than 180  
13 days after the date of enactment of the Agri-  
14 culture Improvement Act of 2018, the Sec-  
15 retary, in consultation with the Administrator  
16 of the Environmental Protection Agency (re-  
17 ferred to in this paragraph as the ‘Adminis-  
18 trator’), shall reconstitute the Pollinator Health  
19 Task Force (referred to in this paragraph as  
20 the ‘Task Force’) to carry out the purposes de-  
21 scribed in subparagraph (B).

22 “(B) PURPOSES.—The Task Force shall—

23 “(i) address issues relating to polli-  
24 nator health and disease, pollinator popu-

1                   lation decline, and Federal pollinator pro-  
2                   tection activities; and

3                   “(ii) ensure effective implementation  
4                   of the 2015 National Pollinator Health  
5                   Strategy, as modified under subparagraph  
6                   (D)(i).

7                   “(C) COMPOSITION.—

8                   “(i) CO-CHAIRS.—The Secretary and  
9                   the Administrator shall serve as co-chairs  
10                  of the Task Force.

11                  “(ii) MEMBERS.—

12                  “(I) IN GENERAL.—The Task  
13                  Force shall be composed of not less  
14                  than 15 members, each of whom shall  
15                  be appointed by the Secretary, in con-  
16                  sultation with the Administrator.

17                  “(II) MEMBERS.—The members  
18                  of the Task Force—

19                  “(aa) shall include a quali-  
20                  fied representative from each  
21                  of—

22                  “(AA) the Department  
23                  of State;

24                  “(BB) the Department  
25                  of Defense;

1 “(CC) the Department  
2 of the Interior;

3 “(DD) the Department  
4 of Housing and Urban De-  
5 velopment;

6 “(EE) the Department  
7 of Transportation;

8 “(FF) the Department  
9 of Energy;

10 “(GG) the Department  
11 of Education;

12 “(HH) the Council on  
13 Environmental Quality;

14 “(II) the Domestic Pol-  
15 icy Council;

16 “(JJ) the General Serv-  
17 ices Administration;

18 “(KK) the National  
19 Science Foundation;

20 “(LL) the National Se-  
21 curity Council;

22 “(MM) the Office of  
23 Management and Budget;

24 “(NN) the Food and  
25 Drug Administration; and

1 “(OO) the Office of  
2 Science and Technology Pol-  
3 icy; and

4 “(bb) may include—

5 “(AA) 1 or more quali-  
6 fied representatives from  
7 any other Federal depart-  
8 ment, agency, or office, as  
9 determined by the Secretary  
10 and the Administrator; and

11 “(BB) 1 or more non-  
12 governmental individuals  
13 that possess adequate sci-  
14 entific credentials to make  
15 meaningful contributions to  
16 the activities of the Task  
17 Force, as determined by the  
18 Secretary and the Adminis-  
19 trator.

20 “(D) DUTIES.—The Task Force shall—

21 “(i) review and modify the 2015 Na-  
22 tional Pollinator Health Strategy to reflect  
23 the evolving science on which it is based;

1                   “(ii) implement the 2015 National  
2                   Pollinator Health Strategy as modified  
3                   under clause (i);

4                   “(iii) ensure that Federal resources  
5                   are used effectively to improve pollinator  
6                   habitat and health;

7                   “(iv) engage in regular collaboration  
8                   with the Department of Agriculture, other  
9                   governmental and institutional entities,  
10                  and private persons to leverage Federal  
11                  funding to create public-private partner-  
12                  ships that will achieve the long-term im-  
13                  provement of pollinator habitat and health,  
14                  consistent with the 2016 Pollinator Part-  
15                  nership Action Plan; and

16                  “(v) not later than 180 days after the  
17                  date of enactment of the Agriculture Im-  
18                  provement Act of 2018, host a joint sum-  
19                  mit of the Department of Agriculture and  
20                  the Environmental Protection Agency on  
21                  crop protection tools that examines—

22                               “(I) the science relating to the  
23                               impact of crop protection tools on pol-  
24                               linators;

687

1                   “(II) the techniques used to miti-  
2                   gate the impact of crop protection  
3                   tools; and

4                   “(III) the gaps in research relat-  
5                   ing to crop protection tools.

6                   “(E) ANNUAL REPORT.—Not later than  
7                   December 31 of each year, the Task Force shall  
8                   submit a report—

9                   “(i) to—

10                   “(I) the Secretary;

11                   “(II) the Administrator;

12                   “(III) the Committee on Agri-  
13                   culture of the House of Representa-  
14                   tives; and

15                   “(IV) the Committee on Agri-  
16                   culture, Nutrition, and Forestry of  
17                   the Senate; and

18                   “(ii) that describes—

19                   “(I) the work carried out by the  
20                   Task Force under subparagraph (D);  
21                   and

22                   “(II) the recommendations of the  
23                   Task Force for the next steps that  
24                   should be taken to carry out the pur-

1                   poses described in subparagraph  
2                   (B).”;

3                   (4) by inserting after paragraph (5) (as so re-  
4 designated) the following:

5                   “(6) ENHANCED COORDINATION OF HONEYBEE  
6 AND POLLINATOR RESEARCH.—

7                   “(A) IN GENERAL.—The Chief Scientist  
8 shall coordinate research, education, and eco-  
9 nomic activities in the Department of Agri-  
10 culture relating to native and managed polli-  
11 nator health.

12                   “(B) DUTIES.—To carry out subparagraph  
13 (A), the Chief Scientist shall—

14                   “(i) assign an individual to serve in  
15 the Office of the Chief Scientist as a Hon-  
16 eybee and Pollinator Research Coordinator,  
17 who—

18                   “(I) may be—

19                   “(aa) an employee of the  
20 Department of Agriculture at the  
21 time of appointment; and

22                   “(bb) a detailee from the re-  
23 search, economics, and education  
24 mission area; and



1                   “(II) shall be responsible for  
2                   leading the efforts of the Chief Sci-  
3                   entist in carrying out subparagraph  
4                   (A);

5                   “(ii) implement the pollinator health  
6                   research efforts described in the 2015 re-  
7                   port of the Pollinator Health Task Force  
8                   entitled ‘Pollinator Research Action Plan’;

9                   “(iii) establish annual strategic prior-  
10                  ities and goals for the Department of Agri-  
11                  culture for native and managed pollinator  
12                  research;

13                  “(iv) communicate those priorities and  
14                  goals to each agency in the Department of  
15                  Agriculture, the managed pollinator indus-  
16                  try, and relevant grant recipients under  
17                  programs administered by the Secretary;  
18                  and

19                  “(v) coordinate and identify all re-  
20                  search needed and conducted by the De-  
21                  partment of Agriculture and relevant grant  
22                  recipients under programs administered by  
23                  the Secretary on native and managed polli-  
24                  nator health to ensure consistency and re-  
25                  duce unintended duplication of effort.

1 “(C) POLLINATOR RESEARCH.—

2 “(i) IN GENERAL.—In coordinating  
3 research under subparagraph (A), the  
4 Chief Scientist shall ensure that research  
5 is conducted—

6 “(I) to evaluate the impact of  
7 horticultural and agricultural pest  
8 management practices on native and  
9 managed pollinator colonies in diverse  
10 agro-ecosystems;

11 “(II) to document pesticide resi-  
12 dues—

13 “(aa) that are found in na-  
14 tive and managed pollinator colo-  
15 nies; and

16 “(bb) that are associated  
17 with typical commercial crop pest  
18 management practices;

19 “(III) with respect to native and  
20 managed pollinator colonies visiting  
21 crops for crop pollination or honey  
22 production purposes, to document—

23 “(aa) the strength and  
24 health of those colonies;

1                   “(bb) survival, growth, re-  
2                   production, and production of  
3                   those colonies;

4                   “(cc) pests, pathogens, and  
5                   viruses that affect those colonies;

6                   “(dd) environmental condi-  
7                   tions of those colonies; and

8                   “(ee) any other relevant in-  
9                   formation, as determined by the  
10                  Chief Scientist;

11                  “(IV) to document best manage-  
12                  ment practices and other practices in  
13                  place for managed pollinators and  
14                  crop managers with respect to healthy  
15                  populations of managed pollinators;

16                  “(V) to evaluate the effectiveness  
17                  of—

18                         “(aa) conservation practices  
19                         that target the specific needs of  
20                         native and managed pollinator  
21                         habitats; and

22                         “(bb) incentives that allow  
23                         for the expansion of native and  
24                         managed pollinator forage acre-  
25                         age;

1                   “(VI) in the case of commercially  
2 managed pollinator colonies, to con-  
3 tinue gathering data on—

4                   “(aa) annual colony losses;

5                   “(bb) rising input costs as-  
6 sociated with managing colonies;  
7 and

8                   “(cc) the overall economic  
9 value of commercially managed  
10 pollinators to the food economy;  
11 and

12                   “(VII) relating to any other as-  
13 pect of native and managed polli-  
14 nators, as determined by the Chief  
15 Scientist, in consultation with sci-  
16 entific experts.

17                   “(ii) PUBLIC AVAILABILITY.—The  
18 Chief Scientist shall—

19                   “(I) make publicly available the  
20 results of the research described in  
21 clause (i); and

22                   “(II) in the case of the research  
23 described in clause (i)(VI), imme-  
24 diately publish any data or reports  
25 that were previously produced by the

1 Department of Agriculture but not  
2 made publicly available.”; and

3 (5) in paragraph (7) (as so redesignated)—

4 (A) in the paragraph heading, by inserting  
5 “AND NATIVE AND MANAGED POLLINATORS”  
6 after “DISORDER”; and

7 (B) in subparagraph (C)—

8 (i) by striking “regarding how” and  
9 inserting the following: “regarding—

10 “(i) how”;

11 (ii) in clause (i) (as so designated), by  
12 striking the period at the end and inserting  
13 a semicolon; and

14 (iii) by adding at the end the fol-  
15 lowing:

16 “(ii) the establishment of a suffi-  
17 ciently funded large-scale multiyear field  
18 research project to evaluate the impact of  
19 horticultural and agricultural pest manage-  
20 ment practices on native and managed pol-  
21 linator colonies in diverse agro-ecosystems;  
22 and

23 “(iii) the development of crop-specific  
24 best management practices that balance  
25 the needs of crop managers with the health

1                   of native and managed pollinator colo-  
2                   nies.”.

3           (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 1672(h) of the Food, Agriculture, Conservation, and  
5 Trade Act of 1990 (7 U.S.C. 5925(h)) is amended by  
6 striking “2018” and inserting “2023”.

7 **SEC. 7210. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**  
8 **SION INITIATIVE.**

9           Section 1672B of the Food, Agriculture, Conserva-  
10 tion, and Trade Act of 1990 (7 U.S.C. 5925b) is amend-  
11 ed—

12           (1) in subsection (a)(7), by striking “conserva-  
13 tion” and inserting “conservation, soil health,”; and

14           (2) in subsection (e)—

15           (A) in paragraph (1)—

16           (i) in subparagraph (B), by striking  
17 “and” at the end;

18           (ii) in subparagraph (C), by striking  
19 the period at the end and inserting a semi-  
20 colon; and

21           (iii) by adding at the end the fol-  
22 lowing:

23           “(D) \$40,000,000 for each of fiscal years  
24 2019 and 2020;

25           “(E) \$45,000,000 for fiscal year 2021; and

1 “(F) \$50,000,000 for fiscal year 2022 and  
2 each fiscal year thereafter.”; and

3 (B) in paragraph (2)—

4 (i) in the paragraph heading, by strik-  
5 ing “FOR FISCAL YEARS 2014 THROUGH  
6 2018”; and

7 (ii) by striking “2018” and inserting  
8 “2023”.

9 **SEC. 7211. FARM BUSINESS MANAGEMENT.**

10 Section 1672D(d)(2) of the Food, Agriculture, Con-  
11 servation, and Trade Act of 1990 (7 U.S.C. 5925f(d)(2))  
12 is amended by striking “2018” and inserting “2023”.

13 **SEC. 7212. URBAN, INDOOR, AND OTHER EMERGING AGRI-  
14 CULTURAL PRODUCTION RESEARCH, EDU-  
15 CATION, AND EXTENSION INITIATIVE.**

16 (a) IN GENERAL.—The Food, Agriculture, Conserva-  
17 tion, and Trade Act of 1990 is amended by inserting after  
18 section 1672D (7 U.S.C. 5925f) the following:

19 **“SEC. 1672E. URBAN, INDOOR, AND OTHER EMERGING AG-  
20 RICULTURAL PRODUCTION RESEARCH, EDU-  
21 CATION, AND EXTENSION INITIATIVE.**

22 “(a) COMPETITIVE RESEARCH AND EXTENSION  
23 GRANTS AUTHORIZED.—In consultation with the Urban  
24 Agriculture and Innovative Production Advisory Com-  
25 mittee established under section 222(b) of the Department

1 of Agriculture Reorganization Act of 1994, the Secretary  
2 may make competitive grants to support research, edu-  
3 cation, and extension activities for the purposes of enhanc-  
4 ing urban, indoor, and other emerging agricultural pro-  
5 duction by—

6           “(1) facilitating the development of urban, in-  
7           door, and other emerging agricultural production,  
8           harvesting, transportation, aggregation, packaging,  
9           distribution, and markets;

10           “(2) assessing and developing strategies to re-  
11           mediate contaminated sites;

12           “(3) determining and developing the best pro-  
13           duction management and integrated pest manage-  
14           ment practices;

15           “(4) assessing the impacts of shipping and  
16           transportation on nutritional value;

17           “(5) identifying and promoting the horti-  
18           cultural, social, and economic factors that contribute  
19           to successful urban, indoor, and other emerging ag-  
20           ricultural production;

21           “(6) analyzing the means by which new agricul-  
22           tural sites are determined, including an evaluation of  
23           soil quality, condition of a building, or local commu-  
24           nity needs;



1           “(7) exploring new and innovative technologies  
2           that minimize energy, lighting systems, water, and  
3           other inputs for increased food production;

4           “(8) examining building material efficiencies  
5           and structural upgrades for the purpose of opti-  
6           mizing growth of agricultural products;

7           “(9) studying and developing new crop varieties  
8           and innovative agricultural products to connect to  
9           new markets; or

10           “(10) examining the impacts of crop exposure  
11           to urban elements on environmental quality and food  
12           safety.

13           “(b) GRANT TYPES AND PROCESS.—Subparagraphs  
14 (A) through (E) of paragraph (4), paragraph (7), and  
15 paragraph (11)(B) of subsection (b) of the Competitive,  
16 Special, and Facilities Research Grant Act (7 U.S.C.  
17 3157) shall apply with respect to the making of grants  
18 under this section.

19           “(c) PRIORITY.—The Secretary may give priority to  
20 grant proposals that involve—

21           “(1) the cooperation of multiple entities; or

22           “(2) States or regions with a high concentration  
23 of or significant interest in urban farms, rooftop  
24 farms, and indoor production facilities.

25           “(d) FUNDING.—

1           “(1) MANDATORY FUNDING.—Of the funds of  
2           the Commodity Credit Corporation, the Secretary  
3           shall use to carry out this section \$4,000,000 for  
4           each of fiscal years 2019 through 2023, to remain  
5           available until expended.

6           “(2) AUTHORIZATION OF APPROPRIATIONS.—In  
7           addition to amounts made available under paragraph  
8           (1), there is authorized to be appropriated to carry  
9           out this section \$10,000,000 for each of fiscal years  
10          2019 through 2023.”.

11          (b) DATA COLLECTION ON URBAN, INDOOR, AND  
12          EMERGING AGRICULTURAL PRODUCTION.—

13           (1) IN GENERAL.—Not later than 360 days  
14           after the date of enactment of this Act, the Sec-  
15           retary shall conduct as a follow-on study to the cen-  
16           sus of agriculture conducted in the calendar year  
17           2017 under section 2 of the Census of Agriculture  
18           Act of 1997 (7 U.S.C. 2204g) a census of urban, in-  
19           door, and other emerging agricultural production, in-  
20           cluding information about—

21                   (A) community gardens and farms located  
22                   in urban areas, suburbs, and urban clusters;

23                   (B) rooftop farms, outdoor vertical produc-  
24                   tion, and green walls;

1 (C) indoor farms, greenhouses, and high-  
2 tech vertical technology farms;

3 (D) hydroponic, aeroponic, and aquaponic  
4 farm facilities; and

5 (E) other innovations in agricultural pro-  
6 duction, as determined by the Secretary.

7 (2) AUTHORIZATION OF APPROPRIATIONS.—

8 There is authorized to be appropriated to carry out  
9 this subsection \$14,000,000 for the period of fiscal  
10 years 2019 through 2021.

11 **SEC. 7213. CENTERS OF EXCELLENCE AT 1890 INSTITU-**  
12 **TIONS.**

13 Section 1673 of the Food, Agriculture, Conservation,  
14 and Trade Act of 1990 (7 U.S.C. 5926) is amended by  
15 adding at the end the following:

16 “(d) CENTERS OF EXCELLENCE AT 1890S INSTITU-  
17 TIONS.—

18 “(1) ESTABLISHMENT.—The Secretary shall es-  
19 tablish not less than 3 centers of excellence, each led  
20 by an 1890 Institution (as defined in section 2 of  
21 the Agricultural Research, Extension, and Education  
22 Reform Act of 1998 (7 U.S.C. 7601)), to focus on  
23 1 or more of the areas described in paragraph (2).

24 “(2) AREAS OF FOCUS.—

1                   “(A) STUDENT SUCCESS AND WORKFORCE  
2                   DEVELOPMENT.—A center of excellence estab-  
3                   lished under paragraph (1) may engage in ac-  
4                   tivities to ensure that students have the skills  
5                   and education needed to work in agriculture  
6                   and food industries, agriculture science, tech-  
7                   nology, engineering, mathematics, and related  
8                   fields of study.

9                   “(B) NUTRITION, HEALTH, WELLNESS,  
10                  AND QUALITY OF LIFE.—A center of excellence  
11                  established under paragraph (1) may carry out  
12                  research, education, and extension programs  
13                  that increase access to healthy food, improve  
14                  nutrition, mitigate preventive disease, and de-  
15                  velop strategies to assist limited resource indi-  
16                  viduals in accessing health and nutrition re-  
17                  sources.

18                  “(C) FARMING SYSTEMS, RURAL PROS-  
19                  PERITY, AND ECONOMIC SUSTAINABILITY.—A  
20                  center of excellence established under para-  
21                  graph (1) may share best practices with farm-  
22                  ers to improve agricultural production, proc-  
23                  essing, and marketing, reduce urban food  
24                  deserts, examine new uses for traditional and  
25                  nontraditional crops, animals, and natural re-

1 sources, and continue activities carried out by  
2 the Center of Innovative and Sustainable Small  
3 Farms, Ranches, and Forest Lands.

4 “(D) GLOBAL FOOD SECURITY AND DE-  
5 FENSE.—A center of excellence established  
6 under paragraph (1) may engage in inter-  
7 national partnerships that strengthen agricul-  
8 tural development in developing countries, part-  
9 ner with international researchers regarding  
10 new and emerging animal and plant pests and  
11 diseases, engage in agricultural disaster recov-  
12 ery, and continue activities carried out by the  
13 Center for International Engagement.

14 “(E) NATURAL RESOURCES, ENERGY, AND  
15 ENVIRONMENT.—A center of excellence estab-  
16 lished under paragraph (1) may focus on pro-  
17 tecting and managing domestic natural re-  
18 sources for current and future production of  
19 food and agricultural products.

20 “(F) EMERGING TECHNOLOGIES.—A cen-  
21 ter of excellence established under paragraph  
22 (1) may focus on the development of emerging  
23 technologies to increase agricultural produc-  
24 tivity, enhance small farm economic viability,  
25 and improve rural communities by developing

1 genetic and sensor technologies for food and ag-  
2 riculture and providing technology training to  
3 farmers.

4 “(3) REPORT.—Not later than 1 year after the  
5 date of enactment of the Agriculture Improvement  
6 Act of 2018, and every year thereafter, the Sec-  
7 retary shall submit to the Committee on Agriculture  
8 of the House of Representatives and the Committee  
9 on Agriculture, Nutrition, and Forestry of the Sen-  
10 ate a report describing—

11 “(A) the resources invested in the centers  
12 of excellence established under paragraph (1);  
13 and

14 “(B) the work being done by those centers  
15 of excellence.

16 “(4) AUTHORIZATION OF APPROPRIATIONS.—  
17 There is authorized to be appropriated to carry out  
18 this subsection \$10,000,000 for each of fiscal years  
19 2019 through 2023.”.

20 **SEC. 7214. ASSISTIVE TECHNOLOGY PROGRAM FOR FARM-**  
21 **ERS WITH DISABILITIES.**

22 Section 1680(c)(1)(B) of the Food, Agriculture, Con-  
23 servation, and Trade Act of 1990 (7 U.S.C.  
24 5933(c)(1)(B)) is amended by striking “2018” and insert-  
25 ing “2023”.

1 **SEC. 7215. NATIONAL RURAL INFORMATION CENTER**  
2 **CLEARINGHOUSE.**

3 Section 2381(e) of the Food, Agriculture, Conserva-  
4 tion, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is  
5 amended by striking “2018” and inserting “2023”.

6 **Subtitle C—Agricultural Research,**  
7 **Extension, and Education Re-**  
8 **form Act of 1998**

9 **SEC. 7301. NATIONAL FOOD SAFETY TRAINING, EDUCATION,**  
10 **EXTENSION, OUTREACH, AND TECHNICAL AS-**  
11 **SISTANCE PROGRAM.**

12 Section 405(j) of the Agricultural Research, Exten-  
13 sion, and Education Reform Act of 1998 (7 U.S.C.  
14 7625(j)) is amended by striking “there are authorized”  
15 and all that follows through the period at the end and  
16 inserting “there is authorized to be appropriated  
17 \$10,000,000 for each of fiscal years 2019 through 2023.”.

18 **SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EX-**  
19 **TENSION COMPETITIVE GRANTS PROGRAM.**

20 Section 406(e) of the Agricultural Research, Exten-  
21 sion, and Education Reform Act of 1998 (7 U.S.C.  
22 7626(e)) is amended by striking “2018” and inserting  
23 “2023”.

1 **SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES**  
2 **OF WHEAT, TRITICALE, AND BARLEY CAUSED**  
3 **BY FUSARIUM GRAMINEARUM OR BY**  
4 **TILLETIA INDICA.**

5 Section 408(e) of the Agricultural Research, Exten-  
6 sion, and Education Reform Act of 1998 (7 U.S.C.  
7 7628(e)) is amended—

8 (1) in paragraph (1), by striking “and” at the  
9 end;

10 (2) in paragraph (2), by striking the period at  
11 the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(3) \$15,000,000 for each of fiscal years 2019  
14 through 2023.”.

15 **SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.**

16 Section 410(d)(2) of the Agricultural Research, Ex-  
17 tension, and Education Reform Act of 1998 (7 U.S.C.  
18 7630(d)(2)) is amended by striking “2018” and inserting  
19 “2023”.

20 **SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.**

21 (a) **INDUSTRY NEEDS.**—Section 412(b) of the Agri-  
22 cultural Research, Extension, and Education Reform Act  
23 of 1998 (7 U.S.C. 7632(b)) is amended—

24 (1) in paragraph (1)—



1 (A) by redesignating subparagraphs (B)  
2 through (E) as subparagraphs (C) through (F);  
3 and

4 (B) by inserting after subparagraph (A)  
5 the following:

6 “(B) size-controlling rootstock systems for  
7 perennial crops;”;

8 (2) in paragraph (2), by striking “including  
9 threats to specialty crop pollinators;” and inserting  
10 the following: “such as—

11 “(A) threats to specialty crop pollinators;

12 “(B) emerging and invasive species; and

13 “(C) a more effective understanding and  
14 utilization of existing natural enemy com-  
15 plexes;”;

16 (3) in paragraph (3)—

17 (A) by striking “efforts to improve” and  
18 inserting the following: “efforts—

19 “(A) to improve”;

20 (B) in subparagraph (A) (as so des-  
21 ignated), by adding “and” at the end; and

22 (C) by adding at the end the following:

23 “(B) to achieve a better understanding  
24 of—

25 “(i) the soil rhizosphere microbiome;

1                   “(ii) pesticide application systems and  
2                   certified drift-reduction technologies; and

3                   “(iii) systems to improve and extend  
4                   the storage life of specialty crops;”; and

5                   (4) in paragraph (4), by striking “including im-  
6                   proved mechanization and technologies that delay or  
7                   inhibit ripening; and” and inserting the following:

8                   “such as—

9                   “(A) mechanization and automation of  
10                  labor-intensive tasks in production and proc-  
11                  essing;

12                  “(B) technologies that delay or inhibit rip-  
13                  ening;

14                  “(C) decision support systems driven by  
15                  phenology and environmental factors;

16                  “(D) improved monitoring systems for ag-  
17                  ricultural pests; and

18                  “(E) effective systems for preharvest and  
19                  postharvest management of quarantine pests;  
20                  and”.

21                  (b) FUNDING.—Section 412(k) of the Agricultural  
22                  Research, Extension, and Education Reform Act of 1998  
23                  (7 U.S.C. 7632(k)) is amended—

24                  (1) in paragraph (2)—

1 (A) in the paragraph heading, by striking  
2 “FOR FISCAL YEARS 2014 THROUGH 2018”;

3 (B) by striking “In addition” and inserting  
4 the following:

5 “(A) IN GENERAL.—In addition”; and

6 (C) in subparagraph (A) (as so des-  
7 ignated), by striking “2018” and inserting  
8 “2023”;

9 (2) by redesignating paragraph (3) as subpara-  
10 graph (B) of paragraph (2) and indenting appro-  
11 priately; and

12 (3) by redesignating paragraphs (4) and (5) as  
13 paragraphs (3) and (4), respectively.

14 **SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE**  
15 **PROGRAM.**

16 Section 604(e) of the Agricultural Research, Exten-  
17 sion, and Education Reform Act of 1998 (7 U.S.C.  
18 7642(e)) is amended by striking “2018” and inserting  
19 “2023”.

20 **SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.**

21 Section 614(f)(2) of the Agricultural Research, Ex-  
22 tension, and Education Reform Act of 1998 (7 U.S.C.  
23 7653(f)(2)) is amended by striking “2018” and inserting  
24 “2023”.

1 **SEC. 7308. FORESTRY PRODUCTS ADVANCED UTILIZATION**  
2 **RESEARCH.**

3 Section 617(f)(1) of the Agricultural Research, Ex-  
4 tension, and Education Reform Act of 1998 (7 U.S.C.  
5 7655b(f)(1)) is amended by striking “2018” and inserting  
6 “2023”.

7 **Subtitle D—Other Laws**

8 **SEC. 7401. CRITICAL AGRICULTURAL MATERIALS ACT.**

9 (a) HEMP RESEARCH.—Section 5(b)(9) of the Crit-  
10 ical Agricultural Materials Act (7 U.S.C. 178c(b)(9)) is  
11 amended by inserting “, and including hemp (as defined  
12 in section 297A of the Agricultural Marketing Act of  
13 1946)” after “hydrocarbon-containing plants”.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
15 16(a)(2) of the Critical Agricultural Materials Act (7  
16 U.S.C. 178n(a)(2)) is amended by striking “2018” and  
17 inserting “2023”.

18 **SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS**  
19 **ACT OF 1994.**

20 (a) DEFINITION OF 1994 INSTITUTION.—

21 (1) IN GENERAL.—Section 532 of the Equity in  
22 Educational Land-Grant Status Act of 1994 (7  
23 U.S.C. 301 note; Public Law 103–382) is amend-  
24 ed—

25 (A) by striking paragraph (11);

1 (B) by redesignating paragraphs (12)  
2 through (23) and (25) through (35) as para-  
3 graphs (11) through (22) and (26) through  
4 (36), respectively;

5 (C) in paragraph (20) (as so redesignated),  
6 by striking “College” and inserting “Univer-  
7 sity”;

8 (D) by inserting after paragraph (22) (as  
9 so redesignated) the following:  
10 “(23) Nueta Hidatsa Sahnish College.”; and

11 (E) by inserting after paragraph (24) the  
12 following:  
13 “(25) Red Lake Nation College.”.

14 (2) EFFECTIVE DATE.—The amendments made  
15 by paragraph (1) take effect on October 1, 2018.

16 (b) ENDOWMENT FOR 1994 INSTITUTIONS.—Section  
17 533(b) of the Equity in Educational Land-Grant Status  
18 Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)  
19 is amended in the first sentence by striking “2018” and  
20 inserting “2023”.

21 (c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—  
22 Section 535 of the Equity in Educational Land-Grant Sta-  
23 tus Act of 1994 (7 U.S.C. 301 note; Public Law 103–  
24 382) is amended by striking “2018” each place it appears  
25 in subsections (b)(1) and (c) and inserting “2023”.

1 (d) RESEARCH GRANTS.—Section 536(c) of the Eq-  
2 uity in Educational Land-Grant Status Act of 1994 (7  
3 U.S.C. 301 note; Public Law 103–382) is amended in the  
4 first sentence by striking “2018” and inserting “2023”.

5 **SEC. 7403. RESEARCH FACILITIES ACT.**

6 Section 6(a) of the Research Facilities Act (7 U.S.C.  
7 390d(a)) is amended by striking “2018” and inserting  
8 “2023”.

9 **SEC. 7404. AGRICULTURAL AND FOOD RESEARCH INITIA-**  
10 **TIVE.**

11 Subsection (b) of the Competitive, Special, and Fa-  
12 cilities Research Grant Act (7 U.S.C. 3157(b)) is amend-  
13 ed—

14 (1) in paragraph (2)—

15 (A) in subparagraph (D)—

16 (i) in clause (vi), by striking “and” at  
17 the end;

18 (ii) in clause (vii), by striking the pe-  
19 riod at the end and inserting “; and”; and

20 (iii) by adding at the end the fol-  
21 lowing:

22 “(viii) soil health.”; and

23 (B) in subparagraph (E)—

24 (i) in clause (iii), by striking “and” at  
25 the end;

1 (ii) in clause (iv), by striking the pe-  
2 riod at the end and inserting “; and”;

3 (iii) by adding at the end the fol-  
4 lowing:

5 “(v) automation or mechanization in  
6 the production and distribution of specialty  
7 crops, with a focus on labor-intensive  
8 tasks.”;

9 (2) in paragraph (6)—

10 (A) in subparagraph (D), by striking  
11 “and” at the end;

12 (B) in subparagraph (E), by striking the  
13 period at the end and inserting “; and”;

14 (C) by adding at the end the following:

15 “(F) to an institution to carry out collabo-  
16 ration in biomedical and agricultural research  
17 using existing research models.”; and

18 (3) in paragraph (11)(A), in the matter pre-  
19 ceding clause (i), by striking “2018” and inserting  
20 “2023”.

21 **SEC. 7405. EXTENSION DESIGN AND DEMONSTRATION INI-**  
22 **TIATIVE.**

23 (a) IN GENERAL.—The Competitive, Special, and Fa-  
24 cilities Research Grant Act (7 U.S.C. 3157) is amended  
25 by inserting after subsection (c) the following:

1           “(d) EXTENSION DESIGN AND DEMONSTRATION INI-  
2 TLATIVE.—

3           “(1) PURPOSE.—The purpose of this subsection  
4 is to encourage the design of adaptive prototype sys-  
5 tems for extension and education that seek to ad-  
6 vance the application, translation, and demonstra-  
7 tion of scientific discoveries and other agricultural  
8 research for the adoption and understanding of food,  
9 agricultural, and natural resources practices, tech-  
10 niques, methods, and technologies using digital or  
11 other novel platforms.

12           “(2) GRANTS.—The Secretary shall award  
13 grants on a competitive basis—

14           “(A) for the design of 1 or more extension  
15 and education prototype systems—

16           “(i) that leverage digital platforms or  
17 other novel means of translating, deliv-  
18 ering, or demonstrating agricultural re-  
19 search; and

20           “(ii) to adapt, apply, translate, or  
21 demonstrate scientific findings, data, tech-  
22 nology, and other research outcomes to  
23 producers, the agricultural industry, and  
24 other interested persons or organizations;  
25 and



1           “(B) to demonstrate, by incorporating ana-  
2           lytics and specific metrics, the value, impact,  
3           and return on the Federal investment of a pro-  
4           totype system designed under subparagraph (A)  
5           as a model for use by other eligible entities de-  
6           scribed in paragraph (3) for improving, mod-  
7           ernizing, and adapting applied research, dem-  
8           onstration, and extension services.

9           “(3) ELIGIBLE ENTITIES.—An entity that is el-  
10          igible to receive a grant under paragraph (2) is—

11           “(A) a State agricultural experiment sta-  
12          tion; and

13           “(B) a land-grant college or university (as  
14          defined in section 1404 of the National Agricul-  
15          tural Research, Extension, and Teaching Policy  
16          Act of 1977 (7 U.S.C. 3103)).

17           “(4) REQUIREMENT.—The Secretary shall  
18          award grants under paragraph (2) to not fewer than  
19          2 and not more than 5 eligible entities described in  
20          paragraph (3) that represent a diversity of regions,  
21          commodities, and agricultural or food production  
22          issues.

23           “(5) TERM.—The term of a grant awarded  
24          under paragraph (2) shall be not longer than 5  
25          years.

1           “(6) AUTHORIZATION OF APPROPRIATIONS.—

2           There is authorized to be appropriated to carry out  
3           this subsection \$5,000,000 for each of fiscal years  
4           2019 through 2023, to remain available until ex-  
5           pended.”.

6           (b) TECHNICAL AND CONFORMING AMENDMENTS.—

7           The Competitive, Special, and Facilities Research Grant  
8           Act (7 U.S.C. 3157) is amended—

9           (1) in subsection (c)(2), by striking “sub-  
10           section—” in the matter preceding subparagraph  
11           (A) and all that follows through “for the planning”  
12           in subparagraph (B) and inserting “subsection for  
13           the planning”; and

14           (2) in subsection (h), by inserting “, (d),” after  
15           “subsections (b)”.

16   **SEC. 7406. RENEWABLE RESOURCES EXTENSION ACT OF**  
17                                   **1978.**

18           (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
19           6 of the Renewable Resources Extension Act of 1978 (16  
20           U.S.C. 1675) is amended in the first sentence by striking  
21           “2018” and inserting “2023”.

22           (b) TERMINATION DATE.—Section 8 of the Renew-  
23           able Resources Extension Act of 1978 (16 U.S.C. 1671  
24           note; Public Law 95–306) is amended by striking “2018”  
25           and inserting “2023”.

1 **SEC. 7407. NATIONAL AQUACULTURE ACT OF 1980.**

2 Section 10 of the National Aquaculture Act of 1980  
3 (16 U.S.C. 2809) is amended by striking “2018” each  
4 place it appears and inserting “2023”.

5 **SEC. 7408. REPEAL OF REVIEW OF AGRICULTURAL RE-**  
6 **SEARCH SERVICE.**

7 Section 7404 of the Farm Security and Rural Invest-  
8 ment Act of 2002 (7 U.S.C. 3101 note; Public Law 107–  
9 171) is repealed.

10 **SEC. 7409. BIOMASS RESEARCH AND DEVELOPMENT.**

11 Section 9008 of the Farm Security and Rural Invest-  
12 ment Act of 2002 (7 U.S.C. 8108) is amended—

13 (1) in subsection (a)(1)—

14 (A) in subparagraph (A), by striking “or”  
15 at the end;

16 (B) in subparagraph (B), by striking the  
17 period at the end and inserting “; or”; and

18 (C) by adding at the end the following:

19 “(C) carbon dioxide that—

20 “(i) is intended for permanent seques-  
21 tration or utilization; and

22 “(ii) is a byproduct of the production  
23 of the products described in subparagraphs  
24 (A) and (B).”;

25 (2) in subsection (d)(2)(A)—

1 (A) in clause (xii), by striking “and” at  
2 the end;

3 (B) by redesignating clause (xiii) as clause  
4 (xiv); and

5 (C) by inserting after clause (xii) the fol-  
6 lowing:

7 “(xiii) an individual with expertise in  
8 carbon dioxide capture, utilization, and se-  
9 questration; and”;

10 (3) in subsection (e)—

11 (A) in paragraph (2)(B)—

12 (i) in clause (ii), by striking “and” at  
13 the end; and

14 (ii) by adding at the end the fol-  
15 lowing:

16 “(iv) to permanently sequester or uti-  
17 lize carbon dioxide that is produced as a  
18 byproduct of the production of biobased  
19 products; and”; and

20 (B) in paragraph (3)(B)—

21 (i) in clause (i), by striking “and” at  
22 the end;

23 (ii) in clause (ii), by striking the pe-  
24 riod at the end and inserting “; and”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(iii) the development of technologies  
4 to permanently sequester or utilize carbon  
5 dioxide that is produced as a byproduct of  
6 the production of biobased products.”; and

7 (4) in subsection (h)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (D), by striking  
10 “and” at the end;

11 (ii) in subparagraph (E), by striking  
12 the period at the end and inserting “;  
13 and”; and

14 (iii) by adding at the end the fol-  
15 lowing:

16 “(F) \$3,000,000 for each of fiscal years  
17 2019 through 2023.”; and

18 (B) in paragraph (2), by striking “2018”  
19 and inserting “2023”.

20 **SEC. 7410. REINSTATEMENT OF MATCHING REQUIREMENT**  
21 **FOR FEDERAL FUNDS USED IN EXTENSION**  
22 **WORK AT THE UNIVERSITY OF THE DISTRICT**  
23 **OF COLUMBIA.**

24 (a) IN GENERAL.—Section 208(c) of the District of  
25 Columbia Public Postsecondary Education Reorganization

1 Act (88 Stat. 1428; sec. 38–1202.09(e), D.C. Official  
2 Code) is amended by inserting after the first sentence the  
3 following: “Such sums may be used to pay not more than  
4  $\frac{1}{2}$  of the total cost of providing such extension work.”.

5 (b) EFFECTIVE DATE.—The amendment made by  
6 subsection (a) shall take effect on October 1, 2018.

7 **SEC. 7411. ENHANCED USE LEASE AUTHORITY PILOT PRO-**  
8 **GRAM.**

9 Section 308 of the Federal Crop Insurance Reform  
10 and Department of Agriculture Reorganization Act of  
11 1994 (7 U.S.C. 3125a note; Public Law 103–354) is  
12 amended—

13 (1) in subsection (b)(6)(A), by striking “10  
14 years” and inserting “15 years”; and

15 (2) in subsection (d)(2), in the matter pre-  
16 ceding subparagraph (A), by striking “6, 8, and 10  
17 years” and inserting “13 years”.

18 **SEC. 7412. TRANSFER OF ADMINISTRATIVE JURISDICTION**  
19 **OVER PORTION OF HENRY A. WALLACE**  
20 **BELTSVILLE AGRICULTURAL RESEARCH**  
21 **CENTER, BELTSVILLE, MARYLAND.**

22 (a) TRANSFER AUTHORIZED.—Subject to subsection  
23 (e), the Secretary may transfer to the Secretary of the  
24 Treasury administrative jurisdiction over a parcel of real  
25 property at the Henry A. Wallace Beltsville Agricultural

1 Research Center consisting of approximately 100 acres,  
2 which was originally acquired by the United States  
3 through land acquisitions in 1910 and 1925, and is gen-  
4 erally located off of Poultry Road lying between Powder  
5 Mill Road and Odell Road in Beltsville, Maryland, for the  
6 purpose of facilitating the establishment of Bureau of En-  
7 graving and Printing facilities on the parcel.

8 (b) LEGAL DESCRIPTION AND MAP.—

9 (1) PREPARATION.—The Secretary shall pre-  
10 pare a legal description and map of the parcel of  
11 real property to be transferred under subsection (a).

12 (2) FORCE OF LAW.—The legal description and  
13 map prepared under paragraph (1) shall have the  
14 same force and effect as if included in this Act, ex-  
15 cept that the Secretary may correct errors in the  
16 legal description and map.

17 (c) TERMS AND CONDITIONS.—The transfer of ad-  
18 ministrative jurisdiction under subsection (a) shall be sub-  
19 ject to easements, valid existing rights, and such other res-  
20 ervations, terms, and conditions as the Secretary considers  
21 to be necessary.

22 (d) WAIVER.—The parcel of real property under sub-  
23 section (a) is exempt from Federal screening for other pos-  
24 sible use due to an identified Federal need for the parcel  
25 as the site of Bureau of Engraving and Printing facilities.

1 (e) CONDITIONS FOR TRANSFER.—As a condition of  
2 the transfer of administrative jurisdiction under sub-  
3 section (a), the Secretary of the Treasury shall agree to  
4 pay the Secretary the costs incurred to carry out the  
5 transfer of administrative jurisdiction under subsection  
6 (a), including the costs for—

7 (1) any environmental or administrative anal-  
8 ysis required by law with respect to the parcel to be  
9 transferred under subsection (a);

10 (2) a survey, if needed; and

11 (3) any hazardous substances assessment of the  
12 parcel to be transferred under subsection (a).

13 (f) HAZARDOUS MATERIALS.—

14 (1) IN GENERAL.—For the parcel to be trans-  
15 ferred under subsection (a), the Secretary shall meet  
16 the applicable disclosure requirements relating to  
17 hazardous substances.

18 (2) REMEDIATION.—The Secretary shall not be  
19 required to remediate or abate any hazardous sub-  
20 stances disclosed under paragraph (1) or any other  
21 hazardous pollutants, contaminants, or waste that  
22 may be present at or on the parcel on the date of  
23 the transfer of administrative jurisdiction under sub-  
24 section (a).



1 **SEC. 7413. FOUNDATION FOR FOOD AND AGRICULTURE RE-**  
2 **SEARCH.**

3 Section 7601 of the Agricultural Act of 2014 (7  
4 U.S.C. 5939) is amended—

5 (1) in subsection (d)(1)(D), by inserting “and  
6 agriculture stakeholders” after “community”;

7 (2) in subsection (e)—

8 (A) in paragraph (2)(C)(ii)(I), by inserting  
9 “agriculture or” before “agricultural research”;

10 and

11 (B) in paragraph (4)(A)—

12 (i) in clause (iii), by striking “and” at  
13 the end;

14 (ii) by redesignating clause (iv) as  
15 clause (v); and

16 (iii) by inserting after clause (iii) the  
17 following:

18 “(iv) actively solicit and accept funds,  
19 gifts, grants, devises, or bequests of real or  
20 personal property made to the Foundation,  
21 including from private entities; and”;

22 (3) in subsection (f)—

23 (A) in paragraph (2)(A)(iii), by striking  
24 “any”; and

25 (B) in paragraph (3)(B)—

26 (i) in clause (i)(I)—

## 722

1 (I) in the matter preceding item  
2 (aa), by inserting “and post online”  
3 before “a report”;

4 (II) in item (aa), by striking “ac-  
5 complishments; and” and inserting  
6 “accomplishments and how those ac-  
7 tivities align to the challenges identi-  
8 fied in the strategic plan under clause  
9 (iv);”;

10 (III) in item (bb), by striking the  
11 period at the end and inserting “;  
12 and”; and

13 (IV) by adding at the end the fol-  
14 lowing:

15 “(cc) a description of avail-  
16 able agricultural research pro-  
17 grams and priorities for the up-  
18 coming fiscal year.”; and

19 (ii) by adding at the end the fol-  
20 lowing:

21 “(iii) STAKEHOLDER NOTICE.—The  
22 Foundation shall publish an annual notice  
23 with a description of agricultural research  
24 priorities under this section for the upcom-  
25 ing fiscal year, including—

1                   “(I) a schedule for funding com-  
2 petitions;

3                   “(II) a discussion of how applica-  
4 tions for funding will be evaluated;  
5 and

6                   “(III) how the Foundation will  
7 communicate information about fund-  
8 ed awards to the public to ensure that  
9 grantees and partners understand the  
10 objectives of the Foundation.

11                  “(iv) STRATEGIC PLAN.—Not later  
12 than 1 year after the date of enactment of  
13 the Agriculture Improvement Act of 2018,  
14 the Foundation shall submit to the Com-  
15 mittee on Agriculture of the House of Rep-  
16 resentatives and the Committee on Agri-  
17 culture, Nutrition, and Forestry of the  
18 Senate a strategic plan describing a path  
19 for the Foundation to become self-sus-  
20 taining, including—

21                   “(I) a forecast of major agricul-  
22 tural challenge opportunities identified  
23 by the scientific advisory councils of  
24 the Foundation and approved by the

1 Board, including short- and long-term  
2 objectives;

3 “(II) an overview of the efforts  
4 that the Foundation will take to be  
5 transparent in each of the processes  
6 of the Foundation, including—

7 “(aa) processes relating to  
8 grant awards, including the selec-  
9 tion, review, and notification  
10 processes;

11 “(bb) communication of  
12 past, current, and future re-  
13 search priorities; and

14 “(cc) plans to solicit and re-  
15 spond to public input on the op-  
16 portunities identified in the stra-  
17 tegic plan;

18 “(III) a description of financial  
19 goals and benchmarks for the next 10  
20 years, including a detailed plan for  
21 raising funds in amounts greater than  
22 the amounts required under this sec-  
23 tion; and

24 “(IV) other related issues, as de-  
25 termined by the Board.”; and

1 (4) in subsection (g)(1)—

2 (A) in the paragraph heading, by striking  
3 “MANDATORY FUNDING” and inserting “FUND-  
4 ING”;

5 (B) in subparagraph (A)—

6 (i) by striking “On the date” and in-  
7 serting the following:

8 “(i) ESTABLISHMENT FUNDING.—On  
9 the date”; and

10 (ii) by adding at the end the fol-  
11 lowing:

12 “(ii) ENHANCED FUNDING.—On the  
13 date of enactment of the Agriculture Im-  
14 provement Act of 2018, of the funds of the  
15 Commodity Credit Corporation, the Sec-  
16 retary shall transfer to the Foundation to  
17 carry out this section \$200,000,000, to re-  
18 main available until expended.”; and

19 (C) in subparagraph (B)—

20 (i) by striking “The Foundation” and  
21 inserting the following:

22 “(i) IN GENERAL.—The Foundation”;

23 (ii) in clause (i) (as so designated)—

1 (I) by striking “purposes” and  
2 inserting “purposes, duties, and pow-  
3 ers”; and

4 (II) by striking “non-Federal  
5 matching funds for each expenditure”  
6 and inserting “matching funds from a  
7 non-Federal source, including a ge-  
8 neric agricultural commodity pro-  
9 motion, research, and information  
10 program”; and

11 (iii) by adding at the end the fol-  
12 lowing:

13 “(ii) EFFECT.—Nothing in this sec-  
14 tion requires the Foundation to require a  
15 matching contribution from an individual  
16 grantee as a condition of receiving a grant  
17 under this section.”.

18 **SEC. 7414. ASSISTANCE FOR FORESTRY RESEARCH UNDER**  
19 **THE MCINTIRE-STENNIS COOPERATIVE FOR-**  
20 **ESTRY ACT.**

21 Section 2 of Public Law 87-788 (commonly known  
22 as the “McIntire-Stennis Cooperative Forestry Act”) (16  
23 U.S.C. 582a-1) is amended in the second sentence—

24 (1) by striking “and” before “1890 Institu-  
25 tions”; and

1           (2) by inserting “and 1994 Institutions (as de-  
2           fined in section 532 of the Equity in Educational  
3           Land-Grant Status Act of 1994 (7 U.S.C. 301 note;  
4           Public Law 103-382)) that offer an associate’s de-  
5           gree or a baccalaureate degree in forestry,” before  
6           “and (b)”.

7 **SEC. 7415. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.**

8           (a) IN GENERAL.—Section 7606 of the Agricultural  
9 Act of 2014 (7 U.S.C. 5940) is amended—

10           (1) by redesignating subsections (a) and (b) as  
11           subsections (b) and (a), respectively, and moving the  
12           subsections so as to appear in alphabetical order;

13           (2) in subsection (b) (as so redesignated), in  
14           the subsection heading, by striking “IN GENERAL”  
15           and inserting “INDUSTRIAL HEMP RESEARCH”; and

16           (3) by adding at the end the following:

17           “(c) STUDY AND REPORT.—

18           “(1) IN GENERAL.—The Secretary shall con-  
19           duct a study of agricultural pilot programs—

20           “(A) to determine the economic viability of  
21           the domestic production and sale of industrial  
22           hemp; and

23           “(B) that shall include a review of—

24           “(i) each agricultural pilot program;

25           and

1                   “(ii) any other agricultural or aca-  
2                   demic research relating to industrial hemp.

3                   “(2) REPORT.—Not later than 120 days after  
4                   the date of enactment of this subsection, the Sec-  
5                   retary shall submit to Congress a report describing  
6                   the results of the study conducted under paragraph  
7                   (1).”.

8                   (b) REPEAL.—Effective on the date that is 1 year  
9                   after the date on which the Secretary establishes a plan  
10                  under section 297C of the Agricultural Marketing Act of  
11                  1946, section 7606 of the Agricultural Act of 2014 (7  
12                  U.S.C. 5940) is repealed.

13   **SEC. 7416. COLLECTION OF DATA RELATING TO BARLEY**  
14                   **AREA PLANTED AND HARVESTED.**

15                  For all acreage reports published after the date of  
16                  enactment of this Act, the Secretary, acting through the  
17                  Administrator of the National Agricultural Statistics Serv-  
18                  ice, shall include the State of New York in the States sur-  
19                  veyed to produce the table entitled “Barley Area Planted  
20                  and Harvested” in those reports.

21   **SEC. 7417. COLLECTION OF DATA RELATING TO THE SIZE**  
22                   **AND LOCATION OF DAIRY FARMS.**

23                  (a) IN GENERAL.—Not later than 120 days after the  
24                  date of enactment of this Act, the Secretary, acting  
25                  through the Administrator of the Economic Research



1 Service, shall update the report entitled “Changes in the  
2 Size and Location of US Dairy Farms” contained in the  
3 report of the Economic Research Service entitled “Profits,  
4 Costs, and the Changing Structure of Dairy Farming”  
5 and published in September 2007.

6 (b) REQUIREMENT.—In updating the report de-  
7 scribed in subsection (a), the Secretary shall include an  
8 expanded Table 2 of that report containing the full range  
9 of herd sizes that are detailed in Table 1 of that report.

10 **SEC. 7418. AGRICULTURE INNOVATION CENTER DEM-**  
11 **ONSTRATION PROGRAM.**

12 Section 6402 of the Farm Security and Rural Invest-  
13 ment Act of 2002 (7 U.S.C. 1632b) is amended—

14 (1) in subsection (e)(1), by striking “subsection  
15 (i)” and inserting “subsection (h)”;

16 (2) by striking subsection (g);

17 (3) by redesignating subsections (h) and (i) as  
18 subsections (g) and (h), respectively; and

19 (4) in subsection (h) (as so redesignated), by  
20 striking “is authorized” and all that follows through  
21 “2018” and inserting “are authorized to be appro-  
22 priated such sums as are necessary to carry out this  
23 section”.

1 **SEC. 7419. SMITH-LEVER COMMUNITY EXTENSION PRO-**  
2 **GRAM.**

3 (a) IN GENERAL.—Section 3(d) of the Smith-Lever  
4 Act (7 U.S.C. 343(d)) is amended—

5 (1) by striking “The Secretary” and inserting  
6 the following:

7 “(d) ADMINISTRATION, TECHNICAL, AND EXTENSION  
8 SERVICES.—

9 “(1) IN GENERAL.—The Secretary”;

10 (2) in paragraph (1) (as designated by para-  
11 graph (1)), by striking the second sentence; and

12 (3) by adding at the end the following:

13 “(2) COMPETITIVE FUNDING.—The Secretary  
14 of Agriculture may provide funding, on a competitive  
15 basis, to—

16 “(A) a college or university eligible to re-  
17 ceive funds under the Act of August 30, 1890  
18 (7 U.S.C. 321–326a and 328), including  
19 Tuskegee University; or

20 “(B) a 1994 Institution (as defined in sec-  
21 tion 532 of the Equity in Educational Land-  
22 Grant Status Act of 1994 (7 U.S.C. 301 note;  
23 Public Law 103–382)) for—

24 “(i) the Children, Youth, and Families  
25 at Risk funding program under subsection  
26 (b)(3); and

1                   “(ii) the Federally Recognized Tribes  
2                   Extension Program.”.

3           (b) CONFORMING AMENDMENTS.—

4           (1) Section 3(f) of the Smith Lever Act (7  
5           U.S.C. 343(f)) is amended—

6                   (A) by striking “There shall” and inserting  
7           the following:

8                   “(1) IN GENERAL.—There shall”; and

9                   (B) by adding at the end the following:

10                   “(2) EXCEPTION NOT APPLICABLE.—Paragraph  
11           (1) shall not apply to a 1994 Institution receiving  
12           funding under subsection (d)(2)(B) for the Children,  
13           Youth, and Families at Risk funding program under  
14           subsection (b)(3) or for the Federally Recognized  
15           Tribes Extension Program.”.

16           (2) Section 533(a)(2)(A) of the Equity in Edu-  
17           cational Land-Grant Status Act of 1994 (7 U.S.C.  
18           301 note; Public Law 103–382) is amended by strik-  
19           ing clause (ii) and inserting the following:

20                   “(ii) the Smith-Lever Act (7 U.S.C.  
21           341 et seq.), except as provided under—

22                           “(I) section 3(b)(3) of that Act  
23                           (7 U.S.C. 343(b)(3)); or

1 “(II) paragraph (2) of section  
2 3(d) of that Act (7 U.S.C. 343(d));  
3 or”.

4 **Subtitle E—Food, Conservation,  
5 and Energy Act of 2008**

6 **PART I—AGRICULTURAL SECURITY**

7 **SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION  
8 CENTER.**

9 Section 14112(c)(2) of the Food, Conservation, and  
10 Energy Act of 2008 (7 U.S.C. 8912(c)(2)) is amended by  
11 striking “2018” and inserting “2023”.

12 **SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AG-  
13 RICULTURAL BIOSECURITY PLANNING, PREP-  
14 ARATION, AND RESPONSE.**

15 Section 14113 of the Food, Conservation, and En-  
16 ergy Act of 2008 (7 U.S.C. 8913) is amended—

17 (1) in subsection (a)(2)(B), by striking “2018”  
18 and inserting “2023”; and

19 (2) in subsection (b)(2)(B), by striking “2018”  
20 and inserting “2023”.

21 **SEC. 7503. RESEARCH AND DEVELOPMENT OF AGRICUL-  
22 TURAL COUNTERMEASURES.**

23 Section 14121(b)(2) of the Food, Conservation, and  
24 Energy Act of 2008 (7 U.S.C. 8921(b)(2)) is amended by  
25 striking “2018” and inserting “2023”.

1 **SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.**

2 Section 14122(e)(2) of the Food, Conservation, and  
3 Energy Act of 2008 (7 U.S.C. 8922(e)(2)) is amended by  
4 striking “2018” and inserting “2023”.

5 **PART II—MISCELLANEOUS PROVISIONS**

6 **SEC. 7511. FARM AND RANCH STRESS ASSISTANCE NET-**  
7 **WORK.**

8 Section 7522 of the Food, Conservation, and Energy  
9 Act of 2008 (7 U.S.C. 5936) is amended—

10 (1) in subsection (a), by striking “to support  
11 cooperative programs between State cooperative ex-  
12 tension services and nonprofit organizations” and in-  
13 serting “to eligible entities described in subsection  
14 (c)”;

15 (2) in subsection (b)—

16 (A) by striking paragraph (5);

17 (B) by redesignating paragraphs (1)  
18 through (4) as subparagraphs (A) through (D),  
19 respectively, and indenting the subparagraphs  
20 appropriately;

21 (C) by striking subparagraph (B) (as so  
22 redesignated) and inserting the following:

23 “(B) training, including training programs  
24 and workshops, for—

1 “(i) advocates for individuals who are  
2 engaged in farming, ranching, and other  
3 occupations relating to agriculture; and

4 “(ii) other individuals and entities  
5 that may assist individuals who—

6 “(I) are engaged in farming,  
7 ranching, and other occupations relat-  
8 ing to agriculture; and

9 “(II) are in crisis;”;

10 (D) in subparagraph (C) (as so redesign-  
11 nated), by adding “and” after the semicolon at  
12 the end;

13 (E) in subparagraph (D) (as so redesign-  
14 nated), by striking “activities; and” and insert-  
15 ing “activities, including the dissemination of  
16 information and materials; or”;

17 (F) in the matter preceding subparagraph  
18 (A) (as so redesignated), by striking “be used  
19 to initiate” and inserting the following: “be  
20 used—

21 “(1) to initiate”; and

22 (G) by adding at the end the following:

23 “(2) to enter into contracts, on a multiyear  
24 basis, with community-based, direct-service organiza-

1 tions to initiate, expand, or sustain programs de-  
2 scribed in paragraph (1) and subsection (a).”; and

3 (3) by striking subsections (c) and (d) and in-  
4 serting the following:

5 “(c) ELIGIBLE RECIPIENTS.—The Secretary may  
6 award a grant under this section to—

7 “(1) a State department of agriculture;

8 “(2) a State cooperative extension service;

9 “(3) a qualified nonprofit organization, as de-  
10 termined by the Secretary;

11 “(4) an entity providing appropriate services, as  
12 determined by the Secretary, in 1 or more States; or

13 “(5) a partnership carried out by 2 or more en-  
14 tities described in paragraphs (1) through (4).

15 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
16 is authorized to be appropriated to the Secretary to carry  
17 out this section \$10,000,000 for each of fiscal years 2019  
18 through 2023.

19 “(e) REPORT TO CONGRESS.—

20 “(1) IN GENERAL.—Not later than 1 year after  
21 the date of enactment of this subsection, the Sec-  
22 retary, in coordination with the Secretary of Health  
23 and Human Services, shall submit to Congress and  
24 any other relevant Federal department or agency,  
25 and make publicly available, a report describing the

1 state of behavioral and mental health of individuals  
2 who are engaged in farming, ranching, and other oc-  
3 cupations relating to agriculture.

4 “(2) CONTENTS.—The report under paragraph  
5 (1) shall include—

6 “(A) an inventory and assessment of ef-  
7 forts to support the behavioral and mental  
8 health of individuals who are engaged in farm-  
9 ing, ranching, and other occupations relating to  
10 agriculture by—

11 “(i) the Federal Government, States,  
12 and units of local government;

13 “(ii) communities comprised of those  
14 individuals;

15 “(iii) healthcare providers;

16 “(iv) State cooperative extension serv-  
17 ices; and

18 “(v) other appropriate entities, as de-  
19 termined by the Secretary;

20 “(B) a description of the challenges faced  
21 by individuals who are engaged in farming,  
22 ranching, and other occupations relating to ag-  
23 riculture that may impact the behavioral and  
24 mental health of farmers and ranchers;



1           “(C) a description of how the Department  
2 of Agriculture can improve coordination and co-  
3 operation with Federal health departments and  
4 agencies, including the Department of Health  
5 and Human Services, the Substance Abuse and  
6 Mental Health Services Administration, the  
7 Health Resources and Services Administration,  
8 the Centers for Disease Control and Prevention,  
9 and the National Institutes of Health, to best  
10 address the behavioral and mental health of in-  
11 dividuals who are engaged in farming, ranching,  
12 and other occupations relating to agriculture;

13           “(D) a long-term strategy for responding  
14 to the challenges described under subparagraph  
15 (B) and recommendations based on best prac-  
16 tices for further action to be carried out by ap-  
17 propriate Federal departments or agencies to  
18 improve Federal Government response and seek  
19 to prevent suicide among individuals who are  
20 engaged in farming, ranching, and other occu-  
21 pations relating to agriculture; and

22           “(E) an evaluation of the impact of suicide  
23 among individuals who are engaged in farming,  
24 ranching, and other occupations relating to ag-  
25 riculture on—

- 1 “(i) the agricultural workforce;  
2 “(ii) agricultural production;  
3 “(iii) rural families and communities;  
4 and  
5 “(iv) succession planning.”

6 **SEC. 7512. NATURAL PRODUCTS RESEARCH PROGRAM.**

7 Section 7525(e) of the Food, Conservation, and En-  
8 ergy Act of 2008 (7 U.S.C. 5937(e)) is amended by strik-  
9 ing “2018” and inserting “2023”.

10 **SEC. 7513. SUN GRANT PROGRAM.**

11 Section 7526(g) of the Food, Conservation, and En-  
12 ergy Act of 2008 (7 U.S.C. 8114(g)) is amended by strik-  
13 ing “2018” and inserting “2023”.

14 **SEC. 7514. MECHANIZATION AND AUTOMATION FOR SPE-**  
15 **CIALTY CROPS.**

16 (a) IN GENERAL.—Not later than 180 days after the  
17 date of enactment of this Act, the Secretary shall conduct  
18 a review of the programs of the Department of Agriculture  
19 that affect the production or processing of specialty crops.

20 (b) REQUIREMENTS.—The review under subsection  
21 (a) shall identify—

22 (1) programs that currently are, or previously  
23 have been, effectively used to accelerate the develop-  
24 ment and use of automation or mechanization in the  
25 production or processing of specialty crops; and



1           “(B) the annual establishment of national  
2 priorities, as determined by the Board;”.

3           (B) GRANTS TO ENHANCE RESEARCH CA-  
4 PACITY IN SCHOOLS OF VETERINARY MEDI-  
5 CINE.—Section 1415(a) of the National Agri-  
6 cultural Research, Extension, and Teaching  
7 Policy Act of 1977 (7 U.S.C. 3151(a)) is  
8 amended—

9           (i) by striking “The Secretary” and  
10 inserting the following:

11           “(1) IN GENERAL.—The Secretary”; and

12           (ii) by adding at the end the fol-  
13 lowing:

14           “(2) MATCHING REQUIREMENT.—A State re-  
15 ceiving a grant under paragraph (1) shall provide  
16 State matching funds equal to not less than the  
17 amount of the grant.”.

18           (C) AQUACULTURE ASSISTANCE GRANT  
19 PROGRAM.—Section 1475(b) of the National  
20 Agricultural Research, Extension, and Teaching  
21 Policy Act of 1977 (7 U.S.C. 3322(b)) is  
22 amended by striking “The Secretary” and all  
23 that follows through the period at the end and  
24 inserting the following:

1           “(1) IN GENERAL.—Subject to paragraph (3),  
2           the Secretary may make competitive grants to enti-  
3           ties eligible for grants under paragraph (2) for re-  
4           search and extension to facilitate or expand prom-  
5           ising advances in the production and marketing of  
6           aquacultural food species and products and to en-  
7           hance the safety and wholesomeness of those species  
8           and products, including the development of reliable  
9           supplies of seed stock and therapeutic compounds.

10           “(2) ELIGIBLE ENTITIES.—The Secretary may  
11           make a competitive grant under paragraph (1) to—

12                   “(A) a land-grant or seagrant college or  
13                   university;

14                   “(B) a State agricultural experiment sta-  
15                   tion;

16                   “(C) a college, university, or Federal lab-  
17                   oratory having a demonstrable capacity to con-  
18                   duct aquacultural research, as determined by  
19                   the Secretary; or

20                   “(D) a nonprofit private research institu-  
21                   tion.

22           “(3) MATCHING STATE GRANTS.—

23                   “(A) IN GENERAL.—Except as provided in  
24                   subparagraph (B), the Secretary shall not make  
25                   a grant under paragraph (1) unless the State in

1           which the grant recipient is located makes a  
2           grant to that recipient in an amount equal to  
3           not less than the amount of the grant under  
4           paragraph (1) (of which State amount an in-  
5           kind contribution shall not exceed 50 percent).

6           “(B) FEDERAL LABORATORIES.—Subpara-  
7           graph (A) shall not apply to a grant to a Fed-  
8           eral laboratory.”.

9           (2) FOOD, AGRICULTURE, CONSERVATION, AND  
10          TRADE ACT OF 1990.—

11           (A) FEDERAL-STATE MATCHING GRANT  
12          PROGRAM.—Section 1623(d)(2) of the Food,  
13          Agriculture, Conservation, and Trade Act of  
14          1990 (7 U.S.C. 5813(d)(2)) is amended by  
15          striking the second sentence.

16           (B) AGRICULTURAL GENOME INITIA-  
17          TIVE.—Section 1671 of the Food, Agriculture,  
18          Conservation, and Trade Act of 1990 (7 U.S.C.  
19          5924) (as amended by section 7208) is amend-  
20          ed—

21                   (i) by redesignating subsection (f) as  
22                   subsection (g); and

23                   (ii) by inserting after subsection (e)  
24                   the following:

25          “(f) MATCHING FUNDS REQUIREMENT.—

1           “(1) IN GENERAL.—Subject to paragraph (3),  
2           with respect to a grant or cooperative agreement  
3           under this section that provides a particular benefit  
4           to a specific agricultural commodity, the recipient of  
5           funds under the grant or cooperative agreement  
6           shall provide non-Federal matching funds (including  
7           funds from a generic agricultural commodity pro-  
8           motion, research, and information program) equal to  
9           not less than the amount provided under the grant  
10          or cooperative agreement.

11          “(2) IN-KIND SUPPORT.—Non-Federal match-  
12          ing funds described in paragraph (1) may include in-  
13          kind support.

14          “(3) WAIVER.—The Secretary may waive the  
15          matching funds requirement under paragraph (1)  
16          with respect to a research project if the Secretary  
17          determines that—

18                 “(A) the results of the project are of a par-  
19                 ticular benefit to a specific agricultural com-  
20                 modity, but those results are likely to be appli-  
21                 cable to agricultural commodities generally; or

22                 “(B)(i) the project—

23                         “(I) involves a minor commodity; and

24                         “(II) deals with scientifically impor-  
25                         tant research; and

1           “(ii) the recipient is unable to satisfy the  
2           matching funds requirement.”.

3           (C) HIGH-PRIORITY RESEARCH AND EX-  
4           TENSION INITIATIVES.—Section 1672(a) of the  
5           Food, Agriculture, Conservation, and Trade Act  
6           of 1990 (7 U.S.C. 5925(a)) is amended—

7                   (i) by striking “The Secretary of Agri-  
8                   culture” and inserting the following:

9           “(1) IN GENERAL.—The Secretary of Agri-  
10          culture”;

11                   (ii) in paragraph (1) (as so des-  
12                   ignated), in the second sentence, by strik-  
13                   ing “The Secretary shall” and inserting  
14                   the following:

15          “(3) CONSULTATION.—The Secretary shall”;

16          and

17                   (iii) by inserting after paragraph (1)  
18                   the following:

19          “(2) MATCHING FUNDS REQUIREMENT.—

20                   “(A) IN GENERAL.—Subject to subpara-  
21                   graph (C), an entity receiving a grant under  
22                   paragraph (1) shall provide non-Federal match-  
23                   ing funds (including funds from a generic agri-  
24                   cultural commodity promotion, research, and in-



1 formation program) equal to not less than the  
2 amount of the grant.

3 “(B) IN-KIND SUPPORT.—Non-Federal  
4 matching funds described in subparagraph (A)  
5 may include in-kind support.

6 “(C) WAIVER.—The Secretary may waive  
7 the matching funds requirement under subpara-  
8 graph (A) with respect to a research project if  
9 the Secretary determines that—

10 “(i) the results of the project are of a  
11 particular benefit to a specific agricultural  
12 commodity, but those results are likely to  
13 be applicable to agricultural commodities  
14 generally; or

15 “(ii)(I) the project—

16 “(aa) involves a minor com-  
17 modity; and

18 “(bb) deals with scientifically im-  
19 portant research; and

20 “(II) the recipient is unable to satisfy  
21 the matching funds requirement.”.

22 (D) ORGANIC AGRICULTURE RESEARCH  
23 AND EXTENSION INITIATIVE.—Section 1672B  
24 of the Food, Agriculture, Conservation, and

1 Trade Act of 1990 (7 U.S.C. 5925b) (as  
2 amended by section 7210) is amended—

3 (i) by redesignating subsections (c),  
4 (d), and (e) as subsections (d), (e), and (f),  
5 respectively; and

6 (ii) by inserting after subsection (b)  
7 the following:

8 “(c) MATCHING REQUIREMENT.—

9 “(1) IN GENERAL.—Subject to paragraph (3),  
10 an entity receiving a grant under subsection (a)  
11 shall provide non-Federal matching funds (including  
12 funds from a generic agricultural commodity pro-  
13 motion, research, and information program) equal to  
14 not less than the amount of the grant.

15 “(2) IN-KIND SUPPORT.—Non-Federal match-  
16 ing funds described in paragraph (1) may include in-  
17 kind support.

18 “(3) WAIVER.—The Secretary may waive the  
19 matching funds requirement under paragraph (1)  
20 with respect to a research project if the Secretary  
21 determines that—

22 “(A) the results of the project are of a par-  
23 ticular benefit to a specific agricultural com-  
24 modity, but those results are likely to be appli-  
25 cable to agricultural commodities generally; or

1 “(B)(i) the project—

2 “(I) involves a minor commodity; and

3 “(II) deals with scientifically impor-  
4 tant research; and

5 “(ii) the recipient is unable to satisfy the  
6 matching funds requirement.”.

7 (3) AGRICULTURAL RESEARCH, EXTENSION,  
8 AND EDUCATION REFORM ACT OF 1998.—

9 (A) INTEGRATED RESEARCH, EDUCATION,  
10 AND EXTENSION COMPETITIVE GRANTS PRO-  
11 GRAM.—Section 406 of the Agricultural Re-  
12 search, Extension, and Education Reform Act  
13 of 1998 (7 U.S.C. 7626) is amended—

14 (i) by redesignating subsections (d)  
15 and (e) as subsections (e) and (f), respec-  
16 tively; and

17 (ii) by inserting after subsection (c)  
18 the following:

19 “(d) MATCHING FUNDS REQUIREMENT.—

20 “(1) IN GENERAL.—Subject to paragraph (3),  
21 with respect to a grant under this section that pro-  
22 vides a particular benefit to a specific agricultural  
23 commodity, the recipient of the grant shall provide  
24 non-Federal matching funds (including funds from a  
25 generic agricultural commodity promotion, research,

1           and information program) equal to not less than the  
2           amount of the grant.

3           “(2) IN-KIND SUPPORT.—Non-Federal match-  
4           ing funds described in paragraph (1) may include in-  
5           kind support.

6           “(3) WAIVER.—The Secretary may waive the  
7           matching funds requirement under paragraph (1)  
8           with respect to a research project if the Secretary  
9           determines that—

10                   “(A) the results of the project are of a par-  
11                   ticular benefit to a specific agricultural com-  
12                   modity, but those results are likely to be appli-  
13                   cable to agricultural commodities generally; or

14                   “(B)(i) the project—

15                           “(I) involves a minor commodity; and

16                           “(II) deals with scientifically impor-  
17                   tant research; and

18                   “(ii) the recipient is unable to satisfy the  
19                   matching funds requirement.”.

20           (B) SPECIALTY CROP RESEARCH INITIA-  
21           TIVE.—Section 412(g) of the Agricultural Re-  
22           search, Extension, and Education Reform Act  
23           of 1998 (7 U.S.C. 7632(g)) is amended—

24                   (i) by redesignating paragraph (3) as  
25                   paragraph (4); and

1 (ii) by inserting after paragraph (2)  
2 the following:

3 “(3) MATCHING REQUIREMENT.—

4 “(A) IN GENERAL.—An entity receiving a  
5 grant under this section shall provide non-Fed-  
6 eral matching funds (including funds from a ge-  
7 neric agricultural commodity promotion, re-  
8 search, and information program) equal to not  
9 less than the amount of the grant.

10 “(B) IN-KIND SUPPORT.—Non-Federal  
11 matching funds described in subparagraph (A)  
12 may include in-kind support.”.

13 (4) OTHER LAWS.—

14 (A) SUN GRANT PROGRAM.—Section  
15 7526(c)(1)(C)(iv) of the Food, Conservation,  
16 and Energy Act of 2008 (7 U.S.C.  
17 8114(c)(1)(C)(iv)) is amended by striking sub-  
18 clause (IV).

19 (B) AGRICULTURE AND FOOD RESEARCH  
20 INITIATIVE.—Subsection (b)(9) of the Competi-  
21 tive, Special, and Facilities Research Grant Act  
22 (7 U.S.C. 3157(b)(9)) is amended—

23 (i) in subparagraph (A), by striking  
24 clause (iii);

25 (ii) in subparagraph (B)—

## 750

1 (I) in clause (i), by striking  
2 “clauses (ii) and (iii),” and inserting  
3 “clause (ii),”; and

4 (II) by striking clause (iii); and  
5 (iii) by adding at the end the fol-  
6 lowing:

7 “(C) APPLIED RESEARCH.—An entity re-  
8 ceiving a grant under paragraph (5)(B) for ap-  
9 plied research that is commodity-specific and  
10 not of national scope shall provide non-Federal  
11 matching funds equal to not less than the  
12 amount of the grant.”.

13 (c) APPLICATION OF AMENDMENTS.—

14 (1) GRANTS AWARDED AFTER OCTOBER 1,  
15 2018.—The amendments made by subsections (a)  
16 and (b) shall apply with respect to grants described  
17 in subsection (b) that are awarded after October 1,  
18 2018.

19 (2) GRANTS AWARDED ON OR BEFORE OCTO-  
20 BER 1, 2018.—Notwithstanding the amendments  
21 made by subsections (a) and (b), a matching funds  
22 requirement in effect on the day before the date of  
23 enactment of this Act under a provision of law  
24 amended by subsection (a) or (b) shall continue to

1 apply to a grant described in subsection (b) that is  
2 awarded on or before October 1, 2018.

3 **TITLE VIII—FORESTRY**  
4 **Subtitle A—Cooperative Forestry**  
5 **Assistance Act of 1978**

6 **SEC. 8101. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**  
7 **RESTORATION PROGRAM.**

8 (a) IN GENERAL.—Section 13A of the Cooperative  
9 Forestry Assistance Act of 1978 (16 U.S.C. 2109a) is  
10 amended to read as follows:

11 **“SEC. 13A. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**  
12 **RESTORATION PROGRAM.**

13 “(a) PURPOSE.—The purpose of this section is to en-  
14 courage collaborative, science-based restoration of priority  
15 forest landscapes.

16 “(b) DEFINITIONS.—In this section:

17 “(1) INDIAN TRIBE.—The term ‘Indian tribe’  
18 has the meaning given the term in section 4 of the  
19 Indian Self-Determination and Education Assistance  
20 Act (25 U.S.C. 5304).

21 “(2) NONINDUSTRIAL PRIVATE FOREST  
22 LAND.—The term ‘nonindustrial private forest land’  
23 means land that—

24 “(A) is rural, as determined by the Sec-  
25 retary;

1           “(B) has existing tree cover or is suitable  
2           for growing trees; and

3           “(C) is owned by any private individual,  
4           group, association, corporation, Indian tribe, or  
5           other private legal entity.

6           “(3) STATE FOREST LAND.—The term ‘State  
7           forest land’ means land that—

8           “(A) is rural, as determined by the Sec-  
9           retary; and

10           “(B) is under State or local governmental  
11           ownership and considered to be non-Federal  
12           forest land.

13           “(c) ESTABLISHMENT.—The Secretary, in consulta-  
14           tion with State foresters or appropriate State agencies,  
15           shall establish a competitive grant program to provide fi-  
16           nancial and technical assistance to encourage collabo-  
17           rative, science-based restoration of priority forest land-  
18           scapes.

19           “(d) ELIGIBILITY.—To be eligible to receive a grant  
20           under this section, an applicant shall submit to the Sec-  
21           retary, through the State forester or appropriate State  
22           agency, a State and private forest landscape-scale restora-  
23           tion proposal based on a restoration strategy that—

24           “(1) is complete or substantially complete;

25           “(2) is for a multiyear period;



1           “(3) covers nonindustrial private forest land or  
2 State forest land;

3           “(4) is accessible by wood-processing infrastruc-  
4 ture; and

5           “(5) is based on the best available science.

6           “(e) PLAN CRITERIA.—A State and private forest  
7 landscape-scale restoration proposal submitted under this  
8 section shall include plans—

9           “(1) to reduce the risk of uncharacteristic  
10 wildfires;

11           “(2) to improve fish and wildlife habitats, in-  
12 cluding the habitats of threatened and endangered  
13 species;

14           “(3) to maintain or improve water quality and  
15 watershed function;

16           “(4) to mitigate invasive species, insect infesta-  
17 tion, and disease;

18           “(5) to improve important forest ecosystems;

19           “(6) to measure ecological and economic bene-  
20 fits, including air quality and soil quality and pro-  
21 ductivity; and

22           “(7) to take other relevant actions, as deter-  
23 mined by the Secretary.

24           “(f) PRIORITIES.—In making grants under this sec-  
25 tion, the Secretary shall give priority to plans that—

1           “(1) further a statewide forest assessment and  
2           resource strategy;

3           “(2) promote cross boundary landscape collabo-  
4           ration; and

5           “(3) leverage public and private resources.

6           “(g) COLLABORATION AND CONSULTATION.—The  
7           Chief of the Forest Service, the Chief of the Natural Re-  
8           sources Conservation Service, and relevant stakeholders  
9           shall collaborate and consult on an ongoing basis regard-  
10          ing—

11           “(1) administration of the program established  
12           under this section; and

13           “(2) identification of other applicable resources  
14           for landscape-scale restoration.

15           “(h) MATCHING FUNDS REQUIRED.—As a condition  
16           of receiving a grant under this section, the Secretary shall  
17           require the recipient of the grant to provide funds or in-  
18           kind support from non-Federal sources in an amount that  
19           is at least equal to the amount of Federal funds.

20           “(i) COORDINATION AND PROXIMITY ENCOUR-  
21           AGED.—In making grants under this section, the Sec-  
22           retary may consider coordination with and proximity to  
23           other landscape-scale projects on other land under the ju-  
24           risdiction of the Secretary, the Secretary of the Interior,  
25           or a Governor of a State, including under—

1           “(1) the Collaborative Forest Landscape Res-  
2           toration Program established under section 4003 of  
3           the Omnibus Public Land Management Act of 2009  
4           (16 U.S.C. 7303);

5           “(2) landscape areas designated for insect and  
6           disease treatments under section 602 of the Healthy  
7           Forests Restoration Act of 2003 (16 U.S.C. 6591a);

8           “(3) good neighbor authority under section 19;

9           “(4) stewardship end result contracting projects  
10          authorized under section 604 of the Healthy Forests  
11          Restoration Act of 2003 (16 U.S.C. 6591c);

12          “(5) appropriate State-level programs; and

13          “(6) other relevant programs, as determined by  
14          the Secretary.

15          “(j) REGULATIONS.—The Secretary shall promulgate  
16          such regulations as the Secretary determines necessary to  
17          carry out this section.

18          “(k) REPORT.—Not later than 3 years after the date  
19          of enactment of this section, the Secretary shall submit  
20          to the Committee on Agriculture of the House of Rep-  
21          resentatives and the Committee on Agriculture, Nutrition,  
22          and Forestry of the Senate a report on—

23                 “(1) the status of development, execution, and  
24                 administration of selected projects;

1           “(2) the accounting of program funding ex-  
2           penditures; and

3           “(3) specific accomplishments that have re-  
4           sulted from landscape-scale projects.

5           “(1) FUND.—

6           “(1) IN GENERAL.—There is established in the  
7           Treasury a fund, to be known as the ‘State and Pri-  
8           vate Forest Landscape-Scale Restoration Fund’ (re-  
9           ferred to in this subsection as the ‘Fund’), to be  
10          used by the Secretary to make grants under this sec-  
11          tion.

12          “(2) CONTENTS.—The Fund shall consist of  
13          such amounts as are appropriated to the Fund  
14          under paragraph (3).

15          “(3) AUTHORIZATION OF APPROPRIATIONS.—  
16          There is authorized to be appropriated to the Fund  
17          \$20,000,000 for each fiscal year beginning with the  
18          first full fiscal year after the date of enactment of  
19          this subsection through fiscal year 2023, to remain  
20          available until expended.”.

21          (b) CONFORMING AMENDMENTS.—

22                 (1) Section 13B of the Cooperative Forestry  
23                 Assistance Act of 1978 (16 U.S.C. 2109b) is re-  
24                 pealed.

1           (2) Section 19(a)(4)(C) of the Cooperative For-  
2        estry Assistance Act of 1978 (16 U.S.C.  
3        2113(a)(4)(C)) is amended by striking “sections  
4        13A and 13B” and inserting “section 13A”.

5        **Subtitle B—Forest and Rangeland**  
6        **Renewable Resources Research**  
7        **Act of 1978**

8        **SEC. 8201. REPEAL OF RECYCLING RESEARCH.**

9        Section 9 of the Forest and Rangeland Renewable  
10       Resources Research Act of 1978 (16 U.S.C. 1648) is re-  
11       pealed.

12       **SEC. 8202. REPEAL OF FORESTRY STUDENT GRANT PRO-**  
13       **GRAM.**

14       Section 10 of the Forest and Rangeland Renewable  
15       Resources Research Act of 1978 (16 U.S.C. 1649) is re-  
16       pealed.

17       **Subtitle C—Global Climate Change**  
18       **Prevention Act of 1990**

19       **SEC. 8301. REPEALS.**

20       (a)       BIOMASS       ENERGY       DEMONSTRATION  
21       PROJECTS.—Section 2410 of the Global Climate Change  
22       Prevention Act of 1990 (7 U.S.C. 6708) is repealed.

23       (b)       INTERAGENCY COOPERATION TO MAXIMIZE BIO-  
24       MASS GROWTH.—Section 2411 of the Global Climate  
25       Change Prevention Act of 1990 (7 U.S.C. 6709) is amend-

1 ed in the matter preceding paragraph (1) by striking  
2 “to—” and all that follows through “such forests and  
3 lands” in paragraph (2) and inserting “to develop a pro-  
4 gram to manage forests and land on Department of De-  
5 fense military installations”.

6 **Subtitle D—Healthy Forests**  
7 **Restoration Act of 2003**

8 **SEC. 8401. PROMOTING CROSS-BOUNDARY WILDFIRE MITI-**  
9 **GATION.**

10 Section 103 of the Healthy Forests Restoration Act  
11 of 2003 (16 U.S.C. 6513) is amended by adding at the  
12 end the following:

13 “(e) CROSS-BOUNDARY HAZARDOUS FUEL REDUC-  
14 TION PROJECTS.—

15 “(1) DEFINITIONS.—In this subsection:

16 “(A) HAZARDOUS FUEL REDUCTION  
17 PROJECT.—The term ‘hazardous fuel reduction  
18 project’ means a hazardous fuel reduction  
19 project described in paragraph (2).

20 “(B) NON-FEDERAL LAND.—The term  
21 ‘non-Federal land’ includes—

22 “(i) State land;

23 “(ii) county land;

24 “(iii) Tribal land;

25 “(iv) private land; and

1 “(v) other non-Federal land.

2 “(2) GRANTS.—The Secretary may make  
3 grants to State foresters to support hazardous fuel  
4 reduction projects that incorporate treatments in  
5 landscapes across ownership boundaries on Federal  
6 and non-Federal land, particularly in areas identi-  
7 fied as priorities in applicable State-wide forest re-  
8 source assessments or strategies under section 2A(a)  
9 of the Cooperative Forestry Assistance Act of 1978  
10 (16 U.S.C. 2101a(a)), as mutually agreed to by the  
11 State forester and the Regional Forester.

12 “(3) LAND TREATMENTS.—To conduct and  
13 fund treatments for hazardous fuel reduction  
14 projects carried out by State foresters using grants  
15 under paragraph (2), the Secretary may use the au-  
16 thorities of the Secretary relating to cooperation and  
17 technical and financial assistance, including the good  
18 neighbor authority under—

19 “(A) section 8206 of the Agricultural Act  
20 of 2014 (16 U.S.C. 2113a); and

21 “(B) section 331 of the Department of the  
22 Interior and Related Agencies Appropriations  
23 Act, 2001 (16 U.S.C. 1011 note; Public Law  
24 106–291).

1           “(4) COOPERATION.—In carrying out a haz-  
2           ardous fuel reduction project using a grant under  
3           paragraph (2) on non-Federal land, the State for-  
4           ester, in consultation with the Secretary—

5                   “(A) shall consult with any applicable own-  
6                   ers of the non-Federal land; and

7                   “(B) shall not implement the hazardous  
8                   fuel reduction project on non-Federal land with-  
9                   out the consent of the owner of the non-Federal  
10                  land.

11           “(5) AUTHORIZATION OF APPROPRIATIONS.—  
12           There is authorized to be appropriated to carry out  
13           this subsection \$20,000,000 for each of fiscal years  
14           2019 through 2023.”.

15 **SEC. 8402. AUTHORIZATION OF APPROPRIATIONS FOR HAZ-**  
16 **ARDOUS FUEL REDUCTION ON FEDERAL**  
17 **LAND.**

18           Section 108 of the Healthy Forests Restoration Act  
19 of 2003 (16 U.S.C. 6518) is amended by striking  
20 “\$760,000,000 for each fiscal year” and inserting  
21 “\$660,000,000 for each of fiscal years 2019 through  
22 2023”.



1 **SEC. 8403. REPEAL OF BIOMASS COMMERCIAL UTILIZATION**  
2 **GRANT PROGRAM.**

3 (a) IN GENERAL.—Section 203 of the Healthy For-  
4 ests Restoration Act of 2003 (16 U.S.C. 6531) is repealed.

5 (b) CONFORMING AMENDMENT.—The table of con-  
6 tents for the Healthy Forests Restoration Act of 2003 (16  
7 U.S.C. 6501 note; Public Law 108–148) is amended by  
8 striking the item relating to section 203.

9 **SEC. 8404. WATER SOURCE PROTECTION PROGRAM.**

10 (a) IN GENERAL.—Title III of the Healthy Forests  
11 Restoration Act of 2003 (16 U.S.C. 6541 et seq.) is  
12 amended by adding at the end the following:

13 **“SEC. 303. WATER SOURCE PROTECTION PROGRAM.**

14 “(a) DEFINITIONS.—In this section:

15 “(1) END WATER USER.—The term ‘end water  
16 user’ means a non-Federal entity, including—

17 “(A) a State;

18 “(B) a political subdivision of a State;

19 “(C) an Indian tribe;

20 “(D) a utility;

21 “(E) a municipal water system;

22 “(F) an irrigation district;

23 “(G) a nonprofit organization; and

24 “(H) a corporation.

25 “(2) FOREST MANAGEMENT ACTIVITY.—The  
26 term ‘forest management activity’ means a project

1 carried out by the Secretary on National Forest Sys-  
2 tem land.

3 “(3) FOREST PLAN.—The term ‘forest plan’  
4 means a land management plan prepared by the  
5 Forest Service for a unit of the National Forest Sys-  
6 tem pursuant to section 6 of the Forest and Range-  
7 land Renewable Resources Planning Act of 1974 (16  
8 U.S.C. 1604).

9 “(4) NON-FEDERAL PARTNER.—The term ‘non-  
10 Federal partner’ means an end water user with  
11 whom the Secretary has entered into a partnership  
12 agreement under subsection (c)(1).

13 “(5) PROGRAM.—The term ‘Program’ means  
14 the Water Source Protection Program established  
15 under subsection (b).

16 “(6) SECRETARY.—The term ‘Secretary’ means  
17 the Secretary of Agriculture, acting through the  
18 Chief of the Forest Service.

19 “(7) WATER SOURCE MANAGEMENT PLAN.—  
20 The term ‘water source management plan’ means  
21 the water source management plan developed under  
22 subsection (d)(1).

23 “(b) ESTABLISHMENT.—The Secretary shall estab-  
24 lish and maintain a program, to be known as the ‘Water  
25 Source Protection Program’, to carry out watershed pro-

1 tection and restoration projects on National Forest Sys-  
2 tem land.

3 “(c) WATER SOURCE INVESTMENT PARTNER-  
4 SHIPS.—

5 “(1) IN GENERAL.—In carrying out the Pro-  
6 gram, the Secretary may enter into water source in-  
7 vestment partnership agreements with end water  
8 users to protect and restore the condition of Na-  
9 tional Forest watersheds that provide water to the  
10 end water users.

11 “(2) FORM.—A partnership agreement de-  
12 scribed in paragraph (1) may take the form of—

13 “(A) a memorandum of understanding;

14 “(B) a cost-share or collection agreement;

15 “(C) a long-term funding matching com-  
16 mitment; or

17 “(D) another appropriate instrument, as  
18 determined by the Secretary.

19 “(d) WATER SOURCE MANAGEMENT PLAN.—

20 “(1) IN GENERAL.—In carrying out the Pro-  
21 gram, the Secretary, in cooperation with the non-  
22 Federal partners and applicable State, local, and  
23 Tribal governments, may develop a water source  
24 management plan that describes the proposed imple-

1       mentation of watershed protection and restoration  
2       projects under the Program.

3           “(2) REQUIREMENT.—A water source manage-  
4       ment plan shall be conducted in a manner consistent  
5       with the forest plan applicable to the National For-  
6       est System land on which the watershed protection  
7       and restoration project is carried out.

8           “(3) ENVIRONMENTAL ANALYSIS.—The Sec-  
9       retary may conduct a single environmental impact  
10      statement or similar analysis required under the Na-  
11      tional Environmental Policy Act of 1969 (42 U.S.C.  
12      4321 et seq.)—

13           “(A) for each watershed protection and  
14      restoration project included in the water source  
15      management plan; or

16           “(B) as part of the development of, or  
17      after the finalization of, the water source man-  
18      agement plan.

19      “(e) FOREST MANAGEMENT ACTIVITIES.—

20           “(1) IN GENERAL.—To the extent that forest  
21      management activities are necessary to protect,  
22      maintain, or enhance water quality, and in accord-  
23      ance with paragraph (2), the Secretary shall carry  
24      out forest management activities as part of water-  
25      shed protection and restoration projects carried out

1 on National Forest System land, with the primary  
2 purpose of—

3 “(A) protecting a municipal water supply  
4 system;

5 “(B) restoring forest health from insect in-  
6 festations and disease; or

7 “(C) any combination of the purposes de-  
8 scribed in subparagraphs (A) and (B).

9 “(2) COMPLIANCE.—The Secretary shall carry  
10 out forest management activities under paragraph  
11 (1) in accordance with—

12 “(A) this Act;

13 “(B) the applicable water source manage-  
14 ment plan;

15 “(C) the applicable forest plan; and

16 “(D) other applicable laws.

17 “(f) ENDANGERED SPECIES ACT OF 1973.—In car-  
18 rying out the Program, the Secretary may use the Manual  
19 on Adaptive Management of the Department of the Inte-  
20 rior, including any associated guidance, to comply with the  
21 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

22 “(g) FUNDS AND SERVICES.—

23 “(1) IN GENERAL.—In carrying out the Pro-  
24 gram, the Secretary may accept and use funding,  
25 services, and other forms of investment and assist-

1           ance from non-Federal partners to implement the  
2           water source management plan.

3           “(2) MATCHING FUNDS REQUIRED.—The Sec-  
4           retary shall require the contribution of funds or in-  
5           kind support from non-Federal partners to be in an  
6           amount that is at least equal to the amount of Fed-  
7           eral funds.

8           “(3) MANNER OF USE.—The Secretary may ac-  
9           cept and use investments described in paragraph (1)  
10          directly or indirectly through the National Forest  
11          Foundation.

12          “(4) WATER SOURCE PROTECTION FUND.—

13                 “(A) IN GENERAL.—Subject to the avail-  
14                 ability of appropriations, the Secretary may es-  
15                 tablish a Water Source Protection Fund to  
16                 match funds or in-kind support contributed by  
17                 non-Federal partners under paragraph (1).

18                 “(B) USE OF APPROPRIATED FUNDS.—  
19                 There is authorized to be appropriated to carry  
20                 out this section \$10,000,000 for each of fiscal  
21                 years 2019 through 2023.

22                 “(C) PARTNERSHIP AGREEMENTS.—The  
23                 Secretary may make multiyear commitments, if  
24                 necessary, to implement 1 or more partnership  
25                 agreements under subsection (c).”.

1 (b) CONFORMING AMENDMENT.—The table of con-  
2 tents for the Healthy Forests Restoration Act of 2003 (16  
3 U.S.C. 6501 note; Public Law 108–148) is amended by  
4 striking the item relating to section 303 and inserting the  
5 following:

“Sec. 303. Water Source Protection Program.”.

6 **SEC. 8405. WATERSHED CONDITION FRAMEWORK.**

7 (a) IN GENERAL.—Title III of the Healthy Forests  
8 Restoration Act of 2003 (16 U.S.C. 6541 et seq.) (as  
9 amended by section 8404(a)) is amended by adding at the  
10 end the following:

11 **“SEC. 304. WATERSHED CONDITION FRAMEWORK.**

12 “(a) IN GENERAL.—The Secretary of Agriculture,  
13 acting through the Chief of the Forest Service (referred  
14 to in this section as the ‘Secretary’), shall establish and  
15 maintain a Watershed Condition Framework for National  
16 Forest System land—

17 “(1) to evaluate and classify the condition of  
18 watersheds, taking into consideration—

19 “(A) water quality and quantity;

20 “(B) aquatic habitat and biota;

21 “(C) riparian and wetland vegetation;

22 “(D) the presence of roads and trails;

23 “(E) soil type and condition;

24 “(F) groundwater-dependent ecosystems;

1           “(G) relevant terrestrial indicators, such as  
2           fire regime, risk of catastrophic fire, forest and  
3           rangeland vegetation, invasive species, and in-  
4           sects and disease; and

5           “(H) other significant factors, as deter-  
6           mined by the Secretary;

7           “(2) to identify for protection and restoration  
8           up to 5 priority watersheds in each National Forest,  
9           and up to 2 priority watersheds in each national  
10          grassland, taking into consideration the impact of  
11          the condition of the watershed condition on—

12           “(A) wildfire behavior;

13           “(B) flood risk;

14           “(C) fish and wildlife;

15           “(D) drinking water supplies;

16           “(E) irrigation water supplies;

17           “(F) forest-dependent communities; and

18           “(G) other significant impacts, as deter-  
19          mined by the Secretary;

20          “(3) to develop a watershed protection and res-  
21          toration action plan for each priority watershed  
22          that—

23           “(A) takes into account existing restora-  
24          tion activities being implemented in the water-  
25          shed; and



1 “(B) includes, at a minimum—

2 “(i) the major stressors responsible  
3 for the impaired condition of the water-  
4 shed;

5 “(ii) a set of essential projects that,  
6 once completed, will address the identified  
7 stressors and improve watershed condi-  
8 tions;

9 “(iii) a proposed implementation  
10 schedule;

11 “(iv) potential partners and funding  
12 sources; and

13 “(v) a monitoring and evaluation pro-  
14 gram;

15 “(4) to prioritize protection and restoration ac-  
16 tivities for each watershed restoration action plan;

17 “(5) to implement each watershed protection  
18 and restoration action plan; and

19 “(6) to monitor the effectiveness of protection  
20 and restoration actions and indicators of watershed  
21 health.

22 “(b) COORDINATION.—In carrying out subsection  
23 (a), the Secretary shall—

1           “(1) coordinate with interested non-Federal  
2           landowners and State, Tribal, and local governments  
3           within the relevant watershed; and

4           “(2) provide for an active and ongoing public  
5           engagement process.

6           “(c) EMERGENCY DESIGNATION.—Notwithstanding  
7           paragraph (2) of subsection (a), the Secretary may iden-  
8           tify a watershed as a priority for rehabilitation in the Wa-  
9           tershed Condition Framework without using the process  
10          described in that subsection if a Forest Supervisor deter-  
11          mines that—

12           “(1) a wildfire has significantly diminished the  
13           condition of the watershed; and

14           “(2) the emergency stabilization activities of the  
15           Burned Area Emergency Response Team are insuffi-  
16           cient to return the watershed to proper function.”.

17          (b) CONFORMING AMENDMENT.—The table of con-  
18          tents for the Healthy Forests Restoration Act of 2003 (16  
19          U.S.C. 6501 note; Public Law 108–148) (as amended by  
20          section 8404(b)) is amended by inserting after the item  
21          relating to section 303 the following:

“Sec. 304. Watershed Condition Framework.”.

1 **SEC. 8406. AUTHORIZATION OF APPROPRIATIONS TO COM-**  
2 **BAT INSECT INFESTATIONS AND RELATED**  
3 **DISEASES.**

4 (a) IN GENERAL.—Section 406 of the Healthy For-  
5 ests Restoration Act of 2003 (16 U.S.C. 6556) is amended  
6 to read as follows:

7 **“SEC. 406. TERMINATION OF EFFECTIVENESS.**

8 “The authority provided by this title terminates effec-  
9 tive October 1, 2023.”.

10 (b) CONFORMING AMENDMENT.—The table of con-  
11 tents for the Healthy Forests Restoration Act of 2003 (16  
12 U.S.C. 6501 note; Public Law 108–148) is amended by  
13 striking the item relating to section 406 and inserting the  
14 following:

“Sec. 406. Termination of effectiveness.”.

15 **SEC. 8407. HEALTHY FORESTS RESERVE PROGRAM REAU-**  
16 **THORIZATION.**

17 Section 508(b) of the Healthy Forests Restoration  
18 Act of 2003 (16 U.S.C. 6578(b)) is amended—

19 (1) in the subsection heading, by striking  
20 “2018” and inserting “2023”; and

21 (2) by striking “2018.” and inserting “2023.”.

1 **SEC. 8408. AUTHORIZATION OF APPROPRIATIONS FOR DES-**  
2 **IGNATION OF TREATMENT AREAS.**

3 Section 602 of the Healthy Forests Restoration Act  
4 of 2003 (16 U.S.C. 6591a) is amended by striking sub-  
5 section (f).

6 **SEC. 8409. ADMINISTRATIVE REVIEW OF COLLABORATIVE**  
7 **RESTORATION PROJECTS.**

8 Section 603(c) of the Healthy Forests Restoration  
9 Act of 2003 (16 U.S.C. 6591b(c)) is amended by adding  
10 at the end the following:

11 “(4) EXTRAORDINARY CIRCUMSTANCES.—The  
12 Secretary shall apply the extraordinary cir-  
13 cumstances procedures under section 220.6 of title  
14 36, Code of Federal Regulations (or successor regu-  
15 lations), when using the categorical exclusion under  
16 this section.”.

17 **Subtitle E—Repeal or Reauthoriza-**  
18 **tion of Miscellaneous Forestry**  
19 **Programs**

20 **SEC. 8501. REPEAL OF REVISION OF STRATEGIC PLAN FOR**  
21 **FOREST INVENTORY AND ANALYSIS.**

22 Section 8301 of the Agricultural Act of 2014 (16  
23 U.S.C. 1642 note; Public Law 113–79) is repealed.

24 **SEC. 8502. SEMIARID AGROFORESTRY RESEARCH CENTER.**

25 Section 1243(d) of the Food, Agriculture, Conserva-  
26 tion, and Trade Act of 1990 (16 U.S.C. 1642 note; Public

1 Law 101–624) is amended by striking “annually” and in-  
2 serting “for each of fiscal years 2019 through 2023”.

3 **SEC. 8503. NATIONAL FOREST FOUNDATION ACT.**

4 (a) MATCHING FUNDS.—Section 405(b) of the Na-  
5 tional Forest Foundation Act (16 U.S.C. 583j–3(b)) is  
6 amended by striking “2018” and inserting “2023”.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
8 410(b) of the National Forest Foundation Act (16 U.S.C.  
9 583j–8(b)) is amended by striking “2018” and inserting  
10 “2023”.

11 **SEC. 8504. CONVEYANCE OF FOREST SERVICE ADMINISTRA-**  
12 **TIVE SITES.**

13 Section 503(f) of the Forest Service Facility Realign-  
14 ment and Enhancement Act of 2005 (16 U.S.C. 580d  
15 note; Public Law 109–54) is amended by striking “2016”  
16 and inserting “2023”.

17 **Subtitle F—Forest Management**

18 **SEC. 8601. DEFINITIONS.**

19 In this subtitle:

20 (1) NATIONAL FOREST SYSTEM.—The term  
21 “National Forest System” has the meaning given  
22 the term in section 11(a) of the Forest and Range-  
23 land Renewable Resources Planning Act of 1974 (16  
24 U.S.C. 1609(a)).

1           (2) PUBLIC LAND.—The term “public land”  
2           has the meaning given the term “public lands” in  
3           section 103 of the Federal Land Policy and Manage-  
4           ment Act of 1976 (43 U.S.C. 1702).

5 **PART I—EXPEDITED ENVIRONMENTAL ANALYSIS**  
6 **AND AVAILABILITY OF CATEGORICAL EX-**  
7 **CLUSIONS TO EXPEDITE FOREST MANAGE-**  
8 **MENT ACTIVITIES**

9 **SEC. 8611. CATEGORICAL EXCLUSION FOR GREATER SAGE-**  
10 **GROUSE AND MULE DEER HABITAT.**

11           (a) IN GENERAL.—Title VI of the Healthy Forests  
12 Restoration Act of 2003 (16 U.S.C. 6591 et seq.) is  
13 amended by adding at the end the following:

14 **“SEC. 606. CATEGORICAL EXCLUSION FOR GREATER SAGE-**  
15 **GROUSE AND MULE DEER HABITAT.**

16           “(a) DEFINITIONS.—In this section:

17                   “(1) COVERED VEGETATION MANAGEMENT AC-  
18 TIVITY.—

19                           “(A) IN GENERAL.—The term ‘covered  
20 vegetation management activity’ means any ac-  
21 tivity described in subparagraph (B) that—

22                                   “(i)(I) is carried out on National For-  
23 est System land administered by the For-  
24 est Service; or

1 “(II) is carried out on public land ad-  
2 ministered by the Bureau of Land Man-  
3 agement;

4 “(ii) with respect to public land,  
5 meets the objectives of the order of the  
6 Secretary of the Interior numbered 3336  
7 and dated January 5, 2015;

8 “(iii) conforms to an applicable forest  
9 plan or land use plan;

10 “(iv) protects, restores, or improves  
11 greater sage-grouse or mule deer habitat in  
12 a sagebrush steppe ecosystem as described  
13 in—

14 “(I) Circular 1416 of the United  
15 States Geological Survey entitled  
16 ‘Restoration Handbook for Sagebrush  
17 Steppe Ecosystems with Emphasis on  
18 Greater Sage-Grouse Habitat—Part  
19 1. Concepts for Understanding and  
20 Applying Restoration’ (2015); or

21 “(II) the habitat guidelines for  
22 mule deer published by the Mule Deer  
23 Working Group of the Western Asso-  
24 ciation of Fish and Wildlife Agencies;

25 “(v) will not permanently impair—

1                   “(I) the natural state of the  
2                   treated area;

3                   “(II) outstanding opportunities  
4                   for solitude;

5                   “(III) outstanding opportunities  
6                   for primitive, unconfined recreation;

7                   “(IV) economic opportunities  
8                   consistent with multiple-use manage-  
9                   ment; or

10                  “(V) the identified values of a  
11                  unit of the National Landscape Con-  
12                  servation System;

13                  “(vi)(I) restores native vegetation fol-  
14                  lowing a natural disturbance;

15                  “(II) prevents the expansion into  
16                  greater sage-grouse or mule deer habitat  
17                  of—

18                         “(aa) juniper, pinyon pine, or  
19                         other associated conifers; or

20                         “(bb) nonnative or invasive vege-  
21                         tation;

22                         “(III) reduces the risk of loss of  
23                         greater sage-grouse or mule deer habitat  
24                         from wildfire or any other natural disturb-  
25                         ance; or



1 “(IV) provides emergency stabilization  
2 of soil resources after a natural disturb-  
3 ance; and

4 “(vii) provides for the conduct of res-  
5 toration treatments that—

6 “(I) maximize the retention of  
7 old-growth and large trees, as appro-  
8 priate for the forest type;

9 “(II) consider the best available  
10 scientific information to maintain or  
11 restore the ecological integrity, includ-  
12 ing maintaining or restoring struc-  
13 ture, function, composition, and  
14 connectivity;

15 “(III) are developed and imple-  
16 mented through a collaborative proc-  
17 ess that—

18 “(aa) includes multiple in-  
19 terested persons representing di-  
20 verse interests; and

21 “(bb)(AA) is transparent  
22 and nonexclusive; or

23 “(BB) meets the require-  
24 ments for a resource advisory  
25 committee under subsections (c)

1 through (f) of section 205 of the  
2 Secure Rural Schools and Com-  
3 munity Self-Determination Act of  
4 2000 (16 U.S.C. 7125); and

5 “(IV) may include the implemen-  
6 tation of a proposal that complies  
7 with the eligibility requirements of the  
8 Collaborative Forest Landscape Res-  
9 toration Program under section  
10 4003(b) of the Omnibus Public Land  
11 Management Act of 2009 (16 U.S.C.  
12 7303(b)).

13 “(B) DESCRIPTION OF ACTIVITIES.—An  
14 activity referred to in subparagraph (A) is—

15 “(i) manual cutting and removal of  
16 juniper trees, pinyon pine trees, other asso-  
17 ciated conifers, or other nonnative or  
18 invasive vegetation;

19 “(ii) mechanical mastication, cutting,  
20 or mowing, mechanical piling and burning,  
21 chaining, broadcast burning, or yarding;

22 “(iii) removal of cheat grass, medusa  
23 head rye, or other nonnative, invasive vege-  
24 tation;

1                   “(iv) collection and seeding or plant-  
2                   ing of native vegetation using a manual,  
3                   mechanical, or aerial method;

4                   “(v) seeding of nonnative, noninvasive,  
5                   ruderal vegetation only for the purpose of  
6                   emergency stabilization;

7                   “(vi) targeted use of an herbicide,  
8                   subject to the condition that the use shall  
9                   be in accordance with applicable legal re-  
10                  quirements, Federal agency procedures,  
11                  and land use plans;

12                  “(vii) targeted livestock grazing to  
13                  mitigate hazardous fuels and control nox-  
14                  ious and invasive weeds;

15                  “(viii) temporary removal of wild  
16                  horses or burros in the area in which the  
17                  activity is being carried out to ensure  
18                  treatment objectives are met;

19                  “(ix) in coordination with the affected  
20                  permit holder, modification or adjustment  
21                  of permissible usage under an annual plan  
22                  of use of a grazing permit issued by the  
23                  Secretary concerned to achieve restoration  
24                  treatment objectives;

1                   “(x) installation of new, or modifica-  
2                   tion of existing, fencing or water sources  
3                   intended to control use or improve wildlife  
4                   habitat; or

5                   “(xi) necessary maintenance of, re-  
6                   pairs to, rehabilitation of, or reconstruction  
7                   of an existing permanent road or construc-  
8                   tion of temporary roads to accomplish the  
9                   activities described in this subparagraph.

10                  “(C) EXCLUSIONS.—The term ‘covered  
11                  vegetation management activity’ does not in-  
12                  clude—

13                         “(i) any activity conducted in a wil-  
14                         derness area or wilderness study area;

15                         “(ii) any activity for the construction  
16                         of a permanent road or permanent trail;

17                         “(iii) any activity conducted on Fed-  
18                         eral land on which, by Act of Congress or  
19                         Presidential proclamation, the removal of  
20                         vegetation is restricted or prohibited;

21                         “(iv) any activity conducted in an  
22                         area in which activities under subpara-  
23                         graph (B) would be inconsistent with the  
24                         applicable land and resource management  
25                         plan; or

1                   “(v) any activity conducted in an  
2                   inventoried roadless area.

3                   “(2) SECRETARY CONCERNED.—The term ‘Sec-  
4                   retary concerned’ means—

5                   “(A) the Secretary of Agriculture, with re-  
6                   spect to National Forest System land; and

7                   “(B) the Secretary of the Interior, with re-  
8                   spect to public land.

9                   “(3) TEMPORARY ROAD.—The term ‘temporary  
10                  road’ means a road that is—

11                  “(A) authorized—

12                   “(i) by a contract, permit, lease, other  
13                   written authorization; or

14                   “(ii) pursuant to an emergency oper-  
15                   ation;

16                  “(B) not intended to be part of the perma-  
17                  nent transportation system of a Federal depart-  
18                  ment or agency;

19                  “(C) not necessary for long-term resource  
20                  management;

21                  “(D) designed in accordance with stand-  
22                  ards appropriate for the intended use of the  
23                  road, taking into consideration—

24                   “(i) safety;

25                   “(ii) the cost of transportation; and

1 “(iii) impacts to land and resources;

2 and

3 “(E) managed to minimize—

4 “(i) erosion; and

5 “(ii) the introduction or spread of  
6 invasive species.

7 “(b) CATEGORICAL EXCLUSION.—

8 “(1) IN GENERAL.—Not later than 1 year after  
9 the date of enactment of this section, the Secretary  
10 concerned shall develop a categorical exclusion (as  
11 defined in section 1508.4 of title 40, Code of Fed-  
12 eral Regulations (or a successor regulation)) for cov-  
13 ered vegetation management activities carried out to  
14 protect, restore, or improve habitat for greater sage-  
15 grouse or mule deer.

16 “(2) ADMINISTRATION.—In developing and ad-  
17 ministering the categorical exclusion under para-  
18 graph (1), the Secretary concerned shall—

19 “(A) comply with the National Environ-  
20 mental Policy Act of 1969 (42 U.S.C. 4321 et  
21 seq.);

22 “(B) with respect to National Forest Sys-  
23 tem land, apply the extraordinary circumstances  
24 procedures under section 220.6 of title 36, Code  
25 of Federal Regulations (or successor regula-

1 tions), in determining whether to use the cat-  
2 egorical exclusion;

3 “(C) with respect to public land, apply the  
4 extraordinary circumstances procedures under  
5 section 46.215 of title 43, Code of Federal Reg-  
6 ulations (or successor regulations), in deter-  
7 mining whether to use the categorical exclusion;  
8 and

9 “(D) consider—

10 “(i) the relative efficacy of landscape-  
11 scale habitat projects;

12 “(ii) the likelihood of continued de-  
13 clines in the populations of greater sage-  
14 grouse and mule deer in the absence of  
15 landscape-scale vegetation management;  
16 and

17 “(iii) the need for habitat restoration  
18 activities after wildfire or other natural  
19 disturbances.

20 “(c) IMPLEMENTATION OF COVERED VEGETATIVE  
21 MANAGEMENT ACTIVITIES WITHIN THE RANGE OF  
22 GREATER SAGE-GROUSE AND MULE DEER.—If the cat-  
23 egorical exclusion developed under subsection (b) is used  
24 to implement a covered vegetative management activity in  
25 an area within the range of both greater sage-grouse and

1 mule deer, the covered vegetative management activity  
2 shall protect, restore, or improve habitat concurrently for  
3 both greater sage-grouse and mule deer.

4 “(d) LONG-TERM MONITORING AND MAINTENANCE.—Before commencing any covered vegetation man-  
5 agement activity that is covered by the categorical exclu-  
6 sion under subsection (b), the Secretary concerned shall  
7 develop a long-term monitoring and maintenance plan,  
8 covering at least the 20-year period beginning on the date  
9 of commencement, to ensure that management of the  
10 treated area does not degrade the habitat gains secured  
11 by the covered vegetation management activity.  
12

13 “(e) DISPOSAL OF VEGETATIVE MATERIAL.—Subject  
14 to applicable local restrictions, any vegetative material re-  
15 sulting from a covered vegetation management activity  
16 that is covered by the categorical exclusion under sub-  
17 section (b) may be—

18 “(1) used for—

19 “(A) fuel wood; or

20 “(B) other products; or

21 “(2) piled or burned, or both.

22 “(f) TREATMENT FOR TEMPORARY ROADS.—

23 “(1) IN GENERAL.—Notwithstanding subsection  
24 (a)(1)(B)(xi), any temporary road constructed in  
25 carrying out a covered vegetation management activ-



1           ity that is covered by the categorical exclusion under  
2           subsection (b)—

3                   “(A) shall be used by the Secretary con-  
4                   cerned for the covered vegetation management  
5                   activity for not more than 2 years; and

6                   “(B) shall be decommissioned by the Sec-  
7                   retary concerned not later than 3 years after  
8                   the earlier of the date on which—

9                           “(i) the temporary road is no longer  
10                           needed; and

11                           “(ii) the project is completed.

12                   “(2) REQUIREMENT.—A treatment under para-  
13                   graph (1) shall include reestablishing native vegeta-  
14                   tive cover—

15                           “(A) as soon as practicable; but

16                           “(B) not later than 10 years after the date  
17                   of completion of the applicable covered vegeta-  
18                   tion management activity.

19                   “(g) LIMITATIONS.—

20                           “(1) PROJECT SIZE.—A covered vegetation  
21                   management activity that is covered by the categor-  
22                   ical exclusion under subsection (b) may not exceed  
23                   3,000 acres.

24                           “(2) LOCATION.—A covered vegetation manage-  
25                   ment activity carried out on National Forest System

1 land that is covered by the categorical exclusion  
2 under subsection (b) shall be limited to areas des-  
3 igned under section 602(b), as of the date of en-  
4 actment of this section.”.

5 (b) CONFORMING AMENDMENTS.—The table of con-  
6 tents for the Healthy Forests Restoration Act of 2003 (16  
7 U.S.C. 6501 note; Public Law 108–148) is amended by  
8 adding at the end of the items relating to title VI the fol-  
9 lowing:

“Sec. 602. Designation of treatment areas.

“Sec. 603. Administrative review.

“Sec. 604. Stewardship end result contracting projects.

“Sec. 605. Wildfire resilience projects.

“Sec. 606. Categorical exclusion for greater sage-grouse and mule deer habi-  
tat.”.

## 10 **PART II—MISCELLANEOUS FOREST**

### 11 **MANAGEMENT ACTIVITIES**

#### 12 **SEC. 8621. ADDITIONAL AUTHORITY FOR SALE OR EX-** 13 **CHANGE OF SMALL PARCELS OF NATIONAL** 14 **FOREST SYSTEM LAND.**

15 (a) INCREASE IN MAXIMUM VALUE OF SMALL PAR-  
16 CELS.—Section 3 of Public Law 97–465 (commonly  
17 known as the “Small Tract Act of 1983”) (16 U.S.C.  
18 521e) is amended in the matter preceding paragraph (1)  
19 by striking “\$150,000” and inserting “\$500,000”.

20 (b) ADDITIONAL CONVEYANCE PURPOSES.—Section  
21 3 of Public Law 97–465 (16 U.S.C. 521e) (as amended  
22 by subsection (a)) is amended—

1           (1) in paragraph (2), by striking “; or” and in-  
2           serting a semicolon;

3           (2) in paragraph (3), by striking the period at  
4           the end and inserting a semicolon; and

5           (3) by adding at the end the following:

6           “(4) parcels of 40 acres or less that are deter-  
7           mined by the Secretary—

8           “(A) to be physically isolated from other  
9           Federal land;

10          “(B) to be inaccessible; or

11          “(C) to have lost National Forest char-  
12          acter;

13          “(5) parcels of 10 acres or less that are not eli-  
14          gible for conveyance under paragraph (2) but are  
15          encroached on by a permanent habitable improve-  
16          ment for which there is no evidence that the en-  
17          croachment was intentional or negligent; or

18          “(6) parcels used as a cemetery (including a  
19          parcel of not more than 1 acre adjacent to the parcel  
20          used as a cemetery), a landfill, or a sewage treat-  
21          ment plant under a special use authorization issued  
22          or otherwise authorized by the Secretary.”.

23          (c) DISPOSITION OF PROCEEDS.—Section 2 of Public  
24          Law 97–465 (16 U.S.C. 521d) is amended—

1           (1) in the matter preceding paragraph (1), by  
2           striking “The Secretary is authorized” and inserting  
3           the following:

4           “(a) CONVEYANCE AUTHORITY; CONSIDERATION.—  
5           The Secretary is authorized”;

6           (2) in paragraph (2), in the second sentence, by  
7           striking “The Secretary shall insert” and inserting  
8           the following:

9           “(b) INCLUSION OF TERMS, COVENANTS, CONDI-  
10          TIONS, AND RESERVATIONS.—

11           “(1) IN GENERAL.—The Secretary shall in-  
12          sert”;

13           (3) in subsection (b) (as so designated)—

14           (A) by striking “covenants” and inserting  
15           “covenants”; and

16           (B) in the second sentence by striking  
17           “The preceding sentence shall not” and insert-  
18           ing the following:

19           “(2) LIMITATION.—Paragraph (1) shall not”;  
20          and

21           (4) by adding at the end the following:

22           “(c) DISPOSITION OF PROCEEDS.—

23           “(1) DEPOSIT IN SISK FUND.—The net pro-  
24           ceeds derived from any sale or exchange conducted  
25           under paragraph (4), (5), or (6) of section 3 shall

1 be deposited in the fund established under Public  
2 Law 90–171 (commonly known as the ‘Sisk Act’)  
3 (16 U.S.C. 484a).

4 “(2) USE.—Amounts deposited under para-  
5 graph (1) shall be available to the Secretary until  
6 expended for—

7 “(A) the acquisition of land or interests in  
8 land for administrative sites for the National  
9 Forest System in the State from which the  
10 amounts were derived;

11 “(B) the acquisition of land or interests in  
12 land for inclusion in the National Forest Sys-  
13 tem in that State, including land or interests in  
14 land that enhance opportunities for recreational  
15 access; or

16 “(C) the reimbursement of the Secretary  
17 for costs incurred in preparing a sale conducted  
18 under the authority of section 3 if the sale is  
19 a competitive sale.”.

20 **SEC. 8622. FOREST SERVICE PARTICIPATION IN ACES PRO-**  
21 **GRAM.**

22 Section 8302 of the Agricultural Act of 2014 (16  
23 U.S.C. 3851a) is amended—

24 (1) by striking “The Secretary” and inserting  
25 the following:

1 “(a) IN GENERAL.—The Secretary”; and

2 (2) by adding at the end the following:

3 “(b) TERMINATION OF EFFECTIVENESS.—The au-  
4 thority provided to the Secretary to carry out this section  
5 terminates effective October 1, 2023.”.

6 **SEC. 8623. AUTHORIZATION FOR LEASE OF FOREST SERV-  
7 ICE SITES.**

8 (a) DEFINITIONS.—In this section:

9 (1) ADMINISTRATIVE SITE.—

10 (A) IN GENERAL.—The term “administra-  
11 tive site” means—

12 (i) any facility or improvement, in-  
13 cluding curtilage, that was acquired or is  
14 used specifically for purposes of adminis-  
15 tration of the National Forest System;

16 (ii) any Federal land that—

17 (I) is associated with a facility or  
18 improvement described in clause (i)  
19 that was acquired or is used specifi-  
20 cally for purposes of administration of  
21 Forest Service activities; and

22 (II) underlies or abuts the facility  
23 or improvement; and

1 (iii) for each fiscal year, not more  
2 than 10 isolated, undeveloped parcels of  
3 not more than 40 acres each.

4 (B) EXCLUSIONS.—The term “administra-  
5 tive site” does not include—

6 (i) any land within a unit of the Na-  
7 tional Forest System that is exclusively  
8 designated for natural area or recreational  
9 purposes;

10 (ii) any land within—

11 (I) a component of the National  
12 Wilderness Preservation System;

13 (II) a component of the National  
14 Wild and Scenic Rivers System; or

15 (III) a National Monument; or

16 (iii) any Federal land that the Sec-  
17 retary determines—

18 (I) is needed for resource man-  
19 agement purposes or to provide access  
20 to other land or water; or

21 (II) would be in the public inter-  
22 est not to lease.

23 (2) FACILITY OR IMPROVEMENT.—The term  
24 “facility or improvement” includes—

25 (A) a forest headquarters;

- 1 (B) a ranger station;
- 2 (C) a research station or laboratory;
- 3 (D) a dwelling;
- 4 (E) a warehouse;
- 5 (F) a scaling station;
- 6 (G) a fire-retardant mixing station;
- 7 (H) a fire-lookout station;
- 8 (I) a guard station;
- 9 (J) a storage facility;
- 10 (K) a telecommunication facility; and
- 11 (L) any other administrative installation
- 12 for conducting Forest Service activities.

13 (3) MARKET ANALYSIS.—The term “market  
14 analysis” means the identification and study of the  
15 market for a particular economic good or service.

16 (b) AUTHORIZATION.—The Secretary may lease an  
17 administrative site that is under the jurisdiction of the  
18 Secretary in accordance with this section.

19 (c) IDENTIFICATION OF ELIGIBLE SITES.—A re-  
20 gional forester, in consultation with forest supervisors in  
21 the region, may submit to the Secretary a recommendation  
22 for administrative sites in the region that the regional for-  
23 ester considers eligible for leasing under this section.



1 (d) CONSULTATION WITH LOCAL GOVERNMENT AND  
2 PUBLIC NOTICE.—Before making an administrative site  
3 available for lease under this section, the Secretary shall—

4 (1) consult with government officials of the  
5 community and of the State in which the adminis-  
6 trative site is located; and

7 (2) provide public notice of the proposed lease.

8 (e) LEASE REQUIREMENTS.—

9 (1) SIZE.—An administrative site or compound  
10 of administrative sites under a single lease under  
11 this section may not exceed 40 acres.

12 (2) CONFIGURATION OF ADMINISTRATIVE  
13 SITES.—

14 (A) IN GENERAL.—To facilitate the lease  
15 of an administrative site under this section, the  
16 Secretary may configure the administrative  
17 site—

18 (i) to maximize the marketability of  
19 the administrative site; and

20 (ii) to achieve management objectives.

21 (B) SEPARATE TREATMENT OF FACILITY  
22 OR IMPROVEMENT.—A facility or improvement  
23 on an administrative site to be leased under this  
24 section may be severed from the land and

1 leased under a separate lease under this sec-  
2 tion.

3 (3) CONSIDERATION.—

4 (A) IN GENERAL.—A person to which a  
5 lease of an administrative site is made under  
6 this section shall provide to the Secretary con-  
7 sideration described in subparagraph (B) in an  
8 amount that is not less than the market value  
9 of the administrative site, as determined in ac-  
10 cordance with subparagraph (C).

11 (B) FORM OF CONSIDERATION.—The con-  
12 sideration referred to in subparagraph (A) may  
13 be—

14 (i) cash;

15 (ii) in-kind, including—

16 (I) the construction of new facili-  
17 ties or improvements, the title to  
18 which shall be transferred by the les-  
19 see to the Secretary;

20 (II) the maintenance, repair, im-  
21 provement, or restoration of existing  
22 facilities or improvements; and

23 (III) other services relating to ac-  
24 tivities that occur on the administra-

1                   tive site, as determined by the Sec-  
2                   retary; or

3                   (iii) any combination of the consider-  
4                   ation described in clauses (i) and (ii).

5                   (C)    DETERMINATION    OF    MARKET  
6                   VALUE.—

7                   (i) IN GENERAL.—The Secretary shall  
8                   determine the market value of an adminis-  
9                   trative site to be leased under this sec-  
10                  tion—

11                   (I) by conducting an appraisal in  
12                  accordance with—

13                   (aa) the Uniform Appraisal  
14                   Standards for Federal Land Ac-  
15                   quisitions established in accord-  
16                   ance with the Uniform Relocation  
17                   Assistance and Real Property Ac-  
18                   quisition Policies Act of 1970 (42  
19                   U.S.C. 4601 et seq.); and

20                   (bb) the Uniform Standards  
21                   of Professional Appraisal Prac-  
22                   tice; or

23                   (II) by competitive lease.

24                   (ii) IN-KIND CONSIDERATION.—The  
25                  Secretary shall determine the market value

1                   of any in-kind consideration under sub-  
2                   paragraph (B)(ii).

3                   (4) CONDITIONS.—The lease of an administra-  
4                   tive site under this section shall be subject to such  
5                   conditions, including bonding, as the Secretary de-  
6                   termines to be appropriate.

7                   (5) RIGHT OF FIRST REFUSAL.—Subject to  
8                   terms and conditions that the Secretary determines  
9                   to be necessary, the Secretary shall offer to lease an  
10                  administrative site to the municipality or county in  
11                  which the administrative site is located before seek-  
12                  ing to lease the administrative site to any other per-  
13                  son.

14                  (f) RELATION TO OTHER LAWS.—

15                  (1) FEDERAL PROPERTY DISPOSAL.—Chapter 5  
16                  of title 40, United States Code, shall not apply to  
17                  the lease of an administrative site under this section.

18                  (2) LEAD-BASED PAINT AND ASBESTOS ABATE-  
19                  MENT.—

20                  (A) IN GENERAL.—Notwithstanding any  
21                  provision of law relating to the mitigation or  
22                  abatement of lead-based paint or asbestos-con-  
23                  taining building materials, the Secretary shall  
24                  not be required to mitigate or abate lead-based  
25                  paint or asbestos-containing building materials

1 with respect to an administrative site to be  
2 leased under this section.

3 (B) PROCEDURES.—With respect to an ad-  
4 ministrative site to be leased under this section  
5 that has lead-based paint or asbestos-containing  
6 building materials, the Secretary shall—

7 (i) provide notice to the person to  
8 which the administrative site will be leased  
9 of the presence of the lead-based paint or  
10 asbestos-containing building material; and

11 (ii) obtain written assurance from  
12 that person that the person will comply  
13 with applicable Federal, State, and local  
14 laws relating to the management of lead-  
15 based paint and asbestos-containing build-  
16 ing materials.

17 (3) ENVIRONMENTAL REVIEW.—The National  
18 Environmental Policy Act of 1969 (42 U.S.C. 4321  
19 et seq.) shall apply to the lease of an administrative  
20 site under this section, except that, in any environ-  
21 mental review or analysis required under that Act  
22 for the lease of an administrative site under this sec-  
23 tion, the Secretary shall be required only—

1 (A) to analyze the most reasonably foresee-  
2 able use of the administrative site, as deter-  
3 mined through a market analysis;

4 (B) to determine whether to include any  
5 conditions under subsection (e)(4); and

6 (C) to evaluate the alternative of not leas-  
7 ing the administrative site in accordance with  
8 the National Environmental Policy Act of 1969  
9 (42 U.S.C. 4321 et seq.).

10 (4) COMPLIANCE WITH LOCAL LAWS.—A person  
11 that leases an administrative site under this section  
12 shall comply with all applicable State and local zon-  
13 ing laws, building codes, and permit requirements  
14 for any construction activities that occur on the ad-  
15 ministrative site.

16 (g) USE OF CONSIDERATION.—Cash consideration  
17 for a lease of an administrative site under this section  
18 shall be available to the Secretary, until expended and  
19 without further appropriation, to pay—

20 (1) any necessary and incidental costs incurred  
21 by the Secretary in connection with—

22 (A) the acquisition, improvement, mainte-  
23 nance, reconstruction, or construction of a facil-  
24 ity or improvement for the National Forest Sys-  
25 tem; and

1 (B) the lease of an administrative site  
2 under this section; and

3 (2) reasonable commissions or fees for broker-  
4 age services obtained in connection with the lease,  
5 subject to the conditions that the Secretary—

6 (A) determines that the services are in the  
7 public interest; and

8 (B) shall provide public notice of any bro-  
9 kerage services contract entered into in connec-  
10 tion with a lease under this section.

11 (h) CONGRESSIONAL NOTIFICATIONS.—

12 (1) ANTICIPATED USE OF AUTHORITY.—As  
13 part of the annual budget justification documents  
14 provided to the Committee on Appropriations of the  
15 House of Representatives and the Committee on Ap-  
16 propriations of the Senate, the Secretary shall in-  
17 clude—

18 (A) a list of the anticipated leases to be  
19 made, including the anticipated revenue that  
20 may be obtained, under this section;

21 (B) a description of the intended use of  
22 any revenue obtained under a lease under this  
23 section, including a list of any projects that cost  
24 more than \$500,000; and

1           (C) a description of accomplishments dur-  
2           ing previous years using the authority of the  
3           Secretary under this section.

4           (2) CHANGES TO LEASE LIST.—If the Secretary  
5           desires to lease an administrative site under this sec-  
6           tion that is not included on a list provided under  
7           paragraph (1)(A), the Secretary shall submit to the  
8           congressional committees described in paragraph (3)  
9           a notice of the proposed lease, including the antici-  
10          pated revenue that may be obtained from the lease.

11          (3) USE OF AUTHORITY.—Not less frequently  
12          than once each year, the Secretary shall submit to  
13          the Committee on Agriculture, the Committee on  
14          Appropriations, and the Committee on Natural Re-  
15          sources of the House of Representatives and the  
16          Committee on Agriculture, Nutrition, and Forestry,  
17          the Committee on Appropriations, and the Com-  
18          mittee on Energy and Natural Resources of the Sen-  
19          ate a report describing each lease made by the Sec-  
20          retary under this section during the period covered  
21          by the report.

22          (i) EXPIRATION OF AUTHORITY.—

23           (1) IN GENERAL.—The authority of the Sec-  
24           retary to make a lease of an administrative site  
25           under this section expires on October 1, 2023.



1           (2) EFFECT ON LEASE AGREEMENT.—Para-  
2           graph (1) shall not affect the authority of the Sec-  
3           retary to carry out this section in the case of any  
4           lease agreement that was entered into by the Sec-  
5           retary before October 1, 2023.

6 **SEC. 8624. GOOD NEIGHBOR AUTHORITY.**

7           (a) INCLUSION OF INDIAN TRIBES.—Section 8206(a)  
8           of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is  
9           amended—

10           (1) in paragraph (1)(A), by striking “land and  
11           non-Federal land” and inserting “land, non-Federal  
12           land, and land owned by an Indian tribe”;

13           (2) in paragraph (5), by inserting “or Indian  
14           tribe” after “affected State”;

15           (3) by redesignating paragraphs (6) and (7) as  
16           paragraphs (7) and (8), respectively; and

17           (4) by inserting after paragraph (5) (as so re-  
18           designated) the following:

19           “(6) INDIAN TRIBE.—The term ‘Indian tribe’  
20           has the meaning given the term in section 4 of the  
21           Indian Self-Determination and Education Assistance  
22           Act (25 U.S.C. 5304).”.

23           (b) INCLUSION OF COUNTIES.—Section 8206 of the  
24           Agricultural Act of 2014 (16 U.S.C. 2113a) is amended—

25           (1) in subsection (a)—

1 (A) in paragraph (1)(B), by inserting “or  
2 county, as applicable,” after “Governor”;

3 (B) by redesignating paragraphs (2)  
4 through (9) (as amended by subsection (a)) as  
5 paragraphs (3) through (10), respectively;

6 (C) by inserting after paragraph (1) the  
7 following:

8 “(2) COUNTY.—The term ‘county’ means—

9 “(A) the appropriate executive official of  
10 an affected county; or

11 “(B) in any case in which multiple coun-  
12 ties are affected, the appropriate executive offi-  
13 cial of a compact of the affected counties.”; and

14 (D) in paragraph (5) (as so redesignated),  
15 by inserting “or county, as applicable,” after  
16 “Governor”; and

17 (2) in subsection (b)—

18 (A) in paragraph (1)(A), by inserting “or  
19 county” after “Governor”;

20 (B) in paragraph (2)(A), by striking “co-  
21 operative agreement or contract entered into  
22 under subsection (a)” and inserting “good  
23 neighbor agreement”;

24 (C) in paragraph (3), by inserting “or  
25 county” after “Governor”; and

1 (D) by adding at the end the following:

2 “(4) RECEIPTS.—Notwithstanding any other  
3 provision of law, any payment made by a county to  
4 the Secretary under a project conducted under a  
5 good neighbor agreement shall not be considered to  
6 be monies received from National Forest System  
7 land or Bureau of Land Management land, as appli-  
8 cable.”.

9 **SEC. 8625. WILDLAND-URBAN INTERFACE.**

10 To the maximum extent practicable, the Secretary  
11 shall prioritize the expenditure of hazardous fuels funding  
12 for projects within the wildland-urban interface (as de-  
13 fined in section 101 of the Healthy Forests Restoration  
14 Act of 2003 (16 U.S.C. 6511)).

15 **SEC. 8626. CHATTAHOOCHEE-OCONEE NATIONAL FOREST**  
16 **LAND ADJUSTMENT.**

17 (a) FINDINGS.—Congress finds that—

18 (1) certain National Forest System land in the  
19 State of Georgia consists of isolated tracts that are  
20 inefficient to manage or have lost their principal  
21 value for National Forest purposes;

22 (2) the disposal of that National Forest System  
23 land would be in the public interest; and

24 (3) proceeds from the sale of National Forest  
25 System land under subsection (b)(1) would be used

1 best by the Forest Service to purchase land for Na-  
2 tional Forest purposes in the State of Georgia.

3 (b) LAND CONVEYANCE AUTHORITY.—

4 (1) IN GENERAL.—Under such terms and con-  
5 ditions as the Secretary may prescribe, the Secretary  
6 may sell or exchange any or all rights, title, and in-  
7 terest of the United States in and to the National  
8 Forest System land described in paragraph (2)(A).

9 (2) LAND AUTHORIZED FOR DISPOSAL.—

10 (A) IN GENERAL.—The National Forest  
11 System land referred to in paragraph (1) is the  
12 30 tracts of land totaling approximately 3,841  
13 acres that are generally depicted on the 2 maps  
14 entitled “Priority Land Adjustments, State of  
15 Georgia, U.S. Forest Service—Southern Region,  
16 Oconee and Chattahoochee National Forests,  
17 U.S. Congressional Districts—8, 9, 10 & 14”  
18 and dated September 24, 2013.

19 (B) MAPS.—The maps described in sub-  
20 paragraph (A) shall be on file and available for  
21 public inspection in the Office of the Forest Su-  
22 pervisor, Chattahoochee-Oconee National For-  
23 est, until such time as the land is sold or ex-  
24 changed.

1           (C) MODIFICATION OF BOUNDARIES.—The  
2           Secretary may modify the boundaries of the  
3           National Forest System land described in sub-  
4           paragraph (A) based on land management con-  
5           siderations.

6           (3) FORM OF CONVEYANCE.—

7           (A) QUITCLAIM DEED.—The Secretary  
8           shall convey National Forest System land sold  
9           or exchanged under paragraph (1) by quitclaim  
10          deed.

11          (B) RESERVATIONS.—The Secretary may  
12          reserve any rights-of-way or other rights or in-  
13          terests in National Forest System land sold or  
14          exchanged under paragraph (1) that the Sec-  
15          retary considers necessary for management pur-  
16          poses or to protect the public interest.

17          (4) VALUATION.—

18          (A) MARKET VALUE.—The Secretary may  
19          not sell or exchange National Forest System  
20          land under paragraph (1) for less than market  
21          value, as determined by appraisal or through  
22          competitive bid.

23          (B) APPRAISAL REQUIREMENTS.—Any ap-  
24          praisal under subparagraph (A) shall be—

- 1 (i) consistent with the Uniform Ap-  
2 praisal Standards for Federal Land Acqui-  
3 sitions or the Uniform Standards of Pro-  
4 fessional Appraisal Practice; and  
5 (ii) subject to the approval of the Sec-  
6 retary.

7 (5) CONSIDERATION.—

8 (A) CASH.—Consideration for a sale of  
9 National Forest System land or equalization of  
10 an exchange under paragraph (1) shall be paid  
11 in cash.

12 (B) EXCHANGE.—Notwithstanding section  
13 206(b) of the Federal Land Policy and Manage-  
14 ment Act of 1976 (43 U.S.C. 1716(b)), the  
15 Secretary may accept a cash equalization pay-  
16 ment in excess of 25 percent of the value of any  
17 National Forest System land exchanged under  
18 paragraph (1).

19 (6) METHOD OF SALE.—

20 (A) OPTIONS.—The Secretary may sell  
21 National Forest System land under paragraph  
22 (1) at public or private sale, including competi-  
23 tive sale by auction, bid, or otherwise, in ac-  
24 cordance with such terms, conditions, and pro-

1           cedures as the Secretary determines are in the  
2           best interest of the United States.

3           (B) SOLICITATIONS.—The Secretary  
4           may—

5                   (i) make public or private solicitations  
6                   for the sale or exchange of National Forest  
7                   System land under paragraph (1); and

8                   (ii) reject any offer that the Secretary  
9                   determines is not adequate or not in the  
10                  public interest.

11          (7) BROKERS.—The Secretary may—

12                  (A) use brokers or other third parties in  
13                  the sale or exchange of National Forest System  
14                  land under paragraph (1); and

15                  (B) from the proceeds of a sale, pay rea-  
16                  sonable commissions or fees.

17          (c) TREATMENT OF PROCEEDS.—

18                  (1) DEPOSIT.—Subject to subsection (b)(7)(B),  
19                  the Secretary shall deposit the proceeds of a sale or  
20                  a cash equalization payment received from the sale  
21                  or exchange of National Forest System land under  
22                  subsection (b)(1) in the fund established under Pub-  
23                  lic Law 90–171 (commonly known as the “Sisk  
24                  Act”) (16 U.S.C. 484a).

1           (2) AVAILABILITY.—Subject to paragraph (3),  
2           amounts deposited under paragraph (1) shall be  
3           available to the Secretary until expended, without  
4           further appropriation, for the acquisition of land for  
5           National Forest purposes in the State of Georgia.

6           (3) PRIVATE PROPERTY PROTECTION.—Nothing  
7           in this section authorizes the use of funds deposited  
8           under paragraph (1) to be used to acquire land with-  
9           out the written consent of the owner of the land.

10 **SEC. 8627. TENNESSEE WILDERNESS.**

11           (a) DEFINITIONS.—In this section:

12           (1) MAP.—The term “Map” means the map en-  
13           titled “Proposed Wilderness Areas and Additions-  
14           Cherokee National Forest” and dated January 20,  
15           2010.

16           (2) STATE.—The term “State” means the State  
17           of Tennessee.

18           (b) ADDITIONS TO CHEROKEE NATIONAL FOREST.—

19           (1) DESIGNATION OF WILDERNESS.—In accord-  
20           ance with the Wilderness Act (16 U.S.C. 1131 et  
21           seq.), the following parcels of Federal land in the  
22           Cherokee National Forest in the State are des-  
23           ignated as wilderness and as additions to the Na-  
24           tional Wilderness Preservation System:



1           (A) Certain land comprising approximately  
2           9,038 acres, as generally depicted as the  
3           “Upper Bald River Wilderness” on the Map  
4           and which shall be known as the “Upper Bald  
5           River Wilderness”.

6           (B) Certain land comprising approximately  
7           348 acres, as generally depicted as the “Big  
8           Frog Addition” on the Map and which shall be  
9           incorporated in, and shall be considered to be a  
10          part of, the Big Frog Wilderness.

11          (C) Certain land comprising approximately  
12          630 acres, as generally depicted as the “Little  
13          Frog Mountain Addition NW” on the Map and  
14          which shall be incorporated in, and shall be con-  
15          sidered to be a part of, the Little Frog Moun-  
16          tain Wilderness.

17          (D) Certain land comprising approximately  
18          336 acres, as generally depicted as the “Little  
19          Frog Mountain Addition NE” on the Map and  
20          which shall be incorporated in, and shall be con-  
21          sidered to be a part of, the Little Frog Moun-  
22          tain Wilderness.

23          (E) Certain land comprising approximately  
24          2,922 acres, as generally depicted as the  
25          “Sampson Mountain Addition” on the Map and

1           which shall be incorporated in, and shall be con-  
2           sidered to be a part of, the Sampson Mountain  
3           Wilderness.

4           (F) Certain land comprising approximately  
5           4,446 acres, as generally depicted as the “Big  
6           Laurel Branch Addition” on the Map and  
7           which shall be incorporated in, and shall be con-  
8           sidered to be a part of, the Big Laurel Branch  
9           Wilderness.

10          (G) Certain land comprising approximately  
11          1,836 acres, as generally depicted as the “Joyce  
12          Kilmer-Slickrock Addition” on the Map and  
13          which shall be incorporated in, and shall be con-  
14          sidered to be a part of, the Joyce Kilmer-  
15          Slickrock Wilderness.

16          (2) MAPS AND LEGAL DESCRIPTIONS.—

17          (A) IN GENERAL.—As soon as practicable  
18          after the date of enactment of this Act, the Sec-  
19          retary shall file maps and legal descriptions of  
20          the wilderness areas designated by paragraph  
21          (1) with the appropriate committees of Con-  
22          gress.

23          (B) PUBLIC AVAILABILITY.—The maps  
24          and legal descriptions filed under subparagraph  
25          (A) shall be on file and available for public in-

1           specification in the office of the Chief of the Forest  
2           Service and the office of the Supervisor of the  
3           Cherokee National Forest.

4           (C) FORCE OF LAW.—The maps and legal  
5           descriptions filed under subparagraph (A) shall  
6           have the same force and effect as if included in  
7           this Act, except that the Secretary may correct  
8           typographical errors in the maps and descrip-  
9           tions.

10          (3) ADMINISTRATION.—

11           (A) IN GENERAL.—Subject to valid exist-  
12           ing rights, the Federal land designated as wil-  
13           derness by paragraph (1) shall be administered  
14           by the Secretary in accordance with the Wilder-  
15           ness Act (16 U.S.C. 1131 et seq.), except that  
16           any reference in that Act to the effective date  
17           of that Act shall be deemed to be a reference  
18           to the date of enactment of this Act.

19           (B) FISH AND WILDLIFE MANAGEMENT.—  
20           In accordance with section 4(d)(7) of the Wil-  
21           derness Act (16 U.S.C. 1133(d)(7)), nothing in  
22           this section affects the jurisdiction of the State  
23           with respect to fish and wildlife management,  
24           including the regulation of hunting, fishing, and

1 trapping, in the wilderness areas designated by  
2 paragraph (1).

3 **SEC. 8628. ADDITIONS TO ROUGH MOUNTAIN AND RICH**  
4 **HOLE WILDERNESSES.**

5 (a) ROUGH MOUNTAIN ADDITION.—Section 1 of  
6 Public Law 100–326 (16 U.S.C. 1132 note; 102 Stat.  
7 584; 114 Stat. 2057; 123 Stat. 1002) is amended by add-  
8 ing at the end the following:

9 “(21) ROUGH MOUNTAIN ADDITION.—Certain  
10 land in the George Washington National Forest  
11 comprising approximately 1,000 acres, as generally  
12 depicted as the ‘Rough Mountain Addition’ on the  
13 map entitled ‘GEORGE WASHINGTON NA-  
14 TIONAL FOREST – South half – Alternative I –  
15 Selected Alternative Management Prescriptions –  
16 Land and Resources Management Plan Final Envi-  
17 ronmental Impact Statement’ and dated March 4,  
18 2014, which is incorporated in the Rough Mountain  
19 Wilderness Area designated by paragraph (1).”.

20 (b) RICH HOLE ADDITION.—

21 (1) POTENTIAL WILDERNESS DESIGNATION.—  
22 In furtherance of the purposes of the Wilderness Act  
23 (16 U.S.C. 1131 et seq.), certain land in the George  
24 Washington National Forest comprising approxi-  
25 mately 4,600 acres, as generally depicted as the

1 “Rich Hole Addition” on the map entitled  
2 “GEORGE WASHINGTON NATIONAL FOREST  
3 – South half – Alternative I – Selected Alternative  
4 Management Prescriptions – Land and Resources  
5 Management Plan Final Environmental Impact  
6 Statement” and dated March 4, 2014, is designated  
7 as a potential wilderness area for incorporation in  
8 the Rich Hole Wilderness Area designated by section  
9 1(2) of Public Law 100–326 (16 U.S.C. 1132 note;  
10 102 Stat. 584; 114 Stat. 2057; 123 Stat. 1002).

11 (2) WILDERNESS DESIGNATION.—The potential  
12 wilderness area designated by paragraph (1) shall be  
13 designated as wilderness and incorporated in the  
14 Rich Hole Wilderness Area designated by section  
15 1(2) of Public Law 100–326 (16 U.S.C. 1132 note;  
16 102 Stat. 584; 114 Stat. 2057; 123 Stat. 1002) on  
17 the earlier of—

18 (A) the date on which the Secretary pub-  
19 lishes in the Federal Register notice that the  
20 activities permitted under paragraph (4) have  
21 been completed; or

22 (B) the date that is 5 years after the date  
23 of enactment of this Act.

24 (3) MANAGEMENT.—Except as provided in  
25 paragraph (4), the Secretary shall manage the po-

1 potential wilderness area designated by paragraph (1)  
2 in accordance with the Wilderness Act (16 U.S.C.  
3 1131 et seq.).

4 (4) WATER QUALITY IMPROVEMENT ACTIVITIES.—  
5 TIES.—

6 (A) IN GENERAL.—To enhance natural  
7 ecosystems within the potential wilderness area  
8 designated by paragraph (1) by implementing  
9 certain activities to improve water quality and  
10 aquatic passage, as set forth in the Forest  
11 Service document entitled “Decision Notice for  
12 the Lower Cowpasture Restoration and Man-  
13 agement Project” and dated December 2015,  
14 the Secretary may use motorized equipment  
15 and mechanized transport in the potential wil-  
16 derness area until the date on which the poten-  
17 tial wilderness area is incorporated into the  
18 Rich Hole Wilderness Area under paragraph  
19 (2).

20 (B) REQUIREMENT.—In carrying out sub-  
21 paragraph (A), the Secretary, to the maximum  
22 extent practicable, shall use the minimum tool  
23 or administrative practice necessary to carry  
24 out that subparagraph with the least amount of

1           adverse impact on wilderness character and re-  
2           sources.

3 **SEC. 8629. KISATCHIE NATIONAL FOREST LAND CONVEY-**  
4           **ANCE.**

5           (a) FINDING.—Congress finds that it is in the public  
6 interest to authorize the conveyance of certain Federal  
7 land in the Kisatchie National Forest in the State of Lou-  
8 isiana for market value consideration.

9           (b) DEFINITIONS.—In this section:

10           (1) COLLINS CAMP PROPERTIES.—The term  
11 “Collins Camp Properties” means Collins Camp  
12 Properties, Inc., a corporation incorporated under  
13 the laws of the State.

14           (2) STATE.—The term “State” means the State  
15 of Louisiana.

16           (c) AUTHORIZATION OF CONVEYANCES, KISATCHIE  
17 NATIONAL FOREST, LOUISIANA.—

18           (1) AUTHORIZATION.—

19           (A) IN GENERAL.—Subject to valid exist-  
20 ing rights and paragraph (2), the Secretary  
21 may convey the Federal land described in sub-  
22 paragraph (B) by quitclaim deed at public or  
23 private sale, including competitive sale by auc-  
24 tion, bid, or other methods.

1 (B) DESCRIPTION OF LAND.—The Federal  
2 land referred to in subparagraph (A) consists  
3 of—

4 (i) all Federal land within sec. 9, T.  
5 10 N., R. 5 W., Winn Parish, Louisiana;  
6 and

7 (ii) a 2.16-acre parcel of Federal land  
8 located in the SW<sup>1</sup>/<sub>4</sub> of sec. 4, T. 10 N.,  
9 R. 5 W., Winn Parish, Louisiana, as de-  
10 picted on a certificate of survey dated  
11 March 7, 2007, by Glen L. Cannon, P.L.S.  
12 4436.

13 (2) FIRST RIGHT OF PURCHASE.—Subject to  
14 valid existing rights and subsection (e), during the  
15 1-year period beginning on the date of enactment of  
16 this Act, on the provision of consideration by the  
17 Collins Camp Properties to the Secretary, the Sec-  
18 retary shall convey, by quitclaim deed, to Collins  
19 Camp Properties all right, title, and interest of the  
20 United States in and to—

21 (A) the not more than 47.92 acres of Fed-  
22 eral land comprising the Collins Campsites  
23 within sec. 9, T. 10 N., R. 5 W., in Winn Par-  
24 ish, Louisiana, as generally depicted on a cer-



1           tificate of survey dated February 28, 2007, by  
2           Glen L. Cannon, P.L.S. 4436; and

3           (B) the parcel of Federal land described in  
4           paragraph (1)(B)(ii).

5           (3) TERMS AND CONDITIONS.—The Secretary  
6           may—

7           (A) configure the Federal land to be con-  
8           veyed under this section—

9           (i) to maximize the marketability of  
10          the conveyance; or

11          (ii) to achieve management objectives;

12          and

13          (B) establish any terms and conditions for  
14          the conveyances under this section that the Sec-  
15          retary determines to be in the public interest.

16          (4) CONSIDERATION.—Consideration for a con-  
17          veyance of Federal land under this section shall be—

18          (A) in the form of cash; and

19          (B) in an amount equal to the market  
20          value of the Federal land being conveyed, as de-  
21          termined under paragraph (5).

22          (5) MARKET VALUE.—The market value of the  
23          Federal land conveyed under this section shall be de-  
24          termined—

1 (A) in the case of Federal land conveyed  
2 under paragraph (2), by an appraisal that is—

3 (i) conducted in accordance with the  
4 Uniform Appraisal Standards for Federal  
5 Land Acquisitions; and

6 (ii) approved by the Secretary; or

7 (B) if conveyed by a method other than the  
8 methods described in paragraph (2), by com-  
9 petitive sale.

10 (6) HAZARDOUS SUBSTANCES.—

11 (A) IN GENERAL.—In any conveyance of  
12 Federal land under this section, the Secretary  
13 shall meet disclosure requirements for haz-  
14 ardous substances, but shall otherwise not be  
15 required to remediate or abate the substances.

16 (B) EFFECT.—Except as provided in sub-  
17 paragraph (A), nothing in this subsection af-  
18 fects the application of the Comprehensive En-  
19 vironmental Response, Compensation, and Li-  
20 ability Act of 1980 (42 U.S.C. 9601 et seq.) to  
21 the conveyances of Federal land.

22 (d) PROCEEDS FROM THE SALE OF LAND.—The Sec-  
23 retary shall deposit the proceeds of a conveyance of Fed-  
24 eral land under subsection (c) in the fund established

1 under Public Law 90–171 (commonly known as the “Sisk  
2 Act”) (16 U.S.C. 484a).

3 (e) ADMINISTRATION.—

4 (1) COSTS.—As a condition of a conveyance of  
5 Federal land to Collins Camp Properties under sub-  
6 section (c), the Secretary shall require Collins Camp  
7 Properties to pay at closing—

8 (A) reasonable appraisal costs; and

9 (B) the cost of any administrative and en-  
10 vironmental analyses required by law (including  
11 regulations).

12 (2) PERMITS.—

13 (A) IN GENERAL.—An offer by Collins  
14 Camp Properties for the acquisition of the Fed-  
15 eral land under subsection (c) shall be accom-  
16 panied by a written statement from each holder  
17 of a Forest Service special use authorization  
18 with respect to the Federal land that specifies  
19 that the holder agrees to relinquish the special  
20 use authorization on the conveyance of the Fed-  
21 eral land to Collins Camp Properties.

22 (B) SPECIAL USE AUTHORIZATIONS.—If  
23 any holder of a special use authorization de-  
24 scribed in subparagraph (A) fails to provide a  
25 written authorization in accordance with that

1           subparagraph, the Secretary shall require, as a  
2           condition of the conveyance, that Collins Camp  
3           Properties administer the special use authoriza-  
4           tion according to the terms of the special use  
5           authorization until the date on which the spe-  
6           cial use authorization expires.

7 **SEC. 8630. PURCHASE OF NATURAL RESOURCES CON-**  
8                   **SERVATION SERVICE PROPERTY, RIVERSIDE**  
9                   **COUNTY, CALIFORNIA.**

10       (a) FINDINGS.—Congress finds as follows:

11           (1) Since 1935, the United States has owned a  
12           parcel of land in Riverside, California, consisting of  
13           approximately 8.75 acres, more specifically described  
14           in subsection (b)(1) (in this section referred to as  
15           the “property”).

16           (2) The property is under the jurisdiction of the  
17           Department of Agriculture and has been variously  
18           used for research and plant materials purposes.

19           (3) Since 1998, the property has been adminis-  
20           tered by the Natural Resources Conservation Service  
21           of the Department of Agriculture.

22           (4) Since 2002, the property has been co-man-  
23           aged under a cooperative agreement between the  
24           Natural Resources Conservation Service and the  
25           Riverside Corona Resource Conservation District,

1       which is a legal subdivision of the State of California  
2       under section 9003 of the California Public Re-  
3       sources Code.

4               (5) The Conservation District wishes to pur-  
5       chase the property and use it for conservation, envi-  
6       ronmental, and related educational purposes.

7               (6) As provided in subsection (b), the purchase  
8       of the property by the Conservation District would  
9       promote the conservation education and related ac-  
10      tivities of the Conservation District and result in  
11      savings to the Federal Government.

12      (b) LAND PURCHASE, NATURAL RESOURCES CON-  
13      SERVATION SERVICE PROPERTY, RIVERSIDE COUNTY,  
14      CALIFORNIA.—

15              (1) PURCHASE AUTHORIZED.—The Secretary  
16      shall sell and quitclaim to the Riverside Corona Re-  
17      source Conservation District (in this section referred  
18      to as the “Conservation District”) all right, title,  
19      and interest of the United States in and to a parcel  
20      of real property, including improvements thereon,  
21      that is located at 4500 Glenwood Drive in Riverside,  
22      California, consists of approximately 8.75 acres, and  
23      is administered by the Natural Resources Conserva-  
24      tion Service of the Department of Agriculture. As  
25      necessary or desirable to facilitate the purchase of

1 the property under this subsection, the Secretary or  
2 the Conservation District may survey all or portions  
3 of the property.

4 (2) CONSIDERATION.—As consideration for the  
5 purchase of the property under this subsection, the  
6 Conservation District shall pay to the Secretary an  
7 amount equal to the appraised value of the property.

8 (3) PROHIBITION ON RESERVATION OF INTER-  
9 EST.—The Secretary shall not reserve any future in-  
10 terest in the property to be conveyed under this sub-  
11 section, except such interest as may be acceptable to  
12 the Conservation District.

13 (4) HAZARDOUS SUBSTANCES.—Notwith-  
14 standing section 120(h) of the Comprehensive Envi-  
15 ronmental Response, Compensation, and Liability  
16 Act of 1980 (42 U.S.C. 9620(h)) or the Solid Waste  
17 Disposal Act (42 U.S.C. 6901 et seq.), in the case  
18 of the property purchased by the Conservation Dis-  
19 trict under this subsection, the Secretary shall be  
20 only required to meet the disclosure requirements for  
21 hazardous substances, pollutants, or contaminants,  
22 but shall otherwise not be required to remediate or  
23 abate any such releases of hazardous substances,  
24 pollutants, or contaminants, including petroleum and  
25 petroleum derivatives.

1 (5) COOPERATIVE AUTHORITY.—

2 (A) LEASES, CONTRACTS, AND COOPERA-  
3 TIVE AGREEMENTS AUTHORIZED.—In conjunc-  
4 tion with, or in addition to, the purchase of the  
5 property by the Conservation District under  
6 this subsection, the Secretary may enter into  
7 leases, contracts and cooperative agreements  
8 with the Conservation District.

9 (B) SOLE SOURCE.—Notwithstanding sec-  
10 tions 3105, 3301, and 3303 to 3305 of title 41,  
11 United States Code, or any other provision of  
12 law, the Secretary may lease real property from  
13 the Conservation District on a noncompetitive  
14 basis.

15 (C) NON-EXCLUSIVE AUTHORITY.—The  
16 authority provided by this subsection is in addi-  
17 tion to any other authority of the Secretary.

18 **SEC. 8631. COLLABORATIVE FOREST LANDSCAPE RESTORA-**  
19 **TION PROGRAM.**

20 (a) REAUTHORIZATION.—Section 4003(f)(6) of the  
21 Omnibus Public Land Management Act of 2009 (16  
22 U.S.C. 7303(f)(6)) is amended by striking “\$40,000,000  
23 for each of fiscal years 2009 through 2019” and inserting  
24 “\$80,000,000 for each of fiscal years 2019 through  
25 2023”.

1 (b) REPORTING REQUIREMENTS.—Section 4003(h)  
2 of the Omnibus Public Land Management Act of 2009 (16  
3 U.S.C. 7303(h)) is amended—

4 (1) in paragraph (3), by striking “and” after  
5 the semicolon;

6 (2) in paragraph (4), by striking the period at  
7 the end and inserting “; and”;

8 (3) by redesignating paragraphs (3) and (4) as  
9 paragraphs (4) and (5), respectively;

10 (4) by inserting after paragraph (2) the fol-  
11 lowing:

12 “(3) the Committee on Agriculture, Nutrition,  
13 and Forestry of the Senate;” and

14 (5) by adding at the end the following:

15 “(6) the Committee on Agriculture of the  
16 House of Representatives.”.

17 **SEC. 8632. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY**  
18 **VEGETATION MANAGEMENT PILOT PRO-**  
19 **GRAM.**

20 (a) DEFINITIONS.—In this section:

21 (1) NATIONAL FOREST SYSTEM LAND.—

22 (A) IN GENERAL.—The term “National  
23 Forest System land” means land within the Na-  
24 tional Forest System, as defined in section  
25 11(a) of the Forest and Rangeland Renewable



1 Resources Planning Act of 1974 (16 U.S.C.  
2 1609(a)).

3 (B) EXCLUSIONS.—The term “National  
4 Forest System land” does not include—

5 (i) a National Grassland; or

6 (ii) a land utilization project on land  
7 designated as a National Grassland and  
8 administered pursuant to sections 31, 32,  
9 and 33 of the Bankhead-Jones Farm Ten-  
10 ant Act (7 U.S.C. 1010, 1011, 1012).

11 (2) PASSING WILDFIRE.—The term “passing  
12 wildfire” means a wildfire that originates outside of  
13 a right-of-way.

14 (3) PILOT PROGRAM.—The term “pilot pro-  
15 gram” means the pilot program established by the  
16 Secretary under subsection (b).

17 (4) RIGHT-OF-WAY.—The term “right-of-way”  
18 means a special use authorization issued by the For-  
19 est Service allowing the placement of utility infra-  
20 structure.

21 (5) UTILITY INFRASTRUCTURE.—The term  
22 “utility infrastructure” means electric transmission  
23 lines, natural gas infrastructure, or related struc-  
24 tures.

1 (b) ESTABLISHMENT.—To encourage owners or oper-  
2 ators of rights-of-way on National Forest System land to  
3 partner with the Forest Service to voluntarily conduct  
4 vegetation management projects on a proactive basis to  
5 better protect utility infrastructure from potential passing  
6 wildfires, the Secretary may establish a limited, voluntary  
7 pilot program, in the manner described in this section, to  
8 conduct vegetation management projects on National For-  
9 est System land adjacent to or near those rights-of-way.

10 (c) ELIGIBLE PARTICIPANTS.—

11 (1) IN GENERAL.—A participant in the pilot  
12 program shall be the owner or operator of a right-  
13 of-way on National Forest System land.

14 (2) SELECTION PRIORITY.—In selecting partici-  
15 pants for the pilot program, the Secretary shall give  
16 priority to an owner or operator of a right-of-way  
17 that has worked with Forest Service fire scientists  
18 and used technologies, such as light detection and  
19 ranging surveys, to improve utility infrastructure  
20 protection prescriptions.

21 (d) VEGETATION MANAGEMENT PROJECTS.—

22 (1) IN GENERAL.—A vegetation management  
23 project conducted under the pilot program shall in-  
24 volve only limited and selective vegetation manage-  
25 ment activities that—

1 (A) shall create the least disturbance rea-  
2 sonably necessary to protect utility infrastruc-  
3 ture from passing wildfires based on applicable  
4 models, including Forest Service fuel models;

5 (B) may include thinning, fuel reduction,  
6 creation and treatment of shaded fuel breaks,  
7 and other appropriate measures;

8 (C) shall only be conducted on National  
9 Forest System land—

10 (i) adjacent to the right-of-way of a  
11 participant; or

12 (ii) within 75 feet of the right-of-way  
13 of a participant; and

14 (D) shall not be conducted on—

15 (i) a component of the National Wil-  
16 derness Preservation System;

17 (ii) a designated wilderness study  
18 area; or

19 (iii) an inventoried roadless area.

20 (2) APPROVAL.—Each vegetation management  
21 project described in paragraph (1) (including each  
22 vegetation management activity described in sub-  
23 paragraphs (A) through (D) of that paragraph) shall  
24 be subject to approval by the Forest Service in ac-  
25 cordance with this section.

1 (e) PROJECT COSTS.—

2 (1) IN GENERAL.—Except as provided in para-  
3 graph (2), a participant in the pilot program shall  
4 be responsible for all costs, as determined by the  
5 Secretary, incurred in participating in the pilot pro-  
6 gram.

7 (2) FEDERAL FUNDING.—The Secretary may  
8 contribute funds for a vegetation management  
9 project conducted under the pilot program if the  
10 Secretary determines that the contribution is in the  
11 public interest.

12 (f) LIABILITY.—

13 (1) IN GENERAL.—Participation in the pilot  
14 program shall not affect any legal obligations or li-  
15 ability standards that—

16 (A) arise under the right-of-way for activi-  
17 ties in the right-of-way; or

18 (B) apply to fires resulting from causes  
19 other than activities conducted pursuant to an  
20 approved vegetation management project con-  
21 ducted under the pilot program.

22 (2) PROJECT WORK.—A participant in the pilot  
23 program shall not be liable to the United States for  
24 damage proximately caused by an activity conducted

1       pursuant to an approved vegetation management  
2       project conducted under the pilot program, unless—

3               (A) the activity was carried out in a man-  
4               ner that was grossly negligent or that violated  
5               criminal law; or

6               (B) the damage was caused by the failure  
7               of the participant to comply with specific safety  
8               requirements expressly imposed by the Forest  
9               Service as a condition of participation in the  
10              pilot program.

11       (g) IMPLEMENTATION.—

12              (1) IN GENERAL.—Except as provided in para-  
13              graph (2), the Secretary shall use the authority of  
14              the Secretary under other laws (including regula-  
15              tions) to carry out the pilot program.

16              (2) MODIFICATION OF REGULATIONS.—In order  
17              to implement the pilot program in an efficient and  
18              expeditious manner, the Secretary may waive or  
19              modify specific provisions of the Federal Acquisition  
20              Regulation, including waivers or modifications to  
21              allow for the formation of contracts or agreements  
22              on a noncompetitive basis.

23       (h) TREATMENT OF PROCEEDS.—Notwithstanding  
24       any other provision of law, the Secretary may—

1           (1) retain any funds provided to the Forest  
2       Service by a participant in the pilot program; and

3           (2) use funds retained under paragraph (1), in  
4       such amounts as may be appropriated, to carry out  
5       the pilot program.

6       (i) **REPORT TO CONGRESS.**—Not later than Decem-  
7       ber 31, 2020, and 2 years thereafter, the Secretary shall  
8       submit a report describing the status of the pilot program  
9       and vegetation management projects conducted under the  
10      pilot program to—

11           (1) the Committee on Agriculture, Nutrition,  
12      and Forestry of the Senate; and

13           (2) the Committee on Agriculture of the House  
14      of Representatives.

15       (j) **DURATION.**—The authority to carry out the pilot  
16      program, including any vegetation management project  
17      conducted under the pilot program, expires on October 1,  
18      2023.

19      **SEC. 8633. OKHISSA LAKE RURAL ECONOMIC DEVELOP-**  
20    **MENT LAND CONVEYANCE.**

21       (a) **DEFINITION OF ALLIANCE.**—In this section, the  
22      term “Alliance” means the Scenic Rivers Development Al-  
23      liance.

24       (b) **REQUEST.**—Subject to the requirements of this  
25      section, if the Alliance submits a written request for con-

1 conveyance by not later than 180 days after the date of enact-  
2 ment of this Act and the Secretary determines that it is  
3 in the public interest to convey the National Forest Sys-  
4 tem Land described in subsection (c), the Secretary shall  
5 convey to the Alliance all right, title, and interest of the  
6 United States in and to the National Forest System land  
7 described in subsection (c) by quitclaim deed through a  
8 public or private sale, including a competitive sale by auc-  
9 tion or bid.

10 (c) DESCRIPTION OF NATIONAL FOREST SYSTEM  
11 LAND.—

12 (1) IN GENERAL.—Subject to paragraph (2),  
13 the National Forest System land referred to in sub-  
14 section (b) is the approximately 150 acres of real  
15 property located in sec. 6, T. 5 N. R. 4 E., Franklin  
16 County, Mississippi, and further described as—

17 (A) the portion of the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> lying  
18 south of the south boundary of Berrytown  
19 Road;

20 (B) the portion of the W<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>  
21 lying south of the south boundary of Berrytown  
22 Road;

23 (C) the portion of the SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> lying  
24 east of the east boundary of U.S. Highway 98;

25 (D) the W<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>;

1 (E) the portion of the NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> lying  
2 east of the east boundary of U.S. Highway 98;

3 (F) the portion of the NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> com-  
4 mencing at the southwest corner of the NE<sup>1</sup>/<sub>4</sub>  
5 SW<sup>1</sup>/<sub>4</sub>, said point being the point of beginning,  
6 thence running east 330 feet along the south  
7 boundary of the NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> to a point in Lake  
8 Okhissa, thence running northeasterly to a  
9 point in Lake Okhissa on the east boundary of  
10 the NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> 330 feet south of the north-  
11 east corner thereof, thence running north 330  
12 feet along the east boundary of the NE<sup>1</sup>/<sub>4</sub>  
13 SW<sup>1</sup>/<sub>4</sub> to the northeast corner thereof, thence  
14 running west along the north boundary of the  
15 NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> to the NW corner thereof; thence  
16 running south along the west boundary of the  
17 NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> to the point of beginning; and

18 (G) the portion of the SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>  
19 commencing at the southeast corner of the  
20 SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, said point being the point of be-  
21 ginning, and running northwesterly to the  
22 northwest corner of the SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>,  
23 thence running south along the west boundary  
24 of the SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> to the southwest cor-  
25 ner thereof, thence running east along the



1 south boundary of the SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> to the  
2 point of beginning.

3 (2) SURVEY.—The exact acreage and legal de-  
4 scription of the National Forest System land to be  
5 conveyed under this section shall be determined by  
6 a survey satisfactory to the Secretary.

7 (d) CONSIDERATION.—

8 (1) IN GENERAL.—The consideration for the  
9 conveyance of any National Forest System land  
10 under this section shall be—

11 (A) provided in the form of cash; and

12 (B) in an amount equal to the fair market  
13 value of the National Forest System land being  
14 conveyed, as determined under paragraph (2).

15 (2) FAIR MARKET VALUE DETERMINATION.—

16 The fair market value of the National Forest System  
17 land conveyed under this section shall be deter-  
18 mined—

19 (A) in the case of a method of conveyance  
20 described in subsection (b), by an appraisal that  
21 is—

22 (i) conducted in accordance with the  
23 Uniform Appraisal Standards for Federal  
24 Land Acquisitions; and

25 (ii) approved by the Secretary; or

1 (B) in the case of a conveyance by a meth-  
2 od other than a method described in subsection  
3 (b), by competitive sale.

4 (e) TERMS AND CONDITIONS.—The conveyance  
5 under this section shall be subject to—

6 (1) valid existing rights; and

7 (2) such other terms and conditions as the Sec-  
8 retary considers to be appropriate to protect the in-  
9 terests of the United States.

10 (f) PROCEEDS FROM SALE.—The Secretary shall de-  
11 posit the proceeds of the conveyance of any National For-  
12 est System land under this section in the fund established  
13 under Public Law 90–171 (commonly known as the “Sisk  
14 Act”) (16 U.S.C. 484a).

15 (g) COSTS.—As a condition for the conveyance under  
16 this section, the Secretary shall require the Alliance to pay  
17 at closing—

18 (1) any reasonable appraisal costs; and

19 (2) the costs of any administrative or environ-  
20 mental analysis required by applicable law (including  
21 regulations).

22 **SEC. 8634. PRAIRIE DOGS.**

23 (a) IN GENERAL.—With respect to the grasslands  
24 plan guidance of the Forest Service relating to prairie  
25 dogs, the Chief of the Forest Service shall base policies

1 of the Forest Service on sound ecological and livestock  
2 management principles.

3 (b) GRAZING ALLOTMENTS.—

4 (1) IN GENERAL.—Subject to paragraph (3),  
5 not later than 180 days after the date of enactment  
6 of this Act, the Chief of the Forest Service shall  
7 complete a report on the percentage of prairie dogs  
8 occupying each total grazing allotment acreage.

9 (2) ACTION REQUIRED.—Not later than 1 year  
10 after the date on which the report under paragraph  
11 (1) is completed and subject to paragraph (3), the  
12 Chief of the Forest Service shall take appropriate  
13 action based on the results of that report.

14 (3) REQUIREMENT.—This section, including  
15 any actions taken under paragraph (2), shall apply  
16 only to grazing allotments where prairie dogs are  
17 present as of the date of enactment of this Act.

18 **PART III—TIMBER INNOVATION**

19 **SEC. 8641. DEFINITIONS.**

20 In this part:

21 (1) INNOVATIVE WOOD PRODUCT.—The term  
22 “innovative wood product” means a type of building  
23 component or system that uses large panelized wood  
24 construction, including mass timber.

1           (2) MASS TIMBER.—The term “mass timber”  
2 includes—

3           (A) cross-laminated timber;

4           (B) nail laminated timber;

5           (C) glue laminated timber;

6           (D) laminated strand lumber; and

7           (E) laminated veneer lumber.

8           (3) SECRETARY.—The term “Secretary” means  
9 the Secretary, acting through the Research and De-  
10 velopment deputy area and the State and Private  
11 Forestry deputy area of the Forest Service.

12           (4) TALL WOOD BUILDING.—The term “tall  
13 wood building” means a building designed to be—

14           (A) constructed with mass timber; and

15           (B) more than 85 feet in height.

16 **SEC. 8642. CLARIFICATION OF RESEARCH AND DEVELOP-**  
17 **MENT PROGRAM FOR WOOD BUILDING CON-**  
18 **STRUCTION.**

19           (a) IN GENERAL.—The Secretary shall conduct per-  
20 formance-driven research and development, education, and  
21 technical assistance for the purpose of facilitating the use  
22 of innovative wood products in wood building construction  
23 in the United States.

24           (b) ACTIVITIES.—In carrying out subsection (a), the  
25 Secretary shall—

1           (1) after receipt of input and guidance from,  
2           and collaboration with, the wood products industry,  
3           conservation organizations, and institutions of high-  
4           er education, conduct research and development,  
5           education, and technical assistance at the Forest  
6           Products Laboratory or through the State and Pri-  
7           vate Forestry deputy area that meets measurable  
8           performance goals for the achievement of the prior-  
9           ities described in subsection (c); and

10           (2) after coordination and collaboration with  
11           the wood products industry and conservation organi-  
12           zations, make competitive grants to institutions of  
13           higher education to conduct research and develop-  
14           ment, education, and technical assistance that meets  
15           measurable performance goals for the achievement  
16           of the priorities described in subsection (c).

17           (c) PRIORITIES.—The research and development,  
18           education, and technical assistance conducted under sub-  
19           section (a) shall give priority to—

20           (1) ways to improve the commercialization of  
21           innovative wood products;

22           (2) analyzing the safety of tall wood building  
23           materials;

24           (3) calculations by the Forest Products Labora-  
25           tory of the lifecycle environmental footprint, from

1 extraction of raw materials through the manufac-  
2 turing process, of tall wood building construction;

3 (4) analyzing methods to reduce the lifecycle  
4 environmental footprint of tall wood building con-  
5 struction;

6 (5) analyzing the potential implications of the  
7 use of innovative wood products in building con-  
8 struction on wildlife; and

9 (6) 1 or more other research areas identified by  
10 the Secretary, in consultation with conservation or-  
11 ganizations, institutions of higher education, and the  
12 wood products industry.

13 (d) TIMEFRAME.—To the maximum extent prac-  
14 ticable, the measurable performance goals for the research  
15 and development, education, and technical assistance con-  
16 ducted under subsection (a) shall be achievable within a  
17 5-year timeframe.

18 **SEC. 8643. WOOD INNOVATION GRANT PROGRAM.**

19 (a) DEFINITIONS.—In this section:

20 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
21 ty” means—

22 (A) an individual;

23 (B) a public or private entity (including a  
24 center of excellence that consists of 1 or more  
25 partnerships between forestry, engineering, ar-

1           chitecture, or business schools at 1 or more in-  
2           stitutions of higher education); or

3                   (C) a State, local, or Tribal government.

4           (2) SECRETARY.—The term “Secretary” means  
5           the Secretary, acting through the Chief of the For-  
6           est Service.

7           (b) GRANT PROGRAM.—

8                   (1) IN GENERAL.—The Secretary, in carrying  
9           out the wood innovation grant program of the Sec-  
10          retary described in the notice of the Secretary enti-  
11          tled “Request for Proposals: 2016 Wood Innovations  
12          Funding Opportunity” (80 Fed. Reg. 63498 (Octo-  
13          ber 20, 2015)), may make a wood innovation grant  
14          to 1 or more eligible entities each year for the pur-  
15          pose of advancing the use of innovative wood prod-  
16          ucts.

17                   (2) PROPOSALS.—To be eligible to receive a  
18          grant under this subsection, an eligible entity shall  
19          submit to the Secretary a proposal at such time, in  
20          such manner, and containing such information as  
21          the Secretary may require.

22           (c) INCENTIVIZING USE OF EXISTING MILLING CA-  
23          PACITY.—In selecting among proposals of eligible entities  
24          under subsection (b)(2), the Secretary shall give priority  
25          to proposals that include the use or retrofitting (or both)

1 of existing sawmill facilities located in counties in which  
2 the average annual unemployment rate exceeded the na-  
3 tional average unemployment rate by more than 1 percent  
4 in the previous calendar year.

5 (d) MATCHING REQUIREMENT.—As a condition of re-  
6 ceiving a grant under subsection (b), an eligible entity  
7 shall provide funds equal to the amount received by the  
8 eligible entity under the grant, to be derived from non-  
9 Federal sources.

## 10 **TITLE IX—ENERGY**

### 11 **SEC. 9101. DEFINITIONS.**

12 Section 9001 of the Farm Security and Rural Invest-  
13 ment Act of 2002 (7 U.S.C. 8101) is amended—

14 (1) in paragraph (4)(A), by striking “agricul-  
15 tural materials” and inserting “agricultural mate-  
16 rials, renewable chemicals,”;

17 (2) in paragraph (7)(A), by striking “into  
18 biofuels and biobased products” and inserting the  
19 following: “or an intermediate ingredient or feed-  
20 stock of renewable biomass into any 1 or more, or  
21 a combination, of—

22 “(i) biofuels;

23 “(ii) renewable chemicals; or

24 “(iii) biobased products”; and

25 (3) in paragraph (16)—



1 (A) in subparagraph (A)—

2 (i) in the matter preceding clause (i),  
3 by striking “(B)” and inserting “(C)”; and

4 (ii) by striking “that—” in the matter  
5 preceding clause (i) and all that follows  
6 through the period at the end of clause (ii)  
7 and inserting “that produces usable energy  
8 from a renewable energy source.”;

9 (B) by redesignating subparagraph (B) as  
10 subparagraph (C); and

11 (C) by inserting after subparagraph (A)  
12 the following:

13 “(B) INCLUSIONS.—The term ‘renewable  
14 energy system’ includes—

15 “(i) distribution components necessary  
16 to move energy produced by a system de-  
17 scribed in subparagraph (A) to the initial  
18 point of sale; and

19 “(ii) other components and ancillary  
20 infrastructure of a system described in  
21 subparagraph (A), such as a storage sys-  
22 tem.”.

23 **SEC. 9102. BIOBASED MARKETS PROGRAM.**

24 Section 9002 of the Farm Security and Rural Invest-  
25 ment Act of 2002 (7 U.S.C. 8102) is amended—



1           “(2) NATIONAL TESTING CENTER REGISTRY.—  
2           The Secretary”;

3           (4) by redesignating subsections (h) through (j)  
4           as subsections (k) through (m), respectively;

5           (5) by inserting after subsection (g) the fol-  
6           lowing:

7           “(h) EDUCATION AND OUTREACH.—The Secretary,  
8           in consultation with the Administrator, shall provide to  
9           appropriate stakeholders education and outreach relating  
10          to—

11           “(1) the Federal procurement of biobased prod-  
12          ucts under subsection (a); and

13           “(2) the voluntary labeling program under sub-  
14          section (b).

15          “(i) STREAMLINING.—

16           “(1) IN GENERAL.—Not later than 1 year after  
17          the date of enactment of this subsection, the Sec-  
18          retary shall establish guidelines for an integrated  
19          process under which biobased products may be, in 1  
20          expedited approval process—

21           “(A) determined to be eligible for a Fed-  
22          eral procurement preference under subsection  
23          (a); and

24           “(B) approved to use the ‘USDA Certified  
25          Biobased Product’ label under subsection (b).

1           “(2) INITIATION.—The Secretary shall ensure  
2           that a review of a biobased product under the inte-  
3           grated qualification process established pursuant to  
4           paragraph (1) may be initiated on receipt of a rec-  
5           ommendation or petition from a manufacturer, ven-  
6           dor, or other interested party.

7           “(3) PRODUCT DESIGNATIONS.—The Secretary  
8           may issue a product designation pursuant to sub-  
9           section (a)(3)(B), or approve the use of the ‘USDA  
10          Certified Biobased Product’ label under subsection  
11          (b), through streamlined procedures, which shall not  
12          be subject to chapter 7 of title 5, United States  
13          Code.

14          “(j) REQUIREMENT OF PROCURING AGENCIES.—A  
15          procuring agency (as defined in subsection (a)(1)) shall  
16          not establish regulations, guidance, or criteria regarding  
17          the procurement of biobased products, pursuant to this  
18          section or any other law, that impose limitations on that  
19          procurement that are more restrictive than the limitations  
20          established by the Secretary under the regulations to im-  
21          plement this section.”; and

22                 (6) in subsection (l) (as so redesignated)—

23                         (A) in paragraph (1), by striking “2018”  
24                         and inserting “2023”; and

1 (B) in paragraph (2), by striking  
2 “\$2,000,000 for each of fiscal years 2014  
3 through 2018” and inserting “\$3,000,000 for  
4 each of fiscal years 2019 through 2023”.

5 **SEC. 9103. BIOREFINERY ASSISTANCE.**

6 Section 9003 of the Farm Security and Rural Invest-  
7 ment Act of 2002 (7 U.S.C. 8103) is amended—

8 (1) in subsection (b)(3)—

9 (A) in subparagraph (A), by striking “pro-  
10 duces an advanced biofuel; and” and inserting  
11 the following: “produces any 1 or more, or a  
12 combination, of—

13 “(i) an advanced biofuel;

14 “(ii) a renewable chemical; or

15 “(iii) a biobased product; and”; and

16 (B) in subparagraph (B), by striking “pro-  
17 duces an advanced biofuel.” and inserting the  
18 following: “produces any 1 or more, or a com-  
19 bination, of—

20 “(i) an advanced biofuel;

21 “(ii) a renewable chemical; or

22 “(iii) a biobased product.”; and

23 (2) in subsection (g)—

24 (A) in paragraph (1)(A)—

1 (i) in clause (i), by striking “and” at  
2 the end;

3 (ii) in clause (ii), by striking the pe-  
4 riod at the end and inserting a semicolon;  
5 and

6 (iii) by adding at the end the fol-  
7 lowing:

8 “(iii) \$100,000,000 for fiscal year  
9 2019; and

10 “(iv) \$50,000,000 for fiscal year  
11 2020.”; and

12 (B) in paragraph (2), by striking “2018”  
13 and inserting “2023”.

14 **SEC. 9104. REPOWERING ASSISTANCE PROGRAM.**

15 Section 9004 of the Farm Security and Rural Invest-  
16 ment Act of 2002 (7 U.S.C. 8104) is repealed.

17 **SEC. 9105. BIOENERGY PROGRAM FOR ADVANCED**  
18 **BIOFUEL.**

19 Section 9005(g) of the Farm Security and Rural In-  
20 vestment Act of 2002 (7 U.S.C. 8105(g)) is amended—

21 (1) in paragraph (1)—

22 (A) in subparagraph (D), by striking  
23 “and” at the end;

24 (B) in subparagraph (E), by striking the  
25 period at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(F) \$15,000,000 for each of fiscal years  
3 2019 through 2023.”; and

4 (2) in paragraph (2), by striking “\$20,000,000  
5 for each of fiscal years 2014 through 2018” and in-  
6 serting “\$15,000,000 for each of fiscal years 2019  
7 through 2023”.

8 **SEC. 9106. BIODIESEL FUEL EDUCATION PROGRAM.**

9 Section 9006(d)(2) of the Farm Security and Rural  
10 Investment Act of 2002 (7 U.S.C. 8106(d)(2)) is amended  
11 by striking “2018” and inserting “2023”.

12 **SEC. 9107. RURAL ENERGY FOR AMERICA PROGRAM.**

13 Section 9007 of the Farm Security and Rural Invest-  
14 ment Act of 2002 (7 U.S.C. 8107) is amended—

15 (1) in subsection (e), by striking “(g)” each  
16 place it appears and inserting “(f)”;

17 (2) by striking subsection (f);

18 (3) by redesignating subsection (g) as sub-  
19 section (f); and

20 (4) in subsection (f) (as so redesignated), in  
21 paragraph (3), by striking “\$20,000,000 for each of  
22 fiscal years 2014 through 2018” and inserting  
23 “\$50,000,000 for each of fiscal years 2019 through  
24 2023”.

1 **SEC. 9108. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.**

2 Section 9009 of the Farm Security and Rural Invest-  
3 ment Act of 2002 (7 U.S.C. 8109) is repealed.

4 **SEC. 9109. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIO-  
5 ENERGY PRODUCERS.**

6 Section 9010(b) of the Farm Security and Rural In-  
7 vestment Act of 2002 (7 U.S.C. 8110(b)) is amended, in  
8 paragraphs (1)(A) and (2)(A), by striking “2018” each  
9 place it appears and inserting “2023”.

10 **SEC. 9110. BIOMASS CROP ASSISTANCE PROGRAM.**

11 Section 9011 of the Farm Security and Rural Invest-  
12 ment Act of 2002 (7 U.S.C. 8111) is amended—

13 (1) in subsection (a)(6)—

14 (A) in subparagraph (B)—

15 (i) in clause (ii)(II), by striking “and”  
16 at the end;

17 (ii) in clause (iii), by striking the pe-  
18 riod at the end and inserting “; and”; and

19 (iii) by adding at the end the fol-  
20 lowing:

21 “(iv) algae.”; and

22 (B) in subparagraph (C)—

23 (i) by striking clause (iv); and

24 (ii) by redesignating clauses (v)  
25 through (vii) as clauses (iv) through (vi),  
26 respectively;



1           (2) in subsection (b)(2), by inserting “(includ-  
2           ing eligible material harvested for the purpose of  
3           hazardous woody fuel reduction)” after “material”;  
4           and

5           (3) in subsection (f)—

6           (A) in paragraph (1)—

7           (i) by striking “Of the funds” and in-  
8           serting the following:

9           “(A) MANDATORY FUNDING.—Of the  
10          funds”;

11          (ii) in subparagraph (A) (as so des-  
12          ignated), by striking “2018” and inserting  
13          “2023”; and

14          (iii) by adding at the end the fol-  
15          lowing:

16          “(B) AUTHORIZATION OF APPROPRIA-  
17          TIONS.—There is authorized to be appropriated  
18          to carry out this section \$20,000,000 for each  
19          of fiscal years 2019 through 2023.”; and

20          (B) in paragraph (3)—

21          (i) by striking the paragraph designa-  
22          tion and heading and all that follows  
23          through “Effective” in subparagraph (A)  
24          and inserting the following:

25          “(3) TECHNICAL ASSISTANCE.—Effective”; and

1 (ii) by striking subparagraph (B).

2 **SEC. 9111. BIOGAS RESEARCH AND ADOPTION OF BIOGAS**  
3 **SYSTEMS.**

4 Title IX of the Farm Security and Rural Investment  
5 Act of 2002 is amended by inserting after section 9011  
6 (7 U.S.C. 8111) the following:

7 **“SEC. 9012. BIOGAS RESEARCH AND ADOPTION OF BIOGAS**  
8 **SYSTEMS.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) ANAEROBIC DIGESTION.—The term ‘an-  
11 aerobic digestion’ means a biological process or se-  
12 ries of biological processes—

13 “(A) through which microorganisms break  
14 down biodegradable material in the absence of  
15 oxygen; and

16 “(B) the end products of which are biogas  
17 and digested materials.

18 “(2) BIOGAS.—The term ‘biogas’ means a mix-  
19 ture of primarily methane and carbon dioxide pro-  
20 duced by the bacterial decomposition of organic ma-  
21 terials in the absence of oxygen.

22 “(3) BIOGAS PROCESSING.—The term ‘biogas  
23 processing’ means the process by which water, car-  
24 bon dioxide, and other trace compounds are removed  
25 from biogas, as determined by the end user.

1           “(4) BIOGAS SYSTEM.—The term ‘biogas sys-  
2           tem’ means a system—

3                   “(A) with the potential to capture and use  
4           biogas, including biogas from organic waste, in-  
5           cluding animal manure, food waste, waste from  
6           landfills, and wastewater; and

7                   “(B) that includes—

8                           “(i) the infrastructure necessary to  
9                           manage the organic waste referred to in  
10                          subparagraph (A);

11                          “(ii) the equipment necessary to gen-  
12                          erate—

13                                   “(I) electricity, heat, or fuel; and

14                                   “(II) biogas system co-products;

15                                   and

16                                   “(iii) the equipment necessary for  
17                                   biogas processing.

18           “(5) BIOGAS SYSTEM CO-PRODUCT.—The term  
19           ‘biogas system co-product’ means a nonenergy  
20           biogas system product produced from digested mate-  
21           rial, including soil amendments, fertilizers, compost,  
22           animal bedding, and feedstock for plastics and  
23           chemicals.

24           “(6) DIGESTED MATERIAL.—The term ‘digested  
25           material’ means solid or liquid digested material—

1                   “(A) produced by digesters; and

2                   “(B) that contains nutrients and organic  
3                   carbon.

4           “(b) INTERAGENCY BIOGAS OPPORTUNITIES TASK  
5 FORCE.—

6                   “(1) ESTABLISHMENT.—Not later than 180  
7                   days after the date of enactment of the Agriculture  
8                   Improvement Act of 2018, the Secretary, acting  
9                   jointly with the Secretary of Energy and the Admin-  
10                  istrator, shall establish an Interagency Biogas Op-  
11                  portunities Task Force (referred to in this sub-  
12                  section as the ‘Task Force’) that shall coordinate  
13                  policies, programs, and research to accelerate—

14                   “(A) biogas research; and

15                   “(B) investment in cost-effective biogas  
16                   systems.

17                  “(2) MEMBERSHIP.—The Task Force shall be  
18                  composed of—

19                   “(A) the head of each Federal office re-  
20                   sponsible for biogas research or biogas system  
21                   financing (or a designee), including a represent-  
22                   ative from the Department of Agriculture, the  
23                   Department of Energy, and the Environmental  
24                   Protection Agency;

1           “(B) 1 or more representatives of State or  
2 local governments, as determined by the Sec-  
3 retary, the Secretary of Energy, and the Ad-  
4 ministrator;

5           “(C) 1 or more nongovernmental or indus-  
6 try stakeholders, including 1 or more stake-  
7 holders from relevant industries, as determined  
8 by the Secretary, the Secretary of Energy, and  
9 the Administrator; and

10           “(D) 1 or more community stakeholders.

11           “(3) DUTIES OF THE TASK FORCE.—In car-  
12 rying out paragraph (1), the Task Force shall—

13           “(A) evaluate and improve the coordination  
14 of loan and grant programs of the Federal  
15 agencies represented on the Task Force—

16           “(i) to broaden the financing options  
17 available for biogas systems; and

18           “(ii) to enhance opportunities for pri-  
19 vate financing of biogas systems;

20           “(B) review Federal procurement guide-  
21 lines to ensure that products of biogas systems  
22 are eligible for and promoted by applicable pro-  
23 curement programs of the Federal Government;

24           “(C) in coordination with the Secretary of  
25 Commerce, evaluate the development of North

1 American Industry Classification System and  
2 North American Product Classification System  
3 codes for biogas and biogas system products;

4 “(D) review opportunities and develop  
5 strategies to overcome barriers to integrating  
6 biogas into electricity and renewable natural  
7 gas markets;

8 “(E) develop tools to broaden the market  
9 for nonenergy biogas system products, including  
10 by developing best management practices for—

11 “(i) the use and land application of  
12 digestate to maximize recovery of waste re-  
13 sources and minimize environmental and  
14 public health risks; and

15 “(ii) the use of carbon dioxide from  
16 biogas processing;

17 “(F) provide information on the ability of  
18 biogas system products to participate in mar-  
19 kets that provide environmental benefits;

20 “(G) identify and investigate research gaps  
21 in biogas and anaerobic digestion technology,  
22 including research gaps in environmental bene-  
23 fits, market assessment, and performance  
24 standards;

1           “(H) assess the most cost-effective vol-  
2           untary investments in biogas to reduce waste  
3           and methane emissions; and

4           “(I) identify and advance additional prior-  
5           ities, as determined by the Task Force.

6           “(4) REPORT.—Not later than 18 months after  
7           the date of the establishment of the Task Force, the  
8           Task Force shall submit to Congress a report that—

9           “(A) describes the steps taken by the Task  
10          Force to carry out the duties of the Task Force  
11          under paragraph (3); and

12          “(B) identifies and prioritizes policies and  
13          technology opportunities—

14                 “(i) to expand the biogas industry;

15                 “(ii) to eliminate barriers to invest-  
16                 ment in biogas systems in the landfill, live-  
17                 stock, wastewater, and other relevant sec-  
18                 tors; and

19                 “(iii) to enhance opportunities for pri-  
20                 vate and public sector partnerships to fi-  
21                 nance biogas systems.

22          “(c) ADVANCEMENT OF BIOGAS RESEARCH.—

23                 “(1) STUDY ON BIOGAS.—

24                         “(A) IN GENERAL.—The Secretary, in co-  
25                         ordination with the Secretary of Energy and

1 the Administrator, shall enter into an agree-  
2 ment with the National Renewable Energy Lab-  
3 oratory to conduct a study relating to biogas.

4 “(B) STUDY.—Under the agreement de-  
5 scribed in subparagraph (A), the study con-  
6 ducted by the National Renewable Energy Lab-  
7 oratory shall include an analysis of—

8 “(i) barriers to injecting biogas into  
9 existing natural gas pipelines;

10 “(ii) methods for optimizing biogas  
11 systems, including methods to obtain the  
12 highest energy output from biogas, includ-  
13 ing through the use of co-digestion;

14 “(iii) opportunities for, and barriers  
15 to, the productive use of biogas system co-  
16 products, carbon dioxide from biogas proc-  
17 essing, and recovered nutrients;

18 “(iv) the optimal configuration of  
19 local, State, or regional infrastructure for  
20 the production of electricity, heat, or fuel  
21 from biogas, including infrastructure for  
22 the aggregation, cleaning, and pipeline in-  
23 jection of biogas; and

24 “(v) any other subject relating to  
25 biogas, as determined by the Interagency



1                   Biogas Opportunities Task Force estab-  
2                   lished under subsection (b)(1).

3                   “(C) REPORT.—Not later than 2 years  
4                   after the date of enactment of the Agriculture  
5                   Improvement Act of 2018, the Secretary shall  
6                   submit to Congress a report on the study con-  
7                   ducted under this paragraph.

8                   “(2) COLLECTION OF DATA FOR BIOGAS MAR-  
9                   KETTS.—The Secretary, in coordination with the Sec-  
10                  retary of Energy and the Administrator, shall iden-  
11                  tify, collect, and analyze environmental, technical,  
12                  and economic performance data relating to biogas  
13                  systems, including the production of energy of  
14                  biogas systems, co-products, greenhouse gas and  
15                  other emissions, water quality benefits, and other  
16                  data necessary to develop markets for biogas and  
17                  biogas system co-products.”.

18 **SEC. 9112. COMMUNITY WOOD ENERGY PROGRAM.**

19                  Section 9013(e) of the Farm Security and Rural In-  
20                  vestment Act of 2002 (7 U.S.C. 8113(e)) is amended by  
21                  striking “2018” and inserting “2023”.

22 **SEC. 9113. CARBON UTILIZATION EDUCATION PROGRAM.**

23                  Title IX of the Farm Security and Rural Investment  
24                  Act of 2002 (7 U.S.C. 8101 et seq.) is amended by adding  
25                  at the end the following:

1 **“SEC. 9014. CARBON UTILIZATION EDUCATION PROGRAM.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) CARBON DIOXIDE.—The term ‘carbon di-  
4 oxide’ means carbon dioxide that is produced as a  
5 byproduct of the production of a biobased product.

6 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
7 tity’ means an entity that—

8 “(A) is—

9 “(i) an organization described in sec-  
10 tion 501(c)(3) of the Internal Revenue  
11 Code of 1986 and exempt from taxation  
12 under 501(a) of that Code; or

13 “(ii) an institution of higher education  
14 (as defined in section 101(a) of the Higher  
15 Education Act of 1965 (20 U.S.C.  
16 1001(a)));

17 “(B) has demonstrated knowledge about—

18 “(i) sequestration and utilization of  
19 carbon dioxide; or

20 “(ii) aggregation of organic waste  
21 from multiple sources into a single biogas  
22 system; and

23 “(C) has a demonstrated ability to conduct  
24 educational and technical support programs.

1           “(b) ESTABLISHMENT.—The Secretary, in consulta-  
2 tion with the Secretary of Energy, shall make competitive  
3 grants to eligible entities—

4           “(1) to provide education to the public about  
5 the economic and emissions benefits of permanent  
6 sequestration or utilization of carbon dioxide; or

7           “(2) to provide education to biogas producers  
8 about opportunities for aggregation of organic waste  
9 from multiple sources into a single biogas system.

10          “(c) FUNDING.—

11           “(1) MANDATORY FUNDING.—Of the funds of  
12 the Commodity Credit Corporation, the Secretary  
13 shall use for each of fiscal years 2019 through  
14 2023—

15           “(A) \$1,000,000 to carry out subsection  
16 (b)(1); and

17           “(B) \$1,000,000 to carry out subsection  
18 (b)(2).

19           “(2) DISCRETIONARY FUNDING.—There are au-  
20 thorized to be appropriated for each of fiscal years  
21 2019 through 2023—

22           “(A) \$1,000,000 to carry out subsection  
23 (b)(1); and

24           “(B) \$1,000,000 to carry out subsection  
25 (b)(2).”.

1           **TITLE X—HORTICULTURE**

2   **SEC. 10101. SPECIALTY CROPS MARKET NEWS ALLOCATION.**

3           Section 10107(b) of the Food, Conservation, and En-  
4   ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by strik-  
5   ing “2018” and inserting “2023”.

6   **SEC. 10102. LOCAL AGRICULTURE MARKET PROGRAM.**

7           (a) **PURPOSE.**—The purpose of this section is to com-  
8   bine the purposes and coordinate the functions, as in ef-  
9   fect on the day before the date of enactment of this Act,  
10  of—

11           (1) the Farmers’ Market and Local Food Pro-  
12   motion Program established under section 6 of the  
13   Farmer-to-Consumer Direct Marketing Act of 1976  
14   (7 U.S.C. 3005); and

15           (2) the value-added agricultural product market  
16   development grants under section 231(b) of the Ag-  
17   ricultural Risk Protection Act of 2000 (7 U.S.C.  
18   1632a(b)).

19           (b) **LOCAL AGRICULTURE MARKET PROGRAM.**—Sub-  
20   title A of the Agricultural Marketing Act of 1946 (7  
21   U.S.C. 1621 et seq.) is amended by adding at the end  
22   the following:

23   **“SEC. 210A. LOCAL AGRICULTURE MARKET PROGRAM.**

24           “(a) **DEFINITIONS.**—In this section:

1           “(1) BEGINNING FARMER OR RANCHER.—The  
2 term ‘beginning farmer or rancher’ has the meaning  
3 given the term in section 343(a) of the Consolidated  
4 Farm and Rural Development Act (7 U.S.C.  
5 1991(a)).

6           “(2) DIRECT PRODUCER-TO-CONSUMER MAR-  
7 KETING.—The term ‘direct producer-to-consumer  
8 marketing’ has the meaning given the term ‘direct  
9 marketing from farmers to consumers’ in section 3  
10 of the Farmer-to-Consumer Direct Marketing Act of  
11 1976 (7 U.S.C. 3002).

12           “(3) ELIGIBLE ACTIVITY.—The term ‘eligible  
13 activity’ means an activity described in subsection  
14 (d)(2) that is carried out using a grant provided  
15 under subsection (d)(1).

16           “(4) ELIGIBLE ENTITY.—The term ‘eligible en-  
17 tity’ means—

18                   “(A) a producer;

19                   “(B) a producer network or association;

20                   “(C) a farmer or rancher cooperative;

21                   “(D) an agricultural business entity or ma-  
22 jority-controlled producer-based business ven-  
23 ture;

24                   “(E) a food council;

25                   “(F) a local or Tribal government;

1 “(G) a nonprofit corporation;

2 “(H) an economic development corpora-  
3 tion;

4 “(I) a public benefit corporation;

5 “(J) a community supported agriculture  
6 network or association; and

7 “(K) a regional farmers’ market authority.

8 “(5) ELIGIBLE PARTNER.—The term ‘eligible  
9 partner’ means—

10 “(A) a State agency or regional authority;

11 “(B) a philanthropic organization;

12 “(C) a private corporation;

13 “(D) an institution of higher education;

14 “(E) a commercial, Federal, or Farm  
15 Credit System lending institution; and

16 “(F) another entity, as determined by the  
17 Secretary.

18 “(6) FAMILY FARM.—The term ‘family farm’  
19 has the meaning given the term in section 231(a) of  
20 the Agricultural Risk Protection Act of 2000 (7  
21 U.S.C. 1632a(a)).

22 “(7) FOOD COUNCIL.—The term ‘food council’  
23 means a food policy council or food and farm system  
24 network, as determined by the Secretary, that—

25 “(A) represents—



1 “(iii) a limited liability partnership;

2 and

3 “(iv) a corporation.

4 “(9) MID-TIER VALUE CHAIN.—The term ‘mid-  
5 tier value chain’ means a local or regional supply  
6 network that links independent producers with busi-  
7 nesses and cooperatives that market value-added ag-  
8 ricultural products in a manner that—

9 “(A) targets and strengthens the profit-  
10 ability and competitiveness of small and me-  
11 dium-sized farms and ranches that are struc-  
12 tured as a family farm; and

13 “(B) obtains agreement from an eligible  
14 agricultural producer group, farmer or rancher  
15 cooperative, or majority-controlled producer-  
16 based business venture that is engaged in the  
17 value chain on a marketing strategy.

18 “(10) PARTNERSHIP.—The term ‘partnership’  
19 means a partnership entered into under an agree-  
20 ment between—

21 “(A) 1 or more eligible partners; and

22 “(B) 1 or more eligible entities.

23 “(11) PROGRAM.—The term ‘Program’ means  
24 the Local Agriculture Market Program established  
25 under subsection (b).



1           “(12) REGIONAL FOOD CHAIN COORDINA-  
2           TION.—The term ‘regional food chain coordination’  
3           means coordination and collaboration along the sup-  
4           ply chain to increase connections between producers  
5           and markets.

6           “(13) SECRETARY.—The term ‘Secretary’  
7           means the Secretary of Agriculture.

8           “(14) SOCIALLY DISADVANTAGED FARMER OR  
9           RANCHER.—The term ‘socially disadvantaged farmer  
10          or rancher’ has the meaning given the term in sec-  
11          tion 355(e) of the Consolidated Farm and Rural De-  
12          velopment Act (7 U.S.C. 2003(e)).

13          “(15) VALUE-ADDED AGRICULTURAL PROD-  
14          UCT.—The term ‘value-added agricultural product’  
15          means any agricultural commodity or product that—

16                 “(A)(i) has undergone a change in physical  
17                 state;

18                 “(ii) was produced in a manner that en-  
19                 hances the value of the agricultural commodity  
20                 or product, as demonstrated through a business  
21                 plan that shows the enhanced value, as deter-  
22                 mined by the Secretary;

23                 “(iii) is physically segregated in a manner  
24                 that results in the enhancement of the value of  
25                 the agricultural commodity or product;

1           “(iv) is a source of farm- or ranch-based  
2           renewable energy, including E-85 fuel; or

3           “(v) is aggregated and marketed as a lo-  
4           cally produced agricultural food product; and

5           “(B) as a result of the change in physical  
6           state or the manner in which the agricultural  
7           commodity or product was produced, marketed,  
8           or segregated—

9           “(i) the customer base for the agricul-  
10          tural commodity or product is expanded;  
11          and

12          “(ii) a greater portion of the revenue  
13          derived from the marketing, processing, or  
14          physical segregation of the agricultural  
15          commodity or product is available to the  
16          producer of the commodity or product.

17          “(16) VETERAN FARMER OR RANCHER.—The  
18          term ‘veteran farmer or rancher’ has the meaning  
19          given the term in section 2501(a) of the Food, Agri-  
20          culture, Conservation, and Trade Act of 1990 (7  
21          U.S.C. 2279(a)).

22          “(b) ESTABLISHMENT AND PURPOSE.—The Sec-  
23          retary shall establish a program, to be known as the ‘Local  
24          Agriculture Market Program’, that—

1           “(1) supports the development, coordination,  
2           and expansion of—

3                   “(A) direct producer-to-consumer mar-  
4           keting;

5                   “(B) local and regional food markets and  
6           enterprises; and

7                   “(C) value-added agricultural products;

8           “(2) connects and cultivates regional food  
9           economies through public-private partnerships;

10           “(3) supports the development of business  
11           plans, feasibility studies, and strategies for local and  
12           regional marketing opportunities;

13           “(4) strengthens capacity and regional food sys-  
14           tem development through community collaboration  
15           and expansion of mid-tier value chains;

16           “(5) improves income and economic opportuni-  
17           ties for producers and food businesses through job  
18           creation and improved regional food system infra-  
19           structure; and

20           “(6) simplifies the application processes and the  
21           reporting processes for the Program.

22           “(c) REGIONAL PARTNERSHIPS.—

23                   “(1) GRANTS TO SUPPORT PARTNERSHIPS.—

24                           “(A) IN GENERAL.—The Secretary, acting  
25           through the Administrator of the Agricultural

1 Marketing Service, in accordance with the pur-  
2 poses of the Program described in subsection  
3 (b), shall provide grants to support partner-  
4 ships to plan and develop a local or regional  
5 food system.

6 “(B) GEOGRAPHICAL DIVERSITY.—To the  
7 maximum extent practicable, the Secretary shall  
8 ensure geographical diversity in selecting part-  
9 nerships to receive grants under subparagraph  
10 (A).

11 “(2) AUTHORITIES OF PARTNERSHIPS.—A  
12 partnership receiving a grant under paragraph (1)  
13 may—

14 “(A) determine the scope of the regional  
15 food system to be developed, including goals,  
16 outreach objectives, and eligible activities to be  
17 carried out;

18 “(B) determine the local, regional, State,  
19 multi-State, or other geographic area covered;

20 “(C) create and conduct a feasibility study,  
21 implementation plan, and assessment of eligible  
22 activities under the partnership agreement;

23 “(D) conduct outreach and education to  
24 other eligible entities and eligible partners for

1 potential participation in the partnership agree-  
2 ment and eligible activities;

3 “(E) describe measures to be taken  
4 through the partnership agreement to obtain  
5 funding for the eligible activities to be carried  
6 out under the partnership agreement;

7 “(F) at the request of a producer or eligi-  
8 ble entity desiring to participate in eligible ac-  
9 tivities under the partnership agreement, act on  
10 behalf of the producer or eligible entity in ap-  
11 plying for a grant under subsection (d);

12 “(G) monitor, evaluate, and periodically re-  
13 port to the Secretary on progress made toward  
14 achieving the objectives of eligible activities  
15 under the partnership agreement; or

16 “(H) at the conclusion of the partnership  
17 agreement, submit to the Secretary a report de-  
18 scribing—

19 “(i) the results and effects of the  
20 partnership agreement; and

21 “(ii) funds provided under paragraph  
22 (3).

23 “(3) CONTRIBUTION.—A partnership receiving  
24 a grant under paragraph (1) shall provide funding

1 in an amount equal to not less than 25 percent of  
2 the total amount of the Federal portion of the grant.

3 “(4) APPLICATIONS.—

4 “(A) IN GENERAL.—To be eligible to re-  
5 ceive a grant under paragraph (1), a partner-  
6 ship shall submit to the Secretary an applica-  
7 tion at such time, in such manner, and con-  
8 taining such information as the Secretary con-  
9 siders necessary to evaluate and select applica-  
10 tions.

11 “(B) COMPETITIVE PROCESS.—The Sec-  
12 retary—

13 “(i) shall conduct a competitive proc-  
14 ess to select applications submitted under  
15 subparagraph (A);

16 “(ii) may assess and rank applications  
17 with similar purposes as a group; and

18 “(iii) shall make public the criteria to  
19 be used in evaluating applications prior to  
20 accepting applications.

21 “(C) PRIORITY TO CERTAIN APPLICA-  
22 TIONS.—The Secretary may give priority to ap-  
23 plications submitted under subparagraph (A)  
24 that—

1 “(i)(I) leverage significant non-Fed-  
2 eral financial and technical resources; and

3 “(II) coordinate with other local,  
4 State, Tribal, or national efforts; and

5 “(ii) cover an area that includes dis-  
6 tressed low-income rural or urban commu-  
7 nities, including areas with persistent pov-  
8 erty.

9 “(D) PRODUCER OR FOOD BUSINESS BEN-  
10 EFITS.—

11 “(i) IN GENERAL.—Except as pro-  
12 vided in clause (ii), an application sub-  
13 mitted under subparagraph (A) shall in-  
14 clude a description of the direct or indirect  
15 producer or food business benefits intended  
16 by the eligible entity to result from the  
17 proposed project within a reasonable period  
18 of time after the receipt of a grant.

19 “(ii) EXCEPTION.—Clause (i) shall  
20 not apply to a planning or feasibility  
21 project.

22 “(5) TECHNICAL ASSISTANCE.—On request of  
23 an eligible entity, an eligible partner, or a partner-  
24 ship, the Secretary may provide technical assistance  
25 in carrying out a partnership agreement.

1 “(d) DEVELOPMENT GRANTS.—

2 “(1) IN GENERAL.—Under the Program, the  
3 Secretary may provide grants to eligible entities to  
4 carry out, in accordance with purposes of the Pro-  
5 gram described in subsection (b), activities described  
6 in paragraph (2).

7 “(2) ELIGIBLE ACTIVITIES.—An eligible entity  
8 may use a grant provided under paragraph (1)—

9 “(A) to support and promote—

10 “(i) domestic direct producer-to-con-  
11 sumer marketing;

12 “(ii) farmers’ markets;

13 “(iii) roadside stands;

14 “(iv) agritourism activities,

15 “(v) community-supported agriculture  
16 programs; or

17 “(vi) online sales;

18 “(B) to support local and regional food  
19 business enterprises that engage as inter-  
20 mediaries in indirect producer-to-consumer  
21 marketing;

22 “(C) to support the processing, aggrega-  
23 tion, distribution, and storage of local and re-  
24 gional food products that are marketed locally  
25 or regionally;



1           “(D) to encourage the development of new  
2 food products and value-added agricultural  
3 products;

4           “(E) to assist with business development  
5 and feasibility studies;

6           “(F) to develop marketing strategies for  
7 producers of local food products and value-  
8 added agricultural products in new and existing  
9 markets;

10          “(G) to facilitate regional food chain co-  
11 ordination and mid-tier value chain develop-  
12 ment;

13          “(H) to promote new business opportuni-  
14 ties and marketing strategies to reduce on-farm  
15 food waste;

16          “(I) to respond to changing technology  
17 needs in direct producer-to-consumer mar-  
18 keting; or

19          “(J) to cover expenses relating to costs in-  
20 curred in—

21               “(i) obtaining food safety certification;

22               and

23               “(ii) making changes and upgrades to  
24 practices and equipment to improve food  
25 safety.

1           “(3) CRITERIA AND GUIDELINES.—

2           “(A) IN GENERAL.—The Secretary shall  
3           establish criteria and guidelines for the submis-  
4           sion, evaluation, and funding of proposed  
5           projects under paragraph (1) as the Secretary  
6           determines are appropriate.

7           “(B) PRODUCER OR FOOD BUSINESS BEN-  
8           EFITS.—

9           “(i) IN GENERAL.—Except as pro-  
10          vided in clause (ii), an application sub-  
11          mitted for a grant under paragraph (1)  
12          shall include a description of the direct or  
13          indirect producer or food business benefits  
14          intended by the eligible entity to result  
15          from the proposed project within a reason-  
16          able period of time after the receipt of the  
17          grant.

18          “(ii) EXCEPTION.—Clause (i) shall  
19          not apply to a planning or feasibility  
20          project.

21          “(4) AMOUNT.—Unless otherwise determined  
22          by the Secretary, the amount of a grant under this  
23          subsection shall be not more than \$500,000.

24          “(5) DEVELOPMENT GRANTS AVAILABLE TO  
25          PRODUCERS.—In the case of a grant provided under

1 paragraph (1) to an eligible entity described in any  
2 of subparagraphs (A) through (D) of subsection  
3 (a)(4), the following shall apply:

4 “(A) ADMINISTRATION.—The Secretary  
5 shall carry out this subsection through the Ad-  
6 ministrator of the Rural Business-Cooperative  
7 Service, in coordination with the Administrator  
8 of the Agricultural Marketing Service.

9 “(B) PRIORITIES.—The Secretary shall  
10 give priority to applications—

11 “(i) in the case of an application sub-  
12 mitted by a producer, that are submitted  
13 by, or serve—

14 “(I) beginning farmers or ranch-  
15 ers;

16 “(II) socially disadvantaged  
17 farmers or ranchers;

18 “(III) operators of small or me-  
19 dium sized farms or ranches that are  
20 structured as family farms; or

21 “(IV) veteran farmers or ranch-  
22 ers; and

23 “(ii) in the case of an application sub-  
24 mitted by an eligible entity described in  
25 any of subparagraphs (B) through (D) of

1 subsection (a)(4), that provide the greatest  
2 contribution to creating or increasing mar-  
3 keting opportunities for producers de-  
4 scribed in subclauses (I) through (IV) of  
5 clause (i).

6 “(C) LIMITATION ON USE OF FUNDS.—

7 “(i) IN GENERAL.—Except as pro-  
8 vided in clause (ii), an eligible entity may  
9 not use a grant for the purchase or con-  
10 struction of a building, general purpose  
11 equipment, or structure.

12 “(ii) EXCEPTION.—An eligible entity  
13 may use not more than \$6,500 of the  
14 amount of a grant for an eligible activity  
15 described in paragraph (2)(J) to purchase  
16 or upgrade equipment to improve food  
17 safety.

18 “(D) MATCHING FUNDS.—An eligible enti-  
19 ty receiving a grant shall provide matching  
20 funds in the form of cash or an in-kind con-  
21 tribution in an amount that is equal to 50 per-  
22 cent of the total amount of the grant.

23 “(6) DEVELOPMENT GRANTS FOR OTHER ELIGI-  
24 BLE ENTITIES.—In the case of a grant provided  
25 under paragraph (1) to an eligible entity described

1 in any of subparagraphs (E) through (K) of sub-  
2 section (a)(4), the following shall apply:

3 “(A) ADMINISTRATION.—The Secretary  
4 shall carry out this subsection through the Ad-  
5 ministrator of the Agricultural Marketing Serv-  
6 ice, in coordination with the Administrator of  
7 the Rural Business-Cooperative Service.

8 “(B) PRIORITIES.—The Secretary shall  
9 give priority to applications that—

10 “(i) benefit underserved communities,  
11 including communities that are located in  
12 areas of concentrated poverty with limited  
13 access to fresh locally or regionally grown  
14 food; or

15 “(ii) are used to carry out eligible ac-  
16 tivities under a partnership agreement  
17 under subsection (c).

18 “(C) LIMITATION ON USE OF FUNDS.—

19 “(i) IN GENERAL.—Except as pro-  
20 vided in clause (ii), an eligible entity may  
21 not use a grant for the purchase or con-  
22 struction of a building, general purpose  
23 equipment, or structure.

24 “(ii) EXCEPTION.—An eligible entity  
25 may use not more than \$6,500 of the

1 amount of a grant for an eligible activity  
2 described in paragraph (2)(J) to purchase  
3 or upgrade equipment to improve food  
4 safety.

5 “(D) MATCHING FUNDS.—An eligible enti-  
6 ty receiving a grant shall provide matching  
7 funds in the form of cash or an in-kind con-  
8 tribution in an amount that is equal to 25 per-  
9 cent of the total amount of the Federal portion  
10 of the grant.

11 “(e) SIMPLIFICATION OF APPLICATION AND REPORT-  
12 ING PROCESSES.—

13 “(1) APPLICATIONS.—The Secretary shall es-  
14 tablish a simplified application form for eligible enti-  
15 ties that—

16 “(A) request less than \$50,000 under sub-  
17 section (d); or

18 “(B) apply for grants under subsection (d)  
19 through partnership agreements under sub-  
20 section (e).

21 “(2) REPORTING.—The Secretary shall—

22 “(A) streamline and simplify the reporting  
23 process for eligible entities; and

24 “(B) obtain from eligible entities and  
25 maintain such information as the Secretary de-

1           termines is necessary to administer and evalu-  
2           ate the Program.

3           “(f) COOPERATIVE EXTENSION SERVICE.—In car-  
4 rying out the Program, the Secretary, acting through the  
5 Administrator of the Agricultural Marketing Service or  
6 the Administrator of the Rural Business Cooperative Serv-  
7 ice, may coordinate with a cooperative extension service  
8 to provide Program technical assistance and outreach to  
9 eligible entities and eligible partners.

10          “(g) INTERDEPARTMENTAL COORDINATION.—In car-  
11 rying out the Program, to the maximum extent prac-  
12 ticable, the Secretary shall ensure coordination among  
13 Federal agencies.

14          “(h) EVALUATION.—

15           “(1) IN GENERAL.—Using amounts made avail-  
16 able under subsection (i)(3)(E), the Secretary shall  
17 conduct an evaluation of the Program that—

18           “(A) measures the economic impact of the  
19 Program on new and existing market outcomes;

20           “(B) measures the effectiveness of the Pro-  
21 gram in improving and expanding—

22           “(i) the regional food economy  
23 through public and private partnerships;

24           “(ii) the production of value-added ag-  
25 ricultural products;

1                   “(iii) producer-to-consumer mar-  
2                   keting, including direct producer-to-con-  
3                   sumer marketing;

4                   “(iv) local and regional food systems,  
5                   including regional food chain coordination  
6                   and business development;

7                   “(v) new business opportunities and  
8                   marketing strategies to reduce on-farm  
9                   food waste;

10                  “(vi) the use of new technologies in  
11                  producer-to-consumer marketing, including  
12                  direct producer-to-consumer marketing;  
13                  and

14                  “(vii) the workforce and capacity of  
15                  regional food systems; and

16                  “(C) provides a description of—

17                         “(i) each partnership agreement; and

18                         “(ii) each grant provided under sub-  
19                         section (d).

20                  “(2) REPORT.—Not later than 3 years after the  
21                  date of enactment of this section, the Secretary shall  
22                  submit to the Committee on Agriculture of the  
23                  House of Representatives and the Committee on Ag-  
24                  riculture, Nutrition, and Forestry of the Senate a  
25                  report describing the evaluation conducted under



1 paragraph (1), including a thorough analysis of the  
2 outcomes of the evaluation.

3 “(i) FUNDING.—

4 “(1) MANDATORY FUNDING.—Of the funds of  
5 the Commodity Credit Corporation, the Secretary  
6 shall use to carry out this section \$60,000,000 for  
7 fiscal year 2019 and each fiscal year thereafter, to  
8 remain available until expended.

9 “(2) AUTHORIZATION OF APPROPRIATIONS.—

10 There is authorized to be appropriated to carry out  
11 this section \$20,000,000 for fiscal year 2019 and  
12 each fiscal year thereafter, to remain available until  
13 expended.

14 “(3) ALLOCATION OF FUNDS.—

15 “(A) REGIONAL PARTNERSHIPS.—Of the  
16 funds made available to carry out this section  
17 for a fiscal year, 10 percent shall be used to  
18 provide grants to support partnerships under  
19 subsection (c).

20 “(B) DEVELOPMENT GRANTS FOR PRO-  
21 DUCERS.—

22 “(i) IN GENERAL.—Subject to clause  
23 (ii), of the funds made available to carry  
24 out this section for a fiscal year, 35 per-

1 cent shall be used for grants under sub-  
2 section (d)(5).

3 “(ii) RESERVATION OF FUNDS.—

4 “(I) MAJORITY-CONTROLLED  
5 PRODUCER-BASED BUSINESS VEN-  
6 TURES.—The total amount of grants  
7 under subsection (d)(5) provided to  
8 majority-controlled producer-based  
9 business ventures for a fiscal year  
10 shall not exceed 10 percent of the  
11 amount allocated under clause (i).

12 “(II) BEGINNING, VETERAN, AND  
13 SOCIALLY DISADVANTAGED FARMERS  
14 AND RANCHERS.—Of the funds made  
15 available for grants under subsection  
16 (d)(5), 10 percent shall be reserved  
17 for grants provided to beginning, vet-  
18 eran, and socially disadvantaged farm-  
19 ers or ranchers.

20 “(III) MID-TIER VALUE  
21 CHAINS.—Of the funds made available  
22 for grants under subsection (d)(5), 10  
23 percent shall be reserved for grants to  
24 develop mid-tier value chains.

1                   “(IV) FOOD SAFETY ASSIST-  
2                   ANCE.—Of the funds made available  
3                   for grants under subsection (d)(5),  
4                   not more than 25 percent shall be re-  
5                   served for grants for eligible activities  
6                   described in subsection (d)(2)(J).

7                   “(C) DEVELOPMENT GRANTS FOR OTHER  
8                   ELIGIBLE ENTITIES.—Of the funds made avail-  
9                   able to carry out this section for a fiscal year,  
10                  47 percent shall be used for grants under sub-  
11                  section (d)(6).

12                  “(D) UNOBLIGATED FUNDS.—Any funds  
13                  under subparagraph (A), (B), or (C) that are  
14                  not obligated for the uses described in that sub-  
15                  paragraph, as applicable, by September 30 of  
16                  the fiscal year for which the funds were made  
17                  available—

18                         “(i) shall be available to the agency  
19                         carrying out the Program with the unobli-  
20                         gated funds to carry out any function of  
21                         the Program, as determined by the Sec-  
22                         retary; and

23                         “(ii) may carry over to the next fiscal  
24                         year.

1           “(E) ADMINISTRATIVE EXPENSES.—Not  
2           greater than 8 percent of amounts made avail-  
3           able to provide grants under subsections (c) and  
4           (d)(6) for a fiscal year may be used for admin-  
5           istrative expenses.”.

6           (c) CONFORMING AMENDMENTS.—

7           (1) AGRICULTURAL MARKETING RESOURCE  
8           CENTER PILOT PROJECT.—Section 231 of the Agri-  
9           cultural Risk Protection Act of 2000 (7 U.S.C.  
10          1632a) is amended—

11           (A) by striking the section heading and in-  
12           serting “**AGRICULTURAL MARKETING RE-**  
13           **SOURCE CENTER PILOT PROJECT.**”;

14           (B) by striking subsections (a), (b), (d),  
15           and (e);

16           (C) in subsection (c)—

17           (i) by redesignating paragraphs (1)  
18           and (2) as subsections (a) and (b), respec-  
19           tively, and indenting appropriately; and

20           (ii) by striking the subsection designa-  
21           tion and heading;

22           (D) in subsection (a) (as so redesign-  
23           ated)—

24           (i) in the matter preceding subpara-  
25           graph (A), by striking “Notwithstanding”

1 and all that follows through “paragraph  
2 (2)” and inserting the following: “The Sec-  
3 retary shall not use more than 2.5 percent  
4 of the funds made available to carry out  
5 the Local Agriculture Market Program es-  
6 tablished under section 210A of the Agri-  
7 cultural Marketing Act of 1946 to estab-  
8 lish a pilot project (to be known as the  
9 ‘Agricultural Marketing Resource Center’)  
10 at an eligible institution described in sub-  
11 section (b)”;

12 (ii) by redesignating subparagraphs  
13 (A) and (B) as paragraphs (1) and (2), re-  
14 spectively, and indenting appropriately;  
15 and

16 (E) in subsection (b) (as so redesign-  
17 ated)—

18 (i) by redesignating subparagraphs  
19 (A) through (C) as paragraphs (1) through  
20 (3), respectively, and indenting appro-  
21 priately; and

22 (ii) in paragraph (1) (as so redesign-  
23 ated), by striking “paragraph (1)(A)”  
24 and inserting “subsection (a)(1)”.

1           (2) AGRICULTURE INNOVATION CENTER DEM-  
2           ONSTRATION PROGRAM.—Section 6402(f) of the  
3           Farm Security and Rural Investment Act of 2002 (7  
4           U.S.C. 1632b(f)) is amended in the matter pre-  
5           ceding paragraph (1) by striking “section 231(d) of  
6           the Agricultural Risk Protection Act of 2000 (7  
7           U.S.C. 1621 note; Public Law 106–224)” and in-  
8           serting “section 210A(d)(2) of the Agricultural Mar-  
9           keting Act of 1946”.

10           (3) LOCAL FOOD PRODUCTION AND PROGRAM  
11           EVALUATION.—Section 10016(b)(3)(B) of the Agri-  
12           cultural Act of 2014 (7 U.S.C. 2204h(b)(2)(B)) is  
13           amended by striking “Farmers’ Market and Local  
14           Food Promotion Program established under section  
15           6 of the Farmer-to-Consumer Direct Marketing Act  
16           of 1976 (7 U.S.C. 3005)” and inserting “Local Ag-  
17           riculture Market Program established under section  
18           210A of the Agricultural Marketing Act of 1946”.

19           (4) PROGRAM METRICS.—Section 6209(a) of  
20           the Agricultural Act of 2014 (7 U.S.C. 2207b(a)) is  
21           amended by striking paragraph (1) and inserting the  
22           following:

23           “(1) section 210A of the Agricultural Mar-  
24           keting Act of 1946;”.

1           (5) FARMER-TO-CONSUMER DIRECT MARKETING  
2           ACT OF 1976.—

3           (A) Section 4 of the Farmer-to-Consumer  
4           Direct Marketing Act of 1976 (7 U.S.C. 3003)  
5           is amended—

6                   (i) by striking “The Secretary” and  
7                   inserting the following:

8           “(a) IN GENERAL.—The Secretary”; and

9                   (ii) by adding at the end the fol-  
10           lowing:

11           “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
12           are authorized to be appropriated such sums as are nec-  
13           essary to carry out this section.”.

14           (B) Sections 6, 7, and 8 of the Farmer-to-  
15           Consumer Direct Marketing Act of 1976 (7  
16           U.S.C. 3005, 3006; 90 Stat. 1983) are re-  
17           pealed.

18   **SEC. 10103. ORGANIC PRODUCTION AND MARKET DATA INI-**  
19           **TIATIVES.**

20           Section 7407(d) of the Farm Security and Rural In-  
21           vestment Act of 2002 (7 U.S.C. 5925c(d)) is amended—

22           (1) in paragraph (1)—

23                   (A) in the paragraph heading, by striking  
24                   “THROUGH FISCAL YEAR 2012”; and

1 (B) by striking “\$5,000,000, to remain  
2 available until expended.” and inserting the fol-  
3 lowing: “, to remain available until expended—

4 “(A) \$5,000,000 for each of the periods of  
5 fiscal years 2008 through 2012 and 2014  
6 through 2018; and

7 “(B) \$5,000,000 for the period of fiscal  
8 years 2019 through 2023.”;

9 (2) by striking paragraph (2);

10 (3) by redesignating paragraph (3) as para-  
11 graph (2); and

12 (4) in paragraph (2) (as so redesignated)—

13 (A) by striking “paragraphs (1) and (2)”  
14 and inserting “paragraph (1)”; and

15 (B) by striking “2018” and inserting  
16 “2023”.

17 **SEC. 10104. ORGANIC CERTIFICATION.**

18 (a) EXCLUSIONS FROM CERTIFICATION.—Not later  
19 than 1 year after the date of enactment of this Act, the  
20 Secretary shall issue regulations to limit the type of or-  
21 ganic operations that are excluded from certification under  
22 section 205.101 of title 7, Code of Federal Regulations,  
23 and from certification under any other related sections  
24 under part 205 of title 7, Code of Federal Regulations.



1 (b) DEFINITIONS.—Section 2103 of the Organic  
2 Foods Production Act of 1990 (7 U.S.C. 6502) is amend-  
3 ed—

4 (1) in paragraph (3)—

5 (A) by striking “The term” and inserting  
6 the following:

7 “(A) IN GENERAL.—The term”; and

8 (B) by adding at the end the following:

9 “(B) FOREIGN OPERATIONS.—When used  
10 in the context of a certifying agent operating in  
11 a foreign country, the term ‘certifying agent’ in-  
12 cludes a certifying agent—

13 “(i) accredited in accordance with sec-  
14 tion 2106(b)(1); or

15 “(ii) accredited by a foreign govern-  
16 ment that acted under an equivalency ar-  
17 rangement negotiated between the United  
18 States and the foreign government.”;

19 (2) by redesignating paragraphs (13) through  
20 (21) as paragraphs (14) through (22), respectively;  
21 and

22 (3) by inserting after paragraph (12) the fol-  
23 lowing:

24 “(13) NATIONAL ORGANIC PROGRAM IMPORT  
25 CERTIFICATE.—The term ‘national organic program

1 import certificate’ means a form developed for pur-  
2 poses of the program under this title—

3 “(A) to provide documentation sufficient to  
4 verify that an agricultural product imported for  
5 sale in the United States satisfies the require-  
6 ment under section 2106(b)(1); and

7 “(B) which shall include, at a minimum,  
8 information sufficient to indicate, with respect  
9 to the agricultural product—

10 “(i) the origin;

11 “(ii) the destination;

12 “(iii) the certifying agent issuing the  
13 national organic program import certifi-  
14 cate;

15 “(iv) the harmonized tariff code, if a  
16 harmonized tariff code exists for the agri-  
17 cultural product;

18 “(v) the total weight; and

19 “(vi) the organic standard to which  
20 the agricultural product is certified.”.

21 (c) DOCUMENTATION AND TRACEABILITY ENHANCE-  
22 MENT; DATA COLLECTION.—Section 2106(b) of the Or-  
23 ganic Foods Production Act of 1990 (7 U.S.C. 6505(b))  
24 is amended—

1           (1) by striking “Imported” and inserting the  
2 following:

3           “(1) ACCREDITATION OF FOREIGN ORGANIC  
4 CERTIFICATION PROGRAM.—Imported”; and

5           (2) by adding at the end the following:

6           “(2) IMPORT CERTIFICATION.—

7                 “(A) IMPORT CERTIFICATES.—For an ag-  
8 ricultural product being imported into the  
9 United States to be represented as organically  
10 produced, the Secretary shall require the agri-  
11 cultural product to be accompanied by a com-  
12 plete and valid national organic program import  
13 certificate, which shall be available as an elec-  
14 tronic record.

15           “(B) TRACKING SYSTEM.—

16                 “(i) IN GENERAL.—The Secretary  
17 shall establish a system to track national  
18 organic program import certificates.

19                 “(ii) INTEGRATION.—In establishing  
20 the system under clause (i), the Secretary  
21 may integrate the system into any existing  
22 information tracking systems for imports  
23 of agricultural products.

24           “(3) MODERNIZATION OF TRADE TRACKING  
25 AND DATA COLLECTION SYSTEMS.—

1           “(A) IN GENERAL.—The Secretary shall  
2           modernize international trade tracking and data  
3           collection systems of the national organic pro-  
4           gram established under this title.

5           “(B) ACTIVITIES.—In carrying out sub-  
6           paragraph (A), the Secretary shall modernize  
7           trade and transaction certificates to ensure full  
8           traceability to the port of entry without unduly  
9           hindering trade, such as through an electronic  
10          trade document exchange system.

11          “(4) REPORTS.—

12           “(A) IN GENERAL.—On an annual basis,  
13           the Secretary shall submit to Congress and  
14           make publically available on the website of the  
15           Department of Agriculture a report providing  
16           detailed quantitative data on imports of organi-  
17           cally produced agricultural products accepted  
18           into the United States during the year covered  
19           by the report.

20           “(B) REQUIREMENTS.—The data de-  
21           scribed in subparagraph (A) shall be broken  
22           down by agricultural product type, quantity,  
23           value, and month.

24           “(C) EXCEPTION.—Any data that is spe-  
25           cific enough to be protected as confidential

1 business information shall not be provided in  
2 the report under subparagraph (A).”.

3 (d) ACCREDITATION PROGRAM.—Section 2115 of the  
4 Organic Foods Production Act of 1990 (7 U.S.C. 6514)  
5 is amended—

6 (1) by redesignating subsection (c) as sub-  
7 section (d);

8 (2) by inserting after subsection (b) the fol-  
9 lowing:

10 “(c) OVERSIGHT OF SATELLITE OFFICES AND FOR-  
11 EIGN OPERATIONS.—As part of the accreditation of certi-  
12 fying agents under this section, the Secretary shall oversee  
13 any certifying agent operating in a foreign country.”; and

14 (3) in subsection (d) (as so redesignated)—

15 (A) by striking “section shall” and insert-  
16 ing the following: “section—

17 “(1) subject to paragraph (2), shall”; and

18 (B) in paragraph (1) (as so designated)—

19 (i) by striking “of”; and

20 (ii) by striking “Secretary, and may”

21 and inserting the following: “Secretary;

22 “(2) in the case of a certifying agent operating  
23 in a foreign country, shall be for a period of time  
24 that is consistent with the certification of a domestic

1 certifying agent, as determined appropriate by the  
2 Secretary; and

3 “(3) may”.

4 (e) NATIONAL ORGANIC STANDARDS BOARD.—Sec-  
5 tion 2119(i) of the Organic Foods Production Act of 1990  
6 (7 U.S.C. 6518(i)) is amended—

7 (1) by striking “Two-thirds” and inserting the  
8 following:

9 “(1) IN GENERAL.— $\frac{2}{3}$ ”; and

10 (2) by adding at the end the following:

11 “(2) NATIONAL LIST.—Any vote on a motion  
12 proposing to amend the national list shall be consid-  
13 ered to be a decisive vote that requires  $\frac{2}{3}$  of the  
14 votes cast at a meeting of the Board at which a  
15 quorum is present to prevail.”.

16 (f) INVESTIGATIONS.—Section 2120(b) of the Or-  
17 ganic Foods Production Act (7 U.S.C. 6519(b)) is amend-  
18 ed by adding at the end the following:

19 “(3) INFORMATION SHARING DURING ACTIVE  
20 INVESTIGATION.—In carrying out this title, all par-  
21 ties conducting an active investigation under this  
22 subsection (including certifying agents, State organic  
23 certification programs, and the national organic pro-  
24 gram) shall share confidential business information  
25 with Federal and State government officers and em-

1 employees and certifying agents involved in the inves-  
2 tigation as necessary to fully investigate and enforce  
3 potential violations of this title.

4 “(4) EXPEDITED PROCEDURES FOR FOREIGN  
5 OPERATIONS.—

6 “(A) ESTABLISHMENT.—The Secretary  
7 shall establish expedited investigative proce-  
8 dures under this subsection to review the ac-  
9 creditation of a certifying agent operating in a  
10 foreign country under any of the circumstances  
11 described in subparagraph (B).

12 “(B) EXPEDITED PROCEDURES.—The Sec-  
13 retary shall promptly carry out expedited inves-  
14 tigative procedures established under subpara-  
15 graph (A) to review the accreditation of a certi-  
16 fying agent operating in a foreign country if—

17 “(i) the accreditation of the certifying  
18 agent is revoked by a foreign govern-  
19 ment—

20 “(I) operating an organic certifi-  
21 cation program described in section  
22 2106(b)(1); or

23 “(II) that acted under an equiva-  
24 lency arrangement negotiated between

1 the United States and the foreign gov-  
2 ernment; or

3 “(ii) the Secretary determines that  
4 there is a sudden and substantial increase  
5 in the rate and quantity of imports of an  
6 individual organically produced agricultural  
7 product from the foreign country, in which  
8 case the expedited investigative procedures  
9 shall be carried out with respect to each  
10 certifying agent of that agricultural prod-  
11 uct in that foreign country.”.

12 (g) DATA ORGANIZATION AND ACCESS.—Section  
13 2122 of the Organic Foods Production Act of 1990 (7  
14 U.S.C. 6521) is amended by adding at the end the fol-  
15 lowing:

16 “(c) DATA RELATING TO IMPORTS OF ORGANICALLY  
17 PRODUCED AGRICULTURAL PRODUCTS.—

18 “(1) ACCESS TO DATA DOCUMENTATION SYS-  
19 TEMS.—The head of each Federal agency that ad-  
20 ministers a cross-border documentation system shall  
21 provide to the head of each other Federal agency  
22 that administers such a system access to available  
23 data from the system, including—



1           “(A) the Automated Commercial Environ-  
2           ment system of U.S. Customs and Border Pro-  
3           tection; and

4           “(B) the Phytosanitary Certificate  
5           Issuance and Tracking System of the Animal  
6           and Plant Health Inspection Service.

7           “(2) DATA COLLECTION AND ORGANIZATION  
8           SYSTEM.—

9           “(A) IN GENERAL.—The Secretary shall  
10           establish a new system or modify an existing  
11           data collection and organization system to col-  
12           lect and organize in a single system quantitative  
13           data on imports of each organically produced  
14           agricultural product accepted into the United  
15           States.

16           “(B) ACCESS.—The single system under  
17           subparagraph (A) shall be accessible by any  
18           agency with the authority to engage in—

19                   “(i) inspection of imports of agricul-  
20                   tural products;

21                   “(ii) trade data collection and organi-  
22                   zation; or

23                   “(iii) enforcement of trade require-  
24                   ments for organically produced agricultural  
25                   products.”.

1 (h) ORGANIC AGRICULTURAL PRODUCT IMPORTS  
2 INTERAGENCY WORKING GROUP.—The Organic Foods  
3 Production Act of 1990 is amended by inserting after sec-  
4 tion 2122 (7 U.S.C. 6521) the following:

5 **“SEC. 2122A. ORGANIC AGRICULTURAL PRODUCT IMPORTS**  
6 **INTERAGENCY WORKING GROUP.**

7 “(a) ESTABLISHMENT.—

8 “(1) IN GENERAL.—The Secretary and the Sec-  
9 retary of Homeland Security shall jointly establish a  
10 working group to facilitate coordination and infor-  
11 mation sharing between the Department of Agri-  
12 culture and U.S. Customs and Border Protection re-  
13 lating to imports of organically produced agricul-  
14 tural products (referred to in this section as the  
15 ‘working group’).

16 “(2) MEMBERS.—The working group—

17 “(A) shall include—

18 “(i) the Secretary (or a designee); and

19 “(ii) the Secretary of Homeland Secu-  
20 rity (or a designee); and

21 “(B) shall not include any non-Federal of-  
22 ficer or employee.

23 “(3) DUTIES.—The working group shall facili-  
24 tate coordination and information sharing between

1 the Department of Agriculture and U.S. Customs  
2 and Border Protection for the purposes of—

3 “(A) identifying imports of organically pro-  
4 duced agricultural products;

5 “(B) verifying the authenticity of organi-  
6 cally produced agricultural product import doc-  
7 umentation, such as national organic program  
8 import certificates;

9 “(C) ensuring imported agricultural prod-  
10 ucts represented as organically produced meet  
11 the requirements under this title;

12 “(D) collecting and organizing quantitative  
13 data on imports of organically produced agricul-  
14 tural products; and

15 “(E) reporting to Congress on—

16 “(i) enforcement activity carried out  
17 by the Department of Agriculture or U.S.  
18 Customs and Border Protection in the  
19 United States or abroad; and

20 “(ii) barriers to preventing agricul-  
21 tural products fraudulently represented as  
22 organically produced from entry into the  
23 United States.

24 “(4) DESIGNATED EMPLOYEES AND OFFI-  
25 CIALS.—An employee or official designated to carry

1 out the duties of the Secretary or the Secretary of  
2 Homeland Security on the working group under sub-  
3 paragraph (A) or (B) of paragraph (2) shall be an  
4 employee or official compensated at a rate of pay  
5 not less than the minimum annual rate of basic pay  
6 for GS-12 under section 5332 of title 5, United  
7 States Code.

8 “(b) REPORTS.—On an annual basis, the working  
9 group shall submit to Congress and make publically avail-  
10 able on the websites of the Department of Agriculture and  
11 U.S. Customs and Border Protection the following re-  
12 ports:

13 “(1) ORGANIC TRADE ENFORCEMENT INTER-  
14 AGENCY COORDINATION REPORT.—A report—

15 “(A) identifying existing barriers to co-  
16 operation between the agencies involved in agri-  
17 cultural product import inspection, trade data  
18 collection and organization, and organically pro-  
19 duced agricultural product trade enforcement,  
20 including—

21 “(i) U.S. Customs and Border Protec-  
22 tion;

23 “(ii) the Agricultural Marketing Serv-  
24 ice; and

1                   “(iii) the Animal and Plant Health  
2                   Inspection Service;

3                   “(B) assessing progress toward integrating  
4                   organic trade enforcement into import inspec-  
5                   tion procedures of U.S. Customs and Border  
6                   Protection and the Animal and Plant Health  
7                   Inspection Service, including an assessment  
8                   of—

9                   “(i) the status of the development of  
10                  systems for—

11                  “(I) tracking the fumigation of  
12                  imports of organically produced agri-  
13                  cultural products into the United  
14                  States; and

15                  “(II) electronically verifying na-  
16                  tional organic program import certifi-  
17                  cate authenticity; and

18                  “(ii) training of U.S. Customs and  
19                  Border Protection personnel on—

20                  “(I) the use of the systems de-  
21                  scribed in clause (i); and

22                  “(II) requirements and protocols  
23                  under this title;

24                  “(C) establishing outcome-based goals for  
25                  ensuring imports of agricultural products rep-

1           resented as organically produced meet the re-  
2           quirements under this title;

3           “(D) recommending steps to improve the  
4           documentation and traceability of imported or-  
5           ganically produced agricultural products;

6           “(E) recommending and describing steps  
7           toward the goals of—

8           “(i) achieving complete compliance  
9           with the requirements of this title for all  
10          agricultural products imported into the  
11          United States and represented as organi-  
12          cally produced; and

13          “(ii) ensuring accurate labeling and  
14          marketing of imported agricultural prod-  
15          ucts represented as organically produced  
16          by the exporter;

17          “(F) providing a timeline for implementing  
18          the steps described in subparagraph (E);

19          “(G) identifying additional resources need-  
20          ed to achieve any unmet goals; and

21          “(H) describing staffing needs at U.S.  
22          Customs and Border Protection and the De-  
23          partment of Agriculture to achieve the goals for  
24          ensuring organic integrity described in the re-  
25          port.

1           “(2) REPORT ON ENFORCEMENT ACTIONS  
2 TAKEN ON ORGANIC IMPORTS.—A report—

3           “(A) providing detailed quantitative data  
4 (broken down by commodity type, quantity,  
5 value, month, and origin) on imports of agricul-  
6 tural products represented as organically pro-  
7 duced found to be fraudulent or lacking any  
8 documentation required under this title at the  
9 port of entry during the report year;

10           “(B) providing data on domestic enforce-  
11 ment actions taken on imported agricultural  
12 products represented as organically produced,  
13 including—

14           “(i) the number and type of actions  
15 taken by United States officials at ports of  
16 entry in response to violations of this title;  
17 and

18           “(ii) the total quantity and value of  
19 the agricultural products that were the  
20 subject of the actions, broken down by  
21 product variety and country of origin;

22           “(C) providing data on fumigation of agri-  
23 cultural products represented as organically  
24 produced at ports of entry and notifications of  
25 fumigation actions to shipment owners, broken

1 down by product variety and country of origin;  
2 and

3 “(D) providing information on enforcement  
4 activities under this title involving overseas in-  
5 vestigations and compliance actions taken with-  
6 in that year, including—

7 “(i) the number of investigations by  
8 country; and

9 “(ii) a descriptive summary of compli-  
10 ance actions taken by certifying agents in  
11 each country.”.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—Section  
13 2123 of the Organic Foods Production Act of 1990 (7  
14 U.S.C. 6522) is amended—

15 (1) by striking the section heading and insert-  
16 ing “**FUNDING**”;

17 (2) in subsection (b), by striking paragraphs  
18 (1) through (7) and inserting the following:

19 “(1) \$15,000,000 for fiscal year 2018;

20 “(2) \$16,500,000 for fiscal year 2019;

21 “(3) \$18,000,000 for fiscal year 2020;

22 “(4) \$20,000,000 for fiscal year 2021;

23 “(5) \$22,000,000 for fiscal year 2022; and

24 “(6) \$24,000,000 for fiscal year 2023.”; and

25 (3) by adding at the end the following:



1       “(d) MODERNIZATION OF TRADE TRACKING AND  
2 DATA COLLECTION SYSTEMS.—

3               “(1) IN GENERAL.—Of the funds of the Com-  
4 modity Credit Corporation, the Secretary shall use  
5 to carry out section 2106(b)(3) \$5,000,000 for fiscal  
6 year 2019, to remain available until expended.

7               “(2) ADDITIONAL AMOUNT.—The amount made  
8 available under paragraph (1) shall be in addition to  
9 any other amounts made available to carry out sec-  
10 tion 2106(b)(3).”.

11       (j) TRADE SAVINGS PROVISION.—The amendments  
12 made by subsections (e), (d), and (f) shall be carried out  
13 in a manner consistent with United States obligations  
14 under international agreements.

15 **SEC. 10105. NATIONAL ORGANIC CERTIFICATION COST-**  
16 **SHARE PROGRAM.**

17       (a) ELIMINATION OF DIRECTED DELEGATION.—Sec-  
18 tion 10606(a) of the Farm Security and Rural Investment  
19 Act of 2002 (7 U.S.C. 6523(a)) is amended by striking  
20 “(acting through the Agricultural Marketing Service)”.

21       (b) FUNDING.—Section 10606 of the Farm Security  
22 and Rural Investment Act of 2002 (7 U.S.C. 6523) is  
23 amended by striking subsection (d) and inserting the fol-  
24 lowing:

1           “(d) MANDATORY FUNDING.—Of the funds of the  
2 Commodity Credit Corporation, the Secretary shall make  
3 available to carry out this section \$11,500,000 for each  
4 of fiscal years 2019 through 2023, to remain available  
5 until expended.”.

6 **SEC. 10106. FOOD SAFETY EDUCATION INITIATIVES.**

7           Section 10105(e) of the Food, Conservation, and En-  
8 ergy Act of 2008 (7 U.S.C. 7655a(e)) is amended by strik-  
9 ing “2018” and inserting “2023”.

10 **SEC. 10107. SPECIALTY CROP BLOCK GRANTS.**

11           Section 101 of the Specialty Crops Competitiveness  
12 Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465)  
13 is amended—

14           (1) in subsection (a), by striking “2018” and  
15 inserting “2023”;

16           (2) in subsection (e)—

17           (A) by striking “shall identify” and insert-  
18 ing the following: “shall—

19           “(1) identify”;

20           (B) in paragraph (1) (as so designated), by  
21 striking “plan and indicate” and inserting the

22 following: “plan;

23           “(2) indicate”;

1 (C) in paragraph (2) (as so designated), by  
2 striking “crops.” and inserting “crops at the  
3 national, regional, and local levels;” and

4 (D) by adding at the end the following:

5 “(3) include performance measures developed  
6 by the State department of agriculture, in consulta-  
7 tion with specialty crop stakeholders, to be used as  
8 the primary means for performing an evaluation;  
9 and

10 “(4) provide best practices for methods used to  
11 enhance the competitiveness of specialty crops across  
12 multiple commodities, types of production, and geo-  
13 graphic locations.”;

14 (3) in subsection (f)—

15 (A) in the second sentence, by striking  
16 “The Secretary” and inserting the following:

17 “(2) ACCEPTANCE OR REJECTION.—The Sec-  
18 retary”;

19 (B) in the matter preceding paragraph (2)  
20 (as so designated), by striking “In reviewing”  
21 and inserting the following:

22 “(1) IN GENERAL.—In reviewing”; and

23 (C) in paragraph (1) (as so designated)—

24 (i) by striking “would carry” and in-  
25 serting the following: “would—

1 “(A) carry”; and

2 (ii) in subparagraph (A) (as so des-  
3 ignated), by striking “(a).” and inserting  
4 the following: “(a); and

5 “(B) meet the requirements described in  
6 subsection (e).”;

7 (4) in subsection (h)—

8 (A) in the paragraph heading, by inserting  
9 “AND EVALUATION” after “AUDIT”;

10 (B) in the second sentence, by striking  
11 “Not later than 30 days after the completion of  
12 the audit,” and inserting the following:

13 “(2) SUBMISSION OF AUDIT.—Not later than  
14 30 days after the completion of the audit under  
15 paragraph (1)(A),”;

16 (C) in the matter preceding paragraph (2)  
17 (as so designated), by striking “For each” and  
18 inserting the following:

19 “(1) IN GENERAL.—For each”; and

20 (D) in paragraph (1) (as so designated)—

21 (i) by striking “conduct an audit” and  
22 inserting the following: “conduct—

23 “(A) an audit”; and

1 (ii) in subparagraph (A) (as so des-  
2 ignated), by striking “State.” and insert-  
3 ing the following: “State; and

4 “(B) an evaluation of performance meas-  
5 ures developed under subsection (e)(3).”;

6 (5) in subsection (k)—

7 (A) in paragraph (1), by striking “3” and  
8 inserting “4”;

9 (B) in paragraph (2), by striking “8” and  
10 inserting “9”; and

11 (C) by adding at the end the following:

12 “(3) GUIDANCE.—

13 “(A) IN GENERAL.—Each year, prior to  
14 the submission of State plans under subsection  
15 (d), the Secretary shall provide guidance to  
16 States regarding best practices and national  
17 and regional priorities.

18 “(B) NATIONAL AND REGIONAL PRIOR-  
19 ITIES.—National and regional priorities de-  
20 scribed in subparagraph (A) shall be—

21 “(i) based on formal stakeholder  
22 input; and

23 “(ii) considered by the Secretary as  
24 States develop State plans under sub-  
25 section (d).

1           “(4)     MULTISTATE     PROJECTS.—Notwith-  
2     standing subsection (a) and paragraph (1), the Ad-  
3     ministrator of the Agricultural Marketing Service  
4     shall administer the funds of approved multistate  
5     projects under subsection (j).”; and

6           (6) in subsection (1)(2)(E), by inserting “and  
7     each fiscal year thereafter” before the period at the  
8     end.

9     **SEC. 10108. PLANT VARIETY PROTECTION.**

10     Section 42(a) of the Plant Variety Protection Act (7  
11     U.S.C. 2402(a)) is amended in the matter preceding para-  
12     graph (1) by striking “or tuber propagated” and inserting  
13     “tuber propagated or asexually propagated”.

14     **SEC. 10109. MULTIPLE CROP AND PESTICIDE USE SURVEY.**

15     (a) IN GENERAL.—The Secretary, acting through the  
16     Director of the Office of Pest Management Policy, shall  
17     conduct a multiple crop and pesticide use survey of farm-  
18     ers to collect data for risk assessment modeling and miti-  
19     gation for an active ingredient.

20     (b) SUBMISSION.—The Secretary shall submit to the  
21     Administrator of the Environmental Protection Agency  
22     and make publically available the survey described in sub-  
23     section (a).

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to carry out this section  
3 \$2,500,000, to remain available until expended.

4 (d) CONFIDENTIALITY OF INFORMATION.—Section  
5 1770 of the Food Security Act of 1985 (7 U.S.C. 2276)  
6 is amended—

7 (1) in subsection (a)—

8 (A) by striking “(a) In the case” and in-  
9 serting the following:

10 “(a) IN GENERAL.—In the case”; and

11 (B) in paragraph (3), by striking “sub-  
12 section (d)(12)” and inserting “paragraph (12)  
13 or (13) of subsection (d)”; and

14 (2) in subsection (d)—

15 (A) by striking “(d) For purposes” and in-  
16 serting the following:

17 “(d) PROVISIONS OF LAW REFERENCES.—For pur-  
18 poses”;

19 (B) in paragraph (11), by striking “or” at  
20 the end;

21 (C) in paragraph (12), by striking the pe-  
22 riod at the end and inserting “; or”; and

23 (D) by adding at the end the following:

24 “(13) section 10109 of the Agriculture Im-  
25 provement Act of 2018.”.

1 **SEC. 10110. CLARIFICATION OF USE OF FUNDS FOR TECH-**  
2 **NICAL ASSISTANCE.**

3 Section 11 of the Commodity Credit Corporation  
4 Charter Act (15 U.S.C. 714i) is amended in the last sen-  
5 tence by inserting after “activities” the following: “but ex-  
6 cluding any amounts used to provide technical assistance  
7 under title X of the Agriculture Improvement Act of 2018  
8 or an amendment made by that title.”.

9 **SEC. 10111. HEMP PRODUCTION.**

10 The Agricultural Marketing Act of 1946 (7 U.S.C.  
11 1621 et seq.) is amended by adding at the end the fol-  
12 lowing:

13 **“Subtitle G—Hemp Production**

14 **“SEC. 297A. DEFINITIONS.**

15 “In this subtitle:

16 “(1) HEMP.—The term ‘hemp’ means the plant  
17 Cannabis sativa L. and any part of that plant, in-  
18 cluding the seeds thereof and all derivatives, ex-  
19 tracts, cannabinoids, isomers, acids, salts, and salts  
20 of isomers, whether growing or not, with a delta-9  
21 tetrahydrocannabinol concentration of not more than  
22 0.3 percent on a dry weight basis.

23 “(2) INDIAN TRIBE.—The term ‘Indian tribe’  
24 has the meaning given the term in section 4 of the  
25 Indian Self-Determination and Education Assistance  
26 Act (25 U.S.C. 5304).



1           “(3) SECRETARY.—The term ‘Secretary’ means  
2 the Secretary of Agriculture.

3           “(4) STATE.—The term ‘State’ means—

4                 “(A) a State;

5                 “(B) the District of Columbia;

6                 “(C) the Commonwealth of Puerto Rico;

7           and

8                 “(D) any other territory or possession of  
9 the United States.

10          “(5) STATE DEPARTMENT OF AGRICULTURE.—

11 The term ‘State department of agriculture’ means  
12 the agency, commission, or department of a State  
13 government responsible for agriculture in the State.

14          “(6) TRIBAL GOVERNMENT.—The term ‘Tribal  
15 government’ means the governing body of an Indian  
16 tribe.

17 **“SEC. 297B. STATE AND TRIBAL PLANS.**

18          “(a) SUBMISSION.—

19                 “(1) IN GENERAL.—A State or Indian tribe de-  
20 siring to have primary regulatory authority over the  
21 production of hemp in the State or territory of the  
22 Indian tribe shall submit to the Secretary, through  
23 the State department of agriculture (in consultation  
24 with the Governor and chief law enforcement officer  
25 of the State) or the Tribal government, as applica-

1 ble, a plan under which the State or Indian tribe  
2 monitors and regulates that production as described  
3 in paragraph (2).

4 “(2) CONTENTS.—A State or Tribal plan re-  
5 ferred to in paragraph (1)—

6 “(A) shall only be required to include—

7 “(i) a practice to maintain relevant in-  
8 formation regarding land on which hemp is  
9 produced in the State or territory of the  
10 Indian tribe, including a legal description  
11 of the land, for a period of not less than  
12 3 calendar years;

13 “(ii) a procedure for testing, using  
14 post-decarboxylation or other similarly reli-  
15 able methods, delta-9 tetrahydrocannabinol  
16 concentration levels of hemp produced in  
17 the State or territory of the Indian tribe;

18 “(iii) a procedure for the effective dis-  
19 posal of products that are produced in vio-  
20 lation of this subtitle;

21 “(iv) a procedure to comply with the  
22 enforcement procedures under subsection  
23 (d);

1                   “(v) a procedure for conducting an-  
2                   nual inspections of a random sample of  
3                   hemp producers—

4                                 “(I) to verify that hemp is not  
5                                 produced in violation of this subtitle;  
6                                 and

7                                 “(II) in a manner that ensures  
8                                 that a hemp producer is subject to not  
9                                 more than 1 inspection each year; and

10                               “(vi) a certification that the State or  
11                               Indian tribe has the resources and per-  
12                               sonnel to carry out the practices and pro-  
13                               cedures described in clauses (i) through  
14                               (v); and

15                               “(B) may include any other practice or  
16                               procedure established by a State or Indian  
17                               tribe, as applicable, to the extent that the prac-  
18                               tice or procedure is consistent with this subtitle.

19                               “(3) RELATION TO STATE AND TRIBAL LAW.—

20                               “(A) NO PREEMPTION.—Nothing in this  
21                               subsection preempts or limits any law of a  
22                               State or Indian tribe regulating the production  
23                               of hemp, to the extent that law is consistent  
24                               with this subtitle.

1           “(B) REFERENCES IN PLANS.—A State or  
2           Tribal plan referred to in paragraph (1) may  
3           include a reference to a law of the State or In-  
4           dian tribe regulating the production of hemp, to  
5           the extent that law is consistent with this sub-  
6           title.

7           “(b) APPROVAL.—

8           “(1) IN GENERAL.—Not later than 60 days  
9           after receipt of a State or Tribal plan under sub-  
10          section (a), the Secretary shall—

11           “(A) approve the State or Tribal plan if  
12           the State or Tribal plan complies with sub-  
13           section (a); or

14           “(B) disapprove the State or Tribal plan  
15           only if the State or Tribal plan does not comply  
16           with subsection (a).

17           “(2) AMENDED PLANS.—If the Secretary dis-  
18           approves a State or Tribal plan under paragraph  
19           (1)(B), the State, through the State department of  
20           agriculture (in consultation with the Governor and  
21           chief law enforcement officer of the State) or the  
22           Tribal government, as applicable, may submit to the  
23           Secretary an amended State or Tribal plan that  
24           complies with subsection (a).

1           “(3) CONSULTATION.—The Secretary may con-  
2           sult with the Attorney General in carrying out this  
3           subsection.

4           “(c) TECHNICAL ASSISTANCE.—The Secretary may  
5           provide technical assistance to a State or Indian tribe in  
6           the development of a State or Tribal plan under subsection  
7           (a).

8           “(d) VIOLATIONS.—

9           “(1) IN GENERAL.—A violation of a State or  
10          Tribal plan approved under subsection (b) shall be  
11          subject to enforcement solely in accordance with this  
12          subsection.

13          “(2) NEGLIGENT VIOLATIONS.—

14                 “(A) IN GENERAL.—A hemp producer in a  
15                 State or the territory of an Indian tribe for  
16                 which a State or Tribal plan is approved under  
17                 subsection (b) shall be subject to subparagraph  
18                 (B) of this paragraph if the State department  
19                 of agriculture or Tribal government, as applica-  
20                 ble, determines that the hemp producer has  
21                 negligently violated the State or Tribal plan, in-  
22                 cluding by negligently—

23                         “(i) failing to provide a legal descrip-  
24                         tion of land on which the producer pro-  
25                         duces hemp;

1           “(ii) failing to obtain a license or  
2           other required authorization from the  
3           State department of agriculture or Tribal  
4           government, as applicable; or

5           “(iii) producing *Cannabis sativa* L.  
6           with a delta-9 tetrahydrocannabinol con-  
7           centration of more than 0.3 percent on a  
8           dry weight basis.

9           “(B) CORRECTIVE ACTION PLAN.—A hemp  
10          producer described in subparagraph (A) shall  
11          comply with a plan established by the State de-  
12          partment of agriculture or Tribal government,  
13          as applicable, to correct the negligent violation,  
14          including—

15                 “(i) a reasonable date by which the  
16                 hemp producer shall correct the negligent  
17                 violation; and

18                 “(ii) a requirement that the hemp  
19                 producer shall periodically report to the  
20                 State department of agriculture or Tribal  
21                 government, as applicable, on the compli-  
22                 ance of the hemp producer with the State  
23                 or Tribal plan for a period of not less than  
24                 the next 2 calendar years.

1           “(C) RESULT OF NEGLIGENT VIOLA-  
2           TION.—Except as provided in subparagraph  
3           (D), a hemp producer that negligently violates  
4           a State or Tribal plan under subparagraph (A)  
5           shall not as a result of that violation be subject  
6           to any criminal or civil enforcement action by  
7           the Federal Government or any State govern-  
8           ment, Tribal government, or local government  
9           other than the enforcement action authorized  
10          under subparagraph (B).

11          “(D) REPEAT VIOLATIONS.—A hemp pro-  
12          ducer that negligently violates a State or Tribal  
13          plan under subparagraph (A) 3 times in a 5-  
14          year period shall be ineligible to produce hemp  
15          for a period of 5 years beginning on the date  
16          of the third violation.

17          “(3) OTHER VIOLATIONS.—

18          “(A) IN GENERAL.—If the State depart-  
19          ment of agriculture or Tribal government in a  
20          State or the territory of an Indian tribe for  
21          which a State or Tribal plan is approved under  
22          subsection (b), as applicable, determines that a  
23          hemp producer in the State or territory has vio-  
24          lated the State or Tribal plan with a culpable  
25          mental state greater than negligence—

1           “(i) the State department of agri-  
2           culture or Tribal government, as applica-  
3           ble, shall immediately report the hemp pro-  
4           ducer to—

5                       “(I) the Attorney General; and

6                       “(II) in the case of a State de-  
7           partment of agriculture, the chief law  
8           enforcement officer of the State; and

9           “(ii) paragraph (1) of this subsection  
10          shall not apply to the violation.

11          “(B) FELONY.—Any person convicted of a  
12          felony relating to a controlled substance under  
13          State or Federal law shall be ineligible—

14                       “(i) to participate in the program es-  
15                       tablished under this section; and

16                       “(ii) to produce hemp under any regu-  
17                       lations or guidelines issued under section  
18                       297D(a).

19          “(C) FALSE STATEMENT.—Any person  
20          who materially falsifies any information con-  
21          tained in an application to participate in the  
22          program established under this section shall be  
23          ineligible to participate in that program.



1       “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated such sums as are nec-  
3 essary to carry out this section.

4       “(f) EFFECT.—Nothing in this section prohibits the  
5 production of hemp in a State or the territory of an Indian  
6 tribe for which a State or Tribal plan is not approved  
7 under this section in accordance with section 297C or  
8 other Federal laws (including regulations).

9       **“SEC. 297C. DEPARTMENT OF AGRICULTURE.**

10       “(a) DEPARTMENT OF AGRICULTURE PLAN.—

11               “(1) IN GENERAL.—In the case of a State or  
12 Indian tribe for which a State or Tribal plan is not  
13 approved under section 297B, the production of  
14 hemp in that State or the territory of that Indian  
15 tribe shall be subject to a plan established by the  
16 Secretary to monitor and regulate that production in  
17 accordance with paragraph (2).

18               “(2) CONTENT.—A plan established by the Sec-  
19 retary under paragraph (1) shall include—

20                       “(A) a practice to maintain relevant infor-  
21 mation regarding land on which hemp is pro-  
22 duced in the State or territory of the Indian  
23 tribe, including a legal description of the land,  
24 for a period of not less than 3 calendar years;

1           “(B) a procedure for testing, using post-  
2           decarboxylation or other similarly reliable meth-  
3           ods, delta-9 tetrahydrocannabinol concentration  
4           levels of hemp produced in the State or terri-  
5           tory of the Indian tribe;

6           “(C) a procedure for the effective disposal  
7           of products that are produced in violation of  
8           this subtitle;

9           “(D) a procedure to comply with the en-  
10          forcement procedures under subsection (c)(2);

11          “(E) a procedure for conducting annual in-  
12          spections of a random sample of hemp pro-  
13          ducers—

14                 “(i) to verify that hemp is not pro-  
15                 duced in violation of this subtitle; and

16                 “(ii) in a manner that ensures that a  
17                 hemp producer is subject to not more than  
18                 1 inspection each year; and

19          “(F) such other practices or procedures as  
20          the Secretary considers to be appropriate, to  
21          the extent that the practice or procedure is con-  
22          sistent with this subtitle.

23          “(b) LICENSING.—The Secretary shall establish a  
24          procedure to issue licenses to hemp producers in accord-  
25          ance with a plan established under subsection (a).

1 “(c) VIOLATIONS.—

2 “(1) IN GENERAL.—In the case of a State or  
3 Indian tribe for which a State or Tribal plan is not  
4 approved under section 297B, it shall be unlawful to  
5 produce hemp in that State or the territory of that  
6 Indian tribe without a license issued by the Sec-  
7 retary under subsection (b).

8 “(2) NEGLIGENT AND OTHER VIOLATIONS.—A  
9 violation of a plan established under subsection (a)  
10 shall be subject to enforcement in accordance with  
11 paragraphs (2) and (3) of section 297B(d), except  
12 that the Secretary shall carry out that enforcement  
13 instead of a State department of agriculture or Trib-  
14 al government.

15 “(3) REPORTING TO ATTORNEY GENERAL.—In  
16 the case of a State or Indian tribe covered by para-  
17 graph (1), the Secretary shall report the production  
18 of hemp without a license issued by the Secretary  
19 under subsection (b) to the Attorney General.

20 **“SEC. 297D. AUTHORITY TO ISSUE REGULATIONS AND**  
21 **GUIDELINES; EFFECT ON OTHER LAW.**

22 “(a) AUTHORITY.—

23 “(1) IN GENERAL.—The Secretary shall have  
24 sole authority to issue Federal regulations and  
25 guidelines that relate to the production of hemp, in-

1 including Federal regulations and guidelines that re-  
2 late to the implementation of sections 297B and  
3 279C.

4 “(2) CONSULTATION WITH ATTORNEY GEN-  
5 ERAL.—The Secretary may consult with the Attor-  
6 ney General before issuing regulations and guide-  
7 lines under paragraph (1).

8 “(b) EFFECT ON OTHER LAW.—Nothing in this sub-  
9 title shall affect or modify—

10 “(1) the Federal Food, Drug, and Cosmetic Act  
11 (21 U.S.C. 301 et seq.); or

12 “(2) the authority of the Commissioner of Food  
13 and Drugs and the Secretary of Health and Human  
14 Services under that Act.”.

15 **SEC. 10112. RULE OF CONSTRUCTION.**

16 Nothing in this title authorizes interference with the  
17 interstate commerce of hemp (as defined in section 297A  
18 of the Agricultural Marketing Act of 1946, as added by  
19 section 10111).

20 **TITLE XI—CROP INSURANCE**

21 **SEC. 11101. DEFINITIONS.**

22 Section 502(b) of the Federal Crop Insurance Act (7  
23 U.S.C. 1502(b)) is amended—

1 (1) by redesignating paragraphs (6), (7), (8),  
2 (9), (10), and (11) as paragraphs (7), (8), (10),  
3 (11), (12), and (13) respectively;

4 (2) by inserting after paragraph (5) the fol-  
5 lowing:

6 “(6) COVER CROP TERMINATION.—The term  
7 ‘cover crop termination’ means a practice that his-  
8 torically and under reasonable circumstances results  
9 in the termination of the growth of a cover crop.”;  
10 and

11 (3) by inserting after paragraph (8) (as so re-  
12 designated) the following:

13 “(9) HEMP.—The term ‘hemp’ has the meaning  
14 given the term in section 297A of the Agricultural  
15 Marketing Act of 1946.”.

16 **SEC. 11102. DATA COLLECTION.**

17 Section 506(h)(2) of the Federal Crop Insurance Act  
18 (7 U.S.C. 1506(h)(2)) is amended—

19 (1) by striking “The Corporation” and insert-  
20 ing the following:

21 “(A) IN GENERAL.—The Corporation”;

22 and

23 (2) by adding at the end the following:

24 “(B) NATIONAL AGRICULTURAL STATIS-  
25 TICS SERVICE.—Data collected by the National

1           Agricultural Statistics Service, whether pub-  
2           lished or unpublished, shall be—

3                   “(i) provided in an aggregate form to  
4                   the Corporation for the purpose of pro-  
5                   viding insurance under this subtitle; and

6                   “(ii) kept confidential by the Corpora-  
7                   tion in the same manner and to the same  
8                   extent as is required under—

9                           “(I) section 1770 of the Food Se-  
10                           curity Act of 1985 (7 U.S.C. 2276);  
11                           and

12                           “(II) the Confidential Informa-  
13                           tion Protection and Statistical Effi-  
14                           ciency Act of 2002 (44 U.S.C. 3501  
15                           note; Public Law 107–347).

16                   “(C) NONINSURED CROP DISASTER ASSIST-  
17                   ANCE PROGRAM.—In collecting data under this  
18                   subsection, the Secretary shall ensure that—

19                           “(i) appropriate data are collected  
20                           through the noninsured crop disaster as-  
21                           sistance program established by section  
22                           196 of the Federal Agriculture Improve-  
23                           ment and Reform Act of 1996 (7 U.S.C.  
24                           7333); and

1                   “(ii) not less frequently than annually,  
2                   the Farm Service Agency shares, and the  
3                   Corporation considers, the data described  
4                   in clause (i).”.

5 **SEC. 11103. SHARING OF RECORDS.**

6           Section 506(h)(3) of the Federal Crop Insurance Act  
7 (7 U.S.C. 1506(h)(3)) is amended by inserting “applicants  
8 who have received payment under section 522(b)(2)(E),”  
9 after “divisions,”.

10 **SEC. 11104. USE OF RESOURCES.**

11           Section 507(f) of the Federal Crop Insurance Act (7  
12 U.S.C. 1507(f)) is amended—

13                   (1) by striking paragraphs (3) and (4) and in-  
14                   serting the following:

15                   “(3) the Farm Service Agency, in assisting the  
16                   Board in—

17                           “(A) the determination of individual pro-  
18                           ducer yields;

19                           “(B) sharing information on beginning  
20                           farmers and ranchers and veteran farmers and  
21                           ranchers;

22                           “(C) investigating potential waste, fraud,  
23                           or abuse;

24                           “(D) sharing information to support the  
25                           transition of crops and counties from the non-

1 insured crop disaster assistance program estab-  
2 lished by section 196 of the Federal Agriculture  
3 Improvement and Reform Act of 1996 (7  
4 U.S.C. 7333) to insurance under this subtitle;  
5 and

6 “(E) serving as a local point of contact for  
7 the dissemination of information on risk man-  
8 agement options available to farmers and  
9 ranchers; and

10 “(4) other Federal agencies, in assisting the  
11 Board in any way the Board determines is necessary  
12 in carrying out this subtitle.”;

13 (2) in paragraph (2), by striking “(2) the” and  
14 inserting the following:

15 “(2) the”; and

16 (3) by striking “(f) The Board” in the matter  
17 preceding paragraph (1) and all that follows through  
18 the semicolon at the end of paragraph (1) and in-  
19 serting the following:

20 “(f) USE OF RESOURCES, DATA, BOARDS, AND COM-  
21 MITTEES OF FEDERAL AGENCIES.—The Board shall use,  
22 to the maximum extent practicable, the resources, data,  
23 boards, and the committees of—

24 “(1) the Natural Resources Conservation Serv-  
25 ice, in assisting the board in—



1           “(A) the classification of land as to risk  
2           and production capability;

3           “(B) the assessment of—

4                   “(i) long-term trends in, and impacts  
5                   from, weather variability; and

6                   “(ii) opportunities to ameliorate the  
7                   impacts described in clause (i); and

8           “(C) the consideration of acceptable con-  
9           servation practices, including good farming  
10          practices with respect to conservation (such as  
11          cover crop termination);”.

12 **SEC. 11105. SPECIALTY CROPS.**

13          (a) **SPECIALTY CROPS COORDINATOR.**—Section  
14 507(g) of the Federal Crop Insurance Act (7 U.S.C.  
15 1507(g)) is amended by adding at the end the following:

16           “(4) **SPECIALTY CROP LIAISONS.**—The Spe-  
17          cialty Crops Coordinator shall—

18                   “(A) designate a Specialty Crops Liaison  
19                   in each regional field office; and

20                   “(B) share the contact information of the  
21                   Specialty Crops Liaisons with specialty crop  
22                   producers.

23          “(5) **WEBSITE.**—

24                   “(A) **IN GENERAL.**—The Specialty Crops  
25          Coordinator shall establish a website focused on

1 the efforts of the Corporation to provide and  
2 expand crop insurance for specialty crop pro-  
3 ducers.

4 “(B) INCLUSIONS.—The website estab-  
5 lished under subparagraph (A) shall include—

6 “(i) an online mechanism to provide  
7 comments or feedback relating to specialty  
8 crops;

9 “(ii) a calendar of opportunities to  
10 provide comments or feedback at specialty  
11 crop events or in other public forums; and

12 “(iii) a plan, with projected comple-  
13 tion dates, for examining—

14 “(I) potential new crops to be  
15 added to existing policies or plans of  
16 insurance for specialty crops;

17 “(II) opportunities to expand ex-  
18 isting policies or plans of insurance  
19 for specialty crops to new areas; and

20 “(III) the potential for providing  
21 additional policies or plans of insur-  
22 ance for specialty crops, such as add-  
23 ing a revenue option or endorse-  
24 ment.”.

1 (b) ADDITION OF SPECIALTY CROPS AND OTHER  
2 VALUE-ADDED CROPS.—Section 508(a)(6) of the Federal  
3 Crop Insurance Act (7 U.S.C. 1508(a)(6)) is amended—

4 (1) in the paragraph heading, by adding at the  
5 end the following: “(INCLUDING VALUE-ADDED  
6 CROPS)”;

7 (2) by striking subparagraph (A) and inserting  
8 the following:

9 “(A) ANNUAL REVIEW.—Not later than 1  
10 year after the date of enactment of the Agri-  
11 culture Improvement Act of 2018, and annually  
12 thereafter, the manager of the Corporation shall  
13 prepare, to the maximum extent practicable,  
14 based on data shared from the noninsured crop  
15 disaster assistance program established by sec-  
16 tion 196 of the Federal Agriculture Improve-  
17 ment and Reform Act of 1996 (7 U.S.C. 7333),  
18 written agreements, or other data, and present  
19 to the Board not less than 2 of each of the fol-  
20 lowing:

21 “(i) Research and development for a  
22 policy or plan of insurance for a new crop.

23 “(ii) Expansion of an existing policy  
24 or plan of insurance to additional counties

1                   or States, including malting barley en-  
2                   dorsements or contract options.

3                   “(iii) Research and development for a  
4                   new policy or plan of insurance, or en-  
5                   dorsement, for crops with existing policies  
6                   or plans of insurance, such as dollar  
7                   plans.”;

8                   (3) in subparagraph (B), in the subparagraph  
9                   heading, by striking “ADDITION OF NEW CROPS”  
10                  and inserting “REPORT”; and

11                  (4) by striking subparagraphs (C) and (D).

12 **SEC. 11106. INSURANCE PERIOD.**

13                  Section 508(a)(2) of the Federal Crop Insurance Act  
14                  (7 U.S.C. 1508(a)(2)) is amended by striking “and sweet  
15                  potatoes” and inserting “sweet potatoes, and hemp”.

16 **SEC. 11107. COVER CROPS.**

17                  Section 508(a) of the Federal Crop Insurance Act (7  
18                  U.S.C. 1508(a)) is amended—

19                  (1) in paragraph (3)—

20                         (A) in subparagraph (A)(iii), by striking  
21                         “practices” the first place it appears and all  
22                         that follows through the period at the end and  
23                         inserting “practices.”;

1 (B) by redesignating subparagraphs (B)  
2 and (C) as subparagraphs (C) and (D), respec-  
3 tively;

4 (C) by inserting after subparagraph (A)  
5 the following:

6 “(B) VOLUNTARY GOOD FARMING PRAC-  
7 TICES.—

8 “(i) IN GENERAL.—Subject to clause  
9 (ii), the following voluntary practices shall  
10 be considered good farming practices under  
11 subparagraph (A)(iii):

12 “(I) A scientifically sound, sus-  
13 tainable, and organic farming prac-  
14 tice, as determined by the Secretary.

15 “(II) A conservation activity or  
16 enhancement (including cover crops)  
17 that is approved by the Natural Re-  
18 sources Conservation Service or an  
19 agricultural expert, as determined by  
20 the Secretary.

21 “(ii) EXPECTED GROWTH.—A practice  
22 described in subclause (I) or (II) of clause  
23 (i) shall be considered a good farming  
24 practice only if under that practice the in-  
25 sured crop may be expected to make nor-

1 mal progress toward maturity under typ-  
2 ical growing conditions, as determined by  
3 the Secretary.”; and

4 (D) in subparagraph (C) (as so redesign-  
5 nated), in the subparagraph heading, by insert-  
6 ing “DETERMINATION REVIEW” after “PRAC-  
7 TICES”; and

8 (2) by adding at the end the following:

9 “(11) COVER CROP TERMINATION.—

10 “(A) IN GENERAL.—Cover crop termi-  
11 nation shall not affect the insurability of a sub-  
12 sequently planted insurable crop if the cover  
13 crop termination is carried out according to  
14 guidelines—

15 “(i) established by the Secretary; or

16 “(ii) approved by—

17 “(I) the Natural Resources Con-  
18 servation Service; or

19 “(II) an agricultural expert, as  
20 determined by the Corporation.

21 “(B) SUMMER FALLOW.—In a county in  
22 which summer fallow is an insurable practice, a  
23 cover crop in that county that is terminated ac-  
24 cording to guidelines established by the Sec-

1           retary shall be considered as summer fallow for  
2           the purpose of insurability.”.

3 **SEC. 11108. UNDERSERVED PRODUCERS.**

4           Section 508(a)(7) of the Federal Crop Insurance Act  
5 (7 U.S.C. 1508(a)(7)) is amended—

6           (1) in the paragraph heading, by inserting  
7           “AND UNDERSERVED PRODUCERS” after “STATES”;

8           (2) in subparagraph (A)—

9           (A) by striking the designation and head-  
10           ing and all that follows through “the term” and  
11           inserting the following:

12           “(A) DEFINITIONS.—In this paragraph:

13           “(i) ADEQUATELY SERVED.—The  
14           term”;

15           (B) in clause (i) (as so designated), by  
16           striking “participation rate” and inserting  
17           “participation rate, by crop,”; and

18           (C) by adding at the end the following:

19           “(ii) UNDERSERVED PRODUCER.—  
20           The term ‘underserved producer’ means a  
21           beginning farmer or rancher, a veteran  
22           farmer or rancher, or a socially disadvan-  
23           taged farmer or rancher.”;

24           (3) in subparagraph (B)—

1 (A) by striking “The Board” and inserting  
2 the following:

3 “(i) IN GENERAL.—The Board”;

4 (B) in clause (i) (as so designated), by  
5 striking “subtitle” and inserting “subtitle, in-  
6 cluding policies and plans of insurance for un-  
7 derserved producers,”; and

8 (C) by adding at the end the following:

9 “(ii) TYPES OF PRODUCTION.—In  
10 conducting the review under clause (i), the  
11 Board shall examine the types of produc-  
12 tion common among underserved pro-  
13 ducers, such as diversified production for  
14 local markets.”; and

15 (4) by striking subparagraph (C) and inserting  
16 the following:

17 “(C) REPORT.—

18 “(i) IN GENERAL.—Not later than 30  
19 days after completion of the review under  
20 subparagraph (B)(i), and not less fre-  
21 quently than once every 3 years thereafter,  
22 the Board shall make publically available  
23 and submit to the Committee on Agri-  
24 culture of the House of Representatives  
25 and the Committee on Agriculture, Nutri-





1 (A) for practices that can be demonstrated  
2 to reduce risk relative to other practices.

3 “(ii) REVIEW.—In determining prac-  
4 tices for which to offer discounts under  
5 clause (i), the Corporation shall—

6 “(I) for the 2020 reinsurance  
7 year, consider precision irrigation or  
8 fertilization, crop rotations, cover  
9 crops, and any other practices deter-  
10 mined appropriate by the Corporation;  
11 and

12 “(II) on an annual basis, seek ex-  
13 pert opinion and consider additional  
14 practices based on new evidence.”.

15 **SEC. 11110. ENTERPRISE UNITS.**

16 Section 508(e)(5) of the Federal Crop Insurance Act  
17 (7 U.S.C. 1508(e)(5)) is amended by adding at the end  
18 the following:

19 “(E) ENTERPRISE UNITS ACROSS COUNTY  
20 LINES.—The Corporation may allow a producer  
21 to establish a single enterprise unit by com-  
22 bining an enterprise unit with—

23 “(i) 1 or more other enterprise units  
24 in 1 or more other counties; or

1                   “(ii) all basic units and all optional  
2                   units in 1 or more other counties.”.

3 **SEC. 11111. PASTURE, RANGELAND, AND FORAGE POLICY**  
4 **FOR MEMBERS OF INDIAN TRIBES.**

5       Section 508(e)(7) of the Federal Crop Insurance Act  
6 (7 U.S.C. 1508(e)(7)) is amended by adding at the end  
7 the following:

8                   “(D) PASTURE, RANGELAND, AND FORAGE  
9                   POLICY FOR MEMBERS OF INDIAN TRIBES.—

10                  With respect to a policy or plan of insurance es-  
11                  tablished under this subtitle for producers of  
12                  livestock commodities the source of feedstock of  
13                  which is pasture, rangeland, and forage, the  
14                  premium subsidy for a member of an Indian  
15                  tribe (as defined in section 4 of the Indian Self-  
16                  Determination and Education Assistance Act  
17                  (25 U.S.C. 5304)), as certified to the Secretary  
18                  by the Chairperson of that Indian tribe (or a  
19                  designee), shall be 90 percent for the first pur-  
20                  chase of that policy or plan of insurance by that  
21                  member of an Indian tribe.”.

22 **SEC. 11112. SUBMISSION OF POLICIES AND MATERIALS TO**  
23 **BOARD.**

24       Section 508(h) of the Federal Crop Insurance Act (7  
25 U.S.C. 1508(h)) is amended—

1 (1) in paragraph (1)(B)—

2 (A) by redesignating clauses (i) through  
3 (iii) as subclauses (I) through (III), respec-  
4 tively, and indenting appropriately;

5 (B) in the matter preceding subclause (I)  
6 (as so redesignated), by striking “The Corpora-  
7 tion shall” and inserting the following:

8 “(i) IN GENERAL.—The Corporation  
9 shall”;

10 (C) in clause (i)(I) (as so redesignated), by  
11 inserting “subject to clause (ii),” before “will  
12 likely”; and

13 (D) by adding at the end the following:

14 “(ii) WAIVER FOR HEMP.—The Cor-  
15 poration may waive the viability and mar-  
16 ketability requirement under clause (i)(I)  
17 in the case of a policy or pilot program re-  
18 lating to the production of hemp.”; and

19 (2) in paragraph (3)(C)—

20 (A) in clause (ii), by striking “and” at the  
21 end;

22 (B) in clause (iii), by striking the period at  
23 the end and inserting “; and”; and

24 (C) by adding at the end the following:

1                   “(iv) in the case of reviewing policies  
2                   and other materials relating to the produc-  
3                   tion of hemp, may waive the viability and  
4                   marketability requirement under subpara-  
5                   graph (A)(ii)(I).”.

6 **SEC. 11113. WHOLE FARM REVENUE AGENT INCENTIVES.**

7           Section 508(k)(4) of the Federal Crop Insurance Act  
8 (7 U.S.C. 1508(k)(4)) is amended by adding at the end  
9 the following:

10                   “(G) WHOLE FARM REVENUE AGENT IN-  
11                   CENTIVES.—

12                   “(i) IN GENERAL.—Beginning with  
13                   the 2019 reinsurance year, in the case of  
14                   an agent that sells a Whole Farm Revenue  
15                   Policy, or a successor policy, the Corpora-  
16                   tion shall provide to the approved insur-  
17                   ance provider, to pay to the agent, an ad-  
18                   ditional reimbursement, determined in ac-  
19                   cordance with the following:

20                   “(I) If the compensation of the  
21                   agent authorized under the Standard  
22                   Reinsurance Agreement for the policy  
23                   is less than \$1,000, the reimburse-  
24                   ment shall be an amount equal to the  
25                   difference between—

1 “(aa) \$1,000; and

2 “(bb) the amount authorized  
3 under the Standard Reinsurance  
4 Agreement for the policy.

5 “(II) If the producer, or any en-  
6 tity in which the producer had an in-  
7 surable interest, has never previously  
8 obtained coverage under a Whole  
9 Farm Revenue Policy, or a successor  
10 policy, in addition to any amount au-  
11 thORIZED under subclause (I), the re-  
12 imbursement shall be \$300 for each  
13 Whole Farm Revenue Policy, or suc-  
14 cessor policy.

15 “(ii) LIMITATION ON USE.—Any addi-  
16 tional reimbursement authorized under  
17 clause (i) shall not be included for the pur-  
18 pose of establishing the limitation on the  
19 compensation for agents under the Stand-  
20 ard Reinsurance Agreement.”.

21 **SEC. 11114. CROP PRODUCTION ON NATIVE SOD.**

22 Section 508(o) of the Federal Crop Insurance Act (7  
23 U.S.C. 1508(o)) is amended—

24 (1) in paragraph (2), by striking subparagraph  
25 (A) and inserting the following:

1 “(A) IN GENERAL.—

2 “(i) AGRICULTURAL ACT OF 2014.—  
3 Native sod acreage that has been tilled for  
4 the production of an insurable crop during  
5 the period beginning on February 8, 2014,  
6 and ending on the date of enactment of the  
7 Agriculture Improvement Act of 2018 shall  
8 be subject to 4 cumulative years of a re-  
9 duction in benefits under this subtitle as  
10 described in this paragraph.

11 “(ii) SUBSEQUENT YEARS.—

12 “(I) NON-HAY AND NON-FORAGE  
13 CROPS.—As determined by the Sec-  
14 retary, native sod acreage that has  
15 been tilled for the production of an in-  
16 surable crop other than a hay or for-  
17 age crop after the date of enactment  
18 of the Agriculture Improvement Act of  
19 2018 shall be subject to 4 cumulative  
20 years of a reduction in benefits under  
21 this subtitle as described in this para-  
22 graph.

23 “(II) HAY AND FORAGE  
24 CROPS.—During each crop year of  
25 planting, as determined by the Sec-

1                   retary, native sod acreage that has  
2                   been tilled for the production of an in-  
3                   surable hay or forage crop after the  
4                   date of enactment of the Agriculture  
5                   Improvement Act of 2018 shall be  
6                   subject to 4 cumulative years of a re-  
7                   duction in benefits under this subtitle  
8                   as described in this paragraph.”;

9                   (2) by redesignating paragraph (3) as para-  
10                  graph (4);

11                  (3) by inserting after paragraph (2) the fol-  
12                  lowing:

13                  “(3) NATIVE SOD CONVERSION CERTIFI-  
14                  CATION.—

15                         “(A) CERTIFICATION.—As a condition on  
16                         the receipt of benefits under this subtitle, a pro-  
17                         ducer that has tilled native sod acreage for the  
18                         production of an insurable crop as described in  
19                         paragraph (2)(A) shall certify to the Secretary  
20                         that acreage using—

21                                 “(i) an acreage report form of the  
22                                 Farm Service Agency (FSA-578 or any  
23                                 successor form); and

24                                 “(ii) 1 or more maps.



1           “(B) CORRECTIONS.—Beginning on the  
2           date on which a producer submits a certifi-  
3           cation under subparagraph (A), as soon as  
4           practicable after the producer discovers a  
5           change in tilled native sod acreage described in  
6           that subparagraph, the producer shall submit to  
7           the Secretary any appropriate corrections to a  
8           form or map described in clause (i) or (ii) of  
9           that subparagraph.

10           “(C) ANNUAL REPORTS.—Not later than  
11           January 1, 2019, and each January 1 there-  
12           after through January 1, 2023, the Secretary  
13           shall submit to the Committee on Agriculture of  
14           the House of Representatives and the Com-  
15           mittee on Agriculture, Nutrition, and Forestry  
16           of the Senate a report that describes the tilled  
17           native sod acreage that has been certified under  
18           subparagraph (A) in each county and State as  
19           of the date of submission of the report.”; and  
20           (4) in paragraph (4) (as so redesignated)—

21           (A) by striking “This subsection” and in-  
22           serting the following:

23           “(A) IN GENERAL.—Subject to subpara-  
24           graph (B), this subsection”; and

25           (B) by adding at the end the following:

1           “(B) ELECTION.—A governor of a State  
2           other than a State described in subparagraph  
3           (A) may elect to have this paragraph apply to  
4           the State.”.

5 **SEC. 11115. USE OF NATIONAL AGRICULTURAL STATISTICS**  
6           **SERVICE DATA TO COMBAT WASTE, FRAUD,**  
7           **AND ABUSE.**

8           Section 515 of the Federal Crop Insurance Act (7  
9 U.S.C. 1515) is amended—

10           (1) in subsection (d)(1)—

11           (A) in subparagraph (B), by striking  
12           “and” at the end;

13           (B) in subparagraph (C), by striking the  
14           period at the end and inserting “; and”; and

15           (C) by adding at the end the following:

16           “(D) using published aggregate data from  
17           the National Agricultural Statistics Service or  
18           any other data source to—

19           “(i) detect yield disparities or other  
20           data anomalies that indicate potential  
21           fraud; and

22           “(ii) target the relevant counties,  
23           crops, regions, companies, or agents associ-  
24           ated with that potential fraud for audits  
25           and other enforcement actions.”; and

1           (2) in subsection (f)(2)(A), by striking “pursu-  
2           ant to” each place it appears and inserting “under”.

3 **SEC. 11116. SUBMISSION OF INFORMATION TO CORPORA-**  
4 **TION.**

5           Section 515(g) of the Federal Crop Insurance Act (7  
6 U.S.C. 1515(g)) is amended—

7           (1) in paragraph (1), by adding at the end the  
8           following:

9                   “(D) The actual production history to be  
10                   used to establish insurable yields.”; and

11           (2) in paragraph (2)—

12                   (A) by striking “The information required  
13                   by paragraph (1)” and inserting the following:

14                           “(A) IN GENERAL.—The information re-  
15                           quired to be submitted under subparagraphs  
16                           (A) through (C) of paragraph (1)”;

17                           (B) by adding at the end the following:

18                                   “(B) ACTUAL PRODUCTION HISTORY.—  
19                           The information required to be submitted under  
20                           paragraph (1)(D) with respect to an applicable  
21                           policy or plan of insurance shall be submitted  
22                           so as to ensure receipt by the Corporation not  
23                           later than the Saturday of the week containing  
24                           the calendar day that is 30 days after the appli-

1 cable production reporting date for the crop to  
2 be insured.”.

3 **SEC. 11117. ACREAGE REPORT STREAMLINING INITIATIVE.**

4 Section 515(j)(1)(B)(ii) of the Federal Crop Insur-  
5 ance Act (7 U.S.C. 1515(j)(1)(B)(ii)) is amended—

6 (1) by striking “As soon” and inserting the fol-  
7 lowing:

8 “(I) IN GENERAL.—As soon”;

9 (2) in subclause (I) (as so designated), by strik-  
10 ing “information” and inserting “information, elec-  
11 tronically (including in the form of geospatial data)  
12 or conventionally,” and

13 (3) by adding at the end the following:

14 “(II) METHOD FOR DETER-  
15 MINING COMMON INFORMATION RE-  
16 QUIREMENTS.—Not later than Sep-  
17 tember 30, 2020, the Administrator of  
18 the Risk Management Agency and the  
19 Administrator of the Farm Service  
20 Agency shall implement a consistent  
21 method for determining crop acreage,  
22 acreage yields, farm acreage, property  
23 descriptions, and other common infor-  
24 mational requirements, including  
25 measures of common land units.

1                   “(III) ACCEPTANCE OF DATA.—  
2                   The Corporation shall require each  
3                   approved insurance provider to accept  
4                   from a producer or an authorized  
5                   agent of a producer reports of crop  
6                   acreage, acreage yields, and other in-  
7                   formation electronically (including in  
8                   the form of geospatial data) or con-  
9                   ventionally, at the option of the pro-  
10                  ducer or the agent of the producer, as  
11                  applicable.”.

12 **SEC. 11118. CONTINUING EDUCATION FOR LOSS ADJUST-**  
13 **ERS AND AGENTS.**

14                  Section 515 of the Federal Crop Insurance Act (7  
15 U.S.C. 1515) is amended—

16                  (1) by redesignating subsection (k) as sub-  
17                  section (l); and

18                  (2) by inserting after subsection (j) the fol-  
19                  lowing:

20                  “(k) CONTINUING EDUCATION FOR LOSS ADJUSTERS  
21 AND AGENTS.—

22                  “(1) IN GENERAL.—The Corporation shall es-  
23                  tablish requirements for continuing education for  
24                  loss adjusters and agents of approved insurance pro-  
25                  viders.

1           “(2) REQUIREMENTS.—The requirements for  
2 continuing education described in paragraph (1)  
3 shall ensure that loss adjusters and agents of ap-  
4 proved insurance providers are familiar with appro-  
5 priate conservation activities and agronomic prac-  
6 tices that—

7                   “(A) are common and appropriate to the  
8 area in which the insured crop being inspected  
9 is produced; and

10                   “(B) include organic and sustainable prac-  
11 tices.”.

12 **SEC. 11119. FUNDING FOR INFORMATION TECHNOLOGY.**

13           Section 515 of the Federal Crop Insurance Act (7  
14 U.S.C. 1515) is amended in subsection (l)(1)(A) (as redес-  
15 igned by section 11118(1))—

16                   (1) by striking clause (ii);

17                   (2) in clause (i)—

18                           (A) by striking “(i)(I) for” and inserting  
19 the following:

20                                   “(i) for”;

21                           (B) by striking “and” at the end; and

22                           (C) by redesignating subclause (II) as  
23 clause (ii);

24                   (3) in clause (ii) (as so redesignated), by strik-  
25 ing “or” at the end and inserting “and”; and







1                   “(II) review procedures and pa-  
2                   perwork requirements on agents and  
3                   producers; and

4                   “(III) modify procedures and re-  
5                   quirements, as appropriate, to de-  
6                   crease burdens and increase flexibility  
7                   and effectiveness.

8                   “(ii) FACTORS.—In carrying out sub-  
9                   clauses (II) and (III) of clause (i), the Cor-  
10                  poration shall consider—

11                  “(I) removing caps on nursery  
12                  and livestock production;

13                  “(II) allowing a waiver to expand  
14                  operations, especially for small and  
15                  beginning farmers;

16                  “(III) minimizing paperwork for  
17                  producers and agents;

18                  “(IV) implementing an option for  
19                  producers with less than \$1,000,000  
20                  in gross revenue that requires signifi-  
21                  cantly less paperwork and record-  
22                  keeping;

23                  “(V) developing and using alter-  
24                  native records such as time-stamped  
25                  photographs or technology applica-

1 tions to document planting and pro-  
2 duction history;

3 “(VI) treating the different  
4 growth stages of aquaculture species  
5 as separate crops to recognize the dif-  
6 ference in perils at different phases of  
7 growth;

8 “(VII) moderating the impacts of  
9 disaster years on historic revenue,  
10 such as—

11 “(aa) using an average of  
12 the historic and projected rev-  
13 enue;

14 “(bb) counting indemnities  
15 as historic revenue for loss years;  
16 or

17 “(cc) using an assigned yield  
18 floor similar to a T-yield, as de-  
19 termined by the Secretary; and

20 “(VIII) improving agent training  
21 and outreach to underserved regions  
22 and sectors such as small dairy  
23 farms.”; and

24 (4) by inserting after paragraph (8) (as so re-  
25 designated) the following:

1           “(9) IRRIGATED GRAIN SORGHUM CROP INSUR-  
2 ANCE POLICY.—

3           “(A) IN GENERAL.—The Corporation shall  
4 carry out research and development, or offer to  
5 enter into 1 or more contracts with 1 or more  
6 qualified persons to carry out research and de-  
7 velopment—

8           “(i) regarding improvements to 1 or  
9 more policies to insure irrigated grain sor-  
10 ghum; and

11           “(ii) regarding alternative methods for  
12 producers with not more than 4 years of  
13 production history to insure irrigated grain  
14 sorghum.

15           “(B) REPORT.—Not later than 1 year  
16 after the date of enactment of the Agriculture  
17 Improvement Act of 2018, the Corporation  
18 shall submit to the Committee on Agriculture of  
19 the House of Representatives and the Com-  
20 mittee on Agriculture, Nutrition, and Forestry  
21 of the Senate a report that describes—

22           “(i) the results of the research and  
23 development conducted under subpara-  
24 graph (A); and



1                   “(II) expected yield reductions  
2                   following the application of reduced ir-  
3                   rigation;

4                   “(ii) collaborate with State and Fed-  
5                   eral officials responsible for the collection  
6                   of water and the regulation of water use  
7                   for the purpose of irrigation;

8                   “(iii) provide recommendations to en-  
9                   courage producers to carry out limited irri-  
10                  gation practices or reduced irrigation and  
11                  water conservation practices; and

12                  “(iv) develop web-based applications  
13                  that will streamline access to coverage for  
14                  producers electing to conserve water use on  
15                  irrigated crops.

16                  “(C) REPORT.—Not later than 18 months  
17                  after the date of enactment of the Agriculture  
18                  Improvement Act of 2018, the Corporation  
19                  shall submit to the Committee on Agriculture of  
20                  the House of Representatives and the Com-  
21                  mittee on Agriculture, Nutrition, and Forestry  
22                  of the Senate a report that describes—

23                  “(i) the results of the research carried  
24                  out under subparagraphs (A) and (B);

1                   “(ii) any recommendations to encour-  
2                   age producers to carry out limited irriga-  
3                   tion practices or reduced irrigation and  
4                   water conservation practices; and

5                   “(iii) the actions taken by the Cor-  
6                   poration to carry out the recommendations  
7                   described in clause (ii).

8                   “(11) QUALITY LOSS.—

9                   “(A) IN GENERAL.—The Corporation shall  
10                  carry out research and development, or offer to  
11                  enter into 1 or more contracts with 1 or more  
12                  qualified persons to carry out research and de-  
13                  velopment, regarding the establishment of each  
14                  of the following alternative methods of adjust-  
15                  ing for quality losses:

16                  “(i) A method that does not impact  
17                  the average production history of a pro-  
18                  ducer.

19                  “(ii) A method that is optional for a  
20                  producer to elect to use.

21                  “(iii) A method that provides that, in  
22                  circumstances in which a producer has suf-  
23                  fered a quality loss to the insured crop of  
24                  the producer that is insufficient to trigger  
25                  an indemnity payment, the producer may

1 elect to exclude that quality loss from the  
2 actual production history of the producer.

3 “(iv) 1 or more methods that combine  
4 2 or more of the methods described in  
5 clauses (i) through (iii).

6 “(B) REQUIREMENTS.—Notwithstanding  
7 subsections (g) and (m) of section 508, any  
8 method developed under subparagraph (A) that  
9 is used by the Corporation shall be—

10 “(i) optional for a producer to use;

11 and

12 “(ii) offered at an actuarially sound  
13 premium rate.

14 “(C) REPORT.—Not later than 1 year  
15 after the date of enactment of the Agriculture  
16 Improvement Act of 2018, the Corporation  
17 shall submit to the Committee on Agriculture of  
18 the House of Representatives and the Com-  
19 mittee on Agriculture, Nutrition, and Forestry  
20 of the Senate a report that describes the results  
21 of the research and development carried out  
22 under subparagraph (A).

23 “(12) CITRUS.—

24 “(A) IN GENERAL.—The Corporation shall  
25 carry out research and development, or offer to

1 enter into 1 or more contracts with 1 or more  
2 qualified persons to carry out research and de-  
3 velopment, regarding the insurance of citrus  
4 fruit commodities and commodity types, includ-  
5 ing research and development of—

6 “(i) improvements to 1 or more exist-  
7 ing policies, including the whole-farm rev-  
8 enue protection pilot policy;

9 “(ii) alternative methods of insuring  
10 revenue for citrus fruit commodities and  
11 commodity types; and

12 “(iii) the development of new, or ex-  
13 pansion of existing, revenue policies for cit-  
14 rus fruit commodities and commodity  
15 types.

16 “(B) REPORT.—Not later than 1 year  
17 after the date of enactment of the Agriculture  
18 Improvement Act of 2018, the Corporation  
19 shall submit to the Committee on Agriculture of  
20 the House of Representatives and the Com-  
21 mittee on Agriculture, Nutrition, and Forestry  
22 of the Senate a report that describes—

23 “(i) the results of the research and  
24 development carried out under subpara-  
25 graph (A); and



1                   “(ii) any recommendations with re-  
2                   spect to those results.

3                   “(13) GREENHOUSE POLICY.—

4                   “(A) IN GENERAL.—

5                   “(i) RESEARCH AND DEVELOP-  
6                   MENT.—The Corporation shall carry out  
7                   research and development, or offer to enter  
8                   into 1 or more contracts with 1 or more  
9                   qualified persons to carry out research and  
10                  development, regarding a policy to insure  
11                  in a controlled environment such as a  
12                  greenhouse—

13                  “(I) the production of flori-  
14                  culture, nursery, and bedding plants;

15                  “(II) the establishment of  
16                  cuttings or tissue culture in a growing  
17                  medium; or

18                  “(III) other similar production,  
19                  as determined by the Secretary.

20                  “(ii) AVAILABILITY OF POLICY OR  
21                  PLAN OF INSURANCE.—Notwithstanding  
22                  the last sentence of section 508(a)(1), and  
23                  section 508(a)(2), the Corporation shall  
24                  make a policy or plan of insurance de-

1           scribed in clause (i) available if the re-  
2           quirements of section 508(h) are met.

3           “(B) RESEARCH AND DEVELOPMENT DE-  
4           SCRIBED.—Research and development described  
5           in subparagraph (A)(i) shall evaluate the effec-  
6           tiveness of policies and plans of insurance for  
7           the production of plants in a controlled environ-  
8           ment, including policies and plans of insurance  
9           that—

10                   “(i) are based on the risk of—

11                           “(I) plant diseases introduced  
12                           from the environment;

13                           “(II) contaminated cuttings,  
14                           seedlings, or tissue culture; or

15                           “(III) Federal or State quar-  
16                           antine or destruction orders associ-  
17                           ated with the contaminated items de-  
18                           scribed in subclause (II);

19                           “(ii) consider other causes of loss ap-  
20                           plicable to a controlled environment, such  
21                           as a loss of electricity due to weather;

22                           “(iii) consider appropriate best prac-  
23                           tices to minimize the risk of loss;

24                           “(iv) consider whether to provide cov-  
25                           erage for various types of plants under 1

1 policy or plan of insurance or to provide  
2 coverage for 1 species or type of plant per  
3 policy or plan of insurance;

4 “(v) have streamlined reporting and  
5 paperwork requirements that take into ac-  
6 count short propagation schedules, variable  
7 crop years, and the variety of plants that  
8 may be produced in a single facility; and

9 “(vi) provide protection for revenue  
10 losses.

11 “(C) REPORT.—Not later than 1 year  
12 after the date of enactment of the Agriculture  
13 Improvement Act of 2018, the Corporation  
14 shall submit to the Committee on Agriculture of  
15 the House of Representatives and the Com-  
16 mittee on Agriculture, Nutrition, and Forestry  
17 of the Senate a report that—

18 “(i) describes the results of the re-  
19 search and development conducted under  
20 subparagraphs (A)(i) and (B); and

21 “(ii) any recommendations with re-  
22 spect to those results.

23 “(14) HOPS.—

24 “(A) IN GENERAL.—The Corporation shall  
25 carry out research and development, or offer to

1 enter into 1 or more contracts with 1 or more  
2 qualified persons to carry out research and de-  
3 velopment, regarding a policy to insure the pro-  
4 duction of hops or revenue derived from the  
5 production of hops.

6 “(B) REPORT.—Not later than 1 year  
7 after the date of enactment of the Agriculture  
8 Improvement Act of 2018, the Corporation  
9 shall submit to the Committee on Agriculture of  
10 the House of Representatives and the Com-  
11 mittee on Agriculture, Nutrition, and Forestry  
12 of the Senate a report that describes—

13 “(i) the results of the research and  
14 development conducted under subpara-  
15 graph (A); and

16 “(ii) any recommendations with re-  
17 spect to those results.

18 “(15) LOCAL FOODS.—

19 “(A) IN GENERAL.—

20 “(i) RESEARCH AND DEVELOP-  
21 MENT.—The Corporation shall carry out  
22 research and development, or offer to enter  
23 into 1 or more contracts with 1 or more  
24 qualified persons to carry out research and

1 development, regarding a policy to insure  
2 production—

3 “(I) of floriculture, fruits, vegeta-  
4 bles, poultry, livestock, or the prod-  
5 ucts of floriculture, fruits, vegetables,  
6 poultry, or livestock; and

7 “(II) that is targeted toward  
8 local consumers and markets.

9 “(ii) AVAILABILITY OF POLICY OR  
10 PLAN OF INSURANCE.—Notwithstanding  
11 the last sentence of section 508(a)(1), and  
12 section 508(a)(2), the Corporation shall  
13 make a policy or plan of insurance de-  
14 scribed in clause (i) available if the re-  
15 quirements of section 508(h) are met.

16 “(B) RESEARCH AND DEVELOPMENT DE-  
17 SCRIBED.—Research and development described  
18 in subparagraph (A)(i) shall evaluate the effec-  
19 tiveness of policies and plans of insurance for  
20 production targeted toward local consumers and  
21 markets, including policies and plans of insur-  
22 ance that—

23 “(i) consider small-scale production in  
24 various areas, including urban, suburban,  
25 and rural areas;

1 “(ii) consider a variety of marketing  
2 strategies, including—

3 “(I) direct-to-consumer mar-  
4 keting;

5 “(II) farmers markets;

6 “(III) farm-to-institution mar-  
7 keting; and

8 “(IV) marketing through commu-  
9 nity-supported agriculture;

10 “(iii) allow for production in soil and  
11 in alternative systems such as vertical sys-  
12 tems, greenhouses, rooftops, or hydroponic  
13 systems;

14 “(iv) consider the price premium when  
15 accounting for production or revenue  
16 losses;

17 “(v) consider whether to provide cov-  
18 erage—

19 “(I) for various types of produc-  
20 tion under 1 policy or plan of insur-  
21 ance; and

22 “(II) for 1 species or type of  
23 plant per policy or plan of insurance;  
24 and

1                   “(vi) have streamlined reporting and  
2                   paperwork requirements.

3                   “(C) REPORT.—Not later than 1 year  
4                   after the date of enactment of the Agriculture  
5                   Improvement Act of 2018, the Corporation  
6                   shall submit to the Committee on Agriculture of  
7                   the House of Representatives and the Com-  
8                   mittee on Agriculture, Nutrition, and Forestry  
9                   of the Senate a report that—

10                   “(i) examines whether a version of ex-  
11                   isting policies such as the whole-farm rev-  
12                   enue protection insurance plan may be tai-  
13                   lored to provide improved coverage for pro-  
14                   ducers of local foods;

15                   “(ii) describes the results of the re-  
16                   search and development conducted under  
17                   subparagraphs (A) and (B); and

18                   “(iii) includes any recommendations  
19                   with respect to those results.

20                   “(16) INSURABLE IRRIGATION PRACTICES FOR  
21                   RICE.—

22                   “(A) IN GENERAL.—The Corporation shall  
23                   carry out research and development, or offer to  
24                   enter into 1 or more contracts with 1 or more  
25                   qualified persons to carry out research and de-

1           velopment, to include new and innovative irriga-  
2           tion practices under the current rice policy or  
3           the development of a distinct plan of insurance  
4           or policy endorsement rated for rice produced  
5           using—

6                   “(i) alternate wetting and drying  
7                   practices (also referred to as ‘intermittent  
8                   flooding’); and

9                   “(ii) furrow irrigation practices.

10                   “(B) REPORT.—Not later than 1 year  
11                   after the date of enactment of the Agriculture  
12                   Improvement Act of 2018, the Corporation  
13                   shall submit to the Committee on Agriculture of  
14                   the House of Representatives and the Com-  
15                   mittee on Agriculture, Nutrition, and Forestry  
16                   of the Senate a report that describes—

17                           “(i) the results of the research and  
18                           development carried out under paragraph  
19                           (1); and

20                           “(ii) any recommendations with re-  
21                           spect to those results.

22                   “(17) HIGH-RISK, HIGHLY PRODUCTIVE  
23                   BATTURE LAND POLICY.—

24                           “(A) IN GENERAL.—



1                   “(i) RESEARCH AND DEVELOP-  
2                   MENT.—The Corporation shall carry out  
3                   research and development, or offer to enter  
4                   into 1 or more contracts with 1 or more  
5                   qualified persons to carry out research and  
6                   development, regarding a policy to insure  
7                   producers of corn, cotton, and soybeans—

8                   “(I) with operations on highly  
9                   productive batture land within the  
10                  Lower Mississippi River Valley below  
11                  Mississippi River mile 368.44;

12                  “(II) that have a history of pro-  
13                  duction of not less than 5 years; and

14                  “(III) that have been impacted  
15                  by more frequent flooding over the  
16                  past 10 years due to sedimentation  
17                  and federally constructed engineering  
18                  improvements.

19                  “(ii) AVAILABILITY OF POLICY OR  
20                  PLAN OF INSURANCE.—Notwithstanding  
21                  the last sentence of section 508(a)(1), and  
22                  section 508(a)(2), the Corporation shall  
23                  make a policy or plan of insurance de-  
24                  scribed in clause (i) available if the re-  
25                  quirements of section 508(h) are met.

1           “(B) RESEARCH AND DEVELOPMENT DE-  
2           SCRIBED.—Research and development described  
3           in subparagraph (A)(i) shall evaluate the feasi-  
4           bility of less cost-prohibitive policies and plans  
5           of insurance for batture-land producers in high  
6           risk areas, including policies and plans of insur-  
7           ance that—

8                   “(i) consider premium rate adjust-  
9                   ments;

10                   “(ii) consider automatic yield exclu-  
11                   sion for consecutive-year losses; and

12                   “(iii) allow for flexibility of final plant  
13                   dates and prevent plant regulations.

14           “(C) REPORT.—Not later than 1 year  
15           after the date of enactment of the Agriculture  
16           Improvement Act of 2018, the Corporation  
17           shall submit to the Committee on Agriculture of  
18           the House of Representatives and the Com-  
19           mittee on Agriculture, Nutrition, and Forestry  
20           of the Senate a report that—

21                   “(i) examines whether a version of ex-  
22                   isting policies may be tailored to provide  
23                   improved coverage for batture-land pro-  
24                   ducers;

1 “(ii) describes the results of the re-  
2 search and development conducted under  
3 subparagraphs (A) and (B); and

4 “(iii) includes any recommendations  
5 with respect to those results.”.

6 **SEC. 11123. EDUCATION ASSISTANCE.**

7 Section 524(a)(3)(A) of the Federal Crop Insurance  
8 Act (7 U.S.C. 1524(a)(3)(A)) is amended by inserting  
9 “conservation activities,” after “benchmarking,”.

10 **SEC. 11124. CROPLAND REPORT ANNUAL UPDATES.**

11 Section 11014(c)(2) of the Agricultural Act of 2014  
12 (Public Law 113–79; 128 Stat. 963) is amended in the  
13 matter preceding subparagraph (A) by striking “2018”  
14 and inserting “2023”.

15 **TITLE XII—MISCELLANEOUS**

16 **Subtitle A—Livestock**

17 **SEC. 12101. SHEEP PRODUCTION AND MARKETING GRANT**  
18 **PROGRAM.**

19 Section 209 of the Agricultural Marketing Act of  
20 1946 (7 U.S.C. 1627a) is amended by striking subsection  
21 (c) and inserting the following:

22 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
23 is authorized to be appropriated to the Secretary to carry  
24 out this section \$1,500,000 for each of fiscal years 2019  
25 through 2023.”.

1 **SEC. 12102. NATIONAL ANIMAL HEALTH LABORATORY NET-**  
2 **WORK.**

3 Section 10409A(d) of the Animal Health Protection  
4 Act (7 U.S.C. 8308a(d)) is amended by striking  
5 “\$15,000,000 for each of fiscal years 2014 through 2018”  
6 and inserting “\$30,000,000 for each of fiscal years 2019  
7 through 2023”.

8 **SEC. 12103. NATIONAL ANIMAL DISEASE PREPAREDNESS,**  
9 **RESPONSE, AND RECOVERY PROGRAM; NA-**  
10 **TIONAL ANIMAL VACCINE AND VETERINARY**  
11 **COUNTERMEASURES BANK.**

12 The Animal Health Protection Act is amended by in-  
13 serting after section 10409A (7 U.S.C. 8308a) the fol-  
14 lowing:

15 **“SEC. 10409B. NATIONAL ANIMAL DISEASE PREPAREDNESS,**  
16 **RESPONSE, AND RECOVERY PROGRAM; NA-**  
17 **TIONAL ANIMAL VACCINE AND VETERINARY**  
18 **COUNTERMEASURES BANK.**

19 “(a) NATIONAL ANIMAL DISEASE PREPAREDNESS,  
20 RESPONSE, AND RECOVERY PROGRAM.—

21 “(1) IN GENERAL.—To prevent the introduction  
22 into or the dissemination within the United States of  
23 any pest or disease of animals affecting the eco-  
24 nomic interests of the livestock and related indus-  
25 tries of the United States (including the mainte-  
26 nance and expansion of export market potential), the

1 Secretary shall establish a program to be known as  
2 the ‘National Animal Disease Preparedness, Re-  
3 sponse, and Recovery Program’ (referred to in this  
4 subsection as the ‘Program’).

5 “(2) ELIGIBLE ACTIVITIES.—Under the Pro-  
6 gram, the Secretary shall support activities to pre-  
7 vent, detect, and rapidly respond to animal pests  
8 and diseases, including—

9 “(A) enhancing animal pest and disease  
10 analysis and surveillance;

11 “(B) expanding education and outreach;

12 “(C) targeting domestic inspection activi-  
13 ties at vulnerable points in the safeguarding  
14 continuum;

15 “(D) enhancing and strengthening threat  
16 identification and technology;

17 “(E) improving biosecurity;

18 “(F) enhancing emergency preparedness  
19 and response capabilities, including training ad-  
20 ditional emergency response personnel;

21 “(G) conducting technology development to  
22 enhance electronic sharing of animal health  
23 data for risk analysis between State and Fed-  
24 eral animal health officials;

1           “(H) enhancing the development and effec-  
2           tiveness of animal health technologies to treat  
3           and prevent disease, including veterinary bio-  
4           logics, veterinary diagnostics, animal drugs for  
5           minor use and minor species, animal medical  
6           devices, and emerging veterinary counter-  
7           measures; and

8           “(I) such other activities as determined ap-  
9           propriate by the Secretary, in consultation with  
10          entities described in paragraph (3)(B).

11          “(3) COOPERATIVE AGREEMENTS.—

12           “(A) IN GENERAL.—In carrying out the  
13          Program, the Secretary shall offer to enter into  
14          cooperative agreements or other legal instru-  
15          ments with entities described in subparagraph  
16          (B) to carry out activities described in para-  
17          graph (2).

18           “(B) ELIGIBLE ENTITIES.—The Secretary  
19          may enter into a cooperative agreement or  
20          other legal instrument under subparagraph (A)  
21          with 1 or more of the following entities:

22           “(i) A State department of agri-  
23          culture.

24           “(ii) The State veterinarian or chief  
25          animal health official of a State.

1           “(iii) A land-grant college or univer-  
2           sity (as defined in section 1404 of the Na-  
3           tional Agricultural Research, Extension,  
4           and Teaching Policy Act of 1977 (7 U.S.C.  
5           3103)).

6           “(iv) A NLGCA Institution (as de-  
7           fined in section 1404 of the National Agri-  
8           cultural Research, Extension, and Teach-  
9           ing Policy Act of 1977 (7 U.S.C. 3103)).

10           “(v) A college of veterinary medicine.

11           “(vi) A State or national livestock  
12           producer organization with a direct and  
13           significant economic interest in livestock  
14           production.

15           “(vii) A State, national, allied, or re-  
16           gional veterinary organization or specialty  
17           board recognized by the American Veteri-  
18           nary Medical Association.

19           “(viii) An Indian tribe.

20           “(ix) A State emergency management  
21           agency.

22           “(x) A Federal agency.

23           “(C) SPECIAL FUNDING CONSIDER-  
24           ATIONS.—In entering into cooperative agree-  
25           ments or other legal instruments under sub-

1 paragraph (A), the Secretary shall give priority  
2 to—

3 “(i) a State department of agri-  
4 culture;

5 “(ii) the State veterinarian or chief  
6 animal health official of a State; and

7 “(iii) an eligible entity that shall carry  
8 out Program activities in a State or region  
9 in which—

10 “(I) an animal disease or pest is  
11 a Federal concern, as determined by  
12 the Secretary; or

13 “(II) there is potential for the  
14 spread of an animal disease or pest,  
15 as determined by the Secretary, tak-  
16 ing into consideration—

17 “(aa) the agricultural indus-  
18 tries in that State or region;

19 “(bb) factors contributing to  
20 animal disease or pests in that  
21 State or region, such as climate,  
22 natural resources, geography, na-  
23 tive or exotic wildlife species, and  
24 other disease vectors; and



1                   “(cc) the movement of ani-  
2                   mals in that State or region.

3                   “(D) APPLICATIONS.—

4                   “(i) IN GENERAL.—An entity de-  
5                   scribed in subparagraph (B) desiring to  
6                   enter into a cooperative agreement or other  
7                   legal instrument under subparagraph (A)  
8                   shall submit to the Secretary an applica-  
9                   tion at such time and containing such in-  
10                  formation as the Secretary may require.

11                  “(ii) NOTIFICATION.—The Secretary  
12                  shall notify an entity that submits an ap-  
13                  plication under clause (i) of—

14                  “(I) the requirements to be im-  
15                  posed on the entity for auditing of,  
16                  and reporting on, the use of any funds  
17                  provided by the Secretary under the  
18                  cooperative agreement or other legal  
19                  instrument; and

20                  “(II) the criteria to be used to  
21                  ensure activities supported under the  
22                  cooperative agreement or other legal  
23                  instrument are based on sound sci-  
24                  entific data or thorough risk assess-  
25                  ments.

1 “(E) USE OF FUNDS.—

2 “(i) SUBAGREEMENTS.—Nothing in  
3 this section prevents an entity from using  
4 funds received under a cooperative agree-  
5 ment or other legal instrument under sub-  
6 paragraph (A) to enter into a subagree-  
7 ment with another organization or a polit-  
8 ical subdivision of a State that has legal  
9 responsibilities relating to animal disease  
10 prevention, surveillance, or rapid response.

11 “(ii) NON-FEDERAL SHARE.—In de-  
12 termining whether to enter into a coopera-  
13 tive agreement or other legal instrument  
14 with an entity under subparagraph (A),  
15 the Secretary—

16 “(I) may consider the ability of  
17 the entity to provide non-Federal  
18 funds to carry out the cooperative  
19 agreement or other legal instrument;  
20 but

21 “(II) shall not require the provi-  
22 sion of non-Federal funds by an entity  
23 as a condition to enter into a coopera-  
24 tive agreement or other legal instru-  
25 ment.

1                   “(iii) ADMINISTRATION.—Of amounts  
2                   made available to carry out the Program,  
3                   not more than 10 percent may be retained  
4                   by an entity that receives funds under a  
5                   cooperative agreement or other legal in-  
6                   strument under subparagraph (A), includ-  
7                   ing a subagreement under clause (i), to  
8                   pay administrative costs incurred by the  
9                   entity in carrying out the cooperative  
10                  agreement or other legal instrument.

11                  “(4) CONSULTATION.—The Secretary shall con-  
12                  sult with entities described in paragraph (3)(B) in  
13                  establishing priorities under the Program.

14                  “(5) FEDERAL ADVISORY COMMITTEE ACT.—  
15                  The Federal Advisory Committee Act (5 U.S.C.  
16                  App.) shall not apply to any consultation by the Sec-  
17                  retary with an entity described in paragraph (3)(B)  
18                  under the Program.

19                  “(6) REPORTS.—Not later than 90 days after  
20                  the date on which an entity completes an activity  
21                  prescribed and funded by a cooperative agreement or  
22                  other legal instrument under paragraph (3)(A), the  
23                  entity shall submit to the Secretary a report that de-  
24                  scribes the purposes and results of the activity.

1           “(b) NATIONAL ANIMAL VACCINE AND VETERINARY  
2 COUNTERMEASURES BANK.—

3           “(1) IN GENERAL.—The Secretary shall estab-  
4 lish a National Animal Vaccine and Veterinary  
5 Countermeasures Bank to benefit the domestic inter-  
6 ests of the United States.

7           “(2) REQUIREMENTS.—Under the National  
8 Animal Vaccine and Veterinary Countermeasures  
9 Bank, the Secretary shall—

10           “(A) leverage, as appropriate, the mecha-  
11 nisms and infrastructure that have been devel-  
12 oped for the management, storage, and dis-  
13 tribution of the National Veterinary Stockpile;  
14 and

15           “(B) maintain a sufficient quantity of ani-  
16 mal vaccine, antiviral, therapeutic products, di-  
17 agnostic products, and veterinary counter-  
18 measures—

19           “(i) to appropriately respond to the  
20 most damaging animal diseases affecting  
21 human health or the economy; and

22           “(ii) that will be capable of rapid de-  
23 ployment in the event of an outbreak of an  
24 animal disease described in clause (i).

25           “(3) FOOT-AND-MOUTH DISEASE PRIORITY.—

1           “(A) IN GENERAL.—In carrying out para-  
2 graph (2), the Secretary shall give priority to  
3 the maintenance of a sufficient quantity of foot-  
4 and-mouth disease vaccine, as determined by  
5 the Secretary, and accompanying diagnostic  
6 products, covering, to the maximum extent  
7 practicable, an appropriate representation of  
8 foot-and-mouth disease serotypes and strains  
9 for which appropriate vaccine products are  
10 available.

11           “(B) CONTRACTS.—The Secretary may  
12 offer to enter into 1 or more contracts with 1  
13 or more entities that produce foot-and-mouth  
14 disease vaccine—

15           “(i) to maintain a bank of viral anti-  
16 gen concentrate or vaccine products for, to  
17 the maximum extent practicable, an appro-  
18 priate representation of foot-and-mouth  
19 disease serotypes (as determined by the  
20 Secretary) for which antigen concentrate is  
21 available; and

22           “(ii) to maintain surge production ca-  
23 pacity to produce, as quickly as prac-  
24 ticable, foot-and-mouth disease vaccine to  
25 address a foot-and-mouth disease outbreak.

1       “(c) USE OF FUNDS.—

2               “(1) FEDERAL ADMINISTRATION.—Of amounts  
3       made available to carry out this section, not greater  
4       than 4 percent may be retained by the Secretary to  
5       pay administrative costs incurred by the Secretary in  
6       carrying out this section.

7               “(2) BUILDINGS AND FACILITIES.—None of the  
8       amounts made available to carry out this section  
9       shall be used for—

10              “(A) the construction of a new building or  
11       facility;

12              “(B) the acquisition or expansion of an ex-  
13       isting building or facility;

14              “(C) site grading and improvement; or

15              “(D) architect fees.

16              “(3) PROCEEDS.—The proceeds from the sale  
17       of any vaccine or antigen by the National Animal  
18       Vaccine and Veterinary Countermeasures Bank  
19       shall—

20              “(A) be deposited in the Treasury;

21              “(B) be credited to an account for the op-  
22       eration of the National Animal Vaccine and  
23       Veterinary Countermeasures Bank;

24              “(C) be available for expenditure without  
25       further appropriation; and

1                   “(D) remain available until expended.

2           “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
3 are authorized to be appropriated such sums as are nec-  
4 essary to carry out this section, to remain available until  
5 expended.”.

6 **SEC. 12104. STUDY ON LIVESTOCK DEALER STATUTORY**  
7                   **TRUST.**

8           (a) IN GENERAL.—The Secretary shall conduct a  
9 study to determine the feasibility of establishing a live-  
10 stock dealer statutory trust.

11           (b) CONTENTS.—The study conducted under sub-  
12 section (a) shall—

13                   (1) analyze how the establishment of a livestock  
14 dealer statutory trust would affect buyer and seller  
15 behavior in markets for livestock (as defined in sec-  
16 tion 2(a) of the Packers and Stockyards Act, 1921  
17 (7 U.S.C. 182));

18                   (2) consider what potential effects a livestock  
19 dealer statutory trust would have on credit avail-  
20 ability, including impacts on lenders and lending be-  
21 havior and other industry participants;

22                   (3) examine unique circumstances common to  
23 livestock dealers and how those circumstances could  
24 impact the functionality of a livestock dealer statu-  
25 tory trust;

1           (4) study the feasibility of the industry-wide  
2           adoption of electronic funds transfer or another ex-  
3           peditious method of payment to provide sellers of  
4           livestock protection from nonsufficient funds pay-  
5           ments;

6           (5) assess the effectiveness of statutory trusts  
7           in other segments of agriculture and whether similar  
8           effects could be experienced under a livestock dealer  
9           statutory trust; and

10          (6) consider the effects of exempting dealers  
11          with average annual purchases under a de minimis  
12          threshold from being subject to the livestock dealer  
13          statutory trust.

14          (c) REPORT.—Not later than 540 days after the date  
15          of enactment of this Act, the Secretary shall submit to  
16          the Committee on Agriculture of the House of Representa-  
17          tives and the Committee on Agriculture, Nutrition, and  
18          Forestry of the Senate a report describing the findings  
19          of the study conducted under subsection (a).

20          **SEC. 12105. DEFINITION OF LIVESTOCK.**

21          Section 602(2) of the Emergency Livestock Feed As-  
22          sistance Act of 1988 (7 U.S.C. 1471(2)) is amended in  
23          the matter preceding subparagraph (A) by striking “fish”  
24          and all that follows through “that—” and inserting “lla-



1 mas, alpacas, live fish, crawfish, and other animals that—  
2 ”.

3 **Subtitle B—Agriculture and Food**  
4 **Defense**

5 **SEC. 12201. REPEAL OF OFFICE OF HOMELAND SECURITY.**

6 Section 14111 of the Food, Conservation, and En-  
7 ergy Act of 2008 (7 U.S.C. 8911) is repealed.

8 **SEC. 12202. OFFICE OF HOMELAND SECURITY.**

9 Subtitle A of the Department of Agriculture Reorga-  
10 nization Act of 1994 (7 U.S.C. 6911 et seq.) is amended  
11 by adding at the end the following:

12 **“SEC. 221. OFFICE OF HOMELAND SECURITY.**

13 “(a) **DEFINITION OF AGRICULTURE AND FOOD DE-**  
14 **FENSE.**—In this section, the term ‘agriculture and food  
15 defense’ means any action to prevent, protect against,  
16 mitigate the effects of, respond to, or recover from a natu-  
17 rally occurring, unintentional, or intentional threat to the  
18 agriculture and food system.

19 “(b) **AUTHORIZATION.**—The Secretary shall establish  
20 in the Department the Office of Homeland Security.

21 “(c) **EXECUTIVE DIRECTOR.**—The Office of Home-  
22 land Security shall be headed by an Executive Director,  
23 who shall be known as the ‘Executive Director of Home-  
24 land Security’.

1           “(d) DUTIES.—The Executive Director of Homeland  
2 Security shall—

3           “(1) serve as the principal advisor to the Sec-  
4 retary on homeland security, including emergency  
5 management and agriculture and food defense;

6           “(2) coordinate activities of the Department, in-  
7 cluding policies, processes, budget needs, and over-  
8 sight relating to homeland security, including emer-  
9 gency management and agriculture and food de-  
10 fense;

11           “(3) act as the primary liaison on behalf of the  
12 Department with other Federal departments and  
13 agencies in activities relating to homeland security,  
14 including emergency management and agriculture  
15 and food defense, and provide for interagency co-  
16 ordination and data sharing;

17           “(4)(A) coordinate in the Department the gath-  
18 ering of information relevant to early warning and  
19 awareness of threats and risks to the food and agri-  
20 culture critical infrastructure sector; and

21           “(B) share that information with, and provide  
22 assistance with interpretation and risk characteriza-  
23 tion of that information to, the intelligence commu-  
24 nity (as defined in section 3 of the National Security  
25 Act of 1947 (50 U.S.C 3003)), law enforcement

1 agencies, the Secretary of Defense, the Secretary of  
2 Homeland Security, the Secretary of Health and  
3 Human Services, and State fusion centers (as de-  
4 fined in section 210A(j) of the Homeland Security  
5 Act of 2002 (6 U.S.C. 124h(j));

6 “(5) liaison with the Director of National Intel-  
7 ligence to assist in the development of periodic as-  
8 sessments and intelligence estimates, or other intel-  
9 ligence products, that support the defense of the  
10 food and agriculture critical infrastructure sector;

11 “(6) coordinate the conduct, evaluation, and im-  
12 provement of exercises to identify and eliminate gaps  
13 in preparedness and response;

14 “(7) produce a Department-wide centralized  
15 strategic coordination plan to provide a high-level  
16 perspective of the operations of the Department re-  
17 lating to homeland security, including emergency  
18 management and agriculture and food defense; and

19 “(8) carry out other appropriate duties, as de-  
20 termined by the Secretary.

21 “(e) AGRICULTURE AND FOOD THREAT AWARENESS  
22 PARTNERSHIP PROGRAM.—

23 “(1) INTERAGENCY EXCHANGE PROGRAM.—The  
24 Secretary, in partnership with the intelligence com-  
25 munity (as defined in section 3 of the National Se-

1 security Act of 1947 (50 U.S.C. 3003)) and fusion  
2 centers (as defined in section 210A(j) of the Home-  
3 land Security Act of 2002 (6 U.S.C. 124h(j)) that  
4 have analysis and intelligence capabilities relating to  
5 the defense of the food and agriculture critical infra-  
6 structure sector, shall establish and carry out an  
7 interagency exchange program of personnel and in-  
8 formation to improve communication and analysis  
9 for the defense of the food and agriculture critical  
10 infrastructure sector.

11 “(2) COLLABORATION WITH FEDERAL, STATE,  
12 AND LOCAL AUTHORITIES.—To carry out the pro-  
13 gram established under paragraph (1), the Secretary  
14 may—

15 “(A) enter into 1 or more cooperative  
16 agreements or contracts with Federal, State, or  
17 local authorities that have analysis and intel-  
18 ligence capabilities and expertise relating to the  
19 defense of the food and agriculture critical in-  
20 frastructure sector; and

21 “(B) carry out any other activity under  
22 any other authority of the Secretary that is ap-  
23 propriate to engage the authorities described in  
24 subparagraph (A) for the defense of the food

1           and agriculture critical infrastructure sector, as  
2           determined by the Secretary.”.

3 **SEC. 12203. AGRICULTURE AND FOOD DEFENSE.**

4       (a) DEFINITIONS.—In this section:

5           (1) ANIMAL.—The term “animal” has the  
6           meaning given the term in section 10403 of the Ani-  
7           mal Health Protection Act (7 U.S.C. 8302).

8           (2) DISEASE OR PEST OF CONCERN.—The term  
9           “disease or pest of concern” means a plant or ani-  
10          mal disease or pest that—

11               (A) is—

12                       (i) a transboundary disease; or

13                       (ii) an established disease; and

14               (B) is likely to pose a significant risk to  
15           the food and agriculture critical infrastructure  
16           sector that warrants efforts at prevention, pro-  
17           tection, mitigation, response, and recovery.

18           (3) ESTABLISHED DISEASE.—The term “estab-  
19           lished disease” means a plant or animal disease or  
20           pest that—

21                       (A)(i) if it becomes established, poses an  
22           imminent threat to agriculture in the United  
23           States; or

24                       (ii) has become established, as defined by  
25           the Secretary, within the United States; and

1 (B) requires management.

2 (4) HIGH-CONSEQUENCE PLANT TRANSBOUND-  
3 ARY DISEASE.—The term “high-consequence plant  
4 transboundary disease” means a transboundary dis-  
5 ease that is—

6 (A)(i) a plant disease; or

7 (ii) a plant pest; and

8 (B) of high consequence, as determined by  
9 the Secretary.

10 (5) PEST.—The term “pest”—

11 (A) with respect to a plant, has the mean-  
12 ing given the term “plant pest” in section 403  
13 of the Plant Protection Act (7 U.S.C. 7702);  
14 and

15 (B) with respect to an animal, has the  
16 meaning given the term in section 10403 of the  
17 Animal Health Protection Act (7 U.S.C. 8302).

18 (6) PLANT.—The term “plant” has the mean-  
19 ing given the term in section 403 of the Plant Pro-  
20 tection Act (7 U.S.C. 7702).

21 (7) PLANT HEALTH MANAGEMENT STRAT-  
22 EGY.—The term “plant health management strat-  
23 egy” means a strategy to timely control and eradi-  
24 cate a plant disease or plant pest outbreak, includ-  
25 ing through mitigation (such as chemical control),

1 surveillance, the use of diagnostic products and pro-  
2 cedures, and the use of existing resistant seed stock.

3 (8) TRANSBOUNDARY DISEASE.—

4 (A) IN GENERAL.—The term “transbound-  
5 ary disease” means a plant or animal disease or  
6 pest that is within 1 or more countries outside  
7 of the United States.

8 (B) INCLUSION.—The term “transbound-  
9 ary disease” includes a plant or animal disease  
10 or pest described in subparagraph (A) that—

11 (i) has emerged within the United  
12 States; or

13 (ii) has been introduced within the  
14 United States.

15 (9) VETERINARY COUNTERMEASURE.—The  
16 term “veterinary countermeasure” means the use of  
17 any animal vaccine, antiviral, therapeutic product, or  
18 diagnostic product to respond to the most damaging  
19 animal diseases to animal and human health and the  
20 economy.

21 (b) DISEASE OR PEST OF CONCERN RESPONSE  
22 PLANNING.—

23 (1) IN GENERAL.—The Secretary shall—

24 (A) establish a list of diseases or pests of  
25 concern by—

1 (i) developing a process to solicit and  
2 receive expert opinion and evidence relat-  
3 ing to the diseases and pests of concern  
4 entered on the list; and

5 (ii) reviewing all available evidence re-  
6 lating to the diseases and pests of concern  
7 entered on the list, including classified in-  
8 formation; and

9 (B) periodically update the list established  
10 under subparagraph (A).

11 (2) RESPONSE PLANS.—

12 (A) COMPREHENSIVE STRATEGIC RE-  
13 SPONSE PLAN OR PLANS.—The Secretary shall  
14 develop, in collaboration with appropriate Fed-  
15 eral, State, regional, and local officials, a com-  
16 prehensive strategic response plan or plans, as  
17 appropriate, for the diseases or pests of concern  
18 that are entered on the list established under  
19 paragraph (1).

20 (B) STATE OR REGION RESPONSE PLAN OR  
21 PLANS.—The Secretary shall provide informa-  
22 tion to a State or regional authority to assist in  
23 developing a comprehensive strategic response  
24 plan or plans for that State or region that  
25 shall—



993

1 (i) include—

2 (I) a concept of operations for  
3 each disease or pest of concern; or

4 (II) a platform concept of oper-  
5 ations for responses to similar dis-  
6 eases or pests, as determined by the  
7 Secretary;

8 (ii) describe the appropriate inter-  
9 actions among, and roles of—

10 (I) Federal, State, Tribal, and  
11 units of local government; and

12 (II) plant or animal industry  
13 partners;

14 (iii) include a decision matrix that  
15 shall, as appropriate, include—

16 (I) information and timing re-  
17 quirements necessary for the use of  
18 veterinary countermeasures;

19 (II) plant health management  
20 strategies;

21 (III) deployment of other key  
22 materials and resources; and

23 (IV) parameters for transitioning  
24 from outbreak response to disease  
25 management;

1 (iv) identify key response performance  
2 metrics to establish—

3 (I) benchmarking;

4 (II) progressive exercise evalua-  
5 tion; and

6 (III) continuing improvement of  
7 a response plan, including by pro-  
8 viding for—

9 (aa) ongoing exercise evalua-  
10 tions to improve a response plan  
11 over time; and

12 (bb) strategic information to  
13 guide investment in any appro-  
14 priate research to mitigate the  
15 risk of a disease or pest of con-  
16 cern; and

17 (v) be updated periodically, as deter-  
18 mined to be appropriate by the Secretary,  
19 including in response to—

20 (I) an exercise evaluation; or

21 (II) new risk information becom-  
22 ing available regarding a disease or  
23 pest of concern.

24 (3) COORDINATION OF PLANS.—Pursuant to  
25 section 221(d)(6) of the Department of Agriculture

1 Reorganization Act of 1994, the Secretary shall, as  
2 appropriate, assist in coordinating with other appro-  
3 priate Federal, State, regional, or local officials in  
4 the exercising of the plans developed under para-  
5 graph (2).

6 (c) NATIONAL PLANT DIAGNOSTIC NETWORK.—

7 (1) IN GENERAL.—The Secretary shall establish  
8 in the Department of Agriculture a National Plant  
9 Diagnostic Network to monitor and surveil through  
10 diagnostics threats to plant health from diseases or  
11 pests of concern in the United States.

12 (2) REQUIREMENTS.—The National Plant Di-  
13 agnostic Network established under paragraph (1)  
14 shall—

15 (A) provide for increased awareness, sur-  
16 veillance, early identification, rapid communica-  
17 tion, warning, and diagnosis of a threat to plant  
18 health from a disease or pest of concern to pro-  
19 tect natural and agricultural plant resources;

20 (B) coordinate and collaborate with agen-  
21 cies of the Department of Agriculture and State  
22 agencies and authorities involved in plant  
23 health;

24 (C) establish diagnostic laboratory stand-  
25 ards;

1 (D) establish regional hubs throughout the  
2 United States that provide expertise, leadership,  
3 and support to diagnostic labs relating to the  
4 agricultural crops and plants in the covered re-  
5 gions of those hubs; and

6 (E) establish a national repository for  
7 records of endemic or emergent diseases and  
8 pests of concern.

9 (3) HEAD OF NETWORK.—

10 (A) IN GENERAL.—The Director of the  
11 National Institute of Food and Agriculture  
12 shall serve as the head of the National Plant  
13 Diagnostic Network.

14 (B) DUTIES.—The head of the National  
15 Plant Diagnostic Network shall—

16 (i) coordinate and collaborate with  
17 land-grant colleges and universities (as de-  
18 fined in section 1404 of the National Agri-  
19 cultural Research, Extension, and Teach-  
20 ing Policy Act of 1977 (7 U.S.C. 3103)) in  
21 carrying out the requirements under para-  
22 graph (2), including through cooperative  
23 agreements described in paragraph (4);

24 (ii) partner with the Administrator of  
25 the Animal and Plant Health Inspection

1 Service for assistance with plant health  
2 regulation and inspection; and

3 (iii) coordinate with other Federal  
4 agencies, as appropriate, in carrying out  
5 activities relating to the National Plant Di-  
6 agnostic Network, including the sharing of  
7 biosurveillance information.

8 (4) COLLABORATION WITH LAND-GRANT COL-  
9 LEGES AND UNIVERSITIES.—The Secretary shall  
10 seek to establish cooperative agreements with land-  
11 grant colleges and universities (as defined in section  
12 1404 of the National Agricultural Research, Exten-  
13 sion, and Teaching Policy Act of 1977 (7 U.S.C.  
14 3103)) that have the appropriate level of skill, expe-  
15 rience, and competence with plant diseases or pests  
16 of concern.

17 (5) AUTHORIZATION OF APPROPRIATIONS.—In  
18 addition to the amount authorized to carry out this  
19 subtitle under section 12205, there is authorized to  
20 be appropriated to carry out this subsection  
21 \$15,000,000 for each of fiscal years 2019 through  
22 2023.

23 (d) NATIONAL PLANT DISEASE RECOVERY SYS-  
24 TEM.—

1           (1) RECOVERY SYSTEM.—The Secretary shall  
2           establish in the Department of Agriculture a Na-  
3           tional Plant Disease Recovery System to engage in  
4           strategic long-range planning to recover from high-  
5           consequence plant transboundary diseases.

6           (2) REQUIREMENTS.—The National Plant Dis-  
7           ease Recovery System established under paragraph  
8           (1) shall—

9                   (A) coordinate with disease or pest of con-  
10                  cern concept of operations response plans;

11                   (B) make long-range plans for the initi-  
12                  ation of future research projects relating to  
13                  high-consequence plant transboundary diseases;

14                   (C) establish research plans for long-term  
15                  recovery;

16                   (D) plan for the identification and use of  
17                  specific genotypes, cultivars, breeding lines, and  
18                  other disease-resistant materials necessary for  
19                  crop stabilization or improvement; and

20                   (E) establish a watch list of high-con-  
21                  sequence plant transboundary diseases for the  
22                  purpose of making long-range plans under sub-  
23                  paragraph (B).

1 **SEC. 12204. BIOLOGICAL AGENTS AND TOXINS LIST.**

2 Section 212(a)(1)(B)(i) of the Agricultural Bioter-  
3 rorism Protection Act of 2002 (7 U.S.C. 8401(a)(1)(B)(i))  
4 is amended—

5 (1) in subclause (III), by striking “and” at the  
6 end;

7 (2) by redesignating subclause (IV) as sub-  
8 clause (V); and

9 (3) by inserting after subclause (III) the fol-  
10 lowing:

11 “(IV)(aa) whether placing an  
12 agent or toxin on the list under sub-  
13 paragraph (A) would have a substan-  
14 tial negative impact on the research  
15 and development of solutions for the  
16 animal or plant disease caused by the  
17 agent or toxin; and

18 “(bb) whether that negative im-  
19 pact would substantially outweigh the  
20 risk posed by the agent or toxin to  
21 animal or plant health if it is not  
22 placed on the list; and”.

23 **SEC. 12205. AUTHORIZATION OF APPROPRIATIONS.**

24 In addition to other amounts made available under  
25 this subtitle, there is authorized to be appropriated to

1000

1 carry out this subtitle \$5,000,000 for each of fiscal years  
2 2019 through 2023.

3 **Subtitle C—Historically**  
4 **Underserved Producers**

5 **SEC. 12301. FARMING OPPORTUNITIES TRAINING AND OUT-**  
6 **REACH.**

7 (a) REPEAL.—

8 (1) IN GENERAL.—Section 7405 of the Farm  
9 Security and Rural Investment Act of 2002 (7  
10 U.S.C. 3319f) is repealed.

11 (2) CONFORMING AMENDMENTS.—

12 (A) Section 226B(e)(2)(B) of the Depart-  
13 ment of Agriculture Reorganization Act of 1994  
14 (7 U.S.C. 6934(e)(2)(B)) is amended by strik-  
15 ing “the beginning farmer and rancher develop-  
16 ment program established under section 7405  
17 of the Farm Security and Rural Investment Act  
18 of 2002 (7 U.S.C. 3319f).” and inserting “the  
19 beginning farmer and rancher development  
20 grant program established under subsection (d)  
21 of section 2501 of the Food, Agriculture, Con-  
22 servation, and Trade Act of 1990 (7 U.S.C.  
23 2279).”.

24 (B) Section 251(f)(1)(D) of the Depart-  
25 ment of Agriculture Reorganization Act of 1994



## 1001

1 (7 U.S.C. 6971(f)(1)(D)) is amended by strik-  
2 ing clause (iv) and inserting the following:

3 “(iv) The beginning farmer and  
4 rancher development grant program estab-  
5 lished under subsection (d) of section 2501  
6 of the Food, Agriculture, Conservation,  
7 and Trade Act of 1990 (7 U.S.C. 2279).”.

8 (C) Section 7506(e) of the Food, Con-  
9 servation, and Energy Act of 2008 (7 U.S.C.  
10 7614c(e)) is amended—

11 (i) in paragraph (2)(C)—

12 (I) by striking clause (v);

13 (II) by redesignating clauses (i)  
14 through (iv) as clauses (ii) through  
15 (v), respectively;

16 (III) by inserting before clause

17 (ii) (as so redesignated) the following:

18 “(i) each grant awarded under sub-  
19 section (d) of section 2501 of the Food,  
20 Agriculture, Conservation, and Trade Act  
21 of 1990 (7 U.S.C. 2279);”;

22 (IV) in clause (ii) (as so redesign-  
23 ated), by striking “450i(b)(2);” and  
24 inserting “3157(b)(2);” and

1002

1 (V) in clause (iv) (as so redesignated), by adding “and” at the end;

2  
3 (ii) in paragraph (4)—

4 (I) by striking subparagraph (E);

5 (II) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

6  
7  
8 (III) by inserting before subparagraph (B) (as so redesignated) the following:

9  
10  
11 “(A) subsection (d) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279);”;

12  
13  
14 (IV) in subparagraph (B) (as so redesignated), by striking “450i(b);” and inserting “3157(b);”;

15  
16  
17 (V) in subparagraph (D) (as so redesignated), by adding “or” at the end; and

18  
19  
20 (VI) in subparagraph (E) (as so redesignated), by striking “; or” and inserting a period.

21  
22  
23 (b) OUTREACH AND EDUCATION FOR SOCIALLY DIS-  
24 ADVANTAGED FARMERS AND RANCHERS, VETERAN  
25 FARMERS AND RANCHERS, AND BEGINNING FARMERS

1 AND RANCHERS.—Section 2501 of the Food, Agriculture,  
2 Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is  
3 amended—

4 (1) by striking the section heading and insert-  
5 ing “**FARMING OPPORTUNITIES TRAINING AND**  
6 **OUTREACH**”;

7 (2) by redesignating subsections (a), (b), (c),  
8 (d), (e), (g), (h), and (i) as subsections (e), (j), (o),  
9 (k), (a), (l), (m), and (n), respectively, and moving  
10 the subsections so as to appear in alphabetical order;

11 (3) by moving paragraph (5) of subsection (a)  
12 (as so redesignated) so as to appear at the end of  
13 subsection (c) (as so redesignated);

14 (4) in subsection (a) (as so redesignated)—

15 (A) by striking the subsection designation  
16 and heading and inserting the following:

17 “(a) DEFINITIONS.—In this section:”;

18 (B) by redesignating paragraphs (1), (2),  
19 (3), (4), and (6) as paragraphs (6), (5), (1),  
20 (3), and (4), respectively, and moving the para-  
21 graphs so as to appear in numerical order;

22 (C) in paragraphs (1), (5), and (6) (as so  
23 redesignated), by striking “As used in this sec-  
24 tion, the” each place it appears and inserting  
25 “The”; and

## 1004

1 (D) by inserting after paragraph (1) (as so  
2 redesignated) the following:

3 “(2) BEGINNING FARMER OR RANCHER.—The  
4 term ‘beginning farmer or rancher’ means a person  
5 that—

6 “(A)(i) has not operated a farm or ranch;  
7 or

8 “(ii) has operated a farm or ranch for not  
9 more than 10 years; and

10 “(B) meets such other criteria as the Sec-  
11 retary may establish.”;

12 (5) by inserting after subsection (a) (as so re-  
13 designated) the following:

14 “(b) FARMING OPPORTUNITIES TRAINING AND OUT-  
15 REACH.—The Secretary shall carry out this section to en-  
16 courage and assist socially disadvantaged farmers and  
17 ranchers, veteran farmers and ranchers, and beginning  
18 farmers and ranchers in the ownership and operation of  
19 farms and ranches through—

20 “(1) education and training; and

21 “(2) equitable participation in all agricultural  
22 programs of the Department.”;

23 (6) in subsection (e) (as so redesignated and as  
24 amended by paragraph (3))—

25 (A) by striking paragraph (4);

1 (B) by redesignating paragraphs (1), (2),  
2 (3), and (5) as paragraphs (2), (3), (4), and  
3 (1), respectively, and moving the paragraphs so  
4 as to appear in numerical order;

5 (C) in paragraph (1) (as so redesign-  
6 nated)—

7 (i) in the matter preceding subpara-  
8 graph (A), by striking “The term” and in-  
9 serting “In this subsection, the term”;

10 (ii) in subparagraph (A)(ii), by strik-  
11 ing “subsection (a)” and inserting “this  
12 subsection”; and

13 (iii) in subparagraph (F), by striking  
14 “450b))” and inserting “5304))”;

15 (D) in subparagraph (B) of paragraph (2)  
16 (as so redesignated), by striking “agricultural”  
17 and inserting “agricultural, forestry, and re-  
18 lated”;

19 (E) in paragraph (3) (as so redesignated),  
20 by striking “(1)” in the matter preceding sub-  
21 paragraph (A) and inserting “(2)”; and

22 (F) in paragraph (4) (as so redesign-  
23 nated)—

24 (i) in subparagraph (A)—

1006

1 (I) by striking the subparagraph  
2 heading and inserting “OUTREACH  
3 AND TECHNICAL ASSISTANCE.—”;

4 (II) by striking “(2)” and insert-  
5 ing “(3)”; and

6 (III) by inserting “to socially dis-  
7 advantaged farmers and ranchers and  
8 veteran farmers and ranchers” after  
9 “assistance”;

10 (ii) in subparagraph (C), by striking  
11 “(1)” and inserting “(2)”;

12 (iii) in subparagraph (D), by adding  
13 at the end the following:

14 “(v) The number of farms or ranches  
15 started, maintained, or improved as a re-  
16 sult of funds made available under the pro-  
17 gram.

18 “(vi) Actions taken by the Secretary  
19 in partnership with eligible entities to en-  
20 hance participation in agricultural pro-  
21 grams by veteran farmers or ranchers and  
22 socially disadvantaged farmers or ranchers.

23 “(vii) The effectiveness of the actions  
24 described in clause (vi).”; and

## 1007

1 (iv) by adding at the end the fol-  
2 lowing:

3 “(E) MAXIMUM TERM AND AMOUNT OF  
4 GRANT, CONTRACT, OR AGREEMENT.—A grant,  
5 contract, or agreement entered into under sub-  
6 paragraph (A) shall be—

7 “(i) for a term of not longer than 3  
8 years; and

9 “(ii) in an amount that is not more  
10 than \$250,000 for each year of the grant,  
11 contract, or agreement.

12 “(F) PRIORITY.—In making grants and  
13 entering into contracts and other agreements  
14 under subparagraph (A), the Secretary shall  
15 give priority to nongovernmental and commu-  
16 nity-based organizations with an expertise in  
17 working with socially disadvantaged farmers  
18 and ranchers or veteran farmers and ranchers.

19 “(G) REGIONAL BALANCE.—To the max-  
20 imum extent practicable, the Secretary shall en-  
21 sure the geographical diversity of eligible enti-  
22 ties to which grants are made and contracts  
23 and other agreements are entered into under  
24 subparagraph (A).

## 1008

1           “(H) PROHIBITION.—A grant, contract, or  
2           other agreement under subparagraph (A) may  
3           not be used for the planning, repair, rehabilita-  
4           tion, acquisition, or construction of a building  
5           or facility.

6           “(I) PEER REVIEW.—The Secretary shall  
7           establish a fair and efficient external peer re-  
8           view process that—

9                   “(i) the Secretary shall use in making  
10                  grants and entering into contracts and  
11                  other agreements under subparagraph (A);  
12                  and

13                   “(ii) shall include a broad representa-  
14                  tion of peers of the eligible entity.

15           “(J) INPUT FROM ELIGIBLE ENTITIES.—  
16           The Secretary shall seek input from eligible en-  
17           tities providing technical assistance under this  
18           subsection not less than once each year to en-  
19           sure that the program is responsive to the eligi-  
20           ble entities providing that technical assist-  
21           ance.”;

22           (7) by inserting after subsection (c) (as so re-  
23           designated) the following:

24           “(d) BEGINNING FARMER AND RANCHER DEVELOP-  
25           MENT GRANT PROGRAM.—



1           “(1) IN GENERAL.—The Secretary, acting  
2 through the Director of the National Institute of  
3 Food and Agriculture, shall make competitive grants  
4 to support new and established local and regional  
5 training, education, outreach, and technical assist-  
6 ance initiatives for beginning farmers and ranchers.

7           “(2) INCLUDED PROGRAMS AND SERVICES.—  
8 Initiatives described in paragraph (1) may include  
9 programs or services, as appropriate, relating to—

10                   “(A) basic livestock, forest management,  
11 and crop farming practices;

12                   “(B) innovative farm, ranch, and private,  
13 nonindustrial forest land transfer and succes-  
14 sion strategies;

15                   “(C) entrepreneurship and business train-  
16 ing;

17                   “(D) financial and risk management train-  
18 ing, including the acquisition and management  
19 of agricultural credit;

20                   “(E) natural resource management and  
21 planning;

22                   “(F) diversification and marketing strate-  
23 gies;

24                   “(G) curriculum development;

## 1010

1           “(H) mentoring, apprenticeships, and in-  
2           ternships;

3           “(I) resources and referral;

4           “(J) farm financial benchmarking;

5           “(K) assisting beginning farmers and  
6           ranchers in acquiring land from retiring farm-  
7           ers and ranchers;

8           “(L) agricultural rehabilitation and voca-  
9           tional training for veteran farmers and ranch-  
10          ers;

11          “(M) farm safety and awareness;

12          “(N) food safety and recordkeeping; and

13          “(O) other similar subject areas of use to  
14          beginning farmers and ranchers.

15          “(3) ELIGIBILITY.—

16                 “(A) IN GENERAL.—To be eligible to re-  
17                 ceive a grant under this subsection, the recipi-  
18                 ent of the grant shall be a collaborative State,  
19                 Tribal, local, or regionally-based network or  
20                 partnership of public or private entities.

21                 “(B) INCLUSIONS.—A recipient of a grant  
22                 described in subparagraph (A) may include—

23                         “(i) a State cooperative extension  
24                         service;

## 1011

1                   “(ii) a Federal, State, municipal, or  
2                   Tribal agency;

3                   “(iii) a community-based or non-  
4                   governmental organization;

5                   “(iv) a college or university (including  
6                   an institution awarding an associate’s de-  
7                   gree) or foundation maintained by a col-  
8                   lege or university; or

9                   “(v) any other appropriate partner, as  
10                  determined by the Secretary.

11                 “(4) TERMS OF GRANTS.—A grant under this  
12                 subsection shall—

13                         “(A) be for a term of not longer than 3  
14                         years; and

15                         “(B) provide not more than \$250,000 for  
16                         each year.

17                 “(5) EVALUATION CRITERIA.—In making  
18                 grants under this subsection, the Secretary shall  
19                 evaluate, with respect to applications for the  
20                 grants—

21                         “(A) relevancy;

22                         “(B) technical merit;

23                         “(C) achievability;

24                         “(D) the expertise and track record of 1 or  
25                         more applicants;

## 1012

1           “(E) the consultation of beginning farmers  
2           and ranchers in design, implementation, and  
3           decisionmaking relating to an initiative de-  
4           scribed in paragraph (1);

5           “(F) the adequacy of plans for—

6                   “(i) a participatory evaluation process;

7                   “(ii) outcome-based reporting; and

8                   “(iii) the communication of findings  
9                   and results beyond the immediate target  
10                  audience; and

11           “(G) other appropriate factors, as deter-  
12           mined by the Secretary.

13           “(6) REGIONAL BALANCE.—To the maximum  
14           extent practicable, the Secretary shall ensure the  
15           geographical diversity of recipients of grants under  
16           this subsection.

17           “(7) PRIORITY.—In making grants under this  
18           subsection, the Secretary shall give priority to part-  
19           nerships and collaborations that are led by or in-  
20           clude nongovernmental, community-based organiza-  
21           tions and school-based educational organizations  
22           with expertise in new agricultural producer training  
23           and outreach.

24           “(8) PROHIBITION.—A grant made under this  
25           subsection may not be used for the planning, repair,

## 1013

1 rehabilitation, acquisition, or construction of a build-  
2 ing or facility.

3 “(9) COORDINATION PERMITTED.—A recipient  
4 of a grant under this subsection may coordinate with  
5 a recipient of a grant under section 1680 in address-  
6 ing the needs of veteran farmers and ranchers with  
7 disabilities.

8 “(10) CONSECUTIVE AWARDS.—A grant under  
9 this subsection may be made to a recipient for con-  
10 secutive years.

11 “(11) PEER REVIEW.—

12 “(A) IN GENERAL.—The Secretary shall  
13 establish a fair and efficient external peer re-  
14 view process, which the Secretary shall use in  
15 making grants under this subsection.

16 “(B) REQUIREMENT.—The peer review  
17 process under subparagraph (A) shall include a  
18 review panel composed of a broad representa-  
19 tion of peers of the applicant for the grant that  
20 are not applying for a grant under this sub-  
21 section.

22 “(12) PARTICIPATION BY OTHER FARMERS AND  
23 RANCHERS.—Nothing in this subsection prohibits  
24 the Secretary from allowing a farmer or rancher who  
25 is not a beginning farmer or rancher (including an

1 owner or operator that has ended, or expects to end  
2 within 5 years, active labor in a farming or ranching  
3 operation as a producer) from participating in a pro-  
4 gram or service under this subsection, to the extent  
5 that the Secretary determines that such participa-  
6 tion—

7 “(A) is appropriate; and

8 “(B) will not detract from the primary  
9 purpose of increasing opportunities for begin-  
10 ning farmers and ranchers.

11 “(e) APPLICATION REQUIREMENTS.—In making  
12 grants and entering into contracts and other agreements,  
13 as applicable, under subsections (c) and (d), the Secretary  
14 shall make available a simplified application process for  
15 an application for a grant that requests less than  
16 \$50,000.”;

17 (8) by inserting after subsection (f) the fol-  
18 lowing:

19 “(g) EDUCATION TEAMS.—

20 “(1) IN GENERAL.—The Secretary shall estab-  
21 lish beginning farmer and rancher education teams  
22 to develop curricula and conduct educational pro-  
23 grams and workshops for beginning farmers and  
24 ranchers in diverse geographical areas of the United  
25 States.

## 1015

1           “(2) CURRICULUM.—In promoting the develop-  
2           ment of curricula under paragraph (1), the Sec-  
3           retary shall, to the maximum extent practicable, in-  
4           clude modules tailored to specific audiences of begin-  
5           ning farmers and ranchers, based on crop diversity  
6           or regional diversity.

7           “(3) COMPOSITION.—In establishing an edu-  
8           cation team under paragraph (1) for a specific pro-  
9           gram or workshop, the Secretary shall, to the max-  
10          imum extent practicable—

11                   “(A) obtain the short-term services of spe-  
12                   cialists with knowledge and expertise in pro-  
13                   grams serving beginning farmers and ranchers;  
14                   and

15                   “(B) use officers and employees of the De-  
16                   partment with direct experience in programs of  
17                   the Department that may be taught as part of  
18                   the curriculum for the program or workshop.

19          “(4) COOPERATION.—

20                   “(A) IN GENERAL.—In carrying out this  
21                   subsection, the Secretary shall cooperate, to the  
22                   maximum extent practicable, with—

23                           “(i) State cooperative extension serv-  
24                           ices;

## 1016

1 “(ii) Federal, State, and Tribal agen-  
2 cies;

3 “(iii) community-based and non-  
4 governmental organizations;

5 “(iv) colleges and universities (includ-  
6 ing an institution awarding an associate’s  
7 degree) or foundations maintained by a  
8 college or university; and

9 “(v) other appropriate partners, as  
10 determined by the Secretary.

11 “(B) COOPERATIVE AGREEMENTS.—Not-  
12 withstanding chapter 63 of title 31, United  
13 States Code, the Secretary may enter into a co-  
14 operative agreement to reflect the terms of any  
15 cooperation under subparagraph (A).

16 “(h) CURRICULUM AND TRAINING CLEARING-  
17 HOUSE.—The Secretary shall establish an online clearing-  
18 house that makes available to beginning farmers and  
19 ranchers education curricula and training materials and  
20 programs, which may include online courses for direct use  
21 by beginning farmers and ranchers.

22 “(i) STAKEHOLDER INPUT.—In carrying out this sec-  
23 tion, the Secretary shall seek stakeholder input from—

24 “(1) beginning farmers and ranchers;



1           “(2) socially disadvantaged farmers and ranch-  
2           ers;

3           “(3) veteran farmers and ranchers;

4           “(4) national, State, Tribal, and local organiza-  
5           tions and other persons with expertise in operating  
6           programs for—

7                   “(A) beginning farmers and ranchers;

8                   “(B) socially disadvantaged farmers and  
9           ranchers; or

10                   “(C) veteran farmers and ranchers;

11           “(5) the Advisory Committee on Beginning  
12           Farmers and Ranchers established under section  
13           5(b) of the Agricultural Credit Improvement Act of  
14           1992 (7 U.S.C. 1929 note; Public Law 102–554);

15           “(6) the Advisory Committee on Minority  
16           Farmers established under section 14008 of the  
17           Food, Conservation, and Energy Act of 2008 (7  
18           U.S.C. 2279 note; Public Law 110–246); and

19           “(7) the Tribal Advisory Committee established  
20           under subsection (b) of section 309 of the Depart-  
21           ment of Agriculture Reorganization Act of 1994 (7  
22           U.S.C. 6921).”;

23           (9) in paragraph (3) of subsection (k) (as so re-  
24           designated), by inserting “and not later than March  
25           1, 2020,” after “1991,”; and

## 1018

1 (10) by adding at the end the following:

2 “(p) FUNDING.—

3 “(1) MANDATORY FUNDING.—Of the funds of  
4 the Commodity Credit Corporation, the Secretary  
5 shall use to carry out this section \$50,000,000 for  
6 fiscal year 2018 and each fiscal year thereafter.

7 “(2) AUTHORIZATION OF APPROPRIATIONS.—

8 There is authorized to be appropriated to carry out  
9 this section \$50,000,000 for each fiscal years 2018  
10 through 2023.

11 “(3) RESERVATION OF FUNDS.—Of the  
12 amounts made available to carry out this section—

13 “(A) 50 percent shall be used to carry out  
14 subsection (c); and

15 “(B) 50 percent shall be used to carry out  
16 subsection (d).

17 “(4) ALLOCATION OF FUNDS.—

18 “(A) IN GENERAL.—Not less than 5 per-  
19 cent of the amounts made available to carry out  
20 subsections (d) and (n) for a fiscal year shall be  
21 used to support programs and services that ad-  
22 dress the needs of—

23 “(i) limited resource beginning farm-  
24 ers and ranchers, as defined by the Sec-  
25 retary;

## 1019

1                   “(ii) socially disadvantaged farmers  
2                   and ranchers that are beginning farmers  
3                   and ranchers; and

4                   “(iii) farmworkers desiring to become  
5                   farmers or ranchers.

6                   “(B) VETERAN FARMERS AND RANCH-  
7                   ERS.—Not less than 5 percent of the amounts  
8                   made available to carry out subsections (d), (g),  
9                   and (h) for a fiscal year shall be used to sup-  
10                  port programs and services that address the  
11                  needs of veteran farmers and ranchers.

12                  “(5) INTERAGENCY FUNDING.—Any agency of  
13                  the Department may participate in any grant, con-  
14                  tract, or agreement entered into under this section  
15                  by contributing funds, if the contributing agency de-  
16                  termines that the objectives of the grant, contract,  
17                  or agreement will further the authorized programs of  
18                  the contributing agency.

19                  “(6) ADMINISTRATIVE EXPENSES.—Not more  
20                  than 5 percent of the amounts made available to  
21                  carry out this section for a fiscal year may be used  
22                  for expenses relating to the administration of this  
23                  section.

24                  “(7) LIMITATION ON INDIRECT COSTS.—A re-  
25                  cipient of a grant or a party to a contract or other

1 agreement under subsection (c) or (d) may not use  
2 more than 10 percent of the funds received for the  
3 indirect costs of carrying out a grant.”.

4 **SEC. 12302. URBAN AGRICULTURE.**

5 (a) DEFINITION OF DIRECTOR.—In this section, the  
6 term “Director” means the Director of the Office of  
7 Urban Agriculture and Innovative Production established  
8 under section 222(a)(1) of the Department of Agriculture  
9 Reorganization Act of 1994 (as added by subsection (b)).

10 (b) OFFICE OF URBAN AGRICULTURE AND INNOVA-  
11 TIVE PRODUCTION.—Subtitle A of the Department of Ag-  
12 riculture Reorganization Act of 1994 (7 U.S.C. 6911 et  
13 seq.) (as amended by section 12202) is amended by adding  
14 at the end the following:

15 **“SEC. 222. OFFICE OF URBAN AGRICULTURE AND INNOVA-  
16 TIVE PRODUCTION.**

17 “(a) OFFICE.—

18 “(1) IN GENERAL.—The Secretary shall estab-  
19 lish in the Department an Office of Urban Agri-  
20 culture and Innovative Production.

21 “(2) DIRECTOR.—The Secretary shall appoint a  
22 senior official to serve as the Director of the Office  
23 of Urban Agriculture and Innovative Production (re-  
24 ferred to in this section as the ‘Director’).

1           “(3) MISSION.—The mission of the Office of  
2           Urban Agriculture and Innovative Production shall  
3           be to encourage and promote urban, indoor, and  
4           other emerging agricultural practices, including—

5                   “(A) community gardens and farms lo-  
6                   cated in urban areas, suburbs, and urban clus-  
7                   ters;

8                   “(B) rooftop farms, outdoor vertical pro-  
9                   duction, and green walls;

10                   “(C) indoor farms, greenhouses, and high-  
11                   tech vertical technology farms;

12                   “(D) hydroponic, aeroponic, and aquaponic  
13                   farm facilities; and

14                   “(E) other innovations in agricultural pro-  
15                   duction, as determined by the Secretary.

16           “(4) RESPONSIBILITIES.—The Director shall be  
17           responsible for engaging in activities to carry out the  
18           mission described in paragraph (3), including by—

19                   “(A) managing and facilitating programs,  
20                   including for community gardens, urban farms,  
21                   rooftop agriculture, and indoor vertical produc-  
22                   tion;

23                   “(B) coordinating with the agencies and  
24                   officials of the Department;

1           “(C) advising the Secretary on issues relat-  
2           ing to the mission of the Office of Urban Agri-  
3           culture and Innovative Production;

4           “(D) ensuring that the programs of the  
5           Department are updated to address urban, in-  
6           door, and other emerging agricultural produc-  
7           tion practices, in coordination with the officials  
8           in the Department responsible for those pro-  
9           grams;

10          “(E) engaging in external relations with  
11          stakeholders and coordinating external partner-  
12          ships to share best practices, provide  
13          mentorship, and offer technical assistance;

14          “(F) facilitating interagency program co-  
15          ordination and developing interagency tools for  
16          the promotion of existing programs and re-  
17          sources;

18          “(G) creating resources that identify com-  
19          mon State and municipal best practices for  
20          navigating local policies;

21          “(H) reviewing and improving farm enter-  
22          prise development programs that provide infor-  
23          mation about financial literacy, business plan-  
24          ning, and food safety record keeping;

1           “(I) coordinating networks of community  
2           gardens and facilitating connections to local  
3           food banks, in partnership with the Food and  
4           Nutrition Service; and

5           “(J) collaborating with other Federal agen-  
6           cies that use agricultural practices on-site for  
7           food production or infrastructure.

8           “(b) URBAN AGRICULTURE AND INNOVATIVE PRO-  
9           DUCTION ADVISORY COMMITTEE.—

10           “(1) IN GENERAL.—Not later than 180 days  
11           after the date of enactment of this section, the Sec-  
12           retary shall establish an Urban Agriculture and In-  
13           novative Production Advisory Committee (referred to  
14           in this subsection as the ‘Committee’) to advise the  
15           Secretary on—

16           “(A) the development of policies relating to  
17           urban, indoor, and other emerging agricultural  
18           production practices; and

19           “(B) any other aspects of the implementa-  
20           tion of this section.

21           “(2) MEMBERSHIP.—

22           “(A) IN GENERAL.—The Committee shall  
23           be composed of 15 members, of whom—

24           “(i) 5 shall be individuals who are ag-  
25           ricultural producers, of whom—

## 1024

1                   “(I) not fewer than 2 individuals  
2                   shall be agricultural producers located  
3                   in an urban area or urban cluster;  
4                   and

5                   “(II) not fewer than 2 individuals  
6                   shall be farmers that use innovative  
7                   technology, including indoor farming  
8                   and rooftop agriculture;

9                   “(ii) 2 shall be representatives from  
10                  an institution of higher education or exten-  
11                  sion program;

12                  “(iii) 1 shall be an individual who rep-  
13                  resents a nonprofit organization, which  
14                  may include a public health, environ-  
15                  mental, or community organization;

16                  “(iv) 1 shall be an individual who rep-  
17                  resents business and economic develop-  
18                  ment, which may include a business devel-  
19                  opment entity, a chamber of commerce, a  
20                  city government, or a planning organiza-  
21                  tion;

22                  “(v) 1 shall be an individual with sup-  
23                  ply chain experience, which may include a  
24                  food aggregator, wholesale food distributor,



1 food hub, or an individual who has direct-  
2 to-consumer market experience;

3 “(vi) 1 shall be an individual from a  
4 financing entity; and

5 “(vii) 4 shall be individuals with re-  
6 lated experience or expertise in urban, in-  
7 door, and other emerging agriculture pro-  
8 duction practices, as determined by the  
9 Secretary.

10 “(B) INITIAL APPOINTMENTS.—The Sec-  
11 retary shall appoint the members of the Com-  
12 mittee not later than 180 days after the date of  
13 enactment of this section.

14 “(3) PERIOD OF APPOINTMENT; VACANCIES.—

15 “(A) IN GENERAL.—Except as provided in  
16 subparagraph (B), a member of the Committee  
17 shall be appointed for a term of 3 years.

18 “(B) INITIAL APPOINTMENTS.—Of the  
19 members first appointed to the Committee—

20 “(i) 5 of the members, as determined  
21 by the Secretary, shall be appointed for a  
22 term of 3 years;

23 “(ii) 5 of the members, as determined  
24 by the Secretary, shall be appointed for a  
25 term of 2 years; and

## 1026

1                   “(iii) 5 of the members, as determined  
2                   by the Secretary, shall be appointed for a  
3                   term of 1 year.

4                   “(C) VACANCIES.—Any vacancy in the  
5                   Committee—

6                   “(i) shall not affect the powers of the  
7                   Committee; and

8                   “(ii) shall be filled as soon as prac-  
9                   ticable in the same manner as the original  
10                  appointment.

11                  “(D) CONSECUTIVE TERMS.—An initial  
12                  appointee of the committee may serve an addi-  
13                  tional consecutive term if the member is re-  
14                  appointed by the Secretary.

15                  “(4) MEETINGS.—

16                  “(A) FREQUENCY.—The Committee shall  
17                  meet not fewer than 3 times per year.

18                  “(B) INITIAL MEETING.—Not later than  
19                  60 days after the date on which the members  
20                  are appointed under paragraph (2)(B), the  
21                  Committee shall hold the first meeting of the  
22                  Committee.

23                  “(5) DUTIES.—

24                  “(A) IN GENERAL.—The Committee  
25                  shall—

## 1027

1 “(i) develop recommendations—

2 “(I) to further the mission of the  
3 Office of Urban Agriculture and Inno-  
4 vative Production described in sub-  
5 section (a)(3);

6 “(II) regarding the establishment  
7 of urban agriculture policy priorities  
8 and goals within the Department;

9 “(ii) advise the Director on policies  
10 and initiatives administered by the Office  
11 of Urban Agriculture and Innovative Pro-  
12 duction;

13 “(iii) evaluate and review ongoing re-  
14 search and extension activities relating to  
15 urban, indoor, and other innovative agri-  
16 cultural practices;

17 “(iv) identify new and existing bar-  
18 riers to successful urban, indoor, and other  
19 emerging agricultural production practices;  
20 and

21 “(v) provide additional assistance and  
22 advice to the Director as appropriate.

23 “(B) REPORTS.—Not later than 1 year  
24 after the date of enactment of this section, and  
25 each year thereafter, the Committee shall sub-

1           mit to the Secretary, the Committee on Agri-  
2           culture of the House of Representatives, and  
3           the Committee on Agriculture, Nutrition, and  
4           Forestry of the Senate a report describing the  
5           recommendations developed under subpara-  
6           graph (A)(i).

7           “(6) PERSONNEL MATTERS.—

8                 “(A) COMPENSATION.—A member of the  
9           Committee shall serve without compensation.

10                “(B) TRAVEL EXPENSES.—A member of  
11           the Committee shall be allowed travel expenses,  
12           including per diem in lieu of subsistence, in ac-  
13           cordance with section 5703 of title 5, United  
14           States Code.

15           “(7) TERMINATION.—

16                 “(A) IN GENERAL.—Subject to subpara-  
17           graph (B), the Committee shall terminate on  
18           the date that is 5 years after the date on which  
19           the members are appointed under paragraph  
20           (2)(B).

21                 “(B) EXTENSIONS.—Before the date on  
22           which the Committee terminates, the Secretary  
23           may renew the Committee for 1 or more 2-year  
24           periods.”.

1           (c) FARM NUMBERS.—The Secretary shall provide  
2 for the assignment of a farm number (as defined in section  
3 718.2 of title 7, Code of Federal Regulations (as in effect  
4 on the date of enactment of this Act)) for rooftop farms,  
5 indoor farms, and other urban farms, as determined by  
6 the Secretary.

7           (d) GRANT AUTHORITY.—

8                 (1) DEFINITION OF ELIGIBLE ENTITY.—In this  
9 subsection, the term “eligible entity” means—

10                         (A) a community organization;

11                         (B) a nonprofit organization;

12                         (C) a unit of local government;

13                         (D) a Tribal government;

14                         (E) any school that serves any of grades  
15 kindergarten through grade 12; and

16                         (F) an institution of higher education.

17                 (2) GRANTS.—The Director may award com-  
18 petitive grants to eligible entities to support the de-  
19 velopment of urban agriculture and innovative pro-  
20 duction.

21                 (3) FUNDING PRIORITY.—In awarding grants  
22 under this subsection, priority shall be given to an  
23 eligible entity that uses and provides an evaluation  
24 of a grant received under this subsection—

## 1030

1 (A) to plan and construct gardens or non-  
2 profit farms;

3 (B) to operate community gardens or non-  
4 profit farms that—

5 (i) produce food for donation;

6 (ii) have a demonstrated environ-  
7 mental benefit and educational component;  
8 and

9 (iii) are part of community efforts to  
10 address local food security needs;

11 (C) to educate a community on—

12 (i) issues relating to food systems, in-  
13 cluding connections between rural farmers  
14 and urban communities;

15 (ii) nutrition;

16 (iii) environmental impacts, including  
17 pollinator health, soil fertility, composting,  
18 heat islands, and storm water runoff; and

19 (iv) agricultural production, including  
20 pest and disease management; and

21 (D) to provide multiple small dollar equity  
22 investments to help offset start-up costs relat-  
23 ing to new production, land access, and equip-  
24 ment for new and beginning farmers who—

25 (i) develop a 3-year business plan;

## 1031

1 (ii) live in the community in which  
2 they plan to farm; and

3 (iii) provide a match to the start-up  
4 investment in the form of cash or an in-  
5 kind contribution.

6 (e) PILOT PROJECTS.—

7 (1) URBAN AND SUBURBAN COUNTY COMMIT-  
8 TEES.—

9 (A) IN GENERAL.—Not later than 1 year  
10 after the date of enactment of this Act, the Sec-  
11 retary shall establish a pilot program for not  
12 fewer than 5 years that establishes 10 county  
13 committees in accordance with section  
14 8(b)(5)(B)(ii)(II) of the Soil Conservation and  
15 Domestic Allotment Act (16 U.S.C.  
16 590h(b)(5)(B)) to operate in counties located in  
17 urban or suburban areas with a high concentra-  
18 tion of urban or suburban farms.

19 (B) EFFECT.—Nothing in this paragraph  
20 requires or precludes the establishment of a  
21 Farm Service Agency office in a county in  
22 which a county committee is established under  
23 subparagraph (A).

24 (C) REPORT.—For fiscal year 2019 and  
25 each fiscal year thereafter through fiscal year

1           2023, the Secretary shall submit to the Com-  
2           mittee on Agriculture of the House of Rep-  
3           resentatives and the Committee on Agriculture,  
4           Nutrition, and Forestry of the Senate a report  
5           describing a summary of—

6                   (i) the status of the pilot program  
7                   under subparagraph (A);

8                   (ii) meetings and other activities of  
9                   the committees established under that sub-  
10                  paragraph; and

11                  (iii) the types and volume of assist-  
12                  ance and services provided to farmers in  
13                  counties in which county committees are  
14                  established under that subparagraph.

15           (2) INCREASING COMMUNITY COMPOST AND RE-  
16           DUCING FOOD WASTE.—

17                   (A) IN GENERAL.—The Secretary, acting  
18                   through the Director (referred to in this para-  
19                   graph as the “Secretary”), shall carry out pilot  
20                   projects under which the Secretary shall offer  
21                   to enter into cooperative agreements with local  
22                   or municipal governments in not fewer than 10  
23                   States to develop and test strategies for plan-  
24                   ning and implementing municipal compost  
25                   plans and food waste reduction plans.



## 1033

1 (B) ELIGIBLE ENTITIES AND PURPOSES  
2 OF PILOT PROJECTS.—Under a cooperative  
3 agreement entered into under this paragraph,  
4 the Secretary shall provide assistance to mu-  
5 nicipalities, counties, local governments, or city  
6 planners, as appropriate, to carry out planning  
7 and implementing activities that will—

8 (i) generate compost;

9 (ii) increase access to compost for ag-  
10 ricultural producers;

11 (iii) reduce reliance on, and limit the  
12 use of, fertilizer;

13 (iv) improve soil quality;

14 (v) encourage waste management and  
15 permaculture business development;

16 (vi) increase rainwater absorption;

17 (vii) reduce municipal food waste; and

18 (viii) divert food waste from landfills.

19 (C) EVALUATION AND RANKING OF APPLI-  
20 CATIONS.—

21 (i) CRITERIA.—Not later than 180  
22 days after the date of enactment of this  
23 Act, the Secretary shall establish criteria  
24 for the selection of pilot projects under this  
25 paragraph.

## 1034

1 (ii) PRIORITY.—In selecting a pilot  
2 project under this paragraph, the Sec-  
3 retary shall give priority to an application  
4 for a pilot project that—

5 (I) anticipates or demonstrates  
6 economic benefits;

7 (II) incorporates plans to make  
8 compost easily accessible to agricul-  
9 tural producers, including community  
10 gardeners;

11 (III) integrates other food waste  
12 strategies, including food recovery ef-  
13 forts; and

14 (IV) provides for collaboration  
15 with multiple partners.

16 (D) MATCHING REQUIREMENT.—The re-  
17 cipient of assistance for a pilot project under  
18 this paragraph shall provide funds, in-kind con-  
19 tributions, or a combination of both from  
20 sources other than funds provided through the  
21 grant in an amount equal to not less than 25  
22 percent of the amount of the grant.

23 (E) EVALUATION.—The Secretary shall  
24 conduct an evaluation of the pilot projects fund-  
25 ed under this paragraph to assess different so-

1           lutions for increasing access to compost and re-  
2           ducing municipal food waste, including an eval-  
3           uation of—

4                   (i) the amount of Federal funds used  
5                   for each project; and

6                   (ii) a measurement of the outcomes of  
7                   each project.

8           (f) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
9           authorized to be appropriated to carry out this section and  
10          the amendments made by this section \$25,000,000 for fis-  
11          cal year 2019 and each fiscal year thereafter.

12          **SEC. 12303. OFFICE OF ADVOCACY AND OUTREACH.**

13          Section 226B(f)(3)(B) of the Department of Agri-  
14          culture Reorganization Act of 1994 (7 U.S.C.  
15          6934(f)(3)(B)) is amended by striking “2018” and insert-  
16          ing “2023”.

17          **SEC. 12304. TRIBAL ADVISORY COMMITTEE.**

18          Section 309 of the Department of Agriculture Reor-  
19          ganization Act of 1994 (7 U.S.C. 6921) is amended—

20                   (1) by striking “The Secretary” and inserting  
21                   the following:

22                   “(a) **IN GENERAL.**—The Secretary”; and

23                   (2) by adding at the end the following:

24                   “(b) **TRIBAL ADVISORY COMMITTEE.**—

25                   “(1) **DEFINITIONS.**—In this subsection:

## 1036

1           “(A) INDIAN TRIBE.—The term ‘Indian  
2           tribe’ has the meaning given the term in section  
3           4 of the Indian Self-Determination and Edu-  
4           cation Assistance Act (25 U.S.C. 5304).

5           “(B) RELEVANT COMMITTEES OF CON-  
6           GRESS.—The term ‘relevant Committees of  
7           Congress’ means—

8                   “(i) the Committee on Agriculture of  
9                   the House of Representatives;

10                   “(ii) the Committee on Agriculture,  
11                   Nutrition, and Forestry of the Senate; and

12                   “(iii) the Committee on Indian Affairs  
13                   of the Senate.

14           “(C) TRIBAL ORGANIZATION.—The term  
15           ‘tribal organization’ has the meaning given the  
16           term in section 4 of the Indian Self-Determina-  
17           tion and Education Assistance Act (25 U.S.C.  
18           5304).

19           “(2) ESTABLISHMENT OF COMMITTEE.—

20                   “(A) IN GENERAL.—The Secretary shall  
21                   establish an advisory committee, to be known as  
22                   the ‘Tribal Advisory Committee’ (referred to in  
23                   this subsection as the ‘Committee’) to provide  
24                   advice and guidance to the Secretary on mat-  
25                   ters relating to Tribal and Indian affairs.

## 1037

1           “(B) FACILITATION.—The Committee  
2 shall facilitate, but not supplant, government-  
3 to-government consultation between the Depart-  
4 ment of Agriculture (referred to in this sub-  
5 section as the ‘Department’) and Indian tribes.

6           “(3) MEMBERSHIP.—

7           “(A) COMPOSITION.—The Council shall be  
8 composed of 9 members, of whom—

9                   “(i) 7 shall be appointed by the Sec-  
10 retary;

11                   “(ii) 1 shall be appointed by the chair-  
12 person of the Committee on Indian Affairs  
13 of the Senate; and

14                   “(iii) 1 shall be appointed by the  
15 ranking Member of the Committee on In-  
16 dian Affairs of the Senate.

17           “(B) NOMINATIONS.—The Secretary shall  
18 accept nominations for members of the Council  
19 from—

20                   “(i) an Indian tribe;

21                   “(ii) a tribal organization; and

22                   “(iii) a national or regional organiza-  
23 tion with expertise in issues relating to the  
24 duties of the Committee described in para-  
25 graph (4).

1           “(C) DIVERSITY.—To the maximum extent  
2 feasible, the Secretary shall ensure that the  
3 members of the Committee represent a diverse  
4 set of expertise on issues relating to geographic  
5 regions, Indian tribes, and the agricultural in-  
6 dustry.

7           “(D) LIMITATION.—No member of the  
8 Committee shall be an officer or employee of  
9 the Federal government.

10           “(E) PERIOD OF APPOINTMENT; VACAN-  
11 CIES.—

12           “(i) IN GENERAL.—Each member of  
13 the Committee—

14           “(I) subject to clause (ii), shall  
15 be appointed to a 3-year term; and

16           “(II) may be reappointed to not  
17 more than 3 consecutive terms.

18           “(ii) INITIAL STAGGERING.—The first  
19 7 appointments made by the Secretary  
20 under paragraph (3)(A)(i) shall be for a 2-  
21 year term.

22           “(iii) VACANCIES.—Any vacancy in  
23 the Council shall be filled in the same  
24 manner as the original appointment not

## 1039

1 more than 90 days after the date on which  
2 the position becomes vacant.

3 “(F) MEETINGS.—

4 “(i) IN GENERAL.—The Council shall  
5 meet in person not less than twice each  
6 year.

7 “(ii) OFFICE OF TRIBAL RELATIONS  
8 REPRESENTATIVE.—Not fewer than 1 rep-  
9 resentative from the Office of Tribal Rela-  
10 tions of the Department shall be present at  
11 each meeting of the Committee.

12 “(iii) DEPARTMENT OF INTERIOR  
13 REPRESENTATIVE.—The Assistant Sec-  
14 retary for Indian Affairs of the Depart-  
15 ment of the Interior (or a designee) shall  
16 be present at each meeting of the Com-  
17 mittee.

18 “(iv) NONVOTING REPRESENTA-  
19 TIVES.—The individuals described in  
20 clauses (ii) and (iii) shall be nonvoting rep-  
21 resentatives.

22 “(4) DUTIES OF COMMITTEE.—The Committee  
23 shall—

1           “(A) identify evolving issues of relevance to  
2 Indian tribes relating to programs of the De-  
3 partment;

4           “(B) communicate to the Secretary the  
5 issues identified under subparagraph (A);

6           “(C) submit to the Secretary recommenda-  
7 tions for and solutions to—

8                 “(i) the issues identified under sub-  
9 paragraph (A);

10                “(ii) issues raised at the Tribal, re-  
11 gional, or national level; and

12                “(iii) issues relating to any Tribal  
13 consultation carried out by the Depart-  
14 ment;

15           “(D) discuss issues and proposals for  
16 changes to the regulations, policies, and proce-  
17 dures of the Department that impact Indian  
18 tribes;

19           “(E) identify priorities and provide advice  
20 on appropriate strategies for Tribal consulta-  
21 tion on issues at the Tribal, regional, or na-  
22 tional level regarding the Department;

23           “(F) ensure that pertinent issues of the  
24 Department are brought to the attention of an  
25 Indian tribe in a timely manner so that timely



1 feedback from an Indian tribe can be obtained;  
2 and

3 “(G) identify and propose solutions to any  
4 interdepartmental barrier between the Depart-  
5 ment and other Federal agencies.

6 “(5) REPORTS.—

7 “(A) IN GENERAL.—Not less frequently  
8 than once each year, the Committee shall sub-  
9 mit to the Secretary and the relevant Commit-  
10 tees of Congress a report that describes—

11 “(i) the activities of the Committee  
12 during the previous year; and

13 “(ii) recommendations for legislative  
14 or administrative action for the following  
15 year.

16 “(B) RESPONSE FROM SECRETARY.—Not  
17 more than 45 days after the date on which the  
18 Secretary receives a report under subparagraph  
19 (A), the Secretary shall submit a written re-  
20 sponse to that report to—

21 “(i) the Committee; and

22 “(ii) the relevant Committees of Con-  
23 gress.

24 “(6) COMPENSATION OF MEMBERS.—Members  
25 of the Committee shall be compensated at a rate

1 equal to the daily equivalent of the annual rate of  
2 basic pay prescribed for level IV of the Executive  
3 Schedule under section 5315 of title 5, United  
4 States Code, for each day (including travel time)  
5 during which the member is engaged in the perform-  
6 ance of the duties of the Committee.

7 “(7) FEDERAL ADVISORY COMMITTEE ACT EX-  
8 EMPTION.—Section 14 of the Federal Advisory Com-  
9 mittee Act (5 U.S.C. App.) shall not apply to the  
10 Committee.”.

11 **SEC. 12305. EXPERIENCED SERVICES PROGRAM.**

12 (a) IN GENERAL.—Section 1252 of the Food Security  
13 Act of 1985 (16 U.S.C. 3851) is amended—

14 (1) in the section heading, by striking “**AGRI-**  
15 **CULTURE CONSERVATION**”;

16 (2) in subsection (a)—

17 (A) in the first sentence—

18 (i) by striking “a conservation” and  
19 inserting “an”;

20 (ii) by striking “(in this section re-  
21 ferred to as the ‘ACES Program’)” and in-  
22 serting “(referred to in this section as the  
23 ‘program’)”; and

24 (iii) by striking “provide technical”  
25 and inserting the following: “provide—

1 “(1) technical”; and

2 (B) in paragraph (1) (as so designated)—

3 (i) by striking “Secretary. Such tech-  
4 nical services may include” and inserting  
5 “Secretary, including”;

6 (ii) by striking the period at the end  
7 and inserting “; and”; and

8 (iii) by adding at the end the fol-  
9 lowing:

10 “(2) technical, professional, and administrative  
11 services to support the research, education, and eco-  
12 nomics mission area of the Department of Agri-  
13 culture (including the Agricultural Research Service,  
14 the Economic Research Service, the National Agri-  
15 cultural Library, the National Agricultural Statistics  
16 Service, the Office of the Chief Scientist, and the  
17 National Institute of Food and Agriculture), includ-  
18 ing—

19 “(A) supporting agricultural research and  
20 information;

21 “(B) advancing scientific knowledge relat-  
22 ing to agriculture;

23 “(C) enhancing access to agricultural in-  
24 formation;

1           “(D) providing statistical information and  
2           research results to farmers, ranchers, agri-  
3           business, and public officials; and

4           “(E) assisting research, education, and ex-  
5           tension programs in land-grant colleges and  
6           universities (as defined in section 1404 of the  
7           National Agricultural Research, Extension, and  
8           Teaching Policy Act of 1977 (7 U.S.C.  
9           3103)).”;

10          (3) by striking “ACES” each place it appears;

11          (4) by striking “technical services” each place  
12          it appears (other than in subsection (a)) and insert-  
13          ing “technical, professional, or administrative serv-  
14          ices, as applicable,”; and

15          (5) in subsection (c)(1)—

16                 (A) by striking the paragraph heading and  
17                 inserting “CONSERVATION TECHNICAL SERV-  
18                 ICES.—”; and

19                 (B) by inserting “with respect to sub-  
20                 section (a)(1),” before “the Secretary”.

21          (b) TECHNICAL AMENDMENT.—Title XII of the Food  
22          Security Act of 1985 is amended by moving section 1252  
23          (16 U.S.C. 3851) (as amended by subsection (a)) and sec-  
24          tion 1253 (as added by section 2409) to appear after sec-  
25          tion 1251 (as added by section 2429).

1 **SEC. 12306. YOUTH OUTREACH AND BEGINNING FARMER**  
2 **COORDINATION.**

3 Subtitle D of title VII of the Farm Security and  
4 Rural Investment Act of 2002 (as amended by section  
5 12301(a)(1)) is amended by inserting after section 7404  
6 (7 U.S.C. 3101 note; Public Law 107–171) the following:

7 **“SEC. 7405. YOUTH OUTREACH AND BEGINNING FARMER**  
8 **COORDINATION.**

9 “(a) **DEFINITIONS.**—In this section:

10 “(1) **BEGINNING FARMER OR RANCHER.**—The  
11 term ‘beginning farmer or rancher’ means a person  
12 that—

13 “(A)(i) has not operated a farm or ranch;

14 or

15 “(ii) has operated a farm or ranch for not  
16 more than 10 years; and

17 “(B) meets such other criteria as the Sec-  
18 retary may establish.

19 “(2) **NATIONAL COORDINATOR.**—The term ‘Na-  
20 tional Coordinator’ means the National Beginning  
21 Farmer and Rancher Coordinator established under  
22 subsection (b)(1).

23 “(3) **STATE COORDINATOR.**—The term ‘State  
24 coordinator’ means a State beginning farmer and  
25 rancher coordinator designated under subsection  
26 (c)(1)(A).

1           “(4) STATE OFFICE.—The term ‘State office’  
2 means—

3           “(A) a State office of—

4                   “(i) the Farm Service Agency;

5                   “(ii) the Natural Resources Conserva-  
6 tion Service;

7                   “(iii) the Rural Business-Cooperative  
8 Service; or

9                   “(iv) the Rural Utilities Service; or

10           “(B) a regional office of the Risk Manage-  
11 ment Agency.

12           “(b) NATIONAL BEGINNING FARMER AND RANCHER  
13 COORDINATOR.—

14           “(1) ESTABLISHMENT.—The Secretary shall es-  
15 tablish in the Department the position of National  
16 Beginning Farmer and Rancher Coordinator.

17           “(2) DUTIES.—

18           “(A) IN GENERAL.—The National Coordi-  
19 nator shall—

20                   “(i) advise the Secretary and coordi-  
21 nate activities of the Department on pro-  
22 grams, policies, and issues relating to be-  
23 ginning farmers and ranchers; and

24                   “(ii) in consultation with the applica-  
25 ble State food and agriculture council, de-

1           termine whether to approve a plan sub-  
2           mitted by a State coordinator under sub-  
3           section (c)(3)(B).

4           “(B) DISCRETIONARY DUTIES.—Additional  
5           duties of the National Coordinator may in-  
6           clude—

7                   “(i) developing and implementing new  
8                   strategies—

9                           “(I) for outreach to beginning  
10                          farmers and ranchers; and

11                           “(II) to assist beginning farmers  
12                          and ranchers with connecting to own-  
13                          ers or operators that have ended, or  
14                          expect to end within 5 years, actively  
15                          owning or operating a farm or ranch;  
16                          and

17                           “(ii) facilitating interagency and  
18                          interdepartmental collaboration on issues  
19                          relating to beginning farmers and ranch-  
20                          ers.

21           “(3) REPORTS.—Not less frequently than once  
22           each year, the National Coordinator shall distribute  
23           within the Department and make publicly available  
24           a report describing the status of steps taken to carry

1 out the duties described in subparagraphs (A) and  
2 (B) of paragraph (2).

3 “(4) CONTRACTS AND COOPERATIVE AGREE-  
4 MENTS.—In carrying out the duties under para-  
5 graph (2), the National Coordinator may enter into  
6 a contract or cooperative agreement with an institu-  
7 tion of higher education (as defined in section 101  
8 of the Higher Education Act of 1965 (20 U.S.C.  
9 1001)), cooperative extension services (as defined in  
10 section 1404 of the National Agricultural Research,  
11 Extension, and Teaching Policy Act of 1977 (7  
12 U.S.C. 3103), or a nonprofit organization—

13 “(A) to conduct research on the profit-  
14 ability of new farms in operation for not less  
15 than 5 years in a region;

16 “(B) to develop educational materials;

17 “(C) to conduct workshops, courses, train-  
18 ing, or certified vocational training; or

19 “(D) to conduct mentoring activities.

20 “(c) STATE BEGINNING FARMER AND RANCHER CO-  
21 ORDINATORS.—

22 “(1) IN GENERAL.—

23 “(A) DESIGNATION.—The National Coor-  
24 dinator, in consultation with State food and ag-  
25 riculture councils and directors of State offices,



1 shall designate in each State a State beginning  
2 farmer and rancher coordinator from among  
3 employees of State offices.

4 “(B) REQUIREMENTS.—To be designated  
5 as a State coordinator, an employee shall—

6 “(i) be familiar with issues relating to  
7 beginning farmers and ranchers; and

8 “(ii) have the ability to interface with  
9 other Federal departments and agencies.

10 “(2) TRAINING.—The Secretary shall develop a  
11 training plan to provide to each State coordinator  
12 knowledge of programs and services available from  
13 the Department for beginning farmers and ranchers,  
14 taking into consideration the needs of all production  
15 types and sizes of agricultural operations.

16 “(3) DUTIES.—A State coordinator shall—

17 “(A) coordinate technical assistance at the  
18 State level to assist beginning farmers and  
19 ranchers in accessing programs of the Depart-  
20 ment;

21 “(B) develop and submit to the National  
22 Coordinator for approval under subsection  
23 (b)(2)(A)(ii) a State plan to improve the coordi-  
24 nation, delivery, and efficacy of programs of the  
25 Department to beginning farmers and ranchers,

1 taking into consideration the needs of all types  
2 of production methods and sizes of agricultural  
3 operation, at each county and area office in the  
4 State;

5 “(C) oversee implementation of an ap-  
6 proved State plan described in subparagraph  
7 (B);

8 “(D) work with outreach coordinators in  
9 the State offices to ensure appropriate informa-  
10 tion about technical assistance is available at  
11 outreach events and activities; and

12 “(E) coordinate partnerships and joint out-  
13 reach efforts with other organizations and gov-  
14 ernment agencies serving beginning farmers  
15 and ranchers.

16 “(d) AGRICULTURAL YOUTH COORDINATOR.—

17 “(1) ESTABLISHMENT.—The Secretary shall es-  
18 tablish in the Department the position of Agricul-  
19 tural Youth Coordinator.

20 “(2) DUTIES.—The Agricultural Youth Coordi-  
21 nator shall—

22 “(A) promote the role of school-based agri-  
23 cultural education and youth-serving agricul-  
24 tural organizations in motivating and preparing

1 young people to pursue careers in the agri-  
2 culture, food, and natural resources systems;

3 “(B) coordinate outreach to programs and  
4 agencies within the Department—

5 “(i) to work with schools and youth-  
6 serving organizations to develop joint pro-  
7 grams and initiatives, such as internships;  
8 and

9 “(ii) to provide resources and input to  
10 schools and youth-serving organizations re-  
11 garding motivating and preparing young  
12 people to pursue careers in the agriculture,  
13 food, and natural resources systems;

14 “(C) raise awareness among youth about  
15 the importance of agriculture in a diversity of  
16 fields and disciplines;

17 “(D) provide information to persons in-  
18 volved in youth, food, and agriculture organiza-  
19 tions about the availability of, and eligibility re-  
20 quirements for, agricultural programs, with  
21 particular emphasis on—

22 “(i) beginning farmer and rancher  
23 programs;

24 “(ii) agriculture education;

25 “(iii) nutrition education;

1                   “(iv) science, technology, engineering,  
2                   and mathematics education; and

3                   “(v) other food and agriculture pro-  
4                   grams for youth;

5                   “(E) serve as a resource for youth involved  
6                   in food and agriculture applying for participa-  
7                   tion in agricultural programs;

8                   “(F) conduct outreach to youth agriculture  
9                   organizations; and

10                  “(G) advocate on behalf of youth involved  
11                  in food and agriculture and youth organizations  
12                  in interactions with employees of the Depart-  
13                  ment.

14                  “(3) CONTRACTS AND COOPERATIVE AGREE-  
15                  MENTS.—For purposes of carrying out the duties de-  
16                  scribed in paragraph (2), the Agricultural Youth Co-  
17                  ordinator—

18                         “(A) shall consult with land-grant colleges  
19                         and universities and cooperative extension serv-  
20                         ices (as those terms are defined in section 1404  
21                         of the National Agricultural Research, Exten-  
22                         sion, and Teaching Policy Act of 1977 (7  
23                         U.S.C. 3103)); and

24                         “(B) may enter into contracts or coopera-  
25                         tive agreements with the research centers of the



## 1054

1           “(C) is a veteran (as defined in section  
2           101 of that title) who has first obtained status  
3           as a veteran (as so defined) during the most re-  
4           cent 10-year period.”.

5           (b) FEDERAL CROP INSURANCE.—

6           (1) DEFINITION OF VETERAN FARMER OR  
7           RANCHER.—Section 502(b) of the Federal Crop In-  
8           surance Act (7 U.S.C. 1502(b)) (as amended by sec-  
9           tion 11101) is amended by adding at the end the  
10          following:

11          “(14) VETERAN FARMER OR RANCHER.—The  
12          term ‘veteran farmer or rancher’ means a farmer or  
13          rancher who—

14               “(A) has served in the Armed Forces (as  
15               defined in section 101 of title 38, United States  
16               Code); and

17               “(B)(i) has not operated a farm or ranch;

18               “(ii) has operated a farm or ranch for not  
19               more than 5 years; or

20               “(iii) is a veteran (as defined in section  
21               101 of that title) who has first obtained status  
22               as a veteran (as so defined) during the most re-  
23               cent 5-year period.”.

## 1055

1           (2) CROP INSURANCE.—Section 508 of the Fed-  
2           eral Crop Insurance Act (7 U.S.C. 1508) is amend-  
3           ed—

4                   (A) in subsection (b)(5)(E)—

5                           (i) by striking “The Corporation” and  
6                           inserting the following:

7                                   “(i) IN GENERAL.—The Corporation”;  
8                           and

9                                   (ii) in clause (i) (as so designated), by  
10                           striking the period at the end and inserting  
11                           the following: “, and veteran farmers or  
12                           ranchers.

13                                   “(ii) COORDINATION.—The Corpora-  
14                           tion shall coordinate with other agencies of  
15                           the Department that provide programs or  
16                           services to farmers and ranchers described  
17                           in clause (i) to make available coverage  
18                           under the waiver under that clause and to  
19                           share eligibility information to reduce pa-  
20                           perwork and avoid duplication.”;

21                   (B) in subsection (e)(8)—

22                           (i) in the paragraph heading, by in-  
23                           serting “AND VETERAN” after “BEGIN-  
24                           NING”; and

## 1056

1 (ii) by inserting “or veteran farmer or  
2 rancher” after “beginning farmer or  
3 rancher” each place it appears; and

4 (C) in subsection (g)—

5 (i) in paragraph (2)(B)(iii), in the  
6 matter preceding subclause (I), by insert-  
7 ing “or veteran farmer or rancher” after  
8 “beginning farmer or rancher” each place  
9 it appears; and

10 (ii) in paragraph (4)(B)(ii)(II), by in-  
11 sserting “and veteran farmers or ranchers”  
12 after “beginning farmers or ranchers”.

13 (3) EDUCATION AND RISK MANAGEMENT AS-  
14 SISTANCE.—Section 524(a)(4) of the Federal Crop  
15 Insurance Act (7 U.S.C. 1524(a)(4)) is amended—

16 (A) in subparagraph (D)(ii), by striking  
17 “and” at the end;

18 (B) in subparagraph (E), by striking the  
19 period at the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(F) veteran farmers or ranchers.”.

22 (c) DOWN PAYMENT LOAN PROGRAM.—Section  
23 310E of the Consolidated Farm and Rural Development  
24 Act (7 U.S.C. 1935) is amended—



1           (1) in subsection (a)(1), by striking “qualified  
2           beginning farmers or ranchers and socially disadvan-  
3           tagged farmers or ranchers” and inserting “eligible  
4           farmers or ranchers”;

5           (2) in subsection (d)—

6                 (A) in paragraph (2)(A), by striking “re-  
7                 cipients of the loans” and inserting “farmers or  
8                 ranchers”;

9                 (B) by striking paragraph (3) and insert-  
10                ing the following:

11                “(3) encourage retiring farmers and ranchers to  
12                assist in the sale of their farms and ranches to eligi-  
13                ble farmers or ranchers by providing seller financ-  
14                ing;”; and

15                (C) in paragraph (4), by striking “for be-  
16                ginning farmers or ranchers or socially dis-  
17                advantaged farmers or ranchers” and inserting  
18                the following: “for—

19                        “(A) beginning farmers or ranchers;

20                        “(B) socially disadvantaged farmers or  
21                        ranchers, as defined in section 355(e); or

22                        “(C) veteran farmers or ranchers, as de-  
23                        fined in section 2501(a) of the Food, Agri-  
24                        culture, Conservation, and Trade Act of 1990  
25                        (7 U.S.C. 2279(a))”; and

1 (D) in paragraph (5), by striking “a quali-  
2 fied beginning farmer or rancher or socially dis-  
3 advantaged farmer or rancher” and inserting  
4 “an eligible farmer or rancher”; and  
5 (3) by striking subsection (e) and inserting the  
6 following:

7 “(e) DEFINITION OF ELIGIBLE FARMER OR RANCH-  
8 ER.—In this section, the term ‘eligible farmer or rancher’  
9 means—

10 “(1) a qualified beginning farmer or rancher;

11 “(2) a socially disadvantaged farmer or ranch-  
12 er, as defined in section 355(e); and

13 “(3) a veteran farmer or rancher, as defined in  
14 section 2501(a) of the Food, Agriculture, Conserva-  
15 tion, and Trade Act of 1990 (7 U.S.C. 2279(a)).”.

16 (d) INTEREST RATE REDUCTION PROGRAM.—Sec-  
17 tion 351(e)(2)(B) of the Consolidated Farm and Rural  
18 Development Act (7 U.S.C. 1999(e)(2)(B)) is amended—

19 (1) in the subparagraph heading, by inserting  
20 “AND VETERAN” after “BEGINNING”;

21 (2) in clause (i), by inserting “or veteran farm-  
22 ers and ranchers (as defined in section 2501(a) of  
23 the Food, Agriculture, Conservation, and Trade Act  
24 of 1990 (7 U.S.C. 2279(a)))” before the period at  
25 the end; and

1 (3) in clause (ii), by striking “beginning”.

2 (e) NATIONAL FOOD SAFETY TRAINING, EDU-  
3 CATION, EXTENSION, OUTREACH, AND TECHNICAL AS-  
4 SISTANCE PROGRAM.—Section 405(c) of the Agricultural  
5 Research, Extension, and Education Reform Act of 1998  
6 (7 U.S.C. 7625(c)) is amended by inserting “veteran  
7 farmers or ranchers (as defined in section 2501(a) of the  
8 Food, Agriculture, Conservation, and Trade Act of 1990  
9 (7 U.S.C. 2279(a))),” after “socially disadvantaged farm-  
10 ers,”.

11 (f) ADMINISTRATION AND OPERATION OF NON-  
12 INSURED CROP ASSISTANCE PROGRAM.—Section 196 of  
13 the Federal Agriculture Improvement and Reform Act of  
14 1996 (7 U.S.C. 7333) is amended—

15 (1) in subsection (k)(2), by inserting “, or a  
16 veteran farmer or rancher (as defined in section  
17 2501(a) of the Food, Agriculture, Conservation, and  
18 Trade Act of 1990 (7 U.S.C. 2279(a)))” before the  
19 period at the end; and

20 (2) in subsection (l), in paragraph (3) (as re-  
21 designated by section 1601(7)(C))—

22 (A) in the paragraph heading, by inserting  
23 “VETERAN,” before “AND SOCIALLY”; and

24 (B) by inserting “and veteran farmers or  
25 ranchers (as defined in section 2501(a) of the

## 1060

1           Food, Agriculture, Conservation, and Trade Act  
2           of 1990 (7 U.S.C. 2279(a))” before “in ex-  
3           change”.

4           (g) FUNDING FOR TRANSITION OPTION FOR CER-  
5 TAIN FARMERS OR RANCHERS.—Section 1241(a)(1)(B) of  
6 the Food Security Act of 1985 (16 U.S.C. 3841(a)(1)(B))  
7 is amended by striking “beginning farmers or ranchers  
8 and socially disadvantaged farmers or ranchers” and in-  
9 serting “covered farmers or ranchers, as defined in section  
10 1235(f)(1)”.

11          (h) SUPPLEMENTAL AGRICULTURAL DISASTER AS-  
12 SISTANCE.—

13           (1) DEFINITION OF COVERED PRODUCER.—Sec-  
14 tion 1501(a) of the Agricultural Act of 2014 (7  
15 U.S.C. 9081(a)) is amended—

16           (A) by redesignating paragraphs (1)  
17 through (4) as paragraphs (2) through (5), re-  
18 spectively; and

19           (B) by inserting before paragraph (2) (as  
20 so redesignated) the following:

21           “(1) COVERED PRODUCER.—The term ‘covered  
22 producer’ means an eligible producer on a farm that  
23 is—

24           “(A) as determined by the Secretary—

25           “(i) a beginning farmer or rancher;

## 1061

1                   “(ii) a socially disadvantaged farmer  
2                   or rancher; or

3                   “(iii) a limited resource farmer or  
4                   rancher; or

5                   “(B) a veteran farmer or rancher, as de-  
6                   fined in section 2501(a) of the Food, Agri-  
7                   culture, Conservation, and Trade Act of 1990  
8                   (7 U.S.C. 2279(a)).”.

9                   (2) EMERGENCY ASSISTANCE FOR LIVESTOCK,  
10                  HONEY BEES, AND FARM-RAISED FISH.—Section  
11                  1501(d) of the Agricultural Act of 2014 (7 U.S.C.  
12                  9081(d)) is amended by adding at the end the fol-  
13                  lowing:

14                  “(4) PAYMENT RATE FOR COVERED PRO-  
15                  DUCERS.—In the case of a covered producer that is  
16                  eligible to receive assistance under this subsection,  
17                  the Secretary shall provide reimbursement of 90 per-  
18                  cent of the cost of losses described in paragraph (1)  
19                  or (2).”.

1 **Subtitle D—Department of Agri-**  
2 **culture Reorganization Act of**  
3 **1994 Amendments**

4 **SEC. 12401. OFFICE OF CONGRESSIONAL RELATIONS AND**  
5 **INTERGOVERNMENTAL AFFAIRS.**

6 (a) ASSISTANT SECRETARIES OF AGRICULTURE.—

7 Section 218(a)(1) of the Department of Agriculture Reor-  
8 ganization Act of 1994 (7 U.S.C. 6918(a)(1)) is amended  
9 by striking “Relations” and inserting “Relations and  
10 Intergovernmental Affairs”.

11 (b) SUCCESSION.—Any official who is serving as the  
12 Assistant Secretary of Agriculture for Congressional Rela-  
13 tions on the date of enactment of this Act and who was  
14 appointed by the President, by and with the advice and  
15 consent of the Senate, shall not be required to be re-  
16 appointed as a result of the change made to the name of  
17 that position under the amendment made by subsection  
18 (a).

19 **SEC. 12402. MILITARY VETERANS AGRICULTURAL LIAISON.**

20 Section 219 of the Department of Agriculture Reor-  
21 ganization Act of 1994 (7 U.S.C. 6919) is amended—

22 (1) in subsection (b)—

23 (A) in paragraph (3), by striking “and” at  
24 the end;

## 1063

1 (B) in paragraph (4), by striking the pe-  
2 riod at the end and inserting a semicolon; and

3 (C) by adding at the end the following:

4 “(5) establish and periodically update the  
5 website described in subsection (d); and

6 “(6) in carrying out the duties described in  
7 paragraphs (1) through (5), consult with and pro-  
8 vide technical assistance to any Federal agency, in-  
9 cluding the Department of Defense, the Department  
10 of Veterans Affairs, the Small Business Administra-  
11 tion, and the Department of Labor.”; and

12 (2) by adding at the end the following:

13 “(d) WEBSITE REQUIRED.—

14 “(1) IN GENERAL.—The website required under  
15 subsection (b)(5) shall include the following:

16 “(A) Positions identified within the De-  
17 partment of Agriculture that are available to  
18 veterans for apprenticeships.

19 “(B) Apprenticeships, programs of training  
20 on the job, and programs of education that are  
21 approved for purposes of chapter 36 of title 38,  
22 United States Code.

23 “(C) Employment skills training programs  
24 for members of the Armed Forces carried out





1 for purposes of chapter 36 of title 38,  
2 United States Code (with consent of the  
3 organization and without any personally  
4 identifiable information).

5 “(2) REVIEW OF WEBSITE.—

6 “(A) IN GENERAL.—Not later than 5 years  
7 after the date of enactment of this paragraph,  
8 and once every 5 years thereafter, the Secretary  
9 shall conduct a study to determine if the  
10 website required under subsection (b)(5) is ef-  
11 fective in providing veterans the information re-  
12 quired under paragraph (1).

13 “(B) INEFFECTIVE WEBSITE.—If the Sec-  
14 retary determines that the website is not effec-  
15 tive under subparagraph (A), the Secretary  
16 shall—

17 “(i) notify the agriculture and vet-  
18 erans committees described in subpara-  
19 graph (C) of that determination; and

20 “(ii) not earlier than 180 days after  
21 the date on which the Secretary provides  
22 notice under clause (i), terminate the  
23 website.

24 “(C) AGRICULTURE AND VETERANS COM-  
25 MITTEES.—The agriculture and veterans com-

1           mittees referred to in subparagraph (B)(i)  
2           are—

3                   “(i) the Committee on Agriculture of  
4                   the House of Representatives;

5                   “(ii) the Committee on Agriculture,  
6                   Nutrition, and Forestry of the Senate;

7                   “(iii) the Committee on Veterans’ Af-  
8                   fairs of the House of Representatives; and

9                   “(iv) the Committee on Veterans’ Af-  
10                  fairs of the Senate.

11          “(e) CONSULTATION REQUIRED.—In carrying out  
12 this section, the Secretary shall consult with organizations  
13 that serve veterans.

14          “(f) REPORT.—

15               “(1) IN GENERAL.—Not later than 1 year after  
16 the date of enactment of this subsection, and annu-  
17 ally thereafter, the Military Veterans Agricultural  
18 Liaison shall submit a report on beginning farmer  
19 training for veterans and agricultural vocational and  
20 rehabilitation programs for veterans to—

21                   “(A) the Committee on Agriculture of the  
22                   House of Representatives;

23                   “(B) the Committee on Veterans’ Affairs  
24                   of the House of Representatives;

1           “(C) the Committee on Agriculture, Nutri-  
2           tion, and Forestry of the Senate; and

3           “(D) the Committee on Veterans’ Affairs  
4           of the Senate.

5           “(2) CONTENTS OF REPORT.—The report sub-  
6           mitted under paragraph (1) shall include—

7           “(A) a summary of the measures taken to  
8           carry out subsections (b) and (c);

9           “(B) a description of the information pro-  
10          vided to veterans under paragraphs (1) and (2)  
11          of subsection (b);

12          “(C) recommendations for best informing  
13          veterans of the programs described in para-  
14          graphs (1) and (2) of subsection (b);

15          “(D) a summary of the contracts or coop-  
16          erative agreements entered into under sub-  
17          section (c);

18          “(E) a description of the programs imple-  
19          mented under subsection (c);

20          “(F) a summary of the employment out-  
21          reach activities directed to veterans;

22          “(G) recommendations for how opportuni-  
23          ties for veterans in agriculture should be devel-  
24          oped or expanded;

1           “(H) a summary of veteran farm lending  
2           data and a summary of shortfalls, if any, iden-  
3           tified by the Military Veterans Agricultural Li-  
4           aision in collecting data with respect to veterans  
5           engaged in agriculture; and

6           “(I) recommendations, if any, on how to  
7           improve activities under subsection (b).

8           “(g) PUBLIC DISSEMINATION OF INFORMATION.—

9           “(1) IN GENERAL.—Not later than 1 year after  
10          the date of enactment of this subsection, and annu-  
11          ally thereafter, the Military Veterans Agricultural  
12          Liaison shall make publicly available and share  
13          broadly, including by posting on the website of the  
14          Department—

15               “(A) the report of the Military Veterans  
16               Agricultural Liaison on beginning farmer train-  
17               ing for veterans and agricultural vocational and  
18               rehabilitation programs; and

19               “(B) the information disseminated under  
20               paragraphs (1) and (2) of subsection (b).

21           “(2) FURTHER DISSEMINATION.—Not later  
22          than the day before the date on which the Military  
23          Veterans Agricultural Liaison makes publicly avail-  
24          able the information under paragraph (1), the Mili-  
25          tary Veterans Agricultural Liaison shall provide that

1 information to the Department of Defense, the De-  
2 partment of Veterans Affairs, the Small Business  
3 Administration, and the Department of Labor.”.

4 **SEC. 12403. CIVIL RIGHTS ANALYSES.**

5 (a) IN GENERAL.—Subtitle A of the Department of  
6 Agriculture Reorganization Act of 1994 (7 U.S.C. 6911  
7 et seq.) (as amended by section 12302(b)) is amended by  
8 adding at the end the following:

9 **“SEC. 223. CIVIL RIGHTS ANALYSES.**

10 “(a) DEFINITION OF CIVIL RIGHTS ANALYSIS.—In  
11 this section, the term ‘civil rights analysis’ means a review  
12 to analyze and identify actions, policies, and decisions  
13 under documents described in subsection (b) that may  
14 have an adverse or disproportionate impact on employees,  
15 contractors, or beneficiaries (including participants) of  
16 any program or activity of the Department based on the  
17 membership of the employees, contractors, or beneficiaries  
18 in a group that is protected under Federal law from dis-  
19 crimination in employment, contracting, or provision of a  
20 program or activity, as applicable.

21 “(b) ACTIONS, POLICIES, AND DECISIONS.—Before  
22 implementing any of the following action, policy, or deci-  
23 sion documents, the Secretary shall conduct a civil rights  
24 analysis of the action, policy, or decision that is the subject  
25 of the document:

1           “(1) New, revised, or interim rules and notices  
2           to be published in the Federal Register or the Code  
3           of Federal Regulations.

4           “(2) Charters for advisory committees, councils,  
5           or boards managed by any agency of the Depart-  
6           ment on behalf of the Secretary.

7           “(3) Any regulations of the Department or new  
8           or revised agency-specific instructions, procedures,  
9           or other guidance published in an agency directives  
10          system.

11          “(4) Reductions-in-force or transfer of function  
12          proposals, including reorganization of the Depart-  
13          ment.

14          “(5) At the discretion of the Secretary, any  
15          other policy, program, or activity documents that  
16          have potentially adverse civil rights impacts.

17          “(c) EXPEDITED REVIEW.—The Assistant Secretary  
18          for Civil Rights may grant, on a case-by-case basis, an  
19          expedited civil rights analysis if the head of an agency  
20          within the Department provides a written justification for  
21          the expedited civil rights analysis.

22          “(d) WAIVER.—On petition by the head of any agen-  
23          cy within the Department, the Assistant Secretary for  
24          Civil Rights may grant, on a case-by-case basis, a waiver  
25          of the civil rights analysis if the Assistant Secretary for

1 Civil Rights determines that there is no foreseeable ad-  
2 verse or disproportionate impact described in subsection  
3 (a) of the proposed action, policy, or decision document  
4 described in subsection (b).”.

5 (b) STUDY; REPORT.—

6 (1) STUDY.—Not later than 2 years after the  
7 date of enactment of this Act, the Comptroller Gen-  
8 eral of the United States (referred to in this section  
9 as the “Comptroller General”) shall conduct a study  
10 describing—

11 (A) the effectiveness of the Department of  
12 Agriculture in processing and resolving civil  
13 rights complaints;

14 (B) minority participation rates in farm  
15 programs, including a comparison of overall  
16 farmer and rancher participation with minority  
17 farmer and rancher participation by considering  
18 particular aspects of the programs of the De-  
19 partment of Agriculture for producers, such as  
20 ownership status, program participation, usage  
21 of permits, and waivers;

22 (C) the realignment the civil rights func-  
23 tions of the Department of Agriculture, as out-  
24 lined in Secretarial Memorandum 1076–023  
25 (March 9, 2018), including an analysis of

1           whether that realignment has any negative im-  
2           plications on the civil rights functions of the  
3           Department;

4           (D) efforts of the Department of Agri-  
5           culture to identify actions, programs, or activi-  
6           ties of the Department of Agriculture that may  
7           adversely affect employees, contractors, or bene-  
8           ficiaries (including participants) of the action,  
9           program, or activity based on the membership  
10          of the employees, contractors, or beneficiaries in  
11          a group that is protected under Federal law  
12          from discrimination in employment, contracting,  
13          or provision of an action, program, or activity,  
14          as applicable; and

15          (E) efforts of the Department of Agri-  
16          culture to strategically plan actions to decrease  
17          discrimination and civil rights complaints within  
18          the Department of Agriculture or in the car-  
19          rying out of the programs and authorities of  
20          the Department of Agriculture.

21          (2) REPORT.—Not later than 60 days after the  
22          date of completion of the study under paragraph (1),  
23          the Comptroller General shall submit a report de-  
24          scribing the results of the study to—



1 (A) the Committee on Agriculture of the  
2 House of Representatives; and

3 (B) the Committee on Agriculture, Nutri-  
4 tion, and Forestry of the Senate.

5 **SEC. 12404. FARM SERVICE AGENCY.**

6 (a) IN GENERAL.—Section 226 of the Department of  
7 Agriculture Reorganization Act of 1994 (7 U.S.C. 6932)  
8 is amended—

9 (1) in the section heading, by striking “**CON-**  
10 **SOLIDATED FARM**” and inserting “**FARM**”;

11 (2) in subsection (b), in the subsection heading,  
12 by striking “OF CONSOLIDATED FARM SERVICE  
13 AGENCY”; and

14 (3) by striking “Consolidated Farm” each place  
15 it appears and inserting “Farm”.

16 (b) CONFORMING AMENDMENTS.—

17 (1) Section 246 of the Department of Agri-  
18 culture Reorganization Act of 1994 (7 U.S.C. 6962)  
19 is amended—

20 (A) in subsection (e), by striking “Consoli-  
21 dated Farm” each place it appears and insert-  
22 ing “Farm”; and

23 (B) in subsection (e)(2), by striking “Con-  
24 solidated Farm” each place it appears and in-  
25 serting “Farm”.

1           (2) Section 271(2)(A) of the Department of Ag-  
2           riculture Reorganization Act of 1994 (7 U.S.C.  
3           6991(2)(A)) is amended by striking “Consolidated  
4           Farm” each place it appears and inserting “Farm”.

5           (3) Section 275(b) of the Department of Agri-  
6           culture Reorganization Act of 1994 (7 U.S.C.  
7           6995(b)) is amended by striking “Consolidated  
8           Farm” each place it appears and inserting “Farm”.

9   **SEC. 12405. UNDER SECRETARY OF AGRICULTURE FOR**  
10                           **FARM PRODUCTION AND CONSERVATION.**

11           (a) OFFICE OF RISK MANAGEMENT.—Section  
12           226A(d)(1) of the Department of Agriculture Reorganiza-  
13           tion Act of 1994 (7 U.S.C. 6933(d)(1)) is amended by  
14           striking “Under Secretary of Agriculture for Farm and  
15           Foreign Agricultural Services” and inserting “Under Sec-  
16           retary of Agriculture for Farm Production and Conserva-  
17           tion”.

18           (b) MULTIAGENCY TASK FORCE.—Section 242(b)(3)  
19           of the Department of Agriculture Reorganization Act of  
20           1994 (7 U.S.C. 6952(b)(3)) is amended by striking  
21           “Under Secretary for Farm and Foreign Agricultural  
22           Services” and inserting “Under Secretary of Agriculture  
23           for Farm Production and Conservation”.

24           (c) FOOD AID CONSULTATIVE GROUP.—Section  
25           205(b)(2) of the Food for Peace Act (7 U.S.C.

1 1725(b)(2)) is amended by striking “Under Secretary of  
2 Agriculture for Farm and Foreign Agricultural Services”  
3 and inserting “Under Secretary of Agriculture for Trade  
4 and Foreign Agricultural Affairs”.

5 (d) INTERAGENCY COMMITTEE ON MINORITY CA-  
6 REERS IN INTERNATIONAL AFFAIRS.—Section  
7 625(c)(1)(A) of the Higher Education Act of 1965 (20  
8 U.S.C. 1131c(c)(1)(A)) is amended by striking “Under  
9 Secretary” and all that follows through “designee” and  
10 inserting “Under Secretary of Agriculture for Trade and  
11 Foreign Agricultural Affairs, or the designee of that  
12 Under Secretary”.

13 **SEC. 12406. UNDER SECRETARY OF AGRICULTURE FOR**  
14 **RURAL DEVELOPMENT.**

15 Section 231 of the Department of Agriculture Reor-  
16 ganization Act of 1994 (7 U.S.C. 6941) is amended—

17 (1) in subsection (a), by striking “is authorized  
18 to” and inserting “shall”;

19 (2) in subsection (b), by striking “If the Sec-  
20 retary” and all that follows through “the Under Sec-  
21 retary” and inserting “The Under Secretary of Agri-  
22 culture for Rural Development”; and

23 (3) by adding at the end the following:

24 “(g) TERMINATION OF AUTHORITY.—Section  
25 296(b)(9) shall not apply to this section.”.

1 **SEC. 12407. ADMINISTRATOR OF THE RURAL UTILITIES**  
2 **SERVICE.**

3 (a) IN GENERAL.—

4 (1) TECHNICAL CORRECTION.—

5 (A) IN GENERAL.—Section 232(b) of the  
6 Department of Agriculture Reorganization Act  
7 of 1994 (7 U.S.C. 6942(b)) (as in effect on the  
8 day before the effective date of the amendments  
9 made by section 2(a)(2) of the Presidential Ap-  
10 pointment Efficiency and Streamlining Act of  
11 2011 (Public Law 112–166; 126 Stat. 1283,  
12 1295)) is amended—

13 (i) by striking paragraph (2) (relating  
14 to succession); and

15 (ii) by redesignating paragraph (3)  
16 (relating to the Executive Schedule) as  
17 paragraph (2).

18 (B) EFFECTIVE DATE.—The amendments  
19 made by subparagraph (A) take effect on the  
20 effective date described in section 6(a) of the  
21 Presidential Appointment Efficiency and  
22 Streamlining Act of 2011 (Public Law 112–  
23 166; 126 Stat. 1295).

24 (2) COMPENSATION.—Section 232(b) of the De-  
25 partment of Agriculture Reorganization Act of 1994

1 (7 U.S.C. 6942(b)) (as amended by paragraph (1))  
2 is amended by adding at the end the following:

3 “(3) COMPENSATION.—The Administrator of  
4 the Rural Utilities Service shall receive basic pay at  
5 a rate not to exceed the maximum amount of com-  
6 pensation payable to a member of the Senior Execu-  
7 tive Service under subsection (b) of section 5382 of  
8 title 5, United States Code, except that the certifi-  
9 cation requirement under that subsection shall not  
10 apply to the compensation of the Director.”.

11 (b) CONFORMING AMENDMENTS.—

12 (1) Section 5315 of title 5, United States Code,  
13 is amended by striking “Administrator, Rural Utili-  
14 ties Service, Department of Agriculture.”.

15 (2) Section 748 of Public Law 107–76 (7  
16 U.S.C. 918b) is amended by striking “the Adminis-  
17 trator of the Rural Utilities Service” and inserting  
18 “the Secretary of Agriculture”.

19 (3) Section 379B(a) of the Consolidated Farm  
20 and Rural Development Act (7 U.S.C. 2008p(a)) is  
21 amended by striking “Secretary” and all that follows  
22 through “may” and inserting “Secretary may”.

23 (4) Section 6407(b)(4) of the Farm Security  
24 and Rural Investment Act of 2002 (7 U.S.C.  
25 8107a(b)(4)) is amended by striking “Agriculture”

1 and all that follows through “Service” and inserting  
2 “Agriculture”.

3 (5) Section 1004 of the Launching our Commu-  
4 nities’ Access to Local Television Act of 2000 (47  
5 U.S.C. 1103) is amended—

6 (A) in subsection (b)(1), by striking “The  
7 Administrator (as defined in section 1005)”  
8 and inserting “The Secretary of Agriculture”;  
9 and

10 (B) in subsection (h)(2)(D), by striking  
11 “Administrator” each place it appears and in-  
12 serting “Secretary of Agriculture”.

13 (6) Section 1005 of the Launching our Commu-  
14 nities’ Access to Local Television Act of 2000 (47  
15 U.S.C. 1104) is amended—

16 (A) in subsection (a), by striking “The Ad-  
17 ministrator” and all that follows through  
18 “shall” and inserting “The Secretary of Agri-  
19 culture (referred to in this section as the ‘Sec-  
20 retary’) shall”; and

21 (B) by striking “Administrator” each place  
22 it appears and inserting “Secretary”.

1 **SEC. 12408. RURAL HEALTH LIAISON.**

2 Subtitle C of title II of the Department of Agriculture  
3 Reorganization Act of 1994 (7 U.S.C. 6941 et seq.) is  
4 amended by adding at the end the following:

5 **“SEC. 236. RURAL HEALTH LIAISON.**

6 “(a) AUTHORIZATION.—The Secretary shall establish  
7 in the Department the position of Rural Health Liaison.

8 “(b) DUTIES.—The Rural Health Liaison shall—

9 “(1) in consultation with the Secretary of  
10 Health and Human Services, coordinate the role of  
11 the Department with respect to rural health;

12 “(2) integrate across the Department the stra-  
13 tegic planning and activities relating to rural health;

14 “(3) improve communication relating to rural  
15 health within the Department and between Federal  
16 agencies;

17 “(4) advocate on behalf of the health care and  
18 relevant infrastructure needs in rural areas;

19 “(5) provide to stakeholders, potential grant ap-  
20 plicants, Federal agencies, State agencies, Indian  
21 Tribes, private organizations, and academic institu-  
22 tions relevant data and information, including the  
23 eligibility requirements for, and availability and out-  
24 comes of, Department programs applicable to the  
25 advancement of rural health;

1           “(6) maintain communication with public  
2 health, medical, occupational safety, and tele-  
3 communication associations, research entities, and  
4 other stakeholders to ensure that the Department is  
5 aware of current and upcoming issues relating to  
6 rural health;

7           “(7) consult on programs, pilot projects, re-  
8 search, training, and other affairs relating to rural  
9 health at the Department and other Federal agen-  
10 cies;

11           “(8) provide expertise on rural health to sup-  
12 port the activities of the Secretary as Chair of the  
13 Interagency Task Force on Agriculture and Rural  
14 Prosperity; and

15           “(9) provide technical assistance and guidance  
16 with respect to activities relating to rural health to  
17 the outreach, extension, and county offices of the  
18 Department.”.

19 **SEC. 12409. HEALTHY FOOD FINANCING INITIATIVE.**

20           Section 243 of the Department of Agriculture Reor-  
21 ganization Act of 1994 (7 U.S.C. 6953) is amended—

22           (1) in subsection (a), by inserting “and enter-  
23 prises” after “retailers”;

24           (2) in subsection (b)(3)(B)(iii), by inserting  
25 “and enterprises” after “retailers”; and



1           (3) in subsection (c)(2)(B)(ii), by inserting “as  
2           applicable,” before “to accept”.

3 **SEC. 12410. NATURAL RESOURCES CONSERVATION SERV-**  
4 **ICE.**

5           (a) FIELD OFFICES.—Section 246 of the Department  
6 of Agriculture Reorganization Act of 1994 (7 U.S.C.  
7 6962) (as amended by section 12404(b)(1)) is amended  
8 by adding at the end the following:

9           “(g) FIELD OFFICES.—

10           “(1) IN GENERAL.—The Secretary shall not  
11 close any field office of the Natural Resources Con-  
12 servation Service unless, not later than 60 days be-  
13 fore the date of the closure, the Secretary submits  
14 to the Committee on Agriculture of the House of  
15 Representatives and the Committee on Agriculture,  
16 Nutrition, and Forestry of the Senate a notification  
17 of the closure.

18           “(2) EMPLOYEES.—The Secretary shall not  
19 permanently relocate any field-based employees of  
20 the Natural Resources Conservation Service or the  
21 rural development mission area if doing so would re-  
22 sult in a field office of the Natural Resources Con-  
23 servation Service or the rural development mission  
24 area with 2 or fewer employees, unless, not later  
25 than 60 days before the date of the permanent relo-

1 cation, the Secretary submits to the Committee on  
2 Agriculture of the House of Representatives and the  
3 Committee on Agriculture, Nutrition, and Forestry  
4 of the Senate a notification of the permanent reloca-  
5 tion.”.

6 (b) TECHNICAL CORRECTIONS.—Section 246 of the  
7 Department of Agriculture Reorganization Act of 1994 (7  
8 U.S.C. 6962) (as amended by subsection (a)) is amend-  
9 ed—

10 (1) in subsection (b)—

11 (A) by striking paragraph (2);

12 (B) by redesignating paragraphs (3)  
13 through (6) as paragraphs (2) through (5), re-  
14 spectively;

15 (C) in paragraph (4) (as so redesignated),  
16 by inserting “; Public Law 101–624” after  
17 “note”; and

18 (D) in paragraph (5) (as so redesignated),  
19 by striking “3831–3836” and inserting “3831  
20 et seq.”; and

21 (2) in subsection (c), in the matter preceding  
22 paragraph (1), by striking “paragraphs (1), (2), and  
23 (4) of subsection (b) and the program under sub-  
24 chapter C of chapter 1 of subtitle D of title XII of  
25 the Food Security Act of 1985 (16 U.S.C. 3837–

1 3837f)” and inserting “paragraphs (1) and (3) of  
2 subsection (b)”.

3 (c) RELOCATION IN ACT.—

4 (1) IN GENERAL.—Section 246 of the Depart-  
5 ment of Agriculture Reorganization Act of 1994 (7  
6 U.S.C. 6962) (as amended by subsection (b)) is—

7 (A) redesignated as section 228; and

8 (B) moved so as to appear at the end of  
9 subtitle B of title II (7 U.S.C. 6931 et seq.).

10 (2) CONFORMING AMENDMENTS.—

11 (A) Section 226 of the Department of Ag-  
12 riculture Reorganization Act of 1994 (7 U.S.C.  
13 6932) (as amended by section 12404(a)) is  
14 amended—

15 (i) in subsection (b)(5), by striking  
16 “section 246(b)” and inserting “section  
17 228(b)”; and

18 (ii) in subsection (g)(2), by striking  
19 “section 246(b)” and inserting “section  
20 228(b)”.

21 (B) Section 271(2)(F) of the Department  
22 of Agriculture Reorganization Act of 1994 (7  
23 U.S.C. 6991(2)(F)) is amended by striking  
24 “section 246(b)” and inserting “section  
25 228(b)”.

1 **SEC. 12411. OFFICE OF THE CHIEF SCIENTIST.**

2 (a) IN GENERAL.—Section 251(e) of the Department  
3 of Agriculture Reorganization Act of 1994 (7 U.S.C.  
4 6971(e)) is amended—

5 (1) in the subsection heading, by striking “RE-  
6 SEARCH, EDUCATION, AND EXTENSION OFFICE”  
7 and inserting “OFFICE OF THE CHIEF SCIENTIST”;

8 (2) in paragraph (1), by striking “Research,  
9 Education, and Extension Office” and inserting “Of-  
10 fice of the Chief Scientist”;

11 (3) in paragraph (2), in the matter preceding  
12 subparagraph (A), by striking “Research, Edu-  
13 cation, and Extension Office” and inserting “Office  
14 of the Chief Scientist”;

15 (4) in paragraph (3)(C), by striking “subpara-  
16 graph (A) shall not exceed 4 years” and inserting  
17 “clauses (i) and (iii) of subparagraph (A) shall be  
18 for not less than 3 years”;

19 (5) by redesignating paragraphs (4) and (5) as  
20 paragraphs (5) and (6), respectively;

21 (6) by inserting after paragraph (3) the fol-  
22 lowing:

23 “(4) ADDITIONAL LEADERSHIP DUTIES.—In  
24 addition to selecting the Division Chiefs under para-  
25 graph (3), using available personnel authority under

1 title 5, United States Code, the Under Secretary  
2 shall select personnel—

3 “(A) to oversee implementation, training,  
4 and compliance with the scientific integrity pol-  
5 icy of the Department;

6 “(B)(i) to integrate strategic program  
7 planning and evaluation functions across the  
8 programs of the Department; and

9 “(ii) to help prepare the annual report to  
10 Congress on the relevance and adequacy of pro-  
11 grams under the jurisdiction of the Under Sec-  
12 retary;

13 “(C) to assist the Chief Scientist in coordi-  
14 nating the international engagements of the De-  
15 partment with the Department of State and  
16 other international agencies and offices of the  
17 Federal Government; and

18 “(D) to oversee other duties as may be re-  
19 quired by law or Department policy.”;

20 (7) in paragraph (5) (as so redesignated)—

21 (A) in subparagraph (A), by striking “Not-  
22 withstanding” and inserting the following:

23 “(i) AUTHORIZATION OF APPROPRIA-  
24 TIONS.—There are authorized to be appro-

1            priated such sums as are necessary to fund  
2            the costs of Division personnel.

3                    “(ii) ADDITIONAL FUNDING.—In addi-  
4            tion to amounts made available under  
5            clause (i), notwithstanding”; and

6            (B) in subparagraph (C)—

7                    (i) in clause (i), by striking “and” at  
8            the end;

9                    (ii) in clause (ii), by striking the pe-  
10           riod at the end and inserting “; and”; and

11                   (iii) by adding at the end the fol-  
12           lowing:

13                    “(iii) provides strong staff continuity  
14           to the Office of the Chief Scientist.”; and

15            (8) in paragraph (6) (as so redesignated), by  
16           striking “Research, Education and Extension Of-  
17           fice” and inserting “Office of the Chief Scientist”.

18           (b) CONFORMING AMENDMENTS.—

19                    (1) Section 251(f)(5)(B) of the Department of  
20           Agriculture Reorganization Act of 1994 (7 U.S.C.  
21           6971(f)(5)(B)) is amended by striking “Research,  
22           Education and Extension Office” and inserting “Of-  
23           fice of the Chief Scientist”.

24                    (2) Section 296(b)(6)(B) of the Department of  
25           Agriculture Reorganization Act of 1994 (7 U.S.C.

1       7014(b)(6)(B)) is amended by striking “Research,  
2       Education, and Extension Office” and inserting “Of-  
3       fice of the Chief Scientist”.

4       **SEC. 12412. TRADE AND FOREIGN AGRICULTURAL AFFAIRS.**

5       The Department of Agriculture Reorganization Act  
6       of 1994 is amended—

7               (1) by redesignating subtitle J (7 U.S.C. 7011  
8       et seq.) as subtitle K; and

9               (2) by inserting after subtitle I (7 U.S.C. 7005  
10      et seq.) the following:

11       **“Subtitle J—Trade and Foreign**  
12               **Agricultural Affairs**

13       **“SEC. 287. UNDER SECRETARY OF AGRICULTURE FOR**  
14               **TRADE AND FOREIGN AGRICULTURAL AF-**  
15               **FAIRS.**

16       “(a) ESTABLISHMENT.—There is established in the  
17       Department the position of Under Secretary of Agri-  
18       culture for Trade and Foreign Agricultural Affairs.

19       “(b) APPOINTMENT.—The Under Secretary of Agri-  
20       culture for Trade and Foreign Agricultural Affairs shall  
21       be appointed by the President, by and with the advice and  
22       consent of the Senate.

23       “(c) FUNCTIONS.—

24               “(1) PRINCIPAL FUNCTIONS.—The Secretary  
25       shall delegate to the Under Secretary of Agriculture

1 for Trade and Foreign Agricultural Affairs those  
2 functions and duties under the jurisdiction of the  
3 Department that are related to trade and foreign ag-  
4 ricultural affairs.

5 “(2) ADDITIONAL FUNCTIONS.—The Under  
6 Secretary of Agriculture for Trade and Foreign Ag-  
7 ricultural Affairs shall perform such other functions  
8 and duties as may be—

9 “(A) required by law; or

10 “(B) prescribed by the Secretary.”.

11 **SEC. 12413. REPEALS.**

12 (a) DEPARTMENT OF AGRICULTURE REORGANIZA-  
13 TION ACT OF 1994.—The following provisions of the De-  
14 partment of Agriculture Reorganization Act of 1994 are  
15 repealed:

16 (1) Section 211 (7 U.S.C. 6911).

17 (2) Section 213 (7 U.S.C. 6913).

18 (3) Section 214 (7 U.S.C. 6914).

19 (4) Section 217 (7 U.S.C. 6917).

20 (5) Section 247 (7 U.S.C. 6963).

21 (6) Section 252 (7 U.S.C. 6972).

22 (7) Section 295 (7 U.S.C. 7013).

23 (b) OTHER PROVISION.—Section 3208 of the Agri-  
24 cultural Act of 2014 (7 U.S.C. 6935) is repealed.



1 **SEC. 12414. TECHNICAL CORRECTIONS.**

2 (a) OFFICE OF RISK MANAGEMENT.—Section  
3 226A(a) of the Department of Agriculture Reorganization  
4 Act of 1994 (7 U.S.C. 6933(a)) is amended by striking  
5 “Subject to subsection (e), the Secretary” and inserting  
6 “The Secretary”.

7 (b) CORRECTION OF ERROR.—

8 (1) ASSISTANT SECRETARIES OF AGRICULTURE.—Section 218 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918)  
9 CULTURE.—Section 218 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918)  
10 (as in effect on the day before the effective date of  
11 the amendments made by section 2(a)(1) of the  
12 Presidential Appointment Efficiency and Stream-  
13 lining Act of 2011 (Public Law 112–166; 126 Stat.  
14 1283, 1295)) is amended by striking “Senate.” in  
15 subsection (b) and all that follows through “respon-  
16 sibility for—” in the matter preceding paragraph (1)  
17 of subsection (d) and inserting the following: “Sen-  
18 ate.  
19

20 “(c) DUTIES OF ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS.—The Secretary may dele-  
21 gate to the Assistant Secretary for Civil Rights responsi-  
22 bility for—”.  
23

24 (2) EFFECTIVE DATE.—The amendments made  
25 by paragraph (1) take effect on the effective date de-  
26 scribed in section 6(a) of the Presidential Appoint-

1           ment Efficiency and Streamlining Act of 2011 (Pub-  
2           lic Law 112–166; 126 Stat. 1295).

3   **SEC. 12415. EFFECT OF SUBTITLE.**

4           (a) EFFECTIVE DATE.—Except as provided in sec-  
5           tions 12407(a)(1)(B) and 12414(b)(2), this subtitle and  
6           the amendments made by this subtitle take effect on the  
7           date of enactment of this Act.

8           (b) SAVINGS CLAUSE.—Nothing in this subtitle or an  
9           amendment made by this subtitle affects—

10                   (1) the authority of the Secretary to continue to  
11                   carry out a function vested in, and performed by,  
12                   the Secretary as of the date of enactment of this  
13                   Act; or

14                   (2) the authority of an agency, office, officer, or  
15                   employee of the Department of Agriculture to con-  
16                   tinue to perform all functions delegated or assigned  
17                   to the agency, office, officer, or employee as of the  
18                   date of enactment of this Act.

19   **SEC. 12416. TERMINATION OF AUTHORITY.**

20           Section 296(b) of the Department of Agriculture Re-  
21           organization Act of 1994 (7 U.S.C. 7014(b)) is amended  
22           by adding at the end the following:

23                   “(9) The authority of the Secretary to carry out  
24                   the amendments made to this title by the Agri-  
25                   culture Improvement Act of 2018.”.



## 1092

- 1 (i) by inserting after “to a person”  
2 the following: “or a pet”; and  
3 (ii) by striking “or (iii)” and inserting  
4 “(iii), or (iv)”.

5 (2) INTERSTATE VIOLATION OF PROTECTION  
6 ORDER.—Section 2262 of title 18, United States  
7 Code, is amended—

8 (A) in subsection (a)—

- 9 (i) in paragraph (1), by inserting after  
10 “another person” the following: “or the pet  
11 of that person”; and

- 12 (ii) in paragraph (2), by inserting  
13 after “proximity to, another person” the  
14 following “or the pet of that person”; and

- 15 (B) in subsection (b)(5), by inserting after  
16 “in any other case,” the following: “including  
17 any case in which the offense is committed  
18 against a pet,”.

19 (3) RESTITUTION TO INCLUDE VETERINARY  
20 SERVICES.—Section 2264 of title 18, United States  
21 Code, is amended in subsection (b)(3)—

- 22 (A) by redesignating subparagraph (F) as  
23 subparagraph (G);

- 24 (B) in subparagraph (E), by striking  
25 “and” at the end; and

1 (C) by inserting after subparagraph (E)  
2 the following:

3 “(F) veterinary services relating to phys-  
4 ical care for the victim’s pet; and”.

5 (4) PET DEFINED.—Section 2266 of title 18,  
6 United States Code, is amended by inserting after  
7 paragraph (10) the following:

8 “(11) PET.—The term ‘pet’ means a domes-  
9 ticated animal, such as a dog, cat, bird, rodent, fish,  
10 turtle, horse, or other animal that is kept for pleas-  
11 ure rather than for commercial purposes.”.

12 (b) EMERGENCY AND TRANSITIONAL PET SHELTER  
13 AND HOUSING ASSISTANCE GRANT PROGRAM.—

14 (1) IN GENERAL.—The Secretary, acting in  
15 consultation with the Office of the Violence Against  
16 Women of the Department of Justice, the Secretary  
17 of Housing and Urban Development, and the Sec-  
18 retary of Health and Human Services, shall award  
19 grants under this subsection to eligible entities to  
20 carry out programs to provide the assistance de-  
21 scribed in paragraph (3) with respect to victims of  
22 domestic violence, dating violence, sexual assault, or  
23 stalking and the pets of such victims.

24 (2) APPLICATION.—

## 1094

1 (A) IN GENERAL.—An eligible entity seek-  
2 ing a grant under this subsection shall submit  
3 an application to the Secretary at such time, in  
4 such manner, and containing such information  
5 as the Secretary may reasonably require, in-  
6 cluding—

7 (i) a description of the activities for  
8 which a grant under this subsection is  
9 sought;

10 (ii) such assurances as the Secretary  
11 determines to be necessary to ensure com-  
12 pliance by the entity with the requirements  
13 of this subsection; and

14 (iii) a certification that the entity, be-  
15 fore engaging with any individual domestic  
16 violence victim, will disclose to the victim  
17 any mandatory duty of the entity to report  
18 instances of abuse and neglect (including  
19 instances of abuse and neglect of pets).

20 (B) ADDITIONAL REQUIREMENTS.—In ad-  
21 dition to the requirements of subparagraph (A),  
22 each application submitted by an eligible entity  
23 under that subparagraph shall—

## 1095

1 (i) not include proposals for any ac-  
2 tivities that may compromise the safety of  
3 a domestic violence victim, including—

4 (I) background checks of domes-  
5 tic violence victims; or

6 (II) clinical evaluations to deter-  
7 mine the eligibility of such a victim  
8 for support services;

9 (ii) not include proposals that would  
10 require mandatory services for victims or  
11 that a victim obtain a protective order in  
12 order to receive proposed services; and

13 (iii) reflect the eligible entity's under-  
14 standing of the dynamics of domestic vio-  
15 lence, dating violence, sexual assault, or  
16 stalking.

17 (C) RULES OF CONSTRUCTION.—Nothing  
18 in this paragraph shall be construed to re-  
19 quire—

20 (i) domestic violence victims to par-  
21 ticipate in the criminal justice system in  
22 order to receive services; or

23 (ii) eligible entities receiving a grant  
24 under this subsection to breach client con-  
25 fidentiality.

## 1096

1           (3) USE OF FUNDS.—Grants awarded under  
2 this subsection may only be used for programs that  
3 provide—

4           (A) emergency and transitional shelter and  
5 housing assistance for domestic violence victims  
6 with pets, including assistance with respect to  
7 any construction or operating expenses of newly  
8 developed or existing emergency and transi-  
9 tional pet shelter and housing (regardless of  
10 whether such shelter and housing is co-located  
11 at a victim service provider or within the com-  
12 munity);

13           (B) short-term shelter and housing assist-  
14 ance for domestic violence victims with pets, in-  
15 cluding assistance with respect to expenses in-  
16 curred for the temporary shelter, housing,  
17 boarding, or fostering of the pets of domestic  
18 violence victims and other expenses that are in-  
19 cidental to securing the safety of such a pet  
20 during the sheltering, housing, or relocation of  
21 such victims;

22           (C) support services designed to enable a  
23 domestic violence victim who is fleeing a situa-  
24 tion of domestic violence, dating violence, sexual  
25 assault, or stalking to—



## 1097

1 (i) locate and secure—

2 (I) safe housing with the victim’s

3 pet; or

4 (II) safe accommodations for the

5 victim’s pet; or

6 (ii) provide the victim with pet-related

7 services, such as pet transportation, pet

8 care services, and other assistance; or

9 (D) for the training of relevant stake-

10 holders on—

11 (i) the link between domestic violence,

12 dating violence, sexual assault, or stalking

13 and the abuse and neglect of pets;

14 (ii) the needs of domestic violence vic-

15 tims;

16 (iii) best practices for providing sup-

17 port services to such victims;

18 (iv) best practices for providing such

19 victims with referrals to victims’ services;

20 and

21 (v) the importance of confidentiality.

22 (4) GRANT CONDITIONS.—An eligible entity

23 that receives a grant under this subsection shall, as

24 a condition of such receipt, agree—

1 (A) to be bound by the nondisclosure of  
2 confidential information requirements of section  
3 40002(b)(2) of the Violence Against Women  
4 Act of 1994 (34 U.S.C. 12291(b)(2)); and

5 (B) that the entity shall not condition the  
6 receipt of support, housing, or other benefits  
7 provided pursuant to this subsection on the par-  
8 ticipation of domestic violence victims in any or  
9 all of the support services offered to such vic-  
10 tims through a program carried out by the enti-  
11 ty using grant funds.

12 (5) DURATION OF ASSISTANCE PROVIDED TO  
13 VICTIMS.—

14 (A) IN GENERAL.—Subject to subpara-  
15 graph (B), assistance provided with respect to  
16 a pet of a domestic violence victim using grant  
17 funds awarded under this subsection shall be  
18 provided for a period of not more than 24  
19 months.

20 (B) EXTENSION.—An eligible entity that  
21 receives a grant under this subsection may ex-  
22 tend the 24-month period referred to in sub-  
23 paragraph (A) for a period of not more than 6  
24 months in the case of a domestic violence victim  
25 who—

## 1099

1 (i) has made a good faith effort to ac-  
2 quire permanent housing for the victim's  
3 pet during that 24-month period; and

4 (ii) has been unable to acquire such  
5 permanent housing within that period.

6 (6) REPORT TO THE SECRETARY.—Not later  
7 than 1 year after the date on which an eligible entity  
8 receives a grant under this subsection and each year  
9 thereafter, the entity shall submit to the Secretary  
10 a report that contains, with respect to assistance  
11 provided by the entity to domestic violence victims  
12 with pets using grant funds received under this sub-  
13 section, information on—

14 (A) the number of domestic violence vic-  
15 tims with pets provided such assistance; and

16 (B) the purpose, amount, type of, and du-  
17 ration of such assistance.

18 (7) REPORT TO CONGRESS.—

19 (A) REPORTING REQUIREMENT.—Not later  
20 than November 1 of each even-numbered fiscal  
21 year, the Secretary shall submit to the Com-  
22 mittee on Agriculture of the House of Rep-  
23 resentatives and the Committee on Agriculture,  
24 Nutrition, and Forestry of the Senate a report  
25 that contains a compilation of the information

## 1100

1 contained in the reports submitted under para-  
2 graph (6).

3 (B) AVAILABILITY OF REPORT.—The Sec-  
4 retary shall transmit a copy of the report sub-  
5 mitted under subparagraph (A) to—

6 (i) the Office on Violence Against  
7 Women of the Department of Justice;

8 (ii) the Office of Community Planning  
9 and Development of the Department of  
10 Housing and Urban Development; and

11 (iii) the Administration for Children  
12 and Families of the Department of Health  
13 and Human Services.

14 (8) AUTHORIZATION OF APPROPRIATIONS.—

15 (A) IN GENERAL.—There are authorized to  
16 be appropriated to carry out this subsection  
17 \$3,000,000 for each of fiscal years 2019  
18 through 2023.

19 (B) LIMITATION.—Of the amount made  
20 available under subparagraph (A) in any fiscal  
21 year, not more than 5 percent may be used for  
22 evaluation, monitoring, salaries, and adminis-  
23 trative expenses.

24 (9) DEFINITIONS.—In this subsection:

## 1101

1 (A) DOMESTIC VIOLENCE VICTIM DE-  
2 FINED.—The term “domestic violence victim”  
3 means a victim of domestic violence, dating vio-  
4 lence, sexual assault, or stalking.

5 (B) ELIGIBLE ENTITY.—The term “eligible  
6 entity” means—

- 7 (i) a State;
- 8 (ii) a unit of local government;
- 9 (iii) an Indian tribe; or
- 10 (iv) any other organization that has a  
11 documented history of effective work con-  
12 cerning domestic violence, dating violence,  
13 sexual assault, or stalking (as determined  
14 by the Secretary), including—

15 (I) a domestic violence and sex-  
16 ual assault victim service provider;

17 (II) a domestic violence and sex-  
18 ual assault coalition;

19 (III) a community-based and cul-  
20 turally specific organization;

21 (IV) any other nonprofit, non-  
22 governmental organization; and

23 (V) any organization that works  
24 directly with pets and collaborates

## 1102

1 with any organization referred to in  
2 clauses (i) through (iv), including—

3 (aa) an animal shelter; and

4 (bb) an animal welfare orga-  
5 nization.

6 (C) PET.—The term “pet” means a do-  
7 mesticated animal, such as a dog, cat, bird, ro-  
8 dent, fish, turtle, horse, or other animal that is  
9 kept for pleasure rather than for commercial  
10 purposes.

11 (D) OTHER TERMS.—Except as otherwise  
12 provided in this subsection, terms used in this  
13 section shall have the meaning given such terms  
14 in section 40002(a) of the Violence Against  
15 Women Act of 1994 (34 U.S.C. 12291(a)).

16 (c) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that States should encourage the inclusion of protec-  
18 tions against violent or threatening acts against the pet  
19 of a person in domestic violence protection orders.

20 **SEC. 12504. DATA ON CONSERVATION PRACTICES.**

21 Subtitle E of title XII of the Food Security Act of  
22 1985 (16 U.S.C. 3841 et seq.) is amended by adding at  
23 the end the following:

1 **“SEC. 1247. DATA ON CONSERVATION PRACTICES.**

2 “(a) PURPOSE.—The purpose of this section is to in-  
3 crease the knowledge of how covered conservation prac-  
4 tices or suites of covered conservation practices impact  
5 farm and ranch profitability (such as crop yields, soil  
6 health, and other risk-reducing factors) by using an appro-  
7 priate collection, review, and analysis of data.

8 “(b) DEFINITIONS.—In this section:

9 “(1) COVERED CONSERVATION PRACTICE.—The  
10 term ‘covered conservation practice’ means a con-  
11 servation practice—

12 “(A) that is approved and supported by  
13 the Department; and

14 “(B) for which the Department has devel-  
15 oped 1 or more practice standards.

16 “(2) DEPARTMENT.—The term ‘Department’  
17 means the Department of Agriculture.

18 “(3) PRIVACY AND CONFIDENTIALITY REQUIRE-  
19 MENTS.—

20 “(A) IN GENERAL.—The term ‘privacy and  
21 confidentiality requirements’ means all laws ap-  
22 plicable to the Department and the agencies of  
23 the Department that protect data provided to,  
24 or collected by, the agencies of the Department  
25 from being disclosed to the public in any man-  
26 ner except as authorized by those laws.

1           “(B) INCLUSIONS.—The term ‘privacy and  
2           confidentiality requirements’ includes—

3                   “(i) sections 552 and 552a of title 5,  
4           United States Code;

5                   “(ii) section 502(c) of the Federal  
6           Crop Insurance Act (7 U.S.C. 1502(c));

7                   “(iii) section 1770 of the Food Secu-  
8           rity Act of 1985 (7 U.S.C. 2276);

9                   “(iv) section 1619 of the Food, Con-  
10          servation, and Energy Act of 2008 (7  
11          U.S.C. 8791); and

12                   “(v) the Confidential Information Pro-  
13          tection and Statistical Efficiency Act of  
14          2002 (44 U.S.C. 3501 note; Public Law  
15          107–347).

16          “(c) DATA COLLECTION, REVIEW, ANALYSIS, AND  
17          TECHNICAL ASSISTANCE.—

18                   “(1) IN GENERAL.—Subject to applicable pri-  
19          vacy and confidentiality requirements, the Secretary  
20          shall—

21                   “(A) not less frequently than annually, re-  
22          view and publish a summary of existing re-  
23          search of the Department, institutions of higher  
24          education, and other organizations relating to  
25          the impacts of covered conservation practices



1           that relate to crop yields, soil health, risk, and  
2           farm and ranch profitability;

3           “(B) identify current data pertaining to  
4           the impacts of covered conservation practices  
5           that relate to crop yields, soil health, risk, and  
6           farm and ranch profitability collected by the  
7           Department, including—

8                   “(i) the Farm Service Agency;

9                   “(ii) the Risk Management Agency;

10                   “(iii) the Natural Resources Con-  
11           servation Service;

12                   “(iv) the National Agricultural Statis-  
13           tics Service;

14                   “(v) the Economic Research Service;

15           and

16                   “(vi) any other relevant agency, as de-  
17           termined by the Secretary;

18           “(C) collect additional data specifically  
19           pertaining to the impacts of covered conserva-  
20           tion practices that relate to crop yields, soil  
21           health, risk, and farm and ranch profitability  
22           necessary to achieve the purpose described in  
23           subsection (a), on the condition that a producer  
24           shall not be compelled or required to provide  
25           that data;

## 1106

1           “(D) ensure that data identified or col-  
2           lected under subparagraph (B) or (C), respec-  
3           tively, are collected in a compatible format at  
4           the field- and farm-level;

5           “(E) improve the interoperability of the  
6           data collected by the Department for the pur-  
7           poses of this section;

8           “(F) in carrying out subparagraph (C),  
9           use existing authorities and procedures of the  
10          National Agricultural Statistics Service to allow  
11          producers to voluntarily provide supplemental  
12          data that may be useful in analyzing the im-  
13          pacts of covered conservation practices relating  
14          to crop yields, soil health, risk, and farm and  
15          ranch profitability using the least burdensome  
16          means to collect that data, such as through vol-  
17          untary producer surveys;

18          “(G) integrate and analyze the data identi-  
19          fied or collected under this subsection to con-  
20          sider the impacts of covered conservation prac-  
21          tices relating to crop yields, soil health, risk,  
22          and farm and ranch profitability;

23          “(H) acting through the Administrator of  
24          the Risk Management Agency, in coordination  
25          with the Administrator of the Farm Service

1 Agency and the Chief of the Natural Resources  
2 Conservation Service—

3 “(i) research and analyze how yield  
4 variability and risk are affected by dif-  
5 ferent soil types for major crops;

6 “(ii) research and analyze how yield  
7 variability and risk for different soil types  
8 are affected by individual, or combinations  
9 of, agricultural management practices, in-  
10 cluding cover crops, no-till farming, adapt-  
11 ive nitrogen management, skip-row plant-  
12 ing, and crop rotation for major crops; and

13 “(iii) not later than 2 years after the  
14 date of enactment of this section, publish  
15 the findings of the research under clauses  
16 (i) and (ii);

17 “(I) to the extent practicable, integrate,  
18 collate, and link data identified under this sub-  
19 section with other external data sources that in-  
20 clude crop yields, soil health, and conservation  
21 practices, ensuring that all privacy and con-  
22 fidentiality requirements are implemented to  
23 protect all data subject to the privacy and con-  
24 fidentiality requirements;

1           “(J) not later than 2 years after the date  
2 of enactment of this section—

3           “(i) establish a conservation and farm  
4 productivity data warehouse that contains  
5 the data identified or collected under sub-  
6 paragraph (B) or (C), respectively, in a  
7 form authorized under the privacy and  
8 confidentiality requirements applicable to  
9 each agency of the Department that con-  
10 tributes data to the data warehouse; and

11           “(ii) allow access to the data ware-  
12 house established under clause (i) by an  
13 academic institution or researcher, if the  
14 academic institution or researcher has  
15 complied with all requirements of the Na-  
16 tional Agricultural Statistics Service under  
17 section 1770 of the Food Security Act of  
18 1985 (7 U.S.C. 2276) relating to the shar-  
19 ing of data of the Natural Agricultural  
20 Statistics Service; and

21           “(K) not less frequently than annually,  
22 and, if practicable, more frequently than annu-  
23 ally, disseminate the results of the research and  
24 analysis obtained through carrying out this sec-  
25 tion that demonstrate the impacts of covered

1 conservation practices on crop yields, soil  
2 health, risk, and farm and ranch profitability in  
3 an aggregate manner that protects individual  
4 producer data and makes the results of the re-  
5 search and analysis easily used and imple-  
6 mented by producers and other stakeholders.

7 “(2) PROCEDURES TO PROTECT INTEGRITY AND  
8 CONFIDENTIALITY.—

9 “(A) IN GENERAL.—Before providing ac-  
10 cess to any data under paragraph (1), the Sec-  
11 retary shall establish procedures to protect the  
12 integrity and confidentiality of any data identi-  
13 fied, collected, or warehoused under this sec-  
14 tion.

15 “(B) REQUIREMENTS.—Procedures under  
16 subparagraph (A) shall—

17 “(i) ensure that any research or anal-  
18 ysis published or disseminated by any per-  
19 son with access to the data identified, col-  
20 lected, or warehoused under this section  
21 complies with all applicable privacy and  
22 confidentiality requirements relating to  
23 that data; and

1                   “(ii) limit access to data to only indi-  
2                   viduals specifically authorized to access the  
3                   data by the Secretary.

4                   “(3) ADMINISTRATION.—The Secretary shall  
5                   carry out paragraph (1) using—

6                   “(A) authorities available to the Secretary  
7                   under other applicable laws; and

8                   “(B) funds otherwise made available to the  
9                   Secretary.

10                  “(4) EFFECT.—

11                  “(A) COMBINATION OF DATA.—The com-  
12                  bination of data protected from disclosure  
13                  under the privacy and confidentiality require-  
14                  ments with data covered by lesser protections or  
15                  no protections in the data warehouse estab-  
16                  lished under paragraph (1)(J)(i) shall not mod-  
17                  ify or otherwise affect the privacy and confiden-  
18                  tiality requirements that protect the data.

19                  “(B) PROTECTIONS FROM RELEASE.—  
20                  Data provided by an agency of the Department  
21                  under this section shall continue to be covered  
22                  by the same protections from release as if that  
23                  data were in the possession of the agency.

24                  “(d) PRODUCER TOOLS.—

1           “(1) IN GENERAL.—Not later than 3 years  
2 after the date of enactment of this section, the Sec-  
3 retary shall provide technical assistance, including  
4 through internet-based tools, based on the analysis  
5 conducted in carrying out this section and other  
6 sources of relevant data, to assist producers in im-  
7 proving sustainable production practices that in-  
8 crease yields and enhance environmental outcomes.

9           “(2) INTERNET-BASED TOOLS.—Internet-based  
10 tools described in paragraph (1) shall provide to pro-  
11 ducers, to the maximum extent practicable—

12                   “(A) confidential data specific to each  
13 farm or ranch of the producer; and

14                   “(B) general data relating to the impacts  
15 of covered conservation practices on crop yields,  
16 soil health, risk, and farm and ranch profit-  
17 ability.

18           “(e) LIMITATION.—Nothing in this section mandates  
19 the submission of information by a producer that is not  
20 already required for another purpose under a program of  
21 the Department.

22           “(f) REPORTING.—Not later than 1 year after the  
23 date of enactment of this section, and each year there-  
24 after, the Secretary shall submit to the Committee on Ag-  
25 riculture of the House of Representatives and the Com-

1 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
2 ate a report that includes—

3 “(1) a summary of the analysis conducted  
4 under this section;

5 “(2) the number and regions of producers that  
6 voluntarily submitted information under subpara-  
7 graphs (C) and (F) of subsection (c)(1);

8 “(3) a description of any additional or new ac-  
9 tivities planned to be conducted under this section in  
10 the next fiscal year, including—

11 “(A) research relating to any additional  
12 conservation practices;

13 “(B) any new types of data to be collected;

14 “(C) any improved or streamlined data col-  
15 lection efforts associated with this section; and

16 “(D) any new research projects; and

17 “(4) in the case of the first 2 reports submitted  
18 under this subsection, a description of the current  
19 status of the implementation of activities under sub-  
20 section (c).”.

21 **SEC. 12505. MARKETING ORDERS.**

22 Section 8e(a) of the Agricultural Adjustment Act (7  
23 U.S.C. 608e–1(a)), reenacted with amendments by the Ag-  
24 ricultural Marketing Agreement Act of 1937, is amended  
25 by inserting “cherries, pecans,” after “walnuts,”.



1 **SEC. 12506. STUDY ON FOOD WASTE.**

2 (a) DEFINITION OF FOOD WASTE.—In this section,  
3 the term “food waste” means food waste that occurs—

- 4 (1) on the farm and ranch production level; and  
5 (2) before and after the harvest period.

6 (b) STUDY.—The Secretary shall conduct a study to  
7 evaluate and determine—

- 8 (1) methods of measuring food waste;  
9 (2) standards for the volume of food waste;  
10 (3) factors that create food waste;  
11 (4) the cost and volume of food loss of—  
12 (A) domestic fresh food products; and  
13 (B) imported fresh food products that pass  
14 import inspection but do not make it to market  
15 in the United States, consistent with article III  
16 of the GATT 1994 (as defined in section 2 of  
17 the Uruguay Round Agreements Act (19 U.S.C.  
18 3501));  
19 (5) the reason for the waste described in sub-  
20 paragraphs (A) and (B) of paragraph (4); and  
21 (6) the potential economic value of the products  
22 described in subparagraphs (A) and (B) of para-  
23 graph (4) if the products were taken to market; and  
24 (7) measures to ensure that programs con-  
25 templated, undertaken, or funded by the Depart-  
26 ment of Agriculture do not disrupt existing food

1 waste recovery and disposal by commercial, mar-  
2 keting, or business relationships.

3 (c) INITIAL REPORT.—Not later than 1 year after the  
4 date of enactment of this Act, the Secretary shall submit  
5 a report that describes the results of the study conducted  
6 under subsection (b) to the Committee on Agriculture of  
7 the House of Representatives and the Committee on Agri-  
8 culture, Nutrition, and Forestry of the Senate.

9 (d) ANNUAL REPORT.—Not later than 1 year after  
10 the date of submission of the report under subsection (c),  
11 the Secretary shall submit to the Committee on Agri-  
12 culture of the House of Representatives and the Com-  
13 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
14 ate a report that describes—

15 (1) an estimate of the quantity of food waste  
16 during the 1-year period ending on the date of sub-  
17 mission of the report under subsection (c); and

18 (2) the best practices or other recommendations  
19 that the Secretary, producers, or other stakeholders  
20 may consider to reduce food waste.

21 **SEC. 12507. REPORT ON BUSINESS CENTERS.**

22 (a) IN GENERAL.—Not later than 365 days after the  
23 date of enactment of this Act, the Comptroller General  
24 of the United States shall submit to the Committee on  
25 Agriculture of the House of Representatives and the Com-

1 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
2 ate a report evaluating each business center established  
3 in the Department of Agriculture.

4 (b) INCLUSIONS.—The report under subsection (a)  
5 shall include—

6 (1) an examination of the effectiveness of each  
7 business center in carrying out its mission, including  
8 any recommendations to improve the operation of  
9 and function of any of those business centers; and

10 (2) an evaluation of—

11 (A) the impact the business centers have  
12 on customer service of the Department of Agri-  
13 culture;

14 (B) the impact on the annual budget for  
15 agencies the budget offices of which have been  
16 relocated to the business center, and the effec-  
17 tiveness of funds used to support the business  
18 centers, including an accounting of all discre-  
19 tionary and mandatory funding provided to the  
20 business center for conservation and farm serv-  
21 ices from—

22 (i) the Natural Resources Conserva-  
23 tion Service;

24 (ii) the Farm Service Agency; and

25 (iii) the Risk Management Agency;

1 (C) funding described in subparagraph (B)  
2 spent on information technology moderniza-  
3 tions;

4 (D) the impact that the business centers  
5 have had on the human resources of the De-  
6 partment of Agriculture, including hiring;

7 (E) any concerns or problems with the  
8 business centers; and

9 (F) any positive or negative impact that  
10 the business centers have had on the  
11 functionality of the Department of Agriculture.

12 **SEC. 12508. INFORMATION TECHNOLOGY MODERNIZATION.**

13 (a) IN GENERAL.—The Comptroller General of the  
14 United States (referred to in this section as the “Comp-  
15 troller General”) shall examine efforts of the Department  
16 of Agriculture —

17 (1) relating to information technology for the  
18 business center established by the Secretary for the  
19 farm production and conservation activities of the  
20 Department of Agriculture; and

21 (2) to modernize or otherwise improve informa-  
22 tion technology for—

23 (A) the Centers of Excellence of the De-  
24 partment of Agriculture; and

1 (B) other major information technology  
2 projects of the Department of Agriculture that  
3 have the potential to impact the ability of the  
4 Department of Agriculture to serve farmers,  
5 ranchers, and families.

6 (b) REPORTS.—

7 (1) INITIAL REPORT.—Not later than 180 days  
8 after the date of enactment of this Act, the Comp-  
9 troller General shall submit to the Committee on Ag-  
10 riculture of the House of Representatives and the  
11 Committee on Agriculture, Nutrition, and Forestry  
12 of the Senate an initial report or a detailed briefing  
13 on the efforts examined under subsection (a), includ-  
14 ing—

15 (A) a detailed description of each ongoing  
16 or planned information technology moderniza-  
17 tion project and investment in information tech-  
18 nology at the Department of Agriculture de-  
19 scribed in paragraph (1) or (2) of subsection  
20 (a) (referred to in this subsection as a “project  
21 or investment”);

22 (B) the justification of the Secretary for  
23 each project or investment;

24 (C) a description of whether a cost-benefit  
25 analysis was completed for each project or in-

1 vestment identifying savings that will be  
2 achieved through the completion of the project  
3 or investment; and

4 (D) a description of any concerns about  
5 the projects or investments or recommendations  
6 for improving the projects or investments.

7 (2) UPDATES.—In carrying out paragraph (1),  
8 the Comptroller General shall provide to the Com-  
9 mittee on Agriculture of the House of Representa-  
10 tives and the Committee on Agriculture, Nutrition,  
11 and Forestry of the Senate regular briefings to give  
12 status updates.

13 (3) COMPREHENSIVE REPORT.—Not later than  
14 2 years after the date of enactment of this Act, the  
15 Comptroller General shall submit to the Committee  
16 on Agriculture of the House of Representatives and  
17 the Committee on Agriculture, Nutrition, and For-  
18 estry of the Senate a comprehensive report that re-  
19 views each project or investment, including—

20 (A) a review of any contract awards or  
21 contracting activities;

22 (B) a description of any problems or inad-  
23 equacies in the projects and investments; and

24 (C) any recommendations for improving  
25 the projects and investments.

1 **SEC. 12509. REPORT ON PERSONNEL.**

2 For the period of fiscal years 2019 through 2023, the  
3 Secretary shall submit to the Committee on Agriculture  
4 of the House of Representatives and the Committee on  
5 Agriculture, Nutrition, and Forestry of the Senate a bian-  
6 nual report describing the number of staff years and em-  
7 ployees of each agency of the Department of Agriculture.

8 **SEC. 12510. REPORT ON ABSENT LANDLORDS.**

9 (a) IN GENERAL.—Not later than 1 year after the  
10 date of enactment of this Act, the Secretary shall submit  
11 to Congress a report describing the effects of absent land-  
12 lords on the long-term economic health of agricultural pro-  
13 duction, including the effect of absent landlords on—

- 14 (1) land valuation;  
15 (2) soil health; and  
16 (3) the economic stability of rural communities.

17 (b) CONTENTS.—The report under subsection (a)  
18 shall include—

19 (1) a description of the positive and negative ef-  
20 fects of an absent landlord on the land owned by the  
21 landlord, including—

22 (A) the effect of an absent landlord on the  
23 long-term value of the land; and

24 (B) the environmental and economic im-  
25 pact of an absent landlord on the surrounding  
26 community; and

1           (2) recommendations to policymakers con-  
2           cerning how to mitigate those effects when nec-  
3           essary.

4 **SEC. 12511. RESTRICTION ON USE OF CERTAIN POISONS**  
5 **FOR PREDATOR CONTROL.**

6           (a) PURPOSE.—The purpose of this section is to re-  
7           strict the use of sodium cyanide to kill predatory animals  
8           given the risks posed by sodium cyanide to—

9           (1) public safety;

10           (2) national security;

11           (3) the environment; and

12           (4) persons and other animals that come into  
13           accidental contact with sodium cyanide.

14           (b) PROHIBITION.—The Secretary shall use sodium  
15           cyanide in a predator control device described in sub-  
16           section (c) only in accordance with Wildlife Services Direc-  
17           tive Number 2.415 of the Animal and Plant Health In-  
18           spection Service, dated February 27, 2018, and the imple-  
19           mentation guidelines attached to that Directive.

20           (c) PREDATOR CONTROL DEVICE DESCRIBED.—A  
21           predator control device referred to in subsection (b) is—

22           (1) a dispenser designed to propel sodium cya-  
23           nide when activated by an animal;

24           (2) a gas cartridge or other pyrotechnic device  
25           designed to emit sodium cyanide fumes; and



1           (3) any other means of dispensing sodium cya-  
2           nide, including in the form of capsules, for wildlife  
3           management or other animal control purposes.

4 **SEC. 12512. CENTURY FARMS PROGRAM.**

5           The Secretary shall establish a program under which  
6 the Secretary recognizes any farm that—

7           (1) a State department of agriculture or similar  
8           statewide agricultural organization recognizes as a  
9           Century Farm; or

10           (2)(A) is defined as a farm or ranch under sec-  
11           tion 4284.902 of title 7, Code of Federal Regula-  
12           tions (as in effect on the date of enactment of this  
13           Act);

14           (B) has been in continuous operation for at  
15           least 100 years; and

16           (C) has been owned by the same family for at  
17           least 100 consecutive years, as verified through  
18           deeds, wills, abstracts, tax statements, or other simi-  
19           lar legal documents considered appropriate by the  
20           Secretary.

21 **SEC. 12513. REPORT ON THE IMPORTATION OF LIVE DOGS.**

22           (a) IN GENERAL.—Not later than 180 days after the  
23           date of enactment of this Act, the Secretary, in consulta-  
24           tion with the Secretary of Commerce, the Secretary of  
25           Health and Human Services, and the Secretary of Home-

1 land Security, shall submit to the Committee on Agri-  
2 culture of the House of Representatives and the Com-  
3 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
4 ate a report on the importation of live dogs into the United  
5 States.

6 (b) CONTENTS.—The Secretaries described in sub-  
7 section (a) shall provide relevant data to complete the re-  
8 port submitted under subsection (a), which shall include,  
9 with respect to the importation of live dogs into the United  
10 States:

11 (1) An estimate of the number of live dogs im-  
12 ported annually, excluding personal pets.

13 (2) An estimate of the number of live dogs im-  
14 ported for resale annually.

15 (3) An estimate of the number of dogs during  
16 the period covered by the report for which a request  
17 for the importation of live dogs for resale was denied  
18 because the proposed importation failed to meet the  
19 requirements of section 18 of the Animal Welfare  
20 Act (7 U.S.C. 2148).

21 (4) Any recommendations of the Secretary for  
22 any modifications to Federal law relating to the im-  
23 portation of live dogs for resale that the Secretary  
24 determines to be necessary to meet the requirements

1 of section 18 of the Animal Welfare Act (7 U.S.C.  
2 2148).

3 **SEC. 12514. ESTABLISHMENT OF TECHNICAL ASSISTANCE**  
4 **PROGRAM.**

5 (a) DEFINITION.—In this section, the term “tribally  
6 designated housing entity” has the meaning given the  
7 term in section 4 of the Native American Housing Assist-  
8 ance and Self-Determination Act of 1996 (25 U.S.C.  
9 4103).

10 (b) IN GENERAL.—The Secretary shall establish a  
11 technical assistance program to improve access by Tribal  
12 entities to rural development programs funded by the De-  
13 partment of Agriculture through available cooperative  
14 agreement authorities of the Secretary.

15 (c) TECHNICAL ASSISTANCE PROGRAM.—The tech-  
16 nical assistance program established under subsection (b)  
17 shall address the unique challenge of Tribal governments,  
18 Tribal producers, Tribal businesses, Tribal business enti-  
19 ties, and tribally designated housing entities in accessing  
20 Department of Agriculture-supported rural infrastructure,  
21 rural cooperative development, rural business and indus-  
22 try, rural housing, and other rural development activities.

23 **SEC. 12515. PROMISE ZONES.**

24 (a) IN GENERAL.—In this section, the term “Tribal  
25 Promise Zone” means an area that—

1           (1) is nominated by 1 or more Indian tribes (as  
2 defined in section 4(13) of the Native American  
3 Housing Assistance and Self-Determination Act of  
4 1996 (25 U.S.C. 4103(13))) for designation as a  
5 Tribal Promise Zone (in this section referred to as  
6 a “nominated zone”);

7           (2) has a continuous boundary; and

8           (3) the Secretary designates as a Tribal Prom-  
9 ise Zone, after consultation with the Secretary of  
10 Commerce, the Secretary of Education, the Attorney  
11 General, the Secretary of the Interior, the Secretary  
12 of Housing and Urban Development, the Secretary  
13 of Health and Human Services, the Secretary of  
14 Labor, the Secretary of the Treasury, the Secretary  
15 of Transportation, and other agencies as appro-  
16 priate.

17       (b) AUTHORIZATION AND NUMBER OF DESIGNA-  
18 TIONS.—Not later than 1 year after the date of enactment  
19 of this Act, the Secretary shall nominate a minimum num-  
20 ber of nominated zones, as determined by the Secretary  
21 in consultation with Indian tribes, to be designated as  
22 Tribal Promise Zones.

23       (c) PERIOD OF DESIGNATIONS.—

1           (1) IN GENERAL.—The Secretary shall des-  
2           ignate nominated zones as Tribal Promise Zones be-  
3           fore January 1, 2020.

4           (2) EFFECTIVE DATES OF DESIGNATIONS.—  
5           The designation of any Tribal Promise Zone shall  
6           take effect—

7                   (A) for purposes of priority consideration  
8                   in Federal grant programs and initiatives  
9                   (other than this section), upon execution of the  
10                  Tribal Promise Zone agreement with the Sec-  
11                  retary; and

12                   (B) for purposes of this section, on Janu-  
13                  ary 1 of the first calendar year beginning after  
14                  the date of the execution of the Tribal Promise  
15                  Zone agreement.

16           (3) TERMINATION OF DESIGNATIONS.—The  
17           designation of any Tribal Promise Zone shall end on  
18           the earlier of—

19                   (A)(i) with respect to a Tribal Promise  
20                   Zone not described in paragraph (4), the end of  
21                   the 10-year period beginning on the date that  
22                   such designation takes effect; or

23                   (ii) with respect to a Tribal Promise Zone  
24                   described in paragraph (4), the end of the 10-  
25                   year period beginning on the date the area was

1 designated as a Tribal Promise Zone before the  
2 date of the enactment of this Act; or

3 (B) the date of the revocation of such des-  
4 ignation.

5 (4) APPLICATION TO CERTAIN ZONES ALREADY  
6 DESIGNATED.—In the case of any area designated as  
7 a Tribal Promise Zone by the Secretary before the  
8 date of the enactment of this Act, such area shall be  
9 deemed a Tribal Promise Zone designated under this  
10 section (notwithstanding whether any such designa-  
11 tion has been revoked before the date of the enact-  
12 ment of this Act) and shall reduce the number of  
13 Tribal Promise Zones remaining to be designated  
14 under paragraph (1).

15 (d) LIMITATIONS ON DESIGNATIONS.—No area may  
16 be designated under this section unless—

17 (1) the entities nominating the area have the  
18 authority to nominate the area of designation under  
19 this section;

20 (2) such entities provide written assurances sat-  
21 isfactory to the Secretary that the competitiveness  
22 plan described in the application under subsection  
23 (e) for such area will be implemented and that such  
24 entities will provide the Secretary with such data re-  
25 garding the economic conditions of the area (before,

1 during, and after the area's period of designation as  
2 a Tribal Promise Zone) as such Secretary may re-  
3 quire; and

4 (3) the Secretary determines that any informa-  
5 tion furnished is reasonably accurate.

6 (e) APPLICATION.—No area may be designated under  
7 this section unless the application for such designation—

8 (1) demonstrates that the nominated zone satis-  
9 fies the eligibility criteria described in subsection (a);  
10 and

11 (2) includes a competitiveness plan that—

12 (A) addresses the need of the nominated  
13 zone to attract investment and jobs and im-  
14 prove educational opportunities;

15 (B) leverages the nominated zone's eco-  
16 nomic strengths and outlines targeted invest-  
17 ments to develop competitive advantages;

18 (C) demonstrates collaboration across a  
19 wide range of stakeholders;

20 (D) outlines a strategy that connects the  
21 nominated zone to drivers of regional economic  
22 growth; and

23 (E) proposes a strategy for focusing on in-  
24 creased access to high quality affordable hous-  
25 ing and improved public safety.

1 (f) SELECTION CRITERIA.—

2 (1) IN GENERAL.—From among the nominated  
3 zones eligible for designation under this section, the  
4 Secretary shall designate Tribal Promise Zones on  
5 the basis of—

6 (A) the effectiveness of the competitiveness  
7 plan submitted under subsection (e) and the as-  
8 surances made under subsection (d);

9 (B) unemployment rates, poverty rates, va-  
10 cancy rates, crime rates, and such other factors  
11 as the Secretary may identify, including house-  
12 hold income, labor force participation, and edu-  
13 cational attainment; and

14 (C) other criteria as determined by the  
15 Secretary.

16 (2) MINIMAL STANDARDS.—The Secretary may  
17 set minimal standards for the levels of unemploy-  
18 ment and poverty that must be satisfied for designa-  
19 tion as a Tribal Promise Zone.

20 (g) COMPETITIVE ENHANCEMENT IN FEDERAL  
21 AWARDS TO TRIBAL PROMISE ZONES.—Notwithstanding  
22 any other provision of law, each Federal grant program,  
23 technical assistance, and capacity-building competitive  
24 funding application opportunity, made available under any  
25 appropriations law in effect for a year in which the des-



1 ignition of a Tribal Promise Zones is in effect, shall pro-  
2 vide preference points or priority special consideration to  
3 each application which advances the specific objectives of  
4 a Tribal Promise Zones competitiveness plan described in  
5 subsection (e) if the project or activity to be funded in-  
6 cludes specific and definable services or benefits that will  
7 be delivered to residents of a Tribal Economic Opportunity  
8 Area.

9 **SEC. 12516. PRECISION AGRICULTURE CONNECTIVITY.**

10 (a) FINDINGS.—Congress finds the following:

11 (1) Precision agriculture technologies and prac-  
12 tices allow farmers to significantly increase crop  
13 yields, eliminate overlap in operations, and reduce  
14 inputs such as seed, fertilizer, pesticides, water, and  
15 fuel.

16 (2) These technologies allow farmers to collect  
17 data in real time about their fields, automate field  
18 management, and maximize resources.

19 (3) Studies estimate that precision agriculture  
20 technologies can reduce agricultural operation costs  
21 by up to 25 dollars per acre and increase farm yields  
22 by up to 70 percent by 2050.

23 (4) The critical cost savings and productivity  
24 benefits of precision agriculture cannot be realized  
25 without the availability of reliable broadband Inter-

1 net access service delivered to the agricultural land  
2 of the United States.

3 (5) The deployment of broadband Internet ac-  
4 cess service to unserved agricultural land is critical  
5 to the United States economy and to the continued  
6 leadership of the United States in global food pro-  
7 duction.

8 (6) Despite the growing demand for broadband  
9 Internet access service on agricultural land,  
10 broadband Internet access service is not consistently  
11 available where needed for agricultural operations.

12 (7) The Federal Communications Commission  
13 has an important role to play in the deployment of  
14 broadband Internet access service on unserved agri-  
15 cultural land to promote precision agriculture.

16 (b) TASK FORCE.—

17 (1) DEFINITIONS.—In this subsection—

18 (A) the term “broadband Internet access  
19 service” has the meaning given the term in sec-  
20 tion 8.2 of title 47, Code of Federal Regula-  
21 tions, or any successor regulation;

22 (B) the term “Commission” means the  
23 Federal Communications Commission;

24 (C) the term “Department” means the De-  
25 partment of Agriculture; and

1 (D) the term “Task Force” means the  
2 Task Force for Reviewing the Connectivity and  
3 Technology Needs of Precision Agriculture in  
4 the United States established under paragraph  
5 (2).

6 (2) ESTABLISHMENT.—Not later than 1 year  
7 after the date of enactment of this Act, the Commis-  
8 sion shall establish the Task Force for Reviewing  
9 the Connectivity and Technology Needs of Precision  
10 Agriculture in the United States.

11 (3) DUTIES.—

12 (A) IN GENERAL.—The Task Force shall  
13 consult with the Secretary, or a designee of the  
14 Secretary, and collaborate with public and pri-  
15 vate stakeholders in the agriculture and tech-  
16 nology fields to—

17 (i) identify and measure current gaps  
18 in the availability of broadband Internet  
19 access service on agricultural land;

20 (ii) develop policy recommendations to  
21 promote the rapid, expanded deployment of  
22 broadband Internet access service on  
23 unserved agricultural land, with a goal of  
24 achieving reliable capabilities on 95 per-

1 cent of agricultural land in the United  
2 States by 2025;

3 (iii) promote effective policy and regu-  
4 latory solutions that encourage the adop-  
5 tion of broadband Internet access service  
6 on farms and ranches and promote preci-  
7 sion agriculture;

8 (iv) recommend specific new rules or  
9 amendments to existing rules of the Com-  
10 mission that the Commission should issue  
11 to achieve the goals and purposes of the  
12 policy recommendations described in clause  
13 (ii);

14 (v) recommend specific steps that the  
15 Commission should take to obtain reliable  
16 and standardized data measurements of  
17 the availability of broadband Internet ac-  
18 cess service as may be necessary to target  
19 funding support, from future programs of  
20 the Commission dedicated to the deploy-  
21 ment of broadband Internet access service,  
22 to unserved agricultural land in need of  
23 broadband Internet access service; and

24 (vi) recommend specific steps that the  
25 Commission should consider to ensure that

1           the expertise of the Secretary and available  
2           farm data are reflected in future programs  
3           of the Commission dedicated to the infra-  
4           structure deployment of broadband Inter-  
5           net access service and to direct available  
6           funding to unserved agricultural land  
7           where needed.

8           (B) NO DUPLICATE DATA REPORTING.—In  
9           performing the duties of the Commission under  
10          subparagraph (A), the Commission shall ensure  
11          that no provider of broadband Internet access  
12          service is required to report data to the Com-  
13          mission that is, on the day before the date of  
14          enactment of this Act, required to be reported  
15          by the provider of broadband Internet access  
16          service.

17          (C) HOLD HARMLESS.—The Task Force  
18          and the Commission shall not interpret the  
19          phrase “future programs of the Commission”,  
20          as used in clauses (v) and (vi) of subparagraph  
21          (A), to include the universal service programs  
22          of the Commission established under section  
23          254 of the Communications Act of 1934 (47  
24          U.S.C. 254).

1           (D) CONSULTATION.—The Secretary, or a  
2           designee of the Secretary, shall explain and  
3           make available to the Task Force the expertise,  
4           data mapping information, and resources of the  
5           Department that the Department uses to iden-  
6           tify cropland, rangeland, and other areas with  
7           agricultural operations that may be helpful in  
8           developing the recommendations required under  
9           subparagraph (A).

10           (E) LIST OF AVAILABLE FEDERAL PRO-  
11           GRAMS AND RESOURCES.—Not later than 180  
12           days after the date of enactment of this Act,  
13           the Secretary and the Commission shall jointly  
14           submit to the Task Force a list of all Federal  
15           programs or resources available for the expan-  
16           sion of broadband Internet access service on  
17           unserved agricultural land to assist the Task  
18           Force in carrying out the duties of the Task  
19           Force.

20           (4) MEMBERSHIP.—

21           (A) IN GENERAL.—The Task Force shall  
22           be—

23                   (i) composed of not more than 15 vot-  
24                   ing members who shall—

1135

1 (I) be selected by the Chairman  
2 of the Commission; and

3 (II) include—

4 (aa) agricultural producers  
5 representing diverse geographic  
6 regions and farm sizes, including  
7 owners and operators of farms of  
8 less than 100 acres;

9 (bb) an agricultural pro-  
10 ducer representing tribal agri-  
11 culture;

12 (cc) Internet service pro-  
13 viders, including regional or rural  
14 fixed and mobile broadband  
15 Internet access service providers  
16 and telecommunications infra-  
17 structure providers;

18 (dd) representatives from  
19 the electric cooperative industry;

20 (ee) representatives from the  
21 satellite industry;

22 (ff) representatives from  
23 precision agriculture equipment  
24 manufacturers, including drone  
25 manufacturers, manufacturers of

1136

1 autonomous agricultural machin-  
2 ery, and manufacturers of farm-  
3 ing robotics technologies; and

4 (gg) representatives from  
5 State and local governments; and

6 (ii) fairly balanced in terms of tech-  
7 nologies, points of view, and fields rep-  
8 resented on the Task Force.

9 (B) PERIOD OF APPOINTMENT; VACAN-  
10 CIES.—

11 (i) IN GENERAL.—A member of the  
12 Committee appointed under subparagraph  
13 (A)(i) shall serve for a single term of 2  
14 years.

15 (ii) VACANCIES.—Any vacancy in the  
16 Task Force—

17 (I) shall not affect the powers of  
18 the Task Force; and

19 (II) shall be filled in the same  
20 manner as the original appointment.

21 (C) EX-OFFICIO MEMBER.—The Secretary,  
22 or a designee of the Secretary, shall serve as an  
23 ex-officio, nonvoting member of the Task Force.

24 (5) REPORTS.—Not later than 1 year after the  
25 date on which the Commission establishes the Task



1 Force, and annually thereafter, the Task Force shall  
2 submit to the Chairman of the Commission a report,  
3 which shall be made public not later than 30 days  
4 after the date on which the Chairman receives the  
5 report, that details—

6 (A) the status of fixed and mobile  
7 broadband Internet access service coverage of  
8 agricultural land;

9 (B) the projected future connectivity needs  
10 of agricultural operations, farmers, and ranch-  
11 ers; and

12 (C) the steps being taken to accurately  
13 measure the availability of broadband Internet  
14 access service on agricultural land and the limi-  
15 tations of current, as of the date of the report,  
16 measurement processes.

17 (6) TERMINATION.—The Commission shall  
18 renew the Task Force every 2 years until the Task  
19 Force terminates on January 1, 2025.

20 **SEC. 12517. IMPROVED SOIL MOISTURE AND PRECIPITA-**  
21 **TION MONITORING.**

22 (a) IMPROVED SOIL MOISTURE MONITORING.—

23 (1) IN GENERAL.—Not later than 1 year after  
24 the date of enactment of this Act, the Secretary  
25 shall develop and implement a strategy to improve

1 the accuracy of the United States Drought Monitor  
2 through increased geographic resolution of rural in-  
3 situ soil moisture profile observation or other soil  
4 moisture profile measuring devices, as the Secretary  
5 considers appropriate.

6 (2) IMPLEMENTATION.—

7 (A) IN GENERAL.—In implementing the  
8 strategy required by paragraph (1), the Sec-  
9 retary shall prioritize adding soil moisture pro-  
10 file stations in States described in subpara-  
11 graph (B) so that the number of drought moni-  
12 toring stations is increased to an average of 1  
13 soil moisture profile station per 1,250 square  
14 miles in each State described in subparagraph  
15 (B) or by 50 stations in each State described in  
16 subparagraph (B), whichever is less.

17 (B) STATES DESCRIBED.—A State de-  
18 scribed in this paragraph is a State that has ex-  
19 perience D3 (extreme drought) or D4 (excep-  
20 tional drought) (as defined by the United  
21 States Drought Monitor) within any 6 months  
22 during the period beginning on January 1,  
23 2016, and ending on the date of the enactment  
24 of this Act.

1           (3) COORDINATION.—In carrying out this sub-  
2           section, the Secretary may coordinate with other  
3           Federal agencies, State and local governments, and  
4           non-Federal entities that collaborate with the United  
5           States Drought Monitor.

6           (4) COST-EFFECTIVENESS.—In carrying out  
7           this subsection, the Secretary shall consider cost-ef-  
8           fective solutions to maximize the efficiency and accu-  
9           racy of the United States Drought Monitor.

10          (5) AUTHORIZATION OF APPROPRIATIONS.—  
11          There is authorized to be appropriated to the Sec-  
12          retary \$5,000,000 for each of fiscal years 2019  
13          through 2023 to carry out this subsection.

14          (b) STANDARDS FOR INTEGRATING CITIZEN SCIENCE  
15          INTO DROUGHT MODELS.—

16                (1) IN GENERAL.—Not later than 1 year after  
17                the date of enactment of this Act, the Secretary  
18                shall—

19                    (A) develop a set of standards for integra-  
20                    tion of data derived from citizen science (as de-  
21                    fined in the Crowdsourcing and Citizen Science  
22                    Act (15 U.S.C. 3724)) into the United States  
23                    Drought Monitor models, including data relat-  
24                    ing to—

## 1140

- 1 (i) location and spacing of monitoring  
2 stations;
- 3 (ii) data quality standards;
- 4 (iii) incorporation of data from com-  
5 mercially available weather stations;
- 6 (iv) standardized procedures for au-  
7 tonomous integration of data;
- 8 (v) streamlining of data entry meth-  
9 ods; and
- 10 (vi) reasonable metadata fields; and
- 11 (B) develop a set of consistent standards  
12 for soil moisture data collection based on equip-  
13 ment that is readily available, including stand-  
14 ards relating to—
- 15 (i) acceptable error ranges;
- 16 (ii) sensor installation procedures;
- 17 (iii) manufacturers of soil moisture  
18 probes;
- 19 (iv) calibration methodology;
- 20 (v) metadata fields; and
- 21 (vi) soil descriptions.
- 22 (2) INCLUSION OF DATA FROM COOPERATIVE  
23 OBSERVER PROGRAM.—For purposes of paragraph  
24 (1)(A), data derived from citizen science includes

1 data from the Cooperative Observer Program of the  
2 National Weather Service.

3 (c) REQUIREMENT FOR ELEMENTS OF DEPARTMENT  
4 OF AGRICULTURE TO USE THE SAME MONITORING  
5 DATA.—

6 (1) IN GENERAL.—To be consistent with assist-  
7 ance provided under the livestock forage disaster  
8 program established under section 1501(c) of the  
9 Agricultural Act of 2014 (7 U.S.C. 9081(c)) and a  
10 policy or plan of insurance established under the  
11 Federal Crop Insurance Act (7 U.S.C. 1501 et seq.)  
12 for producers of livestock commodities the source of  
13 feedstock of which is pasture, rangeland, and forage,  
14 and the annual establishment of grazing rates, as  
15 applicable, on Forest Service grasslands and other  
16 applicable land, the Secretary shall use the United  
17 States Drought Monitor, in-situ soil moisture profile  
18 monitoring stations described in subsection (a), data  
19 from the Cooperative Observer Program described in  
20 subsection (b)(2), and any other applicable data to  
21 determine and establish grazing loss assistance and  
22 grazing rates, as applicable.

23 (2) COORDINATION.—In carrying out this sub-  
24 section, the Secretary may coordinate with—

1           (A) other Federal agencies, State and local  
2 governments, and non-Federal entities that col-  
3 laborate with the United States Drought Mon-  
4 itor; and

5           (B) other Federal and non-Federal entities  
6 involved in collecting data on precipitation and  
7 soil monitoring.

8           (3) COST-EFFECTIVENESS.—In carrying out  
9 this subsection, the Secretary shall consider cost-ef-  
10 fective solutions to maximize the efficiency and accu-  
11 racy of the data utilized to determine eligibility for  
12 assistance under the programs specified in para-  
13 graph (1).

14 **SEC. 12518. STUDY OF MARKETPLACE FRAUD OF UNIQUE**  
15 **TRADITIONAL FOODS.**

16           (a) IN GENERAL.—Not later than 1 year after the  
17 date of enactment of this Act, the Comptroller General  
18 of the United States shall conduct a study on—

19           (1) the market impact of traditional foods,  
20 Tribally produced products, and products that use  
21 traditional foods;

22           (2) fraudulent foods that mimic Tribal foods  
23 that are available in the commercial marketplace as  
24 of the date of enactment of this Act; and

1           (3) the means by which authentic traditional  
2           foods and Tribally produced foods might be pro-  
3           tected against the impact of fraudulent foods in the  
4           marketplace.

5           (b) INCLUSIONS.—The study conducted under sub-  
6           section (a) shall include—

7           (1) a consideration of the circumstances under  
8           which fraudulent foods in the marketplace occur;  
9           and

10          (2) an analysis of Federal laws administered by  
11          the Secretary, intellectual property laws, and trade-  
12          mark laws that might offer protections against  
13          fraudulent foods in a the context of Tribal foods.

14          (c) REPORT.—Not later than 60 days after the date  
15          of completion of the study, the Comptroller General of the  
16          United States shall submit a report describing the results  
17          of the study under this section to—

18          (1) the Committee on Agriculture of the House  
19          of Representatives;

20          (2) the Committee on the Judiciary of the  
21          House of Representatives;

22          (3) the Committee on Agriculture, Nutrition,  
23          and Forestry of the Senate;

24          (4) the Committee on the Judiciary of the Sen-  
25          ate; and

1 (5) the Committee on Indian Affairs of the Sen-  
2 ate.

3 **SEC. 12519. DAIRY BUSINESS INNOVATION INITIATIVES.**

4 (a) DEFINITIONS.—In this section:

5 (1) DAIRY BUSINESS.—The term “dairy busi-  
6 ness” means a business that develops, produces,  
7 markets, or distributes dairy products.

8 (2) INITIATIVE.—The term “initiative” means a  
9 dairy product and business innovation initiative es-  
10 tablished under subsection (b).

11 (b) ESTABLISHMENT.—The Secretary, acting  
12 through the Administrator of the Agricultural Marketing  
13 Service, shall establish not less than 3 regionally located  
14 dairy product and business innovation initiatives for the  
15 purposes of—

16 (1) encouraging the use of regional milk pro-  
17 duction;

18 (2) creating higher-value uses for dairy prod-  
19 ucts;

20 (3) promoting business development that diver-  
21 sifies farmer income through processing and mar-  
22 keting innovation;

23 (4) diversifying dairy product markets to reduce  
24 risk; and



1           (5) leveraging Federal resources by encouraging  
2 entities that host initiatives and partners of those  
3 entities to provide matching funds.

4           (c) SELECTION OF INITIATIVES.—An initiative—

5           (1) shall be located in a region with a history  
6 of dairy farming;

7           (2) shall be positioned to draw on existing dairy  
8 industry resources, including research capacity, aca-  
9 demic and industry expertise, a density of dairy  
10 farms or farmland suitable for dairying, and dairy  
11 businesses;

12           (3) may serve a certain product niche, such as  
13 artisanal cheese, or serve dairy businesses with dairy  
14 products derived from a specific type of dairy ani-  
15 mal, including dairy products made from cow milk,  
16 sheep milk, and goat milk; and

17           (4) shall serve dairy businesses in other regions.

18           (d) ENTITIES ELIGIBLE TO HOST INITIATIVE.—

19           (1) IN GENERAL.—Any of the following entities  
20 may submit to the Secretary an application to host  
21 an initiative:

22           (A) A State department of agriculture or  
23 other State entity.

1 (B) A nonprofit entity with capacity to  
2 provide consultation, expertise, and grant dis-  
3 tribution and tracking.

4 (C) An institution of higher education.

5 (D) A cooperative extension service.

6 (2) PARTNERS.—An entity described in para-  
7 graph (1) may establish partners prior to the sub-  
8 mission of the application under that paragraph, or  
9 add partners in consultation with the Secretary,  
10 which may include organizations or entities with ex-  
11 pertise or experience in dairy, including the mar-  
12 keting, research, education, or promotion of dairy.

13 (e) ACTIVITIES OF INITIATIVES.—

14 (1) DIRECT ASSISTANCE TO DAIRY BUSI-  
15 NESSES.—An initiative shall provide nonmonetary  
16 assistance to dairy businesses in accordance with the  
17 following:

18 (A) PROVISION OF DIRECT ASSISTANCE.—

19 Assistance may be provided directly to dairy  
20 businesses in a private consultation or through  
21 widely available distribution, and may be pro-  
22 vided—

23 (i) directly by the entity that hosts the  
24 initiative under subsection (d)(1);

1 (ii) through contracting with industry  
2 experts;

3 (iii) through the provision of technical  
4 assistance, such as informational websites,  
5 webinars, conferences, trainings, plant  
6 tours, and field days; and

7 (iv) through research institutions, in-  
8 cluding cooperative extension services.

9 (B) TYPES OF ASSISTANCE.—Eligible  
10 forms of assistance include—

11 (i) business consulting, including busi-  
12 ness plan development for processed dairy  
13 products;

14 (ii) accounting and financial literacy  
15 training;

16 (iii) market evaluation;

17 (iv) strategic planning assistance;

18 (v) product innovation, including re-  
19 lating to value-added products;

20 (vi) marketing and branding assist-  
21 ance, including market messaging, con-  
22 sumer assessments, and evaluation of re-  
23 gional, national, and international markets;

1 (vii) innovation in emerging market  
2 opportunities, including agritourism, and  
3 marketing communication methods;

4 (viii) packaging, distribution, and sup-  
5 ply chain innovation;

6 (ix) dairy product production training,  
7 including in new, rare, or innovative tech-  
8 niques;

9 (x) innovation in byproduct reprocess-  
10 ing and use maximization; and

11 (xi) other non-monetary assistance, as  
12 determined by the Secretary.

13 (2) GRANTS TO DAIRY BUSINESSES.—

14 (A) IN GENERAL.—An initiative shall pro-  
15 vide grants for new and existing dairy busi-  
16 nesses for the purposes of—

17 (i) modernization, specialization, and  
18 grazing transition on dairy farms;

19 (ii) value chain and commodity inno-  
20 vation and facility and process updates for  
21 dairy processors; and

22 (iii) product development, packaging,  
23 and marketing of dairy products.

24 (B) GRANTS.—An initiative shall provide  
25 grants under subparagraph (A)—

1 (i) on a competitive basis, with oppor-  
2 tunities to apply for funding available on a  
3 rolling basis; and

4 (ii) to an entity that receives assist-  
5 ance under paragraph (1) to advance the  
6 business activities recommended as a result  
7 of that assistance.

8 (C) CONSULTATION.—An entity that hosts  
9 an initiative shall consult with the Secretary  
10 and the Administrator of the Agricultural Mar-  
11 keting Service in carrying out the initiative.

12 (D) CONFLICT OF INTEREST.—

13 (i) IN GENERAL.—The Secretary shall  
14 establish guidelines and procedures to pre-  
15 vent any conflict of interest or the appear-  
16 ance of a conflict of interest by an initia-  
17 tive (including a partner of the initiative)  
18 during the grant selection process under  
19 subparagraph (B)(i).

20 (ii) PENALTY.—The Secretary may  
21 suspend or terminate an initiative if the  
22 initiative or a partner of the initiative is  
23 found to be in violation of the guidelines  
24 and procedures established under clause  
25 (i).

## 1150

## 1 (f) DISTRIBUTION OF FUNDS.—

2 (1) IN GENERAL.—Of the funds made available  
3 to carry out this section, the Secretary shall provide  
4 not less than 3 awards to eligible entities described  
5 in subsection (d)(1) for the purposes of carrying out  
6 the activities under subsection (e).

7 (2) MULTIYEAR FUNDING.—The Secretary is  
8 encouraged—

9 (A) to award funds under paragraph (1) in  
10 multiyear funding allocations; and

11 (B) to require frequent reporting, as ap-  
12 propriate.

## 13 (3) USE OF FUNDS.—

14 (A) IN GENERAL.—The funds awarded to  
15 an eligible entity under paragraph (1) may be  
16 used—

17 (i) for program administration of an  
18 initiative, including staff costs; and

19 (ii) for workshops or other informa-  
20 tional sessions that—

21 (I) directly benefit dairy busi-  
22 nesses and entrepreneurs; or

23 (II) enhance the capacity of pro-  
24 viders of technical assistance to dairy  
25 businesses.

1           (B) ALLOCATION.—Not less than 50 per-  
2           cent of the funds made available under sub-  
3           section (h) shall be allocated to grants under  
4           subsection (e)(2).

5           (4) PRIORITY.—An entity hosting an initiative  
6           shall give priority to the provision of direct assist-  
7           ance under subsection (e)(1) and grants under sub-  
8           section (e)(2) to—

9           (A) dairy farms and dairy businesses with  
10          limited access to other forms of assistance;

11          (B) employee-owned dairy businesses;

12          (C) cooperatives;

13          (D) dairy businesses that establish con-  
14          tracting mechanisms that return profits to  
15          farmers who supply their milk;

16          (E) dairy businesses that, in addition to  
17          salary and wage compensation, return profits to  
18          employees; and

19          (F) dairy businesses that seek to create  
20          dairy products that add substantial value in  
21          processing or marketing, such as specialty  
22          cheeses.

23          (5) REQUIREMENT.—In the case of direct as-  
24          sistance under subsection (e)(1) or a grant under  
25          subsection (e)(2) that is provided to a specific dairy

1 business and does not benefit the general public, as  
2 determined by the Secretary, the assistance or grant  
3 shall exclusively be available to dairy businesses  
4 owned in the United States.

5 (6) SUPPLEMENTATION.—To the extent prac-  
6 ticable, the Secretary shall ensure that funds pro-  
7 vided to an initiative supplement, and do not dupli-  
8 cate or replace, existing dairy product research, de-  
9 velopment, and promotion activities.

10 (g) REPORTING.—

11 (1) IN GENERAL.—Not later than 1 year after  
12 the date of enactment of this Act, the Secretary  
13 shall submit to Congress a report describing the im-  
14 plementation of this section.

15 (2) INNOVATION REPORTS.—The Secretary, in  
16 coordination with the Chief Economist, shall publish  
17 an annual report on the impact of initiatives carried  
18 out under this section on—

19 (A) innovation in dairy products;

20 (B) product development under the pro-  
21 gram under this section;

22 (C) growth areas for dairy product devel-  
23 opment; and

24 (D) barriers inhibiting majority member-  
25 owned domestic dairy firms from—



- 1 (i) updating capacity;
- 2 (ii) performing competitively in the  
3 marketplace; and
- 4 (iii) returning gains to members or re-  
5 investing the gains in ways that benefit the  
6 long-term financial stability of the majority  
7 member-owned domestic dairy firm and the  
8 members of that firm.

9 (h) AUTHORIZATION OF APPROPRIATIONS.—There is  
10 authorized to be appropriated to carry out this section  
11 \$20,000,000 for each fiscal year.

## 12 **Subtitle F—General Provisions**

### 13 **SEC. 12601. EXPEDITED EXPORTATION OF CERTAIN SPE-** 14 **CIES.**

15 (a) IN GENERAL.—Not later than 180 days after the  
16 date of enactment of this Act, the Director of the United  
17 States Fish and Wildlife Service (referred to in this sec-  
18 tion as the “Director”) shall issue a proposed rule to  
19 amend section 14.92 of title 50, Code of Federal Regula-  
20 tions, to establish expedited procedures relating to the ex-  
21 port permission requirements of section 9(d)(1) of the En-  
22 dangered Species Act of 1973 (16 U.S.C. 1538(d)(1)) for  
23 fish or wildlife described in subsection (c).

24 (b) EXEMPTIONS.—

1           (1) IN GENERAL.—As part of the rulemaking  
2 under subsection (a), subject to paragraph (2), the  
3 Director may provide an exemption from the re-  
4 quirement to procure—

5           (A) permission under section 9(d)(1) of the  
6 Endangered Species Act of 1973 (16 U.S.C.  
7 1538(d)(1)); or

8           (B) an export license under subpart I of  
9 part 14 of title 50, Code of Federal Regula-  
10 tions.

11           (2) LIMITATIONS.—The Director shall not pro-  
12 vide an exemption under paragraph (1)—

13           (A) unless the Director determines that  
14 the exemption will not have a negative impact  
15 on the conservation of the species that is the  
16 subject of the exemption; or

17           (B) to an entity that has been convicted of  
18 a violation of a Federal law relating to the im-  
19 portation, transportation, or exportation of  
20 wildlife during a period of not less than 5 years  
21 ending on the date on which the entity applies  
22 for exemption under paragraph (1).

23           (c) COVERED FISH OR WILDLIFE.—The fish or wild-  
24 life referred to in subsection (a) are the species commonly

1 known as sea urchins and sea cucumbers (including any  
2 product of a sea urchin or sea cucumber) that—

3 (1) do not require a permit under part 16, 17,  
4 or 23 of title 50, Code of Federal Regulations;

5 (2) are harvested in waters under the jurisdic-  
6 tion of the United States; and

7 (3) are exported for purposes of human or ani-  
8 mal consumption.

9 **SEC. 12602. BAITING OF MIGRATORY GAME BIRDS.**

10 (a) DEFINITIONS.—In this section:

11 (1) NORMAL AGRICULTURAL OPERATION.—The  
12 term “normal agricultural operation” has the mean-  
13 ing given the term in section 20.11 of title 50, Code  
14 of Federal Regulations (as in effect on the date of  
15 enactment of this Act).

16 (2) POST-DISASTER FLOODING.—The term  
17 “post-disaster flooding” means the destruction of a  
18 crop through flooding in accordance with practices  
19 required by the Federal Crop Insurance Corporation  
20 for agricultural producers to obtain crop insurance  
21 under the Federal Crop Insurance Act (7 U.S.C.  
22 1501 et seq.) on land on which a crop was not har-  
23 vestable due to a natural disaster (including any  
24 hurricane, storm, tornado, flood, high water, wind-  
25 driven water, tidal wave, tsunami, earthquake, vol-

1 canic eruption, landslide, mudslide, drought, fire,  
2 snowstorm, or other catastrophe that is declared a  
3 major disaster by the President in accordance with  
4 section 401 of the Robert T. Stafford Disaster Relief  
5 and Emergency Assistance Act (42 U.S.C. 5170)) in  
6 the crop year—

7 (A) in which the natural disaster occurred;

8 or

9 (B) immediately preceding the crop year in  
10 which the natural disaster occurred.

11 (3) RICE RATOONING.—The term “rice  
12 ratooning” means the agricultural practice of har-  
13 vesting rice by cutting the majority of the above-  
14 ground portion of the rice plant but leaving the roots  
15 and growing shoot apices intact to allow the plant to  
16 recover and produce a second crop yield.

17 (b) REGULATIONS TO EXCLUDE RICE RATOONING  
18 AND POST-DISASTER FLOODING.—Not later than 30 days  
19 after the date of enactment of this Act, the Secretary of  
20 the Interior, in consultation with the Secretary of Agri-  
21 culture, shall revise part 20 of title 50, Code of Federal  
22 Regulations, to clarify that rice ratooning and post-dis-  
23 aster flooding, when carried out as part of a normal agri-  
24 cultural operation, do not constitute baiting.

1 (c) REPORTS.—Not less frequently than once each  
2 year, the Secretary of Agriculture shall—

3 (1) submit to the Secretary of the Interior a re-  
4 port that describes any changes to normal agricul-  
5 tural operations across the range of crops grown by  
6 agricultural producers in each region of the United  
7 States in which the official recommendations de-  
8 scribed in section 20.11(h) of title 50, Code of Fed-  
9 eral Regulations (as in effect on the date of enact-  
10 ment of this Act), are provided to agricultural pro-  
11 ducers; and

12 (2) in consultation with the Secretary of the In-  
13 terior and after seeking input from the heads of  
14 State departments of fish and wildlife or the Re-  
15 gional Migratory Bird Flyway Councils of the  
16 United States Fish and Wildlife Service, publicly  
17 post a report on the impact that rice ratooning and  
18 post-disaster flooding have on the behavior of migra-  
19 tory game birds that are hunted in the area in which  
20 rice ratooning and post-disaster flooding, respec-  
21 tively, have occurred.

22 **SEC. 12603. PIMA AGRICULTURE COTTON TRUST FUND.**

23 Section 12314 of the Agricultural Act of 2014 (7  
24 U.S.C. 2101 note; Public Law 113–79) is amended—

1           (1) by striking “2018” each place it appears  
2           and inserting “2023”;

3           (2) by striking “calendar year 2013” each place  
4           it appears and inserting “the prior calendar year”;

5           (3) in subsection (b)(2)—

6                 (A) by redesignating subparagraphs (A)  
7                 and (B) as clauses (i) and (ii), respectively;

8                 (B) in the matter preceding clause (i) (as  
9                 so redesignated), by striking “(2) Twenty-five”  
10                and inserting the following:

11                “(2)(A) Except as provided in subparagraph  
12                (B), twenty-five”;

13                (C) in subparagraph (A)(ii) (as so des-  
14                ignated), by striking “subparagraph (A)” and  
15                inserting “clause (i)”; and

16                (D) by adding at the end the following:

17                “(B)(i) A yarn spinner shall not receive an  
18                amount under subparagraph (A) that exceeds the  
19                cost of pima cotton that—

20                       “(I) was purchased during the prior cal-  
21                       endar year; and

22                       “(II) was used in spinning any cotton  
23                       yarns.

24                “(ii) The Secretary shall reallocate any amounts  
25                reduced by reason of the limitation under clause (i)

1 to spinners using the ratio described in subpara-  
2 graph (A), disregarding production of any spinner  
3 subject to that limitation.”;

4 (4) in subsection (c)—

5 (A) in the matter preceding paragraph (1),  
6 by striking “(b)(2)(A)” and inserting  
7 “(b)(2)(A)(i)”;

8 (B) in paragraph (2), by striking “and” at  
9 the end;

10 (C) in paragraph (3), by striking the pe-  
11 riod at the end and inserting “; and”; and

12 (D) by adding at the end the following:

13 “(4) the dollar amount of pima cotton pur-  
14 chased during the prior calendar year—

15 “(A) that was used in spinning any cotton  
16 yarns; and

17 “(B) for which the producer maintains  
18 supporting documentation.”;

19 (5) in subsection (e)—

20 (A) in the matter preceding paragraph (1),  
21 by striking “by the Secretary—” and inserting  
22 “by the Secretary not later than March 15 of  
23 the applicable calendar year.”; and

24 (B) by striking paragraphs (1) and (2);  
25 and





1161

1 amounts authorized under that para-  
2 graph.”; and

3 (II) by striking clauses (i) and  
4 (ii); and

5 (B) in paragraph (2), by striking “sub-  
6 mitted—” in the matter preceding subpara-  
7 graph (A) and all that follows through “to the  
8 Secretary” in subparagraph (B) and inserting  
9 “submitted to the Secretary”; and  
10 (3) in subsection (c)—

11 (A) in the matter preceding paragraph (1),  
12 by striking “subsection (b)—” and inserting  
13 “subsection (b) not later than April 15 of the  
14 year of the payment.”; and

15 (B) by striking paragraphs (1) and (2).

16 **SEC. 12605. WOOL RESEARCH AND PROMOTION.**

17 Section 12316(a) of the Agricultural Act of 2014 (7  
18 U.S.C. 7101 note; Public Law 113–79) is amended by  
19 striking “2015 through 2019” and inserting “2019  
20 through 2023”.

21 **SEC. 12606. EMERGENCY CITRUS DISEASE RESEARCH AND**  
22 **DEVELOPMENT TRUST FUND.**

23 (a) DEFINITION OF CITRUS.—In this section, the  
24 term “citrus” means edible fruit of the family Rutaceae,  
25 including any hybrid of that fruit and any product of that

1 hybrid that is produced for commercial purposes in the  
2 United States.

3 (b) ESTABLISHMENT OF TRUST FUND.—There is es-  
4 tablished in the Treasury of the United States a trust  
5 fund, to be known as the “Emergency Citrus Disease Re-  
6 search and Development Trust Fund” (referred to in this  
7 section as the “Citrus Trust Fund”), consisting of such  
8 amounts as shall be transferred to the Citrus Trust Fund  
9 pursuant to subsection (d).

10 (c) DISTRIBUTION OF FUNDS.—

11 (1) IN GENERAL.—From amounts in the Citrus  
12 Trust Fund, the Secretary shall make payments an-  
13 nually beginning in fiscal year 2019 to—

14 (A) entities engaged in scientific research  
15 and extension activities, technical assistance, or  
16 development activities to combat domestic or  
17 invasive citrus diseases and pests that pose im-  
18 minent harm to the United States citrus pro-  
19 duction and threaten the future viability of the  
20 citrus industry, including huanglongbing and  
21 the Asian Citrus Psyllid; and

22 (B) entities engaged in supporting the dis-  
23 semination and commercialization of relevant  
24 information, techniques, or technologies discov-

1           ered under research and extension activities  
2           funded through—

3                   (i) the Citrus Trust Fund; or

4                   (ii) other research and extension  
5           projects intended to solve problems caused  
6           by citrus production diseases and invasive  
7           pests.

8           (2) PRIORITY.—In making payments under  
9           paragraph (1), the Secretary shall give priority to  
10          entities that use the payments to address the re-  
11          search and extension priorities established pursuant  
12          to section 1408A(g)(4) of the National Agricultural  
13          Research, Extension, and Teaching Policy Act of  
14          1977 (7 U.S.C. 3123a(g)(4)).

15          (3) COORDINATION.—In determining how to  
16          distribute funds under paragraph (1), the Secretary  
17          shall—

18                   (A) seek input from Federal and State  
19           agencies and other entities involved in citrus  
20           disease response; and

21                   (B) take into account other public and pri-  
22           vate citrus-related research and extension  
23           projects and the funding for those projects.

24          (4) NONDUPLICATION.—The Secretary shall en-  
25          sure that funds provided under paragraph (1) shall

1 be in addition to and not supplant funds made avail-  
2 able to carry out other citrus disease activities car-  
3 ried out by the Department of Agriculture in con-  
4 sultation with State agencies.

5 (d) FUNDING.—Of the funds of the Commodity Cred-  
6 it Corporation, the Secretary shall transfer to the Citrus  
7 Trust Fund \$25,000,000 for each of fiscal years 2019  
8 through 2023, to remain available until expended.

9 **SEC. 12607. EXTENSION OF MERCHANDISE PROCESSING**  
10 **FEES.**

11 Section 503 of the United States–Korea Free Trade  
12 Agreement Implementation Act (Public Law 112–41; 19  
13 U.S.C. 3805 note) is amended by striking “February 24,  
14 2027” and inserting “May 26, 2027”.

15 **SEC. 12608. CONFORMING CHANGES TO CONTROLLED SUB-**  
16 **STANCES ACT.**

17 (a) IN GENERAL.—Section 102(16) of the Controlled  
18 Substances Act (21 U.S.C. 802(16)) is amended—

19 (1) by striking “(16) The” and inserting  
20 “(16)(A) Subject to subparagraph (B), the”; and

21 (2) by striking “Such term does not include  
22 the” and inserting the following:

23 “(B) The term ‘marihuana’ does not include—

24 “(i) hemp, as defined in section 297A of the  
25 Agricultural Marketing Act of 1946; or

1 “(ii) the”.

2 (b) TETRAHYDROCANNABINOL.—Schedule I, as set  
3 forth in section 202(c) of the Controlled Substances Act  
4 (21 U.S.C. 812(c)), is amended in subsection (c)(17) by  
5 inserting after “Tetrahydrocannabinols” the following: “,  
6 except for tetrahydrocannabinols in hemp (as defined  
7 under section 297A of the Agricultural Marketing Act of  
8 1946)”.

9 **SEC. 12609. NATIONAL FLOOD INSURANCE PROGRAM REAU-**  
10 **THORIZATION.**

11 (a) FINANCING.—Section 1309(a) of the National  
12 Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is  
13 amended by striking “September 30, 2017” and inserting  
14 “January 31, 2019”.

15 (b) PROGRAM EXPIRATION.—Section 1319 of the Na-  
16 tional Flood Insurance Act of 1968 (42 U.S.C. 4026) is  
17 amended by striking “September 30, 2017” and inserting  
18 “January 31, 2019”.

19 **SEC. 12610. EMERGENCY ASSISTANCE FOR LIVESTOCK,**  
20 **HONEY BEES, AND FARM-RAISED FISH.**

21 Section 1501(d)(2) of the Agricultural Act of 2014  
22 (7 U.S.C. 9081(d)(2)) is amended by inserting “, includ-  
23 ing inspections of cattle tick fever” before the period at  
24 the end.

1 **SEC. 12611. ADMINISTRATIVE UNITS.**

2 Section 1117 of the Agricultural Act of 2014 (7  
3 U.S.C. 9017) (as amended by section 1104(6)) is amended  
4 by adding at the end the following:

5 “(i) ADMINISTRATIVE UNITS.—

6 “(1) IN GENERAL.—For purposes of agriculture  
7 risk coverage payments in the case of county cov-  
8 erage, a county may be divided into not greater than  
9 2 administrative units in accordance with this sub-  
10 section.

11 “(2) ELIGIBLE COUNTIES.—A county that may  
12 be divided into administrative units under this sub-  
13 section is a county that—

14 “(A) is larger than 1,400 square miles;

15 “(B) is contained within a State that is  
16 larger than 140,000 square miles; and

17 “(C) contains more than 190,000 base  
18 acres.

19 “(3) ELECTIONS.—Before making any agri-  
20 culture risk coverage payments for the 2019 crop  
21 year, the Farm Service Agency State committee, in  
22 consultation with the Farm Service Agency county  
23 or area committee of a county described in para-  
24 graph (2), may make a 1-time election to divide the  
25 county into administrative units under this sub-  
26 section along a boundary that better reflects dif-

1       ferences in weather patterns, soil types, or other fac-  
2       tors.

3               “(4) ADMINISTRATION.—For purposes of pro-  
4       viding agriculture risk coverage payments in the  
5       case of county coverage, the Secretary shall consider  
6       an administrative unit elected under paragraph (3)  
7       to be a county for the 2019 through 2023 crop  
8       years.”.

9       **SEC. 12612. DROUGHT AND WATER CONSERVATION AGREE-**  
10               **MENTS.**

11       Section 1231A of the Food Security Act of 1985 (as  
12       added by section 2105(a)) is amended by adding at the  
13       end the following:

14               “(g) DROUGHT AND WATER CONSERVATION AGREE-  
15       MENTS.—In the case of an agreement under subsection  
16       (b)(1) to address regional drought concerns, in accordance  
17       with the conservation purposes of the program, the Sec-  
18       retary, in consultation with the applicable State technical  
19       committee established under section 1261(a), may—

20               “(1) notwithstanding subsection (a)(1), enroll  
21       other agricultural land on which the resource con-  
22       cerns identified in the agreement can be addressed  
23       if the enrollment of the land is critical to the accom-  
24       plishment of the purposes of the agreement;

1           “(2) permit dryland agricultural uses with the  
2           adoption of best management practices on enrolled  
3           land if the agreement involves the significant long-  
4           term reduction of consumptive water use and  
5           dryland production is compatible with the agree-  
6           ment; and

7           “(3) calculate annual rental payments con-  
8           sistent with existing administrative practice for simi-  
9           lar drought and water conservation agreements  
10          under this subchapter and ensure regional consist-  
11          ency in those rates.”.

12 **SEC. 12613. ENCOURAGEMENT OF POLLINATOR HABITAT**  
13 **DEVELOPMENT AND PROTECTION.**

14          Section 1244(h) of the Food Security Act of 1985  
15 (16 U.S.C. 3844(h)) is amended—

16           (1) in paragraph (1), by striking “and” at the  
17           end;

18           (2) in paragraph (2), by striking the period at  
19           the end and inserting a semicolon; and

20           (3) by adding at the end the following:

21           “(3) the development of a conservation and re-  
22           covery plan for protection of pollinators through con-  
23           servation biological control or practices and strate-  
24           gies to integrate natural predators and parasites of



1 crop pests into agricultural systems for pest control;  
2 and

3 “(4) training for producers relating to back-  
4 ground science, implementation, and promotion of  
5 conservation biological control such that producers  
6 base conservation activities on practices and tech-  
7 niques that conserve or enhance natural habitat for  
8 beneficial insects as a way of reducing pest problems  
9 and pesticide applications on farms.”.

10 **SEC. 12614. REPAIR OR REPLACEMENT OF FENCING; COST**  
11 **SHARE PAYMENTS.**

12 (a) REPAIR OR REPLACEMENT OF FENCING.—

13 (1) IN GENERAL.—Section 401 of the Agricul-  
14 tural Credit Act of 1978 (16 U.S.C. 2201) is  
15 amended—

16 (A) by inserting “wildfires,” after “hurri-  
17 canes,”;

18 (B) by striking the section designation and  
19 all that follows through “The Secretary of Agri-  
20 culture” and inserting the following:

21 **“SEC. 401. PAYMENTS TO PRODUCERS.**

22 “(a) IN GENERAL.—The Secretary of Agriculture  
23 (referred to in this title as the ‘Secretary’); and

24 (C) by adding at the end the following:

25 “(b) REPAIR OR REPLACEMENT OF FENCING.—

## 1170

1           “(1) IN GENERAL.—With respect to a payment  
2           to an agricultural producer under subsection (a) for  
3           the repair or replacement of fencing, the Secretary  
4           shall give the agricultural producer the option of re-  
5           ceiving not more than 25 percent of the payment,  
6           determined by the Secretary based on the applicable  
7           percentage of the fair market value of the cost of the  
8           repair or replacement, before the agricultural pro-  
9           ducer carries out the repair or replacement.

10           “(2) RETURN OF FUNDS.—If the funds pro-  
11           vided under paragraph (1) are not expended by the  
12           end of the 60-day period beginning on the date on  
13           which the agricultural producer receives those funds,  
14           the funds shall be returned within a reasonable time-  
15           frame, as determined by the Secretary.”.

16           (2) CONFORMING AMENDMENTS.—

17           (A) Sections 402, 403, 404, and 405 of the  
18           Agricultural Credit Act of 1978 (16 U.S.C.  
19           2202, 2203, 2204, 2205) are amended by strik-  
20           ing “Secretary of Agriculture” each place it ap-  
21           pears and inserting “Secretary”.

22           (B) Section 407(a) of the Agricultural  
23           Credit Act of 1978 (16 U.S.C. 2206(a)) is  
24           amended by striking paragraph (4).

1 (b) COST SHARE PAYMENTS.—Title IV of the Agri-  
2 cultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) is  
3 amended by inserting after section 402 the following:

4 **“SEC. 402A. COST-SHARE REQUIREMENT.**

5 “(a) COST-SHARE RATE.—Subject to subsections (b)  
6 and (c), the maximum cost-share payment under sections  
7 401 and 402 shall not exceed, 75 percent of the total al-  
8 lowable cost, as determined by the Secretary.

9 “(b) EXCEPTION.—Notwithstanding subsection (a), a  
10 payment to a limited resource farmer or rancher, a socially  
11 disadvantaged farmer or rancher (as defined in 2501(a)  
12 of the Food, Agriculture, Conservation, and Trade Act of  
13 1990 (7 U.S.C. 2279(a)), or a beginning farmer or ranch-  
14 er under section 401 or 402 shall not exceed 90 percent  
15 of the total allowable cost, as determined by the Secretary.

16 “(c) LIMITATION.—The total payment under sections  
17 401 and 402 for a single event may not exceed 50 percent  
18 of the agriculture value of the land, as determined by the  
19 Secretary.”.

20 **SEC. 12615. FOOD DONATION STANDARDS.**

21 Section 203D of the Emergency Food Assistance Act  
22 of 1983 (7 U.S.C. 7507) (as amended by section 4115(e))  
23 is amended by adding at the end the following:

24 “(f) FOOD DONATION STANDARDS.—

25 “(1) DEFINITIONS.—In this subsection:

1           “(A) APPARENTLY WHOLESOME FOOD.—  
2           The term ‘apparently wholesome food’ has the  
3           meaning given the term in section 22(b) of the  
4           Child Nutrition Act of 1966 (42 U.S.C.  
5           1791(b)).

6           “(B) INSTITUTION OF HIGHER EDU-  
7           CATION.—The term ‘institution of higher edu-  
8           cation’ has the meaning given the term in sec-  
9           tion 102 of the Higher Education Act of 1965  
10          (20 U.S.C. 1002).

11          “(C) QUALIFIED DIRECT DONOR.—The  
12          term ‘qualified direct donor’ means a retail food  
13          store, wholesaler, agricultural producer, res-  
14          taurant, caterer, school food authority, or insti-  
15          tution of higher education.

16          “(2) GUIDANCE.—

17                 “(A) IN GENERAL.—Not later than 180  
18                 days after the date of enactment of the Agri-  
19                 culture Improvement Act of 2018, the Secretary  
20                 shall issue guidance to promote awareness of  
21                 donations of apparently wholesome food pro-  
22                 tected under section 22(c) of the Child Nutri-  
23                 tion Act of 1966 (42 U.S.C. 1791(c)) by quali-  
24                 fied direct donors in compliance with applicable

1 State and local health, food safety, and food  
2 handling laws (including regulations).

3 “(B) ISSUANCE.—The Secretary shall en-  
4 courage State agencies and emergency feeding  
5 organizations to share the guidance issued  
6 under subparagraph (A) with qualified direct  
7 donors.”.

8 **SEC. 12616. MICRO-GRANTS FOR FOOD SECURITY.**

9 The Food, Conservation, and Energy Act of 2008 is  
10 amended by inserting after section 4405 (7 U.S.C. 7517)  
11 the following:

12 **“SEC. 4406. MICRO-GRANTS FOR FOOD SECURITY.**

13 “(a) PURPOSE.—The purpose of this section is to in-  
14 crease the quantity and quality of locally grown food  
15 through small-scale gardening, herding, and livestock op-  
16 erations in food insecure communities in areas of the  
17 United States that have significant levels of food insecu-  
18 rity and import a significant quantity of food.

19 “(b) DEFINITIONS.—In this section:

20 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
21 tity’ means an entity that—

22 “(A) is—

23 “(i) an individual;

24 “(ii) an Indian tribe (as defined in  
25 section 4 of the Indian Self-Determination

1174

1 and Education Assistance Act (25 U.S.C.  
2 5304)) or a consortium of Indian tribes;

3 “(iii) a nonprofit organization en-  
4 gaged in increasing food security, as deter-  
5 mined by the Secretary, including—

6 “(I) a religious organization;

7 “(II) a food bank; and

8 “(III) a food pantry;

9 “(iv) a federally funded educational  
10 facility, including—

11 “(I) a Head Start program or an  
12 Early Head Start program carried out  
13 under the Head Start Act (42 U.S.C.  
14 9831 et seq.);

15 “(II) a public elementary school  
16 or public secondary school;

17 “(III) a public institution of  
18 higher education (as defined in section  
19 101 of the Higher Education Act of  
20 1965 (20 U.S.C. 1001));

21 “(IV) a Tribal College or Univer-  
22 sity (as defined in section 316(b) of  
23 the Higher Education Act of 1965 (20  
24 U.S.C. 1059c(b))); and

25 “(V) a job training program; or

1                   “(v) a local or Tribal government that  
2                   may not levy local taxes under State or  
3                   Federal law; and

4                   “(B) is located in an eligible State.

5                   “(2) ELIGIBLE STATE.—The term ‘eligible  
6                   State’ means—

7                   “(A) the State of Alaska;

8                   “(B) the State of Hawaii;

9                   “(C) American Samoa;

10                   “(D) the Commonwealth of the Northern  
11                   Mariana Islands;

12                   “(E) the Commonwealth of Puerto Rico;

13                   “(F) the Federated States of Micronesia;

14                   “(G) Guam;

15                   “(H) the Republic of the Marshall Islands;

16                   “(I) the Republic of Palau; and

17                   “(J) the United States Virgin Islands.

18                   “(c) ESTABLISHMENT.—The Secretary shall dis-  
19                   tribute funds to the agricultural department or agency of  
20                   each eligible State for the competitive distribution of sub-  
21                   grants to eligible entities to increase the quantity and  
22                   quality of locally grown food in food insecure communities,  
23                   including through small-scale gardening, herding, and live-  
24                   stock operations.

25                   “(d) DISTRIBUTION OF FUNDS.—

1           “(1) IN GENERAL.—Of the amount made avail-  
2           able under subsection (g), the Secretary shall dis-  
3           tribute—

4                   “(A) 40 percent to the State of Alaska;

5                   “(B) 40 percent to the State of Hawaii;

6           and

7                   “(C) 2.5 percent to each insular area de-  
8           scribed in subparagraphs (C) through (J) of  
9           subsection (b)(2).

10           “(2) CARRYOVER OF FUNDS.—Funds distrib-  
11           uted under paragraph (1) shall remain available  
12           until expended.

13           “(3) ADMINISTRATIVE FUNDS.—An eligible  
14           State that receives funds under paragraph (1) may  
15           use not more than 3 percent of those funds—

16                   “(A) to administer the competition for pro-  
17           viding subgrants to eligible entities in that eligi-  
18           ble State;

19                   “(B) to provide oversight of the subgrant  
20           recipients in that eligible State; and

21                   “(C) to collect data and submit a report to  
22           the Secretary under subsection (f)(2).

23           “(e) SUBGRANTS TO ELIGIBLE ENTITIES.—

24                   “(1) AMOUNT OF SUBGRANTS.—



## 1177

1           “(A) IN GENERAL.—The amount of a  
2           subgrant to an eligible entity under this section  
3           shall be—

4                   “(i) in the case of an eligible entity  
5                   that is an individual, not greater than  
6                   \$5,000 per year; and

7                   “(ii) in the case of an eligible entity  
8                   described in clauses (ii) through (v) of sub-  
9                   section (b)(1)(A), not greater than  
10                  \$10,000 per year.

11           “(B) MATCHING REQUIREMENT.—As a  
12           condition of receiving a subgrant under this sec-  
13           tion, an eligible entity shall provide funds equal  
14           to 10 percent of the amount received by the eli-  
15           gible entity under the subgrant, to be derived  
16           from non-Federal sources.

17           “(C) CARRYOVER OF FUNDS.—Funds re-  
18           ceived by an eligible entity that is awarded a  
19           subgrant under this section shall remain avail-  
20           able until expended.

21           “(2) PRIORITY.—In carrying out the competi-  
22           tive distribution of subgrants under subsection (c),  
23           an eligible State may give priority to an eligible enti-  
24           ty that—

1           “(A) has not previously received a  
2           subgrant under this section; or

3           “(B) is located in a community or region  
4           in that eligible State with the highest degree of  
5           food insecurity, as determined by the agricul-  
6           tural department or agency of the eligible State.

7           “(3) PROJECTS.—An eligible State may provide  
8           subgrants to 2 or more eligible entities to carry out  
9           the same project.

10          “(4) USE OF SUBGRANT FUNDS BY ELIGIBLE  
11          ENTITIES.—An eligible entity that receives a  
12          subgrant under this section shall use the funds to  
13          engage in activities that will increase the quantity  
14          and quality of locally grown food, including by—

15               “(A) purchasing gardening tools or equip-  
16               ment, soil, soil amendments, seeds, plants, ani-  
17               mals, canning equipment, refrigeration, or other  
18               items necessary to grow and store food;

19               “(B) purchasing or building composting  
20               units;

21               “(C) purchasing or building towers de-  
22               signed to grow leafy green vegetables;

23               “(D) expanding an area under cultivation  
24               or engaging in other activities necessary to be  
25               eligible to receive funding under the environ-

1           mental quality incentives program established  
2           under chapter 4 of subtitle D of title XII of the  
3           Food Security Act of 1985 (16 U.S.C. 3839aa  
4           et seq.) for a high tunnel;

5           “(E) engaging in an activity that extends  
6           the growing season;

7           “(F) starting or expanding hydroponic and  
8           aeroponic farming of any scale;

9           “(G) building, buying, erecting, or repair-  
10          ing fencing for livestock, poultry, or reindeer;

11          “(H) purchasing and equipping a slaughter  
12          and processing facility approved by the Sec-  
13          retary;

14          “(I) travelling to participate in agricultural  
15          education provided by—

16                 “(i) a State cooperative extension  
17                 service;

18                 “(ii) a land-grant college or university  
19                 (as defined in section 1404 of the National  
20                 Agricultural Research, Extension, and  
21                 Teaching Policy Act of 1977 (7 U.S.C.  
22                 3103));

23                 “(iii) a Tribal College or University  
24                 (as defined in section 316(b) of the Higher

1 Education Act of 1965 (20 U.S.C.  
2 1059c(b));

3 “(iv) an Alaska Native-serving institu-  
4 tion or a Native Hawaiian-serving institu-  
5 tion (as those terms are defined in section  
6 317(b) of the Higher Education Act of  
7 1965 (20 U.S.C. 1059d(b))); or

8 “(v) a Federal or State agency;

9 “(J) paying for shipping of purchased  
10 items relating to increasing food security;

11 “(K) creating or expanding avenues for—

12 “(i) the sale of food commodities, spe-  
13 cialty crops, and meats that are grown by  
14 the eligible entity for sale in the local com-  
15 munity; or

16 “(ii) the availability of fresh, locally  
17 grown, and nutritious food; and

18 “(L) engaging in other activities relating  
19 to increasing food security (including subsist-  
20 ence), as determined by the Secretary.

21 “(5) ELIGIBILITY FOR OTHER FINANCIAL AS-  
22 SISTANCE.—An eligible entity shall not be ineligible  
23 to receive financial assistance under another pro-  
24 gram administered by the Secretary as a result of  
25 receiving a subgrant under this section.

1 “(f) REPORTING REQUIREMENT.—

2 “(1) SUBGRANT RECIPIENTS.—As a condition  
3 of receiving a subgrant under this section, an eligible  
4 entity shall submit to the eligible State in which the  
5 eligible entity is located a report—

6 “(A) as soon as practicable after the end  
7 of the project; and

8 “(B) that describes the quantity of food  
9 grown and the number of people fed as a result  
10 of the subgrant.

11 “(2) REPORT TO THE SECRETARY.—Not later  
12 than 120 days after the date on which an eligible  
13 State receives a report from each eligible entity in  
14 that State under paragraph (1), the eligible State  
15 shall submit to the Secretary a report that describes,  
16 in the aggregate, the information and data contained  
17 in the reports received from those eligible entities.

18 “(g) FUNDING.—

19 “(1) AUTHORIZATION OF APPROPRIATIONS.—  
20 There is authorized to be appropriated to the Sec-  
21 retary to carry out this section \$10,000,000 for fis-  
22 cal year 2019 and each fiscal year thereafter, to re-  
23 main available until expended.

24 “(2) APPROPRIATIONS IN ADVANCE.—Only  
25 funds appropriated under paragraph (1) in advance

1 specifically to carry out this section shall be avail-  
2 able to carry out this section.

3 “(h) EFFECTIVE DATE.—This section takes effect on  
4 the date of enactment of the Agriculture Improvement Act  
5 of 2018.”.

6 **SEC. 12617. USE OF ADDITIONAL COMMODITY CREDIT COR-**  
7 **PORATION FUNDS FOR DIRECT OPERATING**  
8 **MICROLOANS UNDER CERTAIN CONDITIONS.**

9 Section 346(b) of the Consolidated Farm and Rural  
10 Development Act (7 U.S.C. 1994(b)) is amended by add-  
11 ing at the end the following:

12 “(5) USE OF ADDITIONAL COMMODITY CREDIT  
13 CORPORATION FUNDS FOR DIRECT OPERATING  
14 MICROLOANS UNDER CERTAIN CONDITIONS.—

15 “(A) IN GENERAL.—If the Secretary deter-  
16 mines that the amount needed for a fiscal year  
17 for direct operating loans (including  
18 microloans) under subtitle B is greater than the  
19 aggregate principal amount authorized for that  
20 fiscal year by this Act, an appropriations Act,  
21 or any other provision of law, the Secretary  
22 shall make additional microloans under subtitle  
23 B using amounts made available under sub-  
24 paragraph (B).

1           “(B) FUNDING.—Of the funds of the Com-  
2           modity Credit Corporation, the Secretary shall  
3           use to make microloans under subtitle B, under  
4           the conditions described in subparagraph (A),  
5           not more than \$5,000,000 for the period of fis-  
6           cal years 2019 through 2023.

7           “(C) NOTICE.—Not later than 15 days be-  
8           fore the date on which the Secretary uses the  
9           authority under subparagraphs (A) and (B),  
10          the Secretary shall submit a notice of the use  
11          of that authority to—

12                   “(i) the Committee on Appropriations  
13                   of the House of Representatives;

14                   “(ii) the Committee on Appropriations  
15                   of the Senate;

16                   “(iii) the Committee on Agriculture of  
17                   the House of Representatives; and

18                   “(iv) the Committee on Agriculture,  
19                   Nutrition, and Forestry of the Senate.”.

20   **SEC. 12618. BUSINESS AND INNOVATION SERVICES ESSEN-**  
21                   **TIAL COMMUNITY FACILITIES.**

22          Section 306(a) of the Consolidated Farm and Rural  
23   Development Act (7 U.S.C. 1926(a)) (as amended by sec-  
24   tion 6105) is amended by adding at the end the following:

1           “(28) BUSINESS AND INNOVATION SERVICES  
2           ESSENTIAL COMMUNITY FACILITIES.—The Secretary  
3           may make loans and loan guarantees under this sub-  
4           section and grants under paragraphs (19), (20), and  
5           (21) for essential community facilities for business  
6           and innovation services, such as incubators, co-work-  
7           ing spaces, makerspaces, and residential entre-  
8           preneur and innovation centers.”.

9   **SEC. 12619. RURAL INNOVATION STRONGER ECONOMY**  
10                           **GRANT PROGRAM.**

11           Subtitle D of the Consolidated Farm and Rural De-  
12           velopment Act (7 U.S.C. 1981 et seq.) is amended by add-  
13           ing at the end the following:

14   **“SEC. 379I. RURAL INNOVATION STRONGER ECONOMY**  
15                           **GRANT PROGRAM.**

16           “(a) DEFINITIONS.—In this section:

17                   “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
18                   tity’ means a rural jobs accelerator partnership es-  
19                   tablished after the date of enactment of this section  
20                   that—

21                           “(A) organizes key community and re-  
22                           gional stakeholders into a working group that—

23                                   “(i) focuses on the shared goals and  
24                                   needs of the industry clusters that are ob-



1 jectively identified as existing, emerging, or  
2 declining;

3 “(ii) represents a region defined by  
4 the partnership in accordance with sub-  
5 paragraph (B);

6 “(iii) includes 1 or more representa-  
7 tives of—

8 “(I) an institution of higher edu-  
9 cation (as defined in section 101 of  
10 the Higher Education Act of 1965 (20  
11 U.S.C. 1001));

12 “(II) a private entity; or

13 “(III) a government entity;

14 “(iv) may include 1 or more rep-  
15 resentatives of—

16 “(I) an economic development or  
17 other community or labor organiza-  
18 tion;

19 “(II) a financial institution, in-  
20 cluding a community development fi-  
21 nancial institution (as defined in sec-  
22 tion 103 of the Community Develop-  
23 ment Banking and Financial Institu-  
24 tions Act of 1994 (12 U.S.C. 4702));

1186

1 “(III) a philanthropic organiza-  
2 tion; or

3 “(IV) a rural cooperative, if the  
4 cooperative is organized as a nonprofit  
5 organization; and

6 “(v) has, as a lead applicant—

7 “(I) a District Organization (as  
8 defined in section 300.3 of title 13,  
9 Code of Federal Regulations (or a  
10 successor regulation));

11 “(II) an Indian tribe (as defined  
12 in section 4 of the Indian Self-Deter-  
13 mination and Education Assistance  
14 Act (25 U.S.C. 5304)), or a consor-  
15 tium of Indian tribes;

16 “(III) a State or a political sub-  
17 division of a State, including a special  
18 purpose unit of a State or local gov-  
19 ernment engaged in economic develop-  
20 ment activities, or a consortium of po-  
21 litical subdivisions;

22 “(IV) an institution of higher  
23 education (as defined in section 101  
24 of the Higher Education Act of 1965

1187

1 (20 U.S.C. 1001)) or a consortium of  
2 institutions of higher education; or

3 “(V) a public or private nonprofit  
4 organization; and

5 “(B) subject to approval by the Secretary,  
6 may—

7 “(i) serve a region that is—

8 “(I) a single jurisdiction; or

9 “(II) if the region is a rural area,  
10 multijurisdictional; and

11 “(ii) define the region that the part-  
12 nership represents, if the region—

13 “(I) is large enough to contain  
14 critical elements of the industry clus-  
15 ter prioritized by the partnership;

16 “(II) is small enough to enable  
17 close collaboration among members of  
18 the partnership;

19 “(III) includes a majority of com-  
20 munities that are located in—

21 “(aa) a nonmetropolitan  
22 area that qualifies as a low-in-  
23 come community (as defined in  
24 section 45D(e) of the Internal  
25 Revenue Code of 1986); and

1188

1                   “(bb) an area that has ac-  
2                   cess to or has a plan to achieve  
3                   broadband service (within the  
4                   meaning of title VI of the Rural  
5                   Electrification Act of 1936 (7  
6                   U.S.C. 950bb et seq.)); and

7                   “(IV)(aa) has a population of  
8                   50,000 or fewer inhabitants; or

9                   “(bb) for a region with a popu-  
10                  lation of more than 50,000 inhab-  
11                  itants, is the subject of a positive de-  
12                  termination by the Secretary with re-  
13                  spect to a rural-in-character petition,  
14                  including such a petition submitted  
15                  concurrently with the application of  
16                  the partnership for a grant under this  
17                  section.

18                  “(2) INDUSTRY CLUSTER.—The term ‘industry  
19                  cluster’ means a broadly defined network of inter-  
20                  connected firms and supporting institutions in re-  
21                  lated industries that accelerate innovation, business  
22                  formation, and job creation by taking advantage of  
23                  assets and strengths of a region in the business envi-  
24                  ronment.

1           “(3) HIGH-WAGE JOB.—The term ‘high-wage  
2 job’ means a job that provides a wage that is greater  
3 than the median wage for the applicable region, as  
4 determined by the Secretary.

5           “(4) JOBS ACCELERATOR.—The term ‘jobs ac-  
6 celerator’ means a jobs accelerator center or pro-  
7 gram located in or serving a low-income rural com-  
8 munity that may provide co-working space, in-de-  
9 mand skills training, entrepreneurship support, and  
10 any other services described in subsection (d)(1)(B).

11           “(5) SMALL AND DISADVANTAGED BUSINESS.—  
12 The term ‘small and disadvantaged business’ has the  
13 meaning given the term ‘small business concern  
14 owned and controlled by socially and economically  
15 disadvantaged individuals’ in section 8(d)(3)(C) of  
16 the Small Business Act (15 U.S.C. 637(d)(3)(C)).

17           “(b) ESTABLISHMENT.—

18           “(1) IN GENERAL.—The Secretary shall estab-  
19 lish a grant program under which the Secretary  
20 shall award grants, on a competitive basis, to eligible  
21 entities to establish jobs accelerators, including re-  
22 lated programming, that—

23           “(A) improve the ability of distressed rural  
24 communities to create high-wage jobs, accel-  
25 erate the formation of new businesses with

1 high-growth potential, and strengthen regional  
2 economies, including by helping to build capac-  
3 ity in the applicable region to achieve those  
4 goals; and

5 “(B) help rural communities identify and  
6 maximize local assets and connect to regional  
7 opportunities, networks, and industry clusters  
8 that demonstrate high growth potential.

9 “(2) COST-SHARING.—

10 “(A) IN GENERAL.—The Federal share of  
11 the cost of any activity carried out using a  
12 grant made under paragraph (1) shall be not  
13 greater than 80 percent.

14 “(B) IN-KIND CONTRIBUTIONS.—The non-  
15 Federal share of the total cost of any activity  
16 carried out using a grant made under para-  
17 graph (1) may be in the form of donations or  
18 in-kind contributions of goods or services fairly  
19 valued.

20 “(3) SELECTION CRITERIA.—In selecting eligi-  
21 ble entities to receive grants under paragraph (1),  
22 the Secretary shall consider—

23 “(A) the commitment of participating core  
24 stakeholders in the jobs accelerator partnership,  
25 including a demonstration that—

1           “(i) investment organizations, includ-  
2           ing venture development organizations,  
3           venture capital firms, revolving loan  
4           funders, angel investment groups, commu-  
5           nity lenders, community development fi-  
6           nancial institutions, rural business invest-  
7           ment companies, small business investment  
8           companies (as defined in section 103 of the  
9           Small Business Investment Act of 1958  
10          (15 U.S.C. 662)), philanthropic organiza-  
11          tions, and other institutions focused on ex-  
12          panding access to capital, are committed  
13          partners in the jobs accelerator partner-  
14          ship and willing to potentially invest in  
15          projects emerging from the jobs accel-  
16          erator; and

17          “(ii) institutions of higher education,  
18          applied research institutions, workforce de-  
19          velopment entities, and community-based  
20          organizations are willing to partner with  
21          the jobs accelerator to provide workers  
22          with skills relevant to the industry cluster  
23          needs of the region, with an emphasis on  
24          the use of on-the-job training, registered  
25          apprenticeships, customized training, class-

1 room occupational training, or incumbent  
2 worker training;

3 “(B) the ability of the eligible entity to  
4 provide the non-Federal share as required  
5 under paragraph (2);

6 “(C) the speed of available broadband serv-  
7 ice and how the jobs accelerator plans to im-  
8 prove access to high-speed broadband service, if  
9 necessary, and leverage that broadband service  
10 for programs of the jobs accelerator;

11 “(D) the identification of a targeted indus-  
12 try cluster, including a description of—

13 “(i) data showing the existence of  
14 emergence of an industry cluster;

15 “(ii) the importance of the industry  
16 cluster to economic growth in the region;

17 “(iii) the specific needs and opportu-  
18 nities for growth in the industry cluster;

19 “(iv) the unique assets a region has to  
20 support the industry cluster and to have a  
21 competitive advantage in that industry  
22 cluster;

23 “(v) evidence of a concentration of  
24 firms or concentration of employees in the  
25 industry cluster; and



1                   “(vi) available industry-specific infra-  
2                   structure that supports the industry clus-  
3                   ter;

4                   “(E) the ability of the partnership to link  
5                   rural communities to markets, networks, indus-  
6                   try clusters, and other regional opportunities  
7                   and assets—

8                   “(i) to improve the competitiveness of  
9                   the rural region;

10                   “(ii) to repatriate United States jobs;

11                   “(iii) to foster high-wage job creation;

12                   “(iv) to support innovation and entre-  
13                   preneurship; and

14                   “(v) to promote private investment in  
15                   the rural regional economy;

16                   “(F) other grants or loans of the Secretary  
17                   and other Federal agencies that the jobs accel-  
18                   erator would be able to leverage; and

19                   “(G) prospects for the proposed center and  
20                   related programming to have sustainability be-  
21                   yond the full maximum length of assistance  
22                   under this subsection, including the maximum  
23                   number of renewals.

24                   “(4) GRANT TERM AND RENEWALS.—

1           “(A) TERM.—The initial term of a grant  
2           under paragraph (1) shall be 4 years.

3           “(B) RENEWAL.—The Secretary may  
4           renew a grant under paragraph (1) for an addi-  
5           tional period of not longer than 2 years if the  
6           Secretary is satisfied, using the evaluation  
7           under subsection (e)(2), that the grant recipient  
8           has successfully established a jobs accelerator  
9           and related programming.

10          “(5) GEOGRAPHIC DISTRIBUTION.—To the  
11          maximum extent practicable, the Secretary shall pro-  
12          vide grants under paragraph (1) for jobs accelera-  
13          tors and related programming in not fewer than 25  
14          States at any time.

15          “(c) GRANT AMOUNT.—A grant awarded under sub-  
16          section (b) may be in an amount equal to—

17                 “(1) not less than \$500,000; and

18                 “(2) not more than \$2,000,000.

19          “(d) USE OF FUNDS.—

20                 “(1) IN GENERAL.—Subject to paragraph (2),  
21          funds from a grant awarded under subsection (b)  
22          may be used—

23                         “(A) to construct, purchase, or equip a  
24                         building to serve as an innovation center, which  
25                         may include—

1                   “(i) housing for business owners or  
2 workers;

3                   “(ii) co-working space, which may in-  
4 clude space for remote work;

5                   “(iii) space for businesses to utilize  
6 with a focus on entrepreneurs and small  
7 and disadvantaged businesses but that may  
8 include collaboration with companies of all  
9 sizes;

10                  “(iv) job training programs; and

11                  “(v) efforts to utilize the innovation  
12 center as part of the development of a  
13 community downtown; or

14                  “(B) to support programs to be carried out  
15 at, or in direct partnership with, the jobs accel-  
16 erator that support the objectives of the jobs  
17 accelerator, including—

18                   “(i) linking rural communities to mar-  
19 kets, networks, industry clusters, and other  
20 regional opportunities to support high-  
21 wage job creation, new business formation,  
22 and economic growth;

23                   “(ii) integrating small businesses into  
24 a supply chain;

## 1196

1           “(iii) creating or expanding commer-  
2           cialization activities for new business for-  
3           mation;

4           “(iv) identifying and building assets  
5           in rural communities that are crucial to  
6           supporting regional economies;

7           “(v) facilitating the repatriation of  
8           high-wage jobs to the United States;

9           “(vi) supporting the deployment of in-  
10          novative processes, technologies, and prod-  
11          ucts;

12          “(vii) enhancing the capacity of small  
13          businesses in regional industry clusters, in-  
14          cluding small and disadvantaged busi-  
15          nesses;

16          “(viii) increasing United States ex-  
17          ports and business interaction with inter-  
18          national buyers and suppliers;

19          “(ix) developing the skills and exper-  
20          tise of local workforces, entrepreneurs, and  
21          institutional partners to support growing  
22          industry clusters, including the upskilling  
23          of incumbent workers;

24          “(x) ensuring rural communities have  
25          the capacity and ability to carry out

1 projects relating to housing, community fa-  
2 cilities, infrastructure, or community and  
3 economic development to support regional  
4 industry cluster growth;

5 “(xi) establishing training programs  
6 to meet the needs of employers in a re-  
7 gional industry cluster and prepare work-  
8 ers for high-wage jobs; or

9 “(xii) any other activities that the  
10 Secretary may determine to be appro-  
11 priate.

12 “(2) REQUIREMENT.—

13 “(A) IN GENERAL.—Subject to subpara-  
14 graph (B), not more than 10 percent of a grant  
15 awarded under subsection (b) shall be used for  
16 indirect costs associated with administering the  
17 grant.

18 “(B) INCREASE.—The Secretary may in-  
19 crease the percentage described in subpara-  
20 graph (A) on a case-by-case basis.

21 “(e) ANNUAL ACTIVITY REPORT AND EVALUA-  
22 TION.—Not later than 1 year after receiving a grant under  
23 this section, and annually thereafter for the duration of  
24 the grant, an eligible entity shall—

1           “(1) report to the Secretary on the activities  
2 funded with the grant; and

3           “(2)(A) evaluate the progress that the eligible  
4 entity has made toward the strategic objectives iden-  
5 tified in the application for the grant; and

6           “(B) measure that progress using performance  
7 measures during the project period, which may in-  
8 clude—

9                   “(i) high-wage jobs created;

10                   “(ii) high-wage jobs retained;

11                   “(iii) private investment leveraged;

12                   “(iv) businesses improved;

13                   “(v) new business formations;

14                   “(vi) new products or services commer-  
15 cialized;

16                   “(vii) improvement of the value of existing  
17 products or services under development;

18                   “(viii) regional collaboration, as measured  
19 by such metrics as—

20                           “(I) the number of organizations ac-  
21 tively engaged in the industry cluster;

22                           “(II) the number of symposia held by  
23 the industry cluster, including organiza-  
24 tions that are not located in the immediate  
25 region defined by the partnership; and

1                   “(III) the number of further coopera-  
2                   tive agreements;

3                   “(ix) the number of education and training  
4                   activities relating to innovation;

5                   “(x) the number of jobs relocated from  
6                   outside of the United States to the region;

7                   “(xi) the amount and number of new eq-  
8                   uity investments in industry cluster firms;

9                   “(xii) the amount and number of new  
10                  loans to industry cluster firms;

11                  “(xiii) the dollar increase in exports result-  
12                  ing from the project activities;

13                  “(xiv) the percentage of employees for  
14                  which training was provided;

15                  “(xv) improvement in sales of participating  
16                  businesses;

17                  “(xvi) improvement in wages paid at par-  
18                  ticipating businesses;

19                  “(xvii) improvement in income of partici-  
20                  pating workers; or

21                  “(xviii) any other measure the Secretary  
22                  determines to be appropriate.

23                  “(f) INTERAGENCY TASK FORCE.—

## 1200

1           “(1) IN GENERAL.—The Secretary shall estab-  
2           lish an interagency Federal task force to support the  
3           network of jobs accelerators by—

4                   “(A) providing successful applicants with  
5                   available information and technical assistance  
6                   on Federal resources relevant to the project and  
7                   region;

8                   “(B) establishing a Federal support team  
9                   comprised of staff from participating agencies  
10                  in the task force that shall provide coordinated  
11                  and dedicated support services to jobs accelera-  
12                  tors; and

13                  “(C) providing opportunities for the net-  
14                  work of jobs accelerators to share best practices  
15                  and further collaborate to achieve the purposes  
16                  of this section.

17           “(2) MEMBERSHIP.—The task force established  
18           under paragraph (1) shall—

19                   “(A) be co-chaired by—

20                           “(i) the Secretary of Commerce (or a  
21                           designee); and

22                           “(ii) the Secretary (or a designee);

23                   and

24                   “(B) include—



## 1201

1                   “(i) the Secretary of Education (or a  
2                   designee);

3                   “(ii) the Secretary of Energy (or a  
4                   designee);

5                   “(iii) the Secretary of Health and  
6                   Human Services (or a designee);

7                   “(iv) the Secretary of Housing and  
8                   Urban Development (or a designee);

9                   “(v) the Secretary of Labor (or a des-  
10                  ignee);

11                  “(vi) the Secretary of Transportation  
12                  (or a designee);

13                  “(vii) the Secretary of the Treasury  
14                  (or a designee);

15                  “(viii) the Administrator of the Envi-  
16                  ronmental Protection Agency (or a des-  
17                  ignee);

18                  “(ix) the Administrator of the Small  
19                  Business Administration (or a designee);

20                  “(x) the Federal Co-Chair of the Ap-  
21                  palachian Regional Commission (or a des-  
22                  ignee);

23                  “(xi) the Federal Co-Chairman of the  
24                  Board of the Delta Regional Authority (or  
25                  a designee);

1                   “(xii) the Federal Co-Chair of the  
2                   Northern Border Regional Commission (or  
3                   a designee);

4                   “(xiii) national and local organizations  
5                   that have relevant programs and interests  
6                   that could serve the needs of the jobs ac-  
7                   celerators;

8                   “(xiv) representatives of State and  
9                   local governments or State and local eco-  
10                  nomic development agencies;

11                  “(xv) representatives of institutions of  
12                  higher education, including land-grant uni-  
13                  versities; and

14                  “(xvi) such other heads of Federal  
15                  agencies and non-Federal partners as de-  
16                  termined appropriate by the co-chairs of  
17                  the task force.”.

18 **SEC. 12620. DRYLAND FARMING AGRICULTURAL SYSTEMS.**

19                  Section 1672(d) of the Food, Agriculture, Conserva-  
20                  tion, and Trade Act of 1990 (7 U.S.C. 5925(d)) (as  
21                  amended by section 7209(a)) is amended by adding at the  
22                  end the following:

23                  “(15) DRYLAND FARMING AGRICULTURAL SYS-  
24                  TEMS.—Research and extension grants may be made  
25                  under this section for the purposes of carrying out

1 or enhancing research on the utilization of big data  
2 for more precise management of dryland farming ag-  
3 ricultural systems.”.

4 **SEC. 12621. REMOTE SENSING TECHNOLOGIES.**

5 The Chief of the Forest Service shall—

6 (1) continue to find efficiencies in the oper-  
7 ations of the forest inventory and analysis program  
8 under section 3(e) of the Forest and Rangeland Re-  
9 newable Resources Research Act of 1978 (16 U.S.C.  
10 1642(e)) through the improved use and integration  
11 of advanced remote sensing technologies to provide  
12 estimates for State- and national-level inventories,  
13 where appropriate; and

14 (2) partner with States and other interested  
15 stakeholders to carry out the program described in  
16 paragraph (1).

17 **SEC. 12622. BUY AMERICAN REQUIREMENTS.**

18 Not later than 180 days after the date of enactment  
19 of this Act, the Secretary shall—

20 (1) fully enforce the Buy American provisions  
21 applicable to domestic food assistance programs ad-  
22 ministered by the Food and Nutrition Service; and

23 (2) submit to Congress a report on the actions  
24 the Secretary has taken and plans to take to comply  
25 with paragraph (1).

1 **SEC. 12623. ELIGIBILITY FOR OPERATORS ON HEIRS PROP-**  
2 **ERTY LAND TO OBTAIN A FARM NUMBER.**

3 (a) DEFINITIONS.—In this section:

4 (1) ELIGIBLE DOCUMENTATION.—The term  
5 “eligible documentation”, with respect to land for  
6 which a farm operator seeks assignment of a farm  
7 number under subsection (b)(1), includes—

8 (A) in States that have adopted a statute  
9 consisting of an enactment or adoption of the  
10 Uniform Partition of Heirs Property Act, as ap-  
11 proved and recommended for enactment in all  
12 States by the National Conference of Commis-  
13 sioners on Uniform State Laws in 2010—

14 (i) a court order verifying the land  
15 meets the definition of heirs property (as  
16 defined in that Act); or

17 (ii) a certification from the local re-  
18 corder of deeds that the recorded owner of  
19 the land is deceased and not less than 1  
20 heir of the recorded owner of the land has  
21 initiated a procedure to retitle the land in  
22 the name of the rightful heir;

23 (B) a fully executed, unrecorded tenancy-  
24 in-common agreement that sets out ownership  
25 rights and responsibilities among all of the own-  
26 ers of the land that—

## 1205

1 (i) has been approved by a majority of  
2 the ownership interests in that property;

3 (ii) has given a particular owner the  
4 right to manage and control any portion or  
5 all of the land for purposes of operating a  
6 farm or ranch; and

7 (iii) was validly entered into under the  
8 authority of the jurisdiction in which the  
9 land is located;

10 (C) the tax return of a farm operator  
11 farming a property with undivided interests for  
12 each of the 5 years preceding the date on which  
13 the farm operator submits the tax returns as el-  
14 igible documentation under subsection (b);

15 (D) self-certification that the farm oper-  
16 ator has control of the land for purposes of op-  
17 erating a farm or ranch; and

18 (E) any other documentation identified by  
19 the Secretary under subsection (c).

20 (2) FARM NUMBER.—The term “farm number”  
21 has the meaning given the term in section 718.2 of  
22 title 7, Code of Federal Regulations (as in effect on  
23 the date of enactment of this Act).

24 (b) FARM NUMBER.—

## 1206

1           (1) IN GENERAL.—The Secretary shall provide  
2           for the assignment of a farm number to any farm  
3           operator who provides any form of eligible docu-  
4           mentation for purposes of demonstrating that the  
5           farm operator has control of the land for purposes  
6           of defining that land as a farm.

7           (2) ELIGIBILITY.—Any farm number provided  
8           under paragraph (1) shall be sufficient to satisfy  
9           any requirement of the Secretary to have a farm  
10          number to participate in a program of the Secretary.

11          (c) ELIGIBLE DOCUMENTATION.—The Secretary  
12          shall identify alternative forms of eligible documentation  
13          that a farm operator may provide in seeking the assign-  
14          ment of a farm number under subsection (b)(1).

15   **SEC. 12624. LOANS TO PURCHASERS OF LAND WITH UNDI-**  
16                           **VIDED INTEREST AND NO ADMINISTRATIVE**  
17                           **AUTHORITY.**

18          (a) REAUTHORIZATION OF BEGINNING FARMER AND  
19          RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT  
20          PROGRAM.—Section 333B(h) of the Consolidated Farm  
21          and Rural Development Act (7 U.S.C. 1983b(h)) (as  
22          amended by section 5301) is amended by striking “2023”  
23          and inserting “2024”.

1 (b) PILOT PROGRAM.—Subtitle D of the Consolidated  
2 Farm and Rural Development Act (7 U.S.C. 1981 et seq.)  
3 is amended by inserting after section 333D the following:

4 **“SEC. 333E. FARMER LOAN PILOT PROJECTS.**

5 “(a) IN GENERAL.—The Secretary may conduct pilot  
6 projects of limited scope and duration that are consistent  
7 with subtitles A, B, C, and this subtitle to evaluate pro-  
8 cesses and techniques that may improve the efficiency and  
9 effectiveness of the programs carried out under subtitles  
10 A, B, C, and this subtitle.

11 “(b) NOTIFICATION.—The Secretary shall—

12 “(1) not less than 60 days before the date on  
13 which the Secretary initiates a pilot project under  
14 subsection (a), submit notice of the proposed pilot  
15 project to the Committee on Agriculture of the  
16 House of Representatives and the Committee on Ag-  
17 riculture, Nutrition, and Forestry of the Senate; and

18 “(2) consider any recommendations or feedback  
19 provided to the Secretary in response to the notice  
20 provided under paragraph (1).”.

21 (c) RELENDING PROGRAM.—Subtitle A of title III of  
22 the Consolidated Farm and Rural Development Act (7  
23 U.S.C. 1922 et seq.) is amended by adding at the end  
24 the following:

1 **“SEC. 310I. RELENDING PROGRAM TO RESOLVE OWNER-**  
2 **SHIP AND SUCCESSION ON FARMLAND.**

3 “(a) IN GENERAL.—The Secretary may make or  
4 guarantee loans to eligible entities described in subsection  
5 (b) using amounts made available for farm ownership  
6 loans under this subtitle so that the eligible entities may  
7 relend the funds to individuals and entities for the pur-  
8 poses described in subsection (c).

9 “(b) ELIGIBLE ENTITIES.—Entities eligible for loans  
10 and loan guarantees described in subsection (a) are co-  
11 operatives, credit unions, and nonprofit organizations  
12 with—

13 “(1) certification under section 1805.201 of  
14 title 12, Code of Federal Regulations (or successor  
15 regulations) to operate as a lender;

16 “(2) experience assisting socially disadvantaged  
17 farmers and ranchers (as defined in section 2501(a)  
18 of the Food, Agriculture, Conservation, and Trade  
19 Act of 1990 (7 U.S.C. 2279(a))) or limited resource  
20 or new and beginning farmers and ranchers, rural  
21 businesses, cooperatives, or credit unions, including  
22 experience in making and servicing agricultural and  
23 commercial loans; and

24 “(3) the ability to provide adequate assurance  
25 of the repayment of a loan.



1           “(c) ELIGIBLE PURPOSES.—The proceeds from loans  
2 made or guaranteed by the Secretary pursuant to sub-  
3 section (a) shall be relented by eligible entities for projects  
4 that assist heirs with undivided ownership interests to re-  
5 solve ownership and succession on farmland that has mul-  
6 tiple owners.

7           “(d) PREFERENCE.—In making loans under sub-  
8 section (a), the Secretary shall give preference to eligible  
9 entities—

10           “(1) with not less than 10 years of experience  
11 serving socially disadvantaged farmers and ranchers;  
12 and

13           “(2) in States that have adopted a statute con-  
14 sisting of an enactment or adoption of the Uniform  
15 Partition of Heirs Property Act, as approved and  
16 recommended for enactment in all States by the Na-  
17 tional Conference of Commissioners on Uniform  
18 State Laws in 2010, that relend to owners of heirs  
19 property (as defined in that Act).

20           “(e) LOAN TERMS AND CONDITIONS.—The following  
21 terms and conditions shall apply to loans made or guaran-  
22 teed under this section:

23           “(1) The interest rate at which intermediaries  
24 may borrow funds under this section shall be equal

## 1210

1 to the rate at which farm ownership loans under this  
2 subtitle are made.

3 “(2) The rates, terms, and payment structure  
4 for borrowers to which intermediaries lend shall  
5 be—

6 “(A) determined by the intermediary in an  
7 amount sufficient to cover the cost of operating  
8 and sustaining the revolving loan fund; and

9 “(B) clearly and publicly disclosed to quali-  
10 fied ultimate borrowers.

11 “(3) Borrowers to which intermediaries lend  
12 shall be—

13 “(A) required to complete a succession  
14 plan as a condition of the loan; and

15 “(B) be offered the opportunity to borrow  
16 sufficient funds to cover costs associated with  
17 the succession plan under subparagraph (A)  
18 and other associated legal and closing costs.

19 “(f) REPORT.—Not later than 1 year after the date  
20 of enactment of this section, the Secretary shall submit  
21 to the Committee on Agriculture of the House of Rep-  
22 resentatives and the Committee on Agriculture, Nutrition,  
23 and Forestry of the Senate a report describing the oper-  
24 ation and outcomes of the program under this section,  
25 with recommendations on how to strengthen the program.

1           “(g) FUNDING.—The Secretary shall carry out this  
2 section using funds otherwise made available to the Sec-  
3 retary.”.

4 **SEC. 12625. FARMLAND OWNERSHIP DATA COLLECTION.**

5           (a) IN GENERAL.—The Secretary shall collect and,  
6 not less frequently than once every 5 years report, data  
7 and analysis on farmland ownership, tenure, transition,  
8 and entry of beginning farmers and ranchers (as defined  
9 in section 343(a) of the Consolidated Farm and Rural De-  
10 velopment Act (7 U.S.C. 1991(a))) and socially disadvan-  
11 taged farmers and ranchers (as defined in section 2501(a)  
12 of the Food, Agriculture, Conservation, and Trade Act of  
13 1990 (7 U.S.C. 2279(a))).

14           (b) REQUIREMENTS.—In carrying out subsection (a),  
15 the Secretary shall, at a minimum—

16               (1) collect and distribute comprehensive report-  
17 ing of trends in farmland ownership, tenure, transi-  
18 tion, barriers to entry, profitability, and viability of  
19 beginning farmers and ranchers and socially dis-  
20 advantaged farmers and ranchers;

21               (2) develop surveys and report statistical and  
22 economic analysis on farmland ownership, tenure,  
23 transition, barriers to entry, profitability, and viabil-  
24 ity of beginning farmers and ranchers, including a  
25 regular follow-on survey to each Census of Agri-

1 culture with results of the follow-on survey made  
2 public not later than 3 years after the previous Cen-  
3 sus of Agriculture; and

4 (3) require the National Agricultural Statistics  
5 Service—

6 (A) to include in the Tenure, Ownership,  
7 and Transition of Agricultural Land survey  
8 questions relating to—

9 (i) the extent to which non-farming  
10 landowners are purchasing and holding  
11 onto farmland for the sole purpose of real  
12 estate investment;

13 (ii) the impact of these farmland own-  
14 ership trends on the successful entry and  
15 viability of beginning farmers and ranchers  
16 and socially disadvantaged farmers and  
17 ranchers;

18 (iii) the extent to which farm and  
19 ranch land with undivided interests and no  
20 administrative authority identified have  
21 farms or ranches operating on that land;  
22 and

23 (iv) the impact of land tenure pat-  
24 terns, categorized by—

1213

1 (I) race, gender, and ethnicity;

2 and

3 (II) region; and

4 (B) to include in the report of each Ten-  
5 ure, Ownership, and Transition of Agricultural  
6 Land survey the results of the questions under  
7 subparagraph (A).

8 **SEC. 12626. RURAL BUSINESS INVESTMENT PROGRAM.**

9 (a) DEFINITIONS.—Section 384A of the Consolidated  
10 Farm and Rural Development Act (7 U.S.C. 2009cc) is  
11 amended—

12 (1) in paragraph (2)—

13 (A) in the paragraph heading, by striking  
14 “VENTURE”; and

15 (B) by striking “venture”; and

16 (2) by striking paragraph (4) and inserting the  
17 following:

18 “(4) EQUITY CAPITAL.—The term ‘equity cap-  
19 ital’ means—

20 “(A) common or preferred stock or a simi-  
21 lar instrument, including subordinated debt  
22 with equity features; and

23 “(B) any other type of equity-like financ-  
24 ing that might be necessary to facilitate the  
25 purposes of this Act, excluding financing such

## 1214

1 as senior debt or other types of financing that  
2 competes with routine loanmaking of commer-  
3 cial lenders.”.

4 (b) PURPOSES.—Section 384B of the Consolidated  
5 Farm and Rural Development Act (7 U.S.C. 2009cc–1)  
6 is amended—

7 (1) in paragraph (1), by striking “venture”;

8 and

9 (2) in paragraph (2)—

10 (A) in the matter preceding subparagraph

11 (A), by striking “venture”; and

12 (B) in subparagraph (B), by striking “ven-  
13 ture”.

14 (c) SELECTION OF RURAL BUSINESS INVESTMENT  
15 COMPANIES.—Section 384D(b)(1) of the Consolidated  
16 Farm and Rural Development Act (7 U.S.C. 2009cc–  
17 3(b)(1)) is amended by striking “developmental venture”  
18 and inserting “developmental”.

19 (d) FEES.—Section 384G of the Consolidated Farm  
20 and Rural Development Act (7 U.S.C. 2009cc–6) is  
21 amended—

22 (1) in subsections (a) and (b), by striking “a  
23 fee that does not exceed \$500” each place it appears  
24 and inserting “such fees as the Secretary considers  
25 appropriate, so long as those fees are proportionally

1 equal for each rural business investment company,”;

2 and

3 (2) in subsection (c)(2)—

4 (A) in subparagraph (B), by striking “sole-  
5 ly to cover the costs of licensing examinations”

6 and inserting “as the Secretary considers ap-  
7 propriate”; and

8 (B) by striking subparagraph (C) and in-  
9 serting the following:

10 “(C) shall be in such amounts as the Sec-  
11 retary considers appropriate.”.

12 (e) LIMITATION ON RURAL BUSINESS INVESTMENT  
13 COMPANIES CONTROLLED BY FARM CREDIT SYSTEM IN-  
14 STITUTIONS.—Section 384J(c) of the Consolidated Farm  
15 and Rural Development Act (7 U.S.C. 2009cc–9(c)) is  
16 amended by striking “25” and inserting “50”.

17 (f) FLEXIBILITY ON SOURCES OF INVESTMENT OR  
18 CAPITAL.—Section 384J(a) of the Consolidated Farm and  
19 Rural Development Act (7 U.S.C. 2009cc–9(a)) is amend-  
20 ed—

21 (1) by redesignating paragraphs (1) and (2) as  
22 subparagraphs (A) and (B), respectively, and indent-  
23 ing appropriately;

24 (2) by striking the subsection designation and  
25 heading and all that follows through “Except as” in

1 the matter preceding subparagraph (A) (as so reded-  
2 igned) and inserting the following:

3 “(a) INVESTMENT.—

4 “(1) IN GENERAL.—Except as”; and

5 (3) by adding at the end the following:

6 “(2) LIMITATION ON REQUIREMENTS.—The  
7 Secretary may not require that an entity described  
8 in paragraph (1) provide investment or capital that  
9 is not required of other companies eligible to apply  
10 to operate as a rural business investment company  
11 under section 384D(a).”.

12 **SEC. 12627. NATIONAL OILHEAT RESEARCH ALLIANCE.**

13 (a) IN GENERAL.—Section 713 of the National  
14 Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201  
15 note; Public Law 106–469) is repealed.

16 (b) LIMITATIONS ON OBLIGATIONS OF FUNDS.—The  
17 National Oilheat Research Alliance Act of 2000 (42  
18 U.S.C. 6201 note; Public Law 106–469) is amended by  
19 inserting after section 707 the following:

20 **“SEC. 708. LIMITATIONS ON OBLIGATION OF FUNDS.**

21 “(a) IN GENERAL.—In each fiscal year of the covered  
22 period, the Alliance may not obligate an amount greater  
23 than the sum of—



## 1217

1           “(1) 75 percent of the amount of assessments  
2           estimated to be collected under section 707 in that  
3           fiscal year;

4           “(2) 75 percent of the amount of assessments  
5           actually collected under section 707 in the most re-  
6           cent fiscal year for which an audit report has been  
7           submitted under section 706(f)(2)(B) as of the be-  
8           ginning of the fiscal year for which the amount that  
9           may be obligated is being determined, less the esti-  
10          mate made pursuant to paragraph (1) for that most  
11          recent fiscal year; and

12          “(3) amounts permitted in preceding fiscal  
13          years to be obligated pursuant to this subsection  
14          that have not been obligated.

15          “(b) EXCESS AMOUNTS DEPOSITED IN ESCROW AC-  
16          COUNT.—Assessments collected under section 707 in ex-  
17          cess of the amount permitted to be obligated under sub-  
18          section (a) in a fiscal year shall be deposited in an escrow  
19          account for the duration of the covered period.

20          “(c) TREATMENT OF AMOUNTS IN ESCROW AC-  
21          COUNT.—

22                 “(1) IN GENERAL.—During the covered period,  
23                 the Alliance may not obligate, expend, or borrow  
24                 against amounts required under subsection (b) to be  
25                 deposited in the escrow account.

## 1218

1           “(2) INTEREST.—Any interest earned on  
2 amounts described in paragraph (1) shall be—

3                   “(A) deposited in the escrow account; and

4                   “(B) unavailable for obligation for the du-  
5 ration of the covered period.

6           “(d) RELEASE OF AMOUNTS IN ESCROW AC-  
7 COUNT.—After the expiration of the covered period, the  
8 Alliance may withdraw and obligate in any fiscal year an  
9 amount in the escrow account that does not exceed  $\frac{1}{5}$  of  
10 the amount in the escrow account on the last day of the  
11 covered period.

12           “(e) SPECIAL RULE FOR ESTIMATES FOR PAR-  
13 TICULAR FISCAL YEARS.—

14                   “(1) RULE.—For purposes of subsection (a)(1),  
15 the amount of assessments estimated to be collected  
16 under section 707 in a fiscal year described in para-  
17 graph (2) shall be equal to 62 percent of the amount  
18 of assessments actually collected under that section  
19 in the most recent fiscal year for which an audit re-  
20 port has been submitted under section 706(f)(2)(B)  
21 as of the beginning of the fiscal year for which the  
22 amount that may be obligated is being determined.

23                   “(2) FISCAL YEARS DESCRIBED.—The fiscal  
24 years referred to in paragraph (1) are the 9th and  
25 10th fiscal years that begin on or after the date of

## 1219

1 enactment of the Agriculture Improvement Act of  
2 2018.

3 “(f) COVERED PERIOD DEFINED.—In this section,  
4 the term ‘covered period’ means the period that begins on  
5 the date of enactment of the Agriculture Improvement Act  
6 of 2018 and ends on the last day of the 11th fiscal year  
7 that begins on or after that date of enactment.”.