

115TH CONGRESS
2D SESSION

S. _____

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.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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.

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Subtitle A—Commodity Policy

- Sec. 1101. Producer election.
- Sec. 1102. Price loss coverage.
- Sec. 1103. Agriculture risk coverage.
- Sec. 1104. Repeal of transition assistance for producers of upland cotton.

Subtitle B—Marketing Loans

- Sec. 1201. Extensions.
- Sec. 1202. Repeal; unshorn pelts.

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. Adjusted gross income limitation.
- Sec. 1705. Base acres review.
- Sec. 1706. Farm Service Agency accountability.
- Sec. 1707. Technical corrections.

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.

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. Limitation on payments.
- Sec. 2307. Conservation innovation grants and payments.
- Sec. 2308. Soil health demonstration pilot project.

Subtitle D—Other Conservation Programs

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

Subtitle E—Funding and Administration

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

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.

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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. Agriculture Wool Apparel Manufacturers Trust Fund.

TITLE IV—NUTRITION

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- 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. Interstate data matching to prevent multiple issuances.
- Sec. 4109. Quality control.
- Sec. 4110. Requirement of live-production environments for certain pilot projects relating to cost sharing for computerization.
- Sec. 4111. Authorization of appropriations.
- Sec. 4112. Assistance for community food projects.

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- Sec. 4113. Nutrition education State plans.
- Sec. 4114. Emergency food assistance program.
- Sec. 4115. 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.

Subtitle B—Operating Loans

- Sec. 5201. 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. Emergency loan eligibility.

Subtitle D—Miscellaneous

- 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.

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.

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- 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. Intemediary relending program.
- Sec. 6115. Single application for broadband.
- Sec. 6116. Loan guarantee loan fees.
- Sec. 6117. Rural Business-Cooperative Service programs technical assistance and training.
- Sec. 6118. Grants for NOAA weather radio transmitters.
- Sec. 6119. Rural microentrepreneur assistance program.
- Sec. 6120. Health care services.
- Sec. 6121. Strategic economic and community development.
- Sec. 6122. Delta Regional Authority.
- Sec. 6123. Rural business investment program.

Subtitle B—Rural Electrification Act of 1936

- Sec. 6201. Electric loan refinancing.
- Sec. 6202. Loans for telephone service.
- Sec. 6203. Cushion of credit payments program.
- Sec. 6204. Guarantees for bonds and notes issued for electrification or telephone purposes.
- Sec. 6205. Access to broadband telecommunications services in rural areas.
- Sec. 6206. Community Connect Grant Program.
- Sec. 6207. Transparency in the Telecommunications Infrastructure Loan Program.
- Sec. 6208. Refinancing of broadband and telephone loans.

Subtitle C—Miscellaneous

- Sec. 6301. Distance learning and telemedicine.
- Sec. 6302. Rural energy savings program.

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. Option to be included as non-land-grant college of agriculture.
- 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. Repeal of New Era Rural Technology Program.
- Sec. 7127. Capacity building grants for NLGCA institutions.
- Sec. 7128. Agriculture Advanced Research and Development Authority.
- 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.

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. Assistive technology program for farmers with disabilities.
- Sec. 7214. National Rural Information Center Clearinghouse.

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

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

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.

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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. Authorization of appropriations to combat insect infestations and related diseases.
- Sec. 8406. Authorization of appropriations for designation of treatment areas.
- Sec. 8407. 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.

PART III—TIMBER INNOVATION

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

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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.
- Sec. 9108. Rural energy self-sufficiency initiative.
- Sec. 9109. Feedstock flexibility program for bioenergy producers.
- Sec. 9110. Biomass Crop Assistance Program.
- Sec. 9111. Community Wood Energy 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.

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Sec. 11123. Education assistance.

TITLE XII—MISCELLANEOUS

Subtitle A—Livestock

Sec. 12101. Sheep production and marketing grant program.

Sec. 12102. National animal health laboratory network.

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.

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. Healthy Food Financing Initiative.

Sec. 12409. Natural Resources Conservation Service.

Sec. 12410. Office of the Chief Scientist.

Sec. 12411. Trade and foreign agricultural affairs.

Sec. 12412. Repeals.

Sec. 12413. Technical corrections.

Sec. 12414. Effect of subtitle.

Sec. 12415. 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.

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- 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.

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.

1 SEC. 2. DEFINITION OF SECRETARY.

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

4 TITLE I—COMMODITIES**5 Subtitle A—Commodity Policy****6 SEC. 1101. PRODUCER ELECTION.**

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

- 9 (1) in subsection (a), in the matter preceding
10 paragraph (1), by striking “Except as provided in
11 subsection (g), for the 2014 through 2018 crop
12 years” and inserting “For the 2014 through 2018
13 crop years (except as provided in subsection (g)) and
14 for the 2019 through 2023 crop years”;
- 15 (2) in subsection (c)—

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

4 (B) in paragraph (1), by inserting “or the
5 2019 crop year, as applicable,” after “2014
6 crop year”; and

7 (C) in paragraph (2)—

8 (i) by striking “elected price” and in-
9 serting the following: “elected, as applica-
10 ble—

11 “(A) price”; and

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

15 “(B) county coverage for all covered com-
16 modities on the farm for the 2020 through
17 2023 crop years.”; and

18 (3) in subsection (g)(1), by inserting “for the
19 2018 crop year,” before “all of the producers”.

20 **SEC. 1102. PRICE LOSS COVERAGE.**

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

23 (1) in subsections (a) and (d) by striking
24 “2018” each place it appears and inserting “2023”;
25 and

1 (2) in subsection (c)—

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

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

8 “(1) IN GENERAL.—The payment”; and

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

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

15 **SEC. 1103. AGRICULTURE RISK COVERAGE.**

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

18 (1) in subsection (a), in the matter preceding
19 paragraph (1)—

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

23 (B) by inserting “or the 2019 through
24 2023 crop years, as applicable” after “2014
25 through 2018 crop years”;

1 (2) in subsection (c)—

2 (A) in paragraph (2)—

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

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

8 (B) in paragraph (3)—

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

11 (ii) in subparagraph (C), by striking
12 “2018” and inserting “2023”;

13 (C) in paragraph (4)—

14 (i) by striking “If” and inserting “Ef-
15 fective for the 2019 through 2023 crop
16 years, if”; and

17 (ii) by striking “70 percent” each
18 place it appears and inserting “75 per-
19 cent”;

20 (D) by redesignating paragraph (5) as
21 paragraph (6); and

22 (E) by inserting after paragraph (4) the
23 following:

24 “(5) TREND-ADJUSTED YIELD.—The Secretary
25 shall calculate and use a trend-adjusted yield factor

1 to adjust the yield determined under paragraph
2 (2)(A) and subsection (b)(1)(A), taking into consid-
3 eration, but not exceeding, the trend-adjusted yield
4 factor that is used to increase yield history under
5 the endorsement under the Federal Crop Insurance
6 Act (7 U.S.C. 1501 et seq.) for that crop and coun-
7 ty.”;

8 (3) in subsection (d)—

9 (A) in paragraph (1), by redesignating
10 subparagraphs (A) and (B) as clauses (i) and
11 (ii), respectively, and indenting appropriately;

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

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

18 “(1) IN GENERAL.—The payment”; and

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

20 “(2) ANNOUNCEMENT.—Not later than 30 days
21 after the end of each applicable 12-month marketing
22 year for each covered commodity, the Secretary shall
23 publish the payment rate determined under para-
24 graph (1) for each county.”;

1 (4) in subsection (e), in the matter preceding
2 paragraph (1), by striking “2018” and inserting
3 “2023”;

4 (5) in subsection (g)—

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

7 (B) in paragraph (4)—

8 (i) in the matter preceding subpara-
9 graph (A), by inserting “effective for the
10 2014 through 2018 crop years,” before “in
11 the case of”; and

12 (ii) in subparagraph (B), by striking
13 the period at the end and inserting “;
14 and”; and

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

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

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

23 “(i) the use of actual county yields in,
24 to the maximum extent practicable, a sin-

1 gle source of data that provides the great-
2 est national coverage of county-level data;

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

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

12 “(I) other sources of county yield
13 information; or

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

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

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

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

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

2 “(h) PUBLICATIONS.—

3 “(1) COUNTY GUARANTEE.—

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

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

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

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

18 “(B) TIMING.—

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

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

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

18 “(II) the national average market
19 price under subparagraph (A)(iii).

20 “(iii) TRANSITION.—Not later than
21 60 days after the date of enactment of the
22 Agriculture Improvement Act of 2018, the
23 Secretary shall publish the information de-
24 scribed in subparagraph (A) for the 2018
25 crop year.

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

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

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

14 “(i) by county; and

15 “(ii) nationally; and

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

21 **SEC. 1104. REPEAL OF TRANSITION ASSISTANCE FOR PRO-**
22 **DUCERS OF UPLAND COTTON.**

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

1 **Subtitle B—Marketing Loans**

2 **SEC. 1201. EXTENSIONS.**

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

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

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

11 (1) in subsection (e)(2)(B), by striking “2019”
12 and inserting “2024”; and

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

15 (d) LOAN DEFICIENCY PAYMENTS.—

16 (1) EXTENSION.—Section 1205(a)(2)(B) of the
17 Agricultural Act of 2014 (7 U.S.C. 9035(a)(2)(B))
18 is amended by striking “2018” and inserting
19 “2023”.

20 (2) PAYMENTS IN LIEU OF LDPS.—Section
21 1206 of the Agricultural Act of 2014 (7 U.S.C.
22 9036) is amended in subsections (a) and (d) by
23 striking “2018” each place it appears and inserting
24 “2023”.

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

6 (4) AVAILABILITY OF RECOURSE LOANS.—Sec-
7 tion 1209 of the Agricultural Act of 2014 (7 U.S.C.
8 9039) is amended in subsections (a)(2) and (b) by
9 striking “2018” each place it appears and inserting
10 “2023”.

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

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

14 (1) in subsection (a)(2)—

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

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

19 and

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

22 or”; and

23 (2) in subsection (c)—

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

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

3 **Subtitle C—Sugar**

4 **SEC. 1301. SUGAR PROGRAM.**

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

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

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

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

14 (b) ALLOTMENTS.—

15 (1) ESTIMATES.—Section 359b(a)(1) of the Agri-
16 cultural Adjustment Act of 1938 (7 U.S.C.
17 1359bb(a)(1)) is amended in the matter preceding
18 subparagraph (A) by striking “2018” and inserting
19 “2023”.

20 (2) EFFECTIVE PERIOD.—Section 359l(a) of
21 the Agricultural Adjustment Act of 1938 (7 U.S.C.
22 1359ll(a)) is amended by striking “2018” and in-
23 serting “2023”.

Subtitle D—Dairy

PART I—DAIRY RISK COVERAGE

SEC. 1401. DAIRY RISK COVERAGE.

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

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

(1) in paragraph (5)—

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

(B) by striking “margin protection program” the first place it appears and inserting “dairy risk coverage”; and

(C) by striking “the margin protection program” and inserting “dairy risk coverage”;

(2) in paragraph (6)—

(A) in the paragraph heading, by striking “MARGIN PROTECTION PROGRAM” and inserting “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 pursuant to”; and

6 (3) in paragraphs (7) and (8), by striking “the
7 margin protection program” each place it appears
8 and inserting “dairy risk coverage”.

9 (c) CALCULATION OF ACTUAL DAIRY PRODUCTION
10 MARGIN.—Section 1402(b)(1) of the Agricultural Act of
11 2014 (7 U.S.C. 9052(b)(1)) is amended in the matter pre-
12 ceding subparagraph (A) by striking “the margin protec-
13 tion program” and inserting “dairy risk coverage”.

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

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

18 “(a) IN GENERAL.—Beginning with the 2019 cal-
19 endar year, the Secretary shall administer dairy risk cov-
20 erage under which participating dairy operations are paid
21 a dairy risk coverage payment when actual dairy produc-
22 tion margins are less than the threshold levels for a dairy
23 risk coverage payment.

24 “(b) REGULATIONS.—Subpart A of part 1430 of title
25 7, Code of Federal Regulations (as in effect on the date

1 of enactment of the Agriculture Improvement Act of
2 2018), shall remain in effect for dairy risk coverage begin-
3 ning with the 2019 calendar year, except to the extent that
4 the regulations are inconsistent with any provision of this
5 Act.”.

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

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

12 (2) in subsection (a), by striking “the margin”
13 and all that follows through “payments” and insert-
14 ing “dairy risk coverage to receive dairy risk cov-
15 erage payments”;

16 (3) in subsection (b), in each of paragraphs (1),
17 (3), and (4), by striking “the margin protection pro-
18 gram” and inserting “dairy risk coverage”;

19 (4) in subsection (c)—

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

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

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

4 (f) PRODUCTION HISTORY OF PARTICIPATING DAIRY
5 OPERATIONS.—Section 1405 of the Agricultural Act of
6 2014 (7 U.S.C. 9055) is amended—

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

10 (2) in subsection (a)(2), by striking “In subse-
11 quent years” and inserting “During each of the
12 2014 through 2019 calendar years”.

13 (g) DAIRY RISK COVERAGE PAYMENTS.—Section
14 1406 of the Agricultural Act of 2014 (7 U.S.C. 9056) is
15 amended—

16 (1) in the section heading, by striking “**MAR-**
17 **GIN PROTECTION**” and inserting “**DAIRY RISK**
18 **COVERAGE**”;

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

21 (3) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking “to \$4.00” and insert-
24 ing the following: “to—

25 “(A) \$4.00”; and

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

3 “(B) in the case of production subject to
4 premiums under section 1407(b), any amount
5 described in subparagraph (A), \$8.50, or \$9.00;
6 and”; and

7 (B) in paragraph (2), by striking “begin-
8 ning with 25 percent and not exceeding” and
9 inserting “that does not exceed”; and

10 (4) in subsection (c), in the subsection heading,
11 by striking “MARGIN PROTECTION” and inserting
12 “DAIRY RISK COVERAGE”.

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

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

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

22 (3) in subsection (b)—

23 (A) in paragraph (2)—

1 (i) by striking “Except as” and all
2 that follows through “the” and inserting
3 “The”;

4 (ii) by striking “None” the second
5 place it appears and inserting “\$0.005”;

6 (iii) by striking “None” the third
7 place it appears and inserting “\$0.01”;

8 (iv) by striking “\$0.009” and insert-
9 ing “\$0.02”;

10 (v) by striking “\$0.016” and inserting
11 “\$0.04”;

12 (vi) by striking “\$0.040” and insert-
13 ing “\$0.07”;

14 (vii) by striking “\$0.063” and insert-
15 ing “\$0.10”;

16 (viii) by striking “\$0.087” and insert-
17 ing “\$0.12”;

18 (ix) by striking “\$0.142” and insert-
19 ing “\$0.14”; and

20 (x) by adding at the end of the table
21 the following:

“\$8.50	\$0.16
\$9.00	\$0.18”; and

22 (B) by striking paragraph (3);

23 (4) in subsection (c)(2)—

1 (A) by striking “\$0.020” and inserting
2 “\$0.048”;

3 (B) by striking “\$0.040” and inserting
4 “\$0.096”;

5 (C) by striking “\$0.100” and inserting
6 “\$0.144”;

7 (D) by striking “\$0.155” and inserting
8 “\$0.24”;

9 (E) by striking “\$0.290” and inserting
10 “\$0.42”;

11 (F) by striking “\$0.830” and inserting
12 “\$1.08”;

13 (G) by striking “\$1.060” and inserting
14 “\$1.32”; and

15 (H) by striking “\$1.360” and inserting
16 “\$1.68”;

17 (5) in subsection (e)—

18 (A) in paragraph (1), by striking “the
19 margin protection program” and inserting
20 “dairy risk coverage”; and

21 (B) in paragraph (2), by striking “A par-
22 ticipating dairy operation in the margin protec-
23 tion program” and inserting “A dairy operation
24 participating in dairy risk coverage”; and

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

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

5 “(1) 50 percent for a participating dairy oper-
6 ation with a production history that is not greater
7 than 2,000,000 pounds; and

8 “(2) 25 percent for a participating dairy oper-
9 ation with a production history that is not less than
10 2,000,000 pounds and not greater than 10,000,000
11 pounds.”.

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

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

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

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

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

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

1 (k) ADMINISTRATION AND ENFORCEMENT.—Section
2 1410 of the Agricultural Act of 2014 (7 U.S.C. 9060) is
3 amended—

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

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

9 **PART II—REAUTHORIZATIONS AND OTHER**

10 **DAIRY-RELATED PROVISIONS**

11 **SEC. 1411. REAUTHORIZATIONS.**

12 (a) FORWARD PRICING.—Section 1502(e) of the
13 Food, Conservation, and Energy Act of 2008 (7 U.S.C.
14 8772(e)) is amended—

15 (1) in paragraph (1), by striking “2018” and
16 inserting “2023”; and

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

19 (b) INDEMNITY PROGRAM.—Section 3 of Public Law
20 90–484 (7 U.S.C. 4553) is amended by striking “2018”
21 and inserting “2023”.

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

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

2 (a) CLASS I SKIM MILK PRICE.—Section 8c(5)(A) of
3 the Agricultural Adjustment Act (7 U.S.C. 608c(5)(A)),
4 reenacted with amendments by the Agricultural Marketing
5 Agreement Act of 1937, is amended by striking “Through-
6 out” in the third sentence and all that follows through
7 the period at the end of the fourth sentence and inserting
8 “Throughout the 2-year period beginning on the effective
9 date of this sentence (and subsequent to such 2-year pe-
10 riod unless modified by amendment to the order involved),
11 for purposes of determining prices for milk of the highest
12 use classification, the Class I skim milk price per hundred-
13 weight specified in section 1000.50(b) of title 7, Code of
14 Federal Regulations (or successor regulations), shall be
15 the sum of the adjusted Class I differential specified in
16 section 1000.52 of such title 7 (or successor regulations),
17 plus the adjustment to Class I prices specified in sections
18 1005.51(b), 1006.51(b), and 1007.51(b) of such title 7
19 (or successor regulations), plus the simple average of the
20 advanced pricing factors computed in sections
21 1000.50(q)(1) and 1000.50(q)(2) of such title 7 (or suc-
22 cessor regulations), plus \$0.74.”.

23 (b) EFFECTIVE DATE AND IMPLEMENTATION.—

24 (1) EFFECTIVE DATE.—The amendment made
25 by subsection (a) shall take effect on the first day

1 of the first month beginning more than 120 days
2 after the date of enactment of this Act.

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

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

8 (B) The notice and hearing requirements
9 of section 8c(3) of the Agricultural Adjustment
10 Act (7 U.S.C. 608c(3)), reenacted with amend-
11 ments by the Agricultural Marketing Agreement
12 Act of 1937.

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

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

17 **SEC. 1413. MILK DONATION PROGRAM.**

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

21 **“PART III—MILK DONATION PROGRAM**

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

23 “(a) DEFINITIONS.—In this section:

24 “(1) ELIGIBLE DAIRY ORGANIZATION.—The
25 term ‘eligible dairy organization’ means a dairy

1 farmer (either individually or as part of a coopera-
2 tive), or a dairy processor, who—

3 “(A) accounts to a Federal milk marketing
4 order marketwide pool; and

5 “(B) incurs qualified expenses under sub-
6 section (e).

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

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

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

16 “(5) PARTICIPATING PARTNERSHIP.—The term
17 ‘participating partnership’ means an eligible partner-
18 ship for which the Secretary has approved a dona-
19 tion and distribution plan for eligible milk under
20 subsection (c)(2).

21 “(b) PROGRAM REQUIRED; PURPOSES.—Not later
22 than 180 days after the date of enactment of the Agri-
23 culture Improvement Act of 2018, the Secretary shall es-
24 tablish and administer a milk donation program for the
25 purposes of—

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

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

4 “(3) reducing food waste.

5 “(c) DONATION AND DISTRIBUTION PLANS.—

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

10 “(A) describes the process that the eligible
11 partnership will use for the donation, proc-
12 essing, transportation, temporary storage, and
13 distribution of eligible milk;

14 “(B) includes an estimate of the quantity
15 of eligible milk that the eligible partnership will
16 donate each year, based on—

17 “(i) preplanned donations; and

18 “(ii) contingency plans to address un-
19 anticipated donations; and

20 “(C) describes the rate at which the eligi-
21 ble partnership will be reimbursed, which shall
22 be based on a percentage of the limitation de-
23 scribed in subsection (e)(2).

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

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

3 “(B) determine whether to approve or dis-
4 approve each of those donation and distribution
5 plans.

6 “(d) REIMBURSEMENT.—

7 “(1) IN GENERAL.—On receipt of appropriate
8 documentation under paragraph (2), the Secretary
9 shall reimburse an eligible dairy organization that is
10 a member of a participating partnership on a reg-
11 ular basis for qualified expenses described in sub-
12 section (e).

13 “(2) DOCUMENTATION.—

14 “(A) IN GENERAL.—An eligible dairy orga-
15 nization shall submit to the Secretary such doc-
16 umentation as the Secretary may require to
17 demonstrate the qualified expenses described in
18 subsection (e) of the eligible dairy organization.

19 “(B) VERIFICATION.—The Secretary may
20 verify the accuracy of documentation submitted
21 under subparagraph (A) by spot checks and au-
22 dits.

23 “(3) RETROACTIVE REIMBURSEMENT.—In pro-
24 viding reimbursements under paragraph (1), the
25 Secretary may provide reimbursements for qualified

1 expenses incurred before the date on which the do-
2 nation and distribution plan for the applicable par-
3 ticipating partnership was approved by the Sec-
4 retary.

5 “(e) QUALIFIED EXPENSES.—

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

9 “(A) the quantity of eligible milk donated
10 by the eligible dairy organization under a dona-
11 tion and distribution plan approved by the Sec-
12 retary under subsection (e); and

13 “(B) subject to the limitation under para-
14 graph (2), the rate described in that donation
15 and distribution plan under subsection
16 (e)(1)(C).

17 “(2) LIMITATION.—Expenses eligible for reim-
18 bursement under subsection (d) shall not exceed the
19 value that an eligible dairy organization incurred by
20 accounting to the Federal milk marketing order pool
21 at the difference in the Class I milk value and the
22 lowest classified price for the applicable month (ei-
23 ther Class III milk or Class IV milk).

24 “(f) PREAPPROVAL.—

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

1 “(A) establish a process for an eligible
2 partnership to apply for preapproval of dona-
3 tion and distribution plans under subsection (e);
4 and

5 “(B) not less frequently than annually,
6 preapprove an amount for qualified expenses
7 described in subsection (e) that the Secretary
8 will allocate for reimbursement under each do-
9 nation and distribution plan preapproved under
10 subparagraph (A), based on an assessment of—

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

12 “(ii) the extent to which the plan ad-
13 vances the purposes described in sub-
14 section (b).

15 “(2) PREFERENCE.—In preapproving amounts
16 for reimbursement under paragraph (1)(B), the Sec-
17 retary shall give preference to eligible partnerships
18 that will provide funding and in-kind contributions
19 in addition to the reimbursements.

20 “(3) ADJUSTMENTS.—

21 “(A) IN GENERAL.—The Secretary shall
22 adjust or increase amounts preapproved for re-
23 imbursement under paragraph (1)(B) based on
24 performance and demand.

25 “(B) REQUESTS FOR INCREASE.—

1 “(i) IN GENERAL.—The Secretary
2 shall establish a procedure for a partici-
3 pating partnership to request an increase
4 in the amount preapproved for reimburse-
5 ment under paragraph (1)(B) based on
6 changes in conditions.

7 “(ii) INTERIM APPROVAL; INCRE-
8 MENTAL INCREASE.—The Secretary may
9 provide an interim approval of an increase
10 requested under clause (i) and an incre-
11 mental increase in the amount of reim-
12 bursement to the applicable participating
13 partnership to allow time for the Secretary
14 to review the request without interfering
15 with the donation and distribution of eligi-
16 ble milk by the participating partnership.

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

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

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

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

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

7 “(j) FUNDING.—Of the funds of the Commodity
8 Credit Corporation, the Secretary shall use to carry out
9 this section \$5,000,000 for fiscal year 2019 and each fis-
10 cal year thereafter, to remain available until expended.”.

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

15 **Subtitle E—Supplemental**
16 **Agricultural Disaster Assistance**

17 **SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER AS-**
18 **SISTANCE.**

19 (a) MEMBERS OF INDIAN TRIBES.—Section
20 1501(a)(1)(B) of the Agricultural Act of 2014 (7 U.S.C.
21 9081(a)(1)(B)) is amended—

22 (1) by redesignating clauses (iii) and (iv) as
23 clauses (iv) and (v), respectively; and

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

1 “(iii) an Indian tribe or tribal organi-
2 zation (as those terms are defined in sec-
3 tion 4 of the Indian Self-Determination
4 and Education Assistance Act (25 U.S.C.
5 5304));”.

6 (b) LIVESTOCK INDEMNITY PAYMENTS FOR AD-
7 VERSE WEATHER.—Section 1501(b)(1)(B) of the Agricul-
8 tural Act of 2014 (7 U.S.C. 9081(b)(1)(B)) is amended
9 by striking “cold.” and inserting “cold, on the condition
10 that in the case of the death loss of unweaned livestock
11 due to that adverse weather, the Secretary may disregard
12 any management practice, vaccination protocol, or lack of
13 vaccination by the eligible producer on a farm.”.

14 (c) TREE ASSISTANCE PROGRAM.—Section 1501(e)
15 of the Agricultural Act of 2014 (7 U.S.C. 9081(e)) is
16 amended—

17 (1) in paragraph (3), in the matter preceding
18 subparagraph (A), by striking “paragraph (4)” and
19 inserting “paragraphs (4) and (5)”; and

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

21 “(5) PAYMENT RATE FOR BEGINNING AND VET-
22 ERAN PRODUCERS.—Subject to paragraph (4), in
23 the case of a beginning farmer or rancher or a vet-
24 eran farmer or rancher (as those terms are defined
25 in section 2501(a) of the Food, Agriculture, Con-

1 “(D) COORDINATION.—The Secretary shall
2 coordinate between the agencies of the Depart-
3 ment that provide programs or services to farm-
4 ers and ranchers that are potentially eligible for
5 the noninsured crop disaster assistance pro-
6 gram under this section—

7 “ (i) to make available coverage
8 under—

9 “ (I) the fee waiver under sub-
10 section (k)(2); or

11 “ (II) the premium discount
12 under subsection (l)(3); and

13 “ (ii) to share eligibility information to
14 reduce paperwork and avoid duplication.”;
15 and

16 (B) in paragraph (4)—

17 (i) in subparagraph (B)(i)—

18 (I) by striking “During” and all
19 that follows through “native” and in-
20 serting “Native”;

21 (II) by striking “annual” and in-
22 serting “eligible”; and

23 (III) by striking the period at the
24 end and inserting the following: “for
25 any of the 4 years—

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

3 (C) in paragraph (2) (as so redesignated),
4 by striking “established yield for the crop” and
5 inserting “approved yield for the crop, as deter-
6 mined by the Secretary”;

7 (4) in subsection (e)—

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

10 (B) in paragraph (2)—

11 (i) in the second sentence—

12 (I) by inserting “approved” be-
13 fore “yield”; and

14 (II) by striking “Subject” and in-
15 serting the following:

16 “(B) CALCULATION.—Subject”; and

17 (ii) in the matter preceding subpara-
18 graph (B) (as so designated)—

19 (I) by striking “yield coverage”
20 and inserting “an approved yield”;
21 and

22 (II) by striking “The Secretary”
23 and inserting the following:

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

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

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

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

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

10 (6) in subsection (k)(1)—

11 (A) in subparagraph (A), by striking
12 “\$250” and inserting “\$325”; and

13 (B) in subparagraph (B)—

14 (i) by striking “\$750” and inserting
15 “\$825”; and

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

18 (7) in subsection (l)—

19 (A) in paragraph (1)—

20 (i) by redesignating subparagraphs
21 (A), (B), and (C) as subparagraphs (B),
22 (C), and (D), respectively;

23 (ii) by inserting before subparagraph
24 (B) (as so redesignated) the following:

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

3 (iii) in subparagraph (C) (as so reded-
4 igned), by inserting “, contract price, or
5 other premium price (such as a local, or-
6 ganic, or direct market price, as elected by
7 the producer)” after “price”;

8 (B) by striking paragraphs (3) and (5);
9 and

10 (C) by redesignating paragraph (4) as
11 paragraph (3).

12 **Subtitle G—Administration**

13 **SEC. 1701. REGULATIONS.**

14 Section 1601(c)(2) of the Agricultural Act of 2014
15 (7 U.S.C. 9091(c)(2)) is amended—

16 (1) in the matter preceding subparagraph (A),
17 by striking “title and sections 11003 and 11017”
18 and inserting “title, sections 11003 and 11017, title
19 I of the Agriculture Improvement Act of 2018 and
20 the amendments made by that title, and section
21 10109 of that Act”;

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

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

1 (4) by striking subparagraph (C).

2 **SEC. 1702. SUSPENSION OF PERMANENT PRICE SUPPORT**
3 **AUTHORITY.**

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

7 **SEC. 1703. IMPLEMENTATION.**

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

10 (1) by striking subsection (b) and inserting the
11 following:

12 “(b) STREAMLINING.—In implementing this title, the
13 Secretary shall—

14 “(1) reduce administrative burdens and costs to
15 producers by streamlining and reducing paperwork,
16 forms, and other administrative requirements, in-
17 cluding through the implementation of the Acreage
18 Crop Reporting and Streamlining Initiative that, in
19 part, shall ensure that—

20 “(A) a producer (or an agent of a pro-
21 ducer) may report information electronically
22 (including geospatial data) or conventionally to
23 the Department of Agriculture;

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

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

10 “(ii) recording and making available
11 data at the smallest possible unit, such as
12 field-level; and

13 “(iii) harmonizing methods for deter-
14 mining yields and property descriptions;
15 and

16 “(C) on the request of the producer (or
17 agent thereof), the Department of Agriculture
18 electronically shares with the producer (or
19 agent) in real time and without cost to the pro-
20 ducer (or agent) the common land unit data, re-
21 lated farm level data, conservation practices
22 and other information of the producer through
23 a single Department-wide login;

24 “(2) improve coordination, information sharing,
25 and administrative work with the Farm Service

1 Agency, Risk Management Agency, the Natural Re-
2 sources Conservation Service, and other agencies, as
3 determined appropriate by the Secretary, including
4 by—

5 “(A) streamlining processes and reducing
6 paperwork for cross-agency interactions, such
7 as acreage reports and conservation compliance
8 determinations; and

9 “(B) utilizing common acreage reporting
10 processes to collect relevant field-level data such
11 that a producer—

12 “(i) has the option to report—

13 “(I) to any of those agencies; and

14 “(II) electronically; and

15 “(ii) does not need to report dupli-
16 cative information; and

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

20 “(A) providing an option, as practicable,
21 for uploading other farm- or field-level data
22 that is unrelated to program requirements, such
23 as input costs or field characteristics, such as
24 soil test results;

1 “(B) maintaining historical information
2 and allowing users to examine trends on a field-
3 or farm-level;

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

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

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

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

19 “(e) DEOBLIGATION OF UNLIQUIDATED OBLIGA-
20 TIONS.—

21 “(1) IN GENERAL.—Subject to paragraph (3),
22 any payment obligated or otherwise made available
23 by the Secretary under this title on or after the date
24 of enactment of the Agriculture Improvement Act of
25 2018 that is not disbursed to the recipient by the

1 date that is 5 years after the date on which the pay-
2 ment is obligated or otherwise made available
3 shall—

4 “(A) be deobligated; and

5 “(B) revert to the Treasury.

6 “(2) OUTSTANDING PAYMENTS.—

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

17 “(i) be deobligated; and

18 “(ii) revert to the Treasury.

19 “(B) LAWS DESCRIBED.—The laws re-
20 ferred to in subparagraph (A) are any of the
21 following:

22 “(i) This title.

23 “(ii) Title I of the Food, Conserva-
24 tion, and Energy Act of 2008 (7 U.S.C.
25 8702 et seq.).

1 “(iii) Title I of the Farm Security and
2 Rural Investment Act of 2002 (7 U.S.C.
3 7901 et seq.).

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

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

11 “(vi) Titles I through X of the Food
12 Security Act of 1985 (Public Law 99–198;
13 99 Stat. 1362) and the amendments made
14 by those titles.

15 “(vii) Titles I through XI of the Agri-
16 culture and Food Act of 1981 (Public Law
17 97–98; 95 Stat. 1218) and the amend-
18 ments made by those titles.

19 “(viii) Titles I through X of the Food
20 and Agriculture Act of 1977 (Public Law
21 95–113; 91 Stat. 917) and the amend-
22 ments made by those titles.

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

1 “(A) that is the subject of—
2 “(i) ongoing administrative review or
3 appeal;
4 “(ii) litigation; or
5 “(iii) the settlement of an estate; or
6 “(B) for which the Secretary otherwise de-
7 termines that the circumstances are such that
8 the delay is equitable.”.

9 **SEC. 1704. ADJUSTED GROSS INCOME LIMITATION.**

10 Section 1001D(b)(1) of the Food Security Act of
11 1985 (7 U.S.C. 1308–3a(b)(1)) is amended by striking
12 “\$900,000” and inserting “\$700,000”.

13 **SEC. 1705. BASE ACRES REVIEW.**

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

18 (b) REPORT.—Not later than 2 years after the date
19 of enactment of this Act, the Secretary shall submit to
20 the Committee on Agriculture of the House of Representa-
21 tives and the Committee on Agriculture, Nutrition, and
22 Forestry of the Senate a report describing the results of
23 the review under subsection (a).

1 **SEC. 1706. FARM SERVICE AGENCY ACCOUNTABILITY.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Secretary, in consulta-
4 tion with the Inspector General of the Department of Ag-
5 riculture, shall establish policies, procedures, and plans to
6 improve program accountability and integrity through tar-
7 geted and coordinated activities, including utilizing data
8 mining to identify and reduce errors, waste, fraud, and
9 abuse in programs administered by the Farm Service
10 Agency.

11 (b) REPORT.—Not later than 2 years after the date
12 of enactment of this Act, and annually thereafter through
13 fiscal year 2023, the Secretary shall submit to the Com-
14 mittee on Agriculture of the House of Representatives and
15 the Committee on Agriculture, Nutrition, and Forestry of
16 the Senate a report describing a summary of—

17 (1) the existing efforts of the Department of
18 Agriculture to eliminate errors, waste, fraud, and
19 abuse, including efforts that involve coordination
20 with other departments or agencies;

21 (2) identified weaknesses or program integrity
22 issues that contribute to errors, waste, fraud, and
23 abuse in Farm Service Agency programs and plans
24 for actions to be taken to address and reduce those
25 weaknesses or program integrity issues;

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

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

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

9 **SEC. 1707. TECHNICAL CORRECTIONS.**

10 (a) Section 1112(c)(2) of the Agricultural Act of
11 2014 (7 U.S.C. 9012(c)(2)) is amended by striking sub-
12 paragraph (A) and inserting the following:

13 “(A) Any acreage on the farm enrolled
14 in—

15 “(i) the conservation reserve program
16 established under subchapter B of chapter
17 1 of subtitle D of title XII of the Food Se-
18 curity Act of 1985 (16 U.S.C. 3831 et
19 seq.); or

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

23 (b) Section 1614(d) of the Agricultural Act of 2014
24 (7 U.S.C. 9097(d)) is amended—

1 (1) in paragraph (1), by striking “pursuant 2
2 U.S.C. 901(a)” and inserting “pursuant to section
3 251(a) of the Balanced Budget and Emergency Def-
4 icit Control Act of 1985 (2 U.S.C. 901(a))”; and

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

7 **TITLE II—CONSERVATION**
8 **Subtitle A—Conservation Reserve**
9 **Program**

10 **SEC. 2101. EXTENSION AND ENROLLMENT REQUIREMENTS**
11 **OF CONSERVATION RESERVE PROGRAM.**

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

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

16 (2) in subsection (b)(1)(B), by striking “the
17 Agricultural Act of 2014” and inserting “the Agri-
18 culture Improvement Act of 2018”;

19 (3) in subsection (d)—

20 (A) in paragraph (1)—

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

23 (ii) in subparagraph (E), 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 “(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) MINIMUM ACREAGE.—Of the acres
- 25 maintained in the conservation reserve in ac-

1 cordance with paragraph (1), to the maximum
2 extent practicable, 40 percent of acres enrolled
3 in the conservation reserve using continuous
4 sign-up under section 1234(d)(2)(A)(ii) shall be
5 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 sserting “subparagraph (A)”; and
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 take into consideration the
15 value of marginal and environmentally sen-
16 sitive land that is the subject of the con-
17 tract 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).”.

16 **SEC. 2105. CONSERVATION RESERVE ENHANCEMENT PRO-**
17 **GRAM.**

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

22 **“SEC. 1231A. CONSERVATION RESERVE ENHANCEMENT**
23 **PROGRAM.**

24 “(a) DEFINITIONS.—In this section:

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

4 “(2) ELIGIBLE PARTNER.—The term ‘eligible
5 partner’ means—

6 “(A) a State;

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

8 “(C) an Indian tribe (as defined in section
9 4 of the Indian Self-Determination and Edu-
10 cation Assistance Act (25 U.S.C. 5304));

11 “(D) a nongovernmental organization;

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

15 “(F) a State cooperative extension service;

16 “(G) a research institute; and

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

19 “(3) MANAGEMENT.—The term ‘management’
20 means an activity conducted by an owner or oper-
21 ator under a contract entered into under this sub-
22 chapter after the establishment of a conservation
23 practice on eligible land, to regularly maintain or en-
24 hance the vegetative cover established by the con-
25 servation practice—

1 “(A) throughout the term of the contract;

2 and

3 “(B) consistent with the conservation plan

4 that covers the eligible land.

5 “(4) PROGRAM.—The term ‘program’ means a

6 conservation reserve enhancement program carried

7 out under an agreement under subsection (b)(1).

8 “(b) AGREEMENTS.—

9 “(1) IN GENERAL.—The Secretary may enter

10 into an agreement with an eligible partner to carry

11 out a conservation reserve enhancement program—

12 “(A) to assist in enrolling eligible land in

13 the program established under this subchapter;

14 and

15 “(B) that the Secretary determines will ad-

16 vance the purposes of this subchapter.

17 “(2) CONTENTS.—An agreement entered into

18 under paragraph (1) shall—

19 “(A) describe—

20 “(i) 1 or more specific State or na-

21 tionally significant conservation concerns

22 to be addressed by the agreement;

23 “(ii) quantifiable environmental goals

24 for addressing the concerns under clause

25 (i);

1 “(iii) a suitable acreage goal for en-
2 rollment of eligible land under the agree-
3 ment, as determined by the Secretary;

4 “(iv) the location of eligible land to be
5 enrolled in the project area identified
6 under the agreement;

7 “(v) the payments to be offered by the
8 Secretary and eligible partner to an owner
9 or operator; and

10 “(vi) an appropriate list of conserva-
11 tion reserve program conservation practice
12 standards, including any modifications to
13 the practice standards, that are appro-
14 priate to meeting the concerns described
15 under clause (i), as determined by the Sec-
16 retary in consultation with eligible part-
17 ners; and

18 “(B) require the eligible partner to provide
19 funds.

20 “(3) EFFECT ON EXISTING AGREEMENTS.—

21 “(A) IN GENERAL.—Subject to subpara-
22 graph (B), an agreement under this subsection
23 shall not affect, modify, or interfere with exist-
24 ing agreements under this subchapter.

1 “(B) MODIFICATION OF EXISTING AGREE-
2 MENTS.—To implement this section, the sig-
3 natories to an agreement under this subsection
4 may mutually agree to a modification of an
5 agreement entered into before the date of enact-
6 ment of this section under the Conservation Re-
7 serve Enhancement Program established by the
8 Secretary under this subchapter.

9 “(c) PAYMENTS.—

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

13 “(2) MARGINAL PASTURELAND COST-SHARE
14 PAYMENTS.—The Secretary shall ensure that cost-
15 share payments to an owner or operator to install
16 stream fencing, crossings, and alternative water de-
17 velopment on marginal pastureland under a program
18 reflect the fair market value of the cost of installa-
19 tion.

20 “(3) COST-SHARE AND PRACTICE INCENTIVE
21 PAYMENTS.—

22 “(A) IN GENERAL.—On request of an
23 owner or operator, the Secretary shall provide
24 cost-share payments when a major conservation

1 practice component is completed under a pro-
2 gram, as determined by the Secretary.

3 “(B) ASSIGNMENT TO ELIGIBLE PART-
4 NER.—An owner or operator may assign cost-
5 share and practice incentive payments to an eli-
6 gible partner if the eligible partner installs the
7 conservation practice or conducts the ongoing
8 management of the conservation practice on be-
9 half of the owner or operator.

10 “(4) RIPARIAN BUFFER MAINTENANCE PAY-
11 MENTS.—

12 “(A) IN GENERAL.—In the case of an
13 agreement under subsection (b)(1) that includes
14 riparian buffers as an eligible practice, the Sec-
15 retary shall make cost-share payments to en-
16 courage the regular management of the riparian
17 buffer throughout the term of the agreement,
18 consistent with the conservation plan that cov-
19 ers the eligible land.

20 “(B) LIMITATION.—The amount of pay-
21 ments received by an owner or operator under
22 subparagraph (A) shall not be greater than 100
23 percent of the normal and customary projected
24 management cost, as determined by the Sec-
25 retary, in consultation with the applicable State

1 technical committee established under section
2 1261(a).

3 “(d) FORESTED RIPARIAN BUFFER PRACTICE.—

4 “(1) FOOD-PRODUCING WOODY PLANTS.—In
5 the case of an agreement under subsection (b)(1)
6 that includes forested riparian buffers as an eligible
7 practice, the Secretary shall allow an owner or oper-
8 ator—

9 “(A) to plant food-producing woody plants
10 in the forested riparian buffers, on the condi-
11 tions that—

12 “(i) the plants shall contribute to the
13 conservation of soil, water quality, and
14 wildlife habitat; and

15 “(ii) the planting shall be consistent
16 with—

17 “(I) recommendations of the ap-
18 plicable State technical committee es-
19 tablished under section 1261(a); and

20 “(II) technical guide standards of
21 the applicable field office of the Nat-
22 ural Resources Conservation Service;
23 and

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

1 “(i) the harvesting shall not damage
2 the conserving cover or otherwise have a
3 negative impact on the conservation con-
4 cerns targeted by the program; and

5 “(ii) only native plant species appro-
6 priate to the region shall be used within 35
7 feet of the watercourse.

8 “(2) TECHNICAL ASSISTANCE.—For the pur-
9 pose of enrolling forested riparian buffers in a pro-
10 gram, the Administrator of the Farm Service Agen-
11 cy, in consultation with the Chief of the Forest Serv-
12 ice—

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

15 “(B) is encouraged to partner with a non-
16 governmental organization—

17 “(i) to make recommendations for
18 conservation practices under the program;

19 “(ii) to provide technical assistance
20 necessary to carry out the conservation
21 practices recommended under clause (i);
22 and

23 “(iii) to implement riparian buffers
24 by—

1 “(I) pooling and submitting ap-
2 plications on behalf of owners and op-
3 erators in a specific watershed; and

4 “(II) carrying out management
5 activities for the duration of the pro-
6 gram.

7 “(e) ACREAGE.—Of the acres of land maintained in
8 the conservation reserve in accordance with section
9 1231(d)(1), to the maximum extent practicable, 15 per-
10 cent of the acres enrolled in the conservation reserve pro-
11 gram using continuous sign-up under section
12 1234(d)(2)(A)(ii) shall be enrolled under an agreement
13 under subsection (b)(1).

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

18 “(1) the status of the agreement;

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

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

23 “(4) the progress made in fulfilling those com-
24 mitments.”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) Section 1234(g) of the Food Security Act of
2 1985 (16 U.S.C. 3834(g)) is amended—

3 (A) by striking “PAYMENT” in the sub-
4 section heading and all that follows through
5 “The total” in paragraph (1) and inserting
6 “PAYMENTS.—The total”; and

7 (B) by striking paragraph (2).

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

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

19 **SEC. 2106. CONTRACTS.**

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

22 (1) by striking subsection (e);

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

25 (3) in subsection (e) (as so redesignated)—

- 1 (A) in paragraph (1)—
- 2 (i) in subparagraph (B), by inserting
- 3 “purchase, including a lease with a term of
- 4 less than 5 years and an option to” before
- 5 “purchase”;
- 6 (ii) in subparagraph (D), by striking
- 7 “and” at the end;
- 8 (iii) by redesignating subparagraph
- 9 (E) as subparagraph (F); and
- 10 (iv) by inserting after subparagraph
- 11 (D) the following:
- 12 “(E) give priority to the enrollment of the
- 13 land in—
- 14 “(i) the conservation stewardship pro-
- 15 gram established under subchapter B of
- 16 chapter 2;
- 17 “(ii) the environmental quality incen-
- 18 tives program established under chapter 4;
- 19 or
- 20 “(iii) the agricultural conservation
- 21 easement program established under sub-
- 22 title H; and”; and
- 23 (B) in paragraph (2)(A), by striking
- 24 “under the” and inserting the following:
- 25 “under—

1 “(i) the conservation reserve program
2 for grasslands described in section
3 1231(b)(3); or

4 “(ii) the”; and

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

6 “(h) OWNER OR OPERATOR ELECTION RELATING TO
7 CONSERVATION RESERVE EASEMENTS.—

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

11 “(A) during the period beginning on the
12 date of enactment of this subsection and ending
13 on September 30, 2023; and

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

16 “(i) under the clean lakes, estuaries,
17 and rivers priority described in section
18 1231(d)(5); or

19 “(ii) that is located in a State acres
20 for wildlife enhancement area under sec-
21 tion 1231(j).

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

1 “(A) not to reenroll the land under the
2 contract;

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

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

7 “(ii) no incentive payments shall be
8 provided under the contract; or

9 “(C) not to reenroll the land under the
10 contract and to enroll the land under the con-
11 tract in a conservation reserve easement under
12 section 1231C.

13 “(3) EXCEPTION.—On the expiration of a cov-
14 ered contract, if land enrolled in the conservation re-
15 serve program under that contract is determined by
16 the Secretary to not be suitable for permanent pro-
17 tection through a conservation reserve easement
18 under section 1231C, notwithstanding paragraph
19 (2)(B), the Secretary shall allow the land to be re-
20 enrolled under the terms of the conservation reserve
21 program in effect on the date of expiration.”.

22 (b) CONFORMING AMENDMENT.—Section
23 1241(a)(1)(B) of the Food Security Act of 1985 (16
24 U.S.C. 3841(a)(1)(B)) is amended by striking “1235(f)”
25 and inserting “1235(e)”.

1 **SEC. 2107. CONSERVATION RESERVE EASEMENTS.**

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

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

6 “(a) IN GENERAL.—

7 “(1) ENROLLMENT.—The Secretary shall offer
8 to enroll land in the conservation reserve program
9 through a conservation reserve easement in accord-
10 ance with this section.

11 “(2) EXCLUSION OF ACREAGE LIMITATION.—

12 For purposes of applying the limitations in section
13 1231(d)(1), the Secretary shall not count acres of
14 land enrolled under this section.

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

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

21 “(1) permanent; or

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

23 “(d) AGREEMENTS.—To be eligible to enroll land in
24 the conservation reserve program through a conservation
25 reserve easement, the owner of the land shall enter into
26 an agreement with the Secretary—

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

3 “(2) to implement a conservation reserve ease-
4 ment plan developed for the land under subsection
5 (h)(1);

6 “(3) to create and record an appropriate deed
7 restriction in accordance with applicable State law to
8 reflect the easement;

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

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

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

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

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

19 “(A) permit—

20 “(i) repairs, improvements, and in-
21 spections on the land that are necessary to
22 maintain existing public drainage systems;
23 and

24 “(ii) owners to control public access
25 on the land while identifying access routes

1 to be used for restoration activities and
2 management and easement monitoring;

3 “(B) prohibit—

4 “(i) the alteration of wildlife habitat
5 and other natural features of the land, un-
6 less specifically authorized by the Secretary
7 as part of the conservation reserve ease-
8 ment plan;

9 “(ii) the spraying of the land with
10 chemicals or the mowing of the land, ex-
11 cept where the spraying or mowing is au-
12 thorized by the Secretary or is necessary—

13 “(I) to comply with Federal or
14 State noxious weed control laws;

15 “(II) to comply with a Federal or
16 State emergency pest treatment pro-
17 gram; or

18 “(III) to meet habitat needs of
19 specific wildlife species;

20 “(iii) any activity to be carried out on
21 the land of the owner or successor that is
22 immediately adjacent to, and functionally
23 related to, the land that is subject to the
24 easement if the activity will alter, degrade,

1 or otherwise diminish the functional value
2 of the land; and

3 “(iv) the adoption of any other prac-
4 tice that would tend to defeat the purposes
5 of the conservation reserve program, as de-
6 termined by the Secretary; and

7 “(C) include any additional provision that
8 the Secretary determines is appropriate to carry
9 out this section or facilitate the practical ad-
10 ministration of this section.

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

13 “(A) the conservation reserve easement
14 shall remain in force; and

15 “(B) the Secretary may require the owner
16 to refund all or part of any payments received
17 by the owner under the program, with interest
18 on the payments, as determined appropriate by
19 the Secretary.

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

1 “(A) is specifically permitted by the con-
2 servation reserve easement plan developed for
3 the land; and

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

7 “(f) COMPENSATION.—

8 “(1) DETERMINATION.—

9 “(A) PERMANENT EASEMENTS.—The Sec-
10 retary shall pay as compensation for a perma-
11 nent conservation reserve easement acquired
12 under this section an amount necessary to en-
13 courage enrollment of land in such a conserva-
14 tion reserve easement, based on the lowest of—

15 “(i) the fair market value of the land,
16 as determined by the Secretary, using the
17 Uniform Standards of Professional Ap-
18 praisal Practice or an areawide market
19 analysis or survey;

20 “(ii) the amount corresponding to a
21 geographical limitation, as determined by
22 the Secretary in regulations prescribed by
23 the Secretary; or

24 “(iii) the offer made by the land-
25 owner.

1 “(B) OTHER.—Compensation for a con-
2 servation reserve easement that is not perma-
3 nent due to a restriction in applicable State law
4 shall be not less than 50 percent, but not more
5 than 75 percent, of the compensation that
6 would be paid for a permanent conservation re-
7 serve easement.

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

12 “(3) PAYMENTS.—The Secretary may provide
13 payment under this paragraph to a landowner
14 using—

15 “(A) 10 annual payments; or

16 “(B) 1 payment.

17 “(4) TIMING.—The Secretary shall provide any
18 annual easement payment obligation under para-
19 graph (3)(A) as early as practicable in each fiscal
20 year.

21 “(5) PAYMENTS TO OTHERS.—The Secretary
22 shall make a payment, in accordance with regula-
23 tions prescribed by the Secretary, in a manner as
24 the Secretary determines is fair and reasonable

1 under the circumstances, if an owner who is entitled
2 to a payment under this section—

3 “(A) dies;

4 “(B) becomes incompetent;

5 “(C) is succeeded by another person or en-
6 tity who renders or completes the required per-
7 formance; or

8 “(D) is otherwise unable to receive the
9 payment.

10 “(g) TECHNICAL ASSISTANCE.—

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

14 “(2) CONTRACTS OR AGREEMENTS.—The Sec-
15 retary may enter into 1 or more contracts with pri-
16 vate entities or agreements with a State, nongovern-
17 mental organization, or Indian Tribe to carry out
18 necessary maintenance of a conservation reserve
19 easement if the Secretary determines that the con-
20 tract or agreement will advance the purposes of the
21 conservation reserve program.

22 “(h) ADMINISTRATION.—

23 “(1) CONSERVATION RESERVE EASEMENT
24 PLAN.—The Secretary shall develop a conservation
25 reserve easement plan for any land subject to a con-

1 servation reserve easement, which shall include prac-
2 tices and activities necessary to maintain, protect,
3 and enhance the conservation value of the enrolled
4 land.

5 “(2) DELEGATION OF EASEMENT ADMINISTRA-
6 TION.—

7 “(A) FEDERAL, STATE, OR LOCAL GOV-
8 ERNMENT AGENCIES.—The Secretary may dele-
9 gate any of the management, monitoring, and
10 enforcement responsibilities of the Secretary
11 under this section to other Federal, State, or
12 local government agencies that have the appro-
13 priate authority, expertise, and resources nec-
14 essary to carry out those delegated responsibil-
15 ities.

16 “(B) CONSERVATION ORGANIZATIONS.—
17 The Secretary may delegate any management
18 responsibilities of the Secretary under this sec-
19 tion to conservation organizations if the Sec-
20 retary determines the conservation organization
21 has similar expertise and resources.”.

1 **Subtitle B—Conservation** 2 **Stewardship Program**

3 **SEC. 2201. DEFINITIONS.**

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

6 (1) in paragraph (2)(B)—

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

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

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

12 “(iii) development of a comprehensive
13 conservation plan, as defined in section
14 1238G(f)(1);

15 “(iv) soil health planning, including
16 planning to increase soil organic matter;
17 and

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

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

24 “(A) quality criteria under a resource man-
25 agement system;

1 “(B) predictive analytics tools or models
2 developed or approved by the Natural Resources
3 Conservation Service;

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

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

9 **SEC. 2202. ESTABLISHMENT.**

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

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

19 **SEC. 2203. STEWARDSHIP CONTRACTS.**

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

22 (1) in subsection (b), by striking paragraph (1)
23 and inserting the following:

24 “(1) **RANKING OF APPLICATIONS.**—

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

4 “(i) the natural resource conservation
5 and environmental benefits that result
6 from the conservation treatment on all ap-
7 plicable priority resource concerns at the
8 time of submission of the application;

9 “(ii) the degree to which the proposed
10 conservation activities increase natural re-
11 source conservation and environmental
12 benefits; and

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

15 “(B) ADDITIONAL CRITERION.—If 2 or
16 more applications receive the same ranking
17 under subparagraph (A), the Secretary shall
18 rank those contracts based on the extent to
19 which the actual and anticipated conservation
20 benefits from each contract are provided at the
21 lowest cost relative to other similarly beneficial
22 contract offers.”; and

23 (2) in subsection (e)—

24 (A) in paragraph (2)—

1 (i) by inserting “new or improved”
2 after “integrate”; and

3 (ii) by inserting “demonstrating con-
4 tinued improvement during the additional
5 5-year period,” after “operation,”; and

6 (B) in paragraph (3)(B), by striking “to
7 exceed the stewardship threshold of” and in-
8 serting “to adopt or improve conservation ac-
9 tivities, as determined by the Secretary, to
10 achieve higher levels of performance with re-
11 spect to not less than”.

12 **SEC. 2204. DUTIES OF SECRETARY.**

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

15 (1) in subsection (c)—

16 (A) in the matter preceding paragraph
17 (1)—

18 (i) by striking “Agricultural Act of
19 2014, and ending on September 30, 2022”
20 and inserting “Agriculture Improvement
21 Act of 2018, and ending on September 30,
22 2028”; and

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

25 (B) in paragraph (1)—

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

3 (ii) by striking “10,000,000” and in-
4 sserting “8,797,000”; and

5 (C) in paragraph (2)—

6 (i) by inserting “notwithstanding any
7 other provision of this subchapter,” before
8 “manage”; and

9 (ii) by striking “all financial” and all
10 that follows through the period at the end
11 and inserting the following: “all—

12 “(A) financial assistance, including pay-
13 ments made under subsections (d)(5), (e), and
14 (f);

15 “(B) technical assistance; and

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

18 (2) in subsection (d), by adding at the end the
19 following:

20 “(5) PAYMENT FOR COVER CROP ACTIVITIES.—

21 Subject to the restriction under subsection (c)(2),
22 the amount of a payment under this subsection for
23 cover crop activities shall be not less than 125 per-
24 cent of the annual payment amount determined by
25 the Secretary under paragraph (2).”;

1 (3) in subsection (e)—

2 (A) in the subsection heading, by inserting
3 “AND ADVANCED GRAZING MANAGEMENT”
4 after “ROTATIONS”;

5 (B) by striking paragraph (2);

6 (C) by redesignating paragraphs (1) and
7 (4) as paragraphs (2) and (1), respectively, and
8 moving the paragraphs so as to appear in nu-
9 merical order;

10 (D) in paragraph (1) (as so redesign-
11 nated)—

12 (i) by redesignating subparagraphs
13 (A) through (D) and (E) as clauses (i)
14 through (iv) and (vi), respectively, and in-
15 denting appropriately;

16 (ii) by striking the paragraph designa-
17 tion and all that follows through “the
18 term” in the matter preceding clause (i)
19 (as so redesignated) and inserting the fol-
20 lowing:

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

22 “(A) ADVANCED GRAZING MANAGE-
23 MENT.—The term ‘advanced grazing manage-
24 ment’ means the use of a combination of graz-
25 ing practices (as determined by the Secretary),

1 which may include management-intensive rota-
2 tional grazing, that provide for—

3 “(i) improved soil health and carbon
4 sequestration;

5 “(ii) drought resilience;

6 “(iii) wildlife habitat;

7 “(iv) wildfire mitigation;

8 “(v) control of invasive plants; and

9 “(vi) water quality improvement.

10 “(B) MANAGEMENT-INTENSIVE ROTA-
11 TIONAL GRAZING.—The term ‘management-in-
12 tensive rotational grazing’ means a strategic,
13 adaptively managed multipasture grazing sys-
14 tem in which animals are regularly and system-
15 atically moved to fresh pasture in a manner
16 that—

17 “(i) maximizes the quantity and qual-
18 ity of forage growth;

19 “(ii) improves manure distribution
20 and nutrient cycling;

21 “(iii) increases carbon sequestration
22 from greater forage harvest;

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

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

3 “(vi) improves water quality.

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

6 (iii) in subparagraph (C) (as so des-
7 ignated)—

8 (I) in clause (iv) (as so redesign-
9 nated), by striking “and” at the end;
10 and

11 (II) by inserting after clause (iv)
12 (as so redesignated) the following:

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

14 (E) in paragraph (2) (as so redesignated),
15 by striking “improve resource-conserving” and
16 all that follows through the period at the end
17 and inserting the following: “improve, manage,
18 and maintain—

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

20 “(B) advanced grazing management.”;

21 (F) in paragraph (3)—

22 (i) by striking “paragraph (1)” and
23 inserting “paragraph (2)”; and

24 (ii) by striking “and maintain” and
25 all that follows through the period at the

1 end and inserting “or improve, manage,
2 and maintain resource-conserving crop ro-
3 tations or advanced grazing management
4 for the term of the contract.”; and

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

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

11 (4) by redesignating subsections (f) through (i)
12 as subsections (g) through (j), respectively;

13 (5) by inserting after subsection (e) the fol-
14 lowing:

15 “(f) PAYMENT FOR COMPREHENSIVE CONSERVATION
16 PLAN.—

17 “(1) DEFINITION OF COMPREHENSIVE CON-
18 SERVATION PLAN.—In this subsection, the term
19 ‘comprehensive conservation plan’ means a conserva-
20 tion plan that meets or exceeds the stewardship
21 threshold for each priority resource concern identi-
22 fied by the Secretary under subsection (a)(2).

23 “(2) PAYMENT FOR COMPREHENSIVE CON-
24 SERVATION PLAN.—Subject to the restriction under
25 subsection (c)(2), the Secretary shall provide a 1-

1 time payment to a producer that develops and imple-
2 ments a comprehensive conservation plan.

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

6 “(A) the number of priority resource con-
7 cerns addressed in the comprehensive conserva-
8 tion plan; and

9 “(B) the number of types of land uses in-
10 cluded in the comprehensive conservation
11 plan.”;

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

13 (A) by striking “2014 through 2018” and
14 inserting “2019 through 2023”; and

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

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

18 (A) by striking the subsection designation
19 and heading and all that follows through “The
20 Secretary” and inserting the following:

21 “(i) ORGANIC CERTIFICATION.—

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

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

24 “(2) ALLOCATION.—

1 “(A) IN GENERAL.—Using funds made
2 available for the program for each of fiscal
3 years 2019 through 2023, the Secretary shall
4 allocate funding to States to support organic
5 production and transition to organic production
6 through paragraph (1).

7 “(B) DETERMINATION.—The Secretary
8 shall determine the allocation to a State under
9 subparagraph (A) based on—

10 “(i) the certified and transitioning or-
11 ganic operations of the State; and

12 “(ii) the organic acreage of the
13 State.”;

14 (8) in subsection (j) (as so redesignated), by
15 striking “subsection (f)” and inserting “subsection
16 (g)”;

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

18 “(k) STREAMLINING AND COORDINATION.—To the
19 maximum extent feasible, the Secretary shall provide for
20 streamlined and coordinated procedures for the program
21 and the environmental quality incentives program under
22 chapter 4, including applications, contracting, conserva-
23 tion planning, conservation practices, and related adminis-
24 trative procedures.

1 “(l) SOIL HEALTH.—To the maximum extent fea-
2 sible, the Secretary shall manage the program to enhance
3 soil health.

4 “(m) ANNUAL REPORT.—Each fiscal year, the Sec-
5 retary shall submit to the Committee on Agriculture of
6 the House of Representatives and the Committee on Agri-
7 culture, Nutrition, and Forestry of the Senate a report
8 describing—

9 “(1) the national average rate of funding per
10 acre for the program for that fiscal year, including
11 a description of whether the program is managed in
12 accordance with the restriction under subsection
13 (c)(2); and

14 “(2) the payment rates for conservation activi-
15 ties offered to producers under the program and an
16 analysis of whether payment rates can be reduced
17 for the most expensive conservation activities.”.

18 **Subtitle C—Environmental Quality** 19 **Incentives Program**

20 **SEC. 2301. PURPOSES.**

21 Section 1240 of the Food Security Act of 1985 (16
22 U.S.C. 3839aa) is amended—

23 (1) in paragraph (3)—

24 (A) in subparagraph (B), by striking

25 “and” at the end; and

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

2 “(D) adapting to, and mitigating against,
3 increasing weather volatility; and”; and
4 (2) in paragraph (4)—

5 (A) by striking “to make beneficial, cost
6 effective changes to production systems (includ-
7 ing conservation practices related to organic
8 production)” and inserting “to address existing
9 or new resource concerns associated with
10 changes to production systems, including con-
11 servation practices related to organic produc-
12 tion”; and

13 (B) by striking “livestock, pest or irriga-
14 tion management” and inserting “crops and
15 livestock, pest management, irrigation manage-
16 ment, drought resiliency measures”.

17 **SEC. 2302. DEFINITIONS.**

18 Section 1240A of the Food Security Act of 1985 (16
19 U.S.C. 3839aa–1) is amended—

20 (1) by redesignating paragraphs (1) through
21 (4) and (5) as paragraphs (2) through (5) and (7),
22 respectively;

23 (2) by inserting before paragraph (2) (as so re-
24 designated) the following:

1 “(1) CONSERVATION PLANNING SURVEY.—The
2 term ‘conservation planning survey’ means a plan
3 that—

4 “(A) is developed by—

5 “(i) a State or unit of local govern-
6 ment (including a conservation district);

7 “(ii) a Federal agency; or

8 “(iii) a third-party provider certified
9 under section 1242(e) (including a certified
10 rangeland professional);

11 “(B) assesses rangeland or cropland func-
12 tion and describes conservation activities to en-
13 hance the economic and ecological management
14 of that land;

15 “(C) can be incorporated into a com-
16 prehensive planning document required by the
17 Secretary for enrollment in a conservation pro-
18 gram of the Department of Agriculture; and

19 “(D) provides recommendations for enroll-
20 ment in the program or other conservation pro-
21 grams of the Department of Agriculture.”;

22 (3) in paragraph (2) (as so redesignated), in
23 subparagraph (B)—

24 (A) by redesignating clause (vi) as clause
25 (vii); and

1 (B) by inserting after clause (v) the fol-
2 lowing:

3 “(vi) Land that facilitates the avoid-
4 ance of crossing an environmentally sen-
5 sitive area, as determined by the Sec-
6 retary.”;

7 (4) in paragraph (5) (as so redesignated)—

8 (A) in subparagraph (A)—

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

11 (ii) by redesignating clause (v) as
12 clause (vii); and

13 (iii) by inserting after clause (iv) the
14 following:

15 “(v) soil tests for—

16 “(I) heavy metals, volatile or-
17 ganic compounds, polycyclic aromatic
18 hydrocarbons, and other contami-
19 nants; and

20 “(II) biological and physical soil
21 health;

22 “(vi) scientifically based soil remedi-
23 ation practices to be carried out by the
24 producer, as determined by the Secretary;
25 and”;

1 (B) in subparagraph (B)—

2 (i) in clause (i), by striking “and” at
3 the end;

4 (ii) by redesignating clause (ii) as
5 clause (v); and

6 (iii) by inserting after clause (i) the
7 following:

8 “(ii) resource-conserving crop rotation
9 planning;

10 “(iii) soil health planning, including
11 planning to increase soil organic matter;

12 “(iv) a conservation planning survey;
13 and”; and

14 (5) by inserting after paragraph (5) (as so re-
15 designated) the following:

16 “(6) PRODUCER.—The term ‘producer’ includes
17 an acequia.”.

18 **SEC. 2303. ESTABLISHMENT AND ADMINISTRATION.**

19 Section 1240B of the Food Security Act of 1985 (16
20 U.S.C. 3839aa–2) is amended—

21 (1) in subsection (a), by striking “2019” and
22 inserting “2023”;

23 (2) in subsection (b)(2)—

24 (A) by striking “A contract” and inserting
25 the following:

1 “(A) IN GENERAL.—A contract”; and

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

3 “(B) WILDLIFE PRACTICES.—In the case
4 of a contract under the program entered into
5 solely for the establishment of 1 or more annual
6 management practices for the benefit of wild-
7 life, notwithstanding any maximum contract
8 term established by the Secretary, the contract
9 shall have a term that does not exceed 10
10 years.”;

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 applicable conservation
2 practice standard.”;

3 (4) in subsection (f)—

4 (A) in paragraph (1)—

5 (i) by striking “2014 through 2018”
6 and inserting “2019 through 2023”;

7 (ii) by striking “60” and inserting
8 “50”; and

9 (iii) by striking “production.” and in-
10 sserting “production, including grazing
11 management practices.”;

12 (B) in paragraph (2), by striking “2018”
13 and inserting “2023”; and

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

15 “(3) REVIEW OF PROCESS FOR DETERMINING
16 ANNUAL FUNDING ALLOCATIONS TO STATES.—

17 “(A) IN GENERAL.—Not later than 365
18 days after the date of enactment of the Agri-
19 culture Improvement Act of 2018, the Secretary
20 shall review the process for determining annual
21 funding allocations to States under the pro-
22 gram.

23 “(B) CONSIDERATIONS.—In conducting
24 the review under subparagraph (A), the Sec-
25 retary shall consider—

1 “(i) the roles of, in determining an-
2 nual funding allocations to States—

3 “(I) relevant data on local nat-
4 ural resource concerns, including the
5 outcomes of the Conservation Effects
6 Assessment Project carried out by the
7 Natural Resources Conservation Serv-
8 ice; and

9 “(II) the recommendations of
10 State technical committees established
11 under section 1261(a) and other local
12 stakeholder input;

13 “(ii) how to utilize the data and local
14 input described in subclauses (I) and (II)
15 of clause (i) such that, to the maximum ex-
16 tent practicable, consideration of local nat-
17 ural resource concerns is a leading factor
18 when determining annual funding alloca-
19 tions to States; and

20 “(iii) the process used at the national
21 level to evaluate State budget proposals
22 and allocate funds to achieve priority nat-
23 ural resource objectives, including the fac-
24 tors considered in ranking State pro-
25 posals.”; and

1 (5) in subsection (h)—

2 (A) in paragraph (1), by striking “prac-
3 tice.” and inserting the following: “practice, in-
4 cluding—

5 “(i) a conversion to a less water-inten-
6 sive agricultural commodity or practice; or

7 “(ii) a resource-conserving crop rota-
8 tion.”; and

9 (B) in paragraph (2)—

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

12 (ii) in subparagraph (B), by striking
13 the period at the end and inserting “; or”;
14 and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(C) the water conservation or irrigation
18 practice addresses regional drought control ef-
19 forts.”.

20 **SEC. 2304. EVALUATION OF APPLICATIONS.**

21 Section 1240C(a) of the Food Security Act of 1985
22 (16 U.S.C. 3839aa–3(a)) is amended—

23 (1) by striking “that will ensure” and inserting
24 the following: “that shall—

25 “(1) ensure”;

1 (2) in paragraph (1) (as so designated), by
2 striking the period at the end and inserting “; and”;
3 and

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

5 “(2) give priority to the consideration of the
6 most effective practices to address natural resource
7 concerns on eligible land.”.

8 **SEC. 2305. DUTIES OF THE SECRETARY.**

9 Section 1240F of the Food Security Act of 1985 (16
10 U.S.C. 3839aa–6) is amended—

11 (1) by striking “To the extent appropriate,”
12 and inserting the following:

13 “(a) ASSISTANCE TO PRODUCERS.—To the extent
14 appropriate,”; and

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

16 “(b) STREAMLINING AND COORDINATION.—To the
17 maximum extent feasible, the Secretary shall provide for
18 streamlined and coordinated procedures for the program
19 and the conservation stewardship program under sub-
20 chapter B of chapter 2, including applications, con-
21 tracting, conservation planning, conservation practices,
22 and related administrative procedures.

23 “(c) SOIL HEALTH.—To the maximum extent fea-
24 sible, the Secretary shall manage the program to enhance
25 soil health.”.

1 **SEC. 2306. LIMITATION ON PAYMENTS.**

2 Section 1240G of the Food Security Act of 1985 (16
3 U.S.C. 3839aa–7) is amended by striking “2014 through
4 2018” and inserting “2019 through 2023”.

5 **SEC. 2307. CONSERVATION INNOVATION GRANTS AND PAY-**
6 **MENTS.**

7 Section 1240H of the Food Security Act of 1985 (16
8 U.S.C. 3839aa–8) is amended—

9 (1) in subsection (a)—

10 (A) by redesignating subparagraphs (E)
11 and (F) as subparagraphs (F) and (G), respec-
12 tively; and

13 (B) by inserting after subparagraph (D)
14 the following:

15 “(E) partner with farmers to develop inno-
16 vative conservation practices for urban, indoor,
17 or other emerging agricultural practices to in-
18 crease—

19 “(i) green space;

20 “(ii) pollinator habitat;

21 “(iii) stormwater management;

22 “(iv) carbon sequestration; and

23 “(v) access to agricultural production
24 sites through land tenure agreements and
25 other contracts;”; and

1 (2) in subsection (b)(2), by striking “2018”
2 and inserting “2023”.

3 **SEC. 2308. SOIL HEALTH DEMONSTRATION PILOT PROJECT.**

4 Chapter 4 of subtitle D of title XII of the Food Secu-
5 rity Act of 1985 (16 U.S.C. 3839aa et seq.) is amended
6 by adding at the end the following:

7 **“SEC. 1240I. SOIL HEALTH DEMONSTRATION PILOT**
8 **PROJECT.**

9 “(a) IN GENERAL.—The Secretary shall carry out a
10 pilot project that provides financial incentives, as deter-
11 mined by the Secretary, to producers to adopt practices
12 designed to improve soil health, including by increasing
13 carbon levels in soil (or ‘soil carbon levels’).

14 “(b) REQUIREMENTS.—In establishing the pilot
15 project under subsection (a), the Secretary shall—

16 “(1) identify geographic regions of the United
17 States, based on factors such as soil type and crop-
18 ping history, in which to establish the pilot project;

19 “(2) establish payments to provide an incentive
20 for the use of practices approved under the pilot
21 project that—

22 “(A) improve soil health;

23 “(B) increase carbon levels in the soil; or

24 “(C) meet the goals described in subpara-
25 graphs (A) and (B); and

1 “(3) establish protocols for measuring carbon
2 levels in soil to measure gains in soil health as a re-
3 sult of the practices used in the pilot project.

4 “(c) STUDY; REPORT TO CONGRESS.—

5 “(1) STUDY.—Not later than September 30,
6 2022, the Secretary shall conduct a study regarding
7 changes in soil health as a result of the practices
8 used in the pilot project established under subsection
9 (a).

10 “(2) REPORT TO CONGRESS.—Not later than
11 September 30, 2023, the Secretary shall submit to
12 Congress a report describing and analyzing the re-
13 sults of the study conducted under paragraph (1).

14 “(d) FUNDING.—Of the funds made available to
15 carry out this chapter, the Secretary may use to carry out
16 the pilot project under subsection (a) \$15,000,000 for
17 each of fiscal years 2019 through 2023.”.

18 **Subtitle D—Other Conservation**
19 **Programs**

20 **SEC. 2401. CONSERVATION SECURITY PROGRAM.**

21 Subchapter A of chapter 2 of subtitle D of title XII
22 of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)
23 is repealed.

1 **SEC. 2402. 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. 2403. 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. 2404. GRASSROOTS SOURCE WATER PROTECTION**
20 **PROGRAM.**

21 Section 12400 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. 2405. 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 ministratoꝛ of the Environmental Protection Agency foꝛ
 13 additional assistance foꝛ remediation undeꝛ 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. 2406. 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 \$25,000,000 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. 2407. 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. 2408. AGRICULTURAL CONSERVATION EASEMENT**
10 **PROGRAM.**

11 (a) **PURPOSES.**—Section 1265(b)(3) of the Food Se-
12 curity Act of 1985 (16 U.S.C. 3865(b))(3) is amended by
13 inserting “that may negatively impact the agricultural
14 uses and conservation values” before “; and”.

15 (b) **DEFINITIONS.**—Section 1265A of the Food Secu-
16 rity Act of 1985 (16 U.S.C. 3865a) is amended—

17 (1) in paragraph (1)(B), by striking “subject to
18 an agricultural land easement plan, as approved by
19 the Secretary”;

20 (2) in paragraph (2)(A), by striking “govern-
21 ment or an Indian tribe” and inserting “govern-
22 ment, an Indian tribe, or an acequia”; and

23 (3) in paragraph (3)—

24 (A) in subparagraph (A)(i), by striking
25 “entity;” and inserting “entity, unless the land

1 will be enrolled in an agricultural land easement
2 under section 1265B(e);”;

3 (B) by redesignating subparagraphs (B)
4 and (C) as subparagraphs (C) and (D), respec-
5 tively; and

6 (C) by inserting after subparagraph (A)
7 the following:

8 “(B) in the case of an agricultural land
9 easement, agricultural land that meets the con-
10 ditions described in clauses (ii) and (iii) of sub-
11 paragraph (A) that is owned by an organization
12 described in paragraph (2)(B), on the condi-
13 tions that—

14 “(i) if the organization that owns the
15 land is also the eligible entity that would
16 hold the agricultural land easement, the
17 organization that owns the land shall cer-
18 tify to the Secretary on submission of the
19 application that the land will be owned by
20 a farmer or rancher that is not an organi-
21 zation described in paragraph (2)(B) on
22 acquisition of the agricultural land ease-
23 ment;

24 “(ii) if the organization that owns the
25 land is not the eligible entity that would

1 hold the agricultural land easement, the
2 organization that owns the land shall cer-
3 tify, through an agreement, contract, or
4 guarantee with the Secretary on submis-
5 sion of the application, that the organiza-
6 tion will identify a farmer or rancher that
7 is not an organization described in para-
8 graph (2)(B) and effect the timely subse-
9 quent transfer of the ownership of the land
10 to that farmer or rancher after the date of
11 acquisition of the agricultural land ease-
12 ment; and

13 “(iii) if the organization that certified
14 the timely subsequent transfer of the own-
15 ership of the land under clause (ii)
16 breaches the agreement, contract, or guar-
17 antee without justification and without a
18 plan to effect the timely transfer of the
19 land, that organization shall reimburse the
20 Secretary for the entire amount of the
21 Federal share of cost of each applicable ag-
22 ricultural land easement.”.

23 (c) AGRICULTURAL LAND EASEMENTS.—Section
24 1265B of the Food Security Act of 1985 (16 U.S.C.
25 3865b) is amended—

1 easement, including the cost of ap-
2 praisal, survey, inspection, and title;
3 and

4 “(III) other costs, as determined
5 by the Secretary.”;

6 (B) by redesignating paragraphs (3)
7 through (5) as paragraphs (4) through (6), re-
8 spectively;

9 (C) by inserting after paragraph (2) the
10 following:

11 “(3) CONDITION ON ASSISTANCE.—An eligible
12 entity applying for cost-share assistance under this
13 subsection shall develop an agricultural land ease-
14 ment plan—

15 “(A) with the landowner of the eligible
16 land subject to the agricultural land easement;
17 and

18 “(B) that—

19 “(i) describes the natural resource
20 concerns on the eligible land subject to the
21 agricultural land easement;

22 “(ii) describes the conservation meas-
23 ures and practices that the landowner of
24 the eligible land subject to the agricultural

1 land easement may employ to address the
2 concerns under clause (i);

3 “(iii) in the case of grasslands of spe-
4 cial environmental significance, requires
5 the management of grasslands according to
6 a grasslands management plan; and

7 “(iv) in the case of highly erodible
8 cropland, requires the implementation of a
9 conservation plan that includes, at the op-
10 tion of the Secretary, the conversion of
11 highly erodible cropland to less intensive
12 uses.”;

13 (D) in paragraph (4) (as so redesign-
14 nated)—

15 (i) in subparagraph (B)—

16 (I) in clause (i), by striking
17 “and” at the end;

18 (II) in clause (ii), by striking the
19 period at the end and inserting “;
20 and”;

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

23 “(iii) consultation with the appro-
24 priate State technical committee estab-
25 lished under section 1261 to adjust evalua-

1 tion and ranking criteria to account for ge-
2 ographic nuances if those adjustments—

3 “(I) meet the purposes of the
4 program; and

5 “(II) continue to maximize the
6 benefits of Federal investment under
7 the program.”; and

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

10 “(D) PRIORITY.—In evaluating applica-
11 tions under the program, the Secretary may
12 give priority to an application for the purchase
13 of an agricultural land easement that, as deter-
14 mined by the Secretary, maintains agricultural
15 viability.”;

16 (E) in paragraph (5) (as so redesign-
17 ated)—

18 (i) in subparagraph (B)(i), by striking
19 “paragraph (5)” and inserting “paragraph
20 (6)”;

21 (ii) in subparagraph (C)—

22 (I) in clause (i), by inserting
23 “and the agricultural activities to be
24 conducted on the eligible land” after
25 “program”; and

1 (II) by striking clause (iv) and
2 inserting the following:

3 “(iv) exclude a right of inspection, un-
4 less the eligible entity fails to provide mon-
5 itoring reports to the Secretary;”;

6 (iii) by redesignating subparagraphs
7 (D) and (E) as subparagraphs (E) and
8 (F), respectively; and

9 (iv) by inserting after subparagraph
10 (C) the following:

11 “(D) ADDITIONAL PERMITTED TERMS AND
12 CONDITIONS.—An eligible entity may include
13 terms and conditions for an agricultural land
14 easement that—

15 “(i) are intended to keep the land
16 subject to the agricultural land easement
17 in active agricultural use; and

18 “(ii) include other relevant activities
19 relating to the agricultural land easement,
20 as determined by the Secretary.”; and

21 (F) in paragraph (6) (as so redesign-
22 nated)—

23 (i) in subparagraph (B)—

24 (I) in clause (iii), by redesign-
25 nating subclauses (I) through (III) as

1 items (aa) through (cc), respectively,
2 and indenting appropriately;

3 (II) by redesignating clauses (i)
4 through (iii) as subclauses (I) through
5 (III), respectively, and indenting ap-
6 propriately;

7 (III) in the matter preceding sub-
8 clause (I) (as so redesignated), by
9 striking “entity will” and inserting
10 the following: “eligible entity—
11 “(i) will”;

12 (IV) in clause (i)(III)(cc) (as so
13 redesignated), by striking the period
14 at the end and inserting a semicolon;
15 and

16 (V) by adding at the end the fol-
17 lowing:

18 “(ii) has—

19 “(I) been accredited by the Land
20 Trust Accreditation Commission, or
21 by an equivalent accrediting body, as
22 determined by the Secretary; and

23 “(II) acquired not fewer than 10
24 agricultural land easements under the
25 program; and

1 “(III) successfully met the re-
2 sponsibilities of the eligible entity
3 under the applicable agreements with
4 the Secretary, as determined by the
5 Secretary, relating to agricultural land
6 easements that the eligible entity has
7 acquired under the program; or

8 “(iii) is a State department of agri-
9 culture or other State agency with statu-
10 tory authority for farm and ranchland pro-
11 tection that has—

12 “(I) acquired not fewer than 10
13 agricultural land easements under the
14 program; and

15 “(II) successfully met the respon-
16 sibilities of the eligible entity under
17 the applicable agreements with the
18 Secretary, as determined by the Sec-
19 retary, relating to agricultural land
20 easements that the eligible entity has
21 acquired under the program.”;

22 (ii) by redesignating subparagraph
23 (C) as subparagraph (D); and

24 (iii) by inserting after subparagraph
25 (B) the following:

1 “(C) TERMS AND CONDITIONS.—Notwith-
2 standing paragraph (5)(C), to account for geo-
3 graphic and other differences among States and
4 regions, an eligible entity certified under sub-
5 paragraph (A) may use terms and conditions
6 established by the eligible entity for agricultural
7 land easements, on the condition that those
8 terms and conditions shall be consistent with
9 the purposes of the program.”.

10 (d) WETLAND RESERVE EASEMENTS.—Section
11 1265C of the Food Security Act of 1985 (16 U.S.C.
12 3865c) is amended—

13 (1) in subsection (b)—

14 (A) in paragraph (1)(D), by inserting “and
15 acequias” after “Indian tribes”; and

16 (B) in paragraph (3)—

17 (i) in subparagraph (B)—

18 (I) in clause (iii), by striking
19 “and” at the end;

20 (II) by redesignating clause (iv)
21 as clause (v); and

22 (III) by inserting after clause
23 (iii) the following:

24 “(iv) the ability of the land to seques-
25 ter carbon; and”; and

1 (ii) in subparagraph (C), by inserting
2 “and improving water quality” before the
3 period at the end;

4 (2) in subsection (d)(2), by striking “or Indian
5 tribe” and inserting “Indian tribe, or acequia”;

6 (3) in subsection (e), by striking “or Indian
7 tribe” and inserting “Indian tribe, or acequia”; and

8 (4) in subsection (f)—

9 (A) by redesignating paragraphs (2) and
10 (3) as paragraphs (3) and (4), respectively; and

11 (B) by inserting after paragraph (1) the
12 following:

13 “(2) NATIVE VEGETATION.—The Secretary may
14 allow the establishment or restoration of an alter-
15 native vegetative community on the entirety of the
16 eligible land subject to a wetland reserve easement
17 if that alternative vegetative community—

18 “(A) will substantially support or benefit
19 migratory waterfowl or other wetland wildlife;
20 or

21 “(B) will meet local resource concerns or
22 needs (including as an element of a regional,
23 State, or local wildlife initiative or plan).”.

24 (e) ADMINISTRATION.—Section 1265D of the Food
25 Security Act of 1985 (16 U.S.C. 3865d) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (2), by inserting “subject
3 to paragraph (2),” before “lands owned”;

4 (B) by redesignating paragraphs (1)
5 through (4) as subparagraphs (A) through (D),
6 respectively, and indenting appropriately;

7 (C) in the matter preceding subparagraph
8 (A) (as so redesignated), by striking “The Sec-
9 retary” and inserting the following:

10 “(1) IN GENERAL.—The Secretary”; and

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

12 “(2) LAND OWNED BY ACEQUAIS.—Notwith-
13 standing paragraph (1)(B), the Secretary may use
14 program funds for the purpose of acquiring an ease-
15 ment on land owned by an acequia.”; and

16 (2) in subsection (d)—

17 (A) in paragraph (1), by striking “trans-
18 ferred into the program” and inserting “en-
19 rolled in an easement under section 1265C(b)”;
20 and

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

22 “(3) AGRICULTURAL LAND EASEMENTS.—A
23 farmer or rancher who owns eligible land subject to
24 an agricultural land easement may enter into a con-
25 tract under subchapter B of chapter 1.”.

1 **SEC. 2409. 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, including for—

24 “(i) the protection of source waters
25 for drinking water;

1 “(ii) soil health; or

2 “(iii) improving drought resilience,
3 particularly in regions with a history of
4 persistent drought.

5 “(3) ELIGIBLE LAND.—The term ‘eligible land’
6 means—

7 “(A) eligible land under the statutory au-
8 thority for a covered program; and

9 “(B) any other agricultural or nonindus-
10 trial private forest land or associated land on
11 which the Secretary determines an eligible ac-
12 tivity would help address natural resource con-
13 cerns.”;

14 (3) in paragraph (4)—

15 (A) in subparagraph (E), by inserting
16 “acequia,” after “irrigation district,”; and

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

18 “(I) An organization described in clause
19 (i), (ii), or (iii) of section 1265A(2)(B).

20 “(J) A conservation district.”;

21 (4) by redesignating paragraphs (5) and (6) as
22 paragraphs (6) and (7), respectively;

23 (5) by inserting after paragraph (4) the fol-
24 lowing:

1 “(5) ELIGIBLE PRODUCER.—The term ‘eligible
2 producer’ means a person, legal entity, or Indian
3 tribe that is an owner or operator on eligible land.”;
4 and

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

6 “(8) PROGRAM CONTRACT.—The term ‘program
7 contract’ means the contract established by the Sec-
8 retary under section 1271C(b)(1).”.

9 (c) REGIONAL CONSERVATION PARTNERSHIPS.—Sec-
10 tion 1271B of the Food Security Act of 1985 (16 U.S.C.
11 3871b) is amended—

12 (1) in subsection (a), by inserting “eligible” be-
13 fore “producers”;

14 (2) by striking subsection (b) and inserting the
15 following:

16 “(b) MAXIMUM LENGTH.—

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2), the term of a partnership agreement shall
19 not be longer than 5 years.

20 “(2) EXCEPTIONS.—

21 “(A) CONCURRENT PROGRAM DEAD-
22 LINE.—Subject to approval by the Secretary,
23 the term of a partnership agreement may be
24 longer than 5 years if the longer period is con-
25 current with a deadline established under a

1 State or Federal program that relates specifi-
2 cally to the project.

3 “(B) SPECIAL CIRCUMSTANCES.—In the
4 case of special circumstances outside the control
5 of an eligible partner (as determined by the
6 Secretary) that have created a delay in the im-
7 plementation of a project of the eligible partner,
8 the eligible partner may request an extension of
9 the term of the partnership agreement.

10 “(3) PARTNERSHIP AGREEMENT RENEWALS.—
11 If an eligible partner demonstrates to the satisfac-
12 tion of the Secretary that the eligible partner has
13 made progress in addressing 1 or more natural re-
14 source concerns defined in the partnership agree-
15 ment, not earlier than 1 year before the date of expi-
16 ration of the partnership agreement, the eligible
17 partner may request from the Secretary a renewal of
18 the partnership agreement, including a renewal of
19 funding, through an expedited approval process—

20 “(A) to continue to implement the partner-
21 ship agreement;

22 “(B) to expand the scope of the partner-
23 ship agreement;

24 “(C) to enroll additional eligible producers;

25 or

1 “(D) to carry out other conservation activi-
2 ties relating to the project, including the assess-
3 ment of the project under subsection (c)(1)(E),
4 as mutually agreed by the Secretary and the eli-
5 gible partner.”;

6 (3) in subsection (c)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (A)—

9 (I) by redesignating clauses (iii)
10 and (iv) as clauses (iv) and (v), re-
11 spectively; and

12 (II) by striking clauses (i) and
13 (ii) and inserting the following:

14 “(i) 1 or more natural resource con-
15 cerns that the project shall address;

16 “(ii) the eligible activities on eligible
17 land to be conducted under the project to
18 address the natural resource concerns;

19 “(iii) the implementation timeline for
20 carrying out the project, including any in-
21 terim milestones;”;

22 (ii) in subparagraph (B), by inserting
23 “eligible” before “producers”;

1 (iii) in subparagraph (C), by striking
2 “a producer” each place it appears and in-
3 sserting “an eligible producer”;

4 (iv) in subparagraph (D), by inserting
5 “or in-kind contributions” after “addi-
6 tional funds”; and

7 (v) in subparagraph (E), by striking
8 “of the project’s effects; and” and insert-
9 ing the following: “of—

10 “(i) the progress made by the project
11 in addressing each natural resource con-
12 cern defined in the partnership agreement,
13 including in a quantified form; and

14 “(ii) as appropriate, other environ-
15 mental, economic, or social outcomes of the
16 project; and”; and

17 (B) in paragraph (2)—

18 (i) by striking “An eligible” and in-
19 sserting the following:

20 “(A) IN GENERAL.—An eligible”; and

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

23 “(B) FORM.—A contribution of an eligible
24 partner under this paragraph may be in the
25 form of—

- 1 “(i) direct funding;
- 2 “(ii) in-kind support; or
- 3 “(iii) a combination of direct funding
- 4 and in-kind support.

5 “(C) TREATMENT.—Any amounts ex-

6 pended during the period beginning on the date

7 on which the Secretary announces the approval

8 of an application under subsection (e) and end-

9 ing on the day before the effective date of the

10 partnership agreement by an eligible partner

11 for staff salaries or development of the partner-

12 ship agreement shall be considered to be a part

13 of the contribution of the eligible partner under

14 this paragraph.”;

15 (4) by redesignating subsection (d) as sub-

16 section (e);

17 (5) by inserting after subsection (c) the fol-

18 lowing:

19 “(d) DUTIES OF SECRETARY.—The Secretary shall—

20 “(1) establish a timeline for carrying out the

21 duties of the Secretary under a partnership agree-

22 ment, including—

23 “(A) entering into contracts with eligible

24 producers;

1 “(B) providing financial assistance to eligi-
2 ble producers; and

3 “(C) in the case of a partnership agree-
4 ment that is a grant agreement under section
5 1271C(d), providing the grant amounts to the
6 eligible partner;

7 “(2) establish in each State a program coordi-
8 nator for the State, who shall be responsible solely
9 for providing assistance to eligible partners and eli-
10 gible producers under the program;

11 “(3) establish guidance to assist eligible part-
12 ners with carrying out the assessment required
13 under subsection (c)(1)(E);

14 “(4) provide to each eligible partner that has
15 entered into a partnership agreement—

16 “(A) a semiannual report describing the
17 status of each pending and obligated contract
18 under the project of the eligible partner; and

19 “(B) an annual report describing how the
20 Secretary used amounts reserved by the Sec-
21 retary for that year for technical assistance
22 under section 1271D(f);

23 “(5) allow an eligible partner to use a new or
24 modified conservation practice standard under a
25 partnership agreement, if the Secretary ensures that

1 the new or modified conservation practice stand-
2 ard—

3 “(A) is based on the best available science;

4 “(B) is implemented after consultation
5 with the Secretary at the local level to assess
6 the anticipated effectiveness of the new or
7 modified conservation practice standard; and

8 “(C) effectively addresses natural resource
9 concerns; and

10 “(6) ensure that any eligible activity effectively
11 addresses natural resource concerns.”; and

12 (6) in subsection (e) (as redesignated by para-
13 graph (4))—

14 (A) by striking paragraph (2) and insert-
15 ing the following:

16 “(2) CRITERIA USED.—In carrying out the
17 process described in paragraph (1), the Secretary
18 shall—

19 “(A) make public the criteria used in eval-
20 uating applications; and

21 “(B) in the case of an application sub-
22 mitted by a lead eligible partner that identifies
23 a local conservation district as another eligible
24 partner for the project, evaluate the engage-

1 ment of the lead eligible partner with the local
2 conservation district to ensure local input.”;

3 (B) in paragraph (3)—

4 (i) by striking the paragraph designa-
5 tion and heading and all that follows
6 through “description of—” and inserting
7 the following:

8 “(3) CONTENTS.—The Secretary shall develop
9 a simplified application process that requires each
10 application submitted under this subsection to in-
11 clude a description of—”;

12 (ii) in subparagraph (C), by striking
13 “, including the covered programs to be
14 used”; and

15 (iii) in subparagraph (D), by inserting
16 “or in-kind” after “financial”;

17 (C) in paragraph (4)—

18 (i) in the matter preceding subpara-
19 graph (A), by striking “may” and inserting
20 “shall”;

21 (ii) in subparagraphs (A) and (B), by
22 inserting “eligible” before “producers”
23 each place it appears;

24 (iii) by striking subparagraph (D);

1 (iv) by redesignating subparagraphs
2 (E) and (F) as subparagraphs (G) and
3 (H), respectively; and

4 (v) by inserting after subparagraph
5 (C) the following:

6 “(D) build new partnerships at the local,
7 State, and corporate levels or include a diversity
8 of stakeholders in the project;

9 “(E) deliver a high percentage of applied
10 conservation—

11 “(i) to address the identified natural
12 resource concerns; or

13 “(ii) in the case of a project in a crit-
14 ical conservation area under section
15 1271F, to address the critical conservation
16 condition for that critical conservation
17 area;

18 “(F)(i) develop and implement new water-
19 shed or habitat plans to address 1 or more nat-
20 ural resource concerns; or

21 “(ii) implement the project consistent with
22 existing watershed restoration plans;”; and

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

24 “(5) REVIEW.—To the extent practicable, after
25 receipt of an application under this subsection, the

1 Secretary shall provide to each applicant information
2 and feedback (including written information and
3 feedback, as the Secretary determines to be appro-
4 priate) throughout the annual program application
5 process for any improvements that could be made to
6 the application.”.

7 (d) ASSISTANCE TO ELIGIBLE PRODUCERS.—Section
8 1271C of the Food Security Act of 1985 (16 U.S.C.
9 3871c) is amended—

10 (1) in the section heading, by inserting “**ELIGI-**
11 **BLE**” before “**PRODUCERS**”;

12 (2) by striking subsections (a) and (b) and in-
13 serting the following:

14 “(a) IN GENERAL.—An eligible producer may receive
15 financial or technical assistance to conduct eligible activi-
16 ties on eligible land through a program contract entered
17 into with the Secretary.

18 “(b) PROGRAM CONTRACTS.—

19 “(1) IN GENERAL.—The Secretary shall estab-
20 lish a program contract to be entered into with an
21 eligible producer to conduct eligible activities on eli-
22 gible land, subject to such terms and conditions as
23 the Secretary may establish.

24 “(2) APPLICATION BUNDLES.—

1 “(A) IN GENERAL.—An eligible partner
2 may submit to the Secretary, on behalf of eligi-
3 ble producers, a bundle of applications for as-
4 sistance under the program through program
5 contracts to address a substantial portion of a
6 natural resource concern defined in the partner-
7 ship agreement.

8 “(B) PRIORITY.—The Secretary shall give
9 priority to applications described in subpara-
10 graph (A).”;

11 (3) in subsection (c)—

12 (A) in paragraph (1), by striking “In ac-
13 cordance with statutory requirements of the
14 covered programs involved, the Secretary may
15 make payments to a producer” and inserting
16 “Subject to section 1271D, the Secretary may
17 make payments to an eligible producer”;

18 (B) in paragraph (2), by inserting “eligi-
19 ble” before “producers” each place it appears;
20 and

21 (C) in paragraph (3), by striking “partici-
22 pating” and inserting “eligible”; and

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

24 “(d) FUNDING ARRANGEMENTS THROUGH GRANT
25 AGREEMENTS.—

1 “(1) IN GENERAL.—A partnership agreement
2 may be a grant agreement entered into with an eligi-
3 ble partner in accordance with this subsection.

4 “(2) REQUIREMENTS.—Under a grant agree-
5 ment under paragraph (1)—

6 “(A) using amounts made available to
7 carry out this subtitle, the Secretary shall pro-
8 vide to the eligible partner a grant;

9 “(B) the eligible partner shall carry out eli-
10 gible activities on eligible land (including by
11 contracting with 1 or more producers, if the eli-
12 gible partner determines the contracting to be
13 appropriate), on the condition that the eligible
14 activities directly or indirectly benefit agricul-
15 tural producers (including forestry producers),
16 to address natural resource concerns on a re-
17 gional or watershed scale, such as—

18 “(i) infrastructure investments relat-
19 ing to agricultural or nonindustrial private
20 forest production that would benefit mul-
21 tiple producers, such as a multiproducer ir-
22 rigation water delivery system, including
23 investments to address drought;

24 “(ii) projects addressing water quality
25 or quantity concerns (including drought) in

1 coordination with producers, including the
2 development and implementation of water-
3 shed plans;

4 “(iii) projects that use innovative ap-
5 proaches to leveraging the Federal invest-
6 ment in conservation with private financial
7 mechanisms, in conjunction with agricul-
8 tural production or forest resource man-
9 agement, such as—

10 “(I) the provision of perform-
11 ance-based payments to eligible pro-
12 ducers; and

13 “(II) support for an environ-
14 mental market;

15 “(iv) projects that facilitate pilot test-
16 ing of new conservation practices, tech-
17 nologies, or activities;

18 “(v) projects that promote the long-
19 term viability and sustainability of agricul-
20 tural land through innovative agricultural
21 land and water protection strategies and
22 mechanisms, including projects that sup-
23 port the transfer of land to beginning
24 farmers and ranchers, veteran farmers and
25 ranchers, socially disadvantaged farmers

1 and ranchers, and limited resource farmers
2 and ranchers; and

3 “(vi) other projects for which the Sec-
4 retary determines that the goals and objec-
5 tives of the program would be easier to
6 achieve through the grant agreement; and

7 “(C) the Secretary may provide technical
8 and administrative assistance, as mutually
9 agreed by the parties.

10 “(3) NONAPPLICABILITY OF ADJUSTED GROSS
11 INCOME LIMITATION.—The adjusted gross income
12 limitation described in section 1001D(b)(1) shall not
13 apply to the receipt by an eligible partner of a grant
14 under this subsection.

15 “(4) LIMITATION.—The Secretary may not use
16 more than 30 percent of funding made available to
17 carry out the program for grant agreements.

18 “(5) REPORTS.—An eligible partner that enters
19 into a grant agreement under this subsection shall
20 submit to the Secretary—

21 “(A) any information that the Secretary
22 requires to prepare the report under section
23 1271E(b); and

1 “(B) an annual report that describes the
2 status of the project carried out by the eligible
3 partner, including a description of—

4 “(i) the use of the grant funds;

5 “(ii) any subcontracts awarded using
6 grant funds;

7 “(iii) the eligible producers receiving
8 funding using the grant funds;

9 “(iv)(I) the progress made by the
10 project in addressing each natural resource
11 concern defined in the grant agreement, in-
12 cluding in a quantified form; and

13 “(II) as appropriate, other environ-
14 mental, economic, or social outcomes of the
15 project; and

16 “(v) any other reporting data the Sec-
17 retary determines are necessary to ensure
18 compliance with the program rules.”.

19 (e) FUNDING.—Section 1271D of the Food Security
20 Act of 1985 (16 U.S.C. 3871d) is amended—

21 (1) in subsection (a)—

22 (A) by striking “\$100,000,000” and in-
23 serting “\$200,000,000”; and

24 (B) by striking “2014 through 2018” and
25 inserting “2019 through 2023”;

1 (2) in subsection (c), by striking paragraphs (1)
2 and (2) and inserting the following:

3 “(1) IN GENERAL.—To ensure that additional
4 resources are available to carry out the program, in
5 addition to the funds made available under sub-
6 section (a), for each fiscal year the Secretary shall
7 transfer 7 percent of the funds and acres made
8 available for the following programs:

9 “(A) The conservation stewardship pro-
10 gram established under subchapter B of chapter
11 2 of subtitle D.

12 “(B) The environmental quality incentives
13 program established under chapter 4 of subtitle
14 D.

15 “(C) The agricultural conservation ease-
16 ment program established under subtitle H.

17 “(2) DURATION OF AVAILABILITY.—Any funds
18 or acres reserved under paragraph (1) shall remain
19 available for obligation only for the purposes of car-
20 rying out the program until expended.

21 “(3) DISTRIBUTION OF FUNDS.—To the max-
22 imum extent practicable, of projects receiving funds
23 or acres reserved under paragraph (1) from a pro-
24 gram described in subparagraph (A), (B), or (C) of
25 that paragraph, the percentage of projects that shall

1 have purposes similar to the purposes of the applica-
2 ble program from which funds or acres were re-
3 served shall be approximately equal to the percent-
4 age of funds or acres reserved from the applicable
5 program.”;

6 (3) in subsection (d)—

7 (A) in paragraph (1), by striking “25 per-
8 cent of the funds and acres to projects based on
9 a State competitive process administered by the
10 State Conservationist, with the advice of the
11 State technical committee” and inserting the
12 following: “40 percent of the funds and acres to
13 projects based on a State or multistate competi-
14 tive process administered by the Secretary at
15 the local level with the advice of the applicable
16 State technical committees”;

17 (B) by striking paragraph (2);

18 (C) by redesignating paragraph (3) as
19 paragraph (2); and

20 (D) in paragraph (2) (as so redesignated),
21 by striking “35 percent” and inserting “60 per-
22 cent”;

23 (4) in subsection (e)—

24 (A) by striking “None of the funds” and
25 inserting the following:

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), none of the funds”;

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

4 “(2) PROJECT DEVELOPMENT AND OUT-
5 REACH.—Under a partnership agreement, the Sec-
6 retary may advance reasonable amounts of funding
7 for technical assistance to eligible partners to con-
8 duct project development and outreach activities in
9 a project area, including—

10 “(A) providing outreach and education to
11 eligible producers for potential participation in
12 the project;

13 “(B) developing a watershed or habitat
14 plan;

15 “(C) establishing baseline metrics to sup-
16 port the development of the assessment re-
17 quired under section 1271B(c)(1)(E); or

18 “(D) providing technical assistance to eligi-
19 ble producers.

20 “(3) REIMBURSEMENT.—The Secretary may re-
21 imburse reasonable amounts of funding for activities
22 conducted during the period beginning on the date
23 on which the Secretary announces the approval of an
24 application under section 1271B(e) and ending on

1 the day before the effective date of the partnership
2 agreement.”; and

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

4 “(f) TECHNICAL ASSISTANCE.—

5 “(1) IN GENERAL.—At the time of project se-
6 lection, the Secretary shall identify and make pub-
7 lically available the amount that the Secretary shall
8 use to provide technical assistance under the terms
9 of the partnership agreement.

10 “(2) LIMITATION.—The Secretary shall limit
11 costs of the Secretary for technical assistance to
12 costs specific and necessary to carry out the objec-
13 tives of the program.

14 “(3) THIRD-PARTY PROVIDERS.—The Secretary
15 shall develop and implement strategies to encourage
16 third-party technical service providers to provide
17 technical assistance to eligible partners pursuant to
18 a partnership agreement.”.

19 (f) ADMINISTRATION.—Section 1271E of the Food
20 Security Act of 1985 (16 U.S.C. 3871e) is amended—

21 (1) in subsection (b)—

22 (A) in the matter preceding paragraph (1),
23 by striking “December 31, 2014” and inserting
24 “December 31, 2018”;

1 (B) in paragraphs (1) and (2), by inserting
2 “eligible” before “producers” each place it ap-
3 pears;

4 (C) by redesignating paragraphs (1)
5 through (4) as paragraphs (2) through (5), re-
6 spectively; and

7 (D) by inserting before paragraph (2) (as
8 so redesignated) the following:

9 “(1) a summary of—

10 “(A) the progress made towards address-
11 ing the 1 or more natural resource concerns de-
12 fined for the projects; and

13 “(B) any other related environmental, so-
14 cial, or economic outcomes of the projects;”;
15 and

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

17 “(c) COMPLIANCE WITH CERTAIN REQUIRE-
18 MENTS.—The Secretary may not provide assistance under
19 the program to an eligible producer unless the eligible pro-
20 ducer agrees, during the program year for which the as-
21 sistance is provided—

22 “(1) to comply with applicable conservation re-
23 quirements under subtitle B; and

24 “(2) to comply with applicable wetland protec-
25 tion requirements under subtitle C.

1 “(d) HISTORICALLY UNDERSERVED PRODUCERS.—
2 To the maximum extent practicable, in carrying out the
3 program, the Secretary shall work with eligible partners
4 to maintain eligible benefits available through the covered
5 programs for beginning farmers and ranchers, veteran
6 farmers and ranchers, socially disadvantaged farmers and
7 ranchers, and limited resource farmers and ranchers.

8 “(e) REGULATIONS.—The Secretary shall issue regu-
9 lations to carry out the program.”.

10 (g) CRITICAL CONSERVATION AREAS.—Section
11 1271F of the Food Security Act of 1985 (16 U.S.C.
12 3871f) is amended—

13 (1) by redesignating subsections (a), (b), and
14 (c) as subsections (b), (c), and (e), respectively;

15 (2) by inserting before subsection (b) (as so re-
16 designated) the following:

17 “(a) DEFINITIONS.—In this section:

18 “(1) CRITICAL CONSERVATION AREA.—The
19 term ‘critical conservation area’ means a geo-
20 graphical area that contains a critical conservation
21 condition that can be addressed through the pro-
22 gram.

23 “(2) CRITICAL CONSERVATION CONDITION.—
24 The term ‘critical conservation condition’ means—

1 “(A) a condition of land that would benefit
2 from water quality improvement, including
3 through reducing erosion, promoting sediment
4 control, and addressing nutrient management
5 activities affecting large bodies of water of re-
6 gional, national, or international significance;
7 and

8 “(B) a condition of land that would benefit
9 from water quantity improvement, including im-
10 provement relating to—

11 “(i) drought;

12 “(ii) groundwater, surface water, aq-
13 uifer, or other water sources; or

14 “(iii) water retention and flood pre-
15 vention.”;

16 (3) in subsection (b) (as so redesignated)—

17 (A) by striking “producer” and inserting
18 “program”; and

19 (B) by inserting “that address each critical
20 conservation condition for which the critical
21 conservation area is designated” before the pe-
22 riod at the end;

23 (4) in subsection (c) (as so redesignated)—

1 (A) by redesignating paragraphs (1)
2 through (3) as paragraphs (2) through (4), re-
3 spectively;

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

6 “(1) IN GENERAL.—The Secretary shall iden-
7 tify 1 or more critical conservation conditions that
8 apply to each critical conservation area designated
9 under this section after the date of enactment of the
10 Agricultural Act of 2014 (Public Law 113–79; 128
11 Stat. 649), including the conservation goals and out-
12 comes sufficient to demonstrate that progress is
13 being made to address the critical conservation con-
14 ditions.”;

15 (C) in paragraph (2) (as so redesi-
16 gnated)—

17 (i) by striking subparagraphs (C) and
18 (D) and inserting the following:

19 “(C) contains a critical conservation condi-
20 tion; or”;

21 (ii) by redesignating subparagraph
22 (E) as subparagraph (D); and

23 (iii) in subparagraph (D) (as so redesi-
24 gnated), by inserting “eligible” before
25 “producers”; and

1 (D) by striking paragraph (3) (as so redesi-
2 gnated) and inserting the following:

3 “(3) REVIEW AND WITHDRAWAL.—The Sec-
4 retary may—

5 “(A) review designations of critical con-
6 servation areas under this section not more fre-
7 quently than once every 5 years; and

8 “(B) withdraw designation of a critical
9 conservation area only if the Secretary deter-
10 mines that the area is no longer a critical con-
11 servation area.”;

12 (5) by inserting after subsection (c) (as so re-
13 designated) the following:

14 “(d) OUTREACH TO ELIGIBLE PARTNERS AND ELIGI-
15 BLE PRODUCERS.—The Secretary shall provide outreach
16 and education to eligible partners and eligible producers
17 in critical conservation areas designated under this section
18 to encourage the development of projects to address each
19 critical conservation condition identified by the Secretary
20 for that critical conservation area.”;

21 (6) in subsection (e) (as so redesignated)—

22 (A) in paragraph (1), by striking “pro-
23 ducer” and inserting “program”; and

24 (B) by striking paragraph (3); and

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

1 “(f) REPORTS.—Not later than December 31, 2018,
2 and each year thereafter, the Secretary shall submit to
3 the Committee on Agriculture of the House of Representa-
4 tives and the Committee on Agriculture, Nutrition, and
5 Forestry of the Senate a report describing the status of
6 each critical conservation condition for each critical con-
7 servation area designated under this section, including—

8 “(1) the conditions for which each critical con-
9 servation area is designated;

10 “(2) conservation goals and outcomes sufficient
11 to demonstrate that progress is being made to ad-
12 dress the critical conservation conditions;

13 “(3) the partnership agreements selected to ad-
14 dress each conservation goal and outcome; and

15 “(4) the extent to which each conservation goal
16 and outcome is being addressed by the partnership
17 agreements.”.

18 (h) CONFORMING AMENDMENTS.—

19 (1) Section 1271E of the Food Security Act of
20 1985 (16 U.S.C. 3871e) (as amended by subsection
21 (f)) is amended—

22 (A) in subsection (a), by striking
23 “1271B(d)” each place it appears and inserting
24 “1271B(e)”; and

1 (B) in subsection (b)(5), in the matter pre-
2 ceding subparagraph (A), by striking
3 “1271C(b)(2)” and inserting “1271C(d)”.

4 (2) Section 1271F of the Food Security Act of
5 1985 (16 U.S.C. 3871f) is amended in subsection
6 (b) (as redesignated by subsection (g)(1)) by strik-
7 ing “1271D(d)(3)” and inserting “1271D(d)(2)”.

8 **SEC. 2410. 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. 2411. 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. 2412. 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. 2413. 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. 2414. 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. 2415. REPEAL OF NATIONAL NATURAL RESOURCES**
18 **FOUNDATION.**

19 Subtitle F of title II of the Federal Agriculture Im-
20 provement and Reform Act of 1996 (16 U.S.C. 5801 et
21 seq.) is repealed.

22 **SEC. 2416. 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. 2417. 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. 2418. 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. 2419. 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. 2420. 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. 2421. 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. 2422. 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 **Subtitle E—Funding and** 7 **Administration**

8 **SEC. 2501. FUNDING.**

9 (a) IN GENERAL.—Section 1241(a) of the Food Se-
10 curity Act of 1985 (16 U.S.C. 3841(a)) is amended—

11 (1) in the matter preceding paragraph (1), by
12 striking “2018” and inserting “2023”;

13 (2) in paragraph (1)—

14 (A) in subparagraph (A), by striking
15 “\$10,000,000 for the period of fiscal years
16 2014 through 2018” and inserting
17 “\$11,000,000 for the period of fiscal years
18 2019 through 2023”; and

19 (B) in subparagraph (B), by striking
20 “\$33,000,000 for the period of fiscal years
21 2014 through 2018” and inserting
22 “\$50,000,000 for the period of fiscal years
23 2019 through 2023”;

24 (3) in paragraph (2), by striking subparagraphs
25 (A) through (E) and inserting the following:

1 “(A) \$400,000,000 for each of fiscal years
2 2019 through 2021;

3 “(B) \$425,000,000 for fiscal year 2022;
4 and

5 “(C) \$450,000,000 for fiscal year 2023.”;
6 and

7 (4) in paragraph (5), by striking subparagraphs
8 (A) through (E) and inserting the following:

9 “(A) \$1,473,000,000 for fiscal year 2019;

10 “(B) \$1,478,000,000 for fiscal year 2020;

11 “(C) \$1,541,000,000 for fiscal year 2021;

12 “(D) \$1,571,000,000 for fiscal year 2022;

13 and

14 “(E) \$1,595,000,000 for fiscal year
15 2023.”.

16 (b) AVAILABILITY OF FUNDS.—Section 1241(b) of
17 the Food Security Act of 1985 (16 U.S.C. 3841(b)) is
18 amended by striking “2018” and inserting “2023”.

19 (c) ALLOCATIONS REVIEW AND UPDATE.—Section
20 1241(g) of the Food Security Act of 1985 (16 U.S.C.
21 3841(g)) is amended by striking “REVIEW AND UPDATE”
22 in the subsection heading and all that follows through
23 “The Secretary” in paragraph (2) and inserting “UP-
24 DATE.—The Secretary”.

1 (d) ASSISTANCE TO CERTAIN FARMERS OR RANCH-
2 ERS FOR CONSERVATION ACCESS.—Section 1241(h)(1) of
3 the Food Security Act of 1985 (16 U.S.C. 3841(h)(1))
4 is amended, in the matter preceding subparagraph (A),
5 by striking “2018” and inserting “2023”.

6 (e) CONSERVATION STANDARDS AND REQUIRE-
7 MENTS.—Section 1241 of the Food Security Act of 1985
8 (16 U.S.C. 3841) is amended by adding at the end the
9 following:

10 “(j) CONSERVATION STANDARDS AND REQUIRE-
11 MENTS.—

12 “(1) IN GENERAL.—Subject to the require-
13 ments of this title, the Natural Resources Conserva-
14 tion Service shall serve as the lead agency in devel-
15 oping and establishing technical standards and re-
16 quirements for conservation programs carried out
17 under this title, including—

18 “(A) standards for conservation practices
19 under this title;

20 “(B) technical guidelines for implementing
21 conservation practices under this title, including
22 the location of the conservation practices;

23 “(C) standards for conservation plans; and

1 “(D) payment rates for conservation prac-
2 tices and activities under programs carried out
3 under this title.

4 “(2) CONSISTENCY OF FARM SERVICE AGENCY
5 STANDARDS.—The Administrator of the Farm Serv-
6 ice Agency shall ensure that the standards and re-
7 quirements of programs administered by the Farm
8 Service Agency incorporate and are consistent with
9 the standards and requirements established by the
10 Natural Resources Conservation Service under para-
11 graph (1).

12 “(3) LOCAL FLEXIBILITY.—The Secretary shall
13 establish a procedure to allow, on request of a State
14 committee of the Farm Service Agency or a State
15 technical committee established under section
16 1261(a) to modify any standard or requirement es-
17 tablished under paragraph (1), that modification if
18 the modification—

19 “(A) addresses a specific and local natural
20 resource concern;

21 “(B) is based on science; and

22 “(C) maintains the conservation benefits of
23 the standards and requirements established
24 under paragraph (1).”.

1 **SEC. 2502. DELIVERY OF TECHNICAL ASSISTANCE.**

2 Section 1242 of the Food Security Act of 1985 (16
3 U.S.C. 3842) is amended—

4 (1) in subsection (a)—

5 (A) by striking the subsection designation
6 and heading and all that follows through “the
7 term” and inserting the following:

8 “(a) DEFINITIONS.—In this section:

9 “(1) ELIGIBLE PARTICIPANT.—The term”; and

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

11 “(2) THIRD-PARTY PROVIDER.—The term
12 ‘third-party provider’ means a commercial entity (in-
13 cluding a farmer cooperative, agriculture retailer, or
14 other commercial entity, as determined by the Sec-
15 retary), a nonprofit entity, a State, a unit of local
16 government (including a conservation district), or a
17 Federal agency, that has expertise in the technical
18 aspect of conservation planning, including nutrient
19 management planning, watershed planning, or envi-
20 ronmental engineering.”; and

21 (2) in subsection (e), by adding at the end the
22 following:

23 “(4) CERTIFICATION PROCESS.—The Secretary
24 shall certify a third-party provider through—

1 “(A) a certification process administered
2 by the Secretary, acting through the Chief of
3 the National Resources Conservation Service; or

4 “(B) a non-Federal entity approved by the
5 Secretary to perform the certification.

6 “(5) STREAMLINED CERTIFICATION.—The Sec-
7 retary shall provide a streamlined certification proc-
8 ess for a third-party provider that has an appro-
9 priate specialty certification, including a sustain-
10 ability specialty certification and a 4R nutrient man-
11 agement specialty certification from the American
12 Society of Agronomy.”.

13 **SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CON-**
14 **SERVATION PROGRAMS.**

15 (a) INCENTIVES FOR ACEQUIAS.—Section 1244(a) of
16 the Food Security Act of 1985 (16 U.S.C. 3844(a)) is
17 amended—

18 (1) in the subsection heading, by striking
19 “RANCHERS AND INDIAN TRIBES” and inserting
20 “RANCHERS, INDIAN TRIBES, AND ACEQUIAS”; and

21 (2) in paragraph (2), by adding at the end the
22 following:

23 “(F) Acequias.”.

24 (b) ACREAGE LIMITATIONS.—Section 1244(f)(5) of
25 the Food Security Act of 1985 (16 U.S.C. 3844(f)(5)) is

1 amended by striking “the Agricultural Act of 2014” and
2 inserting “the Agriculture Improvement Act of 2018”.

3 (c) FUNDING FOR INDIAN TRIBES.—Section 1244(l)
4 of the Food Security Act of 1985 (16 U.S.C. 3844(l)) is
5 amended by striking “may” and inserting “shall”.

6 (d) EXEMPTION FROM CERTAIN REPORTING RE-
7 QUIREMENTS.—Section 1244(m) of the Food Security Act
8 of 1985 (16 U.S.C. 3844(m)) is amended—

9 (1) in paragraph (1), by inserting “or com-
10 modity” after “conservation”; and

11 (2) in paragraph (2), by inserting “or the Farm
12 Service Agency” before the period at the end.

13 (e) SOURCE WATER PROTECTION.—Section 1244 of
14 the Food Security Act of 1985 (16 U.S.C. 3844) (as
15 amended by section 2421(d)) is amended by adding at the
16 end the following:

17 “(o) SOURCE WATER PROTECTION.—

18 “(1) IN GENERAL.—In carrying out the con-
19 servation stewardship program under subchapter B
20 of chapter 2 of subtitle D and the environmental
21 quality incentives program under chapter 4 of sub-
22 title D, the Secretary shall encourage water quality
23 and water quantity practices that—

1 “(A) protect sources or potable water, in-
2 cluding protecting against public health threats;
3 and

4 “(B) mutually benefit agricultural pro-
5 ducers.

6 “(2) COLLABORATION AND PAYMENTS.—In en-
7 couraging practices under paragraph (1), the Sec-
8 retary shall—

9 “(A) work collaboratively with drinking
10 water utilities, community water systems, and
11 State technical committees established under
12 section 1261 to identify local priority areas for
13 the protection of source waters for drinking
14 water; and

15 “(B) subject to limitations under the pro-
16 grams described in paragraph (1), provide pay-
17 ment rates to producers for water quality prac-
18 tices or enhancements that primarily result in
19 off-farm benefit at a rate sufficient to encour-
20 age greater adoption of those practices or en-
21 hancements by producers.”.

22 (f) PAYMENTS MADE TO ACEQUIAS.—Section 1244
23 of the Food Security Act of 1985 (16 U.S.C. 3844) (as
24 amended by subsection (e)) is amended by adding at the
25 end the following:

1 “(p) PAYMENTS MADE TO ACEQUIAS.—

2 “(1) WAIVER AUTHORITY.—The Secretary may
3 waive the applicability of the limitations in section
4 1001D(b) or section 1240G for a payment made
5 under a contract under this title entered into with
6 an acequia if the Secretary determines that the
7 waiver is necessary to fulfill the objectives of the
8 project under the contract.

9 “(2) CONTRACT LIMITATIONS.—If the Secretary
10 grants a waiver under paragraph (1), the Secretary
11 shall impose a separate payment limitation, as deter-
12 mined by the Secretary, for the contract to which
13 the waiver applies.”.

14 **SEC. 2504. DEFINITION OF ACEQUIA.**

15 (a) IN GENERAL.—Section 1201(a) of the Food Se-
16 curity Act of 1985 (16 U.S.C. 3801(a)) is amended—

17 (1) by redesignating paragraphs (1) through
18 (27) as paragraphs (2) through (28), respectively;

19 (2) by inserting before paragraph (2) (as so re-
20 designated) the following:

21 “(1) ACEQUIA.—The term ‘acequia’ means an
22 entity that—

23 “(A) is a political subdivision of a State;

24 “(B) is organized for the purpose of man-
25 aging the operation of an irrigation ditch; and

1 “(C) does not have the authority to impose
2 taxes or levies.”; and

3 (3) in paragraph (19)(B) (as so redesignated),
4 by inserting “acequia,” before “or other”.

5 (b) CONFORMING AMENDMENTS.—Section 363 of the
6 Consolidated Farm and Rural Development Act (7 U.S.C.
7 2006e) is amended—

8 (1) by striking “section 1201(a)(16)” and in-
9 serting “section 1201(a)”; and

10 (2) by striking “(16 U.S.C. 3801(a)(16))” and
11 inserting “(16 U.S.C. 3801(a))”.

12 **SEC. 2505. AUTHORIZATION OF APPROPRIATIONS FOR**
13 **WATER BANK PROGRAM.**

14 Section 11 of the Water Bank Act (16 U.S.C. 1310)
15 is amended—

16 (1) in the first sentence, by striking “without
17 fiscal year” and all that follows through “necessary”
18 and inserting “\$5,000,000 for each of fiscal years
19 2019 through 2023, to remain available until ex-
20 pended,”; and

21 (2) by striking the second sentence.

22 **SEC. 2506. REPORT ON LAND ACCESS, TENURE, AND TRAN-**
23 **SITION.**

24 Not later than 1 year after the date of enactment
25 of this Act, the Secretary of Agriculture, in consultation

1 with the Chief Economist, shall submit to Congress and
2 make publicly available a report identifying—

3 (1) the barriers that prevent or hinder the abil-
4 ity of beginning farmers and ranchers and histori-
5 cally underserved producers to acquire or access
6 farmland;

7 (2) the extent to which Federal programs, in-
8 cluding agricultural conservation easement pro-
9 grams, land transition programs, and financing pro-
10 grams, are improving—

11 (A) farmland access and tenure for begin-
12 ning farmers and ranchers and historically un-
13 derserved producers; and

14 (B) farmland transition and succession;
15 and

16 (3) the regulatory, operational, or statutory
17 changes that are necessary to improve—

18 (A) the ability of beginning farmers and
19 ranchers and historically underserved producers
20 to acquire or access farmland;

21 (B) farmland tenure for beginning farmers
22 and ranchers and historically underserved pro-
23 ducers; and

24 (C) farmland transition and succession.

1 **Subtitle F—Technical Corrections**

2 **SEC. 2601. FARMABLE WETLAND PROGRAM.**

3 Section 1231B(b)(2)(A)(i) of the Food Security Act
4 of 1985 (16 U.S.C. 3831b(b)(2)(A)(i)) is amended by add-
5 ing a semicolon at the end.

6 **SEC. 2602. REPORT ON PROGRAM ENROLLMENTS AND AS-** 7 **SISTANCE.**

8 Section 1241(i) of the Food Security Act of 1985 (16
9 U.S.C. 3841(i)) is amended—

10 (1) by striking paragraphs (2) and (4); and

11 (2) by redesignating paragraphs (3), (5), and
12 (6) as paragraphs (2), (3), and (4), respectively.

13 **SEC. 2603. DELIVERY OF TECHNICAL ASSISTANCE.**

14 Section 1242 of the Food Security Act of 1985 (16
15 U.S.C. 3842) is amended in subsections (e)(3)(B) and
16 (f)(4) by striking “third party” each place it appears and
17 inserting “third-party”.

18 **SEC. 2604. STATE TECHNICAL COMMITTEES.**

19 Section 1261(b)(2) of the Food Security Act of 1985
20 (16 U.S.C. 3861(b)(2)) is amended by striking “under
21 section 1262(b)”.

1 **TITLE III—TRADE**
2 **Subtitle A—Food for Peace Act**

3 **SEC. 3101. FOOD AID QUALITY.**

4 Section 202(h)(3) of the Food for Peace Act (7
5 U.S.C. 1722(h)(3)) is amended by striking “2014 through
6 2018” and inserting “2019 through 2023”.

7 **SEC. 3102. GENERATION AND USE OF CURRENCIES BY PRI-**
8 **VATE VOLUNTARY ORGANIZATIONS AND CO-**
9 **OPERATIVES.**

10 Section 203 of the Food for Peace Act (7 U.S.C.
11 1723) is amended by striking subsection (b) and inserting
12 the following:

13 “(b) LOCAL SALES.—In carrying out agreements of
14 the type referred to in subsection (a), the Administrator
15 may permit private voluntary organizations and coopera-
16 tives to sell, in 1 or more recipient countries, or in 1 or
17 more countries in the same region, commodities distrib-
18 uted under nonemergency programs under this title for
19 each fiscal year to generate proceeds to be used as pro-
20 vided in this section.”.

21 **SEC. 3103. MINIMUM LEVELS OF ASSISTANCE.**

22 Section 204(a) of the Food for Peace Act (7 U.S.C.
23 1724(a)) is amended in paragraphs (1) and (2) by striking
24 “2018” each place it appears and inserting “2023”.

1 **SEC. 3104. FOOD AID CONSULTATIVE GROUP.**

2 Section 205 of the Food for Peace Act (7 U.S.C.
3 1725) is amended—

4 (1) in subsection (d)(1), in the first sentence,
5 by striking “45” and inserting “30”; and

6 (2) in subsection (f), by striking “2018” and
7 inserting “2023”.

8 **SEC. 3105. OVERSIGHT, MONITORING, AND EVALUATION.**

9 Section 207(f)(4) of the Food for Peace Act (7
10 U.S.C. 1726a(f)(4)) is amended—

11 (1) in subparagraph (A)—

12 (A) by striking “\$17,000,000” inserting
13 “1.5 percent, but not less than \$17,000,000,”;
14 and

15 (B) by striking “2018” each place it ap-
16 pears and inserting “2023”; and

17 (2) in subparagraph (B)(i), by striking “2018”
18 and inserting “2023”.

19 **SEC. 3106. ASSISTANCE FOR STOCKPILING AND RAPID**
20 **TRANSPORTATION, DELIVERY, AND DIS-**
21 **TRIBUTION OF SHELF-STABLE PRE-**
22 **PACKAGED FOODS.**

23 Section 208(f) of the Food for Peace Act (7 U.S.C.
24 1726b(f)) is amended by striking “2018” and inserting
25 “2023”.

1 **SEC. 3107. ALLOWANCE OF DISTRIBUTION COSTS.**

2 Section 406(b)(6) of the Food for Peace Act (7
3 U.S.C. 1736(b)(6)) is amended by striking “distribution
4 costs” and inserting “distribution costs, including the
5 types of activities for which costs were paid under this
6 subsection prior to fiscal year 2017”.

7 **SEC. 3108. PREPOSITIONING OF AGRICULTURAL COMMOD-**
8 **ITIES.**

9 Section 407(c)(4)(A) of the Food for Peace Act (7
10 U.S.C. 1736a(c)(4)(A)) is amended by striking “2018”
11 each place it appears and inserting “2023”.

12 **SEC. 3109. ANNUAL REPORT REGARDING FOOD AID PRO-**
13 **GRAMS AND ACTIVITIES.**

14 Section 407(f)(1)(A) of the Food for Peace Act (7
15 U.S.C. 1736a(f)(1)(A)) is amended—

16 (1) by inserting “or each separately” after
17 “jointly”; and

18 (2) by inserting “by the Administrator, the Sec-
19 retary, or both, as applicable,” after “Act”.

20 **SEC. 3110. DEADLINE FOR AGREEMENTS TO FINANCE**
21 **SALES OR TO PROVIDE OTHER ASSISTANCE.**

22 Section 408 of the Food for Peace Act (7 U.S.C.
23 1736b) is amended by striking “2018” and inserting
24 “2023”.

1 **SEC. 3111. NONEMERGENCY FOOD ASSISTANCE.**

2 Section 412(e) of the Food for Peace Act (7 U.S.C.
3 1736f(e)) is amended—

4 (1) in the subsection heading, by striking “MIN-
5 IMUM LEVEL OF”;

6 (2) in paragraph (1), by striking “2018” and
7 inserting “2023”;

8 (3) in paragraph (2), by striking
9 “\$350,000,000” and inserting “\$365,000,000”; and

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

11 “(3) FARMER-TO-FARMER PROGRAM.—In deter-
12 mining the amount expended for a fiscal year for
13 nonemergency food assistance programs under para-
14 graphs (1) and (2), amounts expended for that year
15 to carry out programs under section 501 may be
16 considered amounts expended for those non-
17 emergency food assistance programs.

18 “(4) FUNDS APPROPRIATED FOR FOREIGN AS-
19 SISTANCE ACT.—In determining the amount ex-
20 pended for a fiscal year for nonemergency food as-
21 sistance programs under paragraphs (1) and (2),
22 amounts expended for that year from funds appro-
23 priated to carry out part I of the Foreign Assistance
24 Act of 1961 (22 U.S.C. 2151 et seq.) may be consid-
25 ered amounts expended for those nonemergency food

1 assistance programs if the funds are made available
2 through grants or cooperative agreements that—

3 “(A) strengthen food security in developing
4 countries; and

5 “(B) are consistent with the goals of title
6 II.”.

7 **SEC. 3112. MICRONUTRIENT FORTIFICATION PROGRAMS.**

8 Section 415(c) of the Food for Peace Act (7 U.S.C.
9 1736g–2(c)) is amended by striking “2018” and inserting
10 “2023”.

11 **SEC. 3113. JOHN OGWONSKI AND DOUG BEREUTER FARM-
12 ER-TO-FARMER PROGRAM.**

13 Section 501 of the Food for Peace Act (7 U.S.C.
14 1737) is amended—

15 (1) in subsection (b)—

16 (A) in the matter preceding paragraph (1),
17 by inserting “section 1342 of title 31, United
18 States Code, or” after “Notwithstanding”; and

19 (B) in paragraph (2), in the matter pre-
20 ceeding subparagraph (A), by inserting “employ-
21 ees or staff of a State cooperative institution
22 (as defined in subparagraphs (A) through (D)
23 of section 1404(18) of the National Agricultural
24 Research, Extension, and Teaching Policy Act

1 of 1977 (7 U.S.C. 3103(18)),” after “private
2 corporations,”;

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

6 (3) in subsection (e)(1), in the matter preceding
7 subparagraph (A), by striking “2018” and inserting
8 “2023”.

9 **Subtitle B—Agricultural Trade Act**
10 **of 1978**

11 **SEC. 3201. PRIORITY TRADE PROMOTION, DEVELOPMENT,**
12 **AND ASSISTANCE.**

13 (a) IN GENERAL.—Title II of the Agricultural Trade
14 Act of 1978 (7 U.S.C. 5621 et seq.) is amended by adding
15 at the end the following:

16 **“Subtitle C—Priority Trade Pro-**
17 **motion, Development, and As-**
18 **sistance**

19 **“SEC. 221. ESTABLISHMENT.**

20 “The Secretary shall carry out activities under this
21 subtitle—

22 “(1) to access, develop, maintain, and expand
23 markets for United States agricultural commodities;
24 and

1 “(2) to promote cooperation and the exchange
2 of information.

3 **“SEC. 222. MARKET ACCESS PROGRAM.**

4 “(a) IN GENERAL.—The Commodity Credit Corpora-
5 tion shall establish and carry out a program to encourage
6 the development, maintenance, and expansion of commer-
7 cial export markets for agricultural commodities (includ-
8 ing commodities that are organically produced (as defined
9 in section 2103 of the Organic Foods Production Act of
10 1990 (7 U.S.C. 6502))) through cost-share assistance to
11 eligible trade organizations that implement a foreign mar-
12 ket development program.

13 “(b) TYPE OF ASSISTANCE.—Assistance under this
14 section may be provided in the form of funds of, or com-
15 modities owned by, the Commodity Credit Corporation, as
16 determined appropriate by the Secretary.

17 “(c) REQUIREMENTS FOR PARTICIPATION.—To be el-
18 igible for cost-share assistance under this section, an orga-
19 nization shall—

20 “(1) be an eligible trade organization;

21 “(2) prepare and submit a marketing plan to
22 the Secretary that meets the guidelines governing
23 such plans established by the Secretary; and

24 “(3) meet any other requirements established
25 by the Secretary.

1 “(d) ELIGIBLE TRADE ORGANIZATIONS.—An eligible
2 trade organization shall be—

3 “(1) a United States agricultural trade organi-
4 zation or regional State-related organization that—

5 “(A) promotes the export and sale of agri-
6 cultural commodities; and

7 “(B) does not stand to profit directly from
8 specific sales of agricultural commodities;

9 “(2) a cooperative organization or State agency
10 that promotes the sale of agricultural commodities;
11 or

12 “(3) a private organization that promotes the
13 export and sale of agricultural commodities if the
14 Secretary determines that such organization would
15 significantly contribute to United States export mar-
16 ket development.

17 “(e) APPROVED MARKETING PLAN.—

18 “(1) IN GENERAL.—A marketing plan sub-
19 mitted by an eligible trade organization under this
20 section shall describe the advertising or other market
21 oriented export promotion activities to be carried out
22 by the eligible trade organization with respect to
23 which assistance under this section is being re-
24 quested.

1 “(2) REQUIREMENTS.—To be approved by the
2 Secretary, a marketing plan submitted under this
3 subsection shall—

4 “(A) specifically describe the manner in
5 which assistance received by the eligible trade
6 organization in conjunction with funds and
7 services provided by the eligible trade organiza-
8 tion will be expended in implementing the mar-
9 keting plan;

10 “(B) establish specific market goals to be
11 achieved as a result of the market access pro-
12 gram; and

13 “(C) contain any additional requirements
14 that the Secretary determines to be necessary.

15 “(3) AMENDMENTS.—A marketing plan may be
16 amended by the eligible trade organization at any
17 time, with the approval of the Secretary.

18 “(4) BRANDED PROMOTION.—An agreement en-
19 tered into under this section may provide for the use
20 of branded advertising to promote the sale of agri-
21 cultural commodities in a foreign country under
22 such terms and conditions as may be established by
23 the Secretary.

24 “(f) OTHER TERMS AND CONDITIONS.—

1 “(1) MULTIYEAR BASIS.—The Secretary may
2 provide assistance under this section on a multiyear
3 basis, subject to annual review by the Secretary for
4 compliance with the approved marketing plan.

5 “(2) TERMINATION OF ASSISTANCE.—The Sec-
6 retary may terminate any assistance made, or to be
7 made, available under this section if the Secretary
8 determines that—

9 “(A) the eligible trade organization is not
10 adhering to the terms and conditions of the
11 program established under this section;

12 “(B) the eligible trade organization is not
13 implementing the approved marketing plan or is
14 not adequately meeting the established goals of
15 the market access program;

16 “(C) the eligible trade organization is not
17 adequately contributing its own resources to the
18 market access program; or

19 “(D) the Secretary determines that termi-
20 nation of assistance in a particular instance is
21 in the best interests of the program.

22 “(3) MONITORING AND EVALUATIONS.—

23 “(A) MONITORING.—The Secretary shall
24 monitor the expenditure of funds received under
25 this section by recipients of those funds.

1 “(B) EVALUATIONS.—The Secretary shall
2 make evaluations of the expenditure of funds
3 received under this section, including—

4 “(i) an evaluation of the effectiveness
5 of the program in developing or maintain-
6 ing markets for United States agricultural
7 commodities;

8 “(ii) an evaluation of whether assist-
9 ance provided under this section is nec-
10 essary to maintain markets for United
11 States agricultural commodities; and

12 “(iii) a thorough accounting of the ex-
13 penditure of those funds by the recipient.

14 “(C) INITIAL EVALUATION.—The Sec-
15 retary shall make an initial evaluation of ex-
16 penditures of a recipient under this paragraph
17 not later than 15 months after the initial provi-
18 sion of funds to the recipient.

19 “(4) USE OF FUNDS.—Funds made available to
20 carry out this section—

21 “(A) shall not be used to provide direct as-
22 sistance to any foreign for-profit corporation for
23 the use of the corporation in promoting foreign-
24 produced products;

1 “(B) shall not be used to provide direct as-
2 sistance to any for-profit corporation that is not
3 recognized as a small-business concern de-
4 scribed in section 3(a) of the Small Business
5 Act (15 U.S.C. 632(a)), excluding—

6 “(i) a cooperative;

7 “(ii) an association described in the
8 first section of the Act entitled ‘An Act to
9 authorize association of producers of agri-
10 cultural products’, approved February 18,
11 1922 (7 U.S.C. 291); and

12 “(iii) a nonprofit trade association;
13 and

14 “(C) may be used by a United States trade
15 association, cooperative, or small business for
16 individual branded promotional activity related
17 to a United States branded product, if the
18 beneficiaries of the activity have provided funds
19 for the activity in an amount that is at least
20 equivalent to the amount of assistance provided
21 under this section.

22 “(g) LEVEL OF MARKETING ASSISTANCE.—

23 “(1) IN GENERAL.—The Secretary shall justify
24 in writing the level of assistance provided to an eligi-
25 ble trade organization under the program under this

1 section and the level of cost-sharing required of the
2 organization.

3 “(2) LIMITATION.—

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (B), assistance provided under
6 this section for activities described in subsection
7 (e)(4) shall not exceed 50 percent of the cost of
8 implementing the marketing plan.

9 “(B) ACTION BY UNITED STATES TRADE
10 REPRESENTATIVE.—

11 “(i) IN GENERAL.—The Secretary
12 may determine not to apply the limitation
13 described in subparagraph (A) in the case
14 of agricultural commodities with respect to
15 which there has been a favorable decision
16 by the United States Trade Representative
17 under section 301 of the Trade Act of
18 1974 (19 U.S.C. 2411).

19 “(ii) REQUIREMENT.—Criteria for de-
20 termining that the limitation shall not
21 apply under clause (i) shall be consistent
22 and documented.

1 **“SEC. 223. FOREIGN MARKET DEVELOPMENT COOPERATOR**
2 **PROGRAM.**

3 “(a) DEFINITION OF ELIGIBLE TRADE ORGANIZA-
4 TION.—In this section, the term ‘eligible trade organiza-
5 tion’ means a United States trade organization that—

6 “(1) promotes the export of 1 or more United
7 States agricultural commodities; and

8 “(2) does not have a business interest in or re-
9 ceive remuneration from specific sales of agricultural
10 commodities.

11 “(b) ESTABLISHMENT.—The Secretary shall estab-
12 lish and, in cooperation with eligible trade organizations,
13 carry out a foreign market development cooperator pro-
14 gram to maintain and develop foreign markets for United
15 States agricultural commodities, with a continued signifi-
16 cant emphasis on the importance of the export of value-
17 added United States agricultural commodities into emerg-
18 ing markets.

19 “(c) USE OF FUNDS.—Funds made available to carry
20 out this section shall be used only to provide—

21 “(1) cost-share assistance to an eligible trade
22 organization under a contract or agreement with the
23 eligible trade organization; and

24 “(2) assistance for other costs that are appro-
25 priate to carry out the foreign market development

1 cooperator program, including contingent liabilities
2 that are not otherwise funded.

3 **“SEC. 224. E (KIKI) DE LA GARZA AGRICULTURAL FELLOW-**
4 **SHIP PROGRAM.**

5 “(a) DEFINITION OF EMERGING MARKET.—In this
6 section, the term ‘emerging market’ means any country,
7 foreign territory, customs union, or other economic market
8 that the Secretary determines—

9 “(1) is taking steps toward a market-oriented
10 economy through the food, agriculture, or rural busi-
11 ness sectors of the economy of that country, terri-
12 tory, customs union, or other economic market, as
13 applicable; and

14 “(2) has the potential to provide a viable and
15 significant market for United States agricultural
16 commodities.

17 “(b) ESTABLISHMENT.—The Secretary shall estab-
18 lish a program, to be known as the ‘E (Kika) de la Garza
19 Agricultural Fellowship Program’—

20 “(1) to develop agricultural markets in emerg-
21 ing markets; and

22 “(2) to promote cooperation and exchange of
23 information between agricultural institutions and ag-
24 ribusinesses in the United States and emerging mar-
25 kets.

1 “(c) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—

2 “(1) IN GENERAL.—

3 “(A) ESTABLISHMENT OF PROGRAM.—To
4 develop, maintain, or expand markets for ex-
5 ports of United States agricultural commod-
6 ities, the Secretary shall make available to
7 emerging markets the expertise of the United
8 States—

9 “(i) to make assessments of food and
10 rural business systems needs;

11 “(ii) to make recommendations on
12 measures necessary to enhance the effec-
13 tiveness of the food and rural business sys-
14 tems described in clause (i), including po-
15 tential reductions in trade barriers; and

16 “(iii) to identify and carry out specific
17 opportunities and projects to enhance the
18 effectiveness of the food and rural business
19 systems described in clause (i).

20 “(B) EXTENT OF PROGRAM.—The Sec-
21 retary shall implement this paragraph with re-
22 spect to at least 3 emerging markets in each
23 fiscal year.

1 “(2) EXPERTS FROM THE UNITED STATES.—

2 The Secretary may implement paragraph (1) by pro-
3 viding—

4 “(A) assistance to teams (consisting pri-
5 marily of agricultural consultants, agricultural
6 producers, other persons from the private sec-
7 tor, and government officials expert in assessing
8 the food and rural business systems of other
9 countries) to enable those teams to conduct the
10 assessments, make the recommendations, and
11 identify the opportunities and projects described
12 in paragraph (1)(A) in emerging markets;

13 “(B) necessary subsistence expenses in the
14 United States and necessary transportation ex-
15 penses by individuals designated by emerging
16 markets to enable those individuals to consult
17 with food and rural business system experts in
18 the United States to enhance those systems of
19 those emerging markets;

20 “(C) necessary subsistence expenses in
21 emerging markets and necessary transportation
22 expenses of United States food and rural busi-
23 ness system experts, agricultural producers, and
24 other individuals knowledgeable in agricultural
25 and agribusiness matters to assist in transfer-

1 ring knowledge and expertise to entities in
2 emerging markets; and

3 “(D) necessary subsistence expenses and
4 necessary transportation expenses of United
5 States food and rural business system experts,
6 including United States agricultural producers
7 and other United States individuals knowledge-
8 able in agriculture and agribusiness matters,
9 and of individuals designated by emerging mar-
10 kets, to enable those designated individuals to
11 consult with those United States experts—

12 “(i) to enhance food and rural busi-
13 ness systems of emerging markets; and

14 “(ii) to transfer knowledge and exper-
15 tise to emerging markets.

16 “(3) COST-SHARING.—The Secretary shall en-
17 courage the nongovernmental experts described in
18 paragraph (2) to share the costs of, and otherwise
19 assist in, the participation of those experts in the
20 program under this subsection.

21 “(4) TECHNICAL ASSISTANCE.—The Secretary
22 is authorized to provide, or pay the necessary costs
23 for, technical assistance (including the establishment
24 of extension services) to enable individuals or other
25 entities to carry out recommendations, projects, and

1 opportunities in emerging markets, including rec-
2 ommendations, projects, and opportunities described
3 in clauses (ii) and (iii) of paragraph (1)(A).

4 “(5) REPORTS TO SECRETARY.—A team that
5 receives assistance under paragraph (2)(A) shall pre-
6 pare and submit to the Secretary such reports as the
7 Secretary may require.

8 “(6) ADVISORY COMMITTEE.—To provide the
9 Secretary with information that may be useful to the
10 Secretary in carrying out this subsection, the Sec-
11 retary may establish an advisory committee com-
12 posed of representatives of the various sectors of the
13 food and rural business systems of the United
14 States.

15 “(7) EFFECT.—The authority provided under
16 this subsection shall be in addition to and not in
17 place of any other authority of the Secretary or the
18 Commodity Credit Corporation.

19 **“SEC. 225. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

20 “(a) ESTABLISHMENT.—The Secretary of Agri-
21 culture shall establish an export assistance program (re-
22 ferred to in this section as the ‘program’) to address exist-
23 ing or potential unique barriers that prohibit or threaten
24 the export of United States specialty crops.

1 “(b) PURPOSE.—The program shall provide direct as-
2 sistance through public and private sector projects and
3 technical assistance, including through the program under
4 section 2(e) of the Competitive, Special, and Facilities Re-
5 search Grant Act (7 U.S.C. 3157(e)), to remove, resolve,
6 or mitigate existing or potential sanitary and
7 phytosanitary and technical barriers to trade.

8 “(c) PRIORITY.—The program shall address time
9 sensitive and strategic market access projects based on—
10 “(1) trade effect on market retention, market
11 access, and market expansion; and

12 “(2) trade impact.

13 “(d) MULTIYEAR PROJECTS.—The Secretary may
14 provide assistance under the program to a project for
15 longer than a 5-year period if the Secretary determines
16 that further assistance would effectively support the pur-
17 pose of the program described in subsection (b).

18 “(e) ANNUAL REPORT.—Each year, the Secretary
19 shall submit to the appropriate committees of Congress
20 a report that contains, for the period covered by the re-
21 port, a description of—

22 “(1) each factor that affects the export of spe-
23 cialty crops, including each factor relating to any—

24 “(A) significant sanitary or phytosanitary
25 issue;

1 “(B) trade barrier; or

2 “(C) emerging sanitary or phytosanitary
3 issue or trade barrier; and

4 “(2)(A) any funds provided under section
5 226(c)(4) that were not obligated in a fiscal year;
6 and

7 “(B) a description of why the funds described
8 in subparagraph (A) were not obligated.

9 **“SEC. 226. FUNDING AND ADMINISTRATION.**

10 “(a) COMMODITY CREDIT CORPORATION.—The Sec-
11 retary shall use the funds, facilities, and authorities of the
12 Commodity Credit Corporation to carry out this subtitle.

13 “(b) FUNDING AMOUNT.—For each of fiscal years
14 2019 through 2023, of the funds of, or an equal value
15 of commodities owned by, the Commodity Credit Corpora-
16 tion, the Secretary shall use to carry out this subtitle
17 \$259,500,000, to remain available until expended.

18 “(c) ALLOCATION.—For each of fiscal years 2019
19 through 2023, the Secretary shall allocate funds to carry
20 out this subtitle in accordance with the following:

21 “(1) MARKET ACCESS PROGRAM.—For market
22 access activities authorized under section 222—

23 “(A) of the funds of, or an equal value of
24 commodities owned by, the Commodity Credit

1 Corporation, not less than \$200,000,000 for
2 each fiscal year; and

3 “(B) any funds that may be specifically
4 appropriated to carry out a market access pro-
5 gram under that section.

6 “(2) FOREIGN MARKET DEVELOPMENT COOP-
7 ERATOR PROGRAM.—To carry out section 223, of
8 the funds of, or an equal value of commodities
9 owned by, the Commodity Credit Corporation, not
10 less than \$34,500,000 for each fiscal year.

11 “(3) E (KIKA) DE LA GARZA AGRICULTURAL
12 FELLOWSHIP PROGRAM.—To provide assistance
13 under section 224, of the funds of the Commodity
14 Credit Corporation, not more than \$10,000,000 for
15 each fiscal year.

16 “(4) TECHNICAL ASSISTANCE FOR SPECIALTY
17 CROPS.—To carry out section 225, of the funds of
18 the Commodity Credit Corporation, not less than
19 \$9,000,000 for each fiscal year, to remain available
20 until expended.

21 “(5) PRIORITY TRADE FUND.—In addition to
22 the amounts allocated under paragraphs (1) through
23 (4), and notwithstanding any limitations in those
24 paragraphs, as determined by the Secretary, for 1 or
25 more programs under this subtitle for authorized ac-

1 tivities to access, develop, maintain, and expand
2 markets for United States agricultural commodities,
3 \$6,000,000 for each fiscal year.

4 “(d) AUTHORIZATION FOR APPROPRIATIONS.—In ad-
5 dition to any other amounts provided under this section,
6 there are authorized to be appropriated such sums as are
7 necessary to carry out the programs and authorities under
8 subsection (c)(5) and sections 222 through 225.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) MARKET ACCESS PROGRAM.—

11 (A) Section 203 of the Agricultural Trade
12 Act of 1978 (7 U.S.C. 5623) is repealed.

13 (B) Section 211 of the Agricultural Trade
14 Act of 1978 (7 U.S.C. 5641) is amended by
15 striking subsection (c).

16 (C) Section 402(a)(1) of the Agricultural
17 Trade Act of 1978 (7 U.S.C. 5662(a)(1)) is
18 amended by striking “203” and inserting
19 “222”.

20 (D) Section 282(f)(2)(C) of the Agricul-
21 tural Marketing Act of 1946 (7 U.S.C.
22 1638a(f)(2)(C)) is amended by striking “section
23 203 of the Agricultural Trade Act of 1978 (7
24 U.S.C. 5623)” and inserting “section 222 of
25 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 (KIKI) 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 ated)—

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 “entities to furnish” and
12 inserting the following: “entities—

13 “(1) to furnish”;

14 (B) in paragraph (1) (as so designated), by
15 striking the period at the end and inserting “;
16 or”;

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

18 “(2) to provide financial assistance under sub-
19 section (l)(5) to eligible entities to support the pur-
20 poses of this section.”;

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 achieve the pur-
17 poses of this section, the following funds shall be
18 used to pay for the 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”; and

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. AGRICULTURE WOOL APPAREL MANUFACTUR-**
6 **ERS TRUST FUND.**

7 Section 12315(f)(1) of the Agricultural Act of 2014
8 (7 U.S.C. 7101 note; Public Law 113–79) (as amended
9 by section 12604(1)) is amended by striking “2014” and
10 inserting “2018”.

11 **TITLE IV—NUTRITION**
12 **Subtitle A—Supplemental**
13 **Nutrition Assistance Program**

14 **SEC. 4101. DEFINITION OF CERTIFICATION PERIOD.**

15 Section 3 of the Food and Nutrition Act of 2008 (7
16 U.S.C. 2012) is amended by striking subsection (f) and
17 inserting the following:

18 “(f) CERTIFICATION PERIOD.—

19 “(1) IN GENERAL.—The term ‘certification pe-
20 riod’ means the period for which a household shall
21 be eligible to receive benefits.

22 “(2) TIME LIMITS.—

23 “(A) IN GENERAL.—Except as provided in
24 subparagraph (C), the certification period shall
25 not exceed 1 year.

1 “(B) CONTACT.—A State agency shall
2 have at least 1 contact with each certified
3 household every 12 months.

4 “(C) ELDERLY OR DISABLED HOUSEHOLD
5 MEMBERS.—The certification period may be for
6 a duration of—

7 “(i) not more than 2 years if each
8 adult household member is elderly or dis-
9 abled; or

10 “(ii) not more than 36 months if—

11 “(I) each adult household mem-
12 ber is elderly or disabled; and

13 “(II) the household of the adult
14 household member has no earned in-
15 come at the time of certification.

16 “(D) EXTENSION OF LIMIT.—The limits
17 under this paragraph may be extended until the
18 end of any transitional benefit period estab-
19 lished under section 11(s).”.

20 **SEC. 4102. FOOD DISTRIBUTION PROGRAM ON INDIAN RES-**
21 **ERVATIONS.**

22 (a) IN GENERAL.—Section 4(b) of the Food and Nu-
23 trition Act of 2008 (7 U.S.C. 2013(b)) is amended—

24 (1) by striking paragraph (4) and inserting the
25 following:

1 “(4) ADMINISTRATIVE COSTS.—

2 “(A) IN GENERAL.—The Secretary shall
3 pay not less than 90 percent of administrative
4 costs and distribution costs on Indian reserva-
5 tions as the Secretary determines necessary for
6 effective administration of such distribution by
7 a State agency or tribal organization.

8 “(B) WAIVER.—The Secretary shall waive
9 up to 100 percent of the non-Federal share of
10 the costs described in subparagraph (A) if the
11 Secretary determines that—

12 “(i) the tribal organization is finan-
13 cially unable to provide a greater non-Fed-
14 eral share of the costs; or

15 “(ii) providing a greater non-Federal
16 share of the costs would be a substantial
17 burden for the tribal organization.

18 “(C) LIMITATION.—The Secretary may not
19 reduce any benefits or services under the food
20 distribution program on Indian reservations
21 under this subsection to any tribal organization
22 that is granted a waiver under subparagraph
23 (B).

24 “(D) TRIBAL CONTRIBUTION.—The Sec-
25 retary may allow a tribal organization to use

1 funds provided to the tribal organization
2 through a Federal agency or other Federal ben-
3 efit to satisfy all or part of the non-Federal
4 share of the costs described in subparagraph
5 (A) if that use is otherwise consistent with the
6 purpose of the funds.”;

7 (2) in paragraph (6)(F), by striking “2018”
8 and inserting “2023”; and

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

10 “(7) AVAILABILITY OF FUNDS.—

11 “(A) IN GENERAL.—Funds made available
12 for a fiscal year to carry out this subsection
13 shall remain available for obligation for a period
14 of 2 fiscal years.

15 “(B) ADMINISTRATIVE COSTS.—Funds
16 made available for a fiscal year to carry out
17 paragraph (4) shall remain available for obliga-
18 tion by the State agency or tribal organization
19 for a period of 2 fiscal years.”.

20 (b) DEMONSTRATION PROJECT FOR TRIBAL ORGANI-
21 ZATIONS.—

22 (1) DEFINITIONS.—In this subsection:

23 (A) DEMONSTRATION PROJECT.—The term
24 “demonstration project” means the demonstra-
25 tion project established under paragraph (2).

1 (B) FOOD DISTRIBUTION PROGRAM.—The
2 term “food distribution program” means the
3 food distribution program on Indian reserva-
4 tions carried out under section 4(b) of the Food
5 and Nutrition Act of 2008 (7 U.S.C. 2013(b)).

6 (C) INDIAN RESERVATION.—The term “In-
7 dian reservation” has the meaning given the
8 term “reservation” in section 3 of the Food and
9 Nutrition Act of 2008 (7 U.S.C. 2012).

10 (D) INDIAN TRIBE.—The term “Indian
11 tribe” has the meaning given the term in sec-
12 tion 4 of the Indian Self-Determination and
13 Education Assistance Act (25 U.S.C. 5304).

14 (E) SELF-DETERMINATION CONTRACT.—
15 The term “self-determination contract” has the
16 meaning given the term in section 4 of the In-
17 dian Self-Determination and Education Assist-
18 ance Act (25 U.S.C. 5304).

19 (F) TRIBAL ORGANIZATION.—The term
20 “tribal organization” has the meaning given the
21 term in section 3 of the Food and Nutrition Act
22 of 2008 (7 U.S.C. 2012).

23 (2) ESTABLISHMENT.—Subject to the avail-
24 ability of appropriations, the Secretary shall estab-
25 lish a demonstration project under which 1 or more

1 tribal organizations may enter into self-determina-
2 tion contracts to purchase agricultural commodities
3 under the food distribution program for the Indian
4 reservation of that tribal organization.

5 (3) ELIGIBILITY.—

6 (A) CONSULTATION.—The Secretary shall
7 consult with the Secretary of the Interior and
8 Indian tribes to determine the process and cri-
9 teria under which a tribal organization may
10 participate in the demonstration project.

11 (B) CRITERIA.—The Secretary shall select
12 for participation in the demonstration project
13 tribal organizations that—

14 (i) are successfully administering the
15 food distribution program of the tribal or-
16 ganization under section 4(b)(2)(B) of the
17 Food and Nutrition Act of 2008 (7 U.S.C.
18 2013(b)(2)(B));

19 (ii) have the capacity to purchase ag-
20 ricultural commodities in accordance with
21 paragraph (4) for the food distribution
22 program of the tribal organization; and

23 (iii) meet any other criteria deter-
24 mined by the Secretary, in consultation

1 with the Secretary of the Interior and In-
2 dian tribes.

3 (4) PROCUREMENT OF AGRICULTURAL COM-
4 MODITIES.—Any agricultural commodities purchased
5 by a tribal organization under the demonstration
6 project shall—

7 (A) be domestically produced;

8 (B) supplant, not supplement, the type of
9 agricultural commodities in existing food pack-
10 ages for that tribal organization;

11 (C) be of similar or higher nutritional
12 value as the type of agricultural commodities
13 that would be supplanted in the existing food
14 package for that tribal organization; and

15 (D) meet any other criteria determined by
16 the Secretary.

17 (5) REPORT.—Not later than 1 year after the
18 date of enactment of this Act and annually there-
19 after, the Secretary shall submit to the Committee
20 on Agriculture of the House of Representatives and
21 the Committee on Agriculture, Nutrition, and For-
22 estry of the Senate a report describing the activities
23 carried out under the demonstration project during
24 the preceding year.

25 (6) FUNDING.—

1 (A) AUTHORIZATION OF APPROPRIA-
 2 TIONS.—There is authorized to be appropriated
 3 to the Secretary to carry out this subsection
 4 \$5,000,000, to remain available until expended.

5 (B) APPROPRIATIONS IN ADVANCE.—Only
 6 funds appropriated under subparagraph (A) in
 7 advance specifically to carry out this subsection
 8 shall be available to carry out this subsection.

9 (c) CONFORMING AMENDMENT.—Section 3(v) of the
 10 Food and Nutrition Act of 2008 (7 U.S.C. 2012(v)) is
 11 amended by striking “the Indian Self-Determination Act
 12 (25 U.S.C. 450b(b))” and inserting “section 4 of the In-
 13 dian Self-Determination and Education Assistance Act
 14 (25 U.S.C. 5304)”.

15 **SEC. 4103. WORK REQUIREMENTS FOR SUPPLEMENTAL NU-**
 16 **TRITION ASSISTANCE PROGRAM.**

17 (a) WORK REQUIREMENTS FOR ABLE-BODIED
 18 ADULTS WITHOUT DEPENDENTS.—Section 6 of the Food
 19 and Nutrition Act of 2008 (7 U.S.C. 2015) is amended—

20 (1) in subsection (d)—

21 (A) in paragraph (2)—

22 (i) by striking the second sentence;

23 (ii) by striking “, as amended” each
 24 place it appears;

1 (iii) by striking “(F) a person” and
2 inserting the following:

3 “(vi) a person”;

4 (iv) by striking “(E) employed” and
5 inserting the following:

6 “(v) employed”;

7 (v) by striking “(D) a regular” and
8 inserting the following:

9 “(iv) a regular”;

10 (vi) by striking “(C) a bona fide stu-
11 dent” and inserting the following:

12 “(iii) a bona fide student”;

13 (vii) by striking “(B) a parent” and
14 inserting the following:

15 “(ii) a parent”;

16 (viii) by striking “(A) currently” and
17 inserting the following:

18 “(i) currently”; and

19 (ix) by striking “(2) A person who”
20 and all that follows through “if he or she
21 is” inserting the following:

22 “(E) EXEMPTIONS.—A person who other-
23 wise would be required to comply with the re-
24 quirements of subparagraphs (A) through (D)

1 shall be exempt from such requirements if the
2 person is—”; and

3 (B) by inserting after paragraph (1) (as
4 amended by subparagraph (A)) the following:

5 “(2) ADDITIONAL WORK REQUIREMENTS.—

6 “(A) DEFINITION OF WORK PROGRAM.—In
7 this paragraph, the term ‘work program’
8 means—

9 “(i) a program under title I of the
10 Workforce Innovation and Opportunity
11 Act;

12 “(ii) a program under section 236 of
13 the Trade Act of 1974 (19 U.S.C. 2296);

14 “(iii) a program of employment and
15 training operated or supervised by a State
16 or political subdivision of a State that
17 meets standards approved by the Governor
18 of the State, including a program under
19 paragraph (4), other than a job search
20 program or a job search training program;
21 and

22 “(iv) a workforce partnership under
23 paragraph (4)(N).

24 “(B) WORK REQUIREMENT.—Subject to
25 the other provisions of this paragraph, no indi-

1 vidual shall be eligible to participate in the sup-
2 plemental nutrition assistance program as a
3 member of any household if, during the pre-
4 ceding 36-month period, the individual received
5 supplemental nutrition assistance program ben-
6 efits for not less than 3 months (consecutive or
7 otherwise) during which the individual did
8 not—

9 “(i) work 20 hours or more per week,
10 averaged monthly;

11 “(ii) participate in and comply with
12 the requirements of a work program for 20
13 hours or more per week, as determined by
14 the State agency;

15 “(iii) participate in and comply with
16 the requirements of a program under sec-
17 tion 20 or a comparable program estab-
18 lished by a State or political subdivision of
19 a State; or

20 “(iv) receive benefits pursuant to sub-
21 paragraph (C), (D), (E), or (F).

22 “(C) EXCEPTION.—Subparagraph (B)
23 shall not apply to an individual if the individual
24 is—

25 “(i) under 18 or over 50 years of age;

1 “(ii) medically certified as physically
2 or mentally unfit for employment;

3 “(iii) a parent or other member of a
4 household with responsibility for a depend-
5 ent child;

6 “(iv) otherwise exempt under para-
7 graph (1)(E); or

8 “(v) a pregnant woman.

9 “(D) WAIVER.—

10 “(i) IN GENERAL.—On the request of
11 a State agency, the Secretary may waive
12 the applicability of subparagraph (B) to
13 any group of individuals in the State if the
14 Secretary makes a determination that the
15 area in which the individuals reside—

16 “(I) has an unemployment rate
17 of over 10 percent; or

18 “(II) does not have a sufficient
19 number of jobs to provide employment
20 for the individuals.

21 “(ii) REPORT.—The Secretary shall
22 report the basis for a waiver under clause
23 (i) to the Committee on Agriculture of the
24 House of Representatives and the Com-

1 mittee on Agriculture, Nutrition, and For-
2 estry of the Senate.

3 “(E) SUBSEQUENT ELIGIBILITY.—

4 “ (i) REGAINING ELIGIBILITY.—An in-
5 dividual denied eligibility under subpara-
6 graph (B) shall regain eligibility to partici-
7 pate in the supplemental nutrition assist-
8 ance program if, during a 30-day period,
9 the individual—

10 “ (I) works 80 or more hours;

11 “ (II) participates in and complies
12 with the requirements of a work pro-
13 gram for 80 or more hours, as deter-
14 mined by a State agency; or

15 “ (III) participates in and com-
16 plies with the requirements of a pro-
17 gram under section 20 or a com-
18 parable program established by a
19 State or political subdivision of a
20 State.

21 “ (ii) MAINTAINING ELIGIBILITY.—An
22 individual who regains eligibility under
23 clause (i) shall remain eligible as long as
24 the individual meets the requirements of
25 clause (i), (ii), or (iii) of subparagraph (B).

1 “(iii) LOSS OF EMPLOYMENT.—

2 “(I) IN GENERAL.—An individual
3 who regained eligibility under clause
4 (i) and who no longer meets the re-
5 quirements of clause (i), (ii), or (iii) of
6 subparagraph (B) shall remain eligible
7 for a consecutive 3-month period, be-
8 ginning on the date the individual
9 first notifies the State agency that the
10 individual no longer meets the re-
11 quirements of clause (i), (ii), or (iii) of
12 subparagraph (B).

13 “(II) LIMITATION.—An indi-
14 vidual shall not receive any benefits
15 pursuant to subclause (I) for more
16 than a single 3-month period in any
17 36-month period.

18 “(F) 15-PERCENT EXEMPTION.—

19 “(i) DEFINITIONS.—In this subpara-
20 graph:

21 “(I) CASELOAD.—The term
22 ‘caseload’ means the average monthly
23 number of individuals receiving sup-
24 plemental nutrition assistance pro-

1 gram benefits during the 12-month
2 period ending the preceding June 30.

3 “(II) COVERED INDIVIDUAL.—

4 The term ‘covered individual’ means a
5 member of a household that receives
6 supplemental nutrition assistance pro-
7 gram benefits, or an individual denied
8 eligibility for supplemental nutrition
9 assistance program benefits solely due
10 to subparagraph (B), who—

11 “(aa) is not eligible for an
12 exception under subparagraph
13 (C);

14 “(bb) does not reside in an
15 area covered by a waiver granted
16 under subparagraph (D);

17 “(cc) is not complying with
18 clause (i), (ii), or (iii) of subpara-
19 graph (B);

20 “(dd) is not receiving sup-
21 plemental nutrition assistance
22 program benefits during the 3
23 months of eligibility provided
24 under subparagraph (B); and

1 year, a State agency may provide a num-
2 ber of exemptions such that the average
3 monthly number of the exemptions in ef-
4 fect during the fiscal year does not exceed
5 15 percent of the number of covered indi-
6 viduals in the State, as estimated by the
7 Secretary under clause (iii), adjusted by
8 the Secretary to reflect changes in the
9 State's caseload and the Secretary's esti-
10 mate of changes in the proportion of mem-
11 bers of households that receive supple-
12 mental nutrition assistance program bene-
13 fits covered by waivers granted under sub-
14 paragraph (D).

15 “(v) CASELOAD ADJUSTMENTS.—The
16 Secretary shall adjust the number of indi-
17 viduals estimated for a State under clause
18 (iii) or (iv) during a fiscal year if the num-
19 ber of members of households that receive
20 supplemental nutrition assistance program
21 benefits in the State varies from the
22 State's caseload by more than 10 percent,
23 as determined by the Secretary.

24 “(vi) EXEMPTION ADJUSTMENTS.—
25 During fiscal year 1999 and each subse-

1 quent fiscal year, the Secretary shall in-
2 crease or decrease the number of individ-
3 uals who may be granted an exemption by
4 a State agency under this subparagraph to
5 the extent that the average monthly num-
6 ber of exemptions in effect in the State for
7 the preceding fiscal year under this sub-
8 paragraph is lesser or greater than the av-
9 erage monthly number of exemptions esti-
10 mated for the State agency for such pre-
11 ceding fiscal year under this subparagraph.

12 “(vii) REPORTING REQUIREMENT.—A
13 State agency shall submit such reports to
14 the Secretary as the Secretary determines
15 are necessary to ensure compliance with
16 this subparagraph.

17 “(viii) OTHER PROGRAM RULES.—
18 Nothing in this subsection shall make an
19 individual eligible for benefits under this
20 Act if the individual is not otherwise eligi-
21 ble for benefits under the other provisions
22 of this Act.”;

23 (2) by striking subsection (o); and

24 (3) by redesignating subsections (p) through (s)

25 as subsections (o) through (r), respectively.

1 (b) EMPLOYMENT AND TRAINING PROGRAMS THAT
2 MEET STATE AND LOCAL WORKFORCE NEEDS.—Section
3 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C.
4 2015(d)(4)) is amended—

5 (1) in subparagraph (A)—

6 (A) in clause (i)—

7 (i) by inserting “, in consultation with
8 the State workforce development board, or,
9 if the State demonstrates that consultation
10 with private employers or employer organi-
11 zations would be more effective or efficient,
12 in consultation with private employers or
13 employer organizations,” after “designed
14 by the State agency”; and

15 (ii) by striking “that will increase
16 their ability to obtain regular employ-
17 ment.” and inserting the following: “that
18 will—

19 “(I) increase the ability of the
20 household members to obtain regular
21 employment; and

22 “(II) meet State or local work-
23 force needs.”; and

1 (B) in clause (ii), by inserting “and imple-
2 mented to meet the purposes of clause (i)” after
3 “under this paragraph”;

4 (2) in subparagraph (B)—

5 (A) in clause (iv), by redesignating sub-
6 clauses (I) and (II) as items (aa) and (bb), re-
7 spectively, and indenting appropriately;

8 (B) by redesignating clauses (i) through
9 (vii) and clause (viii) as subclauses (I) through
10 (VII) and subclause (IX), respectively, and in-
11 denting appropriately;

12 (C) by inserting after subclause (VII) (as
13 so redesignated) the following:

14 “(VIII) Programs or activities
15 described in subclauses (I) through
16 (XII) of clause (iv) of section
17 16(h)(1)(F) that the results of appli-
18 cable independent evaluations con-
19 ducted under clause (vii)(I) of that
20 section demonstrate are effective at
21 increasing employment or earnings for
22 households participating in a pilot
23 project under that section.”;

24 (D) in the matter preceding subclause (I)
25 (as so redesignated)—

1 (i) by striking “this subparagraph”
2 and inserting “this clause”;

3 (ii) by inserting “and a program con-
4 taining a component under subclause (I)
5 shall contain at least 1 additional compo-
6 nent” before the colon; and

7 (iii) by striking “(B) For purposes of
8 this Act, an” and inserting the following:

9 “(B) DEFINITIONS.—In this Act:

10 “(i) EMPLOYMENT AND TRAINING
11 PROGRAM.—The term”;

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

13 “(ii) WORKFORCE PARTNERSHIP.—

14 “(I) IN GENERAL.—The term
15 ‘workforce partnership’ means a pro-
16 gram that—

17 “(aa) is operated by a pri-
18 vate employer, an organization
19 representing private employers,
20 or a nonprofit organization pro-
21 viding services relating to work-
22 force development;

23 “(bb) the Secretary or the
24 State agency certifies—

1 “(AA) subject to sub-
2 paragraph (N)(ii), would as-
3 sist participants who are
4 members of households par-
5 ticipating in the supple-
6 mental nutrition assistance
7 program in gaining high-
8 quality, work-relevant skills,
9 training, work, or experience
10 that will increase the ability
11 of the participants to obtain
12 regular employment;

13 “(BB) subject to sub-
14 paragraph (N)(ii), would
15 provide participants with not
16 fewer than 20 hours per
17 week of training, work, or
18 experience under subitem
19 (AA);

20 “(CC) would not use
21 any funds authorized to be
22 appropriated by this Act;

23 “(DD) would provide
24 sufficient information, on re-
25 quest by the State agency,

1 for the State agency to de-
2 termine that participants
3 who are members of house-
4 holds participating in the
5 supplemental nutrition as-
6 sistance program are ful-
7 filling any applicable work
8 requirement under this sub-
9 section;

10 “(EE) would be willing
11 to serve as a reference for
12 participants who are mem-
13 bers of households partici-
14 pating in the supplemental
15 nutrition assistance program
16 for future employment or
17 work-related programs; and

18 “(FF) meets any other
19 criteria established by the
20 Secretary, on the condition
21 that the Secretary shall not
22 establish any additional cri-
23 teria that would impose sig-
24 nificant paperwork burdens

1 on the workforce partner-
2 ship; and

3 “(cc) is in compliance with
4 the Fair Labor Standards Act of
5 1938 (29 U.S.C. 201 et seq.), if
6 applicable.

7 “(II) INCLUSION.—The term
8 ‘workforce partnership’ includes a
9 multistate program.”;

10 (3) in subparagraph (E)—

11 (A) in the second sentence, by striking
12 “Such requirements” and inserting the fol-
13 lowing:

14 “(ii) VARIATION.—The requirements
15 under clause (i)”;

16 (B) by striking “(E) Each State” and in-
17 sserting the following:

18 “(E) REQUIREMENTS FOR PARTICIPATION
19 FOR CERTAIN INDIVIDUALS.—

20 “(i) IN GENERAL.—Each State”; and

21 (C) adding at the end the following:

22 “(iii) APPLICATION TO WORKFORCE
23 PARTNERSHIPS.—To the extent that a
24 State agency requires an individual to par-
25 ticipate in an employment and training

1 program, the State agency shall consider
2 an individual participating in a workforce
3 partnership to be in compliance with the
4 employment and training requirements.”;

5 (4) in subparagraph (H), by striking “(B)(v)”
6 and inserting “(B)(i)(V)”;

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

8 “(N) WORKFORCE PARTNERSHIPS.—

9 “(i) IN GENERAL.—A work registrant
10 may participate in a workforce partnership
11 to comply with the requirements of para-
12 graph (1)(A)(ii) and paragraph (2).

13 “(ii) CERTIFICATION.—In certifying
14 that a program meets the requirements of
15 subitems (AA) and (BB) of subparagraph
16 (B)(ii)(I)(bb) to be certified as a workforce
17 partnership, the Secretary or the State
18 agency shall require that the program sub-
19 mit to the Secretary or State agency suffi-
20 cient information that describes—

21 “(I) the services and activities of
22 the program that would provide par-
23 ticipants with not fewer than 20 hours
24 per week of training, work, or experi-
25 ence under those subitems; and

1 “(II) how the program would
2 provide services and activities de-
3 scribed in subclause (I) that would di-
4 rectly enhance the employability or job
5 readiness of the participant.

6 “(iii) SUPPLEMENT, NOT SUP-
7 PLANT.—A State agency may use a work-
8 force partnership to supplement, not to
9 supplant, the employment and training
10 program of the State agency.

11 “(iv) PARTICIPATION.—A State agen-
12 cy may provide information on workforce
13 partnerships, if available, to any member
14 of a household participating in the supple-
15 mental nutrition assistance program, but
16 may not require any member of a house-
17 hold to participate in a workforce partner-
18 ship.

19 “(v) EFFECT.—

20 “(I) IN GENERAL.—A workforce
21 partnership shall not replace the em-
22 ployment or training of an individual
23 not participating in the workforce
24 partnership.

1 “(II) SELECTION.—Nothing in
2 this subsection affects the criteria or
3 screening process for selecting partici-
4 pants by a workforce partnership.

5 “(vi) LIMITATION ON REPORTING RE-
6 QUIREMENTS.—In carrying out this sub-
7 paragraph, the Secretary and each applica-
8 ble State agency shall limit the reporting
9 requirements of a workforce partnership
10 to—

11 “(I) on notification that an indi-
12 vidual is receiving supplemental nutri-
13 tion assistance program benefits, noti-
14 fying the applicable State agency that
15 the individual is participating in the
16 workforce partnership;

17 “(II) identifying participants who
18 have completed or are no longer par-
19 ticipating in the workforce partner-
20 ship;

21 “(III) identifying changes to the
22 workforce partnership that result in
23 the workforce partnership no longer
24 meeting the certification requirements
25 of the Secretary or the State agency

1 under subparagraph (B)(ii)(I)(bb);
2 and

3 “(IV) providing sufficient infor-
4 mation, on request by the State agen-
5 cy, for the State agency to verify that
6 a participant is fulfilling any applica-
7 ble work requirements under this sub-
8 section.

9 “(O) REFERRAL OF CERTAIN INDIVID-
10 UALS.—

11 “(i) IN GENERAL.—In accordance
12 with such regulations as may be issued by
13 the Secretary, with respect to any indi-
14 vidual who is not eligible for an exemption
15 under paragraph (1)(E) and who is deter-
16 mined by an employment and training pro-
17 gram component to be ill-suited to partici-
18 pate in the employment and training pro-
19 gram component, the State agency shall—

20 “(I) refer the individual to an ap-
21 propriate employment and training
22 program component;

23 “(II) refer the individual to an
24 appropriate workforce partnership, if
25 available;

1 (aa) in subclause (I), by
2 striking “6(o)(3)” and inserting
3 “6(d)(2)(C)”;

4 (bb) in subclause (II), by
5 striking “subparagraph (B) or
6 (C) of section 6(o)(2)” and in-
7 serting “clause (ii) or (iii) of sec-
8 tion 6(d)(2)(B)”;

9 (II) in clause (ii)—

10 (aa) in the matter preceding
11 subclause (I), by striking “sub-
12 paragraph (B) or (C) of section
13 6(o)(2)” and inserting “clause
14 (ii) or (iii) of section
15 6(d)(2)(B)”;

16 (bb) in subclause (I), by
17 striking “6(o)(2)” and inserting
18 “6(d)(2)(B)”;

19 (cc) in subclause (II), by
20 striking “6(o)(3)” and inserting
21 “6(d)(2)(C)”;

22 (dd) in subclause (III), by
23 striking “6(o)(4)” and inserting
24 “6(d)(2)(D)”;

1 (ee) in subclause (IV), by
2 striking “6(o)(6)” and inserting
3 “6(d)(2)(F)”;

4 (iii) in subparagraph (F)—

5 (I) in clause (ii)(III)(ee)(AA), by
6 striking “6(o)” and inserting
7 “6(d)(2)”;

8 (II) in clause (viii)—

9 (aa) in subclause (III), by
10 striking “September 30, 2018”
11 and inserting “September 30,
12 2023”;

13 (bb) by adding at the end
14 the following:

15 “(IV) FUNDS FOR ADDITIONAL
16 PILOT PROJECTS.—From amounts
17 made available under section 18(a)(1),
18 the Secretary shall use to carry out
19 clause (x) \$92,500,000 for each of fis-
20 cal years 2019 and 2020, to remain
21 available until expended.”;

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

24 “(x) AUTHORITY TO CARRY OUT ADDI-
25 TIONAL PILOT PROJECTS.—

1 “(I) IN GENERAL.—Subject to
2 the availability of funds under clause
3 (viii), the Secretary may carry out 8
4 or more additional pilot projects using
5 a competitive grant process.

6 “(II) REQUIREMENTS.—Except
7 as otherwise provided in this clause, a
8 pilot project under this clause shall
9 meet the criteria described in clauses
10 (i), (ii)(II)(bb), and (iii) through (vi)
11 and items (aa) through (dd) of clause
12 (ii)(III).

13 “(III) OPTIONAL EVALUATION.—
14 The Secretary shall have the option to
15 conduct an independent longitudinal
16 evaluation of any pilot project carried
17 out under this clause, in accordance
18 with clause (vii)(I).

19 “(IV) VOLUNTARY ACTIVITIES.—
20 Except as provided in subclause
21 (VIII), employment and training ac-
22 tivities under a pilot project carried
23 out under this clause shall be vol-
24 untary for work registrants.

1 “(DD) homeless indi-
2 viduals;

3 “(EE) people with dis-
4 abilities seeking to enter the
5 workforce; or

6 “(FF) other individuals
7 with substantial barriers to
8 employment; or

9 “(bb) support employment
10 and workforce participation
11 through an integrated and fam-
12 ily-focused approach in providing
13 supportive services..

14 “(VIII) PILOT PROJECTS FOR
15 MANDATORY PARTICIPATION IN EM-
16 PLOYMENT AND TRAINING ACTIVI-
17 TIES.—A State agency may be eligible
18 to participate in a pilot project under
19 this clause to test programs that as-
20 sign work registrants to mandatory
21 participation in employment and
22 training activities, on the conditions
23 that—

24 “(aa) the pilot project pro-
25 vides individualized case manage-

1 ment designed to help remove
2 barriers to employment for par-
3 ticipants; and

4 “**(bb)** a work registrant is
5 not assigned to employment and
6 training activities primarily con-
7 sisting of job search, job search
8 training, or workfare activities.

9 “**(IX)** **EVALUATION.**—Under
10 such terms and conditions as the Sec-
11 retary determines to be appropriate,
12 not less frequently than annually,
13 each State agency participating in a
14 pilot project carried out under this
15 clause shall submit to the Secretary a
16 report describing the results of the
17 pilot project.”; and

18 **(B)** in paragraph (5)—

19 **(i)** in subparagraph **(A)**—

20 **(I)** in the matter preceding clause
21 **(i)**, by striking “section 6(d)(4)” and
22 inserting “this paragraph”; and

23 **(II)** by redesignating clauses **(i)**
24 and **(ii)** as subclauses **(I)** and **(II)**, re-

1 spectively, and indenting appro-
2 priately;

3 (ii) in subparagraph (B)—

4 (I) in clause (ii), by redesignating
5 subclauses (I) and (II) as items (aa)
6 and (bb), respectively, and indenting
7 appropriately;

8 (II) in clause (iv)—

9 (aa) in the matter preceding
10 subclause (I), by striking “clause
11 (iii)” and inserting “subclause
12 (III)”;

13 (bb) in subclause (IV)—

14 (AA) in item (cc), by
15 striking “section 6(b)” and
16 inserting “subsection (b)”;
17 and

18 (BB) by redesignating
19 items (aa) through (cc) as
20 subitems (AA) through
21 (CC), respectively, and in-
22 denting appropriately; and

23 (cc) by redesignating sub-
24 clauses (I) through (V) as items

1 (aa) through (ee), respectively,
2 and indenting appropriately;

3 (III) by redesignating clauses (i)
4 through (iv) as subclauses (I) through
5 (IV), respectively, and indenting ap-
6 propriately; and

7 (IV) by adding at the end the fol-
8 lowing:

9 “(V) STATE OPTION.—The State
10 agency may report relevant data from
11 a workforce partnership carried out
12 under subparagraph (N) to dem-
13 onstrate the number of program par-
14 ticipants served by the workforce
15 partnership.”;

16 (iii) in subparagraph (C)—

17 (I) in clause (iii), by striking
18 “and” after the semicolon;

19 (II) in clause (iv)—

20 (aa) in the matter preceding
21 subclause (I)—

22 (AA) by striking “para-
23 graph (1)(E)” and inserting
24 “subparagraph (E) of sec-
25 tion 16(h)(1)”; and

1 (BB) by striking “para-
2 graph (1)” and inserting
3 “that section”;
4 (bb) in subclause (I)—
5 (AA) by striking “para-
6 graph (1)(E)(ii)” and insert-
7 ing “section
8 16(h)(1)(E)(ii)”; and
9 (BB) by striking “sub-
10 paragraph (B) or (C) of sec-
11 tion 6(o)(2)” and inserting
12 “clause (ii) or (iii) of para-
13 graph (2)(B)”;
14 (cc) in subclause (II), by
15 striking “paragraph (1)(E)” and
16 inserting “section 16(h)(1)(E)”;
17 and
18 (dd) by redesignating sub-
19 clauses (I) through (III) as items
20 (aa) through (cc), respectively,
21 and indenting appropriately;
22 (III) by redesignating clauses (i),
23 (ii), (iii), and (iv) as subclauses (I),
24 (II), (IV), and (VI), respectively, and
25 indenting appropriately;

1 (IV) by inserting after subclause
2 (II) (as so redesignated) the following:

3 “(III) that the State agency has
4 consulted with the State workforce
5 board or, if appropriate, private em-
6 ployers or employer organizations, in
7 the design of the employment and
8 training program;”; and

9 (V) by inserting after subclause
10 (IV) (as so redesignated) the fol-
11 lowing:

12 “(V) that the employment and
13 training program components of the
14 State agency are responsive to State
15 or local workforce needs; and”;

16 (iv) in subparagraph (D), by striking
17 “subparagraph (B)” and inserting “clause
18 (ii)”;

19 (v) in subparagraph (E), by inserting
20 “or that the employment and training pro-
21 gram is not adequately meeting State or
22 local workforce needs” after “is inad-
23 equate”;

24 (vi) in subparagraph (F)—

1 (I) in the matter preceding clause
2 (i), by striking “October 1, 2016” and
3 inserting “October 1, 2020”;

4 (II) in clause (i), by striking
5 “and” after the semicolon;

6 (III) in clause (ii), by striking
7 the period at the end and inserting “;
8 and”;

9 (IV) by redesignating clauses (i)
10 and (ii) as subclauses (I) and (II), re-
11 spectively, and indenting appro-
12 priately; and

13 (V) by adding at the end the fol-
14 lowing:

15 “(III) are meeting State and
16 local workforce needs.”;

17 (vii) by redesignating subparagraphs
18 (A) through (F) (as so amended) as
19 clauses (i) through (vi), respectively, and
20 indenting appropriately; and

21 (viii) by redesignating the paragraph
22 as subparagraph (P), indenting the sub-
23 paragraph appropriately, and moving the
24 subparagraph so as to appear after sub-
25 paragraph (O) of section 6(d)(4) of the

1 Food and Nutrition Act of 2008 (7 U.S.C.
2 2015(d)(4)) (as added by subsection
3 (b)(5)).

4 (2) RESEARCH, DEMONSTRATION, AND EVALUA-
5 TIONS.—Section 17 of the Food and Nutrition Act
6 of 2008 (7 U.S.C. 2026) is amended—

7 (A) in subsection (b)—

8 (i) by striking paragraphs (2) and (3);

9 (ii) by striking “(b)(1)(A) The Sec-
10 retary” and inserting the following:

11 “(b) DEMONSTRATION PROJECTS; PILOT
12 PROJECTS.—

13 “(1) IN GENERAL.—The Secretary”;

14 (iii) in paragraph (1) (as so des-
15 ignated)—

16 (I) in subparagraph (D)—

17 (aa) in clause (i), in the
18 matter preceding subclause (I),
19 by striking “subparagraph (A)”
20 and inserting “paragraph (1)”;

21 (bb) in clause (ii), by strik-
22 ing “clause (i)” and inserting
23 “subparagraph (A)”;

1 (cc) in clause (iii), by strik-
2 ing “clause (i)(III)” and insert-
3 ing “subparagraph (A)(iii)”;

4 (II) by redesignating subpara-
5 graph (D) as paragraph (4), and in-
6 denting appropriately;

7 (III) in subparagraph (C), by
8 striking “(C)(i) No waiver” and in-
9 serting the following:

10 “(3) RESTRICTIONS.—

11 “(A) IN GENERAL.—No waiver”;

12 (IV) in subparagraph (B)—

13 (aa) in clause (i), in the
14 matter preceding subclause (I),
15 by striking “subparagraph (A)”
16 and inserting “paragraph (1)”;

17 (bb) in clause (ii)—

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 (IV),
24 by striking “this paragraph”

1 and inserting “this sub-
2 section”;

3 (cc) in clause (iii), in the
4 matter preceding subclause (I),
5 by striking “subparagraph (A)”
6 and inserting “paragraph (1)”;

7 (dd) in clause (iv)—

8 (AA) in the matter pre-
9 ceding subclause (I), by
10 striking “subparagraph (A)”
11 and inserting “paragraph
12 (1)”;

13 (BB) in subclause (I),
14 by striking “the date of en-
15 actment of this subpara-
16 graph” and inserting “Au-
17 gust 22, 1996”;

18 (CC) in subclause
19 (III)(aa), by striking “3(n)”
20 and inserting “3(q)”;

21 (DD) in subclause
22 (III)(dd), by striking
23 “(2)(B)” and inserting
24 “(1)(E)(ii)”;

1 (EE) in subclause
2 (III)(ii), by striking “this
3 paragraph” and inserting
4 “this subsection”; and

5 (FF) in subclause
6 (IV)(bb), by striking “this
7 subclause” and inserting
8 “this clause”; and

9 (ee) in clause (vi), by strik-
10 ing “this paragraph” and insert-
11 ing “this subsection”; and

12 (V) by redesignating subpara-
13 graph (B) as paragraph (2) and in-
14 denting appropriately;

15 (iv) in paragraph (2) (as so redesi-
16 gnated)—

17 (I) by redesignating clauses (i)
18 through (vi) as subparagraphs (A)
19 through (F), respectively, and indent-
20 ing appropriately;

21 (II) in subparagraph (A) (as so
22 redesignated), by redesignating sub-
23 clauses (I) and (II) as clauses (i) and
24 (ii), respectively, and indenting appro-
25 priately;

1 (III) in subparagraph (B) (as so
2 redesignated), by redesignating sub-
3 clauses (I) through (IV) as clauses (i)
4 through (iv), respectively, and indent-
5 ing appropriately;

6 (IV) in subparagraph (C) (as so
7 redesignated), by redesignating sub-
8 clauses (I) and (II) as clauses (i) and
9 (ii), respectively, and indenting appro-
10 priately; and

11 (V) in subparagraph (D) (as so
12 redesignated)—

13 (aa) by redesignating sub-
14 clauses (I) through (VII) as
15 clauses (i) through (vii), respec-
16 tively, and indenting appro-
17 priately;

18 (bb) in clause (iii) (as so re-
19 designated), by redesignating
20 items (aa) through (jj) as sub-
21 clauses (I) through (X), respec-
22 tively, and indenting appro-
23 priately; and

24 (cc) in clause (iv) (as so re-
25 designated), by redesignating

1 items (aa) and (bb) as subclauses
2 (I) and (II), respectively, and in-
3 denting appropriately;

4 (v) in paragraph (3) (as so redesign-
5 nated)—

6 (I) in subparagraph (A) (as so
7 redesignated)—

8 (aa) in the matter preceding
9 subclause (I), by striking “the
10 date of enactment of this sub-
11 paragraph” and inserting “No-
12 vember 28, 1990”; and

13 (bb) in clause (ii), by strik-
14 ing “(ii) Clause (i)” and insert-
15 ing the following:

16 “(B) APPLICATION.—Subparagraph (A)”;

17 and

18 (II) in subparagraph (A) (as so
19 redesignated), by redesignating sub-
20 clauses (I) and (II) as clauses (i) and
21 (ii), respectively, and indenting appro-
22 priately; and

23 (vi) in paragraph (4) (as so redesign-
24 nated)—

1 (I) by redesignating clauses (i)
2 through (iii) as subparagraphs (A)
3 through (C), respectively, and indent-
4 ing appropriately; and

5 (II) in subparagraph (A) (as so
6 redesignated), by redesignating sub-
7 clauses (I) through (IV) as clauses (i)
8 through (iv), respectively, and indent-
9 ing appropriately;

10 (B) by striking subsection (d);

11 (C) by redesignating subsections (e)
12 through (l) as subsections (d) through (k), re-
13 spectively; and

14 (D) in subsection (e) (as so redesignated),
15 in the first sentence, by striking “subsection
16 (b)(1)” and inserting “subsection (b)”.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
18 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027)
19 is amended by adding at the end the following:

20 “(i) RESTRICTION.—No funds authorized to be ap-
21 propriated under this Act shall be used to operate a work-
22 force partnership under section 6(d)(4)(N).”.

23 (e) CONFORMING AMENDMENTS.—

24 (1) Section 5(a) of the Food and Nutrition Act
25 of 2008 (7 U.S.C. 2014(a)) is amended in the sec-

1 ond sentence by striking “(d)(2), (g), and (r)” and
2 inserting “(d)(1)(E), (g), and (q)”.

3 (2) Section 6(i)(3) of the Food and Nutrition
4 Act of 2008 (7 U.S.C. 2015(i)(3)) is amended by
5 striking “(d)” and inserting “(d)(1)”.

6 (3) Section 7(h)(6) of the Food and Nutrition
7 Act of 2008 (7 U.S.C. 2016(h)(6)) is amended by
8 striking “17(f)” and inserting “17(e)”.

9 (4) Section 7(i)(1) of the Food and Nutrition
10 Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by
11 striking “6(o)(2)” and inserting “6(d)(2)(B)”.

12 (5) Section 7(j)(1)(G) of the Food and Nutri-
13 tion Act of 2008 (7 U.S.C. 2016(j)(1)(G)) is amend-
14 ed by striking “17(f)” and inserting “17(e)”.

15 (6) Section 11(n) of the Food and Nutrition
16 Act of 2008 (7 U.S.C. 2020(n)) is amended by strik-
17 ing “17(b)(1)” and inserting “17(b)”.

18 (7) Section 16(b)(4) of the Food and Nutrition
19 Act of 2008 (7 U.S.C. 2025(b)(4)) is amended by
20 striking “section 6(d)” and inserting “section
21 6(d)(1)”.

22 (8) Section 20(b)(1) of the Food and Nutrition
23 Act of 2008 (7 U.S.C. 2029(b)(1)) is amended by
24 striking “clause (B), (C), (D), (E), or (F) of section

1 6(d)(2)” and inserting “clause (ii), (iii), (iv), (v), or
2 (vi) of section 6(d)(1)(E)”.

3 (9) Section 103(a)(2)(D) of the Workforce In-
4 novation and Opportunity Act (29 U.S.C.
5 3113(a)(2)(D)) is amended by striking “section 6(o)
6 of the Food and Nutrition Act of 2008 (7 U.S.C.
7 2015(o))” and inserting “paragraph (2) of section
8 6(d) of the Food and Nutrition Act of 2008 (7
9 U.S.C. 2015(d))”.

10 (10) Section 121(b)(2)(B)(iv) of the Workforce
11 Innovation and Opportunity Act (29 U.S.C.
12 3151(b)(2)(B)(iv)) is amended by striking “section
13 6(o) of the Food and Nutrition Act of 2008 (7
14 U.S.C. 2015(o))” and inserting “paragraph (2) of
15 section 6(d) of the Food and Nutrition Act of 2008
16 (7 U.S.C. 2015(d))”.

17 (11) Section 23(b)(7)(D)(ii) of the Richard B.
18 Russell National School Lunch Act (42 U.S.C.
19 1769d(b)(7)(D)(ii)) is amended by striking “section
20 17(b)(1)(B) of the Food and Nutrition Act of 2008
21 (7 U.S.C. 2026(b)(1)(B))” and inserting “paragraph
22 (2) of section 17(b) of the Food and Nutrition Act
23 of 2008 (7 U.S.C. 2026(b))”.

24 (12) Section 24(g)(3)(C) of the Richard B.
25 Russell National School Lunch Act (42 U.S.C.

1 1769e(g)(3)(C)) is amended by striking “section
2 17(b)(1)(B) of the Food and Nutrition Act of 2008
3 (7 U.S.C. 2026(b)(1)(B))” and inserting “paragraph
4 (2) of section 17(b) of the Food and Nutrition Act
5 of 2008 (7 U.S.C. 2026(b))”.

6 **SEC. 4104. IMPROVEMENTS TO ELECTRONIC BENEFIT**
7 **TRANSFER SYSTEM.**

8 (a) **PROHIBITED FEES.**—Section 7 of the Food and
9 Nutrition Act of 2008 (7 U.S.C. 2016) is amended—

10 (1) in subsection (f)(2)(C), in the subparagraph
11 heading, by striking “INTERCHANGE” and inserting
12 “PROHIBITED”; and

13 (2) in subsection (h), by striking paragraph
14 (13) and inserting the following:

15 “(13) **PROHIBITED FEES.**—

16 “(A) **DEFINITION OF SWITCHING.**—In this
17 paragraph, the term ‘switching’ means the rout-
18 ing of an intrastate or interstate transaction
19 that consists of transmitting the details of a
20 transaction electronically recorded through the
21 use of an EBT card in 1 State to the issuer of
22 the card in—

23 “(i) the same State; or

24 “(ii) another State.

25 “(B) **PROHIBITION.**—

1 “(i) INTERCHANGE FEES.—No inter-
2 change fee shall apply to an electronic ben-
3 efit transfer transaction under this sub-
4 section.

5 “(ii) OTHER FEES.—

6 “(I) IN GENERAL.—No fee
7 charged by a benefit issuer (including
8 any affiliate of a benefit issuer) or by
9 any agent or contractor of a benefit
10 issuer relating to the switching or
11 routing of benefits to the same benefit
12 issuer (including any affiliate of a
13 benefit issuer) shall apply to an elec-
14 tronic benefit transfer transaction
15 under this subsection.

16 “(II) EFFECTIVE DATE.—The
17 prohibition under subclause (I) shall
18 be effective through fiscal year
19 2023.”.

20 (b) EBT PORTABILITY.—Section 7(f)(5) of the Food
21 and Nutrition Act of 2008 (7 U.S.C. 2016(f)(5)) is
22 amended by adding at the end the following:

23 “(C) OPERATION OF INDIVIDUAL POINT OF
24 SALE DEVICE BY FARMERS’ MARKETS AND DI-
25 RECT MARKETING FARMERS.—A farmers’ mar-

1 ket or direct marketing farmer that is exempt
2 under paragraph (2)(B)(i) shall be allowed to
3 operate an individual electronic benefit transfer
4 point of sale device at more than 1 location
5 under the same supplemental nutrition assist-
6 ance program authorization, if—

7 “(i) the farmers’ market or direct
8 marketing farmer provides to the Secretary
9 information on location and hours of oper-
10 ation at each location; and

11 “(ii)(I) the point of sale device used
12 by the farmers’ market or direct marketing
13 farmer is capable of providing location in-
14 formation of the device through the elec-
15 tronic benefit transfer system; or

16 “(II) if the Secretary determines that
17 the technology is not available for a point
18 of sale device to meet the requirement
19 under subclause (I), the farmers’ market
20 or direct marketing farmer provides to the
21 Secretary any other information, as deter-
22 mined by the Secretary, necessary to en-
23 sure the integrity of transactions processed
24 using the point of sale device.”.

1 (c) EVALUATION OF STATE ELECTRONIC BENEFIT
2 TRANSFER SYSTEMS.—Section 7(h) of the Food and Nu-
3 trition Act of 2008 (7 U.S.C. 2016(h)) is amended by add-
4 ing at the end the following:

5 “(15) GAO EVALUATION AND STUDY OF STATE
6 ELECTRONIC BENEFIT TRANSFER SYSTEMS.—

7 “(A) EVALUATION.—

8 “(i) IN GENERAL.—Not later than 18
9 months after the date of enactment of this
10 paragraph, the Comptroller General of the
11 United States (referred to in this para-
12 graph as the ‘Comptroller General’) shall
13 evaluate for each electronic benefit transfer
14 system of a State agency selected in ac-
15 cordance with clause (ii)—

16 “(I) any type of fee charged—

17 “(aa) by the benefit issuer
18 (or an affiliate of the benefit
19 issuer) of the State agency for
20 electronic benefit transfer-related
21 services, including electronic ben-
22 efit transfer-related services that
23 did not exist before February 7,
24 2014; and

1 “(bb) to any retail food
2 stores, including retail food
3 stores that are exempt under
4 subsection (f)(2)(B)(i) for elec-
5 tronic benefit transfer-related
6 services;

7 “(II) in consultation with the
8 Secretary and the retail food stores
9 within the State, any electronic ben-
10 efit transfer system outages affecting
11 the EBT cards of the State agency;

12 “(III) in consultation with the
13 Secretary, any type of entity that—

14 “(aa) provides electronic
15 benefit transfer equipment and
16 related services to the State
17 agency, any benefit issuers of the
18 State agency, or any retail food
19 stores within the State;

20 “(bb) routes or switches
21 transactions through the elec-
22 tronic benefit transfer system of
23 the State agency; and

24 “(cc) has access to trans-
25 action information in the elec-

1 tronic benefit transfer system of
2 the State agency; and

3 “(IV) in consultation with the
4 Secretary, any emerging entities, serv-
5 ices, or technologies in use with re-
6 spect to the electronic benefit transfer
7 system of the State agency.

8 “(ii) SELECTION CRITERIA.—The
9 Comptroller General shall select for evalua-
10 tion under clause (i)—

11 “(I) with respect to each benefit
12 issuer that provides electronic benefit
13 transfer-related services to 1 or more
14 State agencies, not fewer than 1 elec-
15 tronic benefit transfer system pro-
16 vided by that benefit issuer; and

17 “(II) any electronic benefit trans-
18 fer system of a State agency that has
19 experienced significant or frequent
20 outages during the 2-year period pre-
21 ceding the date of enactment of this
22 paragraph.

23 “(B) STUDY.—Not later than 2 years after
24 the date of enactment of this paragraph, the
25 Comptroller General shall submit to the Com-

1 State agencies for electronic ben-
2 efit transfer-related services, in-
3 cluding whether the types of fees
4 existed before February 7, 2014;
5 and

6 “(bb) to any retail food
7 stores, including retail food
8 stores that are exempt under
9 subsection (f)(2)(B)(i) for elec-
10 tronic benefit transfer-related
11 services;

12 “(II)(aa) the causes of any elec-
13 tronic benefit transfer system outages
14 affecting EBT cards; and

15 “(bb) potential solutions to mini-
16 mize the disruption of outages to par-
17 ticipating households.

18 “(16) REVIEW OF EBT SYSTEMS REQUIRE-
19 MENTS.—

20 “(A) REVIEW.—

21 “(i) IN GENERAL.—Not later than 18
22 months after the date of enactment of this
23 paragraph, the Secretary shall review for
24 each electronic benefit transfer system of a
25 State agency selected under clause (ii)—

1 “(I) any contracts or other agree-
2 ments between the State agency and
3 the benefit issuer of the State agency
4 to determine—

5 “(aa) the customer service
6 requirements of the benefit
7 issuer, including call center re-
8 quirements; and

9 “(bb) the consistency and
10 compatibility of data provided by
11 the benefit issuer to the Sec-
12 retary for appropriate oversight
13 of possible fraudulent trans-
14 actions; and

15 “(II) the use of third-party appli-
16 cations that access the electronic ben-
17 efit transfer system to provide elec-
18 tronic benefit transfer account infor-
19 mation to participating households.

20 “(ii) SELECTION CRITERIA.—The Sec-
21 retary shall select for the review under
22 clause (i) not fewer than 5 electronic ben-
23 efit transfer systems of State agencies, of
24 which—

1 “(I) with respect to each benefit
2 issuer that provides electronic benefit
3 transfer-related services to 1 or more
4 State agencies, not fewer than 1 shall
5 be provided by that benefit issuer; and

6 “(II) not more than 4 shall have
7 experienced significant or frequent
8 outages during the 2-year period pre-
9 ceding the date of enactment of this
10 paragraph.

11 “(B) REGULATIONS AND GUIDANCE.—
12 Based on the study conducted by the Comp-
13 troller General of the United States under para-
14 graph (15)(B) and the review conducted by the
15 Secretary under subparagraph (A), the Sec-
16 retary shall promulgate such regulations or
17 issue such guidance as the Secretary determines
18 appropriate—

19 “(i) to prohibit the imposition of any
20 fee that is inconsistent with paragraph
21 (13);

22 “(ii) to minimize electronic benefit
23 system outages;

24 “(iii) to update procedures to handle
25 electronic benefit transfer system outages

1 that minimize disruption to participating
2 households and retail food stores while pro-
3 tecting against fraud and abuse;

4 “(iv) to develop cost-effective cus-
5 tomer service standards for benefit issuers,
6 including benefit issuer call centers or
7 other customer service options equivalent
8 to call centers, that would ensure adequate
9 customer service for participating house-
10 holds;

11 “(v) to address the use of third-party
12 applications that access electronic benefit
13 transfer systems to provide electronic ben-
14 efit transfer account information to partici-
15 pating households, including by estab-
16 lishing safeguards consistent with sections
17 9(c) and 11(e)(8) to protect the privacy of
18 data relating to participating households
19 and approved retail food stores; and

20 “(vi) to improve the reliability of elec-
21 tronic benefit transfer systems.

22 “(C) REPORT.—Not later than 2 years
23 after the date of enactment of this paragraph,
24 the Secretary shall submit to the Committee on
25 Agriculture of the House of Representatives

1 and the Committee on Agriculture, Nutrition,
2 and Forestry of the Senate a report that in-
3 cludes a description of the effects, if any, on an
4 electronic benefit transfer system of a State
5 agency from the use of third-party applications
6 that access the electronic benefit transfer sys-
7 tem to provide electronic benefit transfer ac-
8 count information to participating households.”.

9 (d) APPROVAL OF RETAIL FOOD STORES.—Section
10 9 of the Food and Nutrition Act (7 U.S.C. 2018) is
11 amended—

12 (1) in subsection (a)(1)—

13 (A) in the fourth sentence, by striking “No
14 retail food store” and inserting the following:

15 “(D) VISIT REQUIRED.—No retail food
16 store”;

17 (B) in the third sentence, by striking “Ap-
18 proval” and inserting the following:

19 “(C) CERTIFICATE.—Approval”;

20 (C) in the second sentence—

21 (i) by striking “food; and (D) the”
22 and inserting the following: “food.

23 “(iv) Any information, if available,
24 about the ability of the anticipated or ex-
25 isting electronic benefit transfer equipment

1 and service provider of the applicant to
2 provide sufficient information through the
3 electronic benefit transfer system to mini-
4 mize the risk of fraudulent transactions.

5 “(v) The”;

6 (ii) by striking “concern; (C) wheth-
7 er” and inserting the following: “concern.

8 “(iii) Whether”;

9 (iii) by striking “applicant; (B) the”
10 and inserting the following: “applicant.

11 “(ii) The”;

12 (iv) by striking “following: (A) the na-
13 ture” and inserting the following: “fol-
14 lowing:

15 “(i) The nature”; and

16 (v) in the matter preceding clause (i)
17 (as so designated), by striking “In deter-
18 mining” and inserting the following:

19 “(B) FACTORS FOR CONSIDERATION.—In
20 determining”; and

21 (D) in the first sentence, by striking
22 “(a)(1) Regulations” and inserting the fol-
23 lowing:

24 “(a) AUTHORIZATION TO ACCEPT AND REDEEM
25 BENEFITS.—

1 “(1) APPLICATIONS.—

2 “(A) IN GENERAL.—Regulations”;

3 (2) in subsection (a), by adding at the end the
4 following:

5 “(4) ELECTRONIC BENEFIT TRANSFER EQUIP-
6 MENT AND SERVICE PROVIDERS.—Before imple-
7 menting clause (iv) of paragraph (1)(B), the Sec-
8 retary shall issue guidance for retail food stores on
9 how to select electronic benefit transfer equipment
10 and service providers that are able to meet the re-
11 quirements of that clause.”; and

12 (3) in subsection (c), in the first sentence, by
13 inserting “records relating to electronic benefit
14 transfer equipment and related services, transaction
15 and redemption data provided through the electronic
16 benefit transfer system,” after “purchase invoices,”.

17 **SEC. 4105. RETAIL INCENTIVES.**

18 Section 9 of the Food and Nutrition Act of 2008 (7
19 U.S.C. 2018) is amended by adding at the end the fol-
20 lowing:

21 “(i) INCENTIVES.—

22 “(1) DEFINITION OF ELIGIBLE INCENTIVE
23 FOOD.—In this subsection, the term ‘eligible incen-
24 tive food’ means food that is—

1 “(A) identified for increased consumption
2 by the most recent Dietary Guidelines for
3 Americans published under section 301 of the
4 National Nutrition Monitoring and Related Re-
5 search Act of 1990 (7 U.S.C. 5341); and

6 “(B) a fruit, a vegetable, low-fat dairy, or
7 a whole grain.

8 “(2) REGULATIONS.—

9 “(A) IN GENERAL.—The Secretary shall
10 promulgate regulations to clarify the process by
11 which an approved retail food store may seek a
12 waiver to offer an incentive that may be used
13 only for the purchase of eligible incentive food
14 at the point of purchase to a household pur-
15 chasing food with benefits issued under this
16 Act.

17 “(B) REGULATIONS.—The regulations
18 under subparagraph (A) shall establish a proc-
19 ess under which an approved retail food store,
20 prior to carrying out an incentive program
21 under this subsection, shall provide to the Sec-
22 retary information describing the incentive pro-
23 gram, including—

24 “(i) the types of incentives that will be
25 offered;

1 “(ii) the types of foods that will be
2 incentivized for purchase; and

3 “(iii) an explanation of how the incen-
4 tive program intends to support meeting
5 dietary intake goals.

6 “(3) NO LIMITATION ON BENEFITS.—A waiver
7 granted under this subsection shall not be used to
8 carry out any activity that limits the use of benefits
9 under this Act or any other Federal nutrition law.

10 “(4) EFFECT.—Regulations promulgated under
11 this subsection shall not affect any requirements
12 under section 4405 of the Food, Conservation, and
13 Energy Act of 2008 (7 U.S.C. 7517) or section
14 4304 of the Agriculture Improvement Act of 2018,
15 including the eligibility of a retail food store to par-
16 ticipate in a project funded under those sections.

17 “(5) REPORT.—The Secretary shall submit to
18 the Committee on Agriculture of the House of Rep-
19 resentatives and the Committee on Agriculture, Nu-
20 trition, and Forestry of the Senate an annual report
21 describing the types of incentives approved under
22 this subsection.”.

1 **SEC. 4106. REQUIRED ACTION ON DATA MATCH INFORMA-**
2 **TION.**

3 Section 11(e) of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2020(e)) is amended—

5 (1) in paragraph (24), by striking “and” after
6 the semicolon;

7 (2) in paragraph (25), by striking the period at
8 the end and inserting a semicolon; and

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

10 “(26) that for a household participating in the
11 supplemental nutrition assistance program, the State
12 agency shall pursue clarification and verification, if
13 applicable, of information relating to the cir-
14 cumstances of the household received from data
15 matches for the purpose of ensuring an accurate eli-
16 gibility and benefit determination, only if the infor-
17 mation—

18 “(A) appears to present significantly con-
19 flicting information from the information that
20 was used by the State agency at the time of
21 certification of the household;

22 “(B) is obtained from data matches car-
23 ried out under subsection (q), (r), or (w); or

24 “(C)(i) is fewer than 60 days old relative
25 to the current month of participation of the
26 household; and

1 “(ii) if accurate, would have been required
2 to be reported by the household based on the
3 reporting requirements assigned to the house-
4 hold by the State agency under section 6(c);
5 and”.

6 **SEC. 4107. INCOME VERIFICATION.**

7 Section 17 of the Food and Nutrition Act of 2008
8 (7 U.S.C. 2026) is amended by adding at the end the fol-
9 lowing:

10 “(m) PILOT PROJECTS FOR IMPROVING EARNED IN-
11 COME VERIFICATION.—

12 “(1) IN GENERAL.—Under such terms and con-
13 ditions as the Secretary considers to be appropriate,
14 the Secretary shall establish a pilot program (re-
15 ferred to in this subsection as the ‘pilot program’)
16 under which not more than 8 States may carry out
17 pilot projects to test strategies to improve the accu-
18 racy or efficiency of the process for verification of
19 earned income at certification and recertification of
20 applicant households for the supplemental nutrition
21 assistance program.

22 “(2) CONTRACT OPTIONS.—

23 “(A) IN GENERAL.—In carrying out the
24 pilot program, prior to soliciting applications

1 mation at certification and recertifi-
2 cation of applicant households for the
3 supplemental nutrition assistance pro-
4 gram in the State using up-to-date
5 earned income information from a
6 commercial data service provider
7 under the electronic interface devel-
8 oped by the State and used by the
9 State Medicaid agency to verify in-
10 come eligibility for the State Medicaid
11 program under title XIX of the Social
12 Security Act (42 U.S.C. 1396 et seq.);
13 or

14 “(III) a State agency carrying
15 out a pilot project entering into a con-
16 tract with a commercial data service
17 provider to obtain up-to-date earned
18 income information to verify the
19 earned income at certification and re-
20 certification of applicant households
21 for the supplemental nutrition assist-
22 ance program in the State.

23 “(B) AUTHORITY TO ENTER INTO CON-
24 TRACTS.—If determined appropriate by the Sec-
25 retary, the Secretary may, based on the cost-ef-

1 fectiveness determination described in subpara-
2 graph (A)(ii)—

3 “(i) enter into a contract described in
4 subclause (I) of that subparagraph;

5 “(ii) enter into an agreement de-
6 scribed in subclause (II) of that subpara-
7 graph; or

8 “(iii) allow each State agency carrying
9 out a pilot project to enter into a contract
10 described in subclause (III) of that sub-
11 paragraph, on the condition that the Fed-
12 eral share of the cost of the contract shall
13 not exceed 75 percent of the total cost of
14 the contract.

15 “(C) REPORT.—Not later than 1 year
16 after the date of enactment of this subsection,
17 the Secretary shall submit to the Committee on
18 Agriculture of the House of Representatives
19 and the Committee on Agriculture, Nutrition,
20 and Forestry of the Senate a report that de-
21 scribes the results of the assessment and deter-
22 mination under subparagraph (A).

23 “(3) PILOT PROJECTS.—

24 “(A) APPLICATION.—A State agency seek-
25 ing to carry out a pilot project under the pilot

1 program shall submit to the Secretary an appli-
2 cation at such time, in such manner, and con-
3 taining such information as the Secretary may
4 require, including—

5 “(i) an identification of the 1 or more
6 proposed changes to the process for
7 verifying earned income used by the State
8 agency;

9 “(ii) a description of how the pro-
10 posed changes under clause (i) would meet
11 the purpose described in paragraph (1);
12 and

13 “(iii) a plan to evaluate how the pro-
14 posed changes under clause (i) would im-
15 prove the accuracy or efficiency of the
16 verification of earned income at certifi-
17 cation and recertification of applicant
18 households for the supplemental nutrition
19 assistance program in the State.

20 “(B) SELECTION CRITERIA.—The Sec-
21 retary shall select to carry out pilot projects
22 State agencies that, as determined by the Sec-
23 retary—

24 “(i) do not have access to up-to-date
25 earned income information for the

1 verification of earned income at certifi-
2 cation and recertification of applicant
3 households for the supplemental nutrition
4 assistance program in the State;

5 “(ii) would be able to access and use,
6 for the verification of earned income at
7 certification and recertification of applicant
8 households for the supplemental nutrition
9 assistance program in the State, up-to-date
10 earned income information used to deter-
11 mine eligibility for another Federal assist-
12 ance program; or

13 “(iii) have cost-effective, innovative
14 approaches to verifying earned income that
15 would improve the accuracy or efficiency of
16 the verification of earned income at certifi-
17 cation and recertification of applicant
18 households for the supplemental nutrition
19 assistance program in the State.

20 “(4) GRANTS.—The Secretary may make
21 grants to a State agency to carry out a pilot project.

22 “(5) EFFECT ON OTHER REQUIREMENTS.—A
23 pilot project carried out under this subsection shall
24 not alter the eligibility requirements under section 5
25 or the reporting requirements under section 6(c).

1 “(6) REPORT.—Not later than 180 days after
2 the date on which the pilot program terminates
3 under paragraph (8), the Secretary shall submit to
4 the Committee on Agriculture of the House of Rep-
5 resentatives and the Committee on Agriculture, Nu-
6 trition, and Forestry of the Senate a report that de-
7 scribes the results of the pilot projects carried out
8 under the pilot program.

9 “(7) FUNDING.—

10 “(A) IN GENERAL.—Out of funds made
11 available under section 18(a)(1), on October 1,
12 2018, the Secretary shall make available
13 \$10,000,000 to carry out this subsection, to re-
14 main available until expended.

15 “(B) COSTS.—The Secretary shall allocate
16 not more than 10 percent of the amounts made
17 available under subparagraph (A) to carry out
18 subparagraphs (A) and (C) of paragraph (2)
19 and paragraph (6).

20 “(8) TERMINATION.—The pilot program shall
21 terminate not later than September 30, 2022.”.

1 **SEC. 4108. INTERSTATE DATA MATCHING TO PREVENT**
2 **MULTIPLE ISSUANCES.**

3 Section 11 of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2020) is amended by adding at the end the fol-
5 lowing:

6 “(w) NATIONAL ACCURACY CLEARINGHOUSE.—

7 “(1) DEFINITION OF INDICATION OF MULTIPLE
8 ISSUANCE.—In this subsection, the term ‘indication
9 of multiple issuance’ means an indication, based on
10 a computer match, that benefits are being issued to
11 an individual under the supplemental nutrition as-
12 sistance program from more than 1 State simulta-
13 neously.

14 “(2) ESTABLISHMENT.—

15 “(A) IN GENERAL.—The Secretary shall
16 establish an interstate data system, to be
17 known as the ‘National Accuracy Clearing-
18 house’, to prevent the simultaneous issuance of
19 benefits to an individual by more than 1 State
20 under the supplemental nutrition assistance
21 program.

22 “(B) DATA MATCHING.—The Secretary
23 shall require that States make available to the
24 National Accuracy Clearinghouse only such in-
25 formation as is necessary for the purpose de-
26 scribed in subparagraph (A).

1 “(C) DATA PROTECTION.—The informa-
2 tion made available by States under subpara-
3 graph (B)—

4 “(i) shall be used only for the purpose
5 described in subparagraph (A); and

6 “(ii) shall not be retained for longer
7 than is necessary to accomplish that pur-
8 pose.

9 “(3) ISSUANCE OF INTERIM FINAL REGULA-
10 TIONS.—Not later than 18 months after the date of
11 enactment of this subsection, the Secretary shall
12 promulgate regulations (which shall include interim
13 final regulations) to carry out this subsection that—

14 “(A) incorporate best practices and lessons
15 learned from the pilot program under section
16 4032(c) of the Agricultural Act of 2014 (7
17 U.S.C. 2036c(e));

18 “(B) require a State to take appropriate
19 action, as determined by the Secretary, with re-
20 spect to each indication of multiple issuance or
21 indication that an individual receiving benefits
22 in 1 State has applied to receive benefits in an-
23 other State, while ensuring timely and fair serv-
24 ice to applicants for, and participants in, the
25 supplemental nutrition assistance program;

1 “(C) limit the information submitted
2 through or retained by the National Accuracy
3 Clearinghouse to information necessary to ac-
4 complish the purpose described in paragraph
5 (2)(A);

6 “(D) establish safeguards to protect—

7 “(i) the information submitted
8 through or retained by the National Accu-
9 racy Clearinghouse, including by limiting
10 the period of time that information is re-
11 tained to the period necessary to accom-
12 plish the purpose described in paragraph
13 (2)(A); and

14 “(ii) the privacy of information that is
15 submitted through or retained by the Na-
16 tional Accuracy Clearinghouse, which shall
17 include—

18 “(I) prohibiting any contractor
19 who has access to information that is
20 submitted through or retained by the
21 National Accuracy Clearinghouse from
22 using that information for purposes
23 not directly related to the purpose de-
24 scribed in paragraph (2)(A); and

1 “(II) other safeguards, consistent
2 with subsection (e)(8);

3 “(E) establish a process by which a State
4 shall—

5 “(i) not later than 3 years after the
6 date of enactment of this subsection, con-
7 duct a computer match using the National
8 Accuracy Clearinghouse;

9 “(ii) after the first computer match
10 under clause (i), conduct computer
11 matches on an ongoing basis, as deter-
12 mined by the Secretary;

13 “(iii) identify and take appropriate ac-
14 tion, as determined by the Secretary, with
15 respect to each indication of multiple
16 issuance or indication that an individual
17 receiving benefits in 1 State has applied to
18 receive benefits in another State; and

19 “(iv) protect the identity and location
20 of a vulnerable individual (including a vic-
21 tim of domestic violence) that is an appli-
22 cant to or participant of the supplemental
23 nutrition assistance program; and

24 “(F) include other rules and standards, as
25 determined by the Secretary.”.

1 **SEC. 4109. QUALITY CONTROL.**

2 (a) RECORDS.—

3 (1) IN GENERAL.—Section 11(a)(3)(B) of the
4 Food and Nutrition Act of 2008 (7 U.S.C.
5 2020(a)(3)(B)) is amended in the matter preceding
6 clause (i) by inserting “and systems containing those
7 records” after “subparagraph (A)”.

8 (2) COST SHARING FOR COMPUTERIZATION.—
9 Section 16(g)(1) of the Food and Nutrition Act of
10 2008 (7 U.S.C. 2025(g)(1)) is amended—

11 (A) in subparagraph (E), by striking
12 “and” at the end;

13 (B) in subparagraph (F)(ii), by striking
14 the period at the end and inserting “; and”;
15 and

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

17 “(G) would be accessible by the Secretary
18 for inspection and audit under section
19 11(a)(3)(B); and”.

20 (b) QUALITY CONTROL SYSTEM.—Section 16(c)(1) of
21 the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1))
22 is amended by striking subparagraph (B) and inserting
23 the following:

24 “(B) QUALITY CONTROL SYSTEM INTEG-
25 RITY.—

1 dures under part 417 of title 2, Code of
2 Federal Regulations (or successor regula-
3 tions), the Secretary shall bar any person
4 that, in carrying out the quality control
5 system established under this subsection,
6 knowingly submits, or causes to be sub-
7 mitted, false information to the Sec-
8 retary.”.

9 (c) ELIMINATION OF STATE BONUSES FOR ERROR
10 RATES.—

11 (1) IN GENERAL.—Section 16(d) of the Food
12 and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is
13 amended—

14 (A) by striking the subsection heading and
15 inserting “STATE PERFORMANCE INDICATORS
16 AND BONUSES.—”; and

17 (B) in paragraph (2)—

18 (i) in subparagraph (A)(ii), by strik-
19 ing “subparagraph (B)(ii)” and inserting
20 “clauses (ii) and (iii) of subparagraph
21 (B)”; and

22 (ii) in subparagraph (B)—

23 (I) in the matter preceding clause
24 (i), by striking “With respect” and all

1 that follows through the end of clause
2 (i) and inserting the following:

3 “(i) PERFORMANCE MEASUREMENT.—
4 With respect to fiscal year 2005 and each
5 fiscal year thereafter, the Secretary shall
6 measure the performance of each State
7 agency with respect to the criteria estab-
8 lished under subparagraph (A)(i).”;

9 (II) in clause (ii), by striking
10 “(ii) subject to paragraph (3),” and
11 inserting the following:

12 “(ii) PERFORMANCE BONUSES FOR
13 FISCAL YEARS 2005 THROUGH 2017.—With
14 respect to each of fiscal years 2005
15 through 2017, subject to paragraph (3),
16 the Secretary shall”; and

17 (III) by adding at the end the
18 following:

19 “(iii) PERFORMANCE BONUSES FOR
20 FISCAL YEARS 2018 AND THEREAFTER.—

21 “(I) IN GENERAL.—With respect
22 to fiscal year 2018 and each fiscal
23 year thereafter, subject to subclause
24 (II) and paragraph (3), the Secretary
25 shall award performance bonus pay-

1 ments in the following fiscal year, in
2 a total amount of \$6,000,000 for each
3 fiscal year, to State agencies that
4 meet standards for high or most im-
5 proved performance established by the
6 Secretary under subparagraph (A)(ii)
7 for the measure of application proc-
8 essing timeliness.

9 “(II) PERFORMANCE BONUS PAY-
10 MENTS FOR FISCAL YEAR 2018 PER-
11 FORMANCE.—The Secretary shall
12 award performance bonus payments in
13 a total amount of \$6,000,000 to State
14 agencies in fiscal year 2019 for fiscal
15 year 2018 performance, in accordance
16 with subclause (I).”.

17 (2) CONFORMING AMENDMENT.—Section
18 16(i)(1) of the Food and Nutrition Act of 2008 (7
19 U.S.C. 2025(i)(1)) is amended by striking “(as de-
20 fined in subsection (d)(1))”.

1 **SEC. 4110. REQUIREMENT OF LIVE-PRODUCTION ENVIRON-**
2 **MENTS FOR CERTAIN PILOT PROJECTS RE-**
3 **LATING TO COST SHARING FOR COMPUT-**
4 **ERIZATION.**

5 Section 16(g)(1) of the Food and Nutrition Act of
6 2008 (7 U.S.C. 2025(g)(1)) (as amended by section
7 4109(a)(2)) is amended—

8 (1) in subparagraph (F), by redesignating
9 clauses (i) and (ii) as subclauses (I) and (II), respec-
10 tively, and indenting appropriately;

11 (2) by redesignating subparagraphs (A) through
12 (G) as clauses (i) through (vii), respectively, and in-
13 denting appropriately;

14 (3) in the matter preceding clause (i) (as so re-
15 designated)—

16 (A) by striking “paragraphs (2) and (3)”
17 and inserting “paragraph (2)”; and

18 (B) by striking “in the planning” and in-
19 serting the following: “in the—

20 “(A) planning”;

21 (4) in clause (v) (as so redesignated) of sub-
22 paragraph (A) (as so designated), by striking “im-
23 plementation, including through pilot projects in lim-
24 ited areas for major systems changes as determined
25 under rules promulgated by the Secretary, data from

1 which” and inserting the following: “implementation,
2 including a requirement that—

3 “(I) such testing shall be accom-
4 plished through pilot projects in lim-
5 ited areas for major systems changes
6 (as determined under rules promul-
7 gated by the Secretary);

8 “(II) each pilot project described
9 in subclause (I) that is carried out be-
10 fore the implementation of a system
11 shall be conducted in a live-production
12 environment; and

13 “(III) the data resulting from
14 each pilot project carried out under
15 this clause”; and

16 (5) by adding at the end the following:

17 “(B) operation of 1 or more automatic
18 data processing and information retrieval sys-
19 tems that the Secretary determines may con-
20 tinue to be operated in accordance with clauses
21 (i) through (vii) of subparagraph (A).”.

22 **SEC. 4111. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 18(a)(1) of the Food and Nutrition Act of
24 2008 (7 U.S.C. 2027(a)(1)) is amended in the first sen-
25 tence by striking “2018” and inserting “2023”.

1 **SEC. 4112. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.**

2 Section 25(b)(2) of the Food and Nutrition Act of
3 2008 (7 U.S.C. 2034(b)(2)) is amended—

4 (1) in subparagraph (B) by striking “and” at
5 the end;

6 (2) in subparagraph (C) by striking “fiscal year
7 2015 and each fiscal year thereafter.” and inserting
8 “each of fiscal years 2015 through 2018; and”; and

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

10 “(D) \$5,000,000 for fiscal year 2019 and
11 each fiscal year thereafter.”.

12 **SEC. 4113. NUTRITION EDUCATION STATE PLANS.**

13 Section 28(c) of the Food and Nutrition Act of 2008
14 (7 U.S.C. 2036a(c)) is amended—

15 (1) in paragraph (2)—

16 (A) in subparagraph (B)—

17 (i) in the matter preceding clause (i),
18 by striking “Except as provided in sub-
19 paragraph (C), a” and inserting “A”;

20 (ii) in clause (ii), by striking “and”
21 after the semicolon;

22 (iii) by redesignating clause (iii) as
23 clause (iv); and

24 (iv) by inserting after clause (ii) the
25 following:

1 “(iii) describe how the State agency
2 shall use an electronic reporting system
3 that measures and evaluates the projects;
4 and”;

5 (B) by striking subparagraph (C);

6 (2) in paragraph (3)(B), in the matter pre-
7 ceding clause (i), by inserting “, the Director of the
8 National Institute of Food and Agriculture,” before
9 “and outside stakeholders”;

10 (3) in paragraph (5), by inserting “the ex-
11 panded food and nutrition education program or”
12 before “other health promotion”; and

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

14 “(6) REPORT.—The State agency shall submit
15 to the Secretary an annual evaluation report in ac-
16 cordance with regulations issued by the Secretary.”.

17 **SEC. 4114. EMERGENCY FOOD ASSISTANCE PROGRAM.**

18 (a) STATE PLAN.—Section 202A(b) of the Emer-
19 gency Food Assistance Act of 1983 (7 U.S.C. 7503(b))
20 is amended—

21 (1) in paragraph (3), by striking “and” after
22 the semicolon;

23 (2) in paragraph (4), by striking the period at
24 the end and inserting a semicolon; and

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

1 “(5) at the option of the State agency, describe
2 a plan of operation for 1 or more projects in part-
3 nership with 1 or more emergency feeding organiza-
4 tions located in the State to harvest, process, and
5 package donated commodities received under section
6 203D(d); and

7 “(6) describe a plan, which may include the use
8 of a State advisory board established under sub-
9 section (c), that provides emergency feeding organi-
10 zations or eligible recipient agencies within the State
11 an opportunity to provide input on the commodity
12 preferences and needs of the emergency feeding or-
13 ganization or eligible recipient agency.”.

14 (b) STATE AND LOCAL SUPPLEMENTATION OF COM-
15 MODITIES.—Section 203D of the Emergency Food Assist-
16 ance Act of 1983 (7 U.S.C. 7507) is amended by adding
17 at the end the following:

18 “(d) PROJECTS TO HARVEST, PROCESS, AND PACK-
19 AGE DONATED COMMODITIES.—

20 “(1) DEFINITION OF PROJECT.—In this sub-
21 section, the term ‘project’ means the harvesting,
22 processing, or packaging of unharvested, unproc-
23 essed, or unpackaged commodities donated by agri-
24 cultural producers, processors, or distributors for

1 use by emergency feeding organizations under sub-
2 section (a).

3 “(2) FEDERAL FUNDING FOR PROJECTS.—

4 “(A) IN GENERAL.—Subject to subpara-
5 graphs (B) and (C) and paragraph (3), using
6 funds made available under subsection (c) of
7 section 27 of the Food and Nutrition Act of
8 2008 (7 U.S.C. 2036), the Secretary may pro-
9 vide funding to States to pay for the costs of
10 carrying out a project.

11 “(B) FEDERAL SHARE.—The Federal
12 share of the cost of a project under subpara-
13 graph (A) shall not exceed 50 percent of the
14 total cost of the project.

15 “(C) ALLOCATION.—

16 “(i) IN GENERAL.—Each fiscal year,
17 the Secretary shall allocate to States that
18 have submitted under section 202A(b)(5) a
19 State plan describing a plan of operation
20 for a project the funds made available
21 under subparagraph (A) based on a for-
22 mula determined by the Secretary.

23 “(ii) REALLOCATION.—If the Sec-
24 retary determines that a State will not ex-
25 pend all of the funds allocated to the State

1 for a fiscal year under clause (i), the Sec-
2 retary shall reallocate the unexpended
3 funds to other States that have submitted
4 under section 202A(b)(5) a State plan de-
5 scribing a plan of operation for a project
6 during that fiscal year or the subsequent
7 fiscal year, as the Secretary determines ap-
8 propriate.

9 “(iii) REPORTS.—Each State to which
10 funds are allocated for a fiscal year under
11 this subparagraph shall, on a regular basis,
12 submit to the Secretary financial reports
13 describing the use of the funds.

14 “(3) PROJECT PURPOSES.—A State may only
15 use Federal funds received under paragraph (2) for
16 a project the purposes of which are—

17 “(A) to reduce food waste at the agricul-
18 tural production, processing, or distribution
19 level through the donation of food;

20 “(B) to provide food to individuals in need;
21 and

22 “(C) to build relationships between agricul-
23 tural producers, processors, and distributors
24 and emergency feeding organizations through
25 the donation of food.

1 “(4) COOPERATIVE AGREEMENTS.—The Sec-
2 retary may encourage a State agency that carries
3 out a project using Federal funds received under
4 paragraph (2) to enter into cooperative agreements
5 with State agencies of other States under section
6 203B(d) to maximize the use of commodities do-
7 nated under the project.”.

8 (c) FOOD WASTE.—Section 203D of the Emergency
9 Food Assistance Act of 1983 (7 U.S.C. 7507) (as amend-
10 ed by subsection (b)) is amended by adding at the end
11 the following:

12 “(e) FOOD WASTE.—The Secretary shall issue guid-
13 ance outlining best practices to minimize the food waste
14 of the commodities donated under subsection (a).”.

15 (d) EMERGENCY FOOD PROGRAM INFRASTRUCTURE
16 GRANTS.—Section 209(d) of the Emergency Food Assist-
17 ance Act of 1983 (7 U.S.C. 7511a(d)) is amended by
18 striking “2018” and inserting “2023”.

19 (e) AVAILABILITY OF COMMODITIES FOR THE EMER-
20 GENCY FOOD ASSISTANCE PROGRAM.—Section 27 of the
21 Food and Nutrition Act of 2008 (7 U.S.C. 2036) is
22 amended—

23 (1) in subsection (a)—

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

1 (B) in paragraph (2)—
2 (i) in subparagraph (C), by striking
3 “2018” and inserting “2023”;
4 (ii) in subparagraph (D)—
5 (I) in the matter preceding clause
6 (i), by striking “2018” and inserting
7 “2019”;
8 (II) in clause (iii), by striking
9 “and” after the semicolon; and
10 (III) by adding at the end the
11 following:
12 “(v) for fiscal year 2019,
13 \$20,000,000; and”; and
14 (iii) in subparagraph (E)—
15 (I) by striking “2019” and in-
16 serting “2020”;
17 (II) by striking “(D)(iv)” and in-
18 serting “(D)(v)”; and
19 (III) by striking “June 30,
20 2017” and inserting “June 30,
21 2018”; and
22 (2) by adding at the end the following:
23 “(c) FUNDING FOR CERTAIN HARVESTING, PROC-
24 ESSING, AND PACKAGING COSTS.—Out of funds not other-
25 wise appropriated, the Secretary of the Treasury shall

1 transfer to the Secretary to carry out subsection (d) of
2 section 203D of the Emergency Food Assistance Act of
3 1983 (7 U.S.C. 7507) \$10,000,000 for each of fiscal years
4 2019 through 2023, to remain available until the end of
5 the subsequent fiscal year.”.

6 **SEC. 4115. TECHNICAL AND CONFORMING AMENDMENTS.**

7 (a) Section 3 of the Food and Nutrition Act of 2008
8 (7 U.S.C. 2012) is amended—

9 (1) in subsection (d), by striking “7(i)” and in-
10 sserting “7(h)”;

11 (2) in subsection (i), by striking “7(i)” and in-
12 sserting “7(h)”;

13 (3) in subsection (o)(1)(A), by striking “(r)(1)”
14 and inserting “(q)(1)”.

15 (b) Section 5(a) of the Food and Nutrition Act of
16 2008 (7 U.S.C. 2014(a)) is amended by striking “3(n)(4)”
17 each place it appears and inserting “3(m)(4)”.

18 (c) Section 8 of the Food and Nutrition Act of 2008
19 (7 U.S.C. 2017) is amended—

20 (1) in subsection (e)(1), by striking “3(n)(5)”
21 and inserting “3(m)(5)”;

22 (2) in subsection (f)(1)(A), by striking
23 “3(n)(5)” and inserting “3(m)(5)”.

24 (d) Section 9(c) of the Food and Nutrition Act of
25 2008 (7 U.S.C. 2018(c)) is amended in the third sentence

1 by striking “to any used by” and inserting “to, and used
2 by,”.

3 (e) Section 10 of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2019) is amended in the first sentence—

5 (1) by striking “or the Federal Savings and
6 Loan Insurance Corporation” each place it appears;
7 and

8 (2) by striking “3(p)(4)” and inserting
9 “3(o)(4)”.

10 (f) Section 11 of the Food and Nutrition Act of 2008
11 (7 U.S.C. 2020) is amended—

12 (1) by striking “3(t)(1)” each place it appears
13 and inserting “3(s)(1)”; and

14 (2) by striking “3(t)(2)” each place it appears
15 and inserting “3(s)(2)”.

16 (g) Section 18(e) of the Food and Nutrition Act of
17 2008 (7 U.S.C. 2027(e)) is amended in the first sentence
18 by striking “7(f)” and inserting “7(e)”.

19 (h) Section 25(a)(1)(B)(i)(I) of the Food and Nutri-
20 tion Act of 2008 (7 U.S.C. 2034(a)(1)(B)(i)(I)) is amend-
21 ed by striking “service;” and inserting “service;”.

1 **Subtitle B—Commodity**
2 **Distribution Programs**

3 **SEC. 4201. COMMODITY DISTRIBUTION PROGRAM.**

4 Section 4(a) of the Agriculture and Consumer Protec-
5 tion Act of 1973 (7 U.S.C. 612c note; Public Law 93-
6 86) is amended in the first sentence by striking “2018”
7 and inserting “2023”.

8 **SEC. 4202. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

9 Section 5 of the Agriculture and Consumer Protec-
10 tion Act of 1973 (7 U.S.C. 612c note; Public Law 93-
11 86) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “2018”
14 and inserting “2023”; and

15 (B) in paragraph (2)(B), in the matter
16 preceding clause (i), by striking “2018” and in-
17 serting “2023”;

18 (2) in subsection (d)(2), in the first sentence,
19 by striking “2018” and inserting “2023”; and

20 (3) in subsection (g)—

21 (A) by striking “Except” and inserting the
22 following:

23 “(1) IN GENERAL.—Except”; and

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

25 “(2) CERTIFICATION.—

1 “(A) DEFINITION OF CERTIFICATION PE-
2 RIOD.—In this paragraph, the term ‘certifi-
3 cation period’ means the period during which a
4 participant in the commodity supplemental food
5 program in a State may continue to receive
6 benefits under the commodity supplemental
7 food program without a formal review of the eli-
8 gibility of the participant.

9 “(B) MINIMUM CERTIFICATION PERIOD.—
10 Subject to subparagraph (C), a State shall es-
11 tablish for the commodity supplemental food
12 program of the State a certification period of—

13 “(i) not less than 1 year; but

14 “(ii) not more than 3 years.

15 “(C) APPROVALS.—A certification period
16 of more than 1 year established by a State
17 under subparagraph (B) shall be subject to the
18 approval of the Secretary, who shall approve
19 such a certification period on the condition
20 that, with respect to each participant receiving
21 benefits under the commodity supplemental
22 food program of the State, the local agency in
23 the State administering the commodity supple-
24 mental food program, on an annual basis dur-

1 ing the certification period applicable to the
2 participant—

3 “(i) verifies the address and continued
4 interest of the participant; and

5 “(ii) has sufficient reason to deter-
6 mine that the participant still meets the
7 income eligibility standards under para-
8 graph (1), which may include a determina-
9 tion that the participant has a fixed in-
10 come.”.

11 **SEC. 4203. DISTRIBUTION OF SURPLUS COMMODITIES; SPE-**
12 **CIAL NUTRITION PROJECTS.**

13 Section 1114(a)(2)(A) of the Agriculture and Food
14 Act of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended in the
15 first sentence by striking “2018” and inserting “2023”.

16 **Subtitle C—Miscellaneous**

17 **SEC. 4301. PURCHASE OF SPECIALTY CROPS.**

18 Section 10603(b) of the Farm Security and Rural In-
19 vestment Act of 2002 (7 U.S.C. 612c–4(b)) is amended
20 by striking “2018” and inserting “2023”.

21 **SEC. 4302. SENIORS FARMERS’ MARKET NUTRITION PRO-**
22 **GRAM.**

23 Section 4402(a) of the Farm Security and Rural In-
24 vestment Act of 2002 (7 U.S.C. 3007(a)) is amended by
25 striking “2018” and inserting “2023”.

1 **SEC. 4303. THE GUS SCHUMACHER FOOD INSECURITY NU-**
2 **TRITION INCENTIVE.**

3 Section 4405 of the Food, Conservation, and Energy
4 Act of 2008 (7 U.S.C. 7517) is amended—

5 (1) in the section heading, by striking “**FOOD**”
6 and inserting “**THE GUS SCHUMACHER FOOD**”;

7 (2) in subsection (a)—

8 (A) in paragraph (1), in the matter pre-
9 ceding subparagraph (A), by striking “means”
10 and all that follows through the end of subpara-
11 graph (L) and inserting “means a governmental
12 agency or nonprofit organization.”; and

13 (B) in paragraph (3)—

14 (i) by striking the period at the end
15 and inserting “; and”;

16 (ii) by striking “means the” and in-
17 serting the following: “means—
18 “(A) the”; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(B) the programs for nutrition assistance
22 under section 19 of that Act (7 U.S.C. 2028).”;

23 (3) in subsection (b)—

24 (A) in paragraph (1)—

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

4 (ii) by inserting after subparagraph
5 (A) the following:

6 “(B) PARTNERS AND COLLABORATORS.—
7 An eligible entity that receives a grant under
8 this subsection may partner with, or make sub-
9 grants to, public, private, nonprofit, or for-prof-
10 it entities, including—

11 “(i) an emergency feeding organiza-
12 tion;

13 “(ii) an agricultural cooperative;

14 “(iii) a producer network or associa-
15 tion;

16 “(iv) a community health organiza-
17 tion;

18 “(v) a public benefit corporation;

19 “(vi) an economic development cor-
20 poration;

21 “(vii) a farmers’ market;

22 “(viii) a community-supported agri-
23 culture program;

24 “(ix) a buying club;

1 “(x) a retail food store participating
2 in the supplemental nutrition assistance
3 program;

4 “(xi) a State, local, or tribal agency;

5 “(xii) another eligible entity that re-
6 ceives a grant; and

7 “(xiii) any other entity the Secretary
8 designates.”;

9 (iii) in subparagraph (C) (as so reded-
10 ignated), by striking “The” and inserting
11 “Except as provided in subparagraph
12 (D)(iii), the”; and

13 (iv) in subparagraph (D) (as so reded-
14 ignated), by adding at the end the fol-
15 lowing:

16 “(iii) TRIBAL AGENCIES.—The Sec-
17 retary may allow a tribal agency to use
18 funds provided to the Indian Tribe of the
19 tribal agency through a Federal agency
20 (including the Indian Health Service) or
21 other Federal benefit to satisfy all or part
22 of the non-Federal share described in
23 clause (i), if such use is otherwise con-
24 sistent with the purpose of such funds.”;

25 (B) in paragraph (2)—

1 (i) in subparagraph (A)—

2 (I) in the matter preceding clause
3 (i), by striking “For purposes of” and
4 all that follows through “that” and in-
5 serting “To receive a grant under this
6 subsection, an eligible entity shall”;

7 (II) in clause (i), by striking
8 “meets” and inserting “meet”; and

9 (III) in clause (ii)—

10 (aa) in the matter preceding
11 subclause (I), by striking “pro-
12 poses” and inserting “propose”;

13 (bb) by striking subclauses
14 (II) and (III) and inserting the
15 following:

16 “(II) would increase the purchase
17 of fruits and vegetables by low-income
18 consumers participating in the supple-
19 mental nutrition assistance program
20 by providing an incentive for the pur-
21 chase of fruits and vegetables at the
22 point of purchase to a household pur-
23 chasing food with supplemental nutri-
24 tion assistance program benefits;

1 “(III) except in the case of
2 projects receiving \$100,000 or less
3 over 1 year, would measure the pur-
4 chase of fruits and vegetables by low-
5 income consumers participating in the
6 supplemental nutrition assistance pro-
7 gram;”;

8 (cc) in subclause (IV), by
9 striking “and” at the end; and

10 (dd) by striking subclause
11 (V) and inserting the following:

12 “(V) has adequate plans to col-
13 lect data for reporting and agrees to
14 provide that information for the re-
15 port described in paragraph (5); and

16 “(VI) would share information
17 with the Training and Technical As-
18 sistance Centers and the Information
19 and Evaluation Centers (as those
20 terms are defined in paragraph (4))
21 for the purposes described in that
22 paragraph.”; and

23 (ii) in subparagraph (B)—

24 (I) by striking clause (v);

1 (II) by redesignating clause (vi)
2 as clause (x); and

3 (III) by inserting after clause (iv)
4 the following:

5 “(v) include a program design—

6 “(I) that provides incentives
7 when fruits or vegetables are pur-
8 chased using supplemental nutrition
9 assistance program benefits; and

10 “(II) in which the incentives
11 earned may be used only to purchase
12 fruits or vegetables;

13 “(vi) have demonstrated the ability to
14 provide services to underserved commu-
15 nities;

16 “(vii) include coordination with mul-
17 tiple stakeholders, such as farm organiza-
18 tions, nutrition education programs, coop-
19 erative extension services, public health de-
20 partments, health providers, private and
21 public health insurance agencies, coopera-
22 tive grocers, grocery associations, and com-
23 munity-based and nongovernmental organi-
24 zations;

1 “(viii) offer supplemental services in
2 high-need communities, including online
3 ordering, transportation between home and
4 store, and delivery services;

5 “(ix) include food retailers that are
6 open—

7 “(I) for extended hours; and

8 “(II) most or all days of the
9 year; or”); and

10 (C) by striking paragraph (4) and insert-
11 ing the following:

12 “(4) TRAINING AND TECHNICAL ASSISTANCE
13 CENTERS; INFORMATION AND EVALUATION CEN-
14 TERS.—

15 “(A) DEFINITIONS.—In this paragraph:

16 “(i) INFORMATION AND EVALUATION
17 CENTER.—The term ‘Information and
18 Evaluation Center’ means any of the infor-
19 mation and evaluation centers established
20 under subparagraph (B)(i)(II).

21 “(ii) TRAINING AND TECHNICAL AS-
22 SISTANCE CENTER.—The term ‘Training
23 and Technical Assistance Center’ means
24 any of the training and technical assist-

1 ance centers established under subpara-
2 graph (B)(i)(I).

3 “(B) ESTABLISHMENT.—

4 “(i) IN GENERAL.—To provide serv-
5 ices to eligible entities applying for or re-
6 ceiving a grant under this subsection or to
7 partners or collaborators applying for or
8 receiving a subgrant under paragraph
9 (1)(B), the Secretary shall establish, in ac-
10 cordance with clause (ii)—

11 “(I) 1 or more training and tech-
12 nical centers, each of which shall be
13 known as a ‘Food Insecurity Nutrition
14 Incentive Program Training and
15 Technical Assistance Center’; and

16 “(II) 1 or more information and
17 evaluation centers, each of which shall
18 be known as a ‘Food Insecurity Nutri-
19 tion Incentive Program Information
20 and Evaluation Center’.

21 “(ii) CRITERIA.—

22 “(I) IN GENERAL.—The Sec-
23 retary shall establish the Training and
24 Technical Assistance Centers and the
25 Information and Evaluation Centers

1 under clause (i) by designating as a
2 Training and Technical Assistance
3 Center or an Information or Evalua-
4 tion Center, as applicable, 1 or more
5 entities that meet the criteria de-
6 scribed in subclause (II) or (III), as
7 applicable.

8 “(II) TRAINING AND TECHNICAL
9 ASSISTANCE CENTERS.—To be eligible
10 to be designated as a Training and
11 Technical Assistance Center, an entity
12 shall—

13 “(aa) have the capacity to
14 effectively implement and track
15 outreach, training, and coordina-
16 tion functions;

17 “(bb) be able to produce in-
18 structional materials that can
19 easily be replicated and distrib-
20 uted through multiple formats;

21 “(cc) have working relation-
22 ships with nonprofit and private
23 organizations, State and local
24 governments, and tribal organiza-
25 tions (as defined in section 4 of

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1 the Indian Self-Determination
2 and Education Assistance Act
3 (25 U.S.C. 5304));

4 “(dd) have the ability to
5 work in underserved or rural
6 communities; and

7 “(ee) have an organizational
8 mission aligned with the needs of
9 eligible entities receiving grants
10 under this subsection.

11 “(III) INFORMATION AND EVAL-
12 UATION CENTERS.—To be eligible to
13 be designated as an Information and
14 Evaluation Center, an entity shall—

15 “(aa) have experience de-
16 signing, creating, and maintain-
17 ing an online, publicly searchable
18 reporting and informational
19 clearinghouse; and

20 “(bb) be able to conduct sys-
21 tematic analysis of the impacts
22 and outcomes of projects using a
23 grant under this subsection.

24 “(C) SERVICES.—

1 “(i) TRAINING AND TECHNICAL AS-
2 SISTANCE CENTERS.—The Training and
3 Technical Assistance Centers shall provide
4 services that include—

5 “(I) assisting eligible entities ap-
6 plying for a grant or partners or col-
7 laborators applying for a subgrant
8 under this subsection in—

9 “(aa) assessing the food sys-
10 tem in the geographical area of
11 the eligible entity; and

12 “(bb) designing a proposed
13 project;

14 “(II) collecting and providing to
15 eligible entities applying for or receiv-
16 ing a grant or to partners or collabo-
17 rators applying for or receiving a
18 subgrant under this subsection infor-
19 mation on best practices from existing
20 projects, including best practices re-
21 garding communications, signage,
22 record-keeping, incentive instruments,
23 integration with point of sale systems,
24 and reporting;

1 “(III) disseminating information
2 and facilitating communication among
3 eligible entities receiving a grant or
4 partners or collaborators receiving a
5 subgrant under this subsection;

6 “(IV)(aa) identifying common
7 challenges faced by eligible entities re-
8 ceiving a grant or partners or collabo-
9 rators receiving a subgrant under this
10 subsection; and

11 “(bb) coordinating the work to-
12 wards solutions to those challenges;

13 “(V) communicating with farms,
14 direct to consumer markets, and gro-
15 cery organizations to share informa-
16 tion and partner on projects using a
17 grant or subgrant under this sub-
18 section;

19 “(VI) assisting with collaboration
20 among eligible entities receiving a
21 grant or partners or collaborators re-
22 ceiving a subgrant under this sub-
23 section, State agencies, and the Food
24 and Nutrition Service;

1 “(VII) identifying and providing
2 to eligible entities applying for or re-
3 ceiving a grant or partners or collabo-
4 rators applying for or receiving a
5 subgrant under this subsection infor-
6 mation on point of sale technology
7 that could reduce cost and increase ef-
8 ficiency of supplemental nutrition as-
9 sistance program transaction proc-
10 essing at participating authorized re-
11 tailers; and

12 “(VIII) other services identified
13 by the Secretary.

14 “(ii) INFORMATION AND EVALUATION
15 CENTERS.—The Information and Evalua-
16 tion Centers shall provide services that in-
17 clude—

18 “(I) using standard metrics
19 based on outcome measures used for
20 existing projects, and in collaboration
21 with the Director of the National In-
22 stitute of Food and Agriculture and
23 the Administrator of the Food and
24 Nutrition Service, creating a system
25 to collect and compile core data sets

1 from eligible entities receiving a grant
2 and partners or collaborators receiving
3 a subgrant, as appropriate, under this
4 subsection;

5 “(II) beginning with fiscal year
6 2020, preparing an annual report
7 with summary data and an evaluation
8 of each project receiving a grant
9 under this subsection during the fiscal
10 year preceding the report, that in-
11 cludes the amount of grant funds
12 used for the project and the measure-
13 ment of the outcomes of the project,
14 for submission to the Secretary; and

15 “(III) other services identified by
16 the Secretary.

17 “(D) GRANTS AND COOPERATIVE AGREE-
18 MENTS.—In carrying out this paragraph, the
19 Secretary, on a competitive basis, shall make
20 grants to, or enter into cooperative agreements
21 with—

22 “(i) State cooperative extension serv-
23 ices;

24 “(ii) nongovernmental organizations;

1 “(iii) Federal, State, or tribal agen-
2 cies;

3 “(iv) 2-year and 4-year degree-grant-
4 ing institutions of higher education (as de-
5 fined in section 101(a) of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1001(a)))
7 and land-grant colleges and universities (as
8 defined in section 1404 of the National
9 Agricultural Research, Extension, and
10 Teaching Policy Act of 1977 (7 U.S.C.
11 3103)); and

12 “(v) other appropriate partners, as
13 determined by the Secretary.

14 “(5) ANNUAL EVALUATION AND REPORT.—

15 “(A) IN GENERAL.—Annually beginning
16 with fiscal year 2020, the Secretary shall con-
17 duct, and submit to Congress a report describ-
18 ing the results of, an evaluation of each project
19 receiving a grant under this subsection, includ-
20 ing an evaluation of—

21 “(i) the results of the project;

22 “(ii) the amount of grant funds used
23 for the project; and

24 “(iii) a measurement of the outcomes
25 of the project.

1 “(B) REQUIREMENT.—The evaluation con-
2 ducted under subparagraph (A) shall be based
3 on uniform data provided by eligible entities re-
4 ceiving a grant under this subsection.

5 “(C) PUBLIC AVAILABILITY.—The Sec-
6 retary shall make the evaluation conducted
7 under subparagraph (A), including the data
8 provided by eligible entities under subparagraph
9 (B), publicly available online in an anonymized
10 format that protects confidential, personal, or
11 other sensitive data.

12 “(D) REPORTING MECHANISM.—The Sec-
13 retary shall, to the maximum extent practicable,
14 include eligible entities receiving a grant under
15 this subsection, grocers, farmers, health profes-
16 sionals, researchers, and employees of the De-
17 partment of Agriculture with direct experience
18 with implementation of the supplemental nutri-
19 tion assistance program in the design of—

20 “(i) the instrument through which
21 data will be collected from eligible entities
22 under subparagraph (B); and

23 “(ii) the mechanism for reporting by
24 eligible entities.”; and

1 (4) in subsection (c), by striking paragraph (2)
2 and inserting the following:

3 “(2) MANDATORY FUNDING.—Of the funds of
4 the Commodity Credit Corporation, the Secretary
5 shall use to carry out subsection (b) \$50,000,000 for
6 fiscal year 2019 and each fiscal year thereafter.

7 “(3) COSTS.—Of the funds made available
8 under paragraph (2) for a fiscal year, the Secretary
9 shall allocate not more than 15 percent—

10 “(A) to carry out paragraphs (4) and (5)
11 of subsection (b); and

12 “(B) to pay for the administrative costs of
13 carrying out this section.”.

14 **SEC. 4304. HARVESTING HEALTH PILOT PROJECTS.**

15 (a) DEFINITIONS.—In this section:

16 (1) ELIGIBLE ENTITY.—The term “eligible enti-
17 ty” means—

18 (A) a nonprofit organization; or

19 (B) a State or unit of local government.

20 (2) HEALTHCARE PARTNER.—The term
21 “healthcare partner” means a healthcare provider,
22 including—

23 (A) a hospital;

1 (B) a Federally-qualified health center (as
2 defined in section 1905(l) of the Social Security
3 Act (42 U.S.C. 1396d(l)));

4 (C) a hospital or clinic operated by the
5 Secretary of Veterans Affairs; or

6 (D) a health care provider group.

7 (3) MEMBER.—

8 (A) IN GENERAL.—The term “member”
9 means, as determined by the applicable eligible
10 entity or healthcare partner carrying out a pilot
11 project in accordance with procedures estab-
12 lished by the Secretary—

13 (i) an individual eligible for—

14 (I) benefits under the Food and
15 Nutrition Act of 2008 (7 U.S.C. 2011
16 et seq.); or

17 (II) medical assistance under a
18 State plan or a waiver of such a plan
19 under title XIX of the Social Security
20 Act (42 U.S.C. 1396 et seq.) and en-
21 rolled under such plan or waiver; and

22 (ii) a member of a low-income house-
23 hold that suffers from, or is at risk of de-
24 veloping, a diet-related health condition.

1 (B) SCOPE OF ELIGIBILITY DETERMINA-
2 TIONS.—A determination by an eligible entity
3 or healthcare partner that an individual is a
4 member for purposes of subparagraph (A) shall
5 not—

6 (i) constitute a determination that the
7 individual is eligible for benefits or assist-
8 ance under title XIX of the Social Security
9 Act (42 U.S.C. 1396 et seq.) or the Food
10 and Nutrition Act of 2008 (7 U.S.C. 2011
11 et seq.), as applicable; or

12 (ii) be a factor in determining whether
13 the individual is eligible for such benefits
14 or assistance.

15 (4) PILOT PROJECT.—The term “pilot project”
16 means a pilot project that is awarded a grant under
17 subsection (b)(1).

18 (5) PRODUCE PRESCRIPTION PROGRAM.—The
19 term “produce prescription program” means a pro-
20 gram that—

21 (A) prescribes fresh fruits and vegetables
22 to members;

23 (B) may provide—

1 (i) financial or non-financial incen-
2 tives for members to purchase or procure
3 fresh fruits and vegetables; and

4 (ii) educational resources on nutrition
5 to members; and

6 (C) may establish additional accessible lo-
7 cations for members to procure fresh fruits and
8 vegetables.

9 (b) GRANT PROGRAM.—

10 (1) ESTABLISHMENT.—

11 (A) IN GENERAL.—The Secretary shall es-
12 tablish a grant program under which the Sec-
13 retary shall award grants to eligible entities to
14 conduct pilot projects that demonstrate and
15 evaluate the impact of a produce prescription
16 program on—

17 (i) the improvement of dietary health
18 through increased consumption of fruits
19 and vegetables;

20 (ii) the reduction of individual and
21 household food insecurity; and

22 (iii) the reduction in health care use
23 and associated costs.

24 (B) HEALTHCARE PARTNERS.—In carrying
25 out a pilot project using a grant received under

1 subparagraph (A), an eligible entity shall part-
2 ner with 1 or more healthcare partners.

3 (C) GRANT APPLICATIONS.—

4 (i) IN GENERAL.—To be eligible to re-
5 ceive a grant under subparagraph (A), an
6 eligible entity shall submit to the Secretary
7 an application containing such information
8 as the Secretary may require, including the
9 information described in clause (ii).

10 (ii) APPLICATION.—An application
11 under clause (i) shall—

12 (I) identify the 1 or more
13 healthcare partners with which the eli-
14 gible entity is partnering under sub-
15 paragraph (B); and

16 (II) include—

17 (aa) a description of the
18 methods by which an eligible en-
19 tity shall—

20 (AA) screen and verify
21 eligibility for members for
22 participation in a produce
23 prescription program, in ac-
24 cordance with procedures es-

1 tablISHED under subsection
2 (a)(3)(A);

3 (BB) implement an ef-
4 fective produce prescription
5 program, including the role
6 of each healthcare partner in
7 implementing the produce
8 prescription program;

9 (CC) evaluate members
10 participating in a produce
11 prescription program with
12 respect to the issues de-
13 scribed in clauses (i)
14 through (iii) of subpara-
15 graph (A);

16 (DD) provide edu-
17 cational opportunities relat-
18 ing to nutrition to members
19 participating in a produce
20 prescription program; and

21 (EE) inform members
22 of the availability of the
23 produce prescription pilot
24 project;

1 (bb) a description of any ad-
2 ditional nonprofit or emergency
3 feeding organizations that shall
4 be involved in the pilot project
5 and the role of each additional
6 nonprofit or emergency feeding
7 organization in implementing and
8 evaluating an effective produce
9 prescription program;

10 (cc) documentation of a
11 partnership agreement with a rel-
12 evant State Medicaid agency or
13 other appropriate entity, as de-
14 termined by the Secretary, to
15 evaluate the effectiveness of a
16 produce prescription program in
17 reducing health care use and as-
18 sociated costs; and

19 (dd) any other data nec-
20 essary to analyze the impact of a
21 produce prescription program, as
22 determined by the Secretary.

23 (2) COORDINATION.—In carrying out the grant
24 program established under paragraph (1), the Sec-
25 retary shall coordinate with the Secretary of Health

1 and Human Services and the heads of other appro-
2 priate Federal agencies that carry out activities re-
3 lating to healthcare partners.

4 (3) PARTNERSHIPS.—

5 (A) IN GENERAL.—In carrying out the
6 grant program under paragraph (1), the Sec-
7 retary may enter into 1 or more memoranda of
8 understanding with a Federal agency, a State,
9 or a private partner to ensure the effective im-
10 plementation and evaluation of each pilot
11 project.

12 (B) MEMORANDUM OF UNDERSTANDING.—
13 A memorandum of understanding entered into
14 under subparagraph (A) shall include—

15 (i) a description of a plan to provide
16 educational opportunities relating to nutri-
17 tion to members participating in the
18 produce prescription program;

19 (ii) a description of the role of the
20 Federal agency, State, or private partner,
21 as applicable, in implementing and evalu-
22 ating an effective produce prescription pro-
23 gram;

24 (iii) documentation of a partnership
25 agreement with a relevant State Medicaid

1 agency or other appropriate entity, as de-
2 termined by the Secretary, to evaluate the
3 effectiveness of the produce prescription
4 program in reducing health care use and
5 associated costs; and

6 (iv) any other data necessary to ana-
7 lyze the impact of the produce prescription
8 program, as determined by the Secretary.

9 (c) FUNDING.—

10 (1) IN GENERAL.—Of the funds of the Com-
11 modity Credit Corporation, the Secretary shall use
12 to carry out this section \$4,000,000 for each of fis-
13 cal years 2019 through 2023, to remain available
14 until expended.

15 (2) COSTS.—The Secretary may use not greater
16 than 10 percent of the amounts provided under
17 paragraph (1) to pay for the costs of administering,
18 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 **Subtitle B—Operating Loans**

22 **SEC. 5201. COOPERATIVE LENDING PILOT PROJECTS.**

23 Section 313(c)(4)(A) of the Consolidated Farm and
24 Rural Development Act (7 U.S.C. 1943(c)(4)(A)) is
25 amended by striking “2018” and inserting “2023”.

1 **Subtitle C—Administrative**
2 **Provisions**

3 **SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL**
4 **DEVELOPMENT ACCOUNTS PILOT PROGRAM.**

5 Section 333B(h) of the Consolidated Farm and Rural
6 Development Act (7 U.S.C. 1983b(h)) is amended by
7 striking “2018” and inserting “2023”.

8 **SEC. 5302. LOAN AUTHORIZATION LEVELS.**

9 Section 346(b)(1) of the Consolidated Farm and
10 Rural Development Act (7 U.S.C. 1994(b)(1)) is amend-
11 ed—

12 (1) in the matter preceding subparagraph (A),
13 by striking “\$4,226,000,000 for each of fiscal years
14 2008 through 2018” and inserting
15 “\$12,000,000,000 for each of fiscal years 2018
16 through 2023”; and

17 (2) by striking subparagraphs (A) and (B) and
18 inserting the following:

19 “(A) \$4,000,000,000 shall be for direct
20 loans, of which—

21 “(i) \$2,000,000,000 shall be for farm
22 ownership loans under subtitle A; and

23 “(ii) \$2,000,000,000 shall be for oper-
24 ating loans under subtitle B; and

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1 “(B) \$8,000,000,000 shall be for guaran-
2 teed loans, of which—

3 “(i) \$4,000,000,000 shall be for farm
4 ownership loans under subtitle A; and

5 “(ii) \$4,000,000,000 shall be for oper-
6 ating loans under subtitle B.”.

7 **SEC. 5303. LOAN FUND SET-ASIDES.**

8 Section 346(b)(2)(A)(ii)(III) of the Consolidated
9 Farm and Rural Development Act (7 U.S.C.
10 1994(b)(2)(A)(ii)(III)) is amended by striking “2018”
11 and inserting “2023”.

12 **SEC. 5304. EQUITABLE RELIEF.**

13 The Consolidated Farm and Rural Development Act
14 is amended by inserting after section 365 (7 U.S.C. 2008)
15 the following:

16 **“SEC. 366. EQUITABLE RELIEF.**

17 “(a) IN GENERAL.—Subject to subsection (b), the
18 Secretary may provide a form of relief described in sub-
19 section (c) to any farmer or rancher who—

20 “(1) received a direct farm ownership, oper-
21 ating, or emergency loan under this title; and

22 “(2) the Secretary determines is not in compli-
23 ance with the requirements of this title with respect
24 to the loan.

1 “(b) LIMITATION.—The Secretary may only provide
2 relief to a farm or rancher under subsection (a) if the Sec-
3 retary determines that the farmer or rancher—

4 “(1) acted in good faith; and

5 “(2) relied on an action of, or the advice of, the
6 Secretary (including any authorized representative of
7 the Secretary) to the detriment of the farming or
8 ranching operation of the farmer or rancher.

9 “(c) FORMS OF RELIEF.—The Secretary may provide
10 to a farmer or rancher under subsection (a) any of the
11 following forms of relief:

12 “(1) The farmer or rancher may retain loans or
13 other benefits received in association with the loan
14 with respect to which the farmer or rancher was de-
15 termined to be noncompliant under subsection
16 (a)(2).

17 “(2) The farmer or rancher may receive such
18 other equitable relief as the Secretary determines to
19 be appropriate.

20 “(d) CONDITION.—As a condition of receiving relief
21 under this section, the Secretary may require the farmer
22 or rancher to take actions designed to remedy the non-
23 compliance.

1 “(e) ADMINISTRATIVE APPEAL; JUDICIAL REVIEW.—
2 A determination or action of the Secretary under this sec-
3 tion—

4 “(1) shall be final; and

5 “(2) shall not be subject to administrative ap-
6 peal or judicial review under chapter 7 of title 5,
7 United States Code.”.

8 **SEC. 5305. EMERGENCY LOAN ELIGIBILITY.**

9 Section 373(b)(2)(B) of the Consolidated Farm and
10 Rural Development Act (7 U.S.C. 2008h(b)(2)(B)) is
11 amended—

12 (1) by redesignating clauses (i) and (ii) as sub-
13 clauses (I) and (II), respectively, and indenting ap-
14 propriately;

15 (2) in the matter preceding subclause (I) (as so
16 redesignated), by striking “The Secretary” and in-
17 serting the following:

18 “(i) IN GENERAL.—The Secretary”;

19 and

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

21 “(ii) RESTRUCTURED LOANS.—For
22 purposes of clause (i), a borrower who was
23 restructured with a write-down or restruc-
24 turing under section 353 shall not be con-
25 sidered to have received debt forgiveness

1 agriculture of each participating State con-
2 siders appropriate for better serving the
3 agricultural community and persons eligi-
4 ble for mediation.”; and

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

6 “(C) MEDIATION SERVICES.—Funding
7 provided for the mediation program of a quali-
8 fying State may also be used to provide credit
9 counseling to persons described in paragraph
10 (2)—

11 “(i) prior to the initiation of any me-
12 diation involving the Department of Agri-
13 culture; or

14 “(ii) unrelated to any ongoing dispute
15 or mediation in which the Department of
16 Agriculture is a party.”;

17 (2) in paragraph (2)(A)—

18 (A) in clause (ii), by striking “and” after
19 the semicolon;

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) any other persons involved in an
24 issue described in any of clauses (i)
25 through (x) of paragraph (1)(B).”; and

1 (3) in paragraph (3)(F), by striking “that per-
2 sons” and inserting the following: “that—

3 “(i) the Department of Agriculture re-
4 ceives adequate notification of those issues;
5 and

6 “(ii) persons”.

7 (b) REPORT REQUIRED.—Section 505 of the Agricul-
8 tural Credit Act of 1987 (7 U.S.C. 5105) is amended to
9 read as follows:

10 **“SEC. 505. REPORT.**

11 “Not later than 2 years after the date of enactment
12 of the Agriculture Improvement Act of 2018, the Sec-
13 retary shall submit to Congress a report describing—

14 “(1) the effectiveness of the State mediation
15 programs receiving matching grants under this sub-
16 title;

17 “(2) recommendations for improving the deliv-
18 ery of mediation services to producers;

19 “(3) the steps being taken to ensure that State
20 mediation programs receive timely funding under
21 this subtitle; and

22 “(4) the savings to the States as a result of
23 having a mediation program.”.

24 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
25 506 of the Agricultural Credit Act of 1987 (7 U.S.C.

1 5106) is amended by striking “2018” and inserting
2 “2023”.

3 **SEC. 5402. SOCIALLY DISADVANTAGED FARMERS AND**
4 **RANCHERS.**

5 (a) IN GENERAL.—Section 4.19 of the Farm Credit
6 Act of 1971 (12 U.S.C. 2207) is amended—

7 (1) by striking the section designation and
8 heading and inserting the following:

9 **“SEC. 4.19. YOUNG, BEGINNING, SMALL, AND SOCIALLY DIS-**
10 **ADVANTAGED FARMERS AND RANCHERS.”;**
11 **and**

12 (2) in subsection (a), in the first sentence, by
13 striking “ranchers.” and inserting “ranchers and so-
14 cially disadvantaged farmers or ranchers (as defined
15 in section 2501(e) of the Food, Agriculture, Con-
16 servation, and Trade Act of 1990 (7 U.S.C.
17 2279(e))).”.

18 (b) CONFORMING AMENDMENT.—Section 5.17(a)(3)
19 of the Farm Credit Act of 1971 (12 U.S.C. 2252(a)(3))
20 is amended, in the second sentence, by striking “ranch-
21 ers.” and inserting “ranchers and socially disadvantaged
22 farmers or ranchers (as defined in section 2501(e) of the
23 Food, Agriculture, Conservation, and Trade Act of 1990
24 (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 ignated), 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 serting 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 serting “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)) is amended—

14 (A) in the first sentence—

15 (i) by striking “district”; and

16 (ii) by striking “Federal land bank as-
17 sociation and production credit”; and

18 (B) in the second sentence, by striking
19 “units” and inserting “institutions”.

20 (26) Section 4.38 of the Farm Credit Act of
21 1971 (12 U.S.C. 2219e) is amended by striking
22 “The Assistance Board established under section 6.0
23 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 “(iii) In the case of the resolution of
2 a System bank, all claims of holders of
3 consolidated and System-wide bonds and
4 all claims of the other System banks arising
5 from the payments of the System
6 banks pursuant to—

7 “(I) section 4.4 on consolidated
8 and System-wide bonds issued under
9 subsection (c) or (d) of section 4.2; or

10 “(II) an agreement, in writing
11 and approved by the Farm Credit Administration,
12 among the System banks
13 to reallocate the payments.

14 “(iv) In the case of the resolution of
15 a production credit association or other association making direct loans under section
16 7.6, all claims of a System bank based on
17 the financing agreement between the association and the System bank—

18 “(I) including interest accrued
19 before and after the appointment of
20 the receiver; and

21 “(II) not including any setoff for
22 stock or other equity of that System
23 bank owned by the association, on
24
25

1 that condition that, prior to making
2 that setoff, that System bank shall
3 obtain the approval of the Farm Cred-
4 it Administration Board for the retire-
5 ment of that stock or equity.

6 “(v) Any general or senior liability of
7 the System institution (which is not a li-
8 ability described in clause (vi) or (vii)).

9 “(vi) Any obligation subordinated to
10 general creditors (which is not an obliga-
11 tion described in clause (vii)).

12 “(vii) Any obligation to stockholders
13 or members arising as a result of their sta-
14 tus as stockholders or members.

15 “(B) PAYMENT OF CLAIMS.—

16 “(i) IN GENERAL.—

17 “(I) PAYMENT.—All claims of
18 each priority described in clauses (i)
19 through (vii) of subparagraph (A)
20 shall be paid in full, or provisions
21 shall be made for that payment, prior
22 to the payment of any claim of a less-
23 er priority.

24 “(II) INSUFFICIENT FUNDS.—If
25 there are insufficient funds to pay in

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

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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

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.”.

1 “(iv) identify options to enhance the
2 long-term sustainability of rural water and
3 waste systems, including operational prac-
4 tices, revenue enhancements, policy revi-
5 sions, partnerships, consolidation, regional-
6 ization, or contract services.”;

7 (2) by striking subparagraph (B) and inserting
8 the following:

9 “(B) SELECTION PRIORITY.—In selecting
10 recipients of grants to be made under subpara-
11 graph (A), the Secretary shall give priority to—

12 “(i) private nonprofit organizations
13 that have experience in providing the tech-
14 nical assistance and training described in
15 subparagraph (A) to associations serving
16 rural areas in which residents have low in-
17 come and in which water supply systems or
18 waste facilities are unhealthful; and

19 “(ii) recipients that will provide tech-
20 nical assistance and training programs to
21 address the contamination of drinking
22 water and surface water supplies by
23 emerging contaminants, including per- and
24 polyfluoroalkyl substances and
25 perfluorooctanoic acid.”; and

1 (3) in subparagraph (C)—

2 (A) by striking “1 nor more than 3” and
3 inserting “3 percent and not more than 5”; and

4 (B) by striking “1 per centum” and insert-
5 ing “3 percent”.

6 **SEC. 6103. RURAL WATER AND WASTEWATER CIRCUIT**
7 **RIDER PROGRAM.**

8 Section 306(a)(22)(B) of the Consolidated Farm and
9 Rural Development Act (7 U.S.C. 1926(a)(22)(B)) is
10 amended by striking “\$20,000,000 for fiscal year 2014
11 and each fiscal year thereafter” and inserting
12 “\$25,000,000 for each of fiscal years 2019 through
13 2023”.

14 **SEC. 6104. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL**
15 **COMMUNITY FACILITIES.**

16 Section 306(a)(25)(C) of the Consolidated Farm and
17 Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is
18 amended by striking “2018” and inserting “2023”.

19 **SEC. 6105. COMMUNITY FACILITIES DIRECT LOANS AND**
20 **GRANTS FOR SUBSTANCE USE DISORDER**
21 **TREATMENT SERVICES.**

22 Section 306(a) of the Consolidated Farm and Rural
23 Development Act (7 U.S.C. 1926(a)) is amended by add-
24 ing at the end the following:

1 “(27) DIRECT LOANS AND GRANTS FOR SUB-
2 STANCE USE DISORDER TREATMENT SERVICES.—

3 “(A) SELECTION PRIORITY.—In selecting
4 recipients of loans or grants (not including
5 loans guaranteed by the Secretary) for the de-
6 velopment of essential community facilities
7 under this section, the Secretary shall give pri-
8 ority to entities eligible for those loans or
9 grants—

10 “(i) to develop facilities to provide
11 substance use disorder (including opioid
12 substance use disorder)—

13 “(I) prevention services;

14 “(II) treatment services;

15 “(III) recovery services; or

16 “(IV) any combination of those
17 services; and

18 “(ii) that employ staff that have ap-
19 propriate expertise and training in how to
20 identify and treat individuals with sub-
21 stance use disorders.

22 “(B) USE OF FUNDS.—An eligible entity
23 described in subparagraph (A) that receives a
24 loan or grant described in that subparagraph
25 may use the loan or grant funds for the devel-

1 opment of telehealth facilities and systems to
2 provide telehealth services for substance use
3 disorder treatment.”.

4 **SEC. 6106. EMERGENCY AND IMMINENT COMMUNITY**
5 **WATER ASSISTANCE GRANT PROGRAM.**

6 Section 306A of the Consolidated Farm and Rural
7 Development Act (7 U.S.C. 1926a) is amended—

8 (1) in subsection (b)(1), by striking “; and”
9 and inserting the following: “, particularly to
10 projects to address contamination that—

11 “(A) poses a threat to human health or the
12 environment; and

13 “(B) was caused by circumstances beyond
14 the control of the applicant for a grant, includ-
15 ing circumstances that occurred over a period
16 of time; and”;

17 (2) in subsection (f)(1), by striking “\$500,000”
18 and inserting “\$1,000,000”;

19 (3) by redesignating subsection (i) as subsection
20 (j);

21 (4) by inserting after subsection (h) the fol-
22 lowing:

23 “(i) INTERAGENCY TASK FORCE ON RURAL WATER
24 QUALITY.—

1 “(1) IN GENERAL.—Not later than 90 days
2 after the date of enactment of the Agriculture Im-
3 provement Act of 2018, the Secretary shall coordi-
4 nate and chair an interagency task force to examine
5 drinking water and surface water contamination in
6 rural communities, particularly rural communities
7 that are in close proximity to active or decommis-
8 sioned military installations in the United States.

9 “(2) MEMBERSHIP.—The interagency task
10 force shall consist of—

11 “(A) the Secretary;

12 “(B) the Secretary of the Army, acting
13 through the Chief of Engineers;

14 “(C) the Secretary of Health and Human
15 Services, acting through—

16 “(i) the Director of the Agency for
17 Toxic Substances and Disease Registry;
18 and

19 “(ii) the Director of the Centers for
20 Disease Control and Prevention;

21 “(D) the Secretary of Housing and Urban
22 Development;

23 “(E) the Secretary of the Interior, acting
24 through—

1 “(i) the Director of the United States
2 Fish and Wildlife Service; and

3 “(ii) the Director of the United States
4 Geological Survey;

5 “(F) the Administrator of the Environ-
6 mental Protection Agency; and

7 “(G) representatives from rural drinking
8 and wastewater entities, State and community
9 regulators, and appropriate scientific experts
10 that reflect a diverse cross-section of the rural
11 communities described in paragraph (1).

12 “(3) REPORT.—

13 “(A) IN GENERAL.—Not later than 360
14 days after the date of enactment of the Agri-
15 culture Improvement Act of 2018, the task
16 force shall submit to the committees described
17 in subparagraph (B) a report that—

18 “(i) examines, and identifies issues re-
19 lating to, water contamination in rural
20 communities, particularly rural commu-
21 nities that are in close proximity to active
22 or decommissioned military installations in
23 the United States;

24 “(ii) reviews the extent to which Fed-
25 eral, State, and local government agencies

1 coordinate with one another to address the
2 issues identified under clause (i);

3 “(iii) recommends how Federal, State,
4 and local government agencies can work
5 together in the most effective, efficient,
6 and cost-effective manner practicable, to
7 address the issues identified under clause
8 (i); and

9 “(iv) recommends changes to existing
10 statutory requirements, regulatory require-
11 ments, or both, to improve interagency co-
12 ordination and responsiveness to address
13 the issues identified under clause (i).

14 “(B) COMMITTEES DESCRIBED.—The com-
15 mittees referred to in subparagraph (A) are—

16 “(i) the Committee on Agriculture of
17 the House of Representatives;

18 “(ii) the Committee on Agriculture,
19 Nutrition, and Forestry of the Senate;

20 “(iii) the Committee on Energy and
21 Commerce of the House of Representa-
22 tives;

23 “(iv) the Committee on Environment
24 and Public Works of the Senate;

1 “(v) the Committee on Armed Serv-
2 ices of the House of Representatives; and

3 “(vi) the Committee on Armed Serv-
4 ices of the Senate.”; and

5 (5) in subsection (j) (as so redesignated)—

6 (A) in paragraph (1)(A), by striking “3
7 nor more than 5” and inserting “5 percent and
8 not more than 7”; and

9 (B) in paragraph (2), by striking
10 “\$35,000,000 for each of fiscal years 2008
11 through 2018” and inserting “\$50,000,000 for
12 each of fiscal years 2019 through 2023”.

13 **SEC. 6107. WATER SYSTEMS FOR RURAL AND NATIVE VIL-**
14 **LAGES IN ALASKA.**

15 Section 306D of the Consolidated Farm and Rural
16 Development Act (7 U.S.C. 1926d) is amended—

17 (1) in subsection (a), by striking “Alaska for”
18 and inserting “Alaska, a consortium formed pursu-
19 ant to section 325 of the Department of the Interior
20 and Related Agencies Appropriations Act, 1998
21 (Public Law 105–83; 111 Stat. 1597), and Native
22 villages (as defined in section 3 of the Alaska Native
23 Claims Settlement Act (43 U.S.C. 1602)) for”;

1 (2) in subsection (b), by inserting “for any
2 grant awarded under subsection (a)” before the pe-
3 riod at the end; and

4 (3) in subsection (d)(1), by striking “2018”
5 and inserting “2023”.

6 **SEC. 6108. RURAL DECENTRALIZED WATER SYSTEMS.**

7 Section 306E of the Consolidated Farm and Rural
8 Development Act (7 U.S.C. 1926e) is amended—

9 (1) by striking the section heading and insert-
10 ing “**RURAL DECENTRALIZED WATER SYS-**
11 **TEMS**”;

12 (2) in subsection (a), by striking “100” and in-
13 serting “60”;

14 (3) in subsection (b)—

15 (A) in paragraph (1)—

16 (i) by inserting “and subgrants” after
17 “loans”; and

18 (ii) by inserting “and individually
19 owned household decentralized wastewater
20 systems” after “well systems”;

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

23 “(2) **TERMS AND AMOUNTS.**—

24 “(A) **TERMS OF LOANS.**—A loan made
25 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. INTEMEDIARY RELENDING PROGRAM.**

9 Section 310H of the Consolidated Farm and Rural
10 Development Act (7 U.S.C. 1936b) is amended—

11 (1) by redesignating subsection (e) as sub-
12 section (i);

13 (2) by inserting after subsection (d) the fol-
14 lowing:

15 “(e) LIMITATION ON LOAN AMOUNTS.—The max-
16 imum amount of a loan by an eligible entity described in
17 subsection (b) to individuals and entities for a project
18 under subsection (c), including the unpaid balance of any
19 existing loans, shall be the lesser of—

20 “(1) \$400,000; and

21 “(2) 50 percent of the loan to the eligible entity
22 under subsection (a).

23 “(f) APPLICATIONS.—

24 “(1) IN GENERAL.—To be eligible to receive a
25 loan or loan guarantee under subsection (a), an eli-

1 gible entity described in subsection (b) shall submit
2 to the Secretary an application at such time, in such
3 manner, and containing such information as the Sec-
4 retary may require.

5 “(2) EVALUATION.—In evaluating applications
6 submitted under paragraph (1), the Secretary
7 shall—

8 “(A)(i) take into consideration the previous
9 performance of an eligible entity in carrying out
10 projects under subsection (c); and

11 “(ii) in the case of satisfactory perform-
12 ance under clause (i), require the eligible entity
13 to contribute less equity for subsequent loans
14 without modifying the priority given to subse-
15 quent applications; and

16 “(B) in assigning priorities to applications,
17 require an eligible entity to demonstrate that it
18 has a governing or advisory board made up of
19 business, civic, and community leaders who are
20 representative of the communities of the service
21 area, without limitation to the size of the serv-
22 ice area.

23 “(g) RETURN OF EQUITY.—The Secretary shall es-
24 tablish a schedule that is consistent with the amortization
25 schedules of the portfolio of loans made or guaranteed

1 under subsection (a) for the return of any equity contribu-
2 tion made under this section by an eligible entity described
3 in subsection (b), if the eligible entity is—

4 “(1) current on all principal and interest pay-
5 ments; and

6 “(2) in compliance with loan covenants.

7 “(h) REGULATIONS.—The Secretary shall promul-
8 gate regulations and establish procedures reducing the ad-
9 ministrative requirements on eligible entities described in
10 subsection (b), including regulations to carry out the
11 amendments made to this section by the Agriculture Im-
12 provement Act of 2018.”; and

13 (3) in subsection (i) (as so redesignated), by
14 striking “2018” and inserting “2023”.

15 **SEC. 6115. SINGLE APPLICATION FOR BROADBAND.**

16 Section 331 of the Consolidated Farm and Rural De-
17 velopment Act (7 U.S.C. 1981) is amended by adding at
18 the end the following:

19 “(e) SINGLE APPLICATION FOR BROADBAND.—

20 “(1) IN GENERAL.—Subject to paragraphs (2)
21 and (3), notwithstanding any other provision of law,
22 broadband facilities and broadband service (as de-
23 fined in section 601(b) of the Rural Electrification
24 Act of 1936 (7 U.S.C. 950bb(b)), may be funded as
25 an incidental part of any grant, loan, or loan guar-

1 antee provided under this title or any other provision
2 of law administered by the Secretary, acting through
3 the rural development mission area.

4 “(2) LIMITATION.—Except as otherwise author-
5 ized by an Act of Congress, funding under para-
6 graph (1) shall not constitute more than 10 percent
7 of any loan for a fiscal year for any program under
8 this title or any other provision of law administered
9 by the Secretary, acting through the rural develop-
10 ment mission area.

11 “(3) COMPETITIVE HARM.—The Secretary shall
12 not provide funding under paragraph (1) if the fund-
13 ing would result in competitive harm to any existing
14 grant, loan, or loan guarantee described in that
15 paragraph.”.

16 **SEC. 6116. LOAN GUARANTEE LOAN FEES.**

17 (a) CERTAIN PROGRAMS UNDER CONSOLIDATED
18 FARM AND RURAL DEVELOPMENT ACT.—Section 333 of
19 the Consolidated Farm and Rural Development Act (7
20 U.S.C. 1983) is amended—

21 (1) in paragraph (5), by striking “and” at the
22 end;

23 (2) in paragraph (6)(E), by striking the period
24 at the end and inserting “; and”; and

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

1 “(7) in the case of an insured or guaranteed
2 loan issued or modified under section 306(a), charge
3 and collect from the lender fees in such amounts as
4 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 insured or guaranteed loans
10 for the fiscal year; is equal to

11 “(B) the amount of the costs of subsidies
12 for the insured or guaranteed loans for the fis-
13 cal year.”.

14 (b) RURAL BROADBAND PROGRAM.—Section 601(c)
15 of the Rural Electrification Act of 1936 (7 U.S.C.
16 950bb(c)) is amended by adding at the end the following:

17 “(3) FEES.—In the case of a loan guarantee
18 issued or modified under this section, the Secretary
19 shall charge and collect from the lender fees in such
20 amounts as are necessary such that—

21 “(A) the sum of—

22 “(i) the total amount of fees so
23 charged for each fiscal year; and

1 “(ii) the total of the amounts appro-
2 priated for the loan guarantees for the fis-
3 cal year; is equal to

4 “(B) the amount of the costs of subsidies
5 for the loan guarantees for the fiscal year.”.

6 **SEC. 6117. RURAL BUSINESS-COOPERATIVE SERVICE PRO-**
7 **GRAMS TECHNICAL ASSISTANCE AND TRAIN-**
8 **ING.**

9 The Consolidated Farm and Rural Development Act
10 is amended by inserting after section 366 (as added by
11 section 5304) the following:

12 **“SEC. 367. RURAL BUSINESS-COOPERATIVE SERVICE PRO-**
13 **GRAMS TECHNICAL ASSISTANCE AND TRAIN-**
14 **ING.**

15 “(a) IN GENERAL.—The Secretary may make grants
16 to public bodies, private nonprofit corporations, economic
17 development authorities, institutions of higher education,
18 federally recognized Indian Tribes, and rural cooperatives
19 for the purpose of providing or obtaining technical assist-
20 ance and training to support funding applications for pro-
21 grams carried out by the Secretary, acting through the
22 Administrator of the Rural Business-Cooperative Service.

23 “(b) PURPOSES.—A grant under subsection (a) may
24 be used—

1 “(1) to assist communities in identifying and
2 planning for business and economic development
3 needs;

4 “(2) to identify public and private resources to
5 finance business and small and emerging business
6 needs;

7 “(3) to prepare reports and surveys necessary
8 to request financial assistance for businesses in rural
9 communities; and

10 “(4) to prepare applications for financial assist-
11 ance.

12 “(c) SELECTION PRIORITY.—In selecting recipients
13 of grants under this section, the Secretary shall give pri-
14 ority to grants serving persistent poverty counties and
15 high poverty communities, as determined by the Secretary.

16 “(d) FUNDING.—

17 “(1) IN GENERAL.—There is authorized to be
18 appropriated to carry out this section \$5,000,000 for
19 each of fiscal years 2019 through 2023, to remain
20 available until expended.

21 “(2) AVAILABILITY.—Any amounts authorized
22 to be appropriated under paragraph (1) for any fis-
23 cal year that are not appropriated for that fiscal
24 year may be appropriated for any succeeding fiscal
25 year.”.

1 **SEC. 6118. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-**
2 **TERS.**

3 Section 379B(d) of the Consolidated Farm and Rural
4 Development Act (7 U.S.C. 2008p(d)) is amended by
5 striking “2018” and inserting “2023”.

6 **SEC. 6119. RURAL MICROENTREPRENEUR ASSISTANCE**
7 **PROGRAM.**

8 Section 379E of the Consolidated Farm and Rural
9 Development Act (7 U.S.C. 2008s) is amended—

10 (1) in subsection (b)(4)(B)(ii)—

11 (A) in the clause heading, by striking
12 “MAXIMUM AMOUNT” and inserting “AMOUNT”;

13 (B) by inserting “not less than 20 percent
14 and” before “not more than 25 percent”; and

15 (C) by striking the period at the end and
16 inserting the following: “, subject to—

17 “(I) satisfactory performance by
18 the microenterprise development orga-
19 nization under this section, and

20 “(II) the availability of fund-
21 ing.”; and

22 (2) in subsection (d)(2)—

23 (A) by striking “\$40,000,000” and insert-
24 ing “\$20,000,000”; and

25 (B) by striking “2009 through 2018” and
26 inserting “2019 through 2023”.

1 **SEC. 6120. HEALTH CARE SERVICES.**

2 Section 379G(e) of the Consolidated Farm and Rural
3 Development Act (7 U.S.C. 2008u(e)) is amended by
4 striking “2018” and inserting “2023”.

5 **SEC. 6121. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.**

6
7 Section 379H of the Consolidated Farm and Rural
8 Development Act (7 U.S.C. 2008v) is amended to read
9 as follows:

10 **“SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.**

11
12 “(a) IN GENERAL.—In the case of any program
13 under this title or administered by the Secretary, acting
14 through the rural development mission area, as determined by the Secretary (referred to in this section as a
15 ‘covered program’), the Secretary shall give priority to an
16 application for a project that, as determined and approved
17 by the Secretary—

18
19 “(1) meets the applicable eligibility requirements of this title or the other applicable authorizing law;

20
21 “(2) will be carried out in a rural area; and

22
23 “(3) supports the implementation of a strategic
24 community investment plan described in subsection
25 (d) on a multisectoral and multijurisdictional basis,

1 to include considerations for improving and expand-
2 ing broadband services as needed.

3 “(b) RESERVE.—

4 “(1) IN GENERAL.—Subject to paragraph (2),
5 the Secretary shall reserve not more than 10 percent
6 of the funds made available for a fiscal year for cov-
7 ered programs for projects that support the imple-
8 mentation of a strategic community investment plan
9 described in subsection (d) on a multisectoral and
10 multijurisdictional basis.

11 “(2) PERIOD.—Any funds reserved under para-
12 graph (1) shall only be reserved for the 1-year pe-
13 riod beginning on the date on which the funds were
14 first made available, as determined by the Secretary.

15 “(c) APPROVED APPLICATIONS.—

16 “(1) IN GENERAL.—Subject to paragraph (2),
17 any applicant who submitted an application under a
18 covered program that was approved before the date
19 of enactment of this section may amend the applica-
20 tion to qualify for the funds reserved under sub-
21 section (b).

22 “(2) RURAL UTILITIES.—Any applicant who
23 submitted an application under paragraph (2), (14),
24 or (24) of section 306(a), or section 306A or
25 310B(b), that was approved by the Secretary before

1 the date of enactment of this section shall be eligible
2 for the funds reserved under subsection (b)—

3 “(A) on the same basis as an application
4 submitted under this section; and

5 “(B) until September 30, 2019.

6 “(d) STRATEGIC COMMUNITY INVESTMENT PLANS.—

7 “(1) IN GENERAL.—The Secretary shall provide
8 assistance to rural communities in developing stra-
9 tegic community investment plans.

10 “(2) PLANS.—A strategic community invest-
11 ment plan described in paragraph (1) shall include—

12 “(A) a variety of activities designed to fa-
13 cilitate the vision of a rural community for the
14 future, including considerations for improving
15 and expanding broadband services as needed;

16 “(B) participation by multiple stake-
17 holders, including local and regional partners;

18 “(C) leverage of applicable regional re-
19 sources;

20 “(D) investment from strategic partners,
21 such as—

22 “(i) private organizations;

23 “(ii) cooperatives;

24 “(iii) other government entities;

25 “(iv) Indian Tribes; and

1 “(v) philanthropic organizations;
2 “(E) clear objectives with the ability to es-
3 tablish measurable performance metrics;
4 “(F) action steps for implementation; and
5 “(G) any other elements necessary to en-
6 sure that the plan results in a comprehensive
7 and strategic approach to rural economic devel-
8 opment, as determined by the Secretary.

9 “(3) COORDINATION.—The Secretary shall co-
10 ordinate with Indian Tribes and local, State, re-
11 gional, and Federal partners to develop strategic
12 community investment plans under this subsection.

13 “(4) AUTHORIZATION OF APPROPRIATIONS.—
14 There is authorized to be appropriated to carry out
15 this subsection \$5,000,000 for each of fiscal years
16 2019 through 2023, to remain available until ex-
17 pended.”.

18 **SEC. 6122. DELTA REGIONAL AUTHORITY.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
20 382M(a) of the Consolidated Farm and Rural Develop-
21 ment Act (7 U.S.C. 2009aa–12(a)) is amended by striking
22 “2018” and inserting “2023”.

23 (b) TERMINATION OF AUTHORITY.—Section 382N of
24 the Consolidated Farm and Rural Development Act (7

1 U.S.C. 2009aa–13) is amended by striking “2018” and
2 inserting “2023”.

3 **SEC. 6123. RURAL BUSINESS INVESTMENT PROGRAM.**

4 Section 384S of the Consolidated Farm and Rural
5 Development Act (7 U.S.C. 2009cc–18) is amended by
6 striking “2018” and inserting “2023”.

7 **Subtitle B—Rural Electrification**
8 **Act of 1936**

9 **SEC. 6201. ELECTRIC LOAN REFINANCING.**

10 Section 2(a) of the Rural Electrification Act of 1936
11 (7 U.S.C. 902(a)) is amended by inserting “or refinance”
12 after “to make”.

13 **SEC. 6202. 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 (3) in the sixth sentence, by striking “nor shall
2 such loan” and all that follows through “writing)”
3 and inserting “and”.

4 **SEC. 6203. CUSHION OF CREDIT PAYMENTS PROGRAM.**

5 (a) IN GENERAL.—Section 313 of the Rural Elec-
6 trification Act of 1936 (7 U.S.C. 940c) is amended—

7 (1) in subsection (a)—

8 (A) by redesignating paragraphs (2) and
9 (3) as paragraphs (3) and (4), respectively;

10 (B) by inserting after paragraph (1) the
11 following:

12 “(2) TERMINATION OF DEPOSIT AUTHORITY.—
13 Effective October 1, 2018, no deposits may be made
14 under paragraph (1).”; and

15 (C) in paragraph (3) (as so designated), by
16 striking “borrower at a rate of 5 percent per
17 annum.” and inserting the following: “bor-
18 rower—

19 “(A) for each fiscal year through fiscal
20 year 2018, at a rate of 5 percent; and

21 “(B) for fiscal year 2019 and each fiscal
22 year thereafter, at a rate equal to—

23 “(i) the average interest rate used to
24 make payments on the 5-year Treasury

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. 6204. 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 inserting “rural utility infrastructure” after “to
25 make”; and

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

2 “(2) TERMS.—A bond or note guaranteed
3 under this section shall, by agreement between the
4 Secretary and the borrower—

5 “(A) be for a term of 30 years (or another
6 term of years that the Secretary determines is
7 appropriate); and

8 “(B) be repaid by the borrower—

9 “(i) in periodic installments of prin-
10 cipal and interest;

11 “(ii) in periodic installments of inter-
12 est and, at the end of the term of the bond
13 or note, as applicable, by the repayment of
14 the outstanding principal; or

15 “(iii) through a combination of the
16 methods described in clauses (i) and (ii).”;

17 (2) in subsection (b)—

18 (A) in paragraph (1), by striking “elec-
19 trification” and all that follows through the pe-
20 riod at the end and inserting “purposes de-
21 scribed in subsection (a)(1).”;

22 (B) by striking paragraph (2);

23 (C) by redesignating paragraphs (3) and
24 (4) as paragraphs (2) and (3), respectively; and

1 (D) in paragraph (2) (as so redesignated)—
2

3 (i) in subparagraph (A), by striking
4 “for electrification or telephone purposes”
5 and inserting “for eligible purposes described in subsection (a)(1)”; and
6

7 (ii) in subparagraph (C), by striking
8 “subsection (a)” and inserting “subsection
9 (a)(1)”; and

10 (3) in subsection (f), by striking “2018” and
11 inserting “2023”.

12 (b) ADMINISTRATION.—Beginning on the date of enactment of the Agriculture Improvement Act of 2018, the
13 Secretary shall continue to carry out section 313A of the
14 Rural Electrification Act of 1936 (7 U.S.C. 940c–1) (as
15 amended by subsection (a)) under a Notice of Solicitation
16 of Applications until the date on which any regulations
17 necessary to carry out the amendments made by subsection (a) are fully implemented.
18
19

20 **SEC. 6205. ACCESS TO BROADBAND TELECOMMUNICATIONS**
21 **SERVICES IN RURAL AREAS.**

22 Section 601 of the Rural Electrification Act of 1936
23 (7 U.S.C. 950bb) is amended—

24 (1) in subsection (a), by striking “loans and”
25 and inserting “grants, loans, and”;

1 (2) in subsection (c)—

2 (A) in the subsection heading, by striking
3 “LOANS AND” and inserting “GRANTS, LOANS,
4 AND”;

5 (B) in paragraph (1), by inserting “make
6 grants and” after “Secretary shall”;

7 (C) by striking paragraph (2) and insert-
8 ing the following:

9 “(2) PRIORITY.—

10 “(A) IN GENERAL.—In making grants,
11 loans, or loan guarantees under paragraph (1),
12 the Secretary shall—

13 “(i) give the highest priority to appli-
14 cations for projects to provide broadband
15 service to unserved rural communities that
16 do not have any residential broadband
17 service;

18 “(ii) give priority to applications for
19 projects to provide the maximum level of
20 broadband service to the greatest propor-
21 tion of rural households in the proposed
22 service area identified in the application;

23 “(iii) give priority to applications for
24 projects to provide rapid and expanded de-
25 ployment of fixed and mobile broadband on

1 cropland and ranchland within a service
2 territory for use in various applications of
3 precision agriculture;

4 “(iv) provide equal consideration to all
5 eligible entities, including those that have
6 not previously received grants, loans, or
7 loan guarantees under paragraph (1); and

8 “(v) with respect to 2 or more appli-
9 cations that are given the same priority
10 under clause (i), give priority to an appli-
11 cation that requests less grant funding
12 than loan funding.

13 “(B) OTHER.—After giving priority to the
14 applications described in clauses (i) and (ii) of
15 subparagraph (A), the Secretary shall then give
16 priority to applications—

17 “(i) for projects to provide broadband
18 service to rural communities—

19 “(I) with a population of less
20 than 10,000 permanent residents;

21 “(II) that are experiencing out-
22 migration and have adopted a stra-
23 tegic community investment plan
24 under section 379H(d) that includes

1 considerations for improving and ex-
2 panding broadband service;

3 “(III) with a high percentage of
4 low income families or persons (as de-
5 fined in section 501(b) of the Housing
6 Act of 1949 (42 U.S.C. 1471(b)); or

7 “(IV) that are isolated from
8 other significant population centers;
9 and

10 “(ii) that were developed with the par-
11 ticipation of, and will receive a substantial
12 portion of the funding for the project from,
13 1 or more stakeholders, including—

14 “(I) State, local, and tribal gov-
15 ernments;

16 “(II) nonprofit institutions;

17 “(III) community anchor institu-
18 tions, such as—

19 “(aa) public libraries;

20 “(bb) elementary schools
21 and secondary schools (as defined
22 in section 8101 of the Elemen-
23 tary and Secondary Education
24 Act of 1965 (20 U.S.C. 7801));

1 “(cc) institutions of higher
2 education; and

3 “(dd) health care facilities;

4 “(IV) private entities; and

5 “(V) philanthropic organizations.

6 “(C) IDENTIFICATION OF UNSERVED COM-
7 MUNITIES.—

8 “(i) IN GENERAL.—In the case of an
9 application given the highest priority under
10 subparagraph (A)(i), the Secretary shall
11 confirm that each unserved rural commu-
12 nity identified in the application is eligible
13 for funding by—

14 “(I) conferring with and obtain-
15 ing data from the Chair of the Fed-
16 eral Communications Commission and
17 the Administrator of the National
18 Telecommunications and Information
19 Administration with respect to the
20 service level in the service area pro-
21 posed in the application;

22 “(II) reviewing any other source
23 that is relevant to service data valida-
24 tion, as determined by the Secretary;
25 and

1 “(B) ELIGIBILITY.—To be eligible for a
2 grant under this section, the project that is the
3 subject of the grant shall be carried out in a
4 rural area.

5 “(C) MAXIMUM.—Except as provided in
6 subparagraph (D), the amount of any grant
7 made under this section shall not exceed 50
8 percent of the development costs of the project
9 for which the grant is provided.

10 “(D) SECRETARIAL AUTHORITY TO AD-
11 JUST.—The Secretary may make grants of up
12 to 75 percent of the development costs of the
13 project for which the grant is provided to an el-
14 igible entity if the Secretary determines that
15 the project serves—

16 “(i) an area of rural households de-
17 scribed in paragraph (2)(A)(ii); and

18 “(ii) a rural community described in
19 any of subclauses (I) through (IV) of para-
20 graph (2)(B)(i).”;

21 (3) in subsection (d)—

22 (A) in paragraph (1)—

23 (i) in subparagraph (A)—

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1 (I) in the matter preceding clause

2 (i), by striking “loan or” and insert-

3 ing “grant, loan, or”;

4 (II) in clause (ii), by striking “a

5 loan application” and inserting “an

6 application”; and

7 (III) in clause (iii)—

8 (aa) by striking “service”

9 and inserting “infrastructure”;

10 (bb) by striking “loan” the

11 first place it appears;

12 (cc) by striking “3” and in-

13 serting “5”; and

14 (dd) by striking “proceeds

15 from the loan made or guaran-

16 teed under this section are” and

17 inserting “assistance under this

18 section is”; and

19 (ii) by adding at the end the fol-

20 lowing:

21 “(C) RELATION TO UNIVERSAL SERVICE

22 HIGH-COST SUPPORT.—The Secretary shall co-

23 ordinate with the Federal Communications

24 Commission to ensure that any grants, loans, or

25 loan guarantees made under this section com-

1 plement and do not conflict with universal serv-
2 ice high-cost support (as defined in section 54.5
3 of title 47, Code of Federal Regulations, or any
4 successor regulation) provided by the Commis-
5 sion.”;

6 (B) in paragraph (2)—

7 (i) in subparagraph (A)—

8 (I) in the matter preceding clause

9 (i)—

10 (aa) by striking “the pro-
11 ceeds of a loan made or guaran-
12 teed” and inserting “assistance”;
13 and

14 (bb) by striking “for the
15 loan or loan guarantee” and in-
16 serting “of the eligible entity”;

17 (II) in clause (i)—

18 (aa) by striking “15” and
19 inserting “90”; and

20 (bb) by striking “level of
21 broadband service” and inserting
22 “level of fixed broadband service,
23 whether terrestrial or wireless,”;
24 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 “(l) 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. 6206. 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-

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. 6207. 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 6206) 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. 6208. 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 **Subtitle C—Miscellaneous**

20 **SEC. 6301. DISTANCE LEARNING AND TELEMEDICINE.**

21 (a) SUBSTANCE USE DISORDER TREATMENT SERV-
22 ICES.—Section 2333(c) of the Food, Agriculture, Con-
23 servation, and Trade Act of 1990 (7 U.S.C. 950aaa–2(e))
24 is amended by adding at the end the following:

1 “(5) SUBSTANCE USE DISORDER TREATMENT
2 SERVICES.—

3 “(A) IN GENERAL.—Subject to subpara-
4 graph (B), the Secretary shall make available
5 not less than 20 percent of amounts made
6 available under section 2335A for financial as-
7 sistance under this chapter for substance use
8 disorder treatment services.

9 “(B) EXCEPTION.—In the case of a fiscal
10 year for which the Secretary determines that
11 there are not sufficient qualified applicants to
12 receive financial assistance for substance use
13 disorder treatment services to reach the 20-per-
14 cent requirement under subparagraph (A), the
15 Secretary may make available less than 20 per-
16 cent of amounts made available under section
17 2335A for those services.”.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
19 2335A of the Food, Agriculture, Conservation, and Trade
20 Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking
21 “2018” and inserting “2023”.

22 (c) CONFORMING AMENDMENT.—Section 1(b) of
23 Public Law 102–551 (7 U.S.C. 950aaa note) is amended
24 by striking “2018” and inserting “2023”.

1 **SEC. 6302. RURAL ENERGY SAVINGS PROGRAM.**

2 Section 6407 of the Farm Security and Rural Invest-
3 ment Act of 2002 (7 U.S.C. 8107a) is amended—

4 (1) in subsection (b)(2), by striking “effi-
5 ciency.” and inserting “efficiency (including cost-ef-
6 fective on- or off-grid renewable energy or energy
7 storage systems).”;

8 (2) in subsection (c)—

9 (A) by redesignating paragraphs (4)
10 through (7) as paragraphs (5) through (8), re-
11 spectively;

12 (B) by inserting after paragraph (3) the
13 following:

14 “(4) ELIGIBILITY FOR OTHER LOANS.—The
15 Secretary shall not include any debt incurred by a
16 borrower under this section in the calculation of the
17 debt-equity ratio of the borrower for purposes of eli-
18 gibility for loans under the Rural Electrification Act
19 of 1936 (7 U.S.C. 901 et seq.).”;

20 (C) in subparagraph (B) of paragraph (5)
21 (as so redesignated), by striking “(6)” and in-
22 serting “(7)”; and

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

24 “(9) ACCOUNTING.—The Secretary shall take
25 appropriate steps to streamline the accounting re-
26 quirements on borrowers under this section while

1 maintaining adequate assurances of the repayment
2 of the loans.”;

3 (3) in subsection (d)(1)(A), by striking “3 per-
4 cent” and inserting “6 percent”;

5 (4) by redesignating subsection (h) as sub-
6 section (i);

7 (5) by inserting after subsection (g) the fol-
8 lowing:

9 “(h) PUBLICATION.—Not later than 120 days after
10 the end of each fiscal year, the Secretary shall publish a
11 description of—

12 “(1) the number of applications received under
13 this section for that fiscal year;

14 “(2) the number of loans made to eligible enti-
15 ties under this section for that fiscal year; and

16 “(3) the recipients of the loans described in
17 paragraph (2).”; and

18 (6) in subsection (i) (as so redesignated), by
19 striking “2018” and inserting “2023”.

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 which, not less frequently than once every
2 2 years, the Secretary shall conduct a re-
3 view to ensure that each NLGCA Institu-
4 tion is in compliance with this paragraph.

5 “(ii) NONCOMPLIANCE.—Any NLGCA
6 Institution that the Secretary determines
7 under a review under clause (i) is not in
8 compliance with this paragraph shall be re-
9 moved as a designated NLGCA Institu-
10 tion.”.

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, eligible institutions under
12 this section.”.

13 **SEC. 7115. REPORT ON AGRICULTURAL RESEARCH AT 1890**
14 **LAND-GRANT COLLEGES, INCLUDING**
15 **TUSKEGEE UNIVERSITY.**

16 Section 1445 of the National Agricultural Research,
17 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
18 3222) is amended by adding at the end the following:

19 “(i) REPORT.—The Secretary shall annually submit
20 to Congress a report describing the allocations made to,
21 and matching funds received by, eligible institutions under
22 this section.”.

1 **SEC. 7116. GRANTS TO UPGRADE AGRICULTURAL AND**
2 **FOOD SCIENCES FACILITIES AT 1890 LAND-**
3 **GRANT COLLEGES, INCLUDING TUSKEGEE**
4 **UNIVERSITY.**

5 Section 1447(b) of the National Agricultural Re-
6 search, Extension, and Teaching Policy Act of 1977 (7
7 U.S.C. 3222b(b)) is amended by striking “2018” and in-
8 serting “2023”.

9 **SEC. 7117. GRANTS TO UPGRADE AGRICULTURE AND FOOD**
10 **SCIENCES FACILITIES AND EQUIPMENT AT**
11 **INSULAR AREA LAND-GRANT INSTITUTIONS.**

12 Section 1447B(d) of the National Agricultural Re-
13 search, Extension, and Teaching Policy Act of 1977 (7
14 U.S.C. 3222b–2(d)) is amended by striking “2018” and
15 inserting “2023”.

16 **SEC. 7118. NEW BEGINNING FOR TRIBAL STUDENTS.**

17 Subtitle G of the National Agricultural Research, Ex-
18 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3221
19 et seq.) is amended by adding at the end the following:
20 **“SEC. 1450. NEW BEGINNING FOR TRIBAL STUDENTS.**

21 “(a) DEFINITION OF TRIBAL STUDENT.—In this sec-
22 tion, the term ‘Tribal student’ means a student at a land-
23 grant college or university that is a member of an Indian
24 tribe (as defined in section 4 of the Indian Self-Deter-
25 mination and Education Assistance Act (25 U.S.C.
26 5304)).

1 “(b) NEW BEGINNING INITIATIVE.—

2 “(1) AUTHORIZATION.—The Secretary may
3 make competitive grants to land-grant colleges and
4 universities to provide identifiable support specifi-
5 cally targeted for Tribal students.

6 “(2) APPLICATION.—A land-grant college or
7 university that desires to receive a grant under this
8 section shall submit an application to the Secretary
9 at such time, in such manner, and accompanied by
10 such information as the Secretary may require.

11 “(3) USE OF FUNDS.—A land-grant college or
12 university that receives a grant under this section
13 shall use the grant funds to support Tribal students
14 through—

15 “(A) recruiting;

16 “(B) tuition and related fees;

17 “(C) experiential learning; and

18 “(D) student services, including—

19 “(i) tutoring;

20 “(ii) counseling;

21 “(iii) academic advising; and

22 “(iv) other student services that would
23 increase the retention and graduation rate
24 of Tribal students enrolled at the land-

1 grant college or university, as determined
2 by the Secretary.

3 “(4) MATCHING FUNDS.—A land-grant college
4 or university that receives a grant under this section
5 shall provide matching funds toward the cost of car-
6 rying out the activities described in this section in
7 an amount equal to not less than 100 percent of the
8 grant award.

9 “(5) MAXIMUM AMOUNT PER STATE.—No State
10 shall receive, through grants made under this section
11 to land-grant colleges and universities located in the
12 State, more than \$500,000 per year.

13 “(c) REPORT.—Not later than 3 years after the date
14 of enactment of this section, the Secretary shall submit
15 to the Committee on Agriculture of the House of Rep-
16 resentatives and the Committee on Agriculture, Nutrition,
17 and Forestry and the Committee on Indian Affairs of the
18 Senate a report that includes an itemized list of grant
19 funds distributed under this section, including the specific
20 form of assistance, and the number of Tribal students as-
21 sisted and the graduation rate of Tribal students at land-
22 grant colleges and universities receiving grants under this
23 section.

1 “(d) AUTHORIZATION OF APPROPRIATION.—There is
2 authorized to be appropriated to carry out this section
3 \$5,000,000 for each of fiscal years 2019 through 2023.”.

4 **SEC. 7119. HISPANIC-SERVING INSTITUTIONS.**

5 Section 1455(c) of the National Agricultural Re-
6 search, Extension, and Teaching Policy Act of 1977 (7
7 U.S.C. 3241(c)) is amended by striking “2018” and in-
8 serting “2023”.

9 **SEC. 7120. BINATIONAL AGRICULTURAL RESEARCH AND**
10 **DEVELOPMENT.**

11 Section 1458(e) of the National Agricultural Re-
12 search, Extension, and Teaching Policy Act of 1977 (7
13 U.S.C. 3291(e)) is amended—

14 (1) in the subsection heading, by striking
15 “FULL PAYMENT OF FUNDS MADE AVAILABLE FOR
16 CERTAIN” and inserting “CERTAIN” ;

17 (2) by striking “Notwithstanding” and insert-
18 ing the following:

19 “(1) FULL PAYMENT OF FUNDS.—Notwith-
20 standing”;

21 (3) in paragraph (1) (as so designated)—

22 (A) by striking “Israel-United States” and
23 inserting “United States-Israel”; and

1 (B) by inserting “(referred to in this sub-
2 section as the ‘BARD Fund’)” after “Develop-
3 ment Fund”; and

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

5 “(2) **ACTIVITIES.**—Activities under the BARD
6 Fund to promote and support agricultural research
7 and development that are of mutual benefit to the
8 United States and Israel shall—

9 “(A) be carried out by the Secretary in a
10 manner consistent with this section;

11 “(B) accelerate the demonstration, devel-
12 opment, and application of agricultural solu-
13 tions resulting from or relating to BARD Fund
14 programs, including BARD Fund-sponsored re-
15 search and innovations in drip irrigation, pes-
16 ticides, aquaculture, livestock, poultry, disease
17 control, and farm equipment; and

18 “(C) encourage research carried out by
19 governmental, nongovernmental, and private en-
20 tities, including through collaboration with col-
21 leges and universities, research institutions, and
22 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. REPEAL OF NEW ERA RURAL TECHNOLOGY PRO-**
14 **GRAM.**

15 Section 1473E of the National Agricultural Research,
16 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
17 3319e) is repealed.

18 **SEC. 7127. CAPACITY BUILDING GRANTS FOR NLGCA INSTI-**
19 **TUTIONS.**

20 Section 1473F(b) of the National Agricultural Re-
21 search, Extension, and Teaching Policy Act of 1977 (7
22 U.S.C. 3319i(b)) is amended by striking “2018” and in-
23 serting “2023”.

1 **SEC. 7128. AGRICULTURE ADVANCED RESEARCH AND DE-**
2 **VELOPMENT AUTHORITY.**

3 Subtitle K of the National Agricultural Research, Ex-
4 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3310
5 et seq.) is amended by adding at the end the following:

6 **“SEC. 1473H. AGRICULTURE ADVANCED RESEARCH AND DE-**
7 **VELOPMENT AUTHORITY.**

8 “(a) PURPOSE.—The purpose of this section is to ex-
9 amine the efficacy and applicability of authority for the
10 advanced research and development of agriculture and
11 food research through a focused pilot program targeting
12 the research needs relating to qualified products and
13 projects, agricultural technologies, and research tools.

14 “(b) DEFINITIONS.—In this section:

15 “(1) ADVANCED RESEARCH AND DEVELOP-
16 MENT.—The term ‘advanced research and develop-
17 ment’ means research and development activities
18 used to overcome long-term and high-risk research
19 challenges in agriculture and food through—

20 “(A) targeted acceleration of novel, early
21 stage innovative agricultural research with
22 promising technology applications and products;
23 or

24 “(B) development of qualified products and
25 projects, agricultural technologies, or innovative
26 research tools, which may include—

1 “(i) prototype testing, preclinical de-
2 velopment, or field experimental use;

3 “(ii) determining and assisting with
4 product approval, clearance, or need for a
5 license under—

6 “(I) the Animal Health Protec-
7 tion Act (7 U.S.C. 8301 et seq.);

8 “(II) the Plant Protection Act (7
9 U.S.C. 7701 et seq.); or

10 “(III) other applicable law; or

11 “(iii) manufacturing and commer-
12 cialization of a product.

13 “(2) AGARDA.—The term ‘AGARDA’ means
14 the Agriculture Advanced Research and Develop-
15 ment Authority established by subsection (d)(1).

16 “(3) AGRICULTURAL TECHNOLOGY.—The term
17 ‘agricultural technology’ means machinery or equip-
18 ment engineered with an applicable use in agri-
19 culture and food.

20 “(4) FUND.—The term ‘Fund’ means the Agri-
21 culture Advanced Research and Development Fund
22 established by subsection (e)(1).

23 “(5) PERSON.—The term ‘person’ means—

24 “(A) an individual;

25 “(B) a partnership;

1 “(C) a corporation;

2 “(D) an association;

3 “(E) an entity;

4 “(F) a public or private corporation;

5 “(G) a Federal, State, or local government
6 agency or department; and

7 “(H) an institution of higher education, in-
8 cluding a land-grant college or university and a
9 non-land-grant college of agriculture.

10 “(6) QUALIFIED PRODUCT OR PROJECT.—The
11 term ‘qualified product or project’ means advanced
12 research and development of—

13 “(A) engineering, mechanization, or tech-
14 nology improvements that will address chal-
15 lenges relating to growing, harvesting, handling,
16 and packing agricultural products;

17 “(B) plant disease or plant pest recovery
18 countermeasures to intentional or unintentional
19 biological threats, including—

20 “(i) replacement-resistant plant
21 cultivars or varieties;

22 “(ii) other enhanced management
23 strategies, including novel chemical, bio-
24 logical, or cultural approaches; or

1 “(iii) diagnostic or surveillance tech-
2 nology; and

3 “(C) veterinary countermeasures to inten-
4 tional or unintentional biological threats, in-
5 cluding—

6 “(i) animal vaccine, antiviral, or
7 therapeutic products; or

8 “(ii) diagnostic or surveillance tech-
9 nology.

10 “(7) RESEARCH TOOL.—The term ‘research
11 tool’ means a device, technology, procedure, biologi-
12 cal material, reagent, computer system, computer
13 software, or analytical technique that is developed to
14 assist in the discovery, development, or manufacture
15 of a qualified product or project.

16 “(c) STRATEGIC PLAN.—

17 “(1) IN GENERAL.—Not later than 180 days
18 after the date of enactment of this section, and an-
19 nually thereafter, the Secretary shall develop and
20 make publically available a strategic plan describing
21 the strategic vision that the AGARDA shall use—

22 “(A) to make determinations for future in-
23 vestments during the period of effectiveness of
24 this section; and

1 “(B) to achieve the goals described in sub-
2 paragraphs (A) and (B) of subsection (d)(2).

3 “(2) DISSEMINATION.—The Secretary shall
4 carry out such activities as the Secretary determines
5 to be appropriate to disseminate the information
6 contained in the strategic plan under paragraph (1)
7 to persons who may have the capacity to substan-
8 tially contribute to the activities described in that
9 strategic plan.

10 “(3) COORDINATION; CONSULTATION.—The
11 Secretary shall—

12 “(A) update and coordinate the strategic
13 coordination plan under section 221(d) of the
14 Department of Agriculture Reorganization Act
15 of 1994 with the strategic plan developed under
16 paragraph (1) for activities relating to agri-
17 culture and food defense countermeasure devel-
18 opment and procurement; and

19 “(B) in developing the strategic plan under
20 paragraph (1), consult with—

21 “(i) the National Agricultural Re-
22 search, Extension, Education, and Eco-
23 nomics Advisory Board established under
24 section 1408(a);

1 “(ii) the specialty crops committee es-
2 tablished under section 1408A(a)(1);

3 “(iii) relevant agriculture research
4 agencies of the Federal Government;

5 “(iv) the National Academies of
6 Sciences, Engineering, and Medicine; and

7 “(v) other appropriate parties, as de-
8 termined by the Secretary

9 “(d) AGRICULTURE ADVANCED RESEARCH AND DE-
10 VELOPMENT AUTHORITY.—

11 “(1) ESTABLISHMENT.—There is established
12 within the Department of Agriculture the Agri-
13 culture Advanced Research and Development Au-
14 thority to overcome the long-term and high-risk
15 challenges in the development of—

16 “(A) qualified products and projects;

17 “(B) agricultural technologies; and

18 “(C) research tools.

19 “(2) GOALS.—The goals of the AGARDA are—

20 “(A) to enhance the economic viability and
21 security of agriculture to ensure that the
22 United States is competitive and maintains a
23 technological lead globally; and

24 “(B) to develop and deploy advanced solu-
25 tions to prevent, prepare, and protect against

1 groups to demonstrate the operation and effec-
2 tiveness of advanced research and development
3 of qualified products and projects;

4 “(E) conducting ongoing searches for, and
5 support calls for, potential advanced research
6 and development of agricultural technology,
7 qualified products and projects, and research
8 tools;

9 “(F) awarding grants and entering into
10 contracts and cooperative agreements for ad-
11 vanced research and development of agricultural
12 technology, qualified products and projects, and
13 research tools;

14 “(G) establishing issue-based multidisci-
15 plinary discovery teams to reduce the time and
16 cost of solving specific problems that—

17 “(i) are composed of representatives
18 from Federal and State agencies, profes-
19 sional groups, academia, and industry;

20 “(ii) seek novel and effective solutions;
21 and

22 “(iii) encourage data sharing and
23 translation of research to field use; and

24 “(H) connecting interested persons with
25 offices or employees authorized by the Secretary

1 to advise those persons regarding requirements
2 under relevant laws that impact the develop-
3 ment, commercialization, and technology trans-
4 fer of a qualified product or project.

5 “(5) PRIORITY.—In awarding grants and enter-
6 ing into contracts and cooperative agreements under
7 paragraph (4)(F), the Secretary shall give priority to
8 projects that accelerate the advanced research and
9 development of—

10 “(A) new technologies to address critical
11 research needs for specialty crops; and

12 “(B) qualified products and projects that
13 prevent, protect, and prepare against inten-
14 tional and unintentional threats to agriculture
15 and food.

16 “(6) PROCEDURES; PAYMENTS.—

17 “(A) EXPEDITED PROCEDURES.—

18 “(i) IN GENERAL.—In awarding
19 grants and entering into contracts and co-
20 operative agreements under paragraph
21 (4)(F), the Secretary may establish—

22 “(I) expedited procurement pro-
23 cedures;

24 “(II) a procedure to expedite
25 peer review; and

1 “(III) a procedure to enter into
2 personal services contracts.

3 “(ii) AVAILABILITY OF DATA.—The
4 Secretary shall require that, as a condition
5 of being awarded a contract or grant or
6 entering into a cooperative agreement
7 under paragraph (4)(F), a person shall
8 make available to the Secretary on an on-
9 going basis, and submit to the Secretary
10 on request of the Secretary, all data relat-
11 ing to or resulting from the activities car-
12 ried out by the person pursuant to this
13 section.

14 “(B) MILESTONE-BASED PAYMENTS AL-
15 LOWED.—In awarding contracts and grants and
16 entering into cooperative agreements under
17 paragraph (4)(F), the Secretary may—

18 “(i) use milestone-based awards and
19 payments; and

20 “(ii) terminate a project for not meet-
21 ing technical milestones.

22 “(7) PERSONNEL AUTHORITIES.—

23 “(A) SPECIALLY QUALIFIED SCIENTIFIC
24 AND PROFESSIONAL PERSONNEL.—

1 “(i) IN GENERAL.—In addition to any
2 other personnel authorities, the Secretary
3 may—

4 “(I) without regard to sections
5 3309 through 3319 of title 5, United
6 States Code, and other provisions
7 under that title governing appoint-
8 ments in the competitive service, ap-
9 point highly qualified individuals to
10 scientific or professional positions in
11 the AGARDA such as program man-
12 agers, to carry out this section; and

13 “(II) compensate individuals ap-
14 pointed under subclause (I) in the
15 same manner and subject to the same
16 terms and conditions in which individ-
17 uals appointed under section 9903 of
18 that title are compensated, without re-
19 gard to the provisions of chapter 51
20 and subchapter III of chapter 53 of
21 that title relating to classification and
22 General Schedule pay rates.

23 “(ii) TERM OF APPOINTMENT.—The
24 term limitations described in section
25 9903(c) of title 5, United States Code,

1 shall apply to appointments under this
2 subparagraph, except that the references
3 to the ‘Secretary’ and to the ‘Department
4 of Defense’s national security missions’
5 shall be deemed to be to the Secretary of
6 Agriculture and to the mission of the De-
7 partment of Agriculture under this section.

8 “(B) SPECIAL CONSULTANTS.—In carrying
9 out this section, the Secretary may appoint spe-
10 cial consultants.

11 “(C) REPORT.—The Secretary shall sub-
12 mit to Congress a biennial report describing the
13 implementation of this paragraph.

14 “(8) REPORT AND EVALUATION.—

15 “(A) REPORT.—The Secretary shall sub-
16 mit to the Committee on Agriculture of the
17 House of Representatives and the Committee
18 on Agriculture, Nutrition, and Forestry of the
19 Senate an annual report examining the actions
20 undertaken and results generated by the
21 AGARDA.

22 “(B) EVALUATION.—After the date on
23 which the AGARDA has been in operation for
24 3 years, the Chief Scientist shall offer to enter
25 into a contract with the National Academy of

1 Sciences under which the National Academy of
2 Sciences shall conduct an evaluation—

3 “(i) to be completed and submitted to
4 the Committee on Agriculture of the House
5 of Representatives and the Committee on
6 Agriculture, Nutrition, and Forestry of the
7 Senate not later than 1 year after the date
8 of entry into the contract;

9 “(ii) describing the extent to which
10 the AGARDA is achieving the goals de-
11 scribed in subparagraphs (A) and (B) of
12 paragraph (2); and

13 “(iii) including a recommendation of
14 the National Academy of Sciences on
15 whether the AGARDA should be contin-
16 ued, terminated, or expanded.

17 “(e) FUND.—

18 “(1) ESTABLISHMENT.—There is established in
19 the Treasury the Agriculture Advanced Research
20 and Development Fund, which shall be administered
21 by the Chief Scientist for the purpose of advanced
22 research and development of qualified products and
23 projects, agricultural technology, and research tools
24 under this section.

1 “(2) FUNDING.—In addition to other amounts
2 made available to carry out this section, there is au-
3 thorized to be appropriated to the Fund
4 \$10,000,000 for each of fiscal years 2019 through
5 2023, to remain available until expended.

6 “(f) TERMINATION OF EFFECTIVENESS.—The au-
7 thority provided by this section terminates effective De-
8 cember 31, 2023.”.

9 **SEC. 7129. AQUACULTURE ASSISTANCE PROGRAMS.**

10 Section 1477(a)(2) of the National Agricultural Re-
11 search, Extension, and Teaching Policy Act of 1977 (7
12 U.S.C. 3324(a)(2)) is amended by striking “2018” and
13 inserting “2023”.

14 **SEC. 7130. REPEAL OF RANGELAND RESEARCH PROGRAMS.**

15 Subtitle M of the National Agricultural Research,
16 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
17 3331 et seq.) is repealed.

18 **SEC. 7131. SPECIAL AUTHORIZATION FOR BIOSECURITY**

19 **PLANNING AND RESPONSE.**

20 Section 1484(a)(2) of the National Agricultural Re-
21 search, Extension, and Teaching Policy Act of 1977 (7
22 U.S.C. 3351(a)(2)) is amended by striking “2018” and
23 inserting “2023”.

1 **SEC. 7132. DISTANCE EDUCATION AND RESIDENT INSTRUC-**
2 **TION GRANTS PROGRAM FOR INSULAR AREA**
3 **INSTITUTIONS OF HIGHER EDUCATION.**

4 (a) DISTANCE EDUCATION GRANTS FOR INSULAR
5 AREAS.—Section 1490(f)(2) of the National Agricultural
6 Research, Extension, and Teaching Policy Act of 1977 (7
7 U.S.C. 3362(f)(2)) is amended by striking “2018” and in-
8 serting “2023”.

9 (b) RESIDENT INSTRUCTION GRANTS FOR INSULAR
10 AREAS.—Section 1491(c)(2) of the National Agricultural
11 Research, Extension, and Teaching Policy Act of 1977 (7
12 U.S.C. 3363(c)(2)) is amended by striking “2018” and
13 inserting “2023”.

14 **SEC. 7133. LIMITATION ON DESIGNATION OF ENTITIES ELI-**
15 **GIBLE TO RECEIVE FUNDS UNDER A CAPAC-**
16 **ITY PROGRAM.**

17 Subtitle P of the National Agricultural Research, Ex-
18 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3371
19 et seq.) is amended by adding at the end the following:

20 **“SEC. 1493. LIMITATION ON DESIGNATION OF ENTITIES ELI-**
21 **GIBLE TO RECEIVE FUNDS UNDER A CAPAC-**
22 **ITY PROGRAM.**

23 “(a) DEFINITION OF CAPACITY PROGRAM.—In this
24 section, the term ‘capacity program’ means each of the
25 following agricultural research, extension, education, and
26 related programs:

1 “(1) The programs for which funds are made
2 available under subsections (b) and (c) of section 3
3 of the Smith-Lever Act (7 U.S.C. 343).

4 “(2) The program for which funds are made
5 available under the Hatch Act of 1887 (7 U.S.C.
6 361a et seq.).

7 “(3) The program for which funds are made
8 available under section 1444.

9 “(4) The program for which funds are made
10 available under section 1445.

11 “(5) The grant program authorized under sec-
12 tion 1447.

13 “(6) The program for which funds are made
14 available under Public Law 87-788 (commonly
15 known as the ‘McIntire-Stennis Cooperative Forestry
16 Act’) (16 U.S.C. 582a et seq.).

17 “(7) Any other agricultural research, extension,
18 or education program relating to capacity and infra-
19 structure, as determined by the Secretary.

20 “(b) LIMITATION.—

21 “(1) IN GENERAL.—Except as provided under
22 paragraph (2), and notwithstanding any other provi-
23 sion of law, no additional entity designated after the
24 date of enactment of this section shall be eligible to
25 receive funds under a capacity program.

1 “(2) EXCEPTIONS.—

2 “(A) 1994 INSTITUTIONS.—Paragraph (1)
3 shall not apply in the case of a designation of
4 a 1994 Institution under section 2 of Public
5 Law 87–788 (commonly known as the
6 “McIntire-Stennis Cooperative Forestry Act”)
7 (16 U.S.C. 582a-1).

8 “(B) EXTRAORDINARY CIRCUMSTANCES.—

9 In the case of extraordinary circumstances or a
10 situation that would lead to an inequitable re-
11 sult, as determined by the Secretary, the Sec-
12 retary may determine that an entity designated
13 after the date of enactment of this section is el-
14 igible to receive funds under a capacity pro-
15 gram.

16 “(c) NO INCREASE IN STATE FUNDING.—No State
17 shall receive an increase in the amount of capacity pro-
18 gram funding as a result of the designation of additional
19 entities as eligible to receive funds under a capacity pro-
20 gram.”.

1 **Subtitle B—Food, Agriculture, Con-**
2 **servation, and Trade Act of 1990**

3 **SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICA-**
4 **TIONS.**

5 Section 1624 of the Food, Agriculture, Conservation,
6 and Trade Act of 1990 (7 U.S.C. 5814) is amended in
7 the first sentence by striking “2018” and inserting
8 “2023”.

9 **SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.**

10 Section 1627(d) of the Food, Agriculture, Conserva-
11 tion, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amend-
12 ed by striking “2018” and inserting “2023”.

13 **SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**
14 **VELOPMENT AND TRANSFER PROGRAM.**

15 Section 1628(f)(2) of the Food, Agriculture, Con-
16 servation, and Trade Act of 1990 (7 U.S.C. 5831(f)(2))
17 is amended by striking “2018” and inserting “2023”.

18 **SEC. 7204. NATIONAL TRAINING PROGRAM.**

19 Section 1629(i) of the Food, Agriculture, Conserva-
20 tion, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amend-
21 ed by striking “2018” and inserting “2023”.

1 **SEC. 7205. NATIONAL STRATEGIC GERMPLASM AND**
2 **CULTIVAR COLLECTION ASSESSMENT AND**
3 **UTILIZATION PLAN.**

4 (a) IN GENERAL.—Section 1632(d) of the Food, Ag-
5 riculture, Conservation, and Trade Act of 1990 (7 U.S.C.
6 5841(d)) is amended—

7 (1) in paragraph (5), by striking “and” at the
8 end;

9 (2) by redesignating paragraph (6) as para-
10 graph (7); and

11 (3) by inserting after paragraph (5) the fol-
12 lowing:

13 “(6) develop and implement a national strategic
14 germplasm and cultivar collection assessment and
15 utilization plan that takes into consideration the re-
16 sources and research necessary to address the sig-
17 nificant backlog of characterization and maintenance
18 of existing accessions considered to be critical to pre-
19 serve the viability of, and public access to,
20 germplasm and cultivars; and”.

21 (b) PLAN PUBLICATION.—Section 1633 of the Food,
22 Agriculture, Conservation, and Trade Act of 1990 (7
23 U.S.C. 5842) is amended by adding at the end the fol-
24 lowing:

1 “(f) PLAN PUBLICATION.—On completion of the de-
2 velopment of the plan described in section 1632(d)(6), the
3 Secretary shall make the plan available to the public.”.

4 **SEC. 7206. NATIONAL GENETICS RESOURCES PROGRAM.**

5 (a) ADVISORY COUNCIL.—Section 1634 of the Food,
6 Agriculture, Conservation, and Trade Act of 1990 (7
7 U.S.C. 5843) is amended—

8 (1) in subsection (a)—

9 (A) in the first sentence, by striking “The
10 Secretary” and inserting the following:

11 “(1) IN GENERAL.—The Secretary”;

12 (B) in the second sentence of paragraph
13 (1) (as so designated), by striking “The advi-
14 sory” and inserting the following:

15 “(2) MEMBERSHIP.—The advisory”;

16 (C) in paragraph (2) (as so designated), by
17 striking “nine” and inserting “13”; and

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

19 “(3) RECOMMENDATIONS.—

20 “(A) IN GENERAL.—In making rec-
21 ommendations under paragraph (1), the advi-
22 sory council shall include recommendations
23 on—

24 “(i) the state of public cultivar devel-
25 opment, including—

1 “(I) an analysis of existing
2 cultivar research investments;

3 “(II) the research gaps relating
4 to the development of cultivars across
5 a diverse range of crops; and

6 “(III) an assessment of the state
7 of commercialization of federally fund-
8 ed cultivars;

9 “(ii) the training and resources need-
10 ed to meet future breeding challenges;

11 “(iii) the appropriate levels of Federal
12 funding for cultivar development for under-
13 served crops and geographic areas; and

14 “(iv) the development of the plan de-
15 scribed in section 1632(d)(6).”; and

16 (2) in subsection (c)—

17 (A) in paragraph (1)—

18 (i) by striking “Two-thirds” and in-
19 serting “6”; and

20 (ii) by inserting “economics and pol-
21 icy,” after “agricultural sciences,”;

22 (B) in paragraph (2)—

23 (i) by striking “One-third” and insert-
24 ing “3”; and

1 (ii) by inserting “community develop-
2 ment,” after “public policy,”; and

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

4 “(3) 4 of the members shall be appointed from
5 among individuals with expertise in public cultivar
6 and animal breed development.

7 “(4) 4 of the members shall be appointed from
8 among individuals representing—

9 “(A) 1862 Institutions (as defined in sec-
10 tion 2 of the Agricultural Research, Extension,
11 and Education Reform Act of 1998 (7 U.S.C.
12 7601));

13 “(B) 1890 Institutions (as defined in sec-
14 tion 2 of the Agricultural Research, Extension,
15 and Education Reform Act of 1998 (7 U.S.C.
16 7601));

17 “(C) eligible institutions (as defined in sec-
18 tion 502(a) of the Higher Education Act of
19 1965 (20 U.S.C. 1101a(a)); or

20 “(D) 1994 Institutions (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)).”.

24 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
25 1635(b)(2) of the Food, Agriculture, Conservation, and

1 Trade Act of 1990 (7 U.S.C. 5844(b)(2)) is amended by
2 striking “2018” and inserting “2023”.

3 **SEC. 7207. NATIONAL AGRICULTURAL WEATHER INFORMA-**
4 **TION SYSTEM.**

5 Section 1641(c) of the Food, Agriculture, Conserva-
6 tion, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amend-
7 ed by striking “2018” and inserting “2023”.

8 **SEC. 7208. AGRICULTURAL GENOME TO PHENOME INITIA-**
9 **TIVE.**

10 Section 1671 of the Food, Agriculture, Conservation,
11 and Trade Act of 1990 (7 U.S.C. 5924) is amended—

12 (1) in the section heading, by inserting “**TO**
13 **PHENOME**” after “**GENOME**”;

14 (2) by striking subsection (a) and inserting the
15 following:

16 “(a) GOALS.—The goals of this section are—

17 “(1) to expand knowledge concerning genomes
18 and phenomes of crops and animals of importance to
19 the agriculture sector of the United States;

20 “(2) to understand how variable weather, envi-
21 ronments, and production systems impact the
22 growth and productivity of specific varieties of crops
23 and species of animals in order to provide greater
24 accuracy in predicting crop and animal performance
25 under variable conditions;

1 “(3) to support research that leverages plant
2 and animal genomic information with phenotypic
3 and environmental data through an interdisciplinary
4 framework, leading to a novel understanding of
5 plant and animal processes that affect growth, pro-
6 ductivity, and the ability to predict performance,
7 which will result in the deployment of superior vari-
8 eties and species to producers and improved crop
9 and animal management recommendations for farm-
10 ers and ranchers;

11 “(4) to catalyze and coordinate research that
12 links genomics and predictive phenomics at different
13 sites across the United States to achieve advances in
14 crops and animals that generate societal benefits;

15 “(5) to combine fields such as genetics,
16 genomics, plant physiology, agronomy, climatology,
17 and crop modeling with computation and
18 informatics, statistics, and engineering;

19 “(6) to combine fields such as genetics,
20 genomics, animal physiology, meat science, animal
21 nutrition, and veterinary science with computation
22 and informatics, statistics, and engineering;

23 “(7) to focus on crops and animals that will
24 yield scientifically important results that will en-

1 hance the usefulness of many other crops and ani-
2 mals;

3 “(8) to build on genomic research, such as the
4 Plant Genome Research Project and the National
5 Animal Genome Research Program, to understand
6 gene function in production environments that is ex-
7 pected to have considerable returns for crops and
8 animals of importance to the agriculture of the
9 United States;

10 “(9) to develop improved data analytics to en-
11 hance understanding of the biological function of
12 genes;

13 “(10) to allow resources developed under this
14 section, including data, software, germplasm, and
15 other biological materials, to be openly accessible to
16 all persons, subject to any confidentiality require-
17 ments imposed by law; and

18 “(11) to encourage international partnerships
19 with each partner country responsible for financing
20 its own research.”;

21 (3) by striking subsection (b) and inserting the
22 following:

23 “(b) DUTIES OF SECRETARY.—The Secretary of Ag-
24 riculture (referred to in this section as the ‘Secretary’)
25 shall conduct a research initiative, to be known as the ‘Ag-

1 ricultural Genome to Phenome Initiative’, for the purpose
2 of—

3 “(1) studying agriculturally significant crops
4 and animals in production environments to achieve
5 sustainable and secure agricultural production;

6 “(2) ensuring that current gaps in existing
7 knowledge of agricultural crop and animal genetics
8 and phenomics are filled;

9 “(3) identifying and developing a functional un-
10 derstanding of relevant genes from animals and
11 agronomically relevant genes from crops that are of
12 importance to the agriculture sector of the United
13 States;

14 “(4) ensuring future genetic improvement of
15 crops and animals of importance to the agriculture
16 sector of the United States;

17 “(5) studying the relevance of diverse
18 germplasm as a source of unique genes that may be
19 of importance in the future;

20 “(6) enhancing genetics to reduce the economic
21 impact of pathogens on crops and animals of impor-
22 tance to the agriculture sector of the United States;

23 “(7) disseminating findings to relevant audi-
24 ences; and

25 “(8) otherwise carrying out this section.”;

1 (4) in subsection (c)(1), by inserting “, acting
2 through the National Institute of Food and Agri-
3 culture,” after “The Secretary”;

4 (5) in subsection (e), by inserting “to
5 Phenome” after “Genome”; and

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

7 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated to carry out this section
9 \$30,000,000 for each of fiscal years 2019 through 2023.”.

10 **SEC. 7209. HIGH-PRIORITY RESEARCH AND EXTENSION INI-**
11 **TIATIVES.**

12 (a) HIGH-PRIORITY RESEARCH AND EXTENSION
13 AREAS.—Section 1672(d) of the Food, Agriculture, Con-
14 servation, and Trade Act of 1990 (7 U.S.C. 5925(d)) is
15 amended by adding at the end the following:

16 “(11) NATIONAL TURFGRASS RESEARCH INITIA-
17 TIVE.—Research and extension grants may be made
18 under this section for the purposes of—

19 “(A) carrying out or enhancing research
20 related to turfgrass and sod issues;

21 “(B) enhancing production and uses of
22 turfgrass for the general public;

23 “(C) identifying new turfgrass varieties
24 with superior drought, heat, cold, and pest tol-

1 erance to reduce water, fertilizer, and pesticide
2 use;

3 “(D) selecting genetically superior
4 turfgrasses and development of improved tech-
5 nologies for managing commercial, residential,
6 and recreational turf areas;

7 “(E) producing grasses that aid in miti-
8 gating soil erosion, protect against pollutant
9 runoff into waterways, and provide other envi-
10 ronmental benefits;

11 “(F) investigating, preserving, and pro-
12 tecting native plant species, including grasses
13 not currently used in turf systems;

14 “(G) creating systems for more economical
15 and viable turfgrass seed and sod production
16 throughout the United States; and

17 “(H) investigating the turfgrass
18 phytobiome and developing biologic products to
19 enhance soil, enrich plants, and mitigate pests.

20 “(12) NUTRIENT MANAGEMENT.—Research and
21 extension grants may be made under this section for
22 the purposes of examining nutrient management
23 based on the source, rate, timing, and placement of
24 crop nutrients.”.

1 “(13) MACADAMIA TREE HEALTH INITIATIVE.—
2 Research and extension grants may be made under
3 this section for the purposes of—

4 “(A) developing and disseminating science-
5 based tools and treatments to combat the maca-
6 damia felted coccid (*Eriococcus ironsidei*); and

7 “(B) establishing an areawide integrated
8 pest management program in areas affected by,
9 or areas at risk of being affected by, the maca-
10 damia felted coccid (*Eriococcus ironsidei*).”.

11 (b) PULSE CROP HEALTH INITIATIVE.—Section
12 1672(e)(5) of the Food, Agriculture, Conservation, and
13 Trade Act of 1990 (7 U.S.C. 5925(e)(5)) is amended by
14 striking “2018” and inserting “2023”.

15 (c) TRAINING COORDINATION FOR FOOD AND AGRI-
16 CULTURE PROTECTION.—Section 1672(f)(5) of the Food,
17 Agriculture, Conservation, and Trade Act of 1990 (7
18 U.S.C. 5925(f)(5)) is amended by striking “2018” and in-
19 serting “2023”.

20 (d) POLLINATOR PROTECTION.—Section 1672(g) of
21 the Food, Agriculture, Conservation, and Trade Act of
22 1990 (7 U.S.C. 5925(g)) is amended—

23 (1) in paragraphs (1)(B), (2)(B), and (3), by
24 striking “2018” each place it appears and inserting
25 “2023”;

1 (2) by redesignating paragraphs (4) and (5) as
2 paragraphs (5) and (7), respectively;

3 (3) by inserting after paragraph (3) the fol-
4 lowing:

5 “(4) POLLINATOR HEALTH TASK FORCE.—

6 “(A) IN GENERAL.—Not later than 180
7 days after the date of enactment of the Agri-
8 culture Improvement Act of 2018, the Sec-
9 retary, in consultation with the Administrator
10 of the Environmental Protection Agency (re-
11 ferred to in this paragraph as the ‘Adminis-
12 trator’), shall reconstitute the Pollinator Health
13 Task Force (referred to in this paragraph as
14 the ‘Task Force’) to carry out the purposes de-
15 scribed in subparagraph (B).

16 “(B) PURPOSES.—The Task Force shall—

17 “(i) address issues relating to polli-
18 nator health and disease, pollinator popu-
19 lation decline, and Federal pollinator pro-
20 tection activities; and

21 “(ii) ensure effective implementation
22 of the 2015 National Pollinator Health
23 Strategy, as modified under subparagraph
24 (D)(i).

25 “(C) COMPOSITION.—

1 “(i) CO-CHAIRS.—The Secretary and
2 the Administrator shall serve as co-chairs
3 of the Task Force.

4 “(ii) MEMBERS.—

5 “(I) IN GENERAL.—The Task
6 Force shall be composed of not less
7 than 15 members, each of whom shall
8 be appointed by the Secretary, in con-
9 sultation with the Administrator.

10 “(II) MEMBERS.—The members
11 of the Task Force—

12 “(aa) shall include a quali-
13 fied representative from each
14 of—

15 “(AA) the Department
16 of State;

17 “(BB) the Department
18 of Defense;

19 “(CC) the Department
20 of the Interior;

21 “(DD) the Department
22 of Housing and Urban De-
23 velopment;

24 “(EE) the Department
25 of Transportation;

1 “(FF) the Department
2 of Energy;

3 “(GG) the Department
4 of Education;

5 “(HH) the Council on
6 Environmental Quality;

7 “(II) the Domestic Pol-
8 icy Council;

9 “(JJ) the General Serv-
10 ices Administration;

11 “(KK) the National
12 Science Foundation;

13 “(LL) the National Se-
14 curity Council;

15 “(MM) the Office of
16 Management and Budget;

17 “(NN) the Food and
18 Drug Administration; and

19 “(OO) the Office of
20 Science and Technology Pol-
21 icy; and

22 “(bb) may include—

23 “(AA) 1 or more quali-
24 fied representatives from
25 any other Federal depart-

1 and private persons to leverage Federal
2 funding to create public-private partner-
3 ships that will achieve the long-term im-
4 provement of pollinator habitat and health,
5 consistent with the 2016 Pollinator Part-
6 nership Action Plan; and

7 “(v) not later than 180 days after the
8 date of enactment of the Agriculture Im-
9 provement Act of 2018, host a joint sum-
10 mit of the Department of Agriculture and
11 the Environmental Protection Agency on
12 crop protection tools that examines—

13 “(I) the science relating to the
14 impact of crop protection tools on pol-
15 linators;

16 “(II) the techniques used to miti-
17 gate the impact of crop protection
18 tools; and

19 “(III) the gaps in research relat-
20 ing to crop protection tools.

21 “(E) ANNUAL REPORT.—Not later than
22 December 31 of each year, the Task Force shall
23 submit a report—

24 “(i) to—

25 “(I) the Secretary;

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1 “(II) the Administrator;

2 “(III) the Committee on Agri-
3 culture of the House of Representa-
4 tives; and

5 “(IV) the Committee on Agri-
6 culture, Nutrition, and Forestry of
7 the Senate; and

8 “(ii) that describes—

9 “(I) the work carried out by the
10 Task Force under subparagraph (D);
11 and

12 “(II) the recommendations of the
13 Task Force for the next steps that
14 should be taken to carry out the pur-
15 poses described in subparagraph
16 (B).”;

17 (4) by inserting after paragraph (5) (as so re-
18 designated) the following:

19 “(6) ENHANCED COORDINATION OF HONEYBEE
20 AND POLLINATOR RESEARCH.—

21 “(A) IN GENERAL.—The Chief Scientist
22 shall coordinate research, education, and eco-
23 nomic activities in the Department of Agri-
24 culture relating to native and managed polli-
25 nator health.

1 “(B) DUTIES.—To carry out subparagraph
2 (A), the Chief Scientist shall—

3 “(i) assign an individual to serve in
4 the Office of the Chief Scientist as a Hon-
5 eybee and Pollinator Research Coordinator,
6 who—

7 “(I) may be—

8 “(aa) an employee of the
9 Department of Agriculture at the
10 time of appointment; and

11 “(bb) a detailee from the re-
12 search, economics, and education
13 mission area; and

14 “(II) shall be responsible for
15 leading the efforts of the Chief Sci-
16 entist in carrying out subparagraph
17 (A);

18 “(ii) implement the pollinator health
19 research efforts described in the 2015 re-
20 port of the Pollinator Health Task Force
21 entitled ‘Pollinator Research Action Plan’;

22 “(iii) establish annual strategic prior-
23 ities and goals for the Department of Agri-
24 culture for native and managed pollinator
25 research;

1 “(iv) communicate those priorities and
2 goals to each agency in the Department of
3 Agriculture, the managed pollinator indus-
4 try, and relevant grant recipients under
5 programs administered by the Secretary;
6 and

7 “(v) coordinate and identify all re-
8 search needed and conducted by the De-
9 partment of Agriculture and relevant grant
10 recipients under programs administered by
11 the Secretary on native and managed polli-
12 nator health to ensure consistency and re-
13 duce unintended duplication of effort.

14 “(C) POLLINATOR RESEARCH.—

15 “(i) IN GENERAL.—In coordinating
16 research under subparagraph (A), the
17 Chief Scientist shall ensure that research
18 is conducted—

19 “(I) to evaluate the impact of
20 horticultural and agricultural pest
21 management practices on native and
22 managed pollinator colonies in diverse
23 agro-ecosystems;

24 “(II) to document pesticide resi-
25 dues—

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1 “(aa) that are found in na-
2 tive and managed pollinator colo-
3 nies; and

4 “(bb) that are associated
5 with typical commercial crop pest
6 management practices;

7 “(III) with respect to native and
8 managed pollinator colonies visiting
9 crops for crop pollination or honey
10 production purposes, to document—

11 “(aa) the strength and
12 health of those colonies;

13 “(bb) survival, growth, re-
14 production, and production of
15 those colonies;

16 “(cc) pests, pathogens, and
17 viruses that affect those colonies;

18 “(dd) environmental condi-
19 tions of those colonies; and

20 “(ee) any other relevant in-
21 formation, as determined by the
22 Chief Scientist;

23 “(IV) to document best manage-
24 ment practices and other practices in
25 place for managed pollinators and

1 crop managers with respect to healthy
2 populations of managed pollinators;

3 “(V) to evaluate the effectiveness
4 of—

5 “(aa) conservation practices
6 that target the specific needs of
7 native and managed pollinator
8 habitats; and

9 “(bb) incentives that allow
10 for the expansion of native and
11 managed pollinator forage acre-
12 age;

13 “(VI) in the case of commercially
14 managed pollinator colonies, to con-
15 tinue gathering data on—

16 “(aa) annual colony losses;

17 “(bb) rising input costs as-
18 sociated with managing colonies;
19 and

20 “(cc) the overall economic
21 value of commercially managed
22 pollinators to the food economy;
23 and

24 “(VII) relating to any other as-
25 pect of native and managed polli-

1 nators, as determined by the Chief
2 Scientist, in consultation with sci-
3 entific experts.

4 “(ii) PUBLIC AVAILABILITY.—The
5 Chief Scientist shall—

6 “(I) make publicly available the
7 results of the research described in
8 clause (i); and

9 “(II) in the case of the research
10 described in clause (i)(VI), imme-
11 diately publish any data or reports
12 that were previously produced by the
13 Department of Agriculture but not
14 made publicly available.”; and

15 (5) in paragraph (7) (as so redesignated)—

16 (A) in the paragraph heading, by inserting
17 “AND NATIVE AND MANAGED POLLINATORS”
18 after “DISORDER”; and

19 (B) in subparagraph (C)—

20 (i) by striking “regarding how” and
21 inserting the following: “regarding—

22 “(i) how”;

23 (ii) in clause (i) (as so designated), by
24 striking the period at the end and inserting
25 a semicolon; and

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

3 “(ii) the establishment of a suffi-
4 ciently funded large-scale multiyear field
5 research project to evaluate the impact of
6 horticultural and agricultural pest manage-
7 ment practices on native and managed pol-
8 linator colonies in diverse agro-ecosystems;
9 and

10 “(iii) the development of crop-specific
11 best management practices that balance
12 the needs of crop managers with the health
13 of native and managed pollinator colo-
14 nies.”.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
16 1672(h) of the Food, Agriculture, Conservation, and
17 Trade Act of 1990 (7 U.S.C. 5925(h)) is amended by
18 striking “2018” and inserting “2023”.

19 **SEC. 7210. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**
20 **SION INITIATIVE.**

21 Section 1672B of the Food, Agriculture, Conserva-
22 tion, and Trade Act of 1990 (7 U.S.C. 5925b) is amend-
23 ed—

24 (1) in subsection (a)(7), by striking “conserva-
25 tion” and inserting “conservation, soil health,”; and

1 (2) in subsection (e)—

2 (A) in paragraph (1)—

3 (i) in subparagraph (B), by striking
4 “and” at the end;

5 (ii) in subparagraph (C), by striking
6 the period at the end and inserting a semi-
7 colon; and

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

10 “(D) \$40,000,000 for each of fiscal years
11 2019 and 2020;

12 “(E) \$45,000,000 for fiscal year 2021; and

13 “(F) \$50,000,000 for fiscal year 2022 and
14 each fiscal year thereafter.”; and

15 (B) in paragraph (2)—

16 (i) in the paragraph heading, by strik-
17 ing “FOR FISCAL YEARS 2014 THROUGH
18 2018”; and

19 (ii) by striking “2018” and inserting
20 “2023”.

21 **SEC. 7211. FARM BUSINESS MANAGEMENT.**

22 Section 1672D(d)(2) of the Food, Agriculture, Con-
23 servation, and Trade Act of 1990 (7 U.S.C. 5925f(d)(2))
24 is amended by striking “2018” and inserting “2023”.

1 **SEC. 7212. URBAN, INDOOR, AND OTHER EMERGING AGRI-**
2 **CULTURAL PRODUCTION RESEARCH, EDU-**
3 **CATION, AND EXTENSION INITIATIVE.**

4 (a) IN GENERAL.—The Food, Agriculture, Conserva-
5 tion, and Trade Act of 1990 is amended by inserting after
6 section 1672D (7 U.S.C. 5925f) the following:

7 **“SEC. 1672E. URBAN, INDOOR, AND OTHER EMERGING AG-**
8 **RICULTURAL PRODUCTION RESEARCH, EDU-**
9 **CATION, AND EXTENSION INITIATIVE.**

10 “(a) COMPETITIVE RESEARCH AND EXTENSION
11 GRANTS AUTHORIZED.—In consultation with the Urban
12 Agriculture and Innovative Production Advisory Com-
13 mittee established under section 222(b) of the Department
14 of Agriculture Reorganization Act of 1994, the Secretary
15 may make competitive grants to support research, edu-
16 cation, and extension activities for the purposes of enhanc-
17 ing urban, indoor, and other emerging agricultural pro-
18 duction by—

19 “(1) facilitating the development of urban, in-
20 door, and other emerging agricultural production,
21 harvesting, transportation, aggregation, packaging,
22 distribution, and markets;

23 “(2) assessing and developing strategies to re-
24 mediate contaminated sites;

1 “(3) determining and developing the best pro-
2 duction management and integrated pest manage-
3 ment practices;

4 “(4) assessing the impacts of shipping and
5 transportation on nutritional value;

6 “(5) identifying and promoting the horti-
7 cultural, social, and economic factors that contribute
8 to successful urban, indoor, and other emerging ag-
9 ricultural production;

10 “(6) analyzing the means by which new agricul-
11 tural sites are determined, including an evaluation of
12 soil quality, condition of a building, or local commu-
13 nity needs;

14 “(7) exploring new and innovative technologies
15 that minimize energy, lighting systems, water, and
16 other inputs for increased food production;

17 “(8) examining building material efficiencies
18 and structural upgrades for the purpose of opti-
19 mizing growth of agricultural products;

20 “(9) studying and developing new crop varieties
21 and innovative agricultural products to connect to
22 new markets; or

23 “(10) examining the impacts of crop exposure
24 to urban elements on environmental quality and food
25 safety.

1 “(b) GRANT TYPES AND PROCESS.—Subparagraphs
2 (A) through (E) of paragraph (4), paragraph (7), and
3 paragraph (11)(B) of subsection (b) of the Competitive,
4 Special, and Facilities Research Grant Act (7 U.S.C.
5 3157) shall apply with respect to the making of grants
6 under this section.

7 “(c) PRIORITY.—The Secretary may give priority to
8 grant proposals that involve—

9 “(1) the cooperation of multiple entities; or

10 “(2) States or regions with a high concentration
11 of or significant interest in urban farms, rooftop
12 farms, and indoor production facilities.

13 “(d) FUNDING.—

14 “(1) MANDATORY FUNDING.—Of the funds of
15 the Commodity Credit Corporation, the Secretary
16 shall use to carry out this section \$4,000,000 for
17 each of fiscal years 2019 through 2023, to remain
18 available until expended.

19 “(2) AUTHORIZATION OF APPROPRIATIONS.—In
20 addition to amounts made available under paragraph
21 (1), there is authorized to be appropriated to carry
22 out this section \$10,000,000 for each of fiscal years
23 2019 through 2023.”.

24 (b) DATA COLLECTION ON URBAN, INDOOR, AND
25 EMERGING AGRICULTURAL PRODUCTION.—

1 (1) IN GENERAL.—Not later than 360 days
2 after the date of enactment of this Act, the Sec-
3 retary shall conduct as a follow-on study to the cen-
4 sus of agriculture conducted in the calendar year
5 2017 under section 2 of the Census of Agriculture
6 Act of 1997 (7 U.S.C. 2204g) a census of urban, in-
7 door, and other emerging agricultural production, in-
8 cluding information about—

9 (A) community gardens and farms located
10 in urban areas, suburbs, and urban clusters;

11 (B) rooftop farms, outdoor vertical produc-
12 tion, and green walls;

13 (C) indoor farms, greenhouses, and high-
14 tech vertical technology farms;

15 (D) hydroponic, aeroponic, and aquaponic
16 farm facilities; and

17 (E) other innovations in agricultural pro-
18 duction, as determined by the Secretary.

19 (2) AUTHORIZATION OF APPROPRIATIONS.—
20 There is authorized to be appropriated to carry out
21 this subsection \$14,000,000 for the period of fiscal
22 years 2019 through 2021.

1 **SEC. 7213. ASSISTIVE TECHNOLOGY PROGRAM FOR FARM-**
2 **ERS WITH DISABILITIES.**

3 Section 1680(c)(1)(B) of the Food, Agriculture, Con-
4 servation, and Trade Act of 1990 (7 U.S.C.
5 5933(c)(1)(B)) is amended by striking “2018” and insert-
6 ing “2023”.

7 **SEC. 7214. NATIONAL RURAL INFORMATION CENTER**
8 **CLEARINGHOUSE.**

9 Section 2381(e) of the Food, Agriculture, Conserva-
10 tion, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is
11 amended by striking “2018” and inserting “2023”.

12 **Subtitle C—Agricultural Research,**
13 **Extension, and Education Re-**
14 **form Act of 1998**

15 **SEC. 7301. INTEGRATED RESEARCH, EDUCATION, AND EX-**
16 **TENSION COMPETITIVE GRANTS PROGRAM.**

17 Section 406(e) of the Agricultural Research, Exten-
18 sion, and Education Reform Act of 1998 (7 U.S.C.
19 7626(e)) is amended by striking “2018” and inserting
20 “2023”.

1 **SEC. 7302. 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. 7303. 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. 7304. 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. 7305. 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. 7306. 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. 7307. 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(h)(2) of the Farm Security and Rural
12 Investment Act of 2002 (7 U.S.C. 8108(h)(2)) is amended
13 by striking “2018” and inserting “2023”.

14 **SEC. 7410. REINSTATEMENT OF MATCHING REQUIREMENT**
15 **FOR FEDERAL FUNDS USED IN EXTENSION**
16 **WORK AT THE UNIVERSITY OF THE DISTRICT**
17 **OF COLUMBIA.**

18 (a) IN GENERAL.—Section 208(e) of the District of
19 Columbia Public Postsecondary Education Reorganization
20 Act (88 Stat. 1428; sec. 38–1202.09(e), D.C. Official
21 Code) is amended by inserting after the first sentence the
22 following: “Such sums may be used to pay not more than
23 ½ of the total cost of providing such extension work.”.

24 (b) EFFECTIVE DATE.—The amendment made by
25 subsection (a) shall take effect on October 1, 2018.

1 **SEC. 7411. ENHANCED USE LEASE AUTHORITY PILOT PRO-**
2 **GRAM.**

3 Section 308 of the Federal Crop Insurance Reform
4 and Department of Agriculture Reorganization Act of
5 1994 (7 U.S.C. 3125a note; Public Law 103–354) is
6 amended—

7 (1) in subsection (b)(6)(A), by striking “10
8 years” and inserting “15 years”; and

9 (2) in subsection (d)(2), in the matter pre-
10 ceding subparagraph (A), by striking “6, 8, and 10
11 years” and inserting “13 years”.

12 **SEC. 7412. TRANSFER OF ADMINISTRATIVE JURISDICTION**
13 **OVER PORTION OF HENRY A. WALLACE**
14 **BELTSVILLE AGRICULTURAL RESEARCH**
15 **CENTER, BELTSVILLE, MARYLAND.**

16 (a) **TRANSFER AUTHORIZED.**—Subject to subsection
17 (e), the Secretary may transfer to the Secretary of the
18 Treasury administrative jurisdiction over a parcel of real
19 property at the Henry A. Wallace Beltsville Agricultural
20 Research Center consisting of approximately 100 acres,
21 which was originally acquired by the United States
22 through land acquisitions in 1910 and 1925, and is gen-
23 erally located off of Poultry Road lying between Powder
24 Mill Road and Odell Road in Beltsville, Maryland, for the
25 purpose of facilitating the establishment of Bureau of En-
26 graving and Printing facilities on the parcel.

1 (b) LEGAL DESCRIPTION AND MAP.—

2 (1) PREPARATION.—The Secretary shall pre-
3 pare a legal description and map of the parcel of
4 real property to be transferred under subsection (a).

5 (2) FORCE OF LAW.—The legal description and
6 map prepared under paragraph (1) shall have the
7 same force and effect as if included in this Act, ex-
8 cept that the Secretary may correct errors in the
9 legal description and map.

10 (c) TERMS AND CONDITIONS.—The transfer of ad-
11 ministrative jurisdiction under subsection (a) shall be sub-
12 ject to easements, valid existing rights, and such other res-
13 ervations, terms, and conditions as the Secretary considers
14 to be necessary.

15 (d) WAIVER.—The parcel of real property under sub-
16 section (a) is exempt from Federal screening for other pos-
17 sible use due to an identified Federal need for the parcel
18 as the site of Bureau of Engraving and Printing facilities.

19 (e) CONDITIONS FOR TRANSFER.—As a condition of
20 the transfer of administrative jurisdiction under sub-
21 section (a), the Secretary of the Treasury shall agree to
22 pay the Secretary the costs incurred to carry out the
23 transfer of administrative jurisdiction under subsection
24 (a), including the costs for—

1 (1) any environmental or administrative anal-
2 ysis required by law with respect to the parcel to be
3 transferred under subsection (a);

4 (2) a survey, if needed; and

5 (3) any hazardous substances assessment of the
6 parcel to be transferred under subsection (a).

7 (f) HAZARDOUS MATERIALS.—

8 (1) IN GENERAL.—For the parcel to be trans-
9 ferred under subsection (a), the Secretary shall meet
10 the applicable disclosure requirements relating to
11 hazardous substances.

12 (2) REMEDIATION.—The Secretary shall not be
13 required to remediate or abate any hazardous sub-
14 stances disclosed under paragraph (1) or any other
15 hazardous pollutants, contaminants, or waste that
16 may be present at or on the parcel on the date of
17 the transfer of administrative jurisdiction under sub-
18 section (a).

19 **SEC. 7413. FOUNDATION FOR FOOD AND AGRICULTURE RE-**
20 **SEARCH.**

21 Section 7601 of the Agricultural Act of 2014 (7
22 U.S.C. 5939) is amended—

23 (1) in subsection (d)(1)(D), by inserting “and
24 agriculture stakeholders” after “community”;

25 (2) in subsection (e)—

1 (A) in paragraph (2)(C)(ii)(I), by inserting
2 “agriculture or” before “agricultural research”;
3 and

4 (B) in paragraph (4)(A)—

5 (i) in clause (iii), by striking “and” at
6 the end;

7 (ii) by redesignating clause (iv) as
8 clause (v); and

9 (iii) by inserting after clause (iii) the
10 following:

11 “(iv) actively solicit and accept any
12 funds, gifts, grants, devises, or bequests of
13 real or personal property made to the
14 Foundation, including from private enti-
15 ties; and”;

16 (3) in subsection (f)(3)(B)—

17 (A) in clause (i)(I)—

18 (i) in the matter preceding item (aa),
19 by inserting “and post online” before “a
20 report”;

21 (ii) in item (aa), by striking “accom-
22 plishments; and” and inserting “accom-
23 plishments and how those activities align
24 to the challenges identified in the strategic
25 plan under clause (iv);”;

1 (iii) in item (bb), by striking the pe-
2 riod at the end and inserting “; and”;

3 (iv) by adding at the end the fol-
4 lowing:

5 “(cc) a description of avail-
6 able agricultural research pro-
7 grams and priorities for the up-
8 coming fiscal year.”; and

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

10 “(iii) STAKEHOLDER NOTICE.—The
11 Foundation shall publish an annual notice
12 with a description of agricultural research
13 priorities under this section for the upcom-
14 ing fiscal year, including—

15 “(I) a schedule for funding com-
16 petitions;

17 “(II) a discussion of how applica-
18 tions for funding will be evaluated;
19 and

20 “(III) how the Foundation will
21 communicate information about fund-
22 ed awards to the public to ensure that
23 grantees and partners understand the
24 objectives of the Foundation.

1 “(iv) STRATEGIC PLAN.—Not later
2 than 1 year after the date of enactment of
3 the Agriculture Improvement Act of 2018,
4 the Foundation shall submit to the Com-
5 mittee on Agriculture of the House of Rep-
6 resentatives and the Committee on Agri-
7 culture, Nutrition, and Forestry of the
8 Senate a strategic plan describing a path
9 for the Foundation to become self-sus-
10 taining, including—

11 “(I) a forecast of major agricul-
12 tural challenge opportunities identified
13 by the scientific advisory councils of
14 the Foundation and approved by the
15 Board, including short- and long-term
16 objectives;

17 “(II) an overview of the efforts
18 that the Foundation will take to be
19 transparent in each of the processes
20 of the Foundation, including—

21 “(aa) processes relating to
22 grant awards, including the selec-
23 tion, review, and notification
24 processes;

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1 “(bb) communication of
2 past, current, and future re-
3 search priorities; and

4 “(cc) plans to solicit and re-
5 spond to public input on the op-
6 portunities identified in the stra-
7 tegic plan;

8 “(III) a description of financial
9 goals and benchmarks for the next 10
10 years, including a detailed plan for
11 raising funds in amounts greater than
12 the amounts required under this sec-
13 tion; and

14 “(IV) other related issues, as de-
15 termined by the Board.”; and

16 (4) in subsection (g)(1)—

17 (A) in the paragraph heading, by striking
18 “MANDATORY FUNDING” and inserting “FUND-
19 ING”;

20 (B) in subparagraph (A)—

21 (i) by striking “On the date” and in-
22 sserting the following:

23 “(i) ESTABLISHMENT FUNDING.—On
24 the date”; and

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

3 “(ii) ENHANCED FUNDING.—On the
4 date of enactment of the Agriculture Im-
5 provement Act of 2018, of the funds of the
6 Commodity Credit Corporation, the Sec-
7 retary shall transfer to the Foundation to
8 carry out this section \$200,000,000, to re-
9 main available until expended.”; and

10 (C) in subparagraph (B)—

11 (i) by striking “The Foundation” and
12 inserting the following:

13 “(i) IN GENERAL.—The Foundation”;

14 (ii) in clause (i) (as so designated)—

15 (I) by striking “purposes” and
16 inserting “purposes, duties, and pow-
17 ers”; and

18 (II) by striking “non-Federal
19 matching funds for each expenditure”
20 and inserting “matching funds from a
21 non-Federal source, including a ge-
22 neric agricultural commodity pro-
23 motion, research, and information
24 program”; and

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

3 “(ii) EFFECT.—Nothing in this sec-
4 tion requires the Foundation to require a
5 matching contribution from an individual
6 grantee as a condition of receiving a grant
7 under this section.”.

8 **SEC. 7414. ASSISTANCE FOR FORESTRY RESEARCH UNDER**
9 **THE MCINTIRE-STENNIS COOPERATIVE FOR-**
10 **ESTRY ACT.**

11 Section 2 of Public Law 87-788 (commonly known
12 as the “McIntire-Stennis Cooperative Forestry Act”) (16
13 U.S.C. 582a-1) is amended in the second sentence—

14 (1) by striking “and” before “1890 Institu-
15 tions”; and

16 (2) by inserting “and 1994 Institutions (as de-
17 fined in section 532 of the Equity in Educational
18 Land-Grant Status Act of 1994 (7 U.S.C. 301 note;
19 Public Law 103-382)) that offer an associate’s de-
20 gree or a baccalaureate degree in forestry,” before
21 “and (b)”.

22 **SEC. 7415. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.**

23 (a) IN GENERAL.—Section 7606 of the Agricultural
24 Act of 2014 (7 U.S.C. 5940) is amended—

1 (1) by redesignating subsections (a) and (b) as
2 subsections (b) and (a), respectively, and moving the
3 subsections so as to appear in alphabetical order;

4 (2) in subsection (b) (as so redesignated), in
5 the subsection heading, by striking “IN GENERAL”
6 and inserting “INDUSTRIAL HEMP RESEARCH”; and

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

8 “(c) STUDY AND REPORT.—

9 “(1) IN GENERAL.—The Secretary shall con-
10 duct a study of agricultural pilot programs—

11 “(A) to determine the economic viability of
12 the domestic production and sale of industrial
13 hemp; and

14 “(B) that shall include a review of—

15 “(i) each agricultural pilot program;

16 and

17 “(ii) any other agricultural or aca-
18 demic research relating to industrial hemp.

19 “(2) REPORT.—Not later than 120 days after
20 the date of enactment of this subsection, the Sec-
21 retary shall submit to Congress a report describing
22 the results of the study conducted under paragraph
23 (1).”.

1 (b) REPEAL.—Effective on the date that is 1 year
2 after the date of enactment of this Act, section 7606 of
3 the Agricultural Act of 2014 (7 U.S.C. 5940) is repealed.

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—

25 “(i) advocates for affected farmers
26 and ranchers; and

1 “(ii) other individuals and entities
2 that may assist affected farmers and
3 ranchers in crises;”;

4 (D) in subparagraph (C) (as so redesign-
5 nated), by adding “and” after the semicolon at
6 the end;

7 (E) in subparagraph (D) (as so redesign-
8 nated), by striking “activities; and” and insert-
9 ing “activities, including the dissemination of
10 information and materials; or”;

11 (F) in the matter preceding subparagraph
12 (A) (as so redesignated), by striking “be used
13 to initiate” and inserting the following: “be
14 used—

15 “(1) to initiate”; and

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

17 “(2) to enter into contracts, on a multiyear
18 basis, with community-based, direct-service organiza-
19 tions to initiate, expand, or sustain programs de-
20 scribed in paragraph (1) and subsection (a).”; and

21 (3) by striking subsections (c) and (d) and in-
22 serting the following:

23 “(c) ELIGIBLE RECIPIENTS.—The Secretary may
24 award a grant under this section to—

25 “(1) a State department of agriculture;

1 “(i) the Federal Government, States,
2 and units of local government;

3 “(ii) communities comprised of farm-
4 ers and ranchers;

5 “(iii) healthcare providers;

6 “(iv) State cooperative extension serv-
7 ices; and

8 “(v) other appropriate entities, as de-
9 termined by the Secretary;

10 “(B) a description of the challenges faced
11 by farmers and ranchers that may impact the
12 behavioral and mental health of farmers and
13 ranchers;

14 “(C) a description of how the Department
15 of Agriculture can improve coordination and co-
16 operation with Federal health departments and
17 agencies, including the Department of Health
18 and Human Services, the Substance Abuse and
19 Mental Health Services Administration, the
20 Health Resources and Services Administration,
21 the Centers for Disease Control and Prevention,
22 and the National Institutes of Health, to best
23 address the behavioral and mental health of
24 farmers and ranchers;

1 “(D) a long-term strategy for responding
2 to the challenges described under subparagraph
3 (B) and recommendations based on best prac-
4 tices for further action to be carried out by ap-
5 propriate Federal departments or agencies to
6 improve Federal Government response and seek
7 to prevent farmer and rancher suicide; and

8 “(E) an evaluation of the impact of farmer
9 and rancher suicides on—

10 “(i) the agricultural workforce;

11 “(ii) agricultural production;

12 “(iii) rural families and communities;

13 and

14 “(iv) succession planning.”.

15 **SEC. 7512. NATURAL PRODUCTS RESEARCH PROGRAM.**

16 Section 7525(e) of the Food, Conservation, and En-
17 ergy Act of 2008 (7 U.S.C. 5937(e)) is amended by strik-
18 ing “2018” and inserting “2023”.

19 **SEC. 7513. SUN GRANT PROGRAM.**

20 Section 7526(g) of the Food, Conservation, and En-
21 ergy Act of 2008 (7 U.S.C. 8114(g)) is amended by strik-
22 ing “2018” and inserting “2023”.

1 **SEC. 7514. MECHANIZATION AND AUTOMATION FOR SPE-**
2 **CIALTY CROPS.**

3 (a) **IN GENERAL.**—Not later than 180 days after the
4 date of enactment of this Act, the Secretary shall conduct
5 a review of the programs of the Department of Agriculture
6 that affect the production or processing of specialty crops.

7 (b) **REQUIREMENTS.**—The review under subsection
8 (a) shall identify—

9 (1) programs that currently are, or previously
10 have been, effectively used to accelerate the develop-
11 ment and use of automation or mechanization in the
12 production or processing of specialty crops; and

13 (2) programs that may be more effectively used
14 to accelerate the development and use of automation
15 or mechanization in the production or processing of
16 specialty crops.

17 (c) **STRATEGY.**—With respect to programs identified
18 under subsection (b), the Secretary shall develop and im-
19 plement a strategy to accelerate the development and use
20 of automation and mechanization in the production or
21 processing of specialty crops.

1 **Subtitle F—Matching Funds**
2 **Requirement**

3 **SEC. 7601. MATCHING FUNDS REQUIREMENT.**

4 (a) REPEAL.—Subtitle P of the National Agricultural
5 Research, Extension, and Teaching Policy Act of 1977 (7
6 U.S.C. 3371) is repealed.

7 (b) CONFORMING AMENDMENTS.—

8 (1) NATIONAL AGRICULTURAL RESEARCH, EX-
9 TENSION, AND TEACHING POLICY ACT OF 1977.—

10 (A) NATIONAL AGRICULTURAL RESEARCH,
11 EXTENSION, EDUCATION, AND ECONOMICS AD-
12 VISORY BOARD.—Section 1408(c)(1) of the Na-
13 tional Agricultural Research, Extension, and
14 Teaching Policy Act of 1977 (7 U.S.C.
15 3123(c)(1)) is amended by striking subpara-
16 graph (B) and inserting the following:

17 “(B) the annual establishment of national
18 priorities, as determined by the Board;”.

19 (B) GRANTS TO ENHANCE RESEARCH CA-
20 PACITY IN SCHOOLS OF VETERINARY MEDI-
21 CINE.—Section 1415(a) of the National Agri-
22 cultural Research, Extension, and Teaching
23 Policy Act of 1977 (7 U.S.C. 3151(a)) is
24 amended—

1 (i) by striking “The Secretary” and
2 inserting the following:

3 “(1) IN GENERAL.—The Secretary”; and

4 (ii) by adding at the end the fol-
5 lowing:

6 “(2) MATCHING REQUIREMENT.—A State re-
7 ceiving a grant under paragraph (1) shall provide
8 State matching funds equal to not less than the
9 amount of the grant.”.

10 (C) AQUACULTURE ASSISTANCE GRANT
11 PROGRAM.—Section 1475(b) of the National
12 Agricultural Research, Extension, and Teaching
13 Policy Act of 1977 (7 U.S.C. 3322(b)) is
14 amended by striking “The Secretary” and all
15 that follows through the period at the end and
16 inserting the following:

17 “(1) IN GENERAL.—Subject to paragraph (3),
18 the Secretary may make competitive grants to enti-
19 ties eligible for grants under paragraph (2) for re-
20 search and extension to facilitate or expand prom-
21 ising advances in the production and marketing of
22 aquacultural food species and products and to en-
23 hance the safety and wholesomeness of those species
24 and products, including the development of reliable
25 supplies of seed stock and therapeutic compounds.

1 “(2) ELIGIBLE ENTITIES.—The Secretary may
2 make a competitive grant under paragraph (1) to—

3 “(A) a land-grant or seagrant college or
4 university;

5 “(B) a State agricultural experiment sta-
6 tion;

7 “(C) a college, university, or Federal lab-
8 oratory having a demonstrable capacity to con-
9 duct aquacultural research, as determined by
10 the Secretary; or

11 “(D) a nonprofit private research institu-
12 tion.

13 “(3) MATCHING STATE GRANTS.—

14 “(A) IN GENERAL.—Except as provided in
15 subparagraph (B), the Secretary shall not make
16 a grant under paragraph (1) unless the State in
17 which the grant recipient is located makes a
18 grant to that recipient in an amount equal to
19 not less than the amount of the grant under
20 paragraph (1) (of which State amount an in-
21 kind contribution shall not exceed 50 percent).

22 “(B) FEDERAL LABORATORIES.—Subpara-
23 graph (A) shall not apply to a grant to a Fed-
24 eral laboratory.”.

1 (2) FOOD, AGRICULTURE, CONSERVATION, AND
2 TRADE ACT OF 1990.—

3 (A) FEDERAL-STATE MATCHING GRANT
4 PROGRAM.—Section 1623(d)(2) of the Food,
5 Agriculture, Conservation, and Trade Act of
6 1990 (7 U.S.C. 5813(d)(2)) is amended by
7 striking the second sentence.

8 (B) AGRICULTURAL GENOME INITIA-
9 TIVE.—Section 1671 of the Food, Agriculture,
10 Conservation, and Trade Act of 1990 (7 U.S.C.
11 5924) (as amended by section 7208) is amend-
12 ed by inserting after subsection (e) the fol-
13 lowing:

14 “(f) MATCHING FUNDS REQUIREMENT.—

15 “(1) IN GENERAL.—Subject to paragraph (3),
16 with respect to a grant or cooperative agreement
17 under this section that provides a particular benefit
18 to a specific agricultural commodity, the recipient of
19 funds under the grant or cooperative agreement
20 shall provide non-Federal matching funds (including
21 funds from a generic agricultural commodity pro-
22 motion, research, and information program) equal to
23 not less than the amount provided under the grant
24 or cooperative agreement.

1 “(2) IN-KIND SUPPORT.—Non-Federal match-
2 ing funds described in paragraph (1) may include in-
3 kind support.

4 “(3) WAIVER.—The Secretary may waive the
5 matching funds requirement under paragraph (1)
6 with respect to a research project if the Secretary
7 determines that—

8 “(A) the results of the project are of a par-
9 ticular benefit to a specific agricultural com-
10 modity, but those results are likely to be appli-
11 cable to agricultural commodities generally; or

12 “(B)(i) the project—

13 “(I) involves a minor commodity; and

14 “(II) deals with scientifically impor-
15 tant research; and

16 “(ii) the recipient is unable to satisfy the
17 matching funds requirement.”.

18 (C) HIGH-PRIORITY RESEARCH AND EX-
19 TENSION INITIATIVES.—Section 1672(a) of the
20 Food, Agriculture, Conservation, and Trade Act
21 of 1990 (7 U.S.C. 5925(a)) is amended—

22 (i) by striking “The Secretary of Agri-
23 culture” and inserting the following:

24 “(1) IN GENERAL.—The Secretary of Agri-
25 culture”;

1 (ii) in paragraph (1) (as so des-
2 ignated), in the second sentence, by strik-
3 ing “The Secretary shall” and inserting
4 the following:

5 “(3) CONSULTATION.—The Secretary shall”;
6 and

7 (iii) by inserting after paragraph (1)
8 the following:

9 “(2) MATCHING FUNDS REQUIREMENT.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graph (C), an entity receiving a grant under
12 paragraph (1) shall provide non-Federal match-
13 ing funds (including funds from a generic agri-
14 cultural commodity promotion, research, and in-
15 formation program) equal to not less than the
16 amount of the grant.

17 “(B) IN-KIND SUPPORT.—Non-Federal
18 matching funds described in subparagraph (A)
19 may include in-kind support.

20 “(C) WAIVER.—The Secretary may waive
21 the matching funds requirement under subpara-
22 graph (A) with respect to a research project if
23 the Secretary determines that—

24 “(i) the results of the project are of a
25 particular benefit to a specific agricultural

1 commodity, but those results are likely to
2 be applicable to agricultural commodities
3 generally; or

4 “(ii)(I) the project—

5 “(aa) involves a minor com-
6 modity; and

7 “(bb) deals with scientifically im-
8 portant research; and

9 “(II) the recipient is unable to satisfy
10 the matching funds requirement.”.

11 (D) ORGANIC AGRICULTURE RESEARCH
12 AND EXTENSION INITIATIVE.—Section 1672B
13 of the Food, Agriculture, Conservation, and
14 Trade Act of 1990 (7 U.S.C. 5925b) (as
15 amended by section 7210) is amended—

16 (i) by redesignating subsections (c),
17 (d), and (e) as subsections (d), (e), and (f),
18 respectively; and

19 (ii) by inserting after subsection (b)
20 the following:

21 “(c) MATCHING REQUIREMENT.—

22 “(1) IN GENERAL.—Subject to paragraph (3),
23 an entity receiving a grant under subsection (a)
24 shall provide non-Federal matching funds (including
25 funds from a generic agricultural commodity pro-

1 motion, research, and information program) equal to
2 not less than the 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 (3) AGRICULTURAL RESEARCH, EXTENSION,
21 AND EDUCATION REFORM ACT OF 1998.—

22 (A) INTEGRATED RESEARCH, EDUCATION,
23 AND EXTENSION COMPETITIVE GRANTS PRO-
24 GRAM.—Section 406 of the Agricultural Re-

1 search, Extension, and Education Reform Act
2 of 1998 (7 U.S.C. 7626) is amended—

3 (i) by redesignating subsections (d)
4 and (e) as subsections (e) and (f), respec-
5 tively; and

6 (ii) by inserting after subsection (c)
7 the following:

8 “(d) MATCHING FUNDS REQUIREMENT.—

9 “(1) IN GENERAL.—Subject to paragraph (3),
10 with respect to a grant under this section that pro-
11 vides a particular benefit to a specific agricultural
12 commodity, the recipient of the grant shall provide
13 non-Federal matching funds (including funds from a
14 generic agricultural commodity promotion, research,
15 and information program) equal to not less than the
16 amount of the grant.

17 “(2) IN-KIND SUPPORT.—Non-Federal match-
18 ing funds described in paragraph (1) may include in-
19 kind support.

20 “(3) WAIVER.—The Secretary may waive the
21 matching funds requirement under paragraph (1)
22 with respect to a research project if the Secretary
23 determines that—

24 “(A) the results of the project are of a par-
25 ticular benefit to a specific agricultural com-

1 modity, but those results are likely to be appli-
2 cable to agricultural commodities generally; or

3 “(B)(i) the project—

4 “(I) involves a minor commodity; and

5 “(II) deals with scientifically impor-
6 tant research; and

7 “(ii) the recipient is unable to satisfy the
8 matching funds requirement.”.

9 (B) SPECIALTY CROP RESEARCH INITIA-
10 TIVE.—Section 412(g) of the Agricultural Re-
11 search, Extension, and Education Reform Act
12 of 1998 (7 U.S.C. 7632(g)) is amended—

13 (i) by redesignating paragraph (3) as
14 paragraph (4); and

15 (ii) by inserting after paragraph (2)
16 the following:

17 “(3) MATCHING REQUIREMENT.—

18 “(A) IN GENERAL.—An entity receiving a
19 grant under this section shall provide non-Fed-
20 eral matching funds (including funds from a ge-
21 neric agricultural commodity promotion, re-
22 search, and information program) equal to not
23 less than the amount of the grant.

1 “(B) IN-KIND SUPPORT.—Non-Federal
2 matching funds described in subparagraph (A)
3 may include in-kind support.”.

4 (4) OTHER LAWS.—

5 (A) SUN GRANT PROGRAM.—Section
6 7526(c)(1)(C)(iv) of the Food, Conservation,
7 and Energy Act of 2008 (7 U.S.C.
8 8114(c)(1)(C)(iv)) is amended by striking sub-
9 clause (IV).

10 (B) AGRICULTURE AND FOOD RESEARCH
11 INITIATIVE.—Subsection (b)(9) of the Competi-
12 tive, Special, and Facilities Research Grant Act
13 (7 U.S.C. 3157(b)(9)) is amended—

14 (i) in subparagraph (A), by striking
15 clause (iii);

16 (ii) in subparagraph (B)—

17 (I) in clause (i), by striking
18 “clauses (ii) and (iii),” and inserting
19 “clause (ii),”; and

20 (II) by striking clause (iii); and

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

23 “(C) APPLIED RESEARCH.—An entity re-
24 ceiving a grant under paragraph (5)(B) for ap-
25 plied research that is commodity-specific and

1 not of national scope shall provide non-Federal
2 matching funds equal to not less than the
3 amount of the grant.”.

4 (c) APPLICATION OF AMENDMENTS.—

5 (1) GRANTS AWARDED AFTER OCTOBER 1,
6 2018.—The amendments made by subsections (a)
7 and (b) shall apply with respect to grants described
8 in subsection (b) that are awarded after October 1,
9 2018.

10 (2) GRANTS AWARDED ON OR BEFORE OCTO-
11 BER 1, 2018.—Notwithstanding the amendments
12 made by subsections (a) and (b), a matching funds
13 requirement in effect on the day before the date of
14 enactment of this Act under a provision of law
15 amended by subsection (a) or (b) shall continue to
16 apply to a grant described in subsection (b) that is
17 awarded on or before October 1, 2018.

18 **TITLE VIII—FORESTRY**
19 **Subtitle A—Cooperative Forestry**
20 **Assistance Act of 1978**

21 **SEC. 8101. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**
22 **RESTORATION PROGRAM.**

23 (a) IN GENERAL.—Section 13A of the Cooperative
24 Forestry Assistance Act of 1978 (16 U.S.C. 2109a) is
25 amended to read as follows:

1 **“SEC. 13A. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**
2 **RESTORATION PROGRAM.**

3 “(a) PURPOSE.—The purpose of this section is to en-
4 courage collaborative, science-based restoration of priority
5 forest landscapes.

6 “(b) DEFINITIONS.—In this section:

7 “(1) INDIAN TRIBE.—The term ‘Indian tribe’
8 has the meaning given the term in section 4 of the
9 Indian Self-Determination and Education Assistance
10 Act (25 U.S.C. 5304).

11 “(2) NONINDUSTRIAL PRIVATE FOREST
12 LAND.—The term ‘nonindustrial private forest land’
13 means land that—

14 “(A) is rural, as determined by the Sec-
15 retary;

16 “(B) has existing tree cover or is suitable
17 for growing trees; and

18 “(C) is owned by any private individual,
19 group, association, corporation, Indian tribe, or
20 other private legal entity.

21 “(3) STATE FOREST LAND.—The term ‘State
22 forest land’ means land that—

23 “(A) is rural, as determined by the Sec-
24 retary; and

1 “(B) is under State or local governmental
2 ownership and considered to be non-Federal
3 forest land.

4 “(c) ESTABLISHMENT.—The Secretary, in consulta-
5 tion with State foresters or appropriate State agencies,
6 shall establish a competitive grant program to provide fi-
7 nancial and technical assistance to encourage collabo-
8 rative, science-based restoration of priority landscapes.

9 “(d) ELIGIBILITY.—To be eligible to receive a grant
10 under this section, an applicant shall submit to the Sec-
11 retary, through the State forester or appropriate State
12 agency, a State and private forest landscape-scale restora-
13 tion proposal based on a restoration strategy that—

14 “(1) is complete or substantially complete;

15 “(2) is for a multiyear period;

16 “(3) covers nonindustrial private forest land or
17 State forest land;

18 “(4) is accessible by wood-processing infrastruc-
19 ture; and

20 “(5) is based on the best available science.

21 “(e) PLAN CRITERIA.—A State and private forest
22 landscape-scale restoration proposal submitted under this
23 section shall include plans—

24 “(1) to reduce the risk of uncharacteristic
25 wildfires;

1 “(2) to improve fish and wildlife habitats, in-
2 cluding the habitats of threatened and endangered
3 species;

4 “(3) to maintain or improve water quality and
5 watershed function;

6 “(4) to mitigate invasive species, insect infesta-
7 tion, and disease;

8 “(5) to improve important forest ecosystems;

9 “(6) to measure ecological and economic bene-
10 fits, including air quality and soil quality and pro-
11 ductivity; and

12 “(7) to take other relevant actions, as deter-
13 mined by the Secretary.

14 “(f) PRIORITIES.—In making grants under this sec-
15 tion, the Secretary shall give priority to plans that—

16 “(1) further a statewide forest assessment and
17 resource strategy;

18 “(2) promote cross boundary landscape collabo-
19 ration; and

20 “(3) leverage public and private resources.

21 “(g) COLLABORATION AND CONSULTATION.—The
22 Chief of the Forest Service, the Chief of the Natural Re-
23 sources Conservation Service, and relevant stakeholders
24 shall collaborate and consult on an ongoing basis regard-
25 ing—

1 “(1) administration of the program established
2 under this section; and

3 “(2) identification of other applicable resources
4 for landscape-scale restoration.

5 “(h) MATCHING FUNDS REQUIRED.—As a condition
6 of receiving a grant under this section, the Secretary shall
7 require the recipient of the grant to provide funds or in-
8 kind support from non-Federal sources in an amount that
9 is at least equal to the amount of Federal funds.

10 “(i) COORDINATION AND PROXIMITY ENCOUR-
11 AGED.—In making grants under this section, the Sec-
12 retary may consider coordination with and proximity to
13 other landscape-scale projects on other land under the ju-
14 risdiction of the Secretary, the Secretary of the Interior,
15 or a Governor of a State, including under—

16 “(1) the Collaborative Forest Landscape Res-
17 toration Program established under section 4003 of
18 the Omnibus Public Land Management Act of 2009
19 (16 U.S.C. 7303);

20 “(2) landscape areas designated for insect and
21 disease treatments under section 602 of the Healthy
22 Forests Restoration Act of 2003 (16 U.S.C. 6591a);

23 “(3) good neighbor authority under section 19;

1 “(4) stewardship end result contracting projects
2 authorized under section 604 of the Healthy Forests
3 Restoration Act of 2003 (16 U.S.C. 6591c);

4 “(5) appropriate State-level programs; and

5 “(6) other relevant programs, as determined by
6 the Secretary.

7 “(j) REGULATIONS.—The Secretary shall promulgate
8 such regulations as the Secretary determines necessary to
9 carry out this section.

10 “(k) REPORT.—Not later than 3 years after the date
11 of enactment of this section, the Secretary shall submit
12 to the Committee on Agriculture of the House of Rep-
13 resentatives and the Committee on Agriculture, Nutrition,
14 and Forestry of the Senate a report on—

15 “(1) the status of development, execution, and
16 administration of selected projects;

17 “(2) the accounting of program funding ex-
18 penditures; and

19 “(3) specific accomplishments that have re-
20 sulted from landscape-scale projects.

21 “(l) FUND.—

22 “(1) IN GENERAL.—There is established in the
23 Treasury a fund, to be known as the ‘State and Pri-
24 vate Forest Landscape-Scale Restoration Fund’ (re-
25 ferred to in this subsection as the ‘Fund’), to be

1 used by the Secretary to make grants under this sec-
2 tion.

3 “(2) CONTENTS.—The Fund shall consist of
4 such amounts as are appropriated to the Fund
5 under paragraph (3).

6 “(3) AUTHORIZATION OF APPROPRIATIONS.—
7 There is authorized to be appropriated to the Fund
8 \$20,000,000 for each fiscal year beginning with the
9 first full fiscal year after the date of enactment of
10 this subsection through fiscal year 2023, to remain
11 available until expended.”.

12 (b) CONFORMING AMENDMENTS.—

13 (1) Section 13B of the Cooperative Forestry
14 Assistance Act of 1978 (16 U.S.C. 2109b) is re-
15 pealed.

16 (2) Section 19(a)(4)(C) of the Cooperative For-
17 estry Assistance Act of 1978 (16 U.S.C.
18 2113(a)(4)(C)) is amended by striking “sections
19 13A and 13B” and inserting “section 13A”.

1 **Subtitle B—Forest and Rangeland**
2 **Renewable Resources Research**
3 **Act of 1978**

4 **SEC. 8201. REPEAL OF RECYCLING RESEARCH.**

5 Section 9 of the Forest and Rangeland Renewable
6 Resources Research Act of 1978 (16 U.S.C. 1648) is re-
7 pealed.

8 **SEC. 8202. REPEAL OF FORESTRY STUDENT GRANT PRO-**
9 **GRAM.**

10 Section 10 of the Forest and Rangeland Renewable
11 Resources Research Act of 1978 (16 U.S.C. 1649) is re-
12 pealed.

13 **Subtitle C—Global Climate Change**
14 **Prevention Act of 1990**

15 **SEC. 8301. REPEALS.**

16 (a) BIOMASS ENERGY DEMONSTRATION
17 PROJECTS.—Section 2410 of the Global Climate Change
18 Prevention Act of 1990 (7 U.S.C. 6708) is repealed.

19 (b) INTERAGENCY COOPERATION TO MAXIMIZE BIO-
20 MASS GROWTH.—Section 2411 of the Global Climate
21 Change Prevention Act of 1990 (7 U.S.C. 6709) is amend-
22 ed in the matter preceding paragraph (1) by striking
23 “to—” and all that follows through “such forests and
24 lands” in paragraph (2) and inserting “to develop a pro-

1 gram to manage forests and land on Department of De-
2 fense military installations”.

3 **Subtitle D—Healthy Forests**
4 **Restoration Act of 2003**

5 **SEC. 8401. PROMOTING CROSS-BOUNDARY WILDFIRE MITI-**
6 **GATION.**

7 Section 103 of the Healthy Forests Restoration Act
8 of 2003 (16 U.S.C. 6513) is amended by adding at the
9 end the following:

10 “(e) CROSS-BOUNDARY HAZARDOUS FUEL REDUC-
11 TION PROJECTS.—

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

13 “(A) HAZARDOUS FUEL REDUCTION
14 PROJECT.—The term ‘hazardous fuel reduction
15 project’ means a hazardous fuel reduction
16 project described in paragraph (2).

17 “(B) NON-FEDERAL LAND.—The term
18 ‘non-Federal land’ includes—

19 “(i) State land;

20 “(ii) county land;

21 “(iii) Tribal land;

22 “(iv) private land; and

23 “(v) other non-Federal land.

24 “(2) GRANTS.—The Secretary may make
25 grants to State foresters to support hazardous fuel

1 reduction projects that incorporate treatments in
2 landscapes across ownership boundaries on Federal
3 and non-Federal land, particularly in areas identi-
4 fied as priorities in applicable State-wide forest re-
5 source assessments or strategies under section 2A(a)
6 of the Cooperative Forestry Assistance Act of 1978
7 (16 U.S.C. 2101a(a)), as mutually agreed to by the
8 State forester and the Regional Forester.

9 “(3) LAND TREATMENTS.—To conduct and
10 fund treatments for hazardous fuel reduction
11 projects carried out by State foresters using grants
12 under paragraph (2), the Secretary may use the au-
13 thorities of the Secretary relating to cooperation and
14 technical and financial assistance, including the good
15 neighbor authority under—

16 “(A) section 8206 of the Agricultural Act
17 of 2014 (16 U.S.C. 2113a); and

18 “(B) section 331 of the Department of the
19 Interior and Related Agencies Appropriations
20 Act, 2001 (16 U.S.C. 1011 note; Public Law
21 106–291).

22 “(4) COOPERATION.—In carrying out a haz-
23 ardous fuel reduction project using a grant under
24 paragraph (2) on non-Federal land, the State for-
25 ester, in consultation with the Secretary—

1 “(A) shall consult with any applicable own-
2 ers of the non-Federal land; and

3 “(B) shall not implement the hazardous
4 fuel reduction project on non-Federal land with-
5 out the consent of the owner of the non-Federal
6 land.

7 “(5) AUTHORIZATION OF APPROPRIATIONS.—
8 There is authorized to be appropriated to carry out
9 this subsection \$20,000,000 for each of fiscal years
10 2019 through 2023.”.

11 **SEC. 8402. AUTHORIZATION OF APPROPRIATIONS FOR HAZ-**
12 **ARDOUS FUEL REDUCTION ON FEDERAL**
13 **LAND.**

14 Section 108 of the Healthy Forests Restoration Act
15 of 2003 (16 U.S.C. 6518) is amended by striking
16 “\$760,000,000 for each fiscal year” and inserting
17 “\$660,000,000 for each of fiscal years 2019 through
18 2023”.

19 **SEC. 8403. REPEAL OF BIOMASS COMMERCIAL UTILIZATION**
20 **GRANT PROGRAM.**

21 (a) IN GENERAL.—Section 203 of the Healthy For-
22 ests Restoration Act of 2003 (16 U.S.C. 6531) is repealed.

23 (b) CONFORMING AMENDMENT.—The table of con-
24 tents for the Healthy Forests Restoration Act of 2003 (16

1 U.S.C. 6501 note; Public Law 108–148) is amended by
2 striking the item relating to section 203.

3 **SEC. 8404. WATER SOURCE PROTECTION PROGRAM.**

4 (a) IN GENERAL.—Title III of the Healthy Forests
5 Restoration Act of 2003 (16 U.S.C. 6541 et seq.) is
6 amended by adding at the end the following:

7 **“SEC. 303. WATER SOURCE PROTECTION PROGRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) END WATER USER.—The term ‘end water
10 user’ means a non-Federal entity, including—

11 “(A) a State;

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

13 “(C) an Indian tribe;

14 “(D) a utility;

15 “(E) a municipal water system;

16 “(F) an irrigation district;

17 “(G) a nonprofit organization; and

18 “(H) a corporation.

19 “(2) FOREST MANAGEMENT ACTIVITY.—The
20 term ‘forest management activity’ means a project
21 carried out by the Secretary on National Forest Sys-
22 tem land.

23 “(3) FOREST PLAN.—The term ‘forest plan’
24 means a land management plan prepared by the
25 Forest Service for a unit of the National Forest Sys-

1 tem pursuant to section 6 of the Forest and Range-
2 land Renewable Resources Planning Act of 1974 (16
3 U.S.C. 1604).

4 “(4) NON-FEDERAL PARTNER.—The term ‘non-
5 Federal partner’ means an end water user with
6 whom the Secretary has entered into a partnership
7 agreement under subsection (c)(1).

8 “(5) PROGRAM.—The term ‘Program’ means
9 the Water Source Protection Program established
10 under subsection (b).

11 “(6) SECRETARY.—The term ‘Secretary’ means
12 the Secretary of Agriculture, acting through the
13 Chief of the Forest Service.

14 “(7) WATER SOURCE MANAGEMENT PLAN.—
15 The term ‘water source management plan’ means
16 the water source management plan developed under
17 subsection (d)(1).

18 “(b) ESTABLISHMENT.—The Secretary shall estab-
19 lish and maintain a program, to be known as the ‘Water
20 Source Protection Program’, to carry out watershed pro-
21 tection and restoration projects on National Forest Sys-
22 tem land.

23 “(c) WATER SOURCE INVESTMENT PARTNER-
24 SHIPS.—

1 “(1) IN GENERAL.—In carrying out the Pro-
2 gram, the Secretary may enter into water source in-
3 vestment partnership agreements with end water
4 users to protect and restore the condition of Na-
5 tional Forest watersheds that provide water to the
6 end water users.

7 “(2) FORM.—A partnership agreement de-
8 scribed in paragraph (1) may take the form of—

9 “(A) a memorandum of understanding;

10 “(B) a cost-share or collection agreement;

11 “(C) a long-term funding matching com-
12 mitment; or

13 “(D) another appropriate instrument, as
14 determined by the Secretary.

15 “(d) WATER SOURCE MANAGEMENT PLAN.—

16 “(1) IN GENERAL.—In carrying out the Pro-
17 gram, the Secretary, in cooperation with the non-
18 Federal partners and applicable State, local, and
19 Tribal governments, may develop a water source
20 management plan that describes the proposed imple-
21 mentation of watershed protection and restoration
22 projects under the Program.

23 “(2) REQUIREMENT.—A water source manage-
24 ment plan shall be conducted in a manner consistent
25 with the forest plan applicable to the National For-

1 est System land on which the watershed protection
2 and restoration project is carried out.

3 “(3) ENVIRONMENTAL ANALYSIS.—The Sec-
4 retary may conduct a single environmental impact
5 statement or similar analysis required under the Na-
6 tional Environmental Policy Act of 1969 (42 U.S.C.
7 4321 et seq.)—

8 “(A) for each watershed protection and
9 restoration project included in the water source
10 management plan; or

11 “(B) as part of the development of, or
12 after the finalization of, the water source man-
13 agement plan.

14 “(e) FOREST MANAGEMENT ACTIVITIES.—

15 “(1) IN GENERAL.—To the extent that forest
16 management activities are necessary to protect,
17 maintain, or enhance water quality, and in accord-
18 ance with paragraph (2), the Secretary shall carry
19 out forest management activities as part of water-
20 shed protection and restoration projects carried out
21 on National Forest System land, with the primary
22 purpose of—

23 “(A) protecting a municipal water supply
24 system;

1 “(B) restoring forest health from insect in-
2 festations and disease; or

3 “(C) any combination of the purposes de-
4 scribed in subparagraphs (A) and (B).

5 “(2) COMPLIANCE.—The Secretary shall carry
6 out forest management activities under paragraph
7 (1) in accordance with—

8 “(A) this Act;

9 “(B) the applicable water source manage-
10 ment plan;

11 “(C) the applicable forest plan; and

12 “(D) other applicable laws.

13 “(f) ENDANGERED SPECIES ACT OF 1973.—In car-
14 rying out the Program, the Secretary may use the Manual
15 on Adaptive Management of the Department of the Inte-
16 rior, including any associated guidance, to comply with the
17 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

18 “(g) FUNDS AND SERVICES.—

19 “(1) IN GENERAL.—In carrying out the Pro-
20 gram, the Secretary may accept and use funding,
21 services, and other forms of investment and assist-
22 ance from non-Federal partners to implement the
23 water source management plan.

24 “(2) MATCHING FUNDS REQUIRED.—The Sec-
25 retary shall require the contribution of funds or in-

1 kind support from non-Federal partners to be in an
2 amount that is at least equal to the amount of Fed-
3 eral funds.

4 “(3) MANNER OF USE.—The Secretary may ac-
5 cept and use investments described in paragraph (1)
6 directly or indirectly through the National Forest
7 Foundation.

8 “(4) WATER SOURCE PROTECTION FUND.—

9 “(A) IN GENERAL.—Subject to the avail-
10 ability of appropriations, the Secretary may es-
11 tablish a Water Source Protection Fund to
12 match funds or in-kind support contributed by
13 non-Federal partners under paragraph (1).

14 “(B) USE OF APPROPRIATED FUNDS.—
15 There is authorized to be appropriated to carry
16 out this section \$10,000,000 for each of fiscal
17 years 2019 through 2023.

18 “(C) PARTNERSHIP AGREEMENTS.—The
19 Secretary may make multiyear commitments, if
20 necessary, to implement 1 or more partnership
21 agreements under subsection (c).”.

22 (b) CONFORMING AMENDMENT.—The table of con-
23 tents for the Healthy Forests Restoration Act of 2003 (16
24 U.S.C. 6501 note; Public Law 108–148) is amended by

1 striking the item relating to section 303 and inserting the
2 following:

“Sec. 303. Water Source Protection Program.”.

3 **SEC. 8405. AUTHORIZATION OF APPROPRIATIONS TO COM-**
4 **BAT INSECT INFESTATIONS AND RELATED**
5 **DISEASES.**

6 (a) IN GENERAL.—Section 406 of the Healthy For-
7 ests Restoration Act of 2003 (16 U.S.C. 6556) is amended
8 to read as follows:

9 **“SEC. 406. TERMINATION OF EFFECTIVENESS.**

10 “The authority provided by this title terminates effec-
11 tive October 1, 2023.”.

12 (b) CONFORMING AMENDMENT.—The table of con-
13 tents for the Healthy Forests Restoration Act of 2003 (16
14 U.S.C. 6501 note; Public Law 108–148) is amended by
15 striking the item relating to section 406 and inserting the
16 following:

“Sec. 406. Termination of effectiveness.”.

17 **SEC. 8406. AUTHORIZATION OF APPROPRIATIONS FOR DES-**
18 **IGNATION OF TREATMENT AREAS.**

19 Section 602 of the Healthy Forests Restoration Act
20 of 2003 (16 U.S.C. 6591a) is amended by striking sub-
21 section (f).

1 **SEC. 8407. ADMINISTRATIVE REVIEW OF COLLABORATIVE**
2 **RESTORATION PROJECTS.**

3 Section 603(e) of the Healthy Forests Restoration
4 Act of 2003 (16 U.S.C. 6591b(e)) is amended by adding
5 at the end the following:

6 “(4) EXTRAORDINARY CIRCUMSTANCES.—The
7 Secretary shall apply the extraordinary cir-
8 cumstances procedures under section 220.6 of title
9 36, Code of Federal Regulations (or successor regu-
10 lations), when using the categorical exclusion under
11 this section.”.

12 **Subtitle E—Repeal or Reauthoriza-**
13 **tion of Miscellaneous Forestry**
14 **Programs**

15 **SEC. 8501. REPEAL OF REVISION OF STRATEGIC PLAN FOR**
16 **FOREST INVENTORY AND ANALYSIS.**

17 Section 8301 of the Agricultural Act of 2014 (16
18 U.S.C. 1642 note; Public Law 113–79) is repealed.

19 **SEC. 8502. SEMIARID AGROFORESTRY RESEARCH CENTER.**

20 Section 1243(d) of the Food, Agriculture, Conserva-
21 tion, and Trade Act of 1990 (16 U.S.C. 1642 note; Public
22 Law 101–624) is amended by striking “annually” and in-
23 serting “for each of fiscal years 2019 through 2023”.

1 **SEC. 8503. NATIONAL FOREST FOUNDATION ACT.**

2 (a) MATCHING FUNDS.—Section 405(b) of the Na-
3 tional Forest Foundation Act (16 U.S.C. 583j–3(b)) is
4 amended by striking “2018” and inserting “2023”.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
6 410(b) of the National Forest Foundation Act (16 U.S.C.
7 583j–8(b)) is amended by striking “2018” and inserting
8 “2023”.

9 **SEC. 8504. CONVEYANCE OF FOREST SERVICE ADMINISTRA-**
10 **TIVE SITES.**

11 Section 503(f) of the Forest Service Facility Realign-
12 ment and Enhancement Act of 2005 (16 U.S.C. 580d
13 note; Public Law 109–54) is amended by striking “2016”
14 and inserting “2023”.

15 **Subtitle F—Forest Management**

16 **SEC. 8601. DEFINITIONS.**

17 In this subtitle:

18 (1) NATIONAL FOREST SYSTEM.—The term
19 “National Forest System” has the meaning given
20 the term in section 11(a) of the Forest and Range-
21 land Renewable Resources Planning Act of 1974 (16
22 U.S.C. 1609(a)).

23 (2) PUBLIC LAND.—The term “public land”
24 has the meaning given the term “public lands” in
25 section 103 of the Federal Land Policy and Manage-
26 ment Act of 1976 (43 U.S.C. 1702).

1 **PART I—EXPEDITED ENVIRONMENTAL ANALYSIS**
2 **AND AVAILABILITY OF CATEGORICAL EX-**
3 **CLUSIONS TO EXPEDITE FOREST MANAGE-**
4 **MENT ACTIVITIES**

5 **SEC. 8611. CATEGORICAL EXCLUSION FOR GREATER SAGE-**
6 **GROUSE AND MULE DEER HABITAT.**

7 (a) IN GENERAL.—Title VI of the Healthy Forests
8 Restoration Act of 2003 (16 U.S.C. 6591 et seq.) is
9 amended by adding at the end the following:

10 **“SEC. 606. CATEGORICAL EXCLUSION FOR GREATER SAGE-**
11 **GROUSE AND MULE DEER HABITAT.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) COVERED VEGETATION MANAGEMENT AC-
14 TIVITY.—

15 “(A) IN GENERAL.—The term ‘covered
16 vegetation management activity’ means any ac-
17 tivity described in subparagraph (B) that—

18 “(i)(I) is carried out on National For-
19 est System land administered by the For-
20 est Service; or

21 “(II) is carried out on public land ad-
22 ministered by the Bureau of Land Man-
23 agement;

24 “(ii) with respect to public land,
25 meets the objectives of the order of the

1 Secretary of the Interior numbered 3336
2 and dated January 5, 2015;

3 “(iii) conforms to an applicable forest
4 plan or land use plan;

5 “(iv) protects, restores, or improves
6 greater sage-grouse or mule deer habitat in
7 a sagebrush steppe ecosystem as described
8 in—

9 “(I) Circular 1416 of the United
10 States Geological Survey entitled
11 ‘Restoration Handbook for Sagebrush
12 Steppe Ecosystems with Emphasis on
13 Greater Sage-Grouse Habitat—Part
14 1. Concepts for Understanding and
15 Applying Restoration’ (2015); or

16 “(II) the habitat guidelines for
17 mule deer published by the Mule Deer
18 Working Group of the Western Asso-
19 ciation of Fish and Wildlife Agencies;
20 “(v) will not permanently impair—

21 “(I) the natural state of the
22 treated area;

23 “(II) outstanding opportunities
24 for solitude;

1 “(III) outstanding opportunities
2 for primitive, unconfined recreation;

3 “(IV) economic opportunities
4 consistent with multiple-use manage-
5 ment; or

6 “(V) the identified values of a
7 unit of the National Landscape Con-
8 servation System;

9 “(vi)(I) restores native vegetation fol-
10 lowing a natural disturbance;

11 “(II) prevents the expansion into
12 greater sage-grouse or mule deer habitat
13 of—

14 “(aa) juniper, pinyon pine, or
15 other associated conifers; or

16 “(bb) nonnative or invasive vege-
17 tation;

18 “(III) reduces the risk of loss of
19 greater sage-grouse or mule deer habitat
20 from wildfire or any other natural disturb-
21 ance; or

22 “(IV) provides emergency stabilization
23 of soil resources after a natural disturb-
24 ance; and

1 “(vii) provides for the conduct of res-
2 toration treatments that—

3 “(I) maximize the retention of
4 old-growth and large trees, as appro-
5 priate for the forest type, to the ex-
6 tent that the trees promote the im-
7 provement of greater sage-grouse or
8 mule deer habitat;

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

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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 Section 8206(a) of the Agricultural Act of 2014 (16
8 U.S.C. 2113a(a)) is amended—

9 (1) in paragraph (1)(A), by striking “land and
10 non-Federal land” and inserting “land, non-Federal
11 land, and land owned by an Indian tribe”;

12 (2) in paragraph (5), by inserting “or Indian
13 tribe” after “affected State”;

14 (3) by redesignating paragraphs (6) and (7) as
15 paragraphs (8) and (9), respectively; and

16 (4) by inserting after paragraph (5) (as so re-
17 designated) the following:

18 “(6) INDIAN TRIBE.—The term ‘Indian tribe’
19 has the meaning given the term in section 4 of the
20 Indian Self-Determination and Education Assistance
21 Act (25 U.S.C. 5304).

22 “(7) LAND OWNED BY AN INDIAN TRIBE.—The
23 term ‘land owned by an Indian tribe’ includes land—

1 “(A) that is held in trust by the United
2 States for the benefit of any Indian tribe or in-
3 dividual Indian;

4 “(B) the title to which is held by an Indian
5 tribe or an individual Indian subject to restric-
6 tion by the United States against alienation or
7 encumbrance;

8 “(C) that is subject to the rights of use,
9 occupancy, and benefit of an Indian tribe;

10 “(D) that is held in fee title by an Indian
11 tribe; or

12 “(E) that is owned by a native corporation
13 formed under section 17 of the Act of June 18,
14 1934 (commonly known as the “Indian Reorga-
15 nization Act”) (48 Stat. 984, chapter 576; 25
16 U.S.C. 5124) or a Village Corporation under
17 section 8 of the Alaska Native Claims Settle-
18 ment Act (43 U.S.C. 1607).”.

19 **SEC. 8625. WILDLAND-URBAN INTERFACE.**

20 To the maximum extent practicable, the Secretary
21 shall prioritize the expenditure of hazardous fuels funding
22 for projects within the wildland-urban interface (as de-
23 fined in section 101 of the Healthy Forests Restoration
24 Act of 2003 (16 U.S.C. 6511)).

1 **SEC. 8626. CHATTAHOOCHEE-OCONEE NATIONAL FOREST**

2 **LAND ADJUSTMENT.**

3 (a) FINDINGS.—Congress finds that—

4 (1) certain National Forest System land in the
5 State of Georgia consists of isolated tracts that are
6 inefficient to manage or have lost their principal
7 value for National Forest purposes;

8 (2) the disposal of that National Forest System
9 land would be in the public interest; and

10 (3) proceeds from the sale of National Forest
11 System land under subsection (b)(1) would be used
12 best by the Forest Service to purchase land for Na-
13 tional Forest purposes in the State of Georgia.

14 (b) LAND CONVEYANCE AUTHORITY.—

15 (1) IN GENERAL.—Under such terms and con-
16 ditions as the Secretary may prescribe, the Secretary
17 may sell or exchange any or all rights, title, and in-
18 terest of the United States in and to the National
19 Forest System land described in paragraph (2)(A).

20 (2) LAND AUTHORIZED FOR DISPOSAL.—

21 (A) IN GENERAL.—The National Forest
22 System land referred to in paragraph (1) is the
23 30 tracts of land totaling approximately 3,841
24 acres that are generally depicted on the 2 maps
25 entitled “Priority Land Adjustments, State of
26 Georgia, U.S. Forest Service—Southern Region,

1 Oconee and Chattahoochee National Forests,
2 U.S. Congressional Districts—8, 9, 10 & 14”
3 and dated September 24, 2013.

4 (B) MAPS.—The maps described in sub-
5 paragraph (A) shall be on file and available for
6 public inspection in the Office of the Forest Su-
7 pervisor, Chattahoochee-Oconee National For-
8 est, until such time as the land is sold or ex-
9 changed.

10 (C) MODIFICATION OF BOUNDARIES.—The
11 Secretary may modify the boundaries of the
12 National Forest System land described in sub-
13 paragraph (A) based on land management con-
14 siderations.

15 (3) FORM OF CONVEYANCE.—

16 (A) QUITCLAIM DEED.—The Secretary
17 shall convey National Forest System land sold
18 or exchanged under paragraph (1) by quitclaim
19 deed.

20 (B) RESERVATIONS.—The Secretary may
21 reserve any rights-of-way or other rights or in-
22 terests in National Forest System land sold or
23 exchanged under paragraph (1) that the Sec-
24 retary considers necessary for management pur-
25 poses or to protect the public interest.

1 (4) VALUATION.—

2 (A) MARKET VALUE.—The Secretary may
3 not sell or exchange National Forest System
4 land under paragraph (1) for less than market
5 value, as determined by appraisal or through
6 competitive bid.

7 (B) APPRAISAL REQUIREMENTS.—Any ap-
8 praisal under subparagraph (A) shall be—

9 (i) consistent with the Uniform Ap-
10 praisal Standards for Federal Land Acqui-
11 sitions or the Uniform Standards of Pro-
12 fessional Appraisal Practice; and

13 (ii) subject to the approval of the Sec-
14 retary.

15 (5) CONSIDERATION.—

16 (A) CASH.—Consideration for a sale of
17 National Forest System land or equalization of
18 an exchange under paragraph (1) shall be paid
19 in cash.

20 (B) EXCHANGE.—Notwithstanding section
21 206(b) of the Federal Land Policy and Manage-
22 ment Act of 1976 (43 U.S.C. 1716(b)), the
23 Secretary may accept a cash equalization pay-
24 ment in excess of 25 percent of the value of any

1 National Forest System land exchanged under
2 paragraph (1).

3 (6) METHOD OF SALE.—

4 (A) OPTIONS.—The Secretary may sell
5 National Forest System land under paragraph
6 (1) at public or private sale, including competi-
7 tive sale by auction, bid, or otherwise, in ac-
8 cordance with such terms, conditions, and pro-
9 cedures as the Secretary determines are in the
10 best interest of the United States.

11 (B) SOLICITATIONS.—The Secretary
12 may—

13 (i) make public or private solicitations
14 for the sale or exchange of National Forest
15 System land under paragraph (1); and

16 (ii) reject any offer that the Secretary
17 determines is not adequate or not in the
18 public interest.

19 (7) BROKERS.—The Secretary may—

20 (A) use brokers or other third parties in
21 the sale or exchange of National Forest System
22 land under paragraph (1); and

23 (B) from the proceeds of a sale, pay rea-
24 sonable commissions or fees.

25 (c) TREATMENT OF PROCEEDS.—

1 (1) DEPOSIT.—Subject to subsection (b)(7)(B),
2 the Secretary shall deposit the proceeds of a sale or
3 a cash equalization payment received from the sale
4 or exchange of National Forest System land under
5 subsection (b)(1) in the fund established under Pub-
6 lic Law 90–171 (commonly known as the “Sisk
7 Act”) (16 U.S.C. 484a).

8 (2) AVAILABILITY.—Subject to paragraph (3),
9 amounts deposited under paragraph (1) shall be
10 available to the Secretary until expended, without
11 further appropriation, for the acquisition of land for
12 National Forest purposes in the State of Georgia.

13 (3) PRIVATE PROPERTY PROTECTION.—Nothing
14 in this section authorizes the use of funds deposited
15 under paragraph (1) to be used to acquire land with-
16 out the written consent of the owner of the land.

17 **SEC. 8627. TENNESSEE WILDERNESS.**

18 (a) DEFINITIONS.—In this section:

19 (1) MAP.—The term “Map” means the map en-
20 titled “Proposed Wilderness Areas and Additions-
21 Cherokee National Forest” and dated January 20,
22 2010.

23 (2) STATE.—The term “State” means the State
24 of Tennessee.

25 (b) ADDITIONS TO CHEROKEE NATIONAL FOREST.—

1 (1) DESIGNATION OF WILDERNESS.—In accord-
2 ance with the Wilderness Act (16 U.S.C. 1131 et
3 seq.), the following parcels of Federal land in the
4 Cherokee National Forest in the State are des-
5 ignated as wilderness and as additions to the Na-
6 tional Wilderness Preservation System:

7 (A) Certain land comprising approximately
8 9,038 acres, as generally depicted as the
9 “Upper Bald River Wilderness” on the Map
10 and which shall be known as the “Upper Bald
11 River Wilderness”.

12 (B) Certain land comprising approximately
13 348 acres, as generally depicted as the “Big
14 Frog Addition” on the Map and which shall be
15 incorporated in, and shall be considered to be a
16 part of, the Big Frog Wilderness.

17 (C) Certain land comprising approximately
18 630 acres, as generally depicted as the “Little
19 Frog Mountain Addition NW” 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 (D) Certain land comprising approximately
24 336 acres, as generally depicted as the “Little
25 Frog Mountain Addition NE” on the Map and

1 which shall be incorporated in, and shall be con-
2 sidered to be a part of, the Little Frog Moun-
3 tain Wilderness.

4 (E) Certain land comprising approximately
5 2,922 acres, as generally depicted as the
6 “Sampson Mountain Addition” on the Map and
7 which shall be incorporated in, and shall be con-
8 sidered to be a part of, the Sampson Mountain
9 Wilderness.

10 (F) Certain land comprising approximately
11 4,446 acres, as generally depicted as the “Big
12 Laurel Branch Addition” on the Map and
13 which shall be incorporated in, and shall be con-
14 sidered to be a part of, the Big Laurel Branch
15 Wilderness.

16 (G) Certain land comprising approximately
17 1,836 acres, as generally depicted as the “Joyce
18 Kilmer-Slickrock Addition” on the Map and
19 which shall be incorporated in, and shall be con-
20 sidered to be a part of, the Joyce Kilmer-
21 Slickrock Wilderness.

22 (2) MAPS AND LEGAL DESCRIPTIONS.—

23 (A) IN GENERAL.—As soon as practicable
24 after the date of enactment of this Act, the Sec-
25 retary shall file maps and legal descriptions of

1 the wilderness areas designated by paragraph
2 (1) with the appropriate committees of Con-
3 gress.

4 (B) PUBLIC AVAILABILITY.—The maps
5 and legal descriptions filed under subparagraph
6 (A) shall be on file and available for public in-
7 spection in the office of the Chief of the Forest
8 Service and the office of the Supervisor of the
9 Cherokee National Forest.

10 (C) FORCE OF LAW.—The maps and legal
11 descriptions filed under subparagraph (A) shall
12 have the same force and effect as if included in
13 this Act, except that the Secretary may correct
14 typographical errors in the maps and descrip-
15 tions.

16 (3) ADMINISTRATION.—

17 (A) IN GENERAL.—Subject to valid exist-
18 ing rights, the Federal land designated as wil-
19 derness by paragraph (1) shall be administered
20 by the Secretary in accordance with the Wilder-
21 ness Act (16 U.S.C. 1131 et seq.), except that
22 any reference in that Act to the effective date
23 of that Act shall be deemed to be a reference
24 to the date of enactment of this Act.

1 (B) FISH AND WILDLIFE MANAGEMENT.—

2 In accordance with section 4(d)(7) of the Wil-
3 derness Act (16 U.S.C. 1133(d)(7)), nothing in
4 this section affects the jurisdiction of the State
5 with respect to fish and wildlife management,
6 including the regulation of hunting, fishing, and
7 trapping, in the wilderness areas designated by
8 paragraph (1).

9 **SEC. 8628. ADDITIONS TO ROUGH MOUNTAIN AND RICH**
10 **HOLE WILDERNESSES.**

11 (a) ROUGH MOUNTAIN ADDITION.—Section 1 of
12 Public Law 100–326 (16 U.S.C. 1132 note; 102 Stat.
13 584; 114 Stat. 2057; 123 Stat. 1002) is amended by add-
14 ing at the end the following:

15 “(21) ROUGH MOUNTAIN ADDITION.—Certain
16 land in the George Washington National Forest
17 comprising approximately 1,000 acres, as generally
18 depicted as the ‘Rough Mountain Addition’ on the
19 map entitled ‘GEORGE WASHINGTON NA-
20 TIONAL FOREST – South half – Alternative I –
21 Selected Alternative Management Prescriptions –
22 Land and Resources Management Plan Final Envi-
23 ronmental Impact Statement’ and dated March 4,
24 2014, which is incorporated in the Rough Mountain
25 Wilderness Area designated by paragraph (1).”.

1 (b) RICH HOLE ADDITION.—

2 (1) POTENTIAL WILDERNESS DESIGNATION.—

3 In furtherance of the purposes of the Wilderness Act
4 (16 U.S.C. 1131 et seq.), certain land in the George
5 Washington National Forest comprising approxi-
6 mately 4,600 acres, as generally depicted as the
7 “Rich Hole Addition” on the map entitled
8 “GEORGE WASHINGTON NATIONAL FOREST
9 – South half – Alternative I – Selected Alternative
10 Management Prescriptions – Land and Resources
11 Management Plan Final Environmental Impact
12 Statement” and dated March 4, 2014, is designated
13 as a potential wilderness area for incorporation in
14 the 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).

17 (2) WILDERNESS DESIGNATION.—The potential
18 wilderness area designated by paragraph (1) shall be
19 designated as wilderness and incorporated in the
20 Rich Hole Wilderness Area designated by section
21 1(2) of Public Law 100–326 (16 U.S.C. 1132 note;
22 102 Stat. 584; 114 Stat. 2057; 123 Stat. 1002) on
23 the earlier of—

24 (A) the date on which the Secretary pub-
25 lishes in the Federal Register notice that the

1 activities permitted under paragraph (4) have
2 been completed; or

3 (B) the date that is 5 years after the date
4 of enactment of this Act.

5 (3) MANAGEMENT.—Except as provided in
6 paragraph (4), the Secretary shall manage the po-
7 tential wilderness area designated by paragraph (1)
8 in accordance with the Wilderness Act (16 U.S.C.
9 1131 et seq.).

10 (4) WATER QUALITY IMPROVEMENT ACTIVI-
11 TIES.—

12 (A) IN GENERAL.—To enhance natural
13 ecosystems within the potential wilderness area
14 designated by paragraph (1) by implementing
15 certain activities to improve water quality and
16 aquatic passage, as set forth in the Forest
17 Service document entitled “Decision Notice for
18 the Lower Cowpasture Restoration and Man-
19 agement Project” and dated December 2015,
20 the Secretary may use motorized equipment
21 and mechanized transport in the potential wil-
22 derness area until the date on which the poten-
23 tial wilderness area is incorporated into the
24 Rich Hole Wilderness Area under paragraph
25 (2).

1 (B) REQUIREMENT.—In carrying out sub-
2 paragraph (A), the Secretary, to the maximum
3 extent practicable, shall use the minimum tool
4 or administrative practice necessary to carry
5 out that subparagraph with the least amount of
6 adverse impact on wilderness character and re-
7 sources.

8 **SEC. 8629. KISATCHIE NATIONAL FOREST LAND CONVEY-**
9 **ANCE.**

10 (a) FINDING.—Congress finds that it is in the public
11 interest to authorize the conveyance of certain Federal
12 land in the Kisatchie National Forest in the State of Lou-
13 isiana for market value consideration.

14 (b) DEFINITIONS.—In this section:

15 (1) COLLINS CAMP PROPERTIES.—The term
16 “Collins Camp Properties” means Collins Camp
17 Properties, Inc., a corporation incorporated under
18 the laws of the State.

19 (2) STATE.—The term “State” means the State
20 of Louisiana.

21 (c) AUTHORIZATION OF CONVEYANCES, KISATCHIE
22 NATIONAL FOREST, LOUISIANA.—

23 (1) AUTHORIZATION.—

24 (A) IN GENERAL.—Subject to valid exist-
25 ing rights and paragraph (2), the Secretary

1 may convey the Federal land described in sub-
2 paragraph (B) by quitclaim deed at public or
3 private sale, including competitive sale by auc-
4 tion, bid, or other methods.

5 (B) DESCRIPTION OF LAND.—The Federal
6 land referred to in subparagraph (A) consists
7 of—

8 (i) all Federal land within sec. 9, T.
9 10 N., R. 5 W., Winn Parish, Louisiana;
10 and

11 (ii) a 2.16-acre parcel of Federal land
12 located in the SW¹/₄ of sec. 4, T. 10 N.,
13 R. 5 W., Winn Parish, Louisiana, as de-
14 picted on a certificate of survey dated
15 March 7, 2007, by Glen L. Cannon, P.L.S.
16 4436.

17 (2) FIRST RIGHT OF PURCHASE.—Subject to
18 valid existing rights and subsection (e), during the
19 1-year period beginning on the date of enactment of
20 this Act, on the provision of consideration by the
21 Collins Camp Properties to the Secretary, the Sec-
22 retary shall convey, by quitclaim deed, to Collins
23 Camp Properties all right, title, and interest of the
24 United States in and to—

1 (A) the not more than 47.92 acres of Fed-
2 eral land comprising the Collins Campsites
3 within sec. 9, T. 10 N., R. 5 W., in Winn Par-
4 ish, Louisiana, as generally depicted on a cer-
5 tificate of survey dated February 28, 2007, by
6 Glen L. Cannon, P.L.S. 4436; and

7 (B) the parcel of Federal land described in
8 paragraph (1)(B)(ii).

9 (3) TERMS AND CONDITIONS.—The Secretary
10 may—

11 (A) configure the Federal land to be con-
12 veyed under this section—

13 (i) to maximize the marketability of
14 the conveyance; or

15 (ii) to achieve management objectives;
16 and

17 (B) establish any terms and conditions for
18 the conveyances under this section that the Sec-
19 retary determines to be in the public interest.

20 (4) CONSIDERATION.—Consideration for a con-
21 veyance of Federal land under this section shall be—

22 (A) in the form of cash; and

23 (B) in an amount equal to the market
24 value of the Federal land being conveyed, as de-
25 termined under paragraph (5).

1 (5) MARKET VALUE.—The market value of the
2 Federal land conveyed under this section shall be de-
3 termined—

4 (A) in the case of Federal land conveyed
5 under paragraph (2), by an appraisal that is—

6 (i) conducted in accordance with the
7 Uniform Appraisal Standards for Federal
8 Land Acquisitions; and

9 (ii) approved by the Secretary; or

10 (B) if conveyed by a method other than the
11 methods described in paragraph (2), by com-
12 petitive sale.

13 (6) HAZARDOUS SUBSTANCES.—

14 (A) IN GENERAL.—In any conveyance of
15 Federal land under this section, the Secretary
16 shall meet disclosure requirements for haz-
17 ardous substances, but shall otherwise not be
18 required to remediate or abate the substances.

19 (B) EFFECT.—Except as provided in sub-
20 paragraph (A), nothing in this subsection af-
21 fects the application of the Comprehensive En-
22 vironmental Response, Compensation, and Li-
23 ability Act of 1980 (42 U.S.C. 9601 et seq.) to
24 the conveyances of Federal land.

1 (d) PROCEEDS FROM THE SALE OF LAND.—The Sec-
2 retary shall deposit the proceeds of a conveyance of Fed-
3 eral land under subsection (c) in the fund established
4 under Public Law 90–171 (commonly known as the “Sisk
5 Act”) (16 U.S.C. 484a).

6 (e) ADMINISTRATION.—

7 (1) COSTS.—As a condition of a conveyance of
8 Federal land to Collins Camp Properties under sub-
9 section (c), the Secretary shall require Collins Camp
10 Properties to pay at closing—

11 (A) reasonable appraisal costs; and

12 (B) the cost of any administrative and en-
13 vironmental analyses required by law (including
14 regulations).

15 (2) PERMITS.—

16 (A) IN GENERAL.—An offer by Collins
17 Camp Properties for the acquisition of the Fed-
18 eral land under subsection (c) shall be accom-
19 panied by a written statement from each holder
20 of a Forest Service special use authorization
21 with respect to the Federal land that specifies
22 that the holder agrees to relinquish the special
23 use authorization on the conveyance of the Fed-
24 eral land to Collins Camp Properties.

1 (B) SPECIAL USE AUTHORIZATIONS.—If
2 any holder of a special use authorization de-
3 scribed in subparagraph (A) fails to provide a
4 written authorization in accordance with that
5 subparagraph, the Secretary shall require, as a
6 condition of the conveyance, that Collins Camp
7 Properties administer the special use authoriza-
8 tion according to the terms of the special use
9 authorization until the date on which the spe-
10 cial use authorization expires.

11 **SEC. 8630. PURCHASE OF NATURAL RESOURCES CON-**
12 **SERVATION SERVICE PROPERTY, RIVERSIDE**
13 **COUNTY, CALIFORNIA.**

14 (a) FINDINGS.—Congress finds as follows:

15 (1) Since 1935, the United States has owned a
16 parcel of land in Riverside, California, consisting of
17 approximately 8.75 acres, more specifically described
18 in subsection (b)(1) (in this section referred to as
19 the “property”).

20 (2) The property is under the jurisdiction of the
21 Department of Agriculture and has been variously
22 used for research and plant materials purposes.

23 (3) Since 1998, the property has been adminis-
24 tered by the Natural Resources Conservation Service
25 of the Department of Agriculture.

1 (4) Since 2002, the property has been co-man-
2 aged under a cooperative agreement between the
3 Natural Resources Conservation Service and the
4 Riverside Corona Resource Conservation District,
5 which is a legal subdivision of the State of California
6 under section 9003 of the California Public Re-
7 sources Code.

8 (5) The Conservation District wishes to pur-
9 chase the property and use it for conservation, envi-
10 ronmental, and related educational purposes.

11 (6) As provided in subsection (b), the purchase
12 of the property by the Conservation District would
13 promote the conservation education and related ac-
14 tivities of the Conservation District and result in
15 savings to the Federal Government.

16 (b) LAND PURCHASE, NATURAL RESOURCES CON-
17 SERVATION SERVICE PROPERTY, RIVERSIDE COUNTY,
18 CALIFORNIA.—

19 (1) PURCHASE AUTHORIZED.—The Secretary
20 shall sell and quitclaim to the Riverside Corona Re-
21 source Conservation District (in this section referred
22 to as the “Conservation District”) all right, title,
23 and interest of the United States in and to a parcel
24 of real property, including improvements thereon,
25 that is located at 4500 Glenwood Drive in Riverside,

1 California, consists of approximately 8.75 acres, and
2 is administered by the Natural Resources Conserva-
3 tion Service of the Department of Agriculture. As
4 necessary or desirable to facilitate the purchase of
5 the property under this subsection, the Secretary or
6 the Conservation District may survey all or portions
7 of the property.

8 (2) CONSIDERATION.—As consideration for the
9 purchase of the property under this subsection, the
10 Conservation District shall pay to the Secretary an
11 amount equal to the appraised value of the property.

12 (3) PROHIBITION ON RESERVATION OF INTER-
13 EST.—The Secretary shall not reserve any future in-
14 terest in the property to be conveyed under this sub-
15 section, except such interest as may be acceptable to
16 the Conservation District.

17 (4) HAZARDOUS SUBSTANCES.—Notwith-
18 standing section 120(h) of the Comprehensive Envi-
19 ronmental Response, Compensation, and Liability
20 Act of 1980 (42 U.S.C. 9620(h)) or the Solid Waste
21 Disposal Act (42 U.S.C. 6901 et seq.), in the case
22 of the property purchased by the Conservation Dis-
23 trict under this subsection, the Secretary shall be
24 only required to meet the disclosure requirements for
25 hazardous substances, pollutants, or contaminants,

1 but shall otherwise not be required to remediate or
2 abate any such releases of hazardous substances,
3 pollutants, or contaminants, including petroleum and
4 petroleum derivatives.

5 (5) COOPERATIVE AUTHORITY.—

6 (A) LEASES, CONTRACTS, AND COOPERA-
7 TIVE AGREEMENTS AUTHORIZED.—In conjunc-
8 tion with, or in addition to, the purchase of the
9 property by the Conservation District under
10 this subsection, the Secretary may enter into
11 leases, contracts and cooperative agreements
12 with the Conservation District.

13 (B) SOLE SOURCE.—Notwithstanding sec-
14 tions 3105, 3301, and 3303 to 3305 of title 41,
15 United States Code, or any other provision of
16 law, the Secretary may lease real property from
17 the Conservation District on a noncompetitive
18 basis.

19 (C) NON-EXCLUSIVE AUTHORITY.—The
20 authority provided by this subsection is in addi-
21 tion to any other authority of the Secretary.

22 **SEC. 8631. COLLABORATIVE FOREST LANDSCAPE RESTORA-**
23 **TION PROGRAM.**

24 (a) REAUTHORIZATION.—Section 4003(f)(6) of the
25 Omnibus Public Land Management Act of 2009 (16

1 U.S.C. 7303(f)(6)) is amended by striking “\$40,000,000
2 for each of fiscal years 2009 through 2019” and inserting
3 “\$80,000,000 for each of fiscal years 2019 through
4 2023”.

5 (b) REPORTING REQUIREMENTS.—Section 4003(h)
6 of the Omnibus Public Land Management Act of 2009 (16
7 U.S.C. 7303(h)) 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 “; and”;

12 (3) by redesignating paragraphs (3) and (4) as
13 paragraphs (4) and (5), respectively;

14 (4) by inserting after paragraph (2) the fol-
15 lowing:

16 “(3) the Committee on Agriculture, Nutrition,
17 and Forestry of the Senate;” and

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

19 “(6) the Committee on Agriculture of the
20 House of Representatives.”.

21 **PART III—TIMBER INNOVATION**

22 **SEC. 8641. DEFINITIONS.**

23 In this part:

24 (1) INNOVATIVE WOOD PRODUCT.—The term
25 “innovative wood product” means a type of building

1 component or system that uses large panelized wood
2 construction, including mass timber.

3 (2) MASS TIMBER.—The term “mass timber”
4 includes—

5 (A) cross-laminated timber;

6 (B) nail laminated timber;

7 (C) glue laminated timber;

8 (D) laminated strand lumber; and

9 (E) laminated veneer lumber.

10 (3) SECRETARY.—The term “Secretary” means
11 the Secretary, acting through the Research and De-
12 velopment deputy area and the State and Private
13 Forestry deputy area of the Forest Service.

14 (4) TALL WOOD BUILDING.—The term “tall
15 wood building” means a building designed to be—

16 (A) constructed with mass timber; and

17 (B) more than 85 feet in height.

18 **SEC. 8642. CLARIFICATION OF RESEARCH AND DEVELOP-**
19 **MENT PROGRAM FOR WOOD BUILDING CON-**
20 **STRUCTION.**

21 (a) IN GENERAL.—The Secretary shall conduct per-
22 formance-driven research and development, education, and
23 technical assistance for the purpose of facilitating the use
24 of innovative wood products in wood building construction
25 in the United States.

1 (b) ACTIVITIES.—In carrying out subsection (a), the
2 Secretary shall—

3 (1) after receipt of input and guidance from,
4 and collaboration with, the wood products industry,
5 conservation organizations, and institutions of high-
6 er education, conduct research and development,
7 education, and technical assistance at the Forest
8 Products Laboratory or through the State and Pri-
9 vate Forestry deputy area that meets measurable
10 performance goals for the achievement of the prior-
11 ities described in subsection (c); and

12 (2) after coordination and collaboration with
13 the wood products industry and conservation organi-
14 zations, make competitive grants to institutions of
15 higher education to conduct research and develop-
16 ment, education, and technical assistance that meets
17 measurable performance goals for the achievement
18 of the priorities described in subsection (c).

19 (c) PRIORITIES.—The research and development,
20 education, and technical assistance conducted under sub-
21 section (a) shall give priority to—

22 (1) ways to improve the commercialization of
23 innovative wood products;

24 (2) analyzing the safety of tall wood building
25 materials;

1 (3) calculations by the Forest Products Labora-
2 tory of the lifecycle environmental footprint, from
3 extraction of raw materials through the manufac-
4 turing process, of tall wood building construction;

5 (4) analyzing methods to reduce the lifecycle
6 environmental footprint of tall wood building con-
7 struction;

8 (5) analyzing the potential implications of the
9 use of innovative wood products in building con-
10 struction on wildlife; and

11 (6) 1 or more other research areas identified by
12 the Secretary, in consultation with conservation or-
13 ganizations, institutions of higher education, and the
14 wood products industry.

15 (d) TIMEFRAME.—To the maximum extent prac-
16 ticable, the measurable performance goals for the research
17 and development, education, and technical assistance con-
18 ducted under subsection (a) shall be achievable within a
19 5-year timeframe.

20 **SEC. 8643. WOOD INNOVATION GRANT PROGRAM.**

21 (a) DEFINITIONS.—In this section:

22 (1) ELIGIBLE ENTITY.—The term “eligible enti-
23 ty” means—

24 (A) an individual;

1 (B) a public or private entity (including a
2 center of excellence that consists of 1 or more
3 partnerships between forestry, engineering, ar-
4 chitecture, or business schools at 1 or more in-
5 stitutions of higher education); or

6 (C) a State, local, or Tribal government.

7 (2) SECRETARY.—The term “Secretary” means
8 the Secretary, acting through the Chief of the For-
9 est Service.

10 (b) GRANT PROGRAM.—

11 (1) IN GENERAL.—The Secretary, in carrying
12 out the wood innovation grant program of the Sec-
13 retary described in the notice of the Secretary enti-
14 tled “Request for Proposals: 2016 Wood Innovations
15 Funding Opportunity” (80 Fed. Reg. 63498 (Octo-
16 ber 20, 2015)), may make a wood innovation grant
17 to 1 or more eligible entities each year for the pur-
18 pose of advancing the use of innovative wood prod-
19 ucts.

20 (2) PROPOSALS.—To be eligible to receive a
21 grant under this subsection, an eligible entity shall
22 submit to the Secretary a proposal at such time, in
23 such manner, and containing such information as
24 the Secretary may require.

1 (c) INCENTIVIZING USE OF EXISTING MILLING CA-
2 PACITY.—In selecting among proposals of eligible entities
3 under subsection (b)(2), the Secretary shall give priority
4 to proposals that include the use or retrofitting (or both)
5 of existing sawmill facilities located in counties in which
6 the average annual unemployment rate exceeded the na-
7 tional average unemployment rate by more than 1 percent
8 in the previous calendar year.

9 (d) MATCHING REQUIREMENT.—As a condition of re-
10 ceiving a grant under subsection (b), an eligible entity
11 shall provide funds equal to the amount received by the
12 eligible entity under the grant, to be derived from non-
13 Federal sources.

14 **TITLE IX—ENERGY**

15 **SEC. 9101. DEFINITIONS.**

16 Section 9001 of the Farm Security and Rural Invest-
17 ment Act of 2002 (7 U.S.C. 8101) is amended—

18 (1) in paragraph (4)(A), by striking “agricul-
19 tural materials” and inserting “agricultural mate-
20 rials, renewable chemicals,”;

21 (2) in paragraph (7)(A), by striking “into
22 biofuels and biobased products” and inserting the
23 following: “or an intermediate ingredient or feed-
24 stock of renewable biomass into any 1 or more, or
25 a combination, of—

1 “(i) biofuels;

2 “(ii) renewable chemicals; or

3 “(iii) biobased products”; and

4 (3) in paragraph (16)—

5 (A) in subparagraph (A)—

6 (i) in the matter preceding clause (i),

7 by striking “(B)” and inserting “(C)”; and

8 (ii) by striking “that—” in the matter

9 preceding clause (i) and all that follows

10 through the period at the end of clause (ii)

11 and inserting “that produces usable energy

12 from a renewable energy source.”;

13 (B) by redesignating subparagraph (B) as

14 subparagraph (C); and

15 (C) by inserting after subparagraph (A)

16 the following:

17 “(B) INCLUSIONS.—The term ‘renewable

18 energy system’ includes—

19 “(i) distribution components necessary

20 to move energy produced by a system de-

21 scribed in subparagraph (A) to the initial

22 point of sale; and

23 “(ii) other components and ancillary

24 infrastructure of a system described in

1 subparagraph (A), such as a storage sys-
2 tem.”.

3 **SEC. 9102. BIOBASED MARKETS PROGRAM.**

4 Section 9002 of the Farm Security and Rural Invest-
5 ment Act of 2002 (7 U.S.C. 8102) is amended—

6 (1) in subsection (a)(2)(A)(i)(III), by inserting
7 “, acting through the rural development mission
8 area (referred to in this section as the ‘Secretary’)”
9 before the period at the end;

10 (2) in subsection (b)(2)(A), by adding at the
11 end the following:

12 “(iii) RENEWABLE CHEMICALS.—Not
13 later than 90 days after the date of enact-
14 ment of this clause, the Secretary shall up-
15 date the criteria issued under clause (i) to
16 provide criteria for determining which re-
17 newable chemicals may qualify to receive
18 the label under paragraph (1).”;

19 (3) in subsection (f), by striking the subsection
20 designation and all that follows through “The Sec-
21 retary” and inserting the following:

22 “(f) MANUFACTURERS OF RENEWABLE CHEMICALS
23 AND BIOBASED PRODUCTS.—

1 “(1) NAICS CODES.—The Secretary and the
2 Secretary of Commerce shall jointly develop North
3 American Industry Classification System codes for—

4 “(A) renewable chemicals manufacturers;
5 and

6 “(B) biobased products manufacturers.

7 “(2) NATIONAL TESTING CENTER REGISTRY.—
8 The Secretary”;

9 (4) by redesignating subsections (h) through (j)
10 as subsections (k) through (m), respectively;

11 (5) by inserting after subsection (g) the fol-
12 lowing:

13 “(h) EDUCATION AND OUTREACH.—The Secretary,
14 in consultation with the Administrator, shall provide to
15 appropriate stakeholders education and outreach relating
16 to—

17 “(1) the Federal procurement of biobased prod-
18 ucts under subsection (a); and

19 “(2) the voluntary labeling program under sub-
20 section (b).

21 “(i) STREAMLINING.—

22 “(1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this subsection, the Sec-
24 retary shall establish guidelines for an integrated

1 process under which biobased products may be, in 1
2 expedited approval process—

3 “(A) determined to be eligible for a Fed-
4 eral procurement preference under subsection
5 (a); and

6 “(B) approved to use the ‘USDA Certified
7 Biobased Product’ label under subsection (b).

8 “(2) INITIATION.—The Secretary shall ensure
9 that a review of a biobased product under the inte-
10 grated qualification process established pursuant to
11 paragraph (1) may be initiated on receipt of a rec-
12 ommendation or petition from a manufacturer, ven-
13 dor, or other interested party.

14 “(3) PRODUCT DESIGNATIONS.—The Secretary
15 may issue a product designation pursuant to sub-
16 section (a)(3)(B), or approve the use of the ‘USDA
17 Certified Biobased Product’ label under subsection
18 (b), through streamlined procedures, which shall not
19 be subject to chapter 7 of title 5, United States
20 Code.

21 “(j) REQUIREMENT OF PROCURING AGENCIES.—A
22 procuring agency (as defined in subsection (a)(1)) shall
23 not establish regulations, guidance, or criteria regarding
24 the procurement of biobased products, pursuant to this
25 section or any other law, that impose limitations on that

1 procurement that are more restrictive than the limitations
2 established by the Secretary under the regulations to im-
3 plement this section.”; and

4 (6) in subsection (l) (as so redesignated), in
5 paragraph (2), by striking “\$2,000,000 for each of
6 fiscal years 2014 through 2018” and inserting
7 “\$3,000,000 for each of fiscal years 2019 through
8 2023”.

9 **SEC. 9103. BIOREFINERY ASSISTANCE.**

10 Section 9003 of the Farm Security and Rural Invest-
11 ment Act of 2002 (7 U.S.C. 8103) is amended—

12 (1) in subsection (b)(3)—

13 (A) in subparagraph (A), by striking “pro-
14 duces an advanced biofuel” and inserting the
15 following: “produces any 1 or more, or a com-
16 bination, of—

17 “(i) an advanced biofuel;

18 “(ii) a renewable chemical; or

19 “(iii) a biobased product”; and

20 (B) in subparagraph (B), by striking “pro-
21 duces an advanced biofuel.” and inserting the
22 following: “produces any 1 or more, or a com-
23 bination, of—

24 “(i) an advanced biofuel;

25 “(ii) a renewable chemical; or

1 “(iii) a biobased product.”; and

2 (2) in subsection (g)(2), by striking “2018”

3 and inserting “2023”.

4 **SEC. 9104. REPOWERING ASSISTANCE PROGRAM.**

5 Section 9004 of the Farm Security and Rural Invest-
6 ment Act of 2002 (7 U.S.C. 8104) is repealed.

7 **SEC. 9105. BIOENERGY PROGRAM FOR ADVANCED**
8 **BIOFUEL.**

9 Section 9005(g)(2) of the Farm Security and Rural
10 Investment Act of 2002 (7 U.S.C. 8105(g)(2)) is amended
11 by striking “\$20,000,000 for each of fiscal years 2014
12 through 2018” and inserting “\$15,000,000 for each of fis-
13 cal years 2019 through 2023”.

14 **SEC. 9106. BIODIESEL FUEL EDUCATION PROGRAM.**

15 Section 9006(d)(2) of the Farm Security and Rural
16 Investment Act of 2002 (7 U.S.C. 8106(d)(2)) is amended
17 by striking “2018” and inserting “2023”.

18 **SEC. 9107. RURAL ENERGY FOR AMERICA PROGRAM.**

19 Section 9007 of the Farm Security and Rural Invest-
20 ment Act of 2002 (7 U.S.C. 8107) is amended—

21 (1) in subsection (e), by striking “(g)” each
22 place it appears and inserting “(f)”;

23 (2) by striking subsection (f);

24 (3) by redesignating subsection (g) as sub-
25 section (f); and

1 (4) in subsection (f) (as so redesignated), in
2 paragraph (3), by striking “\$20,000,000 for each of
3 fiscal years 2014 through 2018” and inserting
4 “\$50,000,000 for each of fiscal years 2019 through
5 2023”.

6 **SEC. 9108. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.**

7 Section 9009 of the Farm Security and Rural Invest-
8 ment Act of 2002 (7 U.S.C. 8109) is repealed.

9 **SEC. 9109. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIO-**
10 **ENERGY PRODUCERS.**

11 Section 9010(b) of the Farm Security and Rural In-
12 vestment Act of 2002 (7 U.S.C. 8110(b)) is amended, in
13 paragraphs (1)(A) and (2)(A), by striking “2018” each
14 place it appears and inserting “2023”.

15 **SEC. 9110. BIOMASS CROP ASSISTANCE PROGRAM.**

16 Section 9011 of the Farm Security and Rural Invest-
17 ment Act of 2002 (7 U.S.C. 8111) is amended—

18 (1) in subsection (a)(6)—

19 (A) in subparagraph (B)—

20 (i) in clause (ii)(II), by striking “and”
21 at the end;

22 (ii) in clause (iii), by striking the pe-
23 riod at the end and inserting “; and”; and

24 (iii) by adding at the end the fol-
25 lowing:

- 1 “(iv) algae.”; and
- 2 (B) in subparagraph (C)—
- 3 (i) by striking clause (iv); and
- 4 (ii) by redesignating clauses (v)
- 5 through (vii) as clauses (iv) through (vi),
- 6 respectively;
- 7 (2) in subsection (b)(2), by inserting “(includ-
- 8 ing eligible material harvested for the purpose of
- 9 hazardous woody fuel reduction)” after “material”;
- 10 and
- 11 (3) in subsection (f)—
- 12 (A) by striking paragraph (1) and insert-
- 13 ing the following:
- 14 “(1) AUTHORIZATION OF APPROPRIATIONS.—
- 15 There is authorized to be appropriated to carry out
- 16 this section \$20,000,000 for each of fiscal years
- 17 2019 through 2023.”; and
- 18 (B) in paragraph (3)—
- 19 (i) by striking the paragraph designa-
- 20 tion and heading and all that follows
- 21 through “Effective” in subparagraph (A)
- 22 and inserting the following:
- 23 “(3) TECHNICAL ASSISTANCE.—Effective”; and
- 24 (ii) by striking subparagraph (B).

1 **SEC. 9111. COMMUNITY WOOD ENERGY PROGRAM.**

2 Section 9013(e) of the Farm Security and Rural In-
3 vestment Act of 2002 (7 U.S.C. 8113(e)) is amended by
4 striking “2018” and inserting “2023”.

5 **TITLE X—HORTICULTURE**

6 **SEC. 10101. SPECIALTY CROPS MARKET NEWS ALLOCATION.**

7 Section 10107(b) of the Food, Conservation, and En-
8 ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by strik-
9 ing “2018” and inserting “2023”.

10 **SEC. 10102. LOCAL AGRICULTURE MARKET PROGRAM.**

11 (a) PURPOSE.—The purpose of this section is to com-
12 bine the purposes and coordinate the functions, as in ef-
13 fect on the day before the date of enactment of this Act,
14 of—

15 (1) the Farmers’ Market and Local Food Pro-
16 motion Program established under section 6 of the
17 Farmer-to-Consumer Direct Marketing Act of 1976
18 (7 U.S.C. 3005); and

19 (2) the value-added agricultural product market
20 development grants under section 231(b) of the Ag-
21 ricultural Risk Protection Act of 2000 (7 U.S.C.
22 1632a(b)).

23 (b) LOCAL AGRICULTURE MARKET PROGRAM.—Sub-
24 title A of the Agricultural Marketing Act of 1946 (7
25 U.S.C. 1621 et seq.) is amended by adding at the end
26 the following:

1 **“SEC. 210A. LOCAL AGRICULTURE MARKET PROGRAM.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) BEGINNING FARMER OR RANCHER.—The
4 term ‘beginning farmer or rancher’ has the meaning
5 given the term in section 343(a) of the Consolidated
6 Farm and Rural Development Act (7 U.S.C.
7 1991(a)).

8 “(2) DIRECT PRODUCER-TO-CONSUMER MAR-
9 KETING.—The term ‘direct producer-to-consumer
10 marketing’ has the meaning given the term ‘direct
11 marketing from farmers to consumers’ in section 3
12 of the Farmer-to-Consumer Direct Marketing Act of
13 1976 (7 U.S.C. 3002).

14 “(3) ELIGIBLE ACTIVITY.—The term ‘eligible
15 activity’ means an activity described in subsection
16 (d)(2) that is carried out using a grant provided
17 under subsection (d)(1).

18 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
19 tity’ means—

20 “(A) a producer;

21 “(B) a producer network or association;

22 “(C) a farmer or rancher cooperative;

23 “(D) an agricultural business entity or ma-
24 jority-controlled producer-based business ven-
25 ture;

26 “(E) a food council;

1 “(F) a local or Tribal government;

2 “(G) a nonprofit corporation;

3 “(H) an economic development corpora-
4 tion;

5 “(I) a public benefit corporation;

6 “(J) a community supported agriculture
7 network or association; and

8 “(K) a regional farmers’ market authority.

9 “(5) ELIGIBLE PARTNER.—The term ‘eligible
10 partner’ means—

11 “(A) a State agency or regional authority;

12 “(B) a philanthropic organization;

13 “(C) a private corporation;

14 “(D) an institution of higher education;

15 “(E) a commercial, Federal, or Farm
16 Credit System lending institution; and

17 “(F) another entity, as determined by the
18 Secretary.

19 “(6) FAMILY FARM.—The term ‘family farm’
20 has the meaning given the term in section 231(a) of
21 the Agricultural Risk Protection Act of 2000 (7
22 U.S.C. 1632a(a)).

23 “(7) FOOD COUNCIL.—The term ‘food council’
24 means a food policy council or food and farm system
25 network, as determined by the Secretary, that—

1 “(A) represents—

2 “(i) multiple organizations involved in
3 the production, processing, and consump-
4 tion of food; and

5 “(ii) local, Tribal, and State govern-
6 ments; and

7 “(B) addresses food and farm-related
8 issues and needs within city, county, State,
9 Tribal region, multicounty region, or other re-
10 gion designated by the food council or food sys-
11 tem network.

12 “(8) MAJORITY-CONTROLLED PRODUCER-BASED
13 BUSINESS VENTURE.—

14 “(A) IN GENERAL.—The term ‘majority-
15 controlled producer-based business venture’
16 means a venture greater than 50 percent of the
17 ownership and control of which is held by—

18 “(i) 1 or more producers; or

19 “(ii) 1 or more entities, 100 percent
20 of the ownership and control of which is
21 held by 1 or more producers.

22 “(B) ENTITY DESCRIBED.—For purposes
23 of subparagraph (A), the term ‘entity’ means—

24 “(i) a partnership;

25 “(ii) a limited liability corporation;

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) 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 25 per-
22 cent of the total amount of the Federal portion
23 of the grant.

24 “(e) SIMPLIFICATION OF APPLICATION AND REPORT-
25 ING PROCESSES.—

1 “(1) APPLICATIONS.—The Secretary shall es-
2 tablish a simplified application form for eligible enti-
3 ties that—

4 “(A) request less than \$50,000 under sub-
5 section (d); or

6 “(B) apply for grants under subsection (d)
7 through partnership agreements under sub-
8 section (e).

9 “(2) REPORTING.—The Secretary shall—

10 “(A) streamline and simplify the reporting
11 process for eligible entities; and

12 “(B) obtain from eligible entities and
13 maintain such information as the Secretary de-
14 termines is necessary to administer and evalu-
15 ate the Program.

16 “(f) COOPERATIVE EXTENSION SERVICE.—In car-
17 rying out the Program, the Secretary, acting through the
18 Administrator of the Agricultural Marketing Service or
19 the Administrator of the Rural Business Cooperative Serv-
20 ice, may coordinate with a cooperative extension service
21 to provide Program technical assistance and outreach to
22 eligible entities and eligible partners.

23 “(g) INTERDEPARTMENTAL COORDINATION.—In car-
24 rying out the Program, to the maximum extent prac-

1 ticable, the Secretary shall ensure coordination among
2 Federal agencies.

3 “(h) EVALUATION.—

4 “(1) IN GENERAL.—Using amounts made avail-
5 able under subsection (i)(3)(E), the Secretary shall
6 conduct an evaluation of the Program that—

7 “(A) measures the economic impact of the
8 Program on new and existing market outcomes;

9 “(B) measures the effectiveness of the Pro-
10 gram in improving and expanding—

11 “(i) the regional food economy
12 through public and private partnerships;

13 “(ii) the production of value-added ag-
14 ricultural products;

15 “(iii) producer-to-consumer mar-
16 keting, including direct producer-to-con-
17 sumer marketing;

18 “(iv) local and regional food systems,
19 including regional food chain coordination
20 and business development;

21 “(v) new business opportunities and
22 marketing strategies to reduce on-farm
23 food waste;

24 “(vi) the use of new technologies in
25 producer-to-consumer marketing, including

1 direct producer-to-consumer marketing;

2 and

3 “(vii) the workforce and capacity of

4 regional food systems; and

5 “(C) provides a description of—

6 “(i) each partnership agreement; and

7 “(ii) each grant provided under sub-

8 section (d).

9 “(2) REPORT.—Not later than 3 years after the
10 date of enactment of this section, the Secretary shall
11 submit to the Committee on Agriculture of the
12 House of Representatives and the Committee on Ag-
13 riculture, Nutrition, and Forestry of the Senate a
14 report describing the evaluation conducted under
15 paragraph (1), including a thorough analysis of the
16 outcomes of the evaluation.

17 “(i) FUNDING.—

18 “(1) MANDATORY FUNDING.—Of the funds of
19 the Commodity Credit Corporation, the Secretary
20 shall use to carry out this section \$60,000,000 for
21 fiscal year 2019 and each fiscal year thereafter, to
22 remain available until expended.

23 “(2) AUTHORIZATION OF APPROPRIATIONS.—

24 There is authorized to be appropriated to carry out
25 this section \$20,000,000 for fiscal year 2019 and

1 each fiscal year thereafter, to remain available until
2 expended.

3 “(3) ALLOCATION OF FUNDS.—

4 “(A) REGIONAL PARTNERSHIPS.—Of the
5 funds made available to carry out this section
6 for a fiscal year, 10 percent shall be used to
7 provide grants to support partnerships under
8 subsection (c).

9 “(B) DEVELOPMENT GRANTS FOR PRO-
10 DUCERS.—

11 “(i) IN GENERAL.—Subject to clause
12 (ii), of the funds made available to carry
13 out this section for a fiscal year, 35 per-
14 cent shall be used for grants under sub-
15 section (d)(5).

16 “(ii) RESERVATION OF FUNDS.—

17 “(I) MAJORITY-CONTROLLED
18 PRODUCER-BASED BUSINESS VEN-
19 TURES.—The total amount of grants
20 under subsection (d)(5) provided to
21 majority-controlled producer-based
22 business ventures for a fiscal year
23 shall not exceed 10 percent of the
24 amount allocated under clause (i).

1 “(II) BEGINNING, VETERAN, AND
2 SOCIALLY DISADVANTAGED FARMERS
3 AND RANCHERS.—Of the funds made
4 available for grants under subsection
5 (d)(5), 10 percent shall be reserved
6 for grants provided to beginning, vet-
7 eran, and socially disadvantaged farm-
8 ers or ranchers.

9 “(III) MID-TIER VALUE
10 CHAINS.—Of the funds made available
11 for grants under subsection (d)(5), 10
12 percent shall be reserved for grants to
13 develop mid-tier value chains.

14 “(C) DEVELOPMENT GRANTS FOR OTHER
15 ELIGIBLE ENTITIES.—Of the funds made avail-
16 able to carry out this section for a fiscal year,
17 47 percent shall be used for grants under sub-
18 section (d)(6).

19 “(D) UNOBLIGATED FUNDS.—Any funds
20 under subparagraph (A), (B), or (C) that are
21 not obligated for the uses described in that sub-
22 paragraph, as applicable, by September 30 of
23 the fiscal year for which the funds were made
24 available—

1 “(i) shall be available to the agency
2 carrying out the Program with the unobli-
3 gated funds to carry out any function of
4 the Program, as determined by the Sec-
5 retary; and

6 “(ii) may carry over to the next fiscal
7 year.

8 “(E) ADMINISTRATIVE EXPENSES.—Not
9 greater than 8 percent of amounts made avail-
10 able to provide grants under subsections (c) and
11 (d)(6) for a fiscal year may be used for admin-
12 istrative expenses.”.

13 (c) CONFORMING AMENDMENTS.—

14 (1) AGRICULTURAL MARKETING RESOURCE
15 CENTER PILOT PROJECT.—Section 231 of the Agri-
16 cultural Risk Protection Act of 2000 (7 U.S.C.
17 1632a) is amended—

18 (A) by striking the section heading and in-
19 serting “**AGRICULTURAL MARKETING RE-**
20 **SOURCE CENTER PILOT PROJECT.**”;

21 (B) by striking subsections (a), (b), (d),
22 and (e);

23 (C) in subsection (c)—

1 (i) by redesignating paragraphs (1)
2 and (2) as subsections (a) and (b), respec-
3 tively, and indenting appropriately; and

4 (ii) by striking the subsection designa-
5 tion and heading;

6 (D) in subsection (a) (as so redesign-
7 nated)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “Notwithstanding”
10 and all that follows through “paragraph
11 (2)” and inserting the following: “The Sec-
12 retary shall not use more than 2.5 percent
13 of the funds made available to carry out
14 the Local Agriculture Market Program es-
15 tablished under section 210A of the Agri-
16 cultural Marketing Act of 1946 to estab-
17 lish a pilot project (to be known as the
18 ‘Agricultural Marketing Resource Center’)
19 at an eligible institution described in sub-
20 section (b)”;

21 (ii) by redesignating subparagraphs
22 (A) and (B) as paragraphs (1) and (2), re-
23 spectively, and indenting appropriately;
24 and

1 (E) in subsection (b) (as so redesign-
2 nated)—

3 (i) by redesignating subparagraphs
4 (A) through (C) as paragraphs (1) through
5 (3), respectively, and indenting appro-
6 priately; and

7 (ii) in paragraph (1) (as so redesign-
8 nated), by striking “paragraph (1)(A)”
9 and inserting “subsection (a)(1)”.

10 (2) AGRICULTURE INNOVATION CENTER DEM-
11 ONSTRATION PROGRAM.—Section 6402(f) of the
12 Farm Security and Rural Investment Act of 2002 (7
13 U.S.C. 1632b(f)) is amended in the matter pre-
14 ceding paragraph (1) by striking “section 231(d) of
15 the Agricultural Risk Protection Act of 2000 (7
16 U.S.C. 1621 note; Public Law 106–224)” and in-
17 serting “section 210A(d)(2) of the Agricultural Mar-
18 keting Act of 1946”.

19 (3) LOCAL FOOD PRODUCTION AND PROGRAM
20 EVALUATION.—Section 10016(b)(3)(B) of the Agri-
21 cultural Act of 2014 (7 U.S.C. 2204h(b)(2)(B)) is
22 amended by striking “Farmers’ Market and Local
23 Food Promotion Program established under section
24 6 of the Farmer-to-Consumer Direct Marketing Act
25 of 1976 (7 U.S.C. 3005)” and inserting “Local Ag-

1 riculture Market Program established under section
2 210A of the Agricultural Marketing Act of 1946”.

3 (4) PROGRAM METRICS.—Section 6209(a) of
4 the Agricultural Act of 2014 (7 U.S.C. 2207b(a)) is
5 amended by striking paragraph (1) and inserting the
6 following:

7 “(1) section 210A of the Agricultural Mar-
8 keting Act of 1946;”.

9 (5) FARMER-TO-CONSUMER DIRECT MARKETING
10 ACT OF 1976.—

11 (A) Section 4 of the Farmer-to-Consumer
12 Direct Marketing Act of 1976 (7 U.S.C. 3003)
13 is amended—

14 (i) by striking “The Secretary” and
15 inserting the following:

16 “(a) IN GENERAL.—The Secretary”; and

17 (ii) by adding at the end the fol-
18 lowing:

19 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated such sums as are nec-
21 essary to carry out this section.”.

22 (B) Sections 6, 7, and 8 of the Farmer-to-
23 Consumer Direct Marketing Act of 1976 (7
24 U.S.C. 3005, 3006; 90 Stat. 1983) are re-
25 pealed.

1 **SEC. 10103. ORGANIC PRODUCTION AND MARKET DATA INI-**
2 **TIATIVES.**

3 Section 7407(d) of the Farm Security and Rural In-
4 vestment Act of 2002 (7 U.S.C. 5925c(d)) is amended—

5 (1) in paragraph (1)—

6 (A) in the paragraph heading, by striking
7 “THROUGH FISCAL YEAR 2012”; and

8 (B) by striking “\$5,000,000, to remain
9 available until expended.” and inserting the fol-
10 lowing: “, to remain available until expended—

11 “(A) \$5,000,000 for each of the periods of
12 fiscal years 2008 through 2012 and 2014
13 through 2018; and

14 “(B) \$5,000,000 for the period of fiscal
15 years 2019 through 2023.”;

16 (2) by striking paragraph (2);

17 (3) by redesignating paragraph (3) as para-
18 graph (2); and

19 (4) in paragraph (2) (as so redesignated)—

20 (A) by striking “paragraphs (1) and (2)”
21 and inserting “paragraph (1)”; and

22 (B) by striking “2018” and inserting
23 “2023”.

24 **SEC. 10104. ORGANIC CERTIFICATION.**

25 (a) **EXCLUSIONS FROM CERTIFICATION.**—Not later
26 than 1 year after the date of enactment of this Act, the

1 Secretary shall issue regulations to limit the type of or-
2 ganic operations that are excluded from certification under
3 section 205.101 of title 7, Code of Federal Regulations,
4 and from certification under any other related sections
5 under part 205 of title 7, Code of Federal Regulations.

6 (b) DEFINITIONS.—Section 2103 of the Organic
7 Foods Production Act of 1990 (7 U.S.C. 6502) is amend-
8 ed—

9 (1) in paragraph (3)—

10 (A) by striking “The term” and inserting
11 the following:

12 “(A) IN GENERAL.—The term”; and

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

14 “(B) FOREIGN OPERATIONS.—When used
15 in the context of a certifying agent operating in
16 a foreign country, the term ‘certifying agent’ in-
17 cludes a certifying agent—

18 “(i) accredited in accordance with sec-
19 tion 2106(b)(1); or

20 “(ii) accredited by a foreign govern-
21 ment that acted under an equivalency ar-
22 rangement negotiated between the United
23 States and the foreign government.”;

1 (2) by redesignating paragraphs (13) through
2 (21) as paragraphs (14) through (22), respectively;
3 and

4 (3) by inserting after paragraph (12) the fol-
5 lowing:

6 “(13) NATIONAL ORGANIC PROGRAM IMPORT
7 CERTIFICATE.—The term ‘national organic program
8 import certificate’ means a form developed for pur-
9 poses of the program under this title—

10 “(A) to provide documentation sufficient to
11 verify that an agricultural product imported for
12 sale in the United States satisfies the require-
13 ment under section 2106(b)(1); and

14 “(B) which shall include, at a minimum,
15 information sufficient to indicate, with respect
16 to the agricultural product—

17 “(i) the origin;

18 “(ii) the destination;

19 “(iii) the certifying agent issuing the
20 national organic program import certifi-
21 cate;

22 “(iv) the harmonized tariff code, if a
23 harmonized tariff code exists for the agri-
24 cultural product;

25 “(v) the total weight; and

1 “(vi) the organic standard to which
2 the agricultural product is certified.”.

3 (c) DOCUMENTATION AND TRACEABILITY ENHANCE-
4 MENT; DATA COLLECTION.—Section 2106(b) of the Or-
5 ganic Foods Production Act of 1990 (7 U.S.C. 6505(b))
6 is amended—

7 (1) by striking “Imported” and inserting the
8 following:

9 “(1) ACCREDITATION OF FOREIGN ORGANIC
10 CERTIFICATION PROGRAM.—Imported”; and

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

12 “(2) IMPORT CERTIFICATION.—

13 “(A) IMPORT CERTIFICATES.—For an ag-
14 ricultural product being imported into the
15 United States to be represented as organically
16 produced, the Secretary shall require the agri-
17 cultural product to be accompanied by a com-
18 plete and valid national organic program import
19 certificate, which shall be available as an elec-
20 tronic record.

21 “(B) TRACKING SYSTEM.—

22 “(i) IN GENERAL.—The Secretary
23 shall establish a system to track national
24 organic program import certificates.

1 “(ii) INTEGRATION.—In establishing
2 the system under clause (i), the Secretary
3 may integrate the system into any existing
4 information tracking systems for imports
5 of agricultural products.

6 “(3) MODERNIZATION OF TRADE TRACKING
7 AND DATA COLLECTION SYSTEMS.—

8 “(A) IN GENERAL.—The Secretary shall
9 modernize international trade tracking and data
10 collection systems of the national organic pro-
11 gram established under this title.

12 “(B) ACTIVITIES.—In carrying out sub-
13 paragraph (A), the Secretary shall modernize
14 trade and transaction certificates to ensure full
15 traceability to the port of entry without unduly
16 hindering trade, such as through an electronic
17 trade document exchange system.

18 “(4) REPORTS.—

19 “(A) IN GENERAL.—On an annual basis,
20 the Secretary shall submit to Congress and
21 make publically available on the website of the
22 Department of Agriculture a report providing
23 detailed quantitative data on imports of organi-
24 cally produced agricultural products accepted

1 into the United States during the year covered
2 by the report.

3 “(B) REQUIREMENTS.—The data de-
4 scribed in subparagraph (A) shall be broken
5 down by agricultural product type, quantity,
6 value, and month.

7 “(C) EXCEPTION.—Any data that is spe-
8 cific enough to be protected as confidential
9 business information shall not be provided in
10 the report under subparagraph (A).”.

11 (d) ACCREDITATION PROGRAM.—Section 2115 of the
12 Organic Foods Production Act of 1990 (7 U.S.C. 6514)
13 is amended—

14 (1) by redesignating subsection (c) as sub-
15 section (d);

16 (2) by inserting after subsection (b) the fol-
17 lowing:

18 “(c) OVERSIGHT OF SATELLITE OFFICES AND FOR-
19 EIGN OPERATIONS.—As part of the accreditation of certi-
20 fying agents under this section, the Secretary shall oversee
21 any certifying agent operating in a foreign country.”; and

22 (3) in subsection (d) (as so redesignated)—

23 (A) by striking “section shall” and insert-
24 ing the following: “section—

25 “(1) subject to paragraph (2), shall”; and

1 (B) in paragraph (1) (as so designated)—

2 (i) by striking “of”; and

3 (ii) by striking “Secretary, and may”

4 and inserting the following: “Secretary;

5 “(2) in the case of a certifying agent operating

6 in a foreign country, shall be for a period of time

7 that is consistent with the certification of a domestic

8 certifying agent, as determined appropriate by the

9 Secretary; and

10 “(3) may”.

11 (e) NATIONAL ORGANIC STANDARDS BOARD.—Sec-

12 tion 2119(i) of the Organic Foods Production Act of 1990

13 (7 U.S.C. 6518(i)) is amended—

14 (1) by striking “Two-thirds” and inserting the

15 following:

16 “(1) IN GENERAL.— $\frac{2}{3}$ ”; and

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

18 “(2) NATIONAL LIST.—Any vote on a motion

19 proposing to amend the national list shall be consid-

20 ered to be a decisive vote that requires $\frac{2}{3}$ of the

21 votes cast at a meeting of the Board at which a

22 quorum is present to prevail.”.

23 (f) INVESTIGATIONS.—Section 2120(b) of the Or-

24 ganic Foods Production Act (7 U.S.C. 6519(b)) is amend-

25 ed by adding at the end the following:

1 “(3) INFORMATION SHARING DURING ACTIVE
2 INVESTIGATION.—In carrying out this title, all par-
3 ties conducting an active investigation under this
4 subsection (including certifying agents, State organic
5 certification programs, and the national organic pro-
6 gram) shall share confidential business information
7 with Federal and State government officers and em-
8 ployees and certifying agents involved in the inves-
9 tigation as necessary to fully investigate and enforce
10 potential violations of this title.

11 “(4) EXPEDITED PROCEDURES FOR FOREIGN
12 OPERATIONS.—

13 “(A) ESTABLISHMENT.—The Secretary
14 shall establish expedited investigative proce-
15 dures under this subsection to review the ac-
16 creditation of a certifying agent operating in a
17 foreign country under any of the circumstances
18 described in subparagraph (B).

19 “(B) EXPEDITED PROCEDURES.—The Sec-
20 retary shall promptly carry out expedited inves-
21 tigative procedures established under subpara-
22 graph (A) to review the accreditation of a certi-
23 fying agent operating in a foreign country if—

1 “(i) the accreditation of the certifying
2 agent is revoked by a foreign govern-
3 ment—

4 “(I) operating an organic certifi-
5 cation program described in section
6 2106(b)(1); or

7 “(II) that acted under an equiva-
8 lency arrangement negotiated between
9 the United States and the foreign gov-
10 ernment; or

11 “(ii) the Secretary determines that
12 there is a sudden and substantial increase
13 in the rate and quantity of imports of an
14 individual organically produced agricultural
15 product from the foreign country, in which
16 case the expedited investigative procedures
17 shall be carried out with respect to each
18 certifying agent of that agricultural prod-
19 uct in that foreign country.”.

20 (g) DATA ORGANIZATION AND ACCESS.—Section
21 2122 of the Organic Foods Production Act of 1990 (7
22 U.S.C. 6521) is amended by adding at the end the fol-
23 lowing:

24 “(c) DATA RELATING TO IMPORTS OF ORGANICALLY
25 PRODUCED AGRICULTURAL PRODUCTS.—

1 “(i) inspection of imports of agricul-
2 tural products;

3 “(ii) trade data collection and organi-
4 zation; or

5 “(iii) enforcement of trade require-
6 ments for organically produced agricultural
7 products.”.

8 (h) ORGANIC AGRICULTURAL PRODUCT IMPORTS
9 INTERAGENCY WORKING GROUP.—The Organic Foods
10 Production Act of 1990 is amended by inserting after sec-
11 tion 2122 (7 U.S.C. 6521) the following:

12 **“SEC. 2122A. ORGANIC AGRICULTURAL PRODUCT IMPORTS**
13 **INTERAGENCY WORKING GROUP.**

14 “(a) ESTABLISHMENT.—

15 “(1) IN GENERAL.—The Secretary and the Sec-
16 retary of Homeland Security shall jointly establish a
17 working group to facilitate coordination and infor-
18 mation sharing between the Department of Agri-
19 culture and U.S. Customs and Border Protection re-
20 lating to imports of organically produced agricul-
21 tural products (referred to in this section as the
22 ‘working group’).

23 “(2) MEMBERS.—The working group—

24 “(A) shall include—

25 “(i) the Secretary (or a designee); and

1 “(ii) the Secretary of Homeland Secu-
2 rity (or a designee); and

3 “(B) shall not include any non-Federal of-
4 ficer or employee.

5 “(3) DUTIES.—The working group shall facili-
6 tate coordination and information sharing between
7 the Department of Agriculture and U.S. Customs
8 and Border Protection for the purposes of—

9 “(A) identifying imports of organically pro-
10 duced agricultural products;

11 “(B) verifying the authenticity of organi-
12 cally produced agricultural product import doc-
13 umentation, such as national organic program
14 import certificates;

15 “(C) ensuring imported agricultural prod-
16 ucts represented as organically produced meet
17 the requirements under this title;

18 “(D) collecting and organizing quantitative
19 data on imports of organically produced agricul-
20 tural products; and

21 “(E) reporting to Congress on—

22 “(i) enforcement activity carried out
23 by the Department of Agriculture or U.S.
24 Customs and Border Protection in the
25 United States or abroad; and

1 “(ii) barriers to preventing agricul-
2 tural products fraudulently represented as
3 organically produced from entry into the
4 United States.

5 “(4) DESIGNATED EMPLOYEES AND OFFI-
6 CIALS.—An employee or official designated to carry
7 out the duties of the Secretary or the Secretary of
8 Homeland Security on the working group under sub-
9 paragraph (A) or (B) of paragraph (2) shall be an
10 employee or official compensated at a rate of pay
11 not less than the minimum annual rate of basic pay
12 for GS–12 under section 5332 of title 5, United
13 States Code.

14 “(b) REPORTS.—On an annual basis, the working
15 group shall submit to Congress and make publically avail-
16 able on the websites of the Department of Agriculture and
17 U.S. Customs and Border Protection the following re-
18 ports:

19 “(1) ORGANIC TRADE ENFORCEMENT INTER-
20 AGENCY COORDINATION REPORT.—A report—

21 “(A) identifying existing barriers to co-
22 operation between the agencies involved in agri-
23 cultural product import inspection, trade data
24 collection and organization, and organically pro-

1 duced agricultural product trade enforcement,
2 including—

3 “(i) U.S. Customs and Border Protec-
4 tion;

5 “(ii) the Agricultural Marketing Serv-
6 ice; and

7 “(iii) the Animal and Plant Health
8 Inspection Service;

9 “(B) assessing progress toward integrating
10 organic trade enforcement into import inspec-
11 tion procedures of U.S. Customs and Border
12 Protection and the Animal and Plant Health
13 Inspection Service, including an assessment
14 of—

15 “(i) the status of the development of
16 systems for—

17 “(I) tracking the fumigation of
18 imports of organically produced agri-
19 cultural products into the United
20 States; and

21 “(II) electronically verifying na-
22 tional organic program import certifi-
23 cate authenticity; and

24 “(ii) training of U.S. Customs and
25 Border Protection personnel on—

1 “(G) identifying additional resources need-
2 ed to achieve any unmet goals; and

3 “(H) describing staffing needs at U.S.
4 Customs and Border Protection and the De-
5 partment of Agriculture to achieve the goals for
6 ensuring organic integrity described in the re-
7 port.

8 “(2) REPORT ON ENFORCEMENT ACTIONS
9 TAKEN ON ORGANIC IMPORTS.—A report—

10 “(A) providing detailed quantitative data
11 (broken down by commodity type, quantity,
12 value, month, and origin) on imports of agricul-
13 tural products represented as organically pro-
14 duced found to be fraudulent or lacking any
15 documentation required under this title at the
16 port of entry during the report year;

17 “(B) providing data on domestic enforce-
18 ment actions taken on imported agricultural
19 products represented as organically produced,
20 including—

21 “(i) the number and type of actions
22 taken by United States officials at ports of
23 entry in response to violations of this title;
24 and

1 “(ii) the total quantity and value of
2 the agricultural products that were the
3 subject of the actions, broken down by
4 product variety and country of origin;

5 “(C) providing data on fumigation of agri-
6 cultural products represented as organically
7 produced at ports of entry and notifications of
8 fumigation actions to shipment owners, broken
9 down by product variety and country of origin;
10 and

11 “(D) providing information on enforcement
12 activities under this title involving overseas in-
13 vestigations and compliance actions taken with-
14 in that year, including—

15 “(i) the number of investigations by
16 country; and

17 “(ii) a descriptive summary of compli-
18 ance actions taken by certifying agents in
19 each country.”.

20 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
21 2123 of the Organic Foods Production Act of 1990 (7
22 U.S.C. 6522) is amended—

23 (1) by striking the section heading and insert-
24 ing “**FUNDING**”;

1 (2) in subsection (b), by striking paragraphs
2 (1) through (7) and inserting the following:

3 “(1) \$15,000,000 for fiscal year 2018;

4 “(2) \$16,500,000 for fiscal year 2019;

5 “(3) \$18,000,000 for fiscal year 2020;

6 “(4) \$20,000,000 for fiscal year 2021;

7 “(5) \$22,000,000 for fiscal year 2022; and

8 “(6) \$24,000,000 for fiscal year 2023.”; and

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

10 “(d) MODERNIZATION OF TRADE TRACKING AND
11 DATA COLLECTION SYSTEMS.—

12 “(1) IN GENERAL.—Of the funds of the Com-
13 modity Credit Corporation, the Secretary shall use
14 to carry out section 2106(b)(3) \$5,000,000 for fiscal
15 year 2019, to remain available until expended.

16 “(2) ADDITIONAL AMOUNT.—The amount made
17 available under paragraph (1) shall be in addition to
18 any other amounts made available to carry out sec-
19 tion 2106(b)(3).”.

20 “(j) TRADE SAVINGS PROVISION.—The amendments
21 made by subsections (c), (d), and (f) shall be carried out
22 in a manner consistent with United States obligations
23 under international agreements.

1 **SEC. 10105. NATIONAL ORGANIC CERTIFICATION COST-**
2 **SHARE PROGRAM.**

3 (a) **ELIMINATION OF DIRECTED DELEGATION.**—Sec-
4 tion 10606(a) of the Farm Security and Rural Investment
5 Act of 2002 (7 U.S.C. 6523(a)) is amended by striking
6 “(acting through the Agricultural Marketing Service)”.

7 (b) **FUNDING.**—Section 10606 of the Farm Security
8 and Rural Investment Act of 2002 (7 U.S.C. 6523) is
9 amended by striking subsection (d) and inserting the fol-
10 lowing:

11 “(d) **MANDATORY FUNDING.**—Of the funds of the
12 Commodity Credit Corporation, the Secretary shall make
13 available to carry out this section \$11,500,000 for each
14 of fiscal years 2019 through 2023, to remain available
15 until expended.”.

16 **SEC. 10106. FOOD SAFETY EDUCATION INITIATIVES.**

17 Section 10105(e) of the Food, Conservation, and En-
18 ergy Act of 2008 (7 U.S.C. 7655a(e)) is amended by strik-
19 ing “2018” and inserting “2023”.

20 **SEC. 10107. SPECIALTY CROP BLOCK GRANTS.**

21 Section 101 of the Specialty Crops Competitiveness
22 Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465)
23 is amended—

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

26 (2) in subsection (e)—

1 (A) by striking “shall identify” and insert-
2 ing the following: “shall—
3 “(1) identify”;

4 (B) in paragraph (1) (as so designated), by
5 striking “plan and indicate” and inserting the
6 following: “plan;
7 “(2) indicate”;

8 (C) in paragraph (2) (as so designated), by
9 striking “crops.” and inserting “crops at the
10 national, regional, and local levels;”; and

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

12 “(3) include performance measures developed
13 by the State department of agriculture, in consulta-
14 tion with specialty crop stakeholders, to be used as
15 the primary means for performing an evaluation;
16 and

17 “(4) provide best practices for methods used to
18 enhance the competitiveness of specialty crops across
19 multiple commodities, types of production, and geo-
20 graphic locations.”;

21 (3) in subsection (f)—

22 (A) in the second sentence, by striking
23 “The Secretary” and inserting the following:

24 “(2) ACCEPTANCE OR REJECTION.—The Sec-
25 retary”;

1 (B) in the matter preceding paragraph (2)
2 (as so designated), by striking “In reviewing”
3 and inserting the following:
4 “(1) IN GENERAL.—In reviewing”; and
5 (C) in paragraph (1) (as so designated)—
6 (i) by striking “would carry” and in-
7 serting the following: “would—
8 “(A) carry”; and
9 (ii) in subparagraph (A) (as so des-
10 ignated), by striking “(a).” and inserting
11 the following: “(a); and
12 “(B) meet the requirements described in
13 subsection (e).”;
14 (4) in subsection (h)—
15 (A) in the paragraph heading, by inserting
16 “AND EVALUATION” after “AUDIT”;
17 (B) in the second sentence, by striking
18 “Not later than 30 days after the completion of
19 the audit,” and inserting the following:
20 “(2) SUBMISSION OF AUDIT.—Not later than
21 30 days after the completion of the audit under
22 paragraph (1)(A).”;
23 (C) in the matter preceding paragraph (2)
24 (as so designated), by striking “For each” and
25 inserting the following:

1 “(1) IN GENERAL.—For each”; and

2 (D) in paragraph (1) (as so designated)—

3 (i) by striking “conduct an audit” and

4 inserting the following: “conduct—

5 “(A) an audit”; and

6 (ii) in subparagraph (A) (as so des-

7 ignated), by striking “State.” and insert-

8 ing the following: “State; and

9 “(B) an evaluation of performance meas-
10 ures developed under subsection (e)(3).”;

11 (5) in subsection (k)—

12 (A) in paragraph (1), by striking “3” and
13 inserting “4”;

14 (B) in paragraph (2), by striking “8” and
15 inserting “9”; and

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

17 “(3) GUIDANCE.—

18 “(A) IN GENERAL.—Each year, prior to
19 the submission of State plans under subsection
20 (d), the Secretary shall provide guidance to
21 States regarding best practices and national
22 and regional priorities.

23 “(B) NATIONAL AND REGIONAL PRIOR-
24 ITIES.—National and regional priorities de-
25 scribed in subparagraph (A) shall be—

1 “(i) based on formal stakeholder
2 input; and

3 “(ii) considered by the Secretary as
4 States develop State plans under sub-
5 section (d).

6 “(4) MULTISTATE PROJECTS.—Notwith-
7 standing subsection (a) and paragraph (1), the Ad-
8 ministrator of the Agricultural Marketing Service
9 shall administer the funds of approved multistate
10 projects under subsection (j).”; and

11 (6) in subsection (l)(2)(E), by inserting “and
12 each fiscal year thereafter” before the period at the
13 end.

14 **SEC. 10108. PLANT VARIETY PROTECTION.**

15 Section 42(a) of the Plant Variety Protection Act (7
16 U.S.C. 2402(a)) is amended—

17 (1) in the matter preceding paragraph (1), by
18 striking “or tuber propagated” and inserting “tuber
19 propagated or asexually propagated”; and

20 (2) in paragraph(1)(B)(i), by striking “a tuber”
21 and inserting “a sexually reproduced tuber”.

22 **SEC. 10109. MULTIPLE CROP AND PESTICIDE USE SURVEY.**

23 (a) IN GENERAL.—The Secretary, acting through the
24 Director of the Office of Pest Management Policy, shall
25 conduct a multiple crop and pesticide use survey of farm-

1 ers to collect data for risk assessment modeling and miti-
2 gation for an active ingredient.

3 (b) SUBMISSION.—The Secretary shall submit to the
4 Administrator of the Environmental Protection Agency
5 and make publically available the survey described in sub-
6 section (a).

7 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section
9 \$2,500,000, to remain available until expended.

10 (d) CONFIDENTIALITY OF INFORMATION.—Section
11 1770 of the Food Security Act of 1985 (7 U.S.C. 2276)
12 is amended—

13 (1) in subsection (a)—

14 (A) by striking “(a) In the case” and in-
15 serting the following:

16 “(a) IN GENERAL.—In the case”; and

17 (B) in paragraph (3), by striking “sub-
18 section (d)(12)” and inserting “paragraph (12)
19 or (13) of subsection (d)”; and

20 (2) in subsection (d)—

21 (A) by striking “(d) For purposes” and in-
22 serting the following:

23 “(d) PROVISIONS OF LAW REFERENCES.—For pur-
24 poses”;

1 (B) in paragraph (11), by striking “or” at
2 the end;

3 (C) in paragraph (12), by striking the pe-
4 riod at the end and inserting “; or”; and

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

6 “(13) section 10109 of the Agriculture Im-
7 provement Act of 2018.”.

8 **SEC. 10110. CLARIFICATION OF USE OF FUNDS FOR TECH-**
9 **NICAL ASSISTANCE.**

10 Section 11 of the Commodity Credit Corporation
11 Charter Act (15 U.S.C. 714i) is amended in the last sen-
12 tence by inserting after “activities” the following: “but ex-
13 cluding any amounts used to provide technical assistance
14 under title X of the Agriculture Improvement Act of 2018
15 or an amendment made by that title.”.

16 **SEC. 10111. HEMP PRODUCTION.**

17 The Agricultural Marketing Act of 1946 (7 U.S.C.
18 1621 et seq.) is amended by adding at the end the fol-
19 lowing:

20 **“Subtitle G—Hemp Production**

21 **“SEC. 297A. DEFINITIONS.**

22 “In this subtitle:

23 “(1) HEMP.—The term ‘hemp’ means the plant
24 Cannabis sativa L. and any part of that plant, in-
25 cluding the seeds thereof and all derivatives, ex-

1 tracts, cannabinoids, isomers, acids, salts, and salts
2 of isomers, whether growing or not, with a delta-9
3 tetrahydrocannabinol concentration of not more than
4 0.3 percent on a dry weight basis.

5 “(2) INDIAN TRIBE.—The term ‘Indian tribe’
6 has the meaning given the term in section 4 of the
7 Indian Self-Determination and Education Assistance
8 Act (25 U.S.C. 5304).

9 “(3) SECRETARY.—The term ‘Secretary’ means
10 the Secretary of Agriculture.

11 “(4) STATE.—The term ‘State’ means—

12 “(A) a State;

13 “(B) the District of Columbia;

14 “(C) the Commonwealth of Puerto Rico;

15 and

16 “(D) any other territory or possession of
17 the United States.

18 “(5) STATE DEPARTMENT OF AGRICULTURE.—

19 The term ‘State department of agriculture’ means
20 the agency, commission, or department of a State
21 government responsible for agriculture in the State.

22 “(6) TRIBAL GOVERNMENT.—The term ‘Tribal
23 government’ means the governing body of an Indian
24 tribe.

1 **“SEC. 297B. STATE AND TRIBAL PLANS.**

2 “(a) SUBMISSION.—

3 “(1) IN GENERAL.—A State or Indian tribe de-
4 siring to have primary regulatory authority over the
5 production of hemp in the State or territory of the
6 Indian tribe shall submit to the Secretary, through
7 the State department of agriculture (in consultation
8 with the Governor and chief law enforcement officer
9 of the State) or the Tribal government, as applica-
10 ble, a plan under which the State or Indian tribe
11 monitors and regulates that production as described
12 in paragraph (2).

13 “(2) CONTENTS.—A State or Tribal plan re-
14 ferred to in paragraph (1)—

15 “(A) shall only be required to include—

16 “(i) a practice to maintain relevant in-
17 formation regarding land on which hemp is
18 produced in the State or territory of the
19 Indian tribe, including a legal description
20 of the land, for a period of not less than
21 3 calendar years;

22 “(ii) a procedure for testing, using
23 post-decarboxylation or other similarly reli-
24 able methods, delta-9 tetrahydrocannabinol
25 concentration levels of hemp produced in
26 the State or territory of the Indian tribe;

1 “(iii) a procedure for the effective dis-
2 posal of products that are produced in vio-
3 lation of this subtitle; and

4 “(iv) a procedure to comply with the
5 enforcement procedures under subsection
6 (d); and

7 “(B) may include any other practice or
8 procedure established by a State or Indian
9 tribe, as applicable, to the extent that the prac-
10 tice or procedure is consistent with this subtitle.

11 “(3) RELATION TO STATE AND TRIBAL LAW.—

12 “(A) NO PREEMPTION.—Nothing in this
13 subsection preempts or limits any law of a
14 State or Indian tribe regulating the production
15 of hemp, to the extent that law is consistent
16 with this subtitle.

17 “(B) REFERENCES IN PLANS.—A State or
18 Tribal plan referred to in paragraph (1) may
19 include a reference to a law of the State or In-
20 dian tribe regulating the production of hemp, to
21 the extent that law is consistent with this sub-
22 title.

23 “(b) APPROVAL.—

1 “(1) IN GENERAL.—Not later than 60 days
2 after receipt of a State or Tribal plan under sub-
3 section (a), the Secretary shall—

4 “(A) approve the State or Tribal plan if
5 the State or Tribal plan complies with sub-
6 section (a); or

7 “(B) disapprove the State or Tribal plan
8 only if the State or Tribal plan does not comply
9 with subsection (a).

10 “(2) AMENDED PLANS.—If the Secretary dis-
11 approves a State or Tribal plan under paragraph
12 (1)(B), the State, through the State department of
13 agriculture (in consultation with the Governor and
14 chief law enforcement officer of the State) or the
15 Tribal government, as applicable, may submit to the
16 Secretary an amended State or Tribal plan that
17 complies with subsection (a).

18 “(c) TECHNICAL ASSISTANCE.—The Secretary may
19 provide technical assistance to a State or Indian tribe in
20 the development of a State or Tribal plan under subsection
21 (a).

22 “(d) VIOLATIONS.—

23 “(1) IN GENERAL.—A violation of a State or
24 Tribal plan approved under subsection (b) shall be

1 subject to enforcement solely in accordance with this
2 subsection.

3 “(2) NEGLIGENT VIOLATIONS.—

4 “(A) IN GENERAL.—A hemp producer in a
5 State or the territory of an Indian tribe for
6 which a State or Tribal plan is approved under
7 subsection (b) shall be subject to subparagraph
8 (B) of this paragraph if the State department
9 of agriculture or Tribal government, as applica-
10 ble, determines that the hemp producer has
11 negligently violated the State or Tribal plan, in-
12 cluding by negligently—

13 “(i) failing to provide a legal descrip-
14 tion of land on which the producer pro-
15 duces hemp;

16 “(ii) failing to obtain a license or
17 other required authorization from the
18 State department of agriculture or Tribal
19 government, as applicable; or

20 “(iii) producing *Cannabis sativa* L.
21 with a delta-9 tetrahydrocannabinol con-
22 centration of more than 0.3 percent on a
23 dry weight basis.

24 “(B) CORRECTIVE ACTION PLAN.—A hemp
25 producer described in subparagraph (A) shall

1 comply with a plan established by the State de-
2 partment of agriculture or Tribal government,
3 as applicable, to correct the negligent violation,
4 including—

5 “(i) a reasonable date by which the
6 hemp producer shall correct the negligent
7 violation; and

8 “(ii) a requirement that the hemp
9 producer shall periodically report to the
10 State department of agriculture or Tribal
11 government, as applicable, on the compli-
12 ance of the hemp producer with the State
13 or Tribal plan for a period of not less than
14 the next 2 calendar years.

15 “(C) RESULT OF NEGLIGENT VIOLA-
16 TION.—Except as provided in subparagraph
17 (D), a hemp producer that negligently violates
18 a State or Tribal plan under subparagraph (A)
19 shall not be subject to any criminal or civil en-
20 forcement action by the Federal Government or
21 any State government, Tribal government, or
22 local government other than the enforcement
23 action authorized under subparagraph (B).

24 “(D) REPEAT VIOLATIONS.—A hemp pro-
25 ducer that negligently violates a State or Tribal

1 plan under subparagraph (A) 3 times in a 5-
2 year period shall be ineligible to produce hemp
3 for a period of 5 years beginning on the date
4 of the third violation.

5 “(3) OTHER VIOLATIONS.—If the State depart-
6 ment of agriculture or Tribal government in a State
7 or the territory of an Indian tribe for which a State
8 or Tribal plan is approved under subsection (b), as
9 applicable, determines that a hemp producer in the
10 State or territory has violated the State or Tribal
11 plan with a culpable mental state greater than neg-
12 ligence—

13 “(A) the State department of agriculture
14 or Tribal government, as applicable, shall im-
15 mediately report the hemp producer to—

16 “(i) the Attorney General; and

17 “(ii) in the case of a State department
18 of agriculture, the chief law enforcement
19 officer of the State; and

20 “(B) paragraph (1) of this subsection shall
21 not apply to the violation.

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated such sums as are nec-
24 essary to carry out this section.

1 “(f) EFFECT.—Nothing in this section prohibits the
2 production of hemp in a State or the territory of an Indian
3 tribe for which a State or Tribal plan is not approved
4 under this section in accordance with other Federal laws
5 (including regulations).

6 **“SEC. 297C. AUTHORITY TO ISSUE REGULATIONS AND**
7 **GUIDELINES.**

8 “The Secretary shall have sole authority to issue Fed-
9 eral regulations and guidelines that relate to the produc-
10 tion of hemp, including Federal regulations and guidelines
11 that relate to the implementation of section 297B.”.

12 **SEC. 10112. RULE OF CONSTRUCTION.**

13 Nothing in this title authorizes interference with the
14 interstate commerce of hemp (as defined in section 297A
15 of the Agricultural Marketing Act of 1946, as added by
16 section 10111).

17 **TITLE XI—CROP INSURANCE**

18 **SEC. 11101. DEFINITIONS.**

19 Section 502(b) of the Federal Crop Insurance Act (7
20 U.S.C. 1502(b)) is amended—

21 (1) by redesignating paragraphs (6), (7), (8),
22 (9), (10), and (11) as paragraphs (7), (8), (10),
23 (11), (12), and (13) respectively;

24 (2) by inserting after paragraph (5) the fol-
25 lowing:

1 “(6) COVER CROP TERMINATION.—The term
2 ‘cover crop termination’ means a practice that his-
3 torically and under reasonable circumstances results
4 in the termination of the growth of a cover crop.”;
5 and

6 (3) by inserting after paragraph (8) (as so re-
7 designated) the following:

8 “(9) HEMP.—The term ‘hemp’ has the meaning
9 given the term in section 297A of the Agricultural
10 Marketing Act of 1946.”.

11 **SEC. 11102. DATA COLLECTION.**

12 Section 506(h)(2) of the Federal Crop Insurance Act
13 (7 U.S.C. 1506(h)(2)) is amended—

14 (1) by striking “The Corporation” and insert-
15 ing the following:

16 “(A) IN GENERAL.—The Corporation”;
17 and

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

19 “(B) NATIONAL AGRICULTURAL STATIS-
20 TICS SERVICE.—Data collected by the National
21 Agricultural Statistics Service, whether pub-
22 lished or unpublished, shall be—

23 “(i) provided in an aggregate form to
24 the Corporation for the purpose of pro-
25 viding insurance under this subtitle; and

1 “(ii) kept confidential by the Corpora-
2 tion in the same manner and to the same
3 extent as is required under—

4 “(I) section 1770 of the Food Se-
5 curity Act of 1985 (7 U.S.C. 2276);
6 and

7 “(II) the Confidential Informa-
8 tion Protection and Statistical Effi-
9 ciency Act of 2002 (44 U.S.C. 3501
10 note; Public Law 107–347).

11 “(C) NONINSURED CROP DISASTER ASSIST-
12 ANCE PROGRAM.—In collecting data under this
13 subsection, the Secretary shall ensure that—

14 “(i) appropriate data are collected
15 through the noninsured crop disaster as-
16 sistance program established by section
17 196 of the Federal Agriculture Improve-
18 ment and Reform Act of 1996 (7 U.S.C.
19 7333); and

20 “(ii) not less frequently than annually,
21 the Farm Service Agency shares and the
22 Corporation considers the data described
23 in clause (i).”.

1 **SEC. 11103. SHARING OF RECORDS.**

2 Section 506(h)(3) of the Federal Crop Insurance Act
3 (7 U.S.C. 1506(h)(3)) is amended by inserting “applicants
4 who have received payment under section 522(b)(2)(E),”
5 after “divisions,”.

6 **SEC. 11104. USE OF RESOURCES.**

7 Section 507(f) of the Federal Crop Insurance Act (7
8 U.S.C. 1507(f)) is amended—

9 (1) by striking paragraphs (3) and (4) and in-
10 sserting the following:

11 “(3) the Farm Service Agency, in assisting the
12 Board in—

13 “(A) the determination of individual pro-
14 ducer yields;

15 “(B) sharing information on beginning
16 farmers and ranchers and veteran farmers and
17 ranchers;

18 “(C) investigating potential waste, fraud,
19 or abuse;

20 “(D) sharing information to support the
21 transition of crops and counties from the non-
22 insured crop disaster assistance program estab-
23 lished by section 196 of the Federal Agriculture
24 Improvement and Reform Act of 1996 (7
25 U.S.C. 7333) to insurance under this subtitle;
26 and

1 “(E) serving as a local point of contact for
2 the dissemination of information on risk man-
3 agement options available to farmers and
4 ranchers; and

5 “(4) other Federal agencies, in assisting the
6 Board in any way the Board determines is necessary
7 in carrying out this subtitle.”;

8 (2) in paragraph (2), by striking “(2) the” and
9 inserting the following:

10 “(2) the”; and

11 (3) by striking “(f) The Board” in the matter
12 preceding paragraph (1) and all that follows through
13 the semicolon at the end of paragraph (1) and in-
14 serting the following:

15 “(f) USE OF RESOURCES, DATA, BOARDS, AND COM-
16 MITTEES OF FEDERAL AGENCIES.—The Board shall use,
17 to the maximum extent practicable, the resources, data,
18 boards, and the committees of—

19 “(1) the Natural Resources Conservation Serv-
20 ice, in assisting the board in—

21 “(A) the classification of land as to risk
22 and production capability;

23 “(B) the assessment of—

24 “(i) long-term trends in, and impacts
25 from, weather variability; and

1 “(ii) opportunities to ameliorate the
2 impacts described in clause (i); and

3 “(C) the consideration of acceptable con-
4 servation practices, including good farming
5 practices with respect to conservation (such as
6 cover crop termination);”.

7 **SEC. 11105. SPECIALTY CROPS.**

8 (a) **SPECIALTY CROPS COORDINATOR.**—Section
9 507(g) of the Federal Crop Insurance Act (7 U.S.C.
10 1507(g)) is amended by adding at the end the following:

11 “(4) **SPECIALTY CROP LIAISONS.**—The Spe-
12 cialty Crops Coordinator shall—

13 “(A) designate a Specialty Crops Liaison
14 in each regional field office; and

15 “(B) share the contact information of the
16 Specialty Crops Liaisons with specialty crop
17 producers.

18 “(5) **WEBSITE.**—

19 “(A) **IN GENERAL.**—The Specialty Crops
20 Coordinator shall establish a website focused on
21 the efforts of the Corporation to provide and
22 expand crop insurance for specialty crop pro-
23 ducers.

24 “(B) **INCLUSIONS.**—The website estab-
25 lished under subparagraph (A) shall include—

1 “(i) an online mechanism to provide
2 comments or feedback relating to specialty
3 crops;

4 “(ii) a calendar of opportunities to
5 provide comments or feedback at specialty
6 crop events or in other public forums; and

7 “(iii) a plan, with projected comple-
8 tion dates, for examining—

9 “(I) potential new crops to be
10 added to existing policies or plans of
11 insurance for specialty crops;

12 “(II) opportunities to expand ex-
13 isting policies or plans of insurance
14 for specialty crops to new areas; and

15 “(III) the potential for providing
16 additional policies or plans of insur-
17 ance for specialty crops, such as add-
18 ing a revenue option or endorse-
19 ment.”.

20 (b) ADDITION OF SPECIALTY CROPS.—Section
21 508(a)(6) of the Federal Crop Insurance Act (7 U.S.C.
22 1508(a)(6)) is amended—

23 (1) by striking subparagraph (A) and inserting
24 the following:

1 “(A) ANNUAL REVIEW.—Not later than 1
2 year after the date of enactment of the Agri-
3 culture Improvement Act of 2018, and annually
4 thereafter, the manager of the Corporation shall
5 prepare, to the maximum extent practicable,
6 based on data shared from the noninsured crop
7 disaster assistance program established by sec-
8 tion 196 of the Federal Agriculture Improve-
9 ment and Reform Act of 1996 (7 U.S.C. 7333),
10 written agreements, or other data, and present
11 to the Board not less than 2 of each of the fol-
12 lowing:

13 “(i) Research and development for a
14 policy or plan of insurance for a new crop.

15 “(ii) Expansion of an existing policy
16 or plan of insurance to additional counties
17 or States.

18 “(iii) Research and development for a
19 new policy or plan of insurance, or en-
20 dorsement, for crops with existing policies
21 or plans of insurance, such as dollar
22 plans.”;

23 (2) in subparagraph (B), in the subparagraph
24 heading, by striking “ADDITION OF NEW CROPS”
25 and inserting “REPORT”; and

1 (3) by striking subparagraphs (C) and (D).

2 **SEC. 11106. INSURANCE PERIOD.**

3 Section 508(a)(2) of the Federal Crop Insurance Act
4 (7 U.S.C. 1508(a)(2)) is amended by striking “and sweet
5 potatoes” and inserting “sweet potatoes, and hemp”.

6 **SEC. 11107. COVER CROPS.**

7 Section 508(a) of the Federal Crop Insurance Act (7
8 U.S.C. 1508(a)) is amended—

9 (1) in paragraph (3)—

10 (A) in subparagraph (A)(iii), by striking
11 “practices” the first place it appears and all
12 that follows through the period at the end and
13 inserting “practices.”;

14 (B) by redesignating subparagraphs (B)
15 and (C) as subparagraphs (C) and (D), respec-
16 tively;

17 (C) by inserting after subparagraph (A)
18 the following:

19 “(B) VOLUNTARY GOOD FARMING PRAC-
20 TICES.—

21 “(i) IN GENERAL.—Subject to clause
22 (ii), the following voluntary practices shall
23 be considered good farming practices under
24 subparagraph (A)(iii):

1 “(I) A scientifically sound, sus-
2 tainable, and organic farming prac-
3 tice, as determined by the Secretary.

4 “(II) A conservation activity or
5 enhancement (including cover crops)
6 that is approved by the Natural Re-
7 sources Conservation Service or an
8 agricultural expert, as determined by
9 the Secretary.

10 “(ii) EXPECTED GROWTH.—A practice
11 described in subclause (I) or (II) of clause
12 (i) shall be considered a good farming
13 practice only if under that practice the in-
14 sured crop may be expected to make nor-
15 mal progress toward maturity under typ-
16 ical growing conditions, as determined by
17 the Secretary.”; and

18 (D) in subparagraph (C) (as so redesign-
19 ated), in the subparagraph heading, by insert-
20 ing “DETERMINATION REVIEW” after “PRAC-
21 TICES”; and

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

23 “(11) COVER CROP TERMINATION.—

24 “(A) IN GENERAL.—Cover crop termi-
25 nation shall not affect the insurability of a sub-

1 “(i) ADEQUATELY SERVED.—The
2 term”;

3 (B) in clause (i) (as so designated), by
4 striking “participation rate” and inserting
5 “participation rate, by crop,”; and

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

7 “(ii) UNDERSERVED PRODUCER.—
8 The term ‘underserved producer’ means a
9 beginning farmer or rancher, a veteran
10 farmer or rancher, or a socially disadvan-
11 taged farmer or rancher.”;

12 (3) in subparagraph (B)—

13 (A) by striking “The Board” and inserting
14 the following:

15 “(i) IN GENERAL.—The Board”;

16 (B) in clause (i) (as so designated), by
17 striking “subtitle” and inserting “subtitle, in-
18 cluding policies and plans of insurance for un-
19 derserved producers,”; and

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

21 “(ii) TYPES OF PRODUCTION.—In
22 conducting the review under clause (i), the
23 Board shall examine the types of produc-
24 tion common among underserved pro-

1 ducers, such as diversified production for
2 local markets.”; and

3 (4) by striking subparagraph (C) and inserting
4 the following:

5 “(C) REPORT.—

6 “(i) IN GENERAL.—Not later than 30
7 days after completion of the review under
8 subparagraph (B)(i), and not less fre-
9 quently than once every 3 years thereafter,
10 the Board shall make publically available
11 and submit to the Committee on Agri-
12 culture of the House of Representatives
13 and the Committee on Agriculture, Nutri-
14 tion, and Forestry of the Senate a report
15 describing the results of the review.

16 “(ii) RECOMMENDATIONS.—The re-
17 port under clause (i) shall include rec-
18 ommendations to increase participation in
19 States and among underserved producers
20 that are not adequately served by the poli-
21 cies and plans of insurance, including any
22 plans for administrative action or rec-
23 ommendations for Congressional action.”.

1 **SEC. 11109. EXPANSION OF PERFORMANCE-BASED DIS-**
2 **COUNT.**

3 Section 508(d)(3) of the Federal Crop Insurance Act
4 (7 U.S.C. 1508(d)(3)) is amended—

5 (1) by striking “The Corporation” and insert-
6 ing the following:

7 “(A) IN GENERAL.—The Corporation”;

8 and

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

10 “(A) RISK-REDUCING PRACTICE DIS-
11 COUNT.—

12 “(i) IN GENERAL.—Beginning with
13 the 2020 reinsurance year, the Corporation
14 may offer discounts under subparagraph
15 (A) for practices that can be demonstrated
16 to reduce risk relative to other practices.

17 “(ii) REVIEW.—In determining prac-
18 tices for which to offer discounts under
19 clause (i), the Corporation shall—

20 “(I) for the 2020 reinsurance
21 year, consider precision irrigation or
22 fertilization, crop rotations, cover
23 crops, and any other practices deter-
24 mined appropriate by the Corporation;
25 and

1 “(II) on an annual basis, seek ex-
2 pert opinion and consider additional
3 practices based on new evidence.”.

4 **SEC. 11110. ENTERPRISE UNITS.**

5 Section 508(e)(5) of the Federal Crop Insurance Act
6 (7 U.S.C. 1508(e)(5)) is amended by adding at the end
7 the following:

8 “(E) ENTERPRISE UNITS ACROSS COUNTY
9 LINES.—The Corporation may allow a producer
10 to establish a single enterprise unit by com-
11 bining an enterprise unit with—

12 “(i) 1 or more other enterprise units
13 in 1 or more other counties; or

14 “(ii) all basic units and all optional
15 units in 1 or more other counties.”.

16 **SEC. 11111. PASTURE, RANGELAND, AND FORAGE POLICY**
17 **FOR MEMBERS OF INDIAN TRIBES.**

18 Section 508(e)(7) of the Federal Crop Insurance Act
19 (7 U.S.C. 1508(e)(7)) is amended by adding at the end
20 the following:

21 “(D) PASTURE, RANGELAND, AND FORAGE
22 POLICY FOR MEMBERS OF INDIAN TRIBES.—
23 With respect to a policy or plan of insurance es-
24 tablished under this subtitle for producers of
25 livestock commodities the source of feedstock of

1 which is pasture, rangeland, and forage, the
2 premium subsidy for a member of an Indian
3 tribe (as defined in section 4 of the Indian Self-
4 Determination and Education Assistance Act
5 (25 U.S.C. 5304)), as certified to the Secretary
6 by the Chairperson of that Indian tribe (or a
7 designee), shall be 90 percent for the first pur-
8 chase of that policy or plan of insurance by that
9 member of an Indian tribe.”.

10 **SEC. 11112. SUBMISSION OF POLICIES AND MATERIALS TO**
11 **BOARD.**

12 Section 508(h) of the Federal Crop Insurance Act (7
13 U.S.C. 1508(h)) is amended—

14 (1) in paragraph (1)(B)—

15 (A) by redesignating clauses (i) through
16 (iii) as subclauses (I) through (III), respec-
17 tively, and indenting appropriately;

18 (B) in the matter preceding subclause (I)
19 (as so redesignated), by striking “The Corpora-
20 tion shall” and inserting the following:

21 “(i) IN GENERAL.—The Corporation
22 shall”;

23 (C) in clause (i)(I) (as so redesignated), by
24 inserting “subject to clause (ii),” before “will
25 likely”; and

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

2 “(ii) WAIVER FOR HEMP.—The Cor-
3 poration may waive the viability and mar-
4 ketability requirement under clause (i)(I)
5 in the case of a policy or pilot program re-
6 lating to the production of hemp.”; and

7 (2) in paragraph (3)(C)—

8 (A) in clause (ii), by striking “and” at the
9 end;

10 (B) in clause (iii), by striking the period at
11 the end and inserting “; and”; and

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

13 “(iv) in the case of reviewing policies
14 and other materials relating to the produc-
15 tion of hemp, may waive the viability and
16 marketability requirement under subpara-
17 graph (A)(ii)(I).”.

18 **SEC. 11113. WHOLE FARM REVENUE AGENT INCENTIVES.**

19 Section 508(k)(4) of the Federal Crop Insurance Act
20 (7 U.S.C. 1508(k)(4)) is amended by adding at the end
21 the following:

22 “(G) WHOLE FARM REVENUE AGENT IN-
23 CENTIVES.—

24 “(i) IN GENERAL.—Beginning with
25 the 2019 reinsurance year, in the case of

1 an agent that sells a Whole Farm Revenue
2 Policy, or a successor policy, the Corpora-
3 tion shall provide to the approved insur-
4 ance provider, to pay to the agent, an ad-
5 ditional reimbursement, determined in ac-
6 cordance with the following:

7 “(I) If the compensation of the
8 agent authorized under the Standard
9 Reinsurance Agreement for the policy
10 is less than \$1000, the reimbursement
11 shall be an amount equal to the dif-
12 ference between—

13 “(aa) \$1,000; and

14 “(bb) the amount authorized
15 under the Standard Reinsurance
16 Agreement for the policy.

17 “(II) If the producer, or any en-
18 tity in which the producer had an in-
19 surable interest, has never previously
20 obtained coverage under a Whole
21 Farm Revenue Policy, or a successor
22 policy, in addition to any amount au-
23 thORIZED under subclause (I), the re-
24 imbursement shall be \$300 for each

1 Whole Farm Revenue Policy, or suc-
2 cessor policy.

3 “(ii) LIMITATION ON USE.—Any addi-
4 tional reimbursement authorized under
5 clause (i) shall not be included for the pur-
6 pose of establishing the limitation on the
7 compensation for agents under the Stand-
8 ard Reinsurance Agreement.”.

9 **SEC. 11114. CROP PRODUCTION ON NATIVE SOD.**

10 Section 508(o) of the Federal Crop Insurance Act (7
11 U.S.C. 1508(o)) is amended—

12 (1) in paragraph (2)(A)—

13 (A) by striking “During the first” and all
14 that follows through “native” and inserting
15 “Native”;

16 (B) by striking “annual” and inserting
17 “insurable”; and

18 (C) by striking the period at the end and
19 inserting the following: “for any 4 years—

20 “(i) after that acreage has been tilled;

21 “(ii) during which a crop on that
22 acreage is insured; and

23 “(iii) which may be nonconsecutive.”;

24 and

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

1 “(i) detect yield disparities or other
2 data anomalies that indicate potential
3 fraud; and

4 “(ii) target the relevant counties,
5 crops, regions, companies, or agents associ-
6 ated with that potential fraud for audits
7 and other enforcement actions.”; and

8 (2) in subsection (f)(2)(A), by striking “pursu-
9 ant to” each place it appears and inserting “under”.

10 **SEC. 11116. SUBMISSION OF INFORMATION TO CORPORA-**
11 **TION.**

12 Section 515(g) of the Federal Crop Insurance Act (7
13 U.S.C. 1515(g)) is amended—

14 (1) in paragraph (1), by adding at the end the
15 following:

16 “(D) The actual production history to be
17 used to establish insurable yields.”; and

18 (2) in paragraph (2)—

19 (A) by striking “The information required
20 by paragraph (1)” and inserting the following:

21 “(A) IN GENERAL.—The information re-
22 quired to be submitted under subparagraphs
23 (A) through (C) of paragraph (1)”;

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

1 Administrator of the Farm Service
2 Agency shall implement a consistent
3 method for determining crop acreage,
4 acreage yields, farm acreage, property
5 descriptions, and other common infor-
6 mational requirements, including
7 measures of common land units.

8 “(III) ACCEPTANCE OF DATA.—
9 The Corporation shall require each
10 approved insurance provider to accept
11 from a producer or an authorized
12 agent of a producer reports of crop
13 acreage, acreage yields, and other in-
14 formation electronically (including in
15 the form of geospatial data) or con-
16 ventionally, at the option of the pro-
17 ducer or the agent of the producer, as
18 applicable.”.

19 **SEC. 11118. CONTINUING EDUCATION FOR LOSS ADJUST-**
20 **ERS AND AGENTS.**

21 Section 515 of the Federal Crop Insurance Act (7
22 U.S.C. 1515) is amended—

23 (1) by redesignating subsection (k) as sub-
24 section (l); and

1 (2) by inserting after subsection (j) the fol-
2 lowing:

3 “(k) CONTINUING EDUCATION FOR LOSS ADJUSTERS
4 AND AGENTS.—

5 “(1) IN GENERAL.—The Corporation shall es-
6 tablish requirements for continuing education for
7 loss adjusters and agents of approved insurance pro-
8 viders.

9 “(2) REQUIREMENTS.—The requirements for
10 continuing education described in paragraph (1)
11 shall ensure that loss adjusters and agents of ap-
12 proved insurance providers are familiar with appro-
13 priate conservation activities and agronomic prac-
14 tices that—

15 “(A) are common and appropriate to the
16 area in which the insured crop being inspected
17 is produced; and

18 “(B) include organic and sustainable prac-
19 tices.”.

20 **SEC. 11119. FUNDING FOR INFORMATION TECHNOLOGY.**

21 Section 515 of the Federal Crop Insurance Act (7
22 U.S.C. 1515) is amended in subsection (l)(1)(A) (as reded-
23 igned by section 11118(1))—

24 (1) by striking clause (ii);

25 (2) in clause (i)—

1 (A) by striking “(i)(I) for” and inserting
2 the following:

3 “(i) for”;

4 (B) by striking “and” at the end; and

5 (C) by redesignating subclause (II) as
6 clause (ii);

7 (3) in clause (ii) (as so redesignated), by strik-
8 ing “or” at the end and inserting “and”; and

9 (4) by inserting after clause (ii) (as so redesi-
10 gnated) the following:

11 “(iii) for each of fiscal years 2019 and
12 2020, \$1,000,000.”.

13 **SEC. 11120. AGRICULTURAL COMMODITY.**

14 Section 518 of the Federal Crop Insurance Act (7
15 U.S.C. 1518) is amended by inserting “hemp,” before
16 “aquacultural species”.

17 **SEC. 11121. REIMBURSEMENT OF RESEARCH, DEVELOP-**
18 **MENT, AND MAINTENANCE COSTS.**

19 Section 522(b) of the Federal Crop Insurance Act (7
20 U.S.C. 1522(b)) is amended—

21 (1) in paragraph (2), by adding at the end the
22 following:

23 “(K) WAIVER FOR HEMP.—The Board
24 may waive the viability and marketability re-
25 quirements under this paragraph in the case of

1 research and development relating to a policy to
2 insure the production of hemp.”; and

3 (2) in paragraph (3)—

4 (A) by striking “The Corporation” and in-
5 serting the following:

6 “(A) IN GENERAL.—Subject to subpara-
7 graph (B), the Corporation”; and

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

9 “(B) WAIVER FOR HEMP.—The Corpora-
10 tion may waive the marketability requirement
11 under subparagraph (A) in the case of research
12 and development relating to a policy to insure
13 the production of hemp.”.

14 **SEC. 11122. RESEARCH AND DEVELOPMENT AUTHORITY.**

15 Section 522(c) of the Federal Crop Insurance Act (7
16 U.S.C. 1522(c)) is amended—

17 (1) by striking paragraphs (7) through (18)
18 and (20) through (23);

19 (2) by redesignating paragraphs (19) and (24)
20 as paragraphs (7) and (8), respectively;

21 (3) in paragraph (7) (as so redesignated) (enti-
22 tled “Whole farm diversified risk management insur-
23 ance plan”), by adding at the end the following:

24 “(E) REVIEW OF MODIFICATIONS TO IM-
25 PROVE EFFECTIVENESS.—

1 “(i) IN GENERAL.—Not later than 2
2 years after the date of enactment of this
3 subparagraph, the Corporation shall—

4 “(I) hold stakeholder meetings to
5 solicit producer and agent feedback;

6 “(II) review procedures and pa-
7 perwork requirements on agents and
8 producers; and

9 “(III) modify procedures and re-
10 quirements, as appropriate, to de-
11 crease burdens and increase flexibility
12 and effectiveness.

13 “(ii) FACTORS.—In carrying out sub-
14 clauses (II) and (III) of clause (i), the Cor-
15 poration shall consider—

16 “(I) removing caps on nursery
17 and livestock production;

18 “(II) allowing a waiver to expand
19 operations, especially for small and
20 beginning farmers;

21 “(III) minimizing paperwork for
22 producers and agents;

23 “(IV) implementing an option for
24 producers with less than \$1,000,000
25 in gross revenue that requires signifi-

1 cantly less paperwork and record-
2 keeping;

3 “(V) developing and using alter-
4 native records such as time-stamped
5 photographs or technology applica-
6 tions to document planting and pro-
7 duction history;

8 “(VI) 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 “(VII) 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 **SEC. 11123. EDUCATION ASSISTANCE.**

21 Section 524(a)(3)(A) of the Federal Crop Insurance
22 Act (7 U.S.C. 1524(a)(3)(A)) is amended by inserting
23 “conservation activities,” after “benchmarking,”.

1 **TITLE XII—MISCELLANEOUS**

2 **Subtitle A—Livestock**

3 **SEC. 12101. SHEEP PRODUCTION AND MARKETING GRANT**
4 **PROGRAM.**

5 Section 209 of the Agricultural Marketing Act of
6 1946 (7 U.S.C. 1627a) is amended by striking subsection
7 (c) and inserting the following:

8 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
9 is authorized to be appropriated to the Secretary to carry
10 out this section \$1,500,000 for each of fiscal years 2019
11 through 2023.”.

12 **SEC. 12102. NATIONAL ANIMAL HEALTH LABORATORY NET-**
13 **WORK.**

14 Section 10409A(d) of the Animal Health Protection
15 Act (7 U.S.C. 8308a(d)) is amended by striking
16 “\$15,000,000 for each of fiscal years 2014 through 2018”
17 and inserting “\$30,000,000 for each of fiscal years 2019
18 through 2023”.

19 **SEC. 12103. NATIONAL ANIMAL DISEASE PREPAREDNESS,**
20 **RESPONSE, AND RECOVERY PROGRAM; NA-**
21 **TIONAL ANIMAL VACCINE AND VETERINARY**
22 **COUNTERMEASURES BANK.**

23 The Animal Health Protection Act is amended by in-
24 serting after section 10409A (7 U.S.C. 8308a) the fol-
25 lowing:

1 **“SEC. 10409B. NATIONAL ANIMAL DISEASE PREPAREDNESS,**
2 **RESPONSE, AND RECOVERY PROGRAM; NA-**
3 **TIONAL ANIMAL VACCINE AND VETERINARY**
4 **COUNTERMEASURES BANK.**

5 “(a) NATIONAL ANIMAL DISEASE PREPAREDNESS,
6 RESPONSE, AND RECOVERY PROGRAM.—

7 “(1) IN GENERAL.—To prevent the introduction
8 into or the dissemination within the United States of
9 any pest or disease of animals affecting the eco-
10 nomic interests of the livestock and related indus-
11 tries of the United States (including the mainte-
12 nance and expansion of export market potential), the
13 Secretary shall establish a program to be known as
14 the ‘National Animal Disease Preparedness, Re-
15 sponse, and Recovery Program’ (referred to in this
16 subsection as the ‘Program’).

17 “(2) ELIGIBLE ACTIVITIES.—Under the Pro-
18 gram, the Secretary shall support activities to pre-
19 vent, detect, and rapidly respond to animal pests
20 and diseases, including—

21 “(A) enhancing animal pest and disease
22 analysis and surveillance;

23 “(B) expanding education and outreach;

24 “(C) targeting domestic inspection activi-
25 ties at vulnerable points in the safeguarding
26 continuum;

1 “(D) enhancing and strengthening threat
2 identification and technology;

3 “(E) improving biosecurity;

4 “(F) enhancing emergency preparedness
5 and response capabilities, including training ad-
6 ditional emergency response personnel;

7 “(G) conducting technology development to
8 enhance electronic sharing of animal health
9 data for risk analysis between State and Fed-
10 eral animal health officials;

11 “(H) enhancing the development and effec-
12 tiveness of animal health technologies to treat
13 and prevent disease, including veterinary bio-
14 logics, veterinary diagnostics, animal drugs for
15 minor use and minor species, animal medical
16 devices, and emerging veterinary counter-
17 measures; and

18 “(I) such other activities as determined ap-
19 propriate by the Secretary, in consultation with
20 entities described in paragraph (3)(B).

21 “(3) COOPERATIVE AGREEMENTS.—

22 “(A) IN GENERAL.—In carrying out the
23 Program, the Secretary shall offer to enter into
24 cooperative agreements or other legal instru-
25 ments with entities described in subparagraph

1 (B) to carry out activities described in para-
2 graph (2).

3 “(B) ELIGIBLE ENTITIES.—The Secretary
4 may enter into a cooperative agreement or
5 other legal instrument under subparagraph (A)
6 with 1 or more of the following entities:

7 “(i) A State department of agri-
8 culture.

9 “(ii) The State veterinarian or chief
10 animal health official of a State.

11 “(iii) A land-grant college or univer-
12 sity (as defined in section 1404 of the Na-
13 tional Agricultural Research, Extension,
14 and Teaching Policy Act of 1977 (7 U.S.C.
15 3103)).

16 “(iv) A NLGCA Institution (as de-
17 fined in section 1404 of the National Agri-
18 cultural Research, Extension, and Teach-
19 ing Policy Act of 1977 (7 U.S.C. 3103)).

20 “(v) A college of veterinary medicine.

21 “(vi) A State or national livestock
22 producer organization with a direct and
23 significant economic interest in livestock
24 production.

1 “(vii) A State, national, allied, or re-
2 gional veterinary organization or specialty
3 board recognized by the American Veteri-
4 nary Medical Association.

5 “(viii) An Indian tribe.

6 “(ix) A State emergency management
7 agency.

8 “(x) A Federal agency.

9 “(C) SPECIAL FUNDING CONSIDER-
10 ATIONS.—In entering into cooperative agree-
11 ments or other legal instruments under sub-
12 paragraph (A), the Secretary shall give priority
13 to—

14 “(i) a State department of agri-
15 culture;

16 “(ii) the State veterinarian or chief
17 animal health official of a State; and

18 “(iii) an eligible entity that shall carry
19 out Program activities in a State or region
20 in which—

21 “(I) an animal disease or pest is
22 a Federal concern, as determined by
23 the Secretary; or

24 “(II) there is potential for the
25 spread of an animal disease or pest,

1 as determined by the Secretary, tak-
2 ing into consideration—

3 “(aa) the agricultural indus-
4 tries in that State or region;

5 “(bb) factors contributing to
6 animal disease or pests in that
7 State or region, such as climate,
8 natural resources, geography, na-
9 tive or exotic wildlife species, and
10 other disease vectors; and

11 “(cc) the movement of ani-
12 mals in that State or region.

13 “(D) APPLICATIONS.—

14 “(i) IN GENERAL.—An entity de-
15 scribed in subparagraph (B) desiring to
16 enter into a cooperative agreement or other
17 legal instrument under subparagraph (A)
18 shall submit to the Secretary an applica-
19 tion at such time and containing such in-
20 formation as the Secretary may require.

21 “(ii) NOTIFICATION.—The Secretary
22 shall notify an entity that submits an ap-
23 plication under clause (i) of—

24 “(I) the requirements to be im-
25 posed on the entity for auditing of,

1 and reporting on, the use of any funds
2 provided by the Secretary under the
3 cooperative agreement or other legal
4 instrument; and

5 “(II) the criteria to be used to
6 ensure activities supported under the
7 cooperative agreement or other legal
8 instrument are based on sound sci-
9 entific data or thorough risk assess-
10 ments.

11 “(E) USE OF FUNDS.—

12 “(i) SUBAGREEMENTS.—Nothing in
13 this section prevents an entity from using
14 funds received under a cooperative agree-
15 ment or other legal instrument under sub-
16 paragraph (A) to enter into a subagree-
17 ment with another organization or a polit-
18 ical subdivision of a State that has legal
19 responsibilities relating to animal disease
20 prevention, surveillance, or rapid response.

21 “(ii) NON-FEDERAL SHARE.—In de-
22 termining whether to enter into a coopera-
23 tive agreement or other legal instrument
24 with an entity under subparagraph (A),
25 the Secretary—

1 “(I) may consider the ability of
2 the entity to provide non-Federal
3 funds to carry out the cooperative
4 agreement or other legal instrument;
5 but

6 “(II) shall not require the provi-
7 sion of non-Federal funds by an entity
8 as a condition to enter into a coopera-
9 tive agreement or other legal instru-
10 ment.

11 “(iii) ADMINISTRATION.—Of amounts
12 made available to carry out the Program,
13 not more than 10 percent may be retained
14 by an entity that receives funds under a
15 cooperative agreement or other legal in-
16 strument under subparagraph (A), includ-
17 ing a subagreement under clause (i), to
18 pay administrative costs incurred by the
19 entity in carrying out the cooperative
20 agreement or other legal instrument.

21 “(4) CONSULTATION.—The Secretary shall con-
22 sult with entities described in paragraph (3)(B) in
23 establishing priorities under the Program.

24 “(5) FEDERAL ADVISORY COMMITTEE ACT.—
25 The Federal Advisory Committee Act (5 U.S.C.

1 App.) shall not apply to any consultation by the Sec-
2 retary with an entity described in paragraph (3)(B)
3 under the Program.

4 “(6) REPORTS.—Not later than 90 days after
5 the date on which an entity completes an activity
6 prescribed and funded by a cooperative agreement or
7 other legal instrument under paragraph (3)(A), the
8 entity shall submit to the Secretary a report that de-
9 scribes the purposes and results of the activity.

10 “(b) NATIONAL ANIMAL VACCINE AND VETERINARY
11 COUNTERMEASURES BANK.—

12 “(1) IN GENERAL.—The Secretary shall estab-
13 lish a National Animal Vaccine and Veterinary
14 Countermeasures Bank to benefit the domestic inter-
15 ests of the United States.

16 “(2) REQUIREMENTS.—Under the National
17 Animal Vaccine and Veterinary Countermeasures
18 Bank, the Secretary shall—

19 “(A) leverage, as appropriate, the mecha-
20 nisms and infrastructure that have been devel-
21 oped for the management, storage, and dis-
22 tribution of the National Veterinary Stockpile;
23 and

24 “(B) maintain a sufficient quantity of ani-
25 mal vaccine, antiviral, therapeutic products, di-

1 agnostic products, and veterinary counter-
2 measures—

3 “(i) to appropriately respond to the
4 most damaging animal diseases affecting
5 human health or the economy; and

6 “(ii) that will be capable of rapid de-
7 ployment in the event of an outbreak of an
8 animal disease described in clause (i).

9 “(3) FOOT-AND-MOUTH DISEASE PRIORITY.—

10 “(A) IN GENERAL.—In carrying out para-
11 graph (2), the Secretary shall give priority to
12 the maintenance of a sufficient quantity of foot-
13 and-mouth disease vaccine, as determined by
14 the Secretary, and accompanying diagnostic
15 products, covering, to the maximum extent
16 practicable, an appropriate representation of
17 foot-and-mouth disease serotypes and strains
18 for which appropriate vaccine products are
19 available.

20 “(B) CONTRACTS.—The Secretary may
21 offer to enter into 1 or more contracts with 1
22 or more entities that produce foot-and-mouth
23 disease vaccine—

24 “(i) to maintain a bank of viral anti-
25 gen concentrate or vaccine products for, to

1 the maximum extent practicable, an appro-
2 priate representation of foot-and-mouth
3 disease serotypes (as determined by the
4 Secretary) for which antigen concentrate is
5 available; and

6 “(ii) to maintain surge production ca-
7 pacity to produce, as quickly as prac-
8 ticable, foot-and-mouth disease vaccine to
9 address a foot-and-mouth disease outbreak.

10 “(c) USE OF FUNDS.—

11 “(1) FEDERAL ADMINISTRATION.—Of amounts
12 made available to carry out this section, not greater
13 than 4 percent may be retained by the Secretary to
14 pay administrative costs incurred by the Secretary in
15 carrying out this section.

16 “(2) BUILDINGS AND FACILITIES.—None of the
17 amounts made available to carry out this section
18 shall be used for—

19 “(A) the construction of a new building or
20 facility;

21 “(B) the acquisition or expansion of an ex-
22 isting building or facility;

23 “(C) site grading and improvement; or

24 “(D) architect fees.

1 “(3) PROCEEDS.—The proceeds from the sale
2 of any vaccine or antigen by the National Animal
3 Vaccine and Veterinary Countermeasures Bank
4 shall—

5 “(A) be deposited in the Treasury;

6 “(B) be credited to an account for the op-
7 eration of the National Animal Vaccine and
8 Veterinary Countermeasures Bank;

9 “(C) be available for expenditure without
10 further appropriation; and

11 “(D) remain available until expended.

12 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated such sums as are nec-
14 essary to carry out this section, to remain available until
15 expended.”.

16 **SEC. 12104. STUDY ON LIVESTOCK DEALER STATUTORY**
17 **TRUST.**

18 (a) IN GENERAL.—The Secretary shall conduct a
19 study to determine the feasibility of establishing a live-
20 stock dealer statutory trust.

21 (b) CONTENTS.—The study conducted under sub-
22 section (a) shall—

23 (1) analyze how the establishment of a livestock
24 dealer statutory trust would affect buyer and seller
25 behavior in markets for livestock (as defined in sec-

1 tion 2(a) of the Packers and Stockyards Act, 1921
2 (7 U.S.C. 182));

3 (2) consider what potential effects a livestock
4 dealer statutory trust would have on credit avail-
5 ability, including impacts on lenders and lending be-
6 havior and other industry participants;

7 (3) examine unique circumstances common to
8 livestock dealers and how those circumstances could
9 impact the functionality of a livestock dealer statu-
10 tory trust;

11 (4) study the feasibility of the industry-wide
12 adoption of electronic funds transfer or another ex-
13 peditious method of payment to provide sellers of
14 livestock protection from nonsufficient funds pay-
15 ments;

16 (5) assess the effectiveness of statutory trusts
17 in other segments of agriculture and whether similar
18 effects could be experienced under a livestock dealer
19 statutory trust; and

20 (6) consider the effects of exempting dealers
21 with average annual purchases under a de minimis
22 threshold from being subject to the livestock dealer
23 statutory trust.

24 (c) REPORT.—Not later than 540 days after the date
25 of enactment of this Act, the Secretary shall submit to

1 the Committee on Agriculture of the House of Representa-
2 tives and the Committee on Agriculture, Nutrition, and
3 Forestry of the Senate a report describing the findings
4 of the study conducted under subsection (a).

5 **Subtitle B—Agriculture and Food**
6 **Defense**

7 **SEC. 12201. REPEAL OF OFFICE OF HOMELAND SECURITY.**

8 Section 14111 of the Food, Conservation, and En-
9 ergy Act of 2008 (7 U.S.C. 8911) is repealed.

10 **SEC. 12202. OFFICE OF HOMELAND SECURITY.**

11 Subtitle A of the Department of Agriculture Reorga-
12 nization Act of 1994 (7 U.S.C. 6911 et seq.) is amended
13 by adding at the end the following:

14 **“SEC. 221. OFFICE OF HOMELAND SECURITY.**

15 “(a) **DEFINITION OF AGRICULTURE AND FOOD DE-**
16 **FENSE.**—In this section, the term ‘agriculture and food
17 defense’ means any action to prevent, protect against,
18 mitigate the effects of, respond to, or recover from a natu-
19 rally occurring, unintentional, or intentional threat to the
20 agriculture and food system.

21 “(b) **AUTHORIZATION.**—The Secretary shall establish
22 in the Department the Office of Homeland Security.

23 “(c) **EXECUTIVE DIRECTOR.**—The Office of Home-
24 land Security shall be headed by an Executive Director,

1 who shall be known as the ‘Executive Director of Home-
2 land Security’.

3 “(d) DUTIES.—The Executive Director of Homeland
4 Security shall—

5 “(1) serve as the principal advisor to the Sec-
6 retary on homeland security, including emergency
7 management and agriculture and food defense;

8 “(2) coordinate activities of the Department, in-
9 cluding policies, processes, budget needs, and over-
10 sight relating to homeland security, including emer-
11 gency management and agriculture and food de-
12 fense;

13 “(3) act as the primary liaison on behalf of the
14 Department with other Federal departments and
15 agencies in activities relating to homeland security,
16 including emergency management and agriculture
17 and food defense, and provide for interagency co-
18 ordination and data sharing;

19 “(4)(A) coordinate in the Department the gath-
20 ering of information relevant to early warning and
21 awareness of threats and risks to the food and agri-
22 culture critical infrastructure sector; and

23 “(B) share that information with, and provide
24 assistance with interpretation and risk characteriza-
25 tion of that information to, the intelligence commu-

1 nity (as defined in section 3 of the National Security
2 Act of 1947 (50 U.S.C 3003)), law enforcement
3 agencies, the Secretary of Defense, the Secretary of
4 Homeland Security, and State fusion centers (as de-
5 fined in section 210A(j) of the Homeland Security
6 Act of 2002 (6 U.S.C. 124h(j));

7 “(5) liaison with the Director of National Intel-
8 ligence to assist in the development of periodic as-
9 sessments and intelligence estimates, or other intel-
10 ligence products, that support the defense of the
11 food and agriculture critical infrastructure sector;

12 “(6) coordinate the conduct, evaluation, and im-
13 provement of exercises to identify and eliminate gaps
14 in preparedness and response;

15 “(7) produce a Department-wide centralized
16 strategic coordination plan to provide a high-level
17 perspective of the operations of the Department re-
18 lating to homeland security, including emergency
19 management and agriculture and food defense; and

20 “(8) carry out other appropriate duties, as de-
21 termined by the Secretary.

22 “(e) AGRICULTURE AND FOOD THREAT AWARENESS
23 PARTNERSHIP PROGRAM.—

24 “(1) INTERAGENCY EXCHANGE PROGRAM.—The
25 Secretary, in partnership with the intelligence com-

1 munity (as defined in section 3 of the National Se-
2 curity Act of 1947 (50 U.S.C. 3003)) and fusion
3 centers (as defined in section 210A(j) of the Home-
4 land Security Act of 2002 (6 U.S.C. 124h(j)) that
5 have analysis and intelligence capabilities relating to
6 the defense of the food and agriculture critical infra-
7 structure sector, shall establish and carry out an
8 interagency exchange program of personnel and in-
9 formation to improve communication and analysis
10 for the defense of the food and agriculture critical
11 infrastructure sector.

12 “(2) COLLABORATION WITH FEDERAL, STATE,
13 AND LOCAL AUTHORITIES.—To carry out the pro-
14 gram established under paragraph (1), the Secretary
15 may—

16 “(A) enter into 1 or more cooperative
17 agreements or contracts with Federal, State, or
18 local authorities that have analysis and intel-
19 ligence capabilities and expertise relating to the
20 defense of the food and agriculture critical in-
21 frastructure sector; and

22 “(B) carry out any other activity under
23 any other authority of the Secretary that is ap-
24 propriate to engage the authorities described in
25 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 plan-
18 ning.

19 (3) ESTABLISHED DISEASE.—The term “estab-
20 lished disease” means a plant or animal disease or
21 pest that—

22 (A)(i) if it becomes established, poses an
23 imminent threat to agriculture in the United
24 States; or

1 (ii) has become established, as defined by
2 the Secretary, within the United States; and

3 (B) requires management.

4 (4) HIGH-CONSEQUENCE PLANT TRANSBOUND-
5 ARY DISEASE.—The term “high-consequence plant
6 transboundary disease” means a transboundary dis-
7 ease that is—

8 (A)(i) a plant disease; or

9 (ii) a plant pest; and

10 (B) of high consequence, as determined by
11 the Secretary.

12 (5) PEST.—The term “pest”—

13 (A) with respect to a plant, has the mean-
14 ing given the term “plant pest” in section 403
15 of the Plant Protection Act (7 U.S.C. 7702);
16 and

17 (B) with respect to an animal, has the
18 meaning given the term in section 10403 of the
19 Animal Health Protection Act (7 U.S.C. 8302).

20 (6) PLANT.—The term “plant” has the mean-
21 ing given the term in section 403 of the Plant Pro-
22 tection Act (7 U.S.C. 7702).

23 (7) PLANT HEALTH MANAGEMENT STRAT-
24 EGY.—The term “plant health management strat-
25 egy” means a strategy to timely control and eradi-

1 cate a plant disease or plant pest outbreak, includ-
2 ing through mitigation (such as chemical control),
3 surveillance, the use of diagnostic products and pro-
4 cedures, and the use of existing resistant seed stock.

5 (8) TRANSBOUNDARY DISEASE.—

6 (A) IN GENERAL.—The term “transbound-
7 ary disease” means a plant or animal disease or
8 pest that is within 1 or more countries outside
9 of the United States.

10 (B) INCLUSION.—The term “transbound-
11 ary disease” includes a plant or animal disease
12 or pest described in subparagraph (A) that—

13 (i) has emerged within the United
14 States; or

15 (ii) has been introduced within the
16 United States.

17 (9) VETERINARY COUNTERMEASURE.—The
18 term “veterinary countermeasure” means the use of
19 any animal, vaccine, antiviral, therapeutic product,
20 or diagnostic product to respond to the most dam-
21 aging animal diseases to animal and human health
22 and the economy.

23 (b) DISEASE AND PEST OF CONCERN RESPONSE
24 PLANNING.—

25 (1) IN GENERAL.—The Secretary shall—

1 (A) establish a list of diseases and pests of
2 concern by—

3 (i) developing a process to solicit and
4 receive expert opinion and evidence relat-
5 ing to the diseases and pests of concern
6 entered on the list; and

7 (ii) reviewing all available evidence re-
8 lating to the diseases and pests of concern
9 entered on the list, including classified in-
10 formation;

11 (B) periodically update the list established
12 under subparagraph (A); and

13 (C) develop a comprehensive strategic re-
14 sponse plan for the diseases and pests of con-
15 cern that are entered on that list.

16 (2) RESPONSE PLANS.—The Secretary shall
17 provide information to a State or regional authority
18 to assist in developing a comprehensive strategic re-
19 sponse plan for that State or region that shall—

20 (A) include—

21 (i) a concept of operations for each
22 disease or pest of concern; or

23 (ii) a platform concept of operations
24 for responses to similar diseases or pests,
25 as determined by the Secretary;

- 1 (B) describe the appropriate interactions
2 among, and roles of—
- 3 (i) Federal, State, Tribal, and units of
4 local government; and
 - 5 (ii) plant or animal industry partners;
- 6 (C) include a decision matrix that may in-
7 clude—
- 8 (i) information and timing require-
9 ments necessary for the use of veterinary
10 countermeasures;
 - 11 (ii) plant health management strate-
12 gies;
 - 13 (iii) deployment of other key materials
14 and resources; and
 - 15 (iv) parameters for transitioning from
16 outbreak response to disease management;
- 17 (D) identify key response performance
18 metrics to establish—
- 19 (i) benchmarking;
 - 20 (ii) progressive exercise evaluation;
- 21 and
- 22 (iii) continuing improvement of a re-
23 sponse plan, including by providing for—

1 (I) ongoing exercise evaluations
2 to improve a response plan over time;
3 and

4 (II) strategic information to
5 guide investment in any appropriate
6 research to mitigate the risk of a dis-
7 ease or pest of concern; and

8 (E) be updated periodically, as determined
9 to be appropriate by the Secretary, including in
10 response to—

11 (i) an exercise evaluation; or
12 (ii) new risk information becoming
13 available regarding a disease or pest of
14 concern.

15 (c) NATIONAL PLANT DIAGNOSTIC NETWORK.—

16 (1) IN GENERAL.—The Secretary shall establish
17 in the Department of Agriculture a National Plant
18 Diagnostic Network to monitor and surveil through
19 diagnostics threats to plant health from diseases or
20 pests of concern in the United States.

21 (2) REQUIREMENTS.—The National Plant Di-
22 agnostic Network established under paragraph (1)
23 shall—

24 (A) provide for increased awareness, early
25 identification, rapid communication, warning,

1 and diagnosis of a threat to plant health from
2 a disease or pest of concern to protect natural
3 and agricultural plant resources;

4 (B) coordinate and collaborate with agen-
5 cies of the Department of Agriculture and State
6 agencies and authorities involved in plant
7 health;

8 (C) establish diagnostic laboratory stand-
9 ards;

10 (D) establish regional hubs throughout the
11 United States that provide expertise, leadership,
12 and support to diagnostic labs relating to the
13 agricultural crops and plants in the covered re-
14 gions of those hubs; and

15 (E) establish a national repository for
16 records of endemic or emergent diseases and
17 pests of concern.

18 (3) HEAD OF NETWORK.—

19 (A) IN GENERAL.—The Director of the
20 National Institute of Food and Agriculture
21 shall serve as the head of the National Plant
22 Diagnostic Network.

23 (B) DUTIES.—The head of the National
24 Plant Diagnostic Network shall—

1 (i) coordinate and collaborate with
2 land-grant colleges and universities (as de-
3 fined in section 1404 of the National Agri-
4 cultural Research, Extension, and Teach-
5 ing Policy Act of 1977 (7 U.S.C. 3103)) in
6 carrying out the requirements under para-
7 graph (2), including through cooperative
8 agreements described in paragraph (4);
9 and

10 (ii) partner with the Administrator of
11 the Animal and Plant Health Inspection
12 Service for assistance with plant health
13 regulation and inspection.

14 (4) COLLABORATION WITH LAND-GRANT COL-
15 LEGES AND UNIVERSITIES.—The Secretary shall
16 seek to establish cooperative agreements with land-
17 grant colleges and universities (as defined in section
18 1404 of the National Agricultural Research, Exten-
19 sion, and Teaching Policy Act of 1977 (7 U.S.C.
20 3103)) that have the appropriate level of skill, expe-
21 rience, and competence with plant diseases or pests
22 of concern.

23 (5) AUTHORIZATION OF APPROPRIATIONS.—In
24 addition to the amount authorized to carry out this
25 subtitle under section 12205, there is authorized to

1 be appropriated to carry out this subsection
2 \$15,000,000 for each of fiscal years 2019 through
3 2023.

4 (d) NATIONAL PLANT DISEASE RECOVERY SYS-
5 TEM.—

6 (1) RECOVERY SYSTEM.—The Secretary shall
7 establish in the Department of Agriculture a Na-
8 tional Plant Disease Recovery System to engage in
9 strategic long-range planning to recover from high-
10 consequence plant transboundary diseases.

11 (2) REQUIREMENTS.—The National Plant Dis-
12 ease Recovery System established under paragraph
13 (1) shall—

14 (A) coordinate with disease or pest of con-
15 cern concept of operations response plans;

16 (B) make long-range plans for the initi-
17 ation of future research projects relating to
18 high-consequence plant transboundary diseases;

19 (C) establish research plans for long-term
20 recovery;

21 (D) plan for the identification and use of
22 specific genotypes, cultivars, breeding lines, and
23 other disease-resistant materials necessary for
24 crop stabilization or improvement; and

1 animal or plant health if it is not
2 placed on the list; and”.

3 **SEC. 12205. AUTHORIZATION OF APPROPRIATIONS.**

4 In addition to other amounts made available under
5 this subtitle, there is authorized to be appropriated to
6 carry out this subtitle \$5,000,000 for each of fiscal years
7 2019 through 2023.

8 **Subtitle C—Historically**
9 **Underserved Producers**

10 **SEC. 12301. FARMING OPPORTUNITIES TRAINING AND OUT-**
11 **REACH.**

12 (a) REPEAL.—

13 (1) IN GENERAL.—Section 7405 of the Farm
14 Security and Rural Investment Act of 2002 (7
15 U.S.C. 3319f) is repealed.

16 (2) CONFORMING AMENDMENTS.—

17 (A) Section 226B(e)(2)(B) of the Depart-
18 ment of Agriculture Reorganization Act of 1994
19 (7 U.S.C. 6934(e)(2)(B)) is amended by strik-
20 ing “the beginning farmer and rancher develop-
21 ment program established under section 7405
22 of the Farm Security and Rural Investment Act
23 of 2002 (7 U.S.C. 3319f).” and inserting “the
24 beginning farmer and rancher development
25 grant program established under subsection (d)

1 of section 2501 of the Food, Agriculture, Con-
2 servation, and Trade Act of 1990 (7 U.S.C.
3 2279).”.

4 (B) Section 251(f)(1)(D) of the Depart-
5 ment of Agriculture Reorganization Act of 1994
6 (7 U.S.C. 6971(f)(1)(D)) is amended by strik-
7 ing clause (iv) and inserting the following:

8 “(iv) The beginning farmer and
9 rancher development grant program estab-
10 lished under subsection (d) of section 2501
11 of the Food, Agriculture, Conservation,
12 and Trade Act of 1990 (7 U.S.C. 2279).”.

13 (C) Section 7506(e) of the Food, Con-
14 servation, and Energy Act of 2008 (7 U.S.C.
15 7614c(e)) is amended—

16 (i) in paragraph (2)(C)—

17 (I) by striking clause (v);

18 (II) by redesignating clauses (i)
19 through (iv) as clauses (ii) through
20 (v), respectively;

21 (III) by inserting before clause

22 (ii) (as so redesignated) the following:

23 “(i) each grant awarded under sub-
24 section (d) of section 2501 of the Food,

1 Agriculture, Conservation, and Trade Act
2 of 1990 (7 U.S.C. 2279)”;

3 (IV) in clause (ii) (as so redesign-
4 nated), by striking “450i(b)(2));” and
5 inserting “3157(b)(2));”; and

6 (V) in clause (iv) (as so redesign-
7 nated), by adding “and” at the end;
8 (ii) in paragraph (4)—

9 (I) by striking subparagraph (E);

10 (II) by redesignating subpara-
11 graphs (A) through (D) as subpara-
12 graphs (B) through (E), respectively;

13 (III) by inserting before subpara-
14 graph (B) (as so redesignated) the
15 following:

16 “(A) subsection (d) of section 2501 of the
17 Food, Agriculture, Conservation, and Trade Act
18 of 1990 (7 U.S.C. 2279);”;

19 (IV) in subparagraph (B) (as so
20 redesignated), by striking “450i(b));”
21 and inserting “3157(b));”;

22 (V) in subparagraph (D) (as so
23 redesignated), by adding “or” at the
24 end; and

1 (VI) in subparagraph (E) (as so
2 redesignated), by striking “; or” and
3 inserting a period.

4 (b) OUTREACH AND EDUCATION FOR SOCIALLY DIS-
5 ADVANTAGED FARMERS AND RANCHERS, VETERAN
6 FARMERS AND RANCHERS, AND BEGINNING FARMERS
7 AND RANCHERS.—Section 2501 of the Food, Agriculture,
8 Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is
9 amended—

10 (1) by striking the section heading and insert-
11 ing “**FARMING OPPORTUNITIES TRAINING AND**
12 **OUTREACH**”;

13 (2) by striking subsection (c);

14 (3) by redesignating subsections (a), (b), (d),
15 (e), (g), (h), and (i) as subsections (c), (j), (k), (a),
16 (l), (m), and (n), respectively, and moving the sub-
17 sections so as to appear in alphabetical order;

18 (4) by moving paragraph (5) of subsection (a)
19 (as so redesignated) so as to appear at the end of
20 subsection (c) (as so redesignated);

21 (5) in subsection (a) (as so redesignated)—

22 (A) by striking the subsection designation
23 and heading and inserting the following:

24 “(a) DEFINITIONS.—In this section:”;

1 (B) by redesignating paragraphs (1), (2),
2 (3), (4), and (6) as paragraphs (6), (5), (1),
3 (3), and (4), respectively, and moving the para-
4 graphs so as to appear in numerical order;

5 (C) in paragraphs (1), (5), and (6) (as so
6 redesignated), by striking “As used in this sec-
7 tion, the” each place it appears and inserting
8 “The”; and

9 (D) by inserting after paragraph (1) (as so
10 redesignated) the following:

11 “(2) BEGINNING FARMER OR RANCHER.—The
12 term ‘beginning farmer or rancher’ means a person
13 that—

14 “(A)(i) has not operated a farm or ranch;

15 or

16 “(ii) has operated a farm or ranch for not
17 more than 10 years; and

18 “(B) meets such other criteria as the Sec-
19 retary may establish.”;

20 (6) by inserting after subsection (a) (as so re-
21 designated) the following:

22 “(b) FARMING OPPORTUNITIES TRAINING AND OUT-
23 REACH.—The Secretary shall carry out this section to en-
24 courage and assist socially disadvantaged farmers and
25 ranchers, veteran farmers and ranchers, and beginning

1 farmers and ranchers in the ownership and operation of
2 farms and ranches through—

3 “(1) education and training; and

4 “(2) equitable participation in all agricultural
5 programs of the Department.”;

6 (7) in subsection (c) (as so redesignated and as
7 amended by paragraph (4))—

8 (A) by striking paragraph (4);

9 (B) by redesignating paragraphs (1), (2),
10 (3), and (5) as paragraphs (2), (3), (4), and
11 (1), respectively, and moving the paragraphs so
12 as to appear in numerical order;

13 (C) in paragraph (1) (as so redesign-
14 ated)—

15 (i) in the matter preceding subpara-
16 graph (A), by striking “The term” and in-
17 serting “In this subsection, the term”;

18 (ii) in subparagraph (A)(ii), by strik-
19 ing “subsection (a)” and inserting “this
20 subsection”; and

21 (iii) in subparagraph (F), by striking
22 “450b))” and inserting “5304))”;

23 (D) in subparagraph (B) of paragraph (2)
24 (as so redesignated), by striking “agricultural”

1 and inserting “agricultural, forestry, and re-
2 lated”;

3 (E) in paragraph (3) (as so redesignated),
4 by striking “(1)” in the matter preceding sub-
5 paragraph (A) and inserting “(2)”; and

6 (F) in paragraph (4) (as so redesign-
7 nated)—

8 (i) in subparagraph (A)—

9 (I) by striking the subparagraph
10 heading and inserting “OUTREACH
11 AND TECHNICAL ASSISTANCE.—”;

12 (II) by striking “(2)” and insert-
13 ing “(3)”; and

14 (III) by inserting “to socially dis-
15 advantaged farmers and ranchers and
16 veteran farmers and ranchers” after
17 “assistance”;

18 (ii) in subparagraph (C), by striking
19 “(1)” and inserting “(2)”; and

20 (iii) in subparagraph (D), by adding
21 at the end the following:

22 “(v) The number of farms or ranches
23 started, maintained, or improved as a re-
24 sult of funds made available under the pro-
25 gram.

1 “(vi) Actions taken by the Secretary
2 in partnership with eligible entities to en-
3 hance participation in agricultural pro-
4 grams by veteran farmers or ranchers and
5 socially disadvantaged farmers or ranchers.

6 “(vii) The effectiveness of the actions
7 described in clause (vi).”; and

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

10 “(E) MAXIMUM TERM AND AMOUNT OF
11 GRANT, CONTRACT, OR AGREEMENT.—A grant,
12 contract, or agreement entered into under sub-
13 paragraph (A) shall be—

14 “(i) for a term of not longer than 3
15 years; and

16 “(ii) in an amount that is not more
17 than \$250,000 for each year of the grant,
18 contract, or agreement.

19 “(F) PRIORITY.—In making grants and
20 entering into contracts and other agreements
21 under subparagraph (A), the Secretary shall
22 give priority to nongovernmental and commu-
23 nity-based organizations with an expertise in
24 working with socially disadvantaged farmers
25 and ranchers or veteran farmers and ranchers.

1 “(G) REGIONAL BALANCE.—To the max-
2 imum extent practicable, the Secretary shall en-
3 sure the geographical diversity of eligible enti-
4 ties to which grants are made and contracts
5 and other agreements are entered into under
6 subparagraph (A).

7 “(H) PROHIBITION.—A grant, contract, or
8 other agreement under subparagraph (A) may
9 not be used for the planning, repair, rehabilita-
10 tion, acquisition, or construction of a building
11 or facility.

12 “(I) PEER REVIEW.—The Secretary shall
13 establish a fair and efficient external peer re-
14 view process that—

15 “(i) the Secretary shall use in making
16 grants and entering into contracts and
17 other agreements under subparagraph (A);
18 and

19 “(ii) shall include a broad representa-
20 tion of peers of the eligible entity.

21 “(J) INPUT FROM ELIGIBLE ENTITIES.—
22 The Secretary shall seek input from eligible en-
23 tities providing technical assistance under this
24 subsection not less than once each year to en-
25 sure that the program is responsive to the eligi-

1 ble entities providing that technical assist-
2 ance.”;

3 (8) by inserting after subsection (c) (as so re-
4 designated) the following:

5 “(d) BEGINNING FARMER AND RANCHER DEVELOP-
6 MENT GRANT PROGRAM.—

7 “(1) IN GENERAL.—The Secretary, acting
8 through the Director of the National Institute of
9 Food and Agriculture, shall make competitive grants
10 to support new and established local and regional
11 training, education, outreach, and technical assist-
12 ance initiatives for beginning farmers and ranchers.

13 “(2) INCLUDED PROGRAMS AND SERVICES.—
14 Initiatives described in paragraph (1) may include
15 programs or services, as appropriate, relating to—

16 “(A) basic livestock, forest management,
17 and crop farming practices;

18 “(B) innovative farm, ranch, and private,
19 nonindustrial forest land transfer and succes-
20 sion strategies;

21 “(C) entrepreneurship and business train-
22 ing;

23 “(D) financial and risk management train-
24 ing, including the acquisition and management
25 of agricultural credit;

1 “(E) natural resource management and
2 planning;

3 “(F) diversification and marketing strate-
4 gies;

5 “(G) curriculum development;

6 “(H) mentoring, apprenticeships, and in-
7 ternships;

8 “(I) resources and referral;

9 “(J) farm financial benchmarking;

10 “(K) assisting beginning farmers and
11 ranchers in acquiring land from retiring farm-
12 ers and ranchers;

13 “(L) agricultural rehabilitation and voca-
14 tional training for veteran farmers and ranch-
15 ers;

16 “(M) farm safety and awareness;

17 “(N) food safety and recordkeeping; and

18 “(O) other similar subject areas of use to
19 beginning farmers and ranchers.

20 “(3) ELIGIBILITY.—

21 “(A) IN GENERAL.—To be eligible to re-
22 ceive a grant under this subsection, the recipi-
23 ent of the grant shall be a collaborative State,
24 Tribal, local, or regionally-based network or
25 partnership of public or private entities.

1 “(B) INCLUSIONS.—A recipient of a grant
2 described in subparagraph (A) may include—

3 “(i) a State cooperative extension
4 service;

5 “(ii) a Federal, State, municipal, or
6 Tribal agency;

7 “(iii) a community-based or non-
8 governmental organization;

9 “(iv) a college or university (including
10 an institution awarding an associate’s de-
11 gree) or foundation maintained by a col-
12 lege or university; or

13 “(v) any other appropriate partner, as
14 determined by the Secretary.

15 “(4) TERMS OF GRANTS.—A grant under this
16 subsection shall—

17 “(A) be for a term of not longer than 3
18 years; and

19 “(B) provide not more than \$250,000 for
20 each year.

21 “(5) EVALUATION CRITERIA.—In making
22 grants under this subsection, the Secretary shall
23 evaluate, with respect to applications for the
24 grants—

25 “(A) relevancy;

1 “(B) technical merit;

2 “(C) achievability;

3 “(D) the expertise and track record of 1 or
4 more applicants;

5 “(E) the consultation of beginning farmers
6 and ranchers in design, implementation, and
7 decisionmaking relating to an initiative de-
8 scribed in paragraph (1);

9 “(F) the adequacy of plans for—

10 “(i) a participatory evaluation process;

11 “(ii) outcome-based reporting; and

12 “(iii) the communication of findings
13 and results beyond the immediate target
14 audience; and

15 “(G) other appropriate factors, as deter-
16 mined by the Secretary.

17 “(6) REGIONAL BALANCE.—To the maximum
18 extent practicable, the Secretary shall ensure the
19 geographical diversity of recipients of grants under
20 this subsection.

21 “(7) PRIORITY.—In making grants under this
22 subsection, the Secretary shall give priority to part-
23 nerships and collaborations that are led by or in-
24 clude nongovernmental, community-based organiza-
25 tions and school-based educational organizations

1 with expertise in new agricultural producer training
2 and outreach.

3 “(8) PROHIBITION.—A grant made under this
4 subsection may not be used for the planning, repair,
5 rehabilitation, acquisition, or construction of a build-
6 ing or facility.

7 “(9) COORDINATION PERMITTED.—A recipient
8 of a grant under this subsection may coordinate with
9 a recipient of a grant under section 1680 in address-
10 ing the needs of veteran farmers and ranchers with
11 disabilities.

12 “(10) CONSECUTIVE AWARDS.—A grant under
13 this subsection may be made to a recipient for con-
14 secutive years.

15 “(11) PEER REVIEW.—

16 “(A) IN GENERAL.—The Secretary shall
17 establish a fair and efficient external peer re-
18 view process, which the Secretary shall use in
19 making grants under this subsection.

20 “(B) REQUIREMENT.—The peer review
21 process under subparagraph (A) shall include a
22 review panel composed of a broad representa-
23 tion of peers of the applicant for the grant that
24 are not applying for a grant under this sub-
25 section.

1 “(12) PARTICIPATION BY OTHER FARMERS AND
2 RANCHERS.—Nothing in this subsection prohibits
3 the Secretary from allowing a farmer or rancher who
4 is not a beginning farmer or rancher (including an
5 owner or operator that has ended, or expects to end
6 within 5 years, active labor in a farming or ranching
7 operation as a producer) from participating in a pro-
8 gram or service under this subsection, to the extent
9 that the Secretary determines that such participa-
10 tion—

11 “(A) is appropriate; and

12 “(B) will not detract from the primary
13 purpose of increasing opportunities for begin-
14 ning farmers and ranchers.

15 “(e) APPLICATION REQUIREMENTS.—In making
16 grants and entering into contracts and other agreements,
17 as applicable, under subsections (c) and (d), the Secretary
18 shall make available a simplified application process for
19 an application for a grant that requests less than
20 \$50,000.”;

21 (9) by inserting after subsection (f) the fol-
22 lowing:

23 “(g) EDUCATION TEAMS.—

24 “(1) IN GENERAL.—The Secretary shall estab-
25 lish beginning farmer and rancher education teams

1 to develop curricula and conduct educational pro-
2 grams and workshops for beginning farmers and
3 ranchers in diverse geographical areas of the United
4 States.

5 “(2) CURRICULUM.—In promoting the develop-
6 ment of curricula under paragraph (1), the Sec-
7 retary shall, to the maximum extent practicable, in-
8 clude modules tailored to specific audiences of begin-
9 ning farmers and ranchers, based on crop diversity
10 or regional diversity.

11 “(3) COMPOSITION.—In establishing an edu-
12 cation team under paragraph (1) for a specific pro-
13 gram or workshop, the Secretary shall, to the max-
14 imum extent practicable—

15 “(A) obtain the short-term services of spe-
16 cialists with knowledge and expertise in pro-
17 grams serving beginning farmers and ranchers;
18 and

19 “(B) use officers and employees of the De-
20 partment with direct experience in programs of
21 the Department that may be taught as part of
22 the curriculum for the program or workshop.

23 “(4) COOPERATION.—

1 “(A) IN GENERAL.—In carrying out this
2 subsection, the Secretary shall cooperate, to the
3 maximum extent practicable, with—

4 “(i) State cooperative extension serv-
5 ices;

6 “(ii) Federal, State, and Tribal agen-
7 cies;

8 “(iii) community-based and non-
9 governmental organizations;

10 “(iv) colleges and universities (includ-
11 ing an institution awarding an associate’s
12 degree) or foundations maintained by a
13 college or university; and

14 “(v) other appropriate partners, as
15 determined by the Secretary.

16 “(B) COOPERATIVE AGREEMENTS.—Not-
17 withstanding chapter 63 of title 31, United
18 States Code, the Secretary may enter into a co-
19 operative agreement to reflect the terms of any
20 cooperation under subparagraph (A).

21 “(h) CURRICULUM AND TRAINING CLEARING-
22 HOUSE.—The Secretary shall establish an online clearing-
23 house that makes available to beginning farmers and
24 ranchers education curricula and training materials and

1 programs, which may include online courses for direct use
2 by beginning farmers and ranchers.

3 “(i) STAKEHOLDER INPUT.—In carrying out this sec-
4 tion, the Secretary shall seek stakeholder input from—

5 “(1) beginning farmers and ranchers;

6 “(2) socially disadvantaged farmers and ranch-
7 ers;

8 “(3) veteran farmers and ranchers;

9 “(4) national, State, Tribal, and local organiza-
10 tions and other persons with expertise in operating
11 programs for—

12 “(A) beginning farmers and ranchers;

13 “(B) socially disadvantaged farmers and
14 ranchers; or

15 “(C) veteran farmers and ranchers;

16 “(5) the Advisory Committee on Beginning
17 Farmers and Ranchers established under section
18 5(b) of the Agricultural Credit Improvement Act of
19 1992 (7 U.S.C. 1929 note; Public Law 102–554);

20 “(6) the Advisory Committee on Minority
21 Farmers established under section 14008 of the
22 Food, Conservation, and Energy Act of 2008 (7
23 U.S.C. 2279 note; Public Law 110–246); and

24 “(7) the Tribal Advisory Committee established
25 under subsection (b) of section 309 of the Depart-

1 ment of Agriculture Reorganization Act of 1994 (7
2 U.S.C. 6921).”;

3 (10) in paragraph (3) of subsection (k) (as so
4 redesignated), by inserting “and not later than
5 March 1, 2020,” after “1991,”; and

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

7 “(o) FUNDING.—

8 “(1) MANDATORY FUNDING.—Of the funds of
9 the Commodity Credit Corporation, the Secretary
10 shall use to carry out this section \$50,000,000 for
11 fiscal year 2018 and each fiscal year thereafter.

12 “(2) AUTHORIZATION OF APPROPRIATIONS.—
13 There is authorized to be appropriated to carry out
14 this section \$50,000,000 for each fiscal years 2018
15 through 2023.

16 “(3) RESERVATION OF FUNDS.—Of the
17 amounts made available to carry out this section—

18 “(A) 50 percent shall be used to carry out
19 subsection (c); and

20 “(B) 50 percent shall be used to carry out
21 subsection (d).

22 “(4) ALLOCATION OF FUNDS.—

23 “(A) IN GENERAL.—Not less than 5 per-
24 cent of the amounts made available to carry out
25 subsections (c) and (n) for a fiscal year shall be

1 used to support programs and services that ad-
2 dress the needs of—

3 “(i) limited resource beginning farm-
4 ers and ranchers, as defined by the Sec-
5 retary;

6 “(ii) socially disadvantaged farmers
7 and ranchers that are beginning farmers
8 and ranchers; and

9 “(iii) farmworkers desiring to become
10 farmers or ranchers.

11 “(B) VETERAN FARMERS AND RANCH-
12 ERS.—Not less than 5 percent of the amounts
13 made available to carry out subsections (d), (g),
14 and (h) for a fiscal year shall be used to sup-
15 port programs and services that address the
16 needs of veteran farmers and ranchers.

17 “(5) INTERAGENCY FUNDING.—Any agency of
18 the Department may participate in any grant, con-
19 tract, or agreement entered into under this section
20 by contributing funds, if the contributing agency de-
21 termines that the objectives of the grant, contract,
22 or agreement will further the authorized programs of
23 the contributing agency.

24 “(6) ADMINISTRATIVE EXPENSES.—Not more
25 than 5 percent of the amounts made available to

1 carry out this section for a fiscal year may be used
2 for expenses relating to the administration of this
3 section.

4 “(7) LIMITATION ON INDIRECT COSTS.—A re-
5 cipient of a grant or a party to a contract or other
6 agreement under subsection (c) or (d) may not use
7 more than 10 percent of the funds received for the
8 indirect costs of carrying out a grant.”.

9 **SEC. 12302. URBAN AGRICULTURE.**

10 (a) DEFINITION OF DIRECTOR.—In this section, the
11 term “Director” means the Director of the Office of
12 Urban Agriculture and Innovative Production established
13 under section 222(a)(1) of the Department of Agriculture
14 Reorganization Act of 1994 (as added by subsection (b)).

15 (b) OFFICE OF URBAN AGRICULTURE AND INNOVA-
16 TIVE PRODUCTION.—Subtitle A of the Department of Ag-
17 riculture Reorganization Act of 1994 (7 U.S.C. 6911 et
18 seq.) (as amended by section 12202) is amended by adding
19 at the end the following:

20 **“SEC. 222. OFFICE OF URBAN AGRICULTURE AND INNOVA-
21 TIVE PRODUCTION.**

22 “(a) OFFICE.—

23 “(1) IN GENERAL.—The Secretary shall estab-
24 lish in the Department an Office of Urban Agri-
25 culture and Innovative Production.

1 “(2) DIRECTOR.—The Secretary shall appoint a
2 senior official to serve as the Director of the Office
3 of Urban Agriculture and Innovative Production (re-
4 ferred to in this section as the ‘Director’).

5 “(3) MISSION.—The mission of the Office of
6 Urban Agriculture and Innovative Production shall
7 be to encourage and promote urban, indoor, and
8 other emerging agricultural practices, including—

9 “(A) community gardens and farms lo-
10 cated in urban areas, suburbs, and urban clus-
11 ters;

12 “(B) rooftop farms, outdoor vertical pro-
13 duction, and green walls;

14 “(C) indoor farms, greenhouses, and high-
15 tech vertical technology farms;

16 “(D) hydroponic, aeroponic, and aquaponic
17 farm facilities; and

18 “(E) other innovations in agricultural pro-
19 duction, as determined by the Secretary.

20 “(4) RESPONSIBILITIES.—The Director shall be
21 responsible for engaging in activities to carry out the
22 mission described in paragraph (3), including by—

23 “(A) managing and facilitating programs,
24 including for community gardens, urban farms,

1 rooftop agriculture, and indoor vertical produc-
2 tion;

3 “(B) coordinating with the agencies and
4 officials of the Department;

5 “(C) advising the Secretary on issues relat-
6 ing to the mission of the Office of Urban Agri-
7 culture and Innovative Production;

8 “(D) ensuring that the programs of the
9 Department are updated to address urban, in-
10 door, and other emerging agricultural produc-
11 tion practices, in coordination with the officials
12 in the Department responsible for those pro-
13 grams;

14 “(E) engaging in external relations with
15 stakeholders and coordinating external partner-
16 ships to share best practices, provide
17 mentorship, and offer technical assistance;

18 “(F) facilitating interagency program co-
19 ordination and developing interagency tools for
20 the promotion of existing programs and re-
21 sources;

22 “(G) creating resources that identify com-
23 mon State and municipal best practices for
24 navigating local policies;

1 “(H) reviewing and improving farm enter-
2 prise development programs that provide infor-
3 mation about financial literacy, business plan-
4 ning, and food safety record keeping;

5 “(I) coordinating networks of community
6 gardens and facilitating connections to local
7 food banks, in partnership with the Food and
8 Nutrition Service; and

9 “(J) collaborating with other Federal agen-
10 cies that use agricultural practices on-site for
11 food production or infrastructure.

12 “(b) URBAN AGRICULTURE AND INNOVATIVE PRO-
13 DUCTION ADVISORY COMMITTEE.—

14 “(1) IN GENERAL.—Not later than 180 days
15 after the date of enactment of this section, the Sec-
16 retary shall establish an Urban Agriculture and In-
17 novative Production Advisory Committee (referred to
18 in this subsection as the ‘Committee’) to advise the
19 Secretary on—

20 “(A) the development of policies relating to
21 urban, indoor, and other emerging agricultural
22 production practices; and

23 “(B) any other aspects of the implementa-
24 tion of this section.

25 “(2) MEMBERSHIP.—

1 “(A) IN GENERAL.—The Committee shall
2 be composed of 15 members, of whom—

3 “(i) 5 shall be individuals who are ag-
4 ricultural producers, of whom—

5 “(I) not fewer than 2 individuals
6 shall be agricultural producers located
7 in an urban area or urban cluster;
8 and

9 “(II) not fewer than 2 individuals
10 shall be farmers that use innovative
11 technology, including indoor farming
12 and rooftop agriculture;

13 “(ii) 2 shall be representatives from
14 an institution of higher education or exten-
15 sion program;

16 “(iii) 1 shall be an individual who rep-
17 resents a nonprofit organization, which
18 may include a public health, environ-
19 mental, or community organization;

20 “(iv) 1 shall be an individual who rep-
21 resents business and economic develop-
22 ment, which may include a business devel-
23 opment entity, a chamber of commerce, a
24 city government, or a planning organiza-
25 tion;

1 “(v) 1 shall be an individual with sup-
2 ply chain experience, which may include a
3 food aggregator, wholesale food distributor,
4 food hub, or an individual who has direct-
5 to-consumer market experience;

6 “(vi) 1 shall be an individual from a
7 financing entity; and

8 “(vii) 4 shall be individuals with re-
9 lated experience or expertise in urban, in-
10 door, and other emerging agriculture pro-
11 duction practices, as determined by the
12 Secretary.

13 “(B) INITIAL APPOINTMENTS.—The Sec-
14 retary shall appoint the members of the Com-
15 mittee not later than 180 days after the date of
16 enactment of this section.

17 “(3) PERIOD OF APPOINTMENT; VACANCIES.—

18 “(A) IN GENERAL.—Except as provided in
19 subparagraph (B), a member of the Committee
20 shall be appointed for a term of 3 years.

21 “(B) INITIAL APPOINTMENTS.—Of the
22 members first appointed to the Committee—

23 “(i) 5 of the members, as determined
24 by the Secretary, shall be appointed for a
25 term of 3 years;

1 “(ii) 5 of the members, as determined
2 by the Secretary, shall be appointed for a
3 term of 2 years; and

4 “(iii) 5 of the members, as determined
5 by the Secretary, shall be appointed for a
6 term of 1 year.

7 “(C) VACANCIES.—Any vacancy in the
8 Committee—

9 “(i) shall not affect the powers of the
10 Committee; and

11 “(ii) shall be filled as soon as prac-
12 ticable in the same manner as the original
13 appointment.

14 “(D) CONSECUTIVE TERMS.—An initial
15 appointee of the committee may serve an addi-
16 tional consecutive term if the member is re-
17 appointed by the Secretary.

18 “(4) MEETINGS.—

19 “(A) FREQUENCY.—The Committee shall
20 meet not fewer than 3 times per year.

21 “(B) INITIAL MEETING.—Not later than
22 60 days after the date on which the members
23 are appointed under paragraph (2)(B), the
24 Committee shall hold the first meeting of the
25 Committee.

1 “(5) DUTIES.—

2 “(A) IN GENERAL.—The Committee
3 shall—

4 “(i) develop recommendations—

5 “(I) to further the mission of the
6 Office of Urban Agriculture and Inno-
7 vative Production described in sub-
8 section (a)(3);

9 “(II) regarding the establishment
10 of urban agriculture policy priorities
11 and goals within the Department;

12 “(ii) advise the Director on policies
13 and initiatives administered by the Office
14 of Urban Agriculture and Innovative Pro-
15 duction;

16 “(iii) evaluate and review ongoing re-
17 search and extension activities relating to
18 urban, indoor, and other innovative agri-
19 cultural practices;

20 “(iv) identify new and existing bar-
21 riers to successful urban, indoor, and other
22 emerging agricultural production practices;
23 and

24 “(v) provide additional assistance and
25 advice to the Director as appropriate.

1 “(B) REPORTS.—Not later than 1 year
2 after the date of enactment of this section, and
3 each year thereafter, the Committee shall sub-
4 mit to the Secretary, the Committee on Agri-
5 culture of the House of Representatives, and
6 the Committee on Agriculture, Nutrition, and
7 Forestry of the Senate a report describing the
8 recommendations developed under subpara-
9 graph (A)(i).

10 “(6) PERSONNEL MATTERS.—

11 “(A) COMPENSATION.—A member of the
12 Committee shall serve without compensation.

13 “(B) TRAVEL EXPENSES.—A member of
14 the Committee shall be allowed travel expenses,
15 including per diem in lieu of subsistence, in ac-
16 cordance with section 5703 of title 5, United
17 States Code.

18 “(7) TERMINATION.—

19 “(A) IN GENERAL.—Subject to subpara-
20 graph (B), the Committee shall terminate on
21 the date that is 5 years after the date on which
22 the members are appointed under paragraph
23 (2)(B).

24 “(B) EXTENSIONS.—Before the date on
25 which the Committee terminates, the Secretary

1 may renew the Committee for 1 or more 2-year
2 periods.”.

3 (c) FARM NUMBERS.—The Secretary shall provide
4 for the assignment of a farm number (as defined in section
5 718.2 of title 7, Code of Federal Regulations (as in effect
6 on the date of enactment of this Act)) for rooftop farms,
7 indoor farms, and other urban farms, as determined by
8 the Secretary.

9 (d) GRANT AUTHORITY.—

10 (1) DEFINITION OF ELIGIBLE ENTITY.—In this
11 subsection, the term “eligible entity” means—

12 (A) a community organization;

13 (B) a nonprofit organization;

14 (C) a unit of local government;

15 (D) a Tribal government;

16 (E) any school that serves any of grades
17 kindergarten through grade 12; and

18 (F) an institution of higher education.

19 (2) GRANTS.—The Director may award com-
20 petitive grants to eligible entities to support the de-
21 velopment of urban agriculture and innovative pro-
22 duction.

23 (3) FUNDING PRIORITY.—In awarding grants
24 under this subsection, priority shall be given to an

1 eligible entity that uses and provides an evaluation
2 of a grant received under this subsection—

3 (A) to plan and construct gardens or non-
4 profit farms;

5 (B) to operate community gardens or non-
6 profit farms that—

7 (i) produce food for donation;

8 (ii) have a demonstrated environ-
9 mental benefit and educational component;
10 and

11 (iii) are part of community efforts to
12 address local food security needs;

13 (C) to educate a community on—

14 (i) issues relating to food systems, in-
15 cluding connections between rural farmers
16 and urban communities;

17 (ii) nutrition;

18 (iii) environmental impacts, including
19 pollinator health, soil fertility, composting,
20 heat islands, and storm water runoff; and

21 (iv) agricultural production, including
22 pest and disease management; and

23 (D) to provide multiple small dollar equity
24 investments to help offset start-up costs relat-

1 ing to new production, land access, and equip-
2 ment for new and beginning farmers who—

3 (i) develop a 3-year business plan;

4 (ii) live in the community in which
5 they plan to farm; and

6 (iii) provide a match to the start-up
7 investment in the form of cash or an in-
8 kind contribution.

9 (e) PILOT PROJECTS.—

10 (1) URBAN AND SUBURBAN COUNTY COMMIT-
11 TEES.—

12 (A) IN GENERAL.—Not later than 1 year
13 after the date of enactment of this Act, the Sec-
14 retary shall establish a pilot program for not
15 fewer than 5 years that establishes 10 county
16 committees in accordance with section
17 8(b)(5)(B)(ii)(II) of the Soil Conservation and
18 Domestic Allotment Act (16 U.S.C.
19 590h(b)(5)(B)) to operate in counties located in
20 urban or suburban areas with a high concentra-
21 tion of urban or suburban farms.

22 (B) EFFECT.—Nothing in this paragraph
23 requires or precludes the establishment of a
24 Farm Service Agency office in a county in

1 which a county committee is established under
2 subparagraph (A).

3 (C) REPORT.—For fiscal year 2019 and
4 each fiscal year thereafter through fiscal year
5 2023, the Secretary shall submit to the Com-
6 mittee on Agriculture of the House of Rep-
7 resentatives and the Committee on Agriculture,
8 Nutrition, and Forestry of the Senate a report
9 describing a summary of—

10 (i) the status of the pilot program
11 under subparagraph (A);

12 (ii) meetings and other activities of
13 the committees established under that sub-
14 paragraph; and

15 (iii) the types and volume of assist-
16 ance and services provided to farmers in
17 counties in which county committees are
18 established under that subparagraph.

19 (2) INCREASING COMMUNITY COMPOST AND RE-
20 DUCING FOOD WASTE.—

21 (A) IN GENERAL.—The Secretary, acting
22 through the Director (referred to in this para-
23 graph as the “Secretary”), shall carry out pilot
24 projects under which the Secretary shall offer
25 to enter into cooperative agreements with local

1 or municipal governments in not fewer than 10
2 States to develop and test strategies for plan-
3 ning and implementing municipal compost
4 plans and food waste reduction plans.

5 (B) ELIGIBLE ENTITIES AND PURPOSES
6 OF PILOT PROJECTS.—Under a cooperative
7 agreement entered into under this paragraph,
8 the Secretary shall provide assistance to mu-
9 nicipalities, counties, local governments, or city
10 planners, as appropriate, to carry out planning
11 and implementing activities that will—

- 12 (i) generate compost;
- 13 (ii) increase access to compost for ag-
14 ricultural producers;
- 15 (iii) reduce reliance on, and limit the
16 use of, fertilizer;
- 17 (iv) improve soil quality;
- 18 (v) encourage waste management and
19 permaculture business development;
- 20 (vi) increase rainwater absorption;
- 21 (vii) reduce municipal food waste; and
- 22 (viii) divert food waste from landfills.

23 (C) EVALUATION AND RANKING OF APPLI-
24 CATIONS.—

1 (i) CRITERIA.—Not later than 180
2 days after the date of enactment of this
3 Act, the Secretary shall establish criteria
4 for the selection of pilot projects under this
5 paragraph.

6 (ii) PRIORITY.—In selecting a pilot
7 project under this paragraph, the Sec-
8 retary shall give priority to an application
9 for a pilot project that—

10 (I) anticipates or demonstrates
11 economic benefits;

12 (II) incorporates plans to make
13 compost easily accessible to agricul-
14 tural producers, including community
15 gardeners;

16 (III) integrates other food waste
17 strategies, including food recovery ef-
18 forts; and

19 (IV) provides for collaboration
20 with multiple partners.

21 (D) MATCHING REQUIREMENT.—The re-
22 cipient of assistance for a pilot project under
23 this paragraph shall provide funds, in-kind con-
24 tributions, or a combination of both from
25 sources other than funds provided through the

1 grant in an amount equal to not less than 25
2 percent of the amount of the grant.

3 (E) EVALUATION.—The Secretary shall
4 conduct an evaluation of the pilot projects fund-
5 ed under this paragraph to assess different so-
6 lutions for increasing access to compost and re-
7 ducing municipal food waste, including an eval-
8 uation of—

9 (i) the amount of Federal funds used
10 for each project; and

11 (ii) a measurement of the outcomes of
12 each project.

13 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out this section and
15 the amendments made by this section \$25,000,000 for fis-
16 cal year 2019 and each fiscal year thereafter.

17 **SEC. 12303. OFFICE OF ADVOCACY AND OUTREACH.**

18 Section 226B(f)(3)(B) of the Department of Agri-
19 culture Reorganization Act of 1994 (7 U.S.C.
20 6934(f)(3)(B)) is amended by striking “2018” and insert-
21 ing “2023”.

22 **SEC. 12304. TRIBAL ADVISORY COMMITTEE.**

23 Section 309 of the Department of Agriculture Reor-
24 ganization Act of 1994 (7 U.S.C. 6921) is amended—

1 (1) by striking “The Secretary” and inserting
2 the following:

3 “(a) IN GENERAL.—The Secretary”; and

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

5 “(b) TRIBAL ADVISORY COMMITTEE.—

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

7 “(A) INDIAN TRIBE.—The term ‘Indian
8 tribe’ has the meaning given the term in section
9 4 of the Indian Self-Determination and Edu-
10 cation Assistance Act (25 U.S.C. 5304).

11 “(B) RELEVANT COMMITTEES OF CON-
12 GRESS.—The term ‘relevant Committees of
13 Congress’ means—

14 “(i) the Committee on Agriculture of
15 the House of Representatives;

16 “(ii) the Committee on Agriculture,
17 Nutrition, and Forestry of the Senate; and

18 “(iii) the Committee on Indian Affairs
19 of the Senate.

20 “(C) TRIBAL ORGANIZATION.—The term
21 ‘tribal organization’ has the meaning given the
22 term in section 4 of the Indian Self-Determina-
23 tion and Education Assistance Act (25 U.S.C.
24 5304).

25 “(2) ESTABLISHMENT OF COMMITTEE.—

1 “(A) IN GENERAL.—The Secretary shall
2 establish an advisory committee, to be known as
3 the ‘Tribal Advisory Committee’ (referred to in
4 this subsection as the ‘Committee’) to provide
5 advice and guidance to the Secretary on mat-
6 ters relating to Tribal and Indian affairs.

7 “(B) FACILITATION.—The Committee
8 shall facilitate, but not supplant, government-
9 to-government consultation between the Depart-
10 ment of Agriculture (referred to in this sub-
11 section as the ‘Department’) and Indian tribes.

12 “(3) MEMBERSHIP.—

13 “(A) COMPOSITION.—The Council shall be
14 composed of 9 members, of whom—

15 “(i) 7 shall be appointed by the Sec-
16 retary;

17 “(ii) 1 shall be appointed by the chair-
18 person of the Committee on Indian Affairs
19 of the Senate; and

20 “(iii) 1 shall be appointed by the
21 ranking Member of the Committee on In-
22 dian Affairs of the Senate.

23 “(B) NOMINATIONS.—The Secretary shall
24 accept nominations for members of the Council
25 from—

1 “(i) an Indian tribe;

2 “(ii) a tribal organization; and

3 “(iii) a national or regional organiza-
4 tion with expertise in issues relating to the
5 duties of the Committee described in para-
6 graph (4).

7 “(C) DIVERSITY.—To the maximum extent
8 feasible, the Secretary shall ensure that the
9 members of the Committee represent a diverse
10 set of expertise on issues relating to geographic
11 regions, Indian tribes, and the agricultural in-
12 dustry.

13 “(D) LIMITATION.—No member of the
14 Committee shall be an officer or employee of
15 the Federal government.

16 “(E) PERIOD OF APPOINTMENT; VACAN-
17 CIES.—

18 “(i) IN GENERAL.—Each member of
19 the Committee—

20 “(I) subject to clause (ii), shall
21 be appointed to a 3-year term; and

22 “(II) may be reappointed to not
23 more than 3 consecutive terms.

24 “(ii) INITIAL STAGGERING.—The first
25 7 appointments made by the Secretary

1 under paragraph (3)(A)(i) shall be for a 2-
2 year term.

3 “(iii) VACANCIES.—Any vacancy in
4 the Council shall be filled in the same
5 manner as the original appointment not
6 more than 90 days after the date on which
7 the position becomes vacant.

8 “(F) MEETINGS.—

9 “(i) IN GENERAL.—The Council shall
10 meet in person not less than twice each
11 year.

12 “(ii) OFFICE OF TRIBAL RELATIONS
13 REPRESENTATIVE.—Not fewer than 1 rep-
14 resentative from the Office of Tribal Rela-
15 tions of the Department shall be present at
16 each meeting of the Committee.

17 “(iii) DEPARTMENT OF INTERIOR
18 REPRESENTATIVE.—The Assistant Sec-
19 retary for Indian Affairs of the Depart-
20 ment of the Interior (or a designee) shall
21 be present at each meeting of the Com-
22 mittee.

23 “(iv) NONVOTING REPRESENTA-
24 TIVES.—The individuals described in

1 clauses (ii) and (iii) shall be nonvoting rep-
2 representatives.

3 “(4) DUTIES OF COMMITTEE.—The Committee
4 shall—

5 “(A) identify evolving issues of relevance to
6 Indian tribes relating to programs of the De-
7 partment;

8 “(B) communicate to the Secretary the
9 issues identified under subparagraph (A);

10 “(C) submit to the Secretary recommenda-
11 tions for and solutions to—

12 “(i) the issues identified under sub-
13 paragraph (A);

14 “(ii) issues raised at the Tribal, re-
15 gional, or national level; and

16 “(iii) issues relating to any Tribal
17 consultation carried out by the Depart-
18 ment;

19 “(D) discuss issues and proposals for
20 changes to the regulations, policies, and proce-
21 dures of the Department that impact Indian
22 tribes;

23 “(E) identify priorities and provide advice
24 on appropriate strategies for Tribal consulta-

1 tion on issues at the Tribal, regional, or na-
2 tional level regarding the Department;

3 “(F) ensure that pertinent issues of the
4 Department are brought to the attention of an
5 Indian tribe in a timely manner so that timely
6 feedback from an Indian tribe can be obtained;
7 and

8 “(G) identify and propose solutions to any
9 interdepartmental barrier between the Depart-
10 ment and other Federal agencies.

11 “(5) REPORTS.—

12 “(A) IN GENERAL.—Not less frequently
13 than once each year, the Committee shall sub-
14 mit to the Secretary and the relevant Commit-
15 tees of Congress a report that describes—

16 “(i) the activities of the Committee
17 during the previous year; and

18 “(ii) recommendations for legislative
19 or administrative action for the following
20 year.

21 “(B) RESPONSE FROM SECRETARY.—Not
22 more than 45 days after the date on which the
23 Secretary receives a report under subparagraph
24 (A), the Secretary shall submit a written re-
25 sponse to that report to—

1 “(i) the Committee; and

2 “(ii) the relevant Committees of Con-
3 gress.

4 “(6) COMPENSATION OF MEMBERS.—Members
5 of the Committee shall be compensated at a rate
6 equal to the daily equivalent of the annual rate of
7 basic pay prescribed for level IV of the Executive
8 Schedule under section 5315 of title 5, United
9 States Code, for each day (including travel time)
10 during which the member is engaged in the perform-
11 ance of the duties of the Committee.

12 “(7) FEDERAL ADVISORY COMMITTEE ACT EX-
13 EMPTION.—Section 14 of the Federal Advisory Com-
14 mittee Act (5 U.S.C. App.) shall not apply to the
15 Committee.”.

16 **SEC. 12305. EXPERIENCED SERVICES PROGRAM.**

17 (a) IN GENERAL.—Section 1252 of the Food Security
18 Act of 1985 (16 U.S.C. 3851) is amended—

19 (1) in the section heading, by striking “**AGRI-**
20 **CULTURE CONSERVATION**”;

21 (2) in subsection (a)—

22 (A) in the first sentence—

23 (i) by striking “a conservation” and
24 inserting “an”;

1 (ii) by striking “(in this section re-
2 ferred to as the ‘ACES Program’)” and in-
3 serting “(referred to in this section as the
4 ‘program’)”; and

5 (iii) by striking “provide technical”
6 and inserting the following: “provide—
7 “(1) technical”; and

8 (B) in paragraph (1) (as so designated)—

9 (i) by striking “Secretary. Such tech-
10 nical services may include” and inserting
11 “Secretary, including”;

12 (ii) by striking the period at the end
13 and inserting “; and”; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(2) technical, professional, and administrative
17 services to support the research, education, and eco-
18 nomics mission area of the Department of Agri-
19 culture (including the Agricultural Research Service,
20 the Economic Research Service, the National Agri-
21 cultural Library, the National Agricultural Statistics
22 Service, the Office of the Chief Scientist, and the
23 National Institute of Food and Agriculture), includ-
24 ing—

1 “(A) supporting agricultural research and
2 information;

3 “(B) advancing scientific knowledge relat-
4 ing to agriculture;

5 “(C) enhancing access to agricultural in-
6 formation;

7 “(D) providing statistical information and
8 research results to farmers, ranchers, agri-
9 business, and public officials; and

10 “(E) assisting research, education, and ex-
11 tension programs in land-grant colleges and
12 universities (as defined in section 1404 of the
13 National Agricultural Research, Extension, and
14 Teaching Policy Act of 1977 (7 U.S.C.
15 3103)).”;

16 (3) by striking “ACES” each place it appears;

17 (4) by striking “technical services” each place
18 it appears (other than in subsection (a)) and insert-
19 ing “technical, professional, or administrative serv-
20 ices, as applicable,”; and

21 (5) in subsection (c)(1)—

22 (A) by striking the paragraph heading and
23 inserting “CONSERVATION TECHNICAL SERV-
24 ICES.—”; and

1 (B) by inserting “with respect to sub-
2 section (a)(1),” before “the Secretary”.

3 (b) TECHNICAL AMENDMENTS.—Title XII of the
4 Food Security Act of 1985 is amended—

5 (1) by inserting after section 1246 (16 U.S.C.
6 3846) the following:

7 **“Subtitle F—Experienced Services**
8 **Program”; and**

9 (2) by moving section 1252 (16 U.S.C. 3851)
10 (as amended by subsection (a)) to appear after the
11 heading for subtitle F (as added by paragraph (1)).

12 **SEC. 12306. YOUTH OUTREACH AND BEGINNING FARMER**
13 **COORDINATION.**

14 Subtitle D of title VII of the Farm Security and
15 Rural Investment Act of 2002 (as amended by section
16 12301(a)(1)) is amended by inserting after section 7404
17 (7 U.S.C. 3101 note; Public Law 107–171) the following:

18 **“SEC. 7405. YOUTH OUTREACH AND BEGINNING FARMER**
19 **COORDINATION.**

20 “(a) DEFINITIONS.—In this section:

21 “(1) BEGINNING FARMER OR RANCHER.—The
22 term ‘beginning farmer or rancher’ means a person
23 that—

24 “(A)(i) has not operated a farm or ranch;

25 or

1 “(ii) has operated a farm or ranch for not
2 more than 10 years; and

3 “(B) meets such other criteria as the Sec-
4 retary may establish.

5 “(2) NATIONAL COORDINATOR.—The term ‘Na-
6 tional Coordinator’ means the National Beginning
7 Farmer and Rancher Coordinator established under
8 subsection (b)(1).

9 “(3) STATE COORDINATOR.—The term ‘State
10 coordinator’ means a State beginning farmer and
11 rancher coordinator designated under subsection
12 (c)(1)(A).

13 “(4) STATE OFFICE.—The term ‘State office’
14 means—

15 “(A) a State office of—

16 “(i) the Farm Service Agency;

17 “(ii) the Natural Resources Conserva-
18 tion Service;

19 “(iii) the Rural Business-Cooperative
20 Service; or

21 “(iv) the Rural Utilities Service; or

22 “(B) a regional office of the Risk Manage-
23 ment Agency.

24 “(b) NATIONAL BEGINNING FARMER AND RANCHER
25 COORDINATOR.—

1 expect to end within 5 years, actively
2 owning or operating a farm or ranch;
3 and

4 “(ii) facilitating interagency and
5 interdepartmental collaboration on issues
6 relating to beginning farmers and ranch-
7 ers.

8 “(3) REPORTS.—Not less frequently than once
9 each year, the National Coordinator shall distribute
10 within the Department and make publicly available
11 a report describing the status of steps taken to carry
12 out the duties described in subparagraphs (A) and
13 (B) of paragraph (2).

14 “(4) CONTRACTS AND COOPERATIVE AGREE-
15 MENTS.—In carrying out the duties under para-
16 graph (2), the National Coordinator may enter into
17 a contract or cooperative agreement with an institu-
18 tion of higher education (as defined in section 101
19 of the Higher Education Act of 1965 (20 U.S.C.
20 1001)), cooperative extension services (as defined in
21 section 1404 of the National Agricultural Research,
22 Extension, and Teaching Policy Act of 1977 (7
23 U.S.C. 3103), or a nonprofit organization—

1 “(A) to conduct research on the profit-
2 ability of new farms in operation for not less
3 than 5 years in a region;

4 “(B) to develop educational materials;

5 “(C) to conduct workshops, courses, train-
6 ing, or certified vocational training; or

7 “(D) to conduct mentoring activities.

8 “(c) STATE BEGINNING FARMER AND RANCHER CO-
9 ORDINATORS.—

10 “(1) IN GENERAL.—

11 “(A) DESIGNATION.—The National Coor-
12 dinator, in consultation with State food and ag-
13 riculture councils and directors of State offices,
14 shall designate in each State a State beginning
15 farmer and rancher coordinator from among
16 employees of State offices.

17 “(B) REQUIREMENTS.—To be designated
18 as a State coordinator, an employee shall—

19 “(i) be familiar with issues relating to
20 beginning farmers and ranchers; and

21 “(ii) have the ability to interface with
22 other Federal departments and agencies.

23 “(2) TRAINING.—The Secretary shall develop a
24 training plan to provide to each State coordinator
25 knowledge of programs and services available from

1 the Department for beginning farmers and ranchers,
2 taking into consideration the needs of all production
3 types and sizes of agricultural operations.

4 “(3) DUTIES.—A State coordinator shall—

5 “(A) coordinate technical assistance at the
6 State level to assist beginning farmers and
7 ranchers in accessing programs of the Depart-
8 ment;

9 “(B) develop and submit to the National
10 Coordinator for approval under subsection
11 (b)(2)(A)(ii) a State plan to improve the coordi-
12 nation, delivery, and efficacy of programs of the
13 Department to beginning farmers and ranchers,
14 taking into consideration the needs of all types
15 of production methods and sizes of agricultural
16 operation, at each county and area office in the
17 State;

18 “(C) oversee implementation of an ap-
19 proved State plan described in subparagraph
20 (B);

21 “(D) work with outreach coordinators in
22 the State offices to ensure appropriate informa-
23 tion about technical assistance is available at
24 outreach events and activities; and

1 “(E) coordinate partnerships and joint out-
2 reach efforts with other organizations and gov-
3 ernment agencies serving beginning farmers
4 and ranchers.

5 “(d) AGRICULTURAL YOUTH COORDINATOR.—

6 “(1) ESTABLISHMENT.—The Secretary shall es-
7 tablish in the Department the position of Agricul-
8 tural Youth Coordinator.

9 “(2) DUTIES.—The Agricultural Youth Coordi-
10 nator shall—

11 “(A) promote the role of school-based agri-
12 cultural education and youth-serving agricul-
13 tural organizations in motivating and preparing
14 young people to pursue careers in the agri-
15 culture, food, and natural resources systems;

16 “(B) coordinate outreach to programs and
17 agencies within the Department—

18 “(i) to work with schools and youth-
19 serving organizations to develop joint pro-
20 grams and initiatives, such as internships;
21 and

22 “(ii) to provide resources and input to
23 schools and youth-serving organizations re-
24 garding motivating and preparing young

1 people to pursue careers in the agriculture,
2 food, and natural resources systems;

3 “(C) raise awareness among youth about
4 the importance of agriculture in a diversity of
5 fields and disciplines;

6 “(D) provide information to persons in-
7 volved in youth, food, and agriculture organiza-
8 tions about the availability of, and eligibility re-
9 quirements for, agricultural programs, with
10 particular emphasis on—

11 “(i) beginning farmer and rancher
12 programs;

13 “(ii) agriculture education;

14 “(iii) nutrition education;

15 “(iv) science, technology, engineering,
16 and mathematics education; and

17 “(v) other food and agriculture pro-
18 grams for youth;

19 “(E) serve as a resource for youth involved
20 in food and agriculture applying for participa-
21 tion in agricultural programs;

22 “(F) conduct outreach to youth agriculture
23 organizations; and

24 “(G) advocate on behalf of youth involved
25 in food and agriculture and youth organizations

1 in interactions with employees of the Depart-
2 ment.

3 “(3) CONTRACTS AND COOPERATIVE AGREE-
4 MENTS.—For purposes of carrying out the duties de-
5 scribed in paragraph (2), the Agricultural Youth Co-
6 ordinator—

7 “(A) shall consult with land-grant colleges
8 and universities and cooperative extension serv-
9 ices (as those terms are defined in section 1404
10 of the National Agricultural Research, Exten-
11 sion, and Teaching Policy Act of 1977 (7
12 U.S.C. 3103)); and

13 “(B) may enter into contracts or coopera-
14 tive agreements with the research centers of the
15 Agricultural Research Service, institutions of
16 higher education (as defined in section 101 of
17 the Higher Education Act of 1965 (20 U.S.C.
18 1001)), or nonprofit organizations for—

19 “(i) the development of educational
20 materials;

21 “(ii) the conduct of workshops,
22 courses, and certified vocational training;

23 “(iii) the conduct of mentoring activi-
24 ties; or

1 “(iv) the provision of internship op-
2 portunities.”.

3 **SEC. 12307. AVAILABILITY OF DEPARTMENT OF AGRI-
4 CULTURE PROGRAMS FOR VETERAN FARM-
5 ERS AND RANCHERS.**

6 (a) DEFINITION OF VETERAN FARMER OR RANCH-
7 ER.—Paragraph (7) of subsection (a) (as redesignated by
8 section 12301(b)(3)) of section 2501 of the Food, Agri-
9 culture, Conservation, and Trade Act of 1990 (7 U.S.C.
10 2279) is amended—

11 (1) in subparagraph (A), by striking “or” at
12 the end;

13 (2) in subparagraph (B), by striking the period
14 at the end and inserting “; or”; and

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

16 “(C) is a veteran (as defined in section
17 101 of that title) who has first obtained status
18 as a veteran (as so defined) during the most re-
19 cent 10-year period.”.

20 (b) FEDERAL CROP INSURANCE.—

21 (1) DEFINITION OF VETERAN FARMER OR
22 RANCHER.—Section 502(b) of the Federal Crop In-
23 surance Act (7 U.S.C. 1502(b)) (as amended by sec-
24 tion 11101) is amended by adding at the end the
25 following:

1 “(14) VETERAN FARMER OR RANCHER.—The
2 term ‘veteran farmer or rancher’ means a farmer or
3 rancher who—

4 “(A) has served in the Armed Forces (as
5 defined in section 101 of title 38, United States
6 Code); and

7 “(B)(i) has not operated a farm or ranch;

8 “(ii) has operated a farm or ranch for not
9 more than 5 years; or

10 “(iii) is a veteran (as defined in section
11 101 of that title) who has first obtained status
12 as a veteran (as so defined) during the most re-
13 cent 5-year period.”.

14 (2) CROP INSURANCE.—Section 508 of the Fed-
15 eral Crop Insurance Act (7 U.S.C. 1508) is amend-
16 ed—

17 (A) in subsection (b)(5)(E)—

18 (i) by striking “The Corporation” and
19 inserting the following:

20 “(i) IN GENERAL.—The Corporation”;

21 and

22 (ii) in clause (i) (as so designated), by
23 striking the period at the end and inserting
24 the following: “, and veteran farmers or
25 ranchers.

1 “(ii) COORDINATION.—The Corpora-
2 tion shall coordinate with other agencies of
3 the Department that provide programs or
4 services to farmers and ranchers described
5 in clause (i) to make available coverage
6 under the waiver under that clause and to
7 share eligibility information to reduce pa-
8 perwork and avoid duplication.”;

9 (B) in subsection (e)(8)—

10 (i) in the paragraph heading, by in-
11 serting “AND VETERAN” after “BEGIN-
12 NING”; and

13 (ii) by inserting “or veteran farmer or
14 rancher” after “beginning farmer or
15 rancher” each place it appears; and

16 (C) in subsection (g)—

17 (i) in paragraph (2)(B)(iii), in the
18 matter preceding subclause (I), by insert-
19 ing “or veteran farmer or rancher” after
20 “beginning farmer or rancher” each place
21 it appears; and

22 (ii) in paragraph (4)(B)(ii)(II), by in-
23 serting “and veteran farmers or ranchers”
24 after “beginning farmers or ranchers”.

1 (3) EDUCATION AND RISK MANAGEMENT AS-
2 SISTANCE.—Section 524(a)(4) of the Federal Crop
3 Insurance Act (7 U.S.C. 1524(a)(4)) is amended—

4 (A) in subparagraph (D)(ii), by striking
5 “and” at the end;

6 (B) in subparagraph (E), by striking the
7 period at the end and inserting “; and”; and

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

9 “(F) veteran farmers or ranchers.”.

10 (c) DOWN PAYMENT LOAN PROGRAM.—Section
11 310E of the Consolidated Farm and Rural Development
12 Act (7 U.S.C. 1935) is amended—

13 (1) in subsection (a)(1), by striking “qualified
14 beginning farmers or ranchers and socially disadvan-
15 tagged farmers or ranchers” and inserting “eligible
16 farmers or ranchers”;

17 (2) in subsection (d)—

18 (A) in paragraph (2)(A), by striking “re-
19 cipients of the loans” and inserting “farmers or
20 ranchers”;

21 (B) by striking paragraph (3) and insert-
22 ing the following:

23 “(3) encourage retiring farmers and ranchers to
24 assist in the sale of their farms and ranches to eligi-

1 ble farmers or ranchers by providing seller financ-
2 ing;” and

3 (C) in paragraph (4), by striking “for be-
4 ginning farmers or ranchers or socially dis-
5 advantaged farmers or ranchers” and inserting
6 the following: “for—

7 “(A) beginning farmers or ranchers;

8 “(B) socially disadvantaged farmers or
9 ranchers, as defined in section 355(e); or

10 “(C) veteran farmers or ranchers, as de-
11 fined in section 2501(a) of the Food, Agri-
12 culture, Conservation, and Trade Act of 1990
13 (7 U.S.C. 2279(a))”; and

14 (D) in paragraph (5), by striking “a quali-
15 fied beginning farmer or rancher or socially dis-
16 advantaged farmer or rancher” and inserting
17 “an eligible farmer or rancher”; and

18 (3) by striking subsection (e) and inserting the
19 following:

20 “(e) DEFINITION OF ELIGIBLE FARMER OR RANCH-
21 ER.—In this section, the term ‘eligible farmer or rancher’
22 means—

23 “(1) a qualified beginning farmer or rancher;

24 “(2) a socially disadvantaged farmer or ranch-
25 er, as defined in section 355(e); and

1 “(3) a veteran farmer or rancher, as defined in
2 section 2501(a) of the Food, Agriculture, Conserva-
3 tion, and Trade Act of 1990 (7 U.S.C. 2279(a)).”.

4 (d) INTEREST RATE REDUCTION PROGRAM.—Sec-
5 tion 351(e)(2)(B) of the Consolidated Farm and Rural
6 Development Act (7 U.S.C. 1999(e)(2)(B)) is amended—

7 (1) in the subparagraph heading, by inserting
8 “AND VETERAN” after “BEGINNING”;

9 (2) in clause (i), by inserting “or veteran farm-
10 ers and ranchers (as defined in section 2501(a) of
11 the Food, Agriculture, Conservation, and Trade Act
12 of 1990 (7 U.S.C. 2279(a)))” before the period at
13 the end; and

14 (3) in clause (ii), by striking “beginning”.

15 (e) NATIONAL FOOD SAFETY TRAINING, EDU-
16 CATION, EXTENSION, OUTREACH, AND TECHNICAL AS-
17 SISTANCE PROGRAM.—Section 405(c) of the Agricultural
18 Research, Extension, and Education Reform Act of 1998
19 (7 U.S.C. 7625(c)) is amended by inserting “veteran
20 farmers or ranchers (as defined in section 2501(a) of the
21 Food, Agriculture, Conservation, and Trade Act of 1990
22 (7 U.S.C. 2279(a)))” after “socially disadvantaged farm-
23 ers,”.

24 (f) ADMINISTRATION AND OPERATION OF NON-
25 INSURED CROP ASSISTANCE PROGRAM.—Section 196 of

1 the Federal Agriculture Improvement and Reform Act of
2 1996 (7 U.S.C. 7333) is amended—

3 (1) in subsection (k)(2), by inserting “, or a
4 veteran farmer or rancher (as defined in section
5 2501(a) of the Food, Agriculture, Conservation, and
6 Trade Act of 1990 (7 U.S.C. 2279(a)))” before the
7 period at the end; and

8 (2) in subsection (l), in paragraph (3) (as re-
9 designated by section 1601(7)(C))—

10 (A) in the paragraph heading, by inserting
11 “VETERAN,” before “AND SOCIALLY”; and

12 (B) by inserting “and veteran farmers or
13 ranchers (as defined in section 2501(a) of the
14 Food, Agriculture, Conservation, and Trade Act
15 of 1990 (7 U.S.C. 2279(a)))” before “in ex-
16 change”.

17 (g) FUNDING FOR TRANSITION OPTION FOR CER-
18 TAIN FARMERS OR RANCHERS.—Section 1241(a)(1)(B) of
19 the Food Security Act of 1985 (16 U.S.C. 3841(a)(1)(B))
20 is amended by striking “beginning farmers or ranchers
21 and socially disadvantaged farmers or ranchers” and in-
22 serting “covered farmers or ranchers, as defined in section
23 1235(f)(1)”.

24 (h) SUPPLEMENTAL AGRICULTURAL DISASTER AS-
25 SISTANCE.—

1 (1) DEFINITION OF COVERED PRODUCER.—Sec-
2 tion 1501(a) of the Agricultural Act of 2014 (7
3 U.S.C. 9081(a)) is amended—

4 (A) by redesignating paragraphs (1)
5 through (4) as paragraphs (2) through (5), re-
6 spectively; and

7 (B) by inserting before paragraph (2) (as
8 so redesignated) the following:

9 “(1) COVERED PRODUCER.—The term ‘covered
10 producer’ means an eligible producer on a farm that
11 is—

12 “(A) as determined by the Secretary—

13 “(i) a beginning farmer or rancher;

14 “(ii) a socially disadvantaged farmer
15 or rancher; or

16 “(iii) a limited resource farmer or
17 rancher; or

18 “(B) a veteran farmer or rancher, as de-
19 fined in section 2501(a) of the Food, Agri-
20 culture, Conservation, and Trade Act of 1990
21 (7 U.S.C. 2279(a)).”.

22 (2) EMERGENCY ASSISTANCE FOR LIVESTOCK,
23 HONEY BEES, AND FARM-RAISED FISH.—Section
24 1501(d) of the Agricultural Act of 2014 (7 U.S.C.

1 9081(d)) is amended by adding at the end the fol-
2 lowing:

3 “(4) PAYMENT RATE FOR COVERED PRO-
4 DUCERS.—In the case of a covered producer that is
5 eligible to receive assistance under this subsection,
6 the Secretary shall provide reimbursement of 90 per-
7 cent of the cost of losses described in paragraph (1)
8 or (2).”.

9 **Subtitle D—Department of Agri-**
10 **culture Reorganization Act of**
11 **1994 Amendments**

12 **SEC. 12401. OFFICE OF CONGRESSIONAL RELATIONS AND**
13 **INTERGOVERNMENTAL AFFAIRS.**

14 (a) ASSISTANT SECRETARIES OF AGRICULTURE.—
15 Section 218(a)(1) of the Department of Agriculture Reor-
16 ganization Act of 1994 (7 U.S.C. 6918(a)(1)) is amended
17 by striking “Relations” and inserting “Relations and
18 Intergovernmental Affairs”.

19 (b) SUCCESSION.—Any official who is serving as the
20 Assistant Secretary of Agriculture for Congressional Rela-
21 tions on the date of enactment of this Act and who was
22 appointed by the President, by and with the advice and
23 consent of the Senate, shall not be required to be re-
24 appointed as a result of the change made to the name of

1 that position under the amendment made by subsection
2 (a).

3 **SEC. 12402. MILITARY VETERANS AGRICULTURAL LIAISON.**

4 Section 219 of the Department of Agriculture Reor-
5 ganization Act of 1994 (7 U.S.C. 6919) is amended—

6 (1) in subsection (b)—

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

9 (B) in paragraph (4), by striking the pe-
10 riod at the end and inserting “; and”; and

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

12 “(5) to carry out the duties described in para-
13 graphs (1) through (4), consult with and provide
14 technical assistance to any Federal agency, including
15 the Department of Defense, the Department of Vet-
16 erans Affairs, the Small Business Administration,
17 and the Department of Labor.”; and

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

19 “(d) REPORT.—

20 “(1) IN GENERAL.—Not later than 1 year after
21 the date of enactment of this subsection, and annu-
22 ally thereafter, the Military Veterans Agricultural
23 Liaison shall submit a report on beginning farmer
24 training for veterans and agricultural vocational and
25 rehabilitation programs for veterans to—

1 “(A) the Committee on Agriculture of the
2 House of Representatives;

3 “(B) the Committee on Veterans’ Affairs
4 of the House of Representatives;

5 “(C) the Committee on Agriculture, Nutri-
6 tion, and Forestry of the Senate; and

7 “(D) the Committee on Veterans’ Affairs
8 of the Senate.

9 “(2) CONTENTS OF REPORT.—The report sub-
10 mitted under paragraph (1) shall include—

11 “(A) a summary of the measures taken to
12 carry out subsections (b) and (c);

13 “(B) a description of the information pro-
14 vided to veterans under paragraphs (1) and (2)
15 of subsection (b);

16 “(C) recommendations for best informing
17 veterans of the programs described in para-
18 graphs (1) and (2) of subsection (b);

19 “(D) a description of the technical assist-
20 ance provided under subsection (b)(5);

21 “(E) a summary of the contracts or coop-
22 erative agreements entered into under sub-
23 section (c);

24 “(F) a description of the programs imple-
25 mented under subsection (c);

1 “(G) a summary of the employment out-
2 reach activities directed to veterans;

3 “(H) recommendations for how opportuni-
4 ties for veterans in agriculture should be devel-
5 oped or expanded;

6 “(I) a summary of veteran farm lending
7 data and a summary of shortfalls, if any, iden-
8 tified by the Military Veterans Agricultural Li-
9 aison in collecting data with respect to veterans
10 engaged in agriculture; and

11 “(J) recommendations, if any, on how to
12 improve activities under subsection (b).

13 “(e) PUBLIC DISSEMINATION OF INFORMATION.—

14 “(1) IN GENERAL.—Not later than 1 year after
15 the date of enactment of this subsection, and annu-
16 ally thereafter, the Military Veterans Agricultural
17 Liaison shall make publicly available and share
18 broadly, including by posting on the website of the
19 Department—

20 “(A) the report of the Military Veterans
21 Agricultural Liaison on beginning farmer train-
22 ing for veterans and agricultural vocational and
23 rehabilitation programs; and

24 “(B) the information disseminated under
25 paragraphs (1) and (2) of subsection (b).

1 “(2) FURTHER DISSEMINATION.—Not later
2 than the day before the date on which the Military
3 Veterans Agricultural Liaison makes publicly avail-
4 able the information under paragraph (1), the Mili-
5 tary Veterans Agricultural Liaison shall provide that
6 information to the Department of Defense, the De-
7 partment of Veterans Affairs, the Small Business
8 Administration, and the Department of Labor.”.

9 **SEC. 12403. CIVIL RIGHTS ANALYSES.**

10 (a) IN GENERAL.—Subtitle A of the Department of
11 Agriculture Reorganization Act of 1994 (7 U.S.C. 6911
12 et seq.) (as amended by section 12302(b)) is amended by
13 adding at the end the following:

14 **“SEC. 223. CIVIL RIGHTS ANALYSES.**

15 “(a) DEFINITION OF CIVIL RIGHTS ANALYSIS.—In
16 this section, the term ‘civil rights analysis’ means a review
17 to analyze and identify actions, policies, and decisions
18 under documents described in subsection (b) that may
19 have an adverse or disproportionate impact on employees,
20 contractors, or beneficiaries (including participants) of
21 any program or activity of the Department based on the
22 membership of the employees, contractors, or beneficiaries
23 in a group that is protected under Federal law from dis-
24 crimination in employment, contracting, or provision of a
25 program or activity, as applicable.

1 “(b) ACTIONS, POLICIES, AND DECISIONS.—Before
2 implementing any of the following action, policy, or deci-
3 sion documents, the Secretary shall conduct a civil rights
4 analysis of the action, policy, or decision that is the subject
5 of the document:

6 “(1) New, revised, or interim rules and notices
7 to be published in the Federal Register or the Code
8 of Federal Regulations.

9 “(2) Charters for advisory committees, councils,
10 or boards managed by any agency of the Depart-
11 ment on behalf of the Secretary.

12 “(3) Any regulations of the Department or new
13 or revised agency-specific instructions, procedures,
14 or other guidance published in an agency directives
15 system.

16 “(4) Reductions-in-force or transfer of function
17 proposals, including reorganization of the Depart-
18 ment.

19 “(5) At the discretion of the Secretary, any
20 other policy, program, or activity documents that
21 have potentially adverse civil rights impacts.

22 “(c) EXPEDITED REVIEW.—The Secretary may
23 grant, on a case-by-case basis, an expedited civil rights
24 analysis if the head of an agency within the Department

1 provides a written justification for the expedited civil
2 rights analysis.

3 “(d) WAIVER.—On petition by the head of any agen-
4 cy within the Department, the Secretary may grant, on
5 a case-by-case basis, a waiver of the civil rights analysis
6 if the Secretary determines that there is no foreseeable
7 adverse or disproportionate impact described in subsection
8 (a) of the proposed action, policy, or decision document
9 described in subsection (b).”.

10 (b) STUDY; REPORT.—

11 (1) STUDY.—Not later than 2 years after the
12 date of enactment of this Act, the Comptroller Gen-
13 eral of the United States (referred to in this section
14 as the “Comptroller General”) shall conduct a study
15 describing—

16 (A) the effectiveness of the Department of
17 Agriculture in processing and resolving civil
18 rights complaints;

19 (B) minority participation rates in farm
20 programs, including a comparison of overall
21 farmer and rancher participation with minority
22 farmer and rancher participation by considering
23 particular aspects of the programs of the De-
24 partment of Agriculture for producers, such as

1 ownership status, program participation, usage
2 of permits, and waivers;

3 (C) the realignment the civil rights func-
4 tions of the Department of Agriculture, as out-
5 lined in Secretarial Memorandum 1076–023
6 (March 9, 2018), including an analysis of
7 whether that realignment has any negative im-
8 plications on the civil rights functions of the
9 Department;

10 (D) efforts of the Department of Agri-
11 culture to identify actions, programs, or activi-
12 ties of the Department of Agriculture that may
13 adversely affect employees, contractors, or bene-
14 ficiaries (including participants) of the action,
15 program, or activity based on the membership
16 of the employees, contractors, or beneficiaries in
17 a group that is protected under Federal law
18 from discrimination in employment, contracting,
19 or provision of an action, program, or activity,
20 as applicable; and

21 (E) efforts of the Department of Agri-
22 culture to strategically plan actions to decrease
23 discrimination and civil rights complaints within
24 the Department of Agriculture or in the car-

1 rying out of the programs and authorities of
2 the Department of Agriculture.

3 (2) REPORT.—Not later than 60 days after the
4 date of completion of the study under paragraph (1),
5 the Comptroller General shall submit a report de-
6 scribing the results of the study to—

7 (A) the Committee on Agriculture of the
8 House of Representatives; and

9 (B) the Committee on Agriculture, Nutri-
10 tion, and Forestry of the Senate.

11 **SEC. 12404. FARM SERVICE AGENCY.**

12 (a) IN GENERAL.—Section 226 of the Department of
13 Agriculture Reorganization Act of 1994 (7 U.S.C. 6932)
14 is amended—

15 (1) in the section heading, by striking “**CON-**
16 **SOLIDATED FARM**” and inserting “**FARM**”;

17 (2) in subsection (b), in the subsection heading,
18 by striking “OF CONSOLIDATED FARM SERVICE
19 AGENCY”; and

20 (3) by striking “Consolidated Farm” each place
21 it appears and inserting “Farm”.

22 (b) CONFORMING AMENDMENTS.—

23 (1) Section 246 of the Department of Agri-
24 culture Reorganization Act of 1994 (7 U.S.C. 6962)
25 is amended—

1 (A) in subsection (e), by striking “Consoli-
2 dated Farm” each place it appears and insert-
3 ing “Farm”; and

4 (B) in subsection (e)(2), by striking “Con-
5 solidated Farm” each place it appears and in-
6 serting “Farm”.

7 (2) Section 271(2)(A) of the Department of Ag-
8 riculture Reorganization Act of 1994 (7 U.S.C.
9 6991(2)(A)) is amended by striking “Consolidated
10 Farm” each place it appears and inserting “Farm”.

11 (3) Section 275(b) of the Department of Agri-
12 culture Reorganization Act of 1994 (7 U.S.C.
13 6995(b)) is amended by striking “Consolidated
14 Farm” each place it appears and inserting “Farm”.

15 **SEC. 12405. UNDER SECRETARY OF AGRICULTURE FOR**
16 **FARM PRODUCTION AND CONSERVATION.**

17 (a) **OFFICE OF RISK MANAGEMENT.**—Section
18 226A(d)(1) of the Department of Agriculture Reorganiza-
19 tion Act of 1994 (7 U.S.C. 6933(d)(1)) is amended by
20 striking “Under Secretary of Agriculture for Farm and
21 Foreign Agricultural Services” and inserting “Under Sec-
22 retary of Agriculture for Farm Production and Conserva-
23 tion”.

24 (b) **MULTIAGENCY TASK FORCE.**—Section 242(b)(3)
25 of the Department of Agriculture Reorganization Act of

1 1994 (7 U.S.C. 6952(b)(3)) is amended by striking
2 “Under Secretary for Farm and Foreign Agricultural
3 Services” and inserting “Under Secretary of Agriculture
4 for Farm Production and Conservation”.

5 (c) FOOD AID CONSULTATIVE GROUP.—Section
6 205(b)(2) of the Food for Peace Act (7 U.S.C.
7 1725(b)(2)) is amended by striking “Under Secretary of
8 Agriculture for Farm and Foreign Agricultural Services”
9 and inserting “Under Secretary of Agriculture for Trade
10 and Foreign Agricultural Affairs”.

11 (d) INTERAGENCY COMMITTEE ON MINORITY CA-
12 REERS IN INTERNATIONAL AFFAIRS.—Section
13 625(c)(1)(A) of the Higher Education Act of 1965 (20
14 U.S.C. 1131c(c)(1)(A)) is amended by striking “Under
15 Secretary” and all that follows through “designee” and
16 inserting “Under Secretary of Agriculture for Trade and
17 Foreign Agricultural Affairs, or the designee of that
18 Under Secretary”.

19 **SEC. 12406. UNDER SECRETARY OF AGRICULTURE FOR**
20 **RURAL DEVELOPMENT.**

21 Section 231 of the Department of Agriculture Reor-
22 ganization Act of 1994 (7 U.S.C. 6941) is amended—

23 (1) in subsection (a), by striking “is authorized
24 to” and inserting “shall”;

1 (2) in subsection (b), by striking “If the Sec-
2 retary” and all that follows through “the Under Sec-
3 retary” and inserting “The Under Secretary of Agri-
4 culture for Rural Development”; and

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

6 “(g) TERMINATION OF AUTHORITY.—Section
7 296(b)(9) shall not apply to this section.”.

8 **SEC. 12407. ADMINISTRATOR OF THE RURAL UTILITIES**
9 **SERVICE.**

10 (a) IN GENERAL.—

11 (1) TECHNICAL CORRECTION.—

12 (A) IN GENERAL.—Section 232(b) of the
13 Department of Agriculture Reorganization Act
14 of 1994 (7 U.S.C. 6942(b)) (as in effect on the
15 day before the effective date of the amendments
16 made by section 2(a)(2) of the Presidential Ap-
17 pointment Efficiency and Streamlining Act of
18 2011 (Public Law 112–166; 126 Stat. 1283,
19 1295)) is amended—

20 (i) by striking paragraph (2) (relating
21 to succession); and

22 (ii) by redesignating paragraph (3)
23 (relating to the Executive Schedule) as
24 paragraph (2).

1 (B) EFFECTIVE DATE.—The amendments
2 made by subparagraph (A) take effect on the
3 effective date described in section 6(a) of the
4 Presidential Appointment Efficiency and
5 Streamlining Act of 2011 (Public Law 112–
6 166; 126 Stat. 1295).

7 (2) COMPENSATION.—Section 232(b) of the De-
8 partment of Agriculture Reorganization Act of 1994
9 (7 U.S.C. 6942(b)) (as amended by paragraph (1))
10 is amended by adding at the end the following:

11 “(3) COMPENSATION.—The Administrator of
12 the Rural Utilities Service shall receive basic pay at
13 a rate not to exceed the maximum amount of com-
14 pensation payable to a member of the Senior Execu-
15 tive Service under subsection (b) of section 5382 of
16 title 5, United States Code, except that the certifi-
17 cation requirement under that subsection shall not
18 apply to the compensation of the Director.”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) Section 5315 of title 5, United States Code,
21 is amended by striking “Administrator, Rural Utili-
22 ties Service, Department of Agriculture.”.

23 (2) Section 748 of Public Law 107–76 (7
24 U.S.C. 918b) is amended by striking “the Adminis-

1 trator of the Rural Utilities Service” and inserting
2 “the Secretary of Agriculture”.

3 (3) Section 379B(a) of the Consolidated Farm
4 and Rural Development Act (7 U.S.C. 2008p(a)) is
5 amended by striking “Secretary” and all that follows
6 through “may” and inserting “Secretary may”.

7 (4) Section 6407(b)(4) of the Farm Security
8 and Rural Investment Act of 2002 (7 U.S.C.
9 8107a(b)(4)) is amended by striking “Agriculture”
10 and all that follows through “Service” and inserting
11 “Agriculture”.

12 (5) Section 1004 of the Launching our Commu-
13 nities’ Access to Local Television Act of 2000 (47
14 U.S.C. 1103) is amended—

15 (A) in subsection (b)(1), by striking “The
16 Administrator (as defined in section 1005)”
17 and inserting “The Secretary of Agriculture”;
18 and

19 (B) in subsection (h)(2)(D), by striking
20 “Administrator” each place it appears and in-
21 serting “Secretary of Agriculture”.

22 (6) Section 1005 of the Launching our Commu-
23 nities’ Access to Local Television Act of 2000 (47
24 U.S.C. 1104) is amended—

1 (A) in subsection (a), by striking “The Ad-
2 ministrator” and all that follows through
3 “shall” and inserting “The Secretary of Agri-
4 culture (referred to in this section as the ‘Sec-
5 retary’) shall”; and

6 (B) by striking “Administrator” each place
7 it appears and inserting “Secretary”.

8 **SEC. 12408. HEALTHY FOOD FINANCING INITIATIVE.**

9 Section 243 of the Department of Agriculture Reor-
10 ganization Act of 1994 (7 U.S.C. 6953) is amended—

11 (1) in subsection (a), by inserting “and enter-
12 prises” after “retailers”;

13 (2) in subsection (b)(3)(B)(iii), by inserting
14 “and enterprises” after “retailers”; and

15 (3) in subsection (c)(2)(B)(ii), by inserting “as
16 applicable,” before “to accept”.

17 **SEC. 12409. NATURAL RESOURCES CONSERVATION SERV-
18 ICE.**

19 (a) **FIELD OFFICES.**—Section 246 of the Department
20 of Agriculture Reorganization Act of 1994 (7 U.S.C.
21 6962) (as amended by section 12404(b)(1)) is amended
22 by adding at the end the following:

23 “(g) **FIELD OFFICES.**—

24 “(1) **IN GENERAL.**—The Secretary shall not
25 close any field office of the Natural Resources Con-

1 servation Service unless, not later than 60 days be-
2 fore the date of the closure, the Secretary submits
3 to the Committee on Agriculture of the House of
4 Representatives and the Committee on Agriculture,
5 Nutrition, and Forestry of the Senate a notification
6 of the closure.

7 “(2) EMPLOYEES.—The Secretary shall not
8 permanently relocate any field-based employees of
9 the Natural Resources Conservation Service or the
10 rural development mission area if doing so would re-
11 sult in a field office of the Natural Resources Con-
12 servation Service or the rural development mission
13 area with 2 or fewer employees, unless, not later
14 than 60 days before the date of the permanent relo-
15 cation, the Secretary submits to the Committee on
16 Agriculture of the House of Representatives and the
17 Committee on Agriculture, Nutrition, and Forestry
18 of the Senate a notification of the permanent reloca-
19 tion.”.

20 (b) TECHNICAL CORRECTIONS.—Section 246 of the
21 Department of Agriculture Reorganization Act of 1994 (7
22 U.S.C. 6962) (as amended by subsection (a)) is amend-
23 ed—

24 (1) in subsection (b)—

25 (A) by striking paragraph (2);

1 (B) by redesignating paragraphs (3)
2 through (6) as paragraphs (2) through (5), re-
3 spectively;

4 (C) in paragraph (4) (as so redesignated),
5 by inserting “; Public Law 101–624” after
6 “note”; and

7 (D) in paragraph (5) (as so redesignated),
8 by striking “3831–3836” and inserting “3831
9 et seq.”; and

10 (2) in subsection (e), in the matter preceding
11 paragraph (1), by striking “paragraphs (1), (2), and
12 (4) of subsection (b) and the program under sub-
13 chapter C of chapter 1 of subtitle D of title XII of
14 the Food Security Act of 1985 (16 U.S.C. 3837–
15 3837f)” and inserting “paragraphs (1) and (3) of
16 subsection (b)”.

17 (e) RELOCATION IN ACT.—

18 (1) IN GENERAL.—Section 246 of the Depart-
19 ment of Agriculture Reorganization Act of 1994 (7
20 U.S.C. 6962) (as amended by subsection (b)) is—

21 (A) redesignated as section 228; and

22 (B) moved so as to appear at the end of
23 subtitle B of title II (7 U.S.C. 6931 et seq.).

24 (2) CONFORMING AMENDMENTS.—

1 (A) Section 226 of the Department of Ag-
2 riculture Reorganization Act of 1994 (7 U.S.C.
3 6932) (as amended by section 12404(a)) is
4 amended—

5 (i) in subsection (b)(5), by striking
6 “section 246(b)” and inserting “section
7 228(b)”; and

8 (ii) in subsection (g)(2), by striking
9 “section 246(b)” and inserting “section
10 228(b)”.

11 (B) Section 271(2)(F) of the Department
12 of Agriculture Reorganization Act of 1994 (7
13 U.S.C. 6991(2)(F)) is amended by striking
14 “section 246(b)” and inserting “section
15 228(b)”.

16 **SEC. 12410. OFFICE OF THE CHIEF SCIENTIST.**

17 (a) IN GENERAL.—Section 251(e) of the Department
18 of Agriculture Reorganization Act of 1994 (7 U.S.C.
19 6971(e)) is amended—

20 (1) in the subsection heading, by striking “RE-
21 SEARCH, EDUCATION, AND EXTENSION OFFICE”
22 and inserting “OFFICE OF THE CHIEF SCIENTIST”;

23 (2) in paragraph (1), by striking “Research,
24 Education, and Extension Office” and inserting “Of-
25 fice of the Chief Scientist”;

1 (3) in paragraph (2), in the matter preceding
2 subparagraph (A), by striking “Research, Edu-
3 cation, and Extension Office” and inserting “Office
4 of the Chief Scientist”;

5 (4) in paragraph (3)(C)—

6 (A) by striking “maximum”; and

7 (B) by striking “under” and all that fol-
8 lows through “years” and inserting “under
9 clause (i) or (ii) of subparagraph (A) shall be
10 not less than 3 years.”;

11 (5) by redesignating paragraphs (4) and (5) as
12 paragraphs (5) and (6), respectively;

13 (6) by inserting after paragraph (3) the fol-
14 lowing:

15 “(4) **ADDITIONAL LEADERSHIP DUTIES.**—In
16 addition to selecting the Division Chiefs under para-
17 graph (3), using available personnel authority under
18 title 5, United States Code, the Under Secretary
19 shall select personnel—

20 “(A) to oversee implementation, training,
21 and compliance with the scientific integrity pol-
22 icy of the Department;

23 “(B)(i) to integrate strategic program
24 planning and evaluation functions across the
25 programs of the Department; and

1 “(ii) to help prepare the annual report to
2 Congress on the relevance and adequacy of pro-
3 grams under the jurisdiction of the Under Sec-
4 retary;

5 “(C) to assist the Chief Scientist in coordi-
6 nating the international engagements of the De-
7 partment with the Department of State and
8 other international agencies and offices of the
9 Federal Government; and

10 “(D) to oversee other duties as may be re-
11 quired by law or Department policy.”;

12 (7) in subparagraph (A) of paragraph (5) (as
13 so redesignated), by striking “Notwithstanding” and
14 inserting the following:

15 “(i) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There are authorized to be appro-
17 priated such sums as are necessary to fund
18 the costs of Division personnel.

19 “(ii) ADDITIONAL FUNDING.—In addi-
20 tion to amounts made available under
21 clause (i), notwithstanding”; and

22 (8) in paragraph (6) (as so redesignated), by
23 striking “Research, Education and Extension Of-
24 fice” and inserting “Office of the Chief Scientist”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) Section 251(f)(5)(B) of the Department of
2 Agriculture Reorganization Act of 1994 (7 U.S.C.
3 6971(f)(5)(B)) is amended by striking “Research,
4 Education and Extension Office” and inserting “Of-
5 fice of the Chief Scientist”.

6 (2) Section 296(b)(6)(B) of the Department of
7 Agriculture Reorganization Act of 1994 (7 U.S.C.
8 7014(b)(6)(B)) is amended by striking “Research,
9 Education, and Extension Office” and inserting “Of-
10 fice of the Chief Scientist”.

11 **SEC. 12411. TRADE AND FOREIGN AGRICULTURAL AFFAIRS.**

12 The Department of Agriculture Reorganization Act
13 of 1994 is amended—

14 (1) by redesignating subtitle J (7 U.S.C. 7011
15 et seq.) as subtitle K; and

16 (2) by inserting after subtitle I (7 U.S.C. 7005
17 et seq.) the following:

18 **“Subtitle J—Trade and Foreign**
19 **Agricultural Affairs**

20 **“SEC. 287. UNDER SECRETARY OF AGRICULTURE FOR**
21 **TRADE AND FOREIGN AGRICULTURAL AF-**
22 **FAIRS.**

23 “(a) ESTABLISHMENT.—There is established in the
24 Department the position of Under Secretary of Agri-
25 culture for Trade and Foreign Agricultural Affairs.

1 “(b) APPOINTMENT.—The Under Secretary of Agri-
2 culture for Trade and Foreign Agricultural Affairs shall
3 be appointed by the President, by and with the advice and
4 consent of the Senate.

5 “(c) FUNCTIONS.—

6 “(1) PRINCIPAL FUNCTIONS.—The Secretary
7 shall delegate to the Under Secretary of Agriculture
8 for Trade and Foreign Agricultural Affairs those
9 functions and duties under the jurisdiction of the
10 Department that are related to trade and foreign ag-
11 ricultural affairs.

12 “(2) ADDITIONAL FUNCTIONS.—The Under
13 Secretary of Agriculture for Trade and Foreign Ag-
14 ricultural Affairs shall perform such other functions
15 and duties as may be—

16 “(A) required by law; or

17 “(B) prescribed by the Secretary.”.

18 **SEC. 12412. REPEALS.**

19 (a) DEPARTMENT OF AGRICULTURE REORGANIZA-
20 TION ACT OF 1994.—The following provisions of the De-
21 partment of Agriculture Reorganization Act of 1994 are
22 repealed:

23 (1) Section 211 (7 U.S.C. 6911).

24 (2) Section 213 (7 U.S.C. 6913).

25 (3) Section 214 (7 U.S.C. 6914).

1 (4) Section 217 (7 U.S.C. 6917).

2 (5) Section 247 (7 U.S.C. 6963).

3 (6) Section 252 (7 U.S.C. 6972).

4 (7) Section 295 (7 U.S.C. 7013).

5 (b) OTHER PROVISION.—Section 3208 of the Agri-
6 cultural Act of 2014 (7 U.S.C. 6935) is repealed.

7 **SEC. 12413. TECHNICAL CORRECTIONS.**

8 (a) OFFICE OF RISK MANAGEMENT.—Section
9 226A(a) of the Department of Agriculture Reorganization
10 Act of 1994 (7 U.S.C. 6933(a)) is amended by striking
11 “Subject to subsection (e), the Secretary” and inserting
12 “The Secretary”.

13 (b) CORRECTION OF ERROR.—

14 (1) ASSISTANT SECRETARIES OF AGRICULTURE.—Section 218 of the Department of Agri-
15 CULTURE.—Section 218 of the Department of Agri-
16 culture Reorganization Act of 1994 (7 U.S.C. 6918)
17 (as in effect on the day before the effective date of
18 the amendments made by section 2(a)(1) of the
19 Presidential Appointment Efficiency and Stream-
20 lining Act of 2011 (Public Law 112–166; 126 Stat.
21 1283, 1295)) is amended by striking “Senate.” in
22 subsection (b) and all that follows through “respon-
23 sibility for—” in the matter preceding paragraph (1)
24 of subsection (d) and inserting the following: “Sen-
25 ate.

1 “(c) DUTIES OF ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS.—The Secretary may delegate to the Assistant Secretary for Civil Rights responsibility for—”.

2 (2) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect on the effective date described in section 6(a) of the Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112–166; 126 Stat. 1295).

10 **SEC. 12414. EFFECT OF SUBTITLE.**

11 (a) EFFECTIVE DATE.—Except as provided in sections 12407(a)(1)(B) and 12413(b)(2), this subtitle and the amendments made by this subtitle take effect on the date of enactment of this Act.

12 (b) SAVINGS CLAUSE.—Nothing in this subtitle or an amendment made by this subtitle affects—

13 (1) the authority of the Secretary to continue to carry out a function vested in, and performed by, the Secretary as of the date of enactment of this Act; or

14 (2) the authority of an agency, office, officer, or employee of the Department of Agriculture to continue to perform all functions delegated or assigned to the agency, office, officer, or employee as of the date of enactment of this Act.

1 **SEC. 12415. TERMINATION OF AUTHORITY.**

2 Section 296(b) of the Department of Agriculture Re-
3 organization Act of 1994 (7 U.S.C. 7014(b)) is amended
4 by adding at the end the following:

5 “(9) The authority of the Secretary to carry out
6 the amendments made to this title by the Agri-
7 culture Improvement Act of 2018.”

8 **Subtitle E—Other Miscellaneous**
9 **Provisions**

10 **SEC. 12501. ACER ACCESS AND DEVELOPMENT PROGRAM.**

11 Section 12306(f) of the Agricultural Act of 2014 (7
12 U.S.C. 1632c(f)) is amended by striking “2018” and in-
13 serting “2023”.

14 **SEC. 12502. SOUTH CAROLINA INCLUSION IN VIRGINIA/
15 CAROLINA PEANUT PRODUCING REGION.**

16 Section 1308(c)(2)(B)(iii) of the Farm Security and
17 Rural Investment Act of 2002 (7 U.S.C.
18 7958(c)(2)(B)(iii)) is amended by striking “Virginia and
19 North Carolina” and inserting “Virginia, North Carolina,
20 and South Carolina”.

21 **SEC. 12503. PET AND WOMEN SAFETY.**

22 (a) PET INVOLVEMENT IN CRIMES RELATED TO DO-
23 MESTIC VIOLENCE AND STALKING.—

24 (1) INTERSTATE STALKING.—Section 2261A of
25 title 18, United States Code, is amended—

26 (A) in paragraph (1)(A)—

1 (i) in clause (ii), by striking “or” at
2 the end; and

3 (ii) by inserting after clause (iii) the
4 following:

5 “(iv) the pet of that person; or”; and
6 (B) in paragraph (2)(A)—

7 (i) by inserting after “to a person”
8 the following: “or a pet”; and

9 (ii) by striking “or (iii)” and inserting
10 “(iii), or (iv)”.

11 (2) INTERSTATE VIOLATION OF PROTECTION
12 ORDER.—Section 2262 of title 18, United States
13 Code, is amended—

14 (A) in subsection (a)—

15 (i) in paragraph (1), by inserting after
16 “another person” the following: “or the pet
17 of that person”; and

18 (ii) in paragraph (2), by inserting
19 after “proximity to, another person” the
20 following “or the pet of that person”; and

21 (B) in subsection (b)(5), by inserting after
22 “in any other case,” the following: “including
23 any case in which the offense is committed
24 against a pet,”.

1 (3) RESTITUTION TO INCLUDE VETERINARY
2 SERVICES.—Section 2264 of title 18, United States
3 Code, is amended in subsection (b)(3)—

4 (A) by redesignating subparagraph (F) as
5 subparagraph (G);

6 (B) in subparagraph (E), by striking
7 “and” at the end; and

8 (C) by inserting after subparagraph (E)
9 the following:

10 “(F) veterinary services relating to phys-
11 ical care for the victim’s pet; and”.

12 (4) PET DEFINED.—Section 2266 of title 18,
13 United States Code, is amended by inserting after
14 paragraph (10) the following:

15 “(11) PET.—The term ‘pet’ means a domes-
16 ticated animal, such as a dog, cat, bird, rodent, fish,
17 turtle, horse, or other animal that is kept for pleas-
18 ure rather than for commercial purposes.”.

19 (b) EMERGENCY AND TRANSITIONAL PET SHELTER
20 AND HOUSING ASSISTANCE GRANT PROGRAM.—

21 (1) IN GENERAL.—The Secretary, acting in
22 consultation with the Office of the Violence Against
23 Women of the Department of Justice, the Secretary
24 of Housing and Urban Development, and the Sec-
25 retary of Health and Human Services, shall award

1 grants under this subsection to eligible entities to
2 carry out programs to provide the assistance de-
3 scribed in paragraph (3) with respect to victims of
4 domestic violence, dating violence, sexual assault, or
5 stalking and the pets of such victims.

6 (2) APPLICATION.—

7 (A) IN GENERAL.—An eligible entity seek-
8 ing a grant under this subsection shall submit
9 an application to the Secretary at such time, in
10 such manner, and containing such information
11 as the Secretary may reasonably require, in-
12 cluding—

13 (i) a description of the activities for
14 which a grant under this subsection is
15 sought;

16 (ii) such assurances as the Secretary
17 determines to be necessary to ensure com-
18 pliance by the entity with the requirements
19 of this subsection; and

20 (iii) a certification that the entity, be-
21 fore engaging with any individual domestic
22 violence victim, will disclose to the victim
23 any mandatory duty of the entity to report
24 instances of abuse and neglect (including
25 instances of abuse and neglect of pets).

1 (B) ADDITIONAL REQUIREMENTS.—In ad-
2 dition to the requirements of subparagraph (A),
3 each application submitted by an eligible entity
4 under that subparagraph shall—

5 (i) not include proposals for any ac-
6 tivities that may compromise the safety of
7 a domestic violence victim, including—

8 (I) background checks of domes-
9 tic violence victims; or

10 (II) clinical evaluations to deter-
11 mine the eligibility of such a victim
12 for support services;

13 (ii) not include proposals that would
14 require mandatory services for victims or
15 that a victim obtain a protective order in
16 order to receive proposed services; and

17 (iii) reflect the eligible entity's under-
18 standing of the dynamics of domestic vio-
19 lence, dating violence, sexual assault, or
20 stalking.

21 (C) RULES OF CONSTRUCTION.—Nothing
22 in this paragraph shall be construed to re-
23 quire—

1 (i) domestic violence victims to par-
2 ticipate in the criminal justice system in
3 order to receive services; or

4 (ii) eligible entities receiving a grant
5 under this subsection to breach client con-
6 fidentiality.

7 (3) USE OF FUNDS.—Grants awarded under
8 this subsection may only be used for programs that
9 provide—

10 (A) emergency and transitional shelter and
11 housing assistance for domestic violence victims
12 with pets, including assistance with respect to
13 any construction or operating expenses of newly
14 developed or existing emergency and transi-
15 tional pet shelter and housing (regardless of
16 whether such shelter and housing is co-located
17 at a victim service provider or within the com-
18 munity);

19 (B) short-term shelter and housing assist-
20 ance for domestic violence victims with pets, in-
21 cluding assistance with respect to expenses in-
22 curred for the temporary shelter, housing,
23 boarding, or fostering of the pets of domestic
24 violence victims and other expenses that are in-
25 cidental to securing the safety of such a pet

1 during the sheltering, housing, or relocation of
2 such victims;

3 (C) support services designed to enable a
4 domestic violence victim who is fleeing a situa-
5 tion of domestic violence, dating violence, sexual
6 assault, or stalking to—

7 (i) locate and secure—

8 (I) safe housing with the victim's
9 pet; or

10 (II) safe accommodations for the
11 victim's pet; or

12 (ii) provide the victim with pet-related
13 services, such as pet transportation, pet
14 care services, and other assistance; or

15 (D) for the training of relevant stake-
16 holders on—

17 (i) the link between domestic violence,
18 dating violence, sexual assault, or stalking
19 and the abuse and neglect of pets;

20 (ii) the needs of domestic violence vic-
21 tims;

22 (iii) best practices for providing sup-
23 port services to such victims;

1 (iv) best practices for providing such
2 victims with referrals to victims' services;
3 and

4 (v) the importance of confidentiality.

5 (4) GRANT CONDITIONS.—An eligible entity
6 that receives a grant under this subsection shall, as
7 a condition of such receipt, agree—

8 (A) to be bound by the nondisclosure of
9 confidential information requirements of section
10 40002(b)(2) of the Violence Against Women
11 Act of 1994 (34 U.S.C. 12291(b)(2)); and

12 (B) that the entity shall not condition the
13 receipt of support, housing, or other benefits
14 provided pursuant to this subsection on the par-
15 ticipation of domestic violence victims in any or
16 all of the support services offered to such vic-
17 tims through a program carried out by the enti-
18 ty using grant funds.

19 (5) DURATION OF ASSISTANCE PROVIDED TO
20 VICTIMS.—

21 (A) IN GENERAL.—Subject to subpara-
22 graph (B), assistance provided with respect to
23 a pet of a domestic violence victim using grant
24 funds awarded under this subsection shall be

1 provided for a period of not more than 24
2 months.

3 (B) EXTENSION.—An eligible entity that
4 receives a grant under this subsection may ex-
5 tend the 24-month period referred to in sub-
6 paragraph (A) for a period of not more than 6
7 months in the case of a domestic violence victim
8 who—

9 (i) has made a good faith effort to ac-
10 quire permanent housing for the victim's
11 pet during that 24-month period; and

12 (ii) has been unable to acquire such
13 permanent housing within that period.

14 (6) REPORT TO THE SECRETARY.—Not later
15 than 1 year after the date on which an eligible entity
16 receives a grant under this subsection and each year
17 thereafter, the entity shall submit to the Secretary
18 a report that contains, with respect to assistance
19 provided by the entity to domestic violence victims
20 with pets using grant funds received under this sub-
21 section, information on—

22 (A) the number of domestic violence vic-
23 tims with pets provided such assistance; and

24 (B) the purpose, amount, type of, and du-
25 ration of such assistance.

1 (7) REPORT TO CONGRESS.—

2 (A) REPORTING REQUIREMENT.—Not later
3 than November 1 of each even-numbered fiscal
4 year, the Secretary shall submit to the Com-
5 mittee on Agriculture of the House of Rep-
6 resentatives and the Committee on Agriculture,
7 Nutrition, and Forestry of the Senate a report
8 that contains a compilation of the information
9 contained in the reports submitted under para-
10 graph (6).

11 (B) AVAILABILITY OF REPORT.—The Sec-
12 retary shall transmit a copy of the report sub-
13 mitted under subparagraph (A) to—

14 (i) the Office on Violence Against
15 Women of the Department of Justice;

16 (ii) the Office of Community Planning
17 and Development of the Department of
18 Housing and Urban Development; and

19 (iii) the Administration for Children
20 and Families of the Department of Health
21 and Human Services.

22 (8) AUTHORIZATION OF APPROPRIATIONS.—

23 (A) IN GENERAL.—There are authorized to
24 be appropriated to carry out this subsection

1 (II) a domestic violence and sex-
2 ual assault coalition;

3 (III) a community-based and cul-
4 turally specific organization;

5 (IV) any other nonprofit, non-
6 governmental organization; and

7 (V) any organization that works
8 directly with pets and collaborates
9 with any organization referred to in
10 clauses (i) through (iv), including—

11 (aa) an animal shelter; and

12 (bb) an animal welfare orga-
13 nization.

14 (C) PET.—The term “pet” means a do-
15 mesticated animal, such as a dog, cat, bird, ro-
16 dent, fish, turtle, horse, or other animal that is
17 kept for pleasure rather than for commercial
18 purposes.

19 (D) OTHER TERMS.—Except as otherwise
20 provided in this subsection, terms used in this
21 section shall have the meaning given such terms
22 in section 40002(a) of the Violence Against
23 Women Act of 1994 (34 U.S.C. 12291(a)).

24 (e) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that States should encourage the inclusion of protec-

1 tions against violent or threatening acts against the pet
2 of a person in domestic violence protection orders.

3 **SEC. 12504. DATA ON CONSERVATION PRACTICES.**

4 Subtitle E of title XII of the Food Security Act of
5 1985 (16 U.S.C. 3841 et seq.) is amended by adding at
6 the end the following:

7 **“SEC. 1247. DATA ON CONSERVATION PRACTICES.**

8 “(a) **PURPOSE.**—The purpose of this section is to in-
9 crease the knowledge of how covered conservation prac-
10 tices or suites of covered conservation practices impact
11 farm and ranch profitability (such as crop yields, soil
12 health, and other risk-reducing factors) by using an appro-
13 priate collection, review, and analysis of data.

14 “(b) **DEFINITIONS.**—In this section:

15 “(1) **COVERED CONSERVATION PRACTICE.**—The
16 term ‘covered conservation practice’ means a con-
17 servation practice—

18 “(A) that is approved and supported by
19 the Department; and

20 “(B) for which the Department has devel-
21 oped 1 or more practice standards.

22 “(2) **DEPARTMENT.**—The term ‘Department’
23 means the Department of Agriculture.

24 “(3) **PRIVACY AND CONFIDENTIALITY REQUIRE-**
25 **MENTS.**—

1 “(A) IN GENERAL.—The term ‘privacy and
2 confidentiality requirements’ means all laws ap-
3 plicable to the Department and the agencies of
4 the Department that protect data provided to,
5 or collected by, the agencies of the Department
6 from being disclosed to the public in any man-
7 ner except as authorized by those laws.

8 “(B) INCLUSIONS.—The term ‘privacy and
9 confidentiality requirements’ includes—

10 “(i) sections 552 and 552a of title 5,
11 United States Code;

12 “(ii) section 502(c) of the Federal
13 Crop Insurance Act (7 U.S.C. 1502(c));

14 “(iii) section 1770 of the Food Secu-
15 rity Act of 1985 (7 U.S.C. 2276);

16 “(iv) section 1619 of the Food, Con-
17 servation, and Energy Act of 2008 (7
18 U.S.C. 8791); and

19 “(v) the Confidential Information Pro-
20 tection and Statistical Efficiency Act of
21 2002 (44 U.S.C. 3501 note; Public Law
22 107–347).

23 “(c) DATA COLLECTION, REVIEW, ANALYSIS, AND
24 TECHNICAL ASSISTANCE.—

1 “(1) IN GENERAL.—Subject to applicable pri-
2 vacy and confidentiality requirements, the Secretary
3 shall—

4 “(A) not less frequently than annually, re-
5 view and publish a summary of existing re-
6 search of the Department, institutions of higher
7 education, and other organizations relating to
8 the impacts of covered conservation practices
9 that relate to crop yields, soil health, risk, and
10 farm and ranch profitability;

11 “(B) identify current data pertaining to
12 the impacts of covered conservation practices
13 that relate to crop yields, soil health, risk, and
14 farm and ranch profitability collected by the
15 Department, including—

16 “(i) the Farm Service Agency;

17 “(ii) the Risk Management Agency;

18 “(iii) the Natural Resources Con-
19 servation Service;

20 “(iv) the National Agricultural Statis-
21 tics Service;

22 “(v) the Economic Research Service;

23 and

24 “(vi) any other relevant agency, as de-
25 termined by the Secretary;

1 “(C) collect additional data specifically
2 pertaining to the impacts of covered conserva-
3 tion practices that relate to crop yields, soil
4 health, risk, and farm and ranch profitability
5 necessary to achieve the purpose described in
6 subsection (a), on the condition that a producer
7 shall not be compelled or required to provide
8 that data;

9 “(D) ensure that data identified or col-
10 lected under subparagraph (B) or (C), respec-
11 tively, are collected in a compatible format at
12 the field- and farm-level;

13 “(E) improve the interoperability of the
14 data collected by the Department for the pur-
15 poses of this section;

16 “(F) in carrying out subparagraph (C),
17 use existing authorities and procedures of the
18 National Agricultural Statistics Service to allow
19 producers to voluntarily provide supplemental
20 data that may be useful in analyzing the im-
21 pacts of covered conservation practices relating
22 to crop yields, soil health, risk, and farm and
23 ranch profitability using the least burdensome
24 means to collect that data, such as through vol-
25 untary producer surveys;

1 “(G) integrate and analyze the data identi-
2 fied or collected under this subsection to con-
3 sider the impacts of covered conservation prac-
4 tices relating to crop yields, soil health, risk,
5 and farm and ranch profitability;

6 “(H) acting through the Administrator of
7 the Risk Management Agency, in coordination
8 with the Administrator of the Farm Service
9 Agency and the Chief of the Natural Resources
10 Conservation Service—

11 “(i) research and analyze how yield
12 variability and risk are affected by dif-
13 ferent soil types for major crops;

14 “(ii) research and analyze how yield
15 variability and risk for different soil types
16 are affected by individual, or combinations
17 of, agricultural management practices, in-
18 cluding cover crops, no-till farming, adapt-
19 ive nitrogen management, skip-row plant-
20 ing, and crop rotation for major crops; and

21 “(iii) not later than 2 years after the
22 date of enactment of this section, publish
23 the findings of the research under clauses
24 (i) and (ii);

1 “(I) to the extent practicable, integrate,
2 collate, and link data identified under this sub-
3 section with other external data sources that in-
4 clude crop yields, soil health, and conservation
5 practices, ensuring that all privacy and con-
6 fidentiality requirements are implemented to
7 protect all data subject to the privacy and con-
8 fidentiality requirements;

9 “(J) not later than 2 years after the date
10 of enactment of this section—

11 “(i) establish a conservation and farm
12 productivity data warehouse that contains
13 the data identified or collected under sub-
14 paragraph (B) or (C), respectively, in a
15 form authorized under the privacy and
16 confidentiality requirements applicable to
17 each agency of the Department that con-
18 tributes data to the data warehouse; and

19 “(ii) allow access to the data ware-
20 house established under clause (i) by an
21 academic institution or researcher, if the
22 academic institution or researcher has
23 complied with all requirements of the Na-
24 tional Agricultural Statistics Service under
25 section 1770 of the Food Security Act of

1 1985 (7 U.S.C. 2276) relating to the shar-
2 ing of data of the Natural Agricultural
3 Statistics Service; and

4 “(K) not less frequently than annually,
5 and, if practicable, more frequently than annu-
6 ally, disseminate the results of the research and
7 analysis obtained through carrying out this sec-
8 tion that demonstrate the impacts of covered
9 conservation practices on crop yields, soil
10 health, risk, and farm and ranch profitability in
11 an aggregate manner that protects individual
12 producer data and makes the results of the re-
13 search and analysis easily used and imple-
14 mented by producers and other stakeholders.

15 “(2) PROCEDURES TO PROTECT INTEGRITY AND
16 CONFIDENTIALITY.—

17 “(A) IN GENERAL.—Before providing ac-
18 cess to any data under paragraph (1), the Sec-
19 retary shall establish procedures to protect the
20 integrity and confidentiality of any data identi-
21 fied, collected, or warehoused under this sec-
22 tion.

23 “(B) REQUIREMENTS.—Procedures under
24 subparagraph (A) shall—

1 “(i) ensure that any research or anal-
2 ysis published or disseminated by any per-
3 son with access to the data identified, col-
4 lected, or warehoused under this section
5 complies with all applicable privacy and
6 confidentiality requirements relating to
7 that data; and

8 “(ii) limit access to data to only indi-
9 viduals specifically authorized to access the
10 data by the Secretary.

11 “(3) ADMINISTRATION.—The Secretary shall
12 carry out paragraph (1) using—

13 “(A) authorities available to the Secretary
14 under other applicable laws; and

15 “(B) funds otherwise made available to the
16 Secretary.

17 “(4) EFFECT.—

18 “(A) COMBINATION OF DATA.—The com-
19 bination of data protected from disclosure
20 under the privacy and confidentiality require-
21 ments with data covered by lesser protections or
22 no protections in the data warehouse estab-
23 lished under paragraph (1)(J)(i) shall not mod-
24 ify or otherwise affect the privacy and confiden-
25 tiality requirements that protect the data.

1 “(B) PROTECTIONS FROM RELEASE.—

2 Data provided by an agency of the Department
3 under this section shall continue to be covered
4 by the same protections from release as if that
5 data were in the possession of the agency.

6 “(d) PRODUCER TOOLS.—

7 “(1) IN GENERAL.—Not later than 3 years
8 after the date of enactment of this section, the Sec-
9 retary shall provide technical assistance, including
10 through internet-based tools, based on the analysis
11 conducted in carrying out this section and other
12 sources of relevant data, to assist producers in im-
13 proving sustainable production practices that in-
14 crease yields and enhance environmental outcomes.

15 “(2) INTERNET-BASED TOOLS.—Internet-based
16 tools described in paragraph (1) shall provide to pro-
17 ducers, to the maximum extent practicable—

18 “(A) confidential data specific to each
19 farm or ranch of the producer; and

20 “(B) general data relating to the impacts
21 of covered conservation practices on crop yields,
22 soil health, risk, and farm and ranch profit-
23 ability.

24 “(e) LIMITATION.—Nothing in this section mandates
25 the submission of information by a producer that is not

1 already required for another purpose under a program of
2 the Department.

3 “(f) REPORTING.—Not later than 1 year after the
4 date of enactment of this section, and each year there-
5 after, the Secretary shall submit to the Committee on Ag-
6 riculture of the House of Representatives and the Com-
7 mittee on Agriculture, Nutrition, and Forestry of the Sen-
8 ate a report that includes—

9 “(1) a summary of the analysis conducted
10 under this section;

11 “(2) the number and regions of producers that
12 voluntarily submitted information under subpara-
13 graphs (C) and (F) of subsection (c)(1);

14 “(3) a description of any additional or new ac-
15 tivities planned to be conducted under this section in
16 the next fiscal year, including—

17 “(A) research relating to any additional
18 conservation practices;

19 “(B) any new types of data to be collected;

20 “(C) any improved or streamlined data col-
21 lection efforts associated with this section; and

22 “(D) any new research projects; and

23 “(4) in the case of the first 2 reports submitted
24 under this subsection, a description of the current

1 status of the implementation of activities under sub-
2 section (c).”.

3 **SEC. 12505. MARKETING ORDERS.**

4 Section 8e(a) of the Agricultural Adjustment Act (7
5 U.S.C. 608e–1(a)), reenacted with amendments by the Ag-
6 ricultural Marketing Agreement Act of 1937, is amended
7 by inserting “cherries, pecans,” after “walnuts,”.

8 **SEC. 12506. STUDY ON FOOD WASTE.**

9 (a) DEFINITION OF FOOD WASTE.—In this section,
10 the term “food waste” means food waste that occurs—

- 11 (1) on the farm and ranch production level; and
12 (2) before and after the harvest period.

13 (b) STUDY.—The Secretary shall conduct a study to
14 evaluate and determine—

- 15 (1) methods of measuring food waste;
16 (2) standards for the volume of food waste; and
17 (3) factors that create food waste.

18 (c) INITIAL REPORT.—Not later than 1 year after the
19 date of enactment of this Act, the Secretary shall submit
20 a report that describes the results of the study conducted
21 under subsection (b) to the Committee on Agriculture of
22 the House of Representatives and the Committee on Agri-
23 culture, Nutrition, and Forestry of the Senate.

24 (d) ANNUAL REPORT.—Not later than 1 year after
25 the date of submission of the report under subsection (c),

1 the Secretary 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 that describes—

5 (1) an estimate of the quantity of food waste
6 during the 1-year period ending on the date of sub-
7 mission of the report under subsection (e); and

8 (2) the best practices or other recommendations
9 that the Secretary, producers, or other stakeholders
10 may consider to reduce food waste.

11 **SEC. 12507. REPORT ON BUSINESS CENTERS.**

12 (a) IN GENERAL.—Not later than 365 days after the
13 date of enactment of this Act, the Comptroller General
14 of the United States shall submit to the Committee on
15 Agriculture of the House of Representatives and the Com-
16 mittee on Agriculture, Nutrition, and Forestry of the Sen-
17 ate a report evaluating each business center established
18 in the Department of Agriculture.

19 (b) INCLUSIONS.—The report under subsection (a)
20 shall include—

21 (1) an examination of the effectiveness of each
22 business center in carrying out its mission, including
23 any recommendations to improve the operation of
24 and function of any of those business centers; and

25 (2) an evaluation of—

1 (A) the impact the business centers have
2 on customer service of the Department of Agri-
3 culture;

4 (B) the impact on the annual budget for
5 agencies the budget offices of which have been
6 relocated to the business center, and the effec-
7 tiveness of funds used to support the business
8 centers, including an accounting of all discre-
9 tionary and mandatory funding provided to the
10 business center for conservation and farm serv-
11 ices from—

12 (i) the Natural Resources Conserva-
13 tion Service;

14 (ii) the Farm Service Agency; and

15 (iii) the Risk Management Agency;

16 (C) funding described in subparagraph (B)
17 spent on information technology moderniza-
18 tions;

19 (D) the impact that the business centers
20 have had on the human resources of the De-
21 partment of Agriculture, including hiring;

22 (E) any concerns or problems with the
23 business centers; and

1 (F) any positive or negative impact that
2 the business centers have had on the
3 functionality of the Department of Agriculture.

4 **SEC. 12508. INFORMATION TECHNOLOGY MODERNIZATION.**

5 (a) IN GENERAL.—The Comptroller General of the
6 United States (referred to in this section as the “Comp-
7 troller General”) shall examine efforts of the Department
8 of Agriculture —

9 (1) relating to information technology for the
10 business center established by the Secretary for the
11 farm production and conservation activities of the
12 Department of Agriculture; and

13 (2) to modernize or otherwise improve informa-
14 tion technology for—

15 (A) the Centers of Excellence of the De-
16 partment of Agriculture; and

17 (B) other major information technology
18 projects of the Department of Agriculture that
19 have the potential to impact the ability of the
20 Department of Agriculture to serve farmers,
21 ranchers, and families.

22 (b) REPORTS.—

23 (1) INITIAL REPORT.—Not later than 180 days
24 after the date of enactment of this Act, the Comp-
25 troller General shall submit to the Committee on Ag-

1 riculture of the House of Representatives and the
2 Committee on Agriculture, Nutrition, and Forestry
3 of the Senate an initial report or a detailed briefing
4 on the efforts examined under subsection (a), includ-
5 ing—

6 (A) a detailed description of each ongoing
7 or planned information technology moderniza-
8 tion project and investment in information tech-
9 nology at the Department of Agriculture de-
10 scribed in paragraph (1) or (2) of subsection
11 (a) (referred to in this subsection as a “project
12 or investment”);

13 (B) the justification of the Secretary for
14 each project or investment;

15 (C) a description of whether a cost-benefit
16 analysis was completed for each project or in-
17 vestment identifying savings that will be
18 achieved through the completion of the project
19 or investment; and

20 (D) a description of any concerns about
21 the projects or investments or recommendations
22 for improving the projects or investments.

23 (2) UPDATES.—In carrying out paragraph (1),
24 the Comptroller General shall provide to the Com-
25 mittee on Agriculture of the House of Representa-

1 tives and the Committee on Agriculture, Nutrition,
2 and Forestry of the Senate regular briefings to give
3 status updates.

4 (3) COMPREHENSIVE REPORT.—Not later than
5 2 years after the date of enactment of this Act, the
6 Comptroller General shall submit to the Committee
7 on Agriculture of the House of Representatives and
8 the Committee on Agriculture, Nutrition, and For-
9 estry of the Senate a comprehensive report that re-
10 views each project or investment, including—

11 (A) a review of any contract awards or
12 contracting activities;

13 (B) a description of any problems or inad-
14 equacies in the projects and investments; and

15 (C) any recommendations for improving
16 the projects and investments.

17 **SEC. 12509. REPORT ON PERSONNEL.**

18 For the period of fiscal years 2019 through 2023, the
19 Secretary shall submit to the Committee on Agriculture
20 of the House of Representatives and the Committee on
21 Agriculture, Nutrition, and Forestry of the Senate a bian-
22 nual report describing the number of staff years and em-
23 ployees of each agency of the Department of Agriculture.

1 **SEC. 12510. REPORT ON ABSENT LANDLORDS.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of enactment of this Act, the Secretary shall submit
4 to Congress a report describing the effects of absent land-
5 lords on the long-term economic health of agricultural pro-
6 duction, including the effect of absent landlords on—

- 7 (1) land valuation;
8 (2) soil health; and
9 (3) the economic stability of rural communities.

10 (b) CONTENTS.—The report under subsection (a)
11 shall include—

12 (1) a description of the positive and negative ef-
13 fects of an absent landlord on the land owned by the
14 landlord, including—

15 (A) the effect of an absent landlord on the
16 long-term value of the land; and

17 (B) the environmental and economic im-
18 pact of an absent landlord on the surrounding
19 community; and

20 (2) recommendations to policymakers con-
21 cerning how to mitigate those effects when nec-
22 essary.

1 **SEC. 12511. RESTRICTION ON USE OF CERTAIN POISONS**
2 **FOR PREDATOR CONTROL.**

3 (a) PURPOSE.—The purpose of this section is to re-
4 strict the use of sodium cyanide to kill predatory animals
5 given the risks posed by sodium cyanide to—

- 6 (1) public safety;
- 7 (2) national security;
- 8 (3) the environment; and
- 9 (4) persons and other animals that come into
10 accidental contact with sodium cyanide.

11 (b) PROHIBITION.—The Secretary shall use sodium
12 cyanide in a predator control device described in sub-
13 section (c) only in accordance with Wildlife Services Direc-
14 tive Number 2.415 of the Animal and Plant Health In-
15 spection Service, dated February 27, 2018, and the imple-
16 mentation guidelines attached to that Directive.

17 (c) PREDATOR CONTROL DEVICE DESCRIBED.—A
18 predator control device referred to in subsection (b) is—

- 19 (1) a dispenser designed to propel sodium cya-
20 nide when activated by an animal;
- 21 (2) a gas cartridge or other pyrotechnic device
22 designed to emit sodium cyanide fumes; and
- 23 (3) any other means of dispensing sodium cya-
24 nide, including in the form of capsules, for wildlife
25 management or other animal control purposes.

1 **Subtitle F—General Provisions**

2 **SEC. 12601. EXPEDITED EXPORTATION OF CERTAIN SPE-** 3 **CIES.**

4 (a) **IN GENERAL.**—Not later than 180 days after the
5 date of enactment of this Act, the Director of the United
6 States Fish and Wildlife Service (referred to in this sec-
7 tion as the “Director”) shall issue a proposed rule to
8 amend section 14.92 of title 50, Code of Federal Regula-
9 tions, to establish expedited procedures relating to the ex-
10 port permission requirements of section 9(d)(1) of the En-
11 dangered Species Act of 1973 (16 U.S.C. 1538(d)(1)) for
12 fish or wildlife described in subsection (c).

13 (b) **EXEMPTIONS.**—

14 (1) **IN GENERAL.**—As part of the rulemaking
15 under subsection (a), subject to paragraph (2), the
16 Director may provide an exemption from the re-
17 quirement to procure—

18 (A) permission under section 9(d)(1) of the
19 Endangered Species Act of 1973 (16 U.S.C.
20 1538(d)(1)); or

21 (B) an export license under subpart I of
22 part 14 of title 50, Code of Federal Regula-
23 tions.

24 (2) **LIMITATIONS.**—The Director shall not pro-
25 vide an exemption under paragraph (1)—

1 (A) unless the Director determines that
2 the exemption will not have a negative impact
3 on the conservation of the species that is the
4 subject of the exemption; or

5 (B) to an entity that has been convicted of
6 a violation of a Federal law relating to the im-
7 portation, transportation, or exportation of
8 wildlife during a period of not less than 5 years
9 ending on the date on which the entity applies
10 for exemption under paragraph (1).

11 (c) COVERED FISH OR WILDLIFE.—The fish or wild-
12 life referred to in subsection (a) are the species commonly
13 known as sea urchins and sea cucumbers (including any
14 product of a sea urchin or sea cucumber) that—

15 (1) do not require a permit under part 16, 17,
16 or 23 of title 50, Code of Federal Regulations;

17 (2) are harvested in waters under the jurisdic-
18 tion of the United States; and

19 (3) are exported for purposes of human or ani-
20 mal consumption.

21 **SEC. 12602. BAITING OF MIGRATORY GAME BIRDS.**

22 (a) DEFINITIONS.—In this section:

23 (1) NORMAL AGRICULTURAL OPERATION.—The
24 term “normal agricultural operation” has the mean-
25 ing given the term in section 20.11 of title 50, Code

1 of Federal Regulations (as in effect on the date of
2 enactment of this Act).

3 (2) POST-DISASTER FLOODING.—The term
4 “post-disaster flooding” means the destruction of a
5 crop through flooding in accordance with practices
6 required by the Federal Crop Insurance Corporation
7 for agricultural producers to obtain crop insurance
8 under the Federal Crop Insurance Act (7 U.S.C.
9 1501 et seq.) on land on which a crop was not har-
10 vestable due to a natural disaster (including any
11 hurricane, storm, tornado, flood, high water, wind-
12 driven water, tidal wave, tsunami, earthquake, vol-
13 canic eruption, landslide, mudslide, drought, fire,
14 snowstorm, or other catastrophe that is declared a
15 major disaster by the President in accordance with
16 section 401 of the Robert T. Stafford Disaster Relief
17 and Emergency Assistance Act (42 U.S.C. 5170)) in
18 the crop year—

19 (A) in which the natural disaster occurred;

20 or

21 (B) immediately preceding the crop year in
22 which the natural disaster occurred.

23 (3) RICE RATOONING.—The term “rice
24 ratooning” means the agricultural practice of har-
25 vesting rice by cutting the majority of the above-

1 ground portion of the rice plant but leaving the roots
2 and growing shoot apices intact to allow the plant to
3 recover and produce a second crop yield.

4 (b) REGULATIONS TO EXCLUDE RICE RATOONING
5 AND POST-DISASTER FLOODING.—Not later than 30 days
6 after the date of enactment of this Act, the Secretary of
7 the Interior, in consultation with the Secretary of Agri-
8 culture, shall revise part 20 of title 50, Code of Federal
9 Regulations, to clarify that rice ratooning and post-dis-
10 aster flooding, when carried out as part of a normal agri-
11 cultural operation, do not constitute baiting.

12 (c) REPORTS.—Not less frequently than once each
13 year, the Secretary of Agriculture shall—

14 (1) submit to the Secretary of the Interior a re-
15 port that describes any changes to normal agricul-
16 tural operations across the range of crops grown by
17 agricultural producers in each region of the United
18 States in which the official recommendations de-
19 scribed in section 20.11(h) of title 50, Code of Fed-
20 eral Regulations (as in effect on the date of enact-
21 ment of this Act), are provided to agricultural pro-
22 ducers; and

23 (2) in consultation with the Secretary of the In-
24 terior and after seeking input from the heads of
25 State departments of fish and wildlife or the Re-

1 regional Migratory Bird Flyway Councils of the
2 United States Fish and Wildlife Service, publicly
3 post a report on the impact that rice ratooning and
4 post-disaster flooding have on the behavior of migra-
5 tory game birds that are hunted in the area in which
6 rice ratooning and post-disaster flooding, respec-
7 tively, have occurred.

8 **SEC. 12603. PIMA AGRICULTURE COTTON TRUST FUND.**

9 Section 12314 of the Agricultural Act of 2014 (7
10 U.S.C. 2101 note; Public Law 113–79) is amended—

11 (1) by striking “2018” each place it appears
12 and inserting “2023”;

13 (2) by striking “calendar year 2013” each place
14 it appears and inserting “the prior calendar year”;

15 (3) in subsection (b)(2)—

16 (A) by redesignating subparagraphs (A)
17 and (B) as clauses (i) and (ii), respectively;

18 (B) in the matter preceding clause (i) (as
19 so redesignated), by striking “(2) Twenty-five”
20 and inserting the following:

21 “(2)(A) Except as provided in subparagraph
22 (B), twenty-five”;

23 (C) in subparagraph (A)(ii) (as so des-
24 ignated), by striking “subparagraph (A)” and
25 inserting “clause (i)”; and

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

2 “(B)(i) A yarn spinner shall not receive an
3 amount under subparagraph (A) that exceeds the
4 cost of pima cotton that—

5 “(I) was purchased during the prior cal-
6 endar year; and

7 “(II) was used in spinning any cotton
8 yarns.

9 “(ii) The Secretary shall reallocate any amounts
10 reduced by reason of the limitation under clause (i)
11 to spinners using the ratio described in subpara-
12 graph (A), disregarding production of any spinner
13 subject to that limitation.”;

14 (4) in subsection (c)—

15 (A) in the matter preceding paragraph (1),
16 by striking “(b)(2)(A)” and inserting
17 “(b)(2)(A)(i)”;

18 (B) in paragraph (2), by striking “and” at
19 the end;

20 (C) in paragraph (3), by striking the pe-
21 riod at the end and inserting “; and”; and

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

23 “(4) the dollar amount of pima cotton pur-
24 chased during the prior calendar year—

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1 “(A) that was used in spinning any cotton
2 yarns; and

3 “(B) for which the producer maintains
4 supporting documentation.”;

5 (5) in subsection (e)—

6 (A) in the matter preceding paragraph (1),
7 by striking “by the Secretary—” and inserting
8 “by the Secretary not later than March 15 of
9 the applicable calendar year.”; and

10 (B) by striking paragraphs (1) and (2);
11 and

12 (6) in subsection (f), by striking “subsection
13 (b)—” in the matter preceding paragraph (1) and
14 all that follows through “not later than” in para-
15 graph (2) and inserting “subsection (b) not later
16 than”.

17 **SEC. 12604. AGRICULTURE WOOL APPAREL MANUFACTUR-**
18 **ERS TRUST FUND.**

19 Section 12315 of the Agricultural Act of 2014 (7
20 U.S.C. 7101 note; Public Law 113–79) is amended—

21 (1) by striking “2019” each place it appears
22 and inserting “2023”;

23 (2) in subsection (b)—

24 (A) in paragraph (1)—

25 (i) in subparagraph (A)—

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1 (I) in the matter preceding clause
2 (i), by striking “the payment—” and
3 inserting “the payment, payments in
4 amounts authorized under that para-
5 graph.”; and

6 (II) by striking clauses (i) and
7 (ii); and
8 (ii) in subparagraph (B)—

9 (I) in the matter preceding clause
10 (i), by striking “4002(c)—” and in-
11 sserting “4002(c), payments in
12 amounts authorized under that para-
13 graph.”; and

14 (II) by striking clauses (i) and
15 (ii); and

16 (B) in paragraph (2), by striking “sub-
17 mitted—” in the matter preceding subpara-
18 graph (A) and all that follows through “to the
19 Secretary” in subparagraph (B) and inserting
20 “submitted to the Secretary”; and

21 (3) in subsection (c)—

22 (A) in the matter preceding paragraph (1),
23 by striking “subsection (b)—” and inserting
24 “subsection (b) not later than April 15 of the
25 year of the payment.”; and

1 (B) by striking paragraphs (1) and (2).

2 **SEC. 12605. WOOL RESEARCH AND PROMOTION.**

3 Section 12316(a) of the Agricultural Act of 2014 (7
4 U.S.C. 7101 note; Public Law 113–79) is amended by
5 striking “2015 through 2019” and inserting “2019
6 through 2023”.

7 **SEC. 12606. EMERGENCY CITRUS DISEASE RESEARCH AND**
8 **DEVELOPMENT TRUST FUND.**

9 (a) DEFINITION OF CITRUS.—In this section, the
10 term “citrus” means edible fruit of the family Rutaceae,
11 including any hybrid of that fruit and any product of that
12 hybrid that is produced for commercial purposes in the
13 United States.

14 (b) ESTABLISHMENT OF TRUST FUND.—There is es-
15 tablished in the Treasury of the United States a trust
16 fund, to be known as the “Emergency Citrus Disease Re-
17 search and Development Trust Fund” (referred to in this
18 section as the “Citrus Trust Fund”), consisting of such
19 amounts as shall be transferred to the Citrus Trust Fund
20 pursuant to subsection (d).

21 (c) DISTRIBUTION OF FUNDS.—

22 (1) IN GENERAL.—From amounts in the Citrus
23 Trust Fund, the Secretary shall make payments an-
24 nually beginning in fiscal year 2019 to—

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1 (A) entities engaged in scientific research
2 and extension activities, technical assistance, or
3 development activities to combat domestic or
4 invasive citrus diseases and pests that pose im-
5 minent harm to the United States citrus pro-
6 duction and threaten the future viability of the
7 citrus industry, including huanglongbing and
8 the Asian Citrus Psyllid; and

9 (B) entities engaged in supporting the dis-
10 semination and commercialization of relevant
11 information, techniques, or technologies discov-
12 ered under research and extension activities
13 funded through—

14 (i) the Citrus Trust Fund; or
15 (ii) other research and extension
16 projects intended to solve problems caused
17 by citrus production diseases and invasive
18 pests.

19 (2) PRIORITY.—In making payments under
20 paragraph (1), the Secretary shall give priority to
21 entities that use the payments to address the re-
22 search and extension priorities established pursuant
23 to section 1408A(g)(4) of the National Agricultural
24 Research, Extension, and Teaching Policy Act of
25 1977 (7 U.S.C. 3123a(g)(4)).

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1 (3) COORDINATION.—In determining how to
2 distribute funds under paragraph (1), the Secretary
3 shall—

4 (A) seek input from Federal and State
5 agencies and other entities involved in citrus
6 disease response; and

7 (B) take into account other public and pri-
8 vate citrus-related research and extension
9 projects and the funding for those projects.

10 (4) NONDUPLICATION.—The Secretary shall en-
11 sure that funds provided under paragraph (1) shall
12 be in addition to and not supplant funds made avail-
13 able to carry out other citrus disease activities car-
14 ried out by the Department of Agriculture in con-
15 sultation with State agencies.

16 (d) FUNDING.—Of the funds of the Commodity Cred-
17 it Corporation, the Secretary shall transfer to the Citrus
18 Trust Fund \$25,000,000 for each of fiscal years 2019
19 through 2023, to remain available until expended.

20 **SEC. 12607. EXTENSION OF MERCHANDISE PROCESSING**
21 **FEES.**

22 Section 503 of the United States–Korea Free Trade
23 Agreement Implementation Act (Public Law 112–41; 19
24 U.S.C. 3805 note) is amended by striking “February 24,
25 2027” and inserting “May 26, 2027”.

1 **SEC. 12608. CONFORMING CHANGES TO CONTROLLED SUB-**
2 **STANCES ACT.**

3 (a) IN GENERAL.—Section 102(16) of the Controlled
4 Substances Act (21 U.S.C. 802(16)) is amended—

5 (1) by striking “(16) The” and inserting
6 “(16)(A) Subject to subparagraph (B), the”; and

7 (2) by striking “Such term does not include
8 the” and inserting the following:

9 “(B) The term ‘marihuana’ does not include—

10 “(i) hemp, as defined in section 297A of the
11 Agricultural Marketing Act of 1946; or

12 “(ii) the”.

13 (b) TETRAHYDROCANNABINOL.—Schedule I, as set
14 forth in section 202(c) of the Controlled Substances Act
15 (21 U.S.C. 812(c)), is amended in subsection (c)(17) by
16 inserting after “Tetrahydrocannabinols” the following: “,
17 except for tetrahydrocannabinols in hemp (as defined
18 under section 297A of the Agricultural Marketing Act of
19 1946)”.