

In the Senate of the United States,

June 28, 2018.

Resolved, That the bill from the House of Representatives (H.R. 2) entitled “An Act 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.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

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

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Ag-*
3 *riculture Improvement Act of 2018”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents for*
5 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

Sec. 1101. Payment acres.

Sec. 1102. Producer election.

Sec. 1103. Price loss coverage.

- Sec. 1104. Agriculture risk coverage.*
Sec. 1105. Repeal of transition assistance for producers of upland cotton.
Sec. 1106. Option to change producer election.

Subtitle B—Marketing Loans

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

Subtitle C—Sugar

- Sec. 1301. Sugar program.*

Subtitle D—Dairy

PART I—DAIRY RISK COVERAGE

- Sec. 1401. Dairy risk coverage.*

PART II—REAUTHORIZATIONS AND OTHER DAIRY-RELATED PROVISIONS

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

Subtitle E—Supplemental Agricultural Disaster Assistance

- Sec. 1501. Supplemental agricultural disaster assistance.*
Sec. 1502. Loss of peach and blueberry crops due to extreme cold.

Subtitle F—Noninsured Crop Assistance

- Sec. 1601. Noninsured crop assistance program.*
Sec. 1602. Additional assistance for certain producers.

Subtitle G—Administration

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

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program

- Sec. 2101. Extension and enrollment requirements of conservation reserve program.*
Sec. 2102. Farmable wetland program.
Sec. 2103. Duties of the Secretary.
Sec. 2104. Payments.
Sec. 2105. Conservation reserve enhancement program.
Sec. 2106. Contracts.

- Sec. 2107. Conservation reserve easements.*
Sec. 2108. Eligible land; State law requirements.

Subtitle B—Conservation Stewardship Program

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

Subtitle C—Environmental Quality Incentives Program

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

Subtitle D—Other Conservation Programs

- Sec. 2401. Wetland conservation.*
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Sec. 2403. Conservation of private grazing land.
Sec. 2404. Soil health and income protection program.
Sec. 2405. Grassroots source water protection program.
Sec. 2406. Soil testing and remediation assistance.
Sec. 2407. Voluntary public access and habitat incentive program.
Sec. 2408. Agriculture conservation experienced services program.
Sec. 2409. Remote telemetry data system.
Sec. 2410. Agricultural conservation easement program.
Sec. 2411. Regional conservation partnership program.
Sec. 2412. Wetland conversion.
Sec. 2413. Delineation of wetlands.
Sec. 2414. Emergency conservation program.
Sec. 2415. Watershed protection and flood prevention.
Sec. 2416. Small watershed rehabilitation program.
Sec. 2417. Repeal of Conservation Corridor Demonstration Program.
Sec. 2418. Repeal of cranberry acreage reserve program.
Sec. 2419. Repeal of National Natural Resources Foundation.
Sec. 2420. Repeal of flood risk reduction.
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Sec. 2422. Repeal of Integrated Farm Management Program Option.
Sec. 2423. Repeal of clarification of definition of agricultural lands.
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- 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.*
- Sec. 2507. Report on small wetlands.*
- Sec. 2508. State technical committees.*

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- Sec. 2602. Report on program enrollments and assistance.*
- Sec. 2603. Delivery of technical assistance.*
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- Sec. 3102. Generation and use of currencies by private voluntary organizations and cooperatives.*
- Sec. 3103. Minimum levels of assistance.*
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- Sec. 3113. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.*

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- Sec. 3301. Food for Progress Act of 1985.*
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- Sec. 3306. International food security technical assistance.*
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- Sec. 3309. Local and regional food aid procurement projects.*
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- Sec. 4108. Pilot projects to improve healthy dietary patterns related to fluid milk in the supplemental nutrition assistance program.*
- Sec. 4109. Interstate data matching to prevent multiple issuances.*
- Sec. 4110. Quality control.*
- Sec. 4111. Requirement of live-production environments for certain pilot projects relating to cost sharing for computerization.*
- Sec. 4112. Authorization of appropriations.*
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- Sec. 4202. Commodity supplemental food program.*
- Sec. 4203. Distribution of surplus commodities; special nutrition projects.*

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- Sec. 4302. Seniors farmers' market nutrition program.*
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- Sec. 5102. Conservation loan and loan guarantee program.*
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- Sec. 5201. Limitations on amount of operating loans.*
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- Sec. 5302. Loan authorization levels.*
- Sec. 5303. Loan fund set-asides.*
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- Sec. 5305. Socially disadvantaged farmers and ranchers; qualified beginning farmers and ranchers.*
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- Sec. 5401. State agricultural mediation programs.*
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Sec. 5404. Removal and prohibition authority; industry-wide prohibition.
Sec. 5405. Jurisdiction over institution-affiliated parties.
Sec. 5406. Definition of institution-affiliated party.
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Sec. 6119. National rural development partnership.
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- Sec. 7206. National Genetics Resources Program.*
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- Sec. 7213. Centers of excellence at 1890 Institutions.*
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- Sec. 7301. National food safety training, education, extension, outreach, and technical assistance program.*
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- Sec. 8501. Repeal of revision of strategic plan for forest inventory and analysis.*
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- Sec. 11115. Use of national agricultural statistics service data to combat waste, fraud, and abuse.*
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- Sec. 12511. Restriction on use of certain poisons for predator control.*
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- Sec. 12514. Establishment of technical assistance program.*
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- Sec. 12518. Study of marketplace fraud of traditional foods and Tribal seeds.*
- Sec. 12519. Dairy business innovation initiatives.*
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- Sec. 12601. Expedited exportation of certain species.*
- Sec. 12602. Baiting of migratory game birds.*
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- Sec. 12607. Extension of merchandise processing fees.*
- Sec. 12608. Conforming changes to Controlled Substances Act.*
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- Sec. 12617. Use of additional Commodity Credit Corporation funds for direct operating microloans under certain conditions.*
- Sec. 12618. Business and innovation services essential community facilities.*
- Sec. 12619. Rural innovation stronger economy grant program.*
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1 **SEC. 2. DEFINITION OF SECRETARY.**

2 *In this Act, the term “Secretary” means the Secretary*
3 *of Agriculture.*

4 **TITLE I—COMMODITIES**
5 **Subtitle A—Commodity Policy**

6 **SEC. 1101. PAYMENT ACRES.**

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

10 *“(5) RECALCULATION OF BASE ACRES.—*

11 *“(A) IN GENERAL.—If the Secretary recal-*
12 *culates base acres for a farm while a farm is en-*
13 *gaged in planting and production of fruits, vege-*
14 *tables, or wild rice on base acres for which a re-*
15 *duction in payment acres was made under this*
16 *subsection, that planting and production shall be*
17 *considered to be the same as the planting and*
18 *production of a covered commodity.*

19 *“(B) PROHIBITION.—Nothing in this para-*
20 *graph provides authority for the Secretary to re-*
21 *calculate base acres for a farm.”.*

22 **SEC. 1102. PRODUCER ELECTION.**

23 *Section 1115 of the Agricultural Act of 2014 (7 U.S.C.*
24 *9015) is amended—*

25 *(1) in subsection (a), in the matter preceding*
26 *paragraph (1), by striking “Except as provided in*

1 *subsection (g), for the 2014 through 2018 crop years”*
2 *and inserting “For the 2014 through 2018 crop years*
3 *(except as provided in subsection (g)) and for the*
4 *2019 through 2023 crop years”;*

5 *(2) in subsection (c)—*

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

9 *(B) in paragraph (1), by inserting “or the*
10 *2019 crop year, as applicable,” after “2014 crop*
11 *year”; and*

12 *(C) in paragraph (2)—*

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

16 *“(A) price”; and*

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

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

23 *(3) in subsection (g)(1), by inserting “for the*
24 *2018 crop year,” before “all of the producers”.*

1 **SEC. 1103. PRICE LOSS COVERAGE.**

2 *Section 1116 of the Agricultural Act of 2014 (7 U.S.C.*
3 *9016) is amended—*

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

6 *(2) in subsection (c)—*

7 *(A) by redesignating paragraphs (1) and*
8 *(2) as subparagraphs (A) and (B), respectively,*
9 *and indenting appropriately;*

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

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

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

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

20 **SEC. 1104. AGRICULTURE RISK COVERAGE.**

21 *Section 1117 of the Agricultural Act of 2014 (7 U.S.C.*
22 *9017) is amended—*

23 *(1) in subsection (a), in the matter preceding*
24 *paragraph (1)—*

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

4 (B) by inserting “or the 2019 through 2023
5 crop years, as applicable” after “2014 through
6 2018 crop years”;

7 (2) in subsection (c)—

8 (A) in paragraph (2)—

9 (i) in subparagraph (A), by striking
10 “paragraph (4)” and inserting “paragraphs
11 (4) and (5)”; and

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

14 (B) in paragraph (3)—

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

17 (ii) in subparagraph (C), by striking
18 “2018” and inserting “2023”;

19 (C) in paragraph (4)—

20 (i) by striking “If” and inserting “Ef-
21 fective for the 2019 through 2023 crop
22 years, if”; and

23 (ii) by striking “70 percent” each place
24 it appears and inserting “75 percent”;

1 (D) by redesignating paragraph (5) as
2 paragraph (6); and

3 (E) by inserting after paragraph (4) the fol-
4 lowing:

5 “(5) *TREND-ADJUSTED YIELD.*—*The Secretary*
6 *shall calculate and use a trend-adjusted yield factor*
7 *to adjust the yield determined under paragraph*
8 *(2)(A) and subsection (b)(1)(A), taking into consider-*
9 *ation, but not exceeding, the trend-adjusted yield fac-*
10 *tor that is used to increase yield history under the en-*
11 *dorsement under the Federal Crop Insurance Act (7*
12 *U.S.C. 1501 et seq.) for that crop and county.”;*

13 (3) in subsection (d)—

14 (A) in paragraph (1), by redesignating sub-
15 paragraphs (A) and (B) as clauses (i) and (ii),
16 respectively, and indenting appropriately;

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

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

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

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

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

6 (4) *in subsection (e), in the matter preceding*
7 *paragraph (1), by striking “2018” and inserting*
8 *“2023”;*

9 (5) *in subsection (g)—*

10 (A) *in paragraph (2), by inserting “in ac-*
11 *cordance with subsection (h),” before “to the*
12 *maximum extent practicable”;*

13 (B) *in paragraph (3), by striking “and”*
14 *after the semicolon at the end;*

15 (C) *in paragraph (4)—*

16 (i) *in the matter preceding subpara-*
17 *graph (A), by inserting “effective for the*
18 *2014 through 2018 crop years,” before “in*
19 *the case of”;* and

20 (ii) *in subparagraph (B), by striking*
21 *the period at the end and inserting “; and”;*
22 *and*

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

24 “(5) *effective for the 2019 through 2023 crop*
25 *years, in the case of county coverage—*

1 “(A) effective beginning with actual county
2 yields for the 2019 crop year, assign an actual
3 county yield for each planted acre for the crop
4 year for the covered commodity by giving pri-
5 ority to—

6 “(i) the use of actual county yields in,
7 to the maximum extent practicable, a single
8 source of data that provides the greatest na-
9 tional coverage of county-level data;

10 “(ii) the use of a source of data that
11 may be used to determine an average actual
12 county yield under subsection (b)(1)(A) and
13 an average historical county yield under
14 subsection (c)(2)(A) for the same county;
15 and

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

19 “(I) other sources of county yield
20 information; or

21 “(II) the yield history of rep-
22 resentative farms in the State, region,
23 or crop reporting district, as deter-
24 mined by the Secretary; and

1 “(B) in the case of a farm that has a tract
2 with base acres and that tract crosses a county
3 boundary—

4 “(i) prorate the base acres based on the
5 quantity of cropland of the tract in each
6 county; and

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

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

10 “(h) *CALCULATION OF SEPARATE ACTUAL CROP REV-*
11 *ENUE AND AGRICULTURE RISK COVERAGE GUARANTEE.—*

12 “(1) *IN GENERAL.—*On request of a county Farm
13 Service Agency committee, in coordination with a
14 Farm Service Agency State committee, the Secretary
15 shall consider a 1-time request to calculate a separate
16 actual crop revenue and agriculture risk coverage
17 guarantee for irrigated and nonirrigated covered com-
18 modities under subsection (g)(2) in a county if, dur-
19 ing the 2014 through 2018 crop years—

20 “(A) an average of not less than 5 percent
21 of the planted and considered planted acreage of
22 a covered commodity in the county was irri-
23 gated; and

24 “(B) an average of not less than 5 percent
25 of the planted and considered planted acreage of

1 *the covered commodity in the county was non-*
2 *irrigated.*

3 “(2) *SOURCE OF INFORMATION.*—*In considering*
4 *a request described in paragraph (1) and calculating*
5 *a separate actual crop revenue and agriculture risk*
6 *coverage guarantee for irrigated and nonirrigated*
7 *covered commodities in a county, the Secretary may*
8 *use other sources of yield information, including the*
9 *yield history of representative farms in the State, re-*
10 *gion, or crop reporting district, as determined by the*
11 *Secretary.*

12 “(i) *PUBLICATIONS.*—

13 “(1) *COUNTY GUARANTEE.*—

14 “(A) *IN GENERAL.*—*For each crop year for*
15 *a covered commodity, the Secretary shall publish*
16 *information describing, for that crop year for the*
17 *covered commodity in each county—*

18 “(i) *the agriculture risk coverage guar-*
19 *antee for county coverage determined under*
20 *subsection (c)(1);*

21 “(ii) *the average historical county*
22 *yield determined under subsection (c)(2)(A);*
23 *and*

24 “(iii) *the national average market*
25 *price determined under subsection (c)(2)(B).*

1 “(B) *TIMING.*—

2 “(i) *IN GENERAL.*—*Except as provided*
3 *in clauses (ii) and (iii), not later than 30*
4 *days after the end of each applicable 12-*
5 *month marketing year, the Secretary shall*
6 *publish the information described in sub-*
7 *paragraph (A).*

8 “(ii) *INSUFFICIENT DATA.*—*In the case*
9 *of a covered commodity, such as temperate*
10 *japonica rice, for which the Secretary can-*
11 *not determine the national average market*
12 *price for the most recent 12-month mar-*
13 *keting year by the date described in clause*
14 *(i) due to insufficient reporting of timely*
15 *pricing data by 1 or more nongovernmental*
16 *entities, including a marketing cooperative*
17 *for the covered commodity, as soon as prac-*
18 *ticable after the pricing data is made avail-*
19 *able, the Secretary shall publish informa-*
20 *tion describing—*

21 “(I) *the agriculture risk coverage*
22 *guarantee under subparagraph (A)(i);*
23 *and*

24 “(II) *the national average market*
25 *price under subparagraph (A)(iii).*

1 “(iii) *TRANSITION.*—Not later than 60
2 days after the date of enactment of the Agri-
3 culture Improvement Act of 2018, the Sec-
4 retary shall publish the information de-
5 scribed in subparagraph (A) for the 2018
6 crop year.

7 “(2) *ACTUAL AVERAGE COUNTY YIELD.*—As soon
8 as practicable after each crop year, the Secretary
9 shall determine and publish each actual average coun-
10 ty yield for each covered commodity, as determined
11 under subsection (b)(1)(A).

12 “(3) *DATA SOURCES FOR COUNTY YIELDS.*—For
13 the 2018 crop year and each crop year thereafter, the
14 Secretary shall make publicly available information
15 describing, for the most recent crop year—

16 “(A) the sources of data used to calculate
17 county yields under subsection (c)(2)(A) for each
18 covered commodity—

19 “(i) by county; and

20 “(ii) nationally; and

21 “(B) the number and outcome of occurrences
22 in which the Farm Service Agency reviewed,
23 changed, or determined not to change a source of
24 data used to calculate county yields under sub-
25 section (c)(2)(A).”.

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

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

5 **SEC. 1106. OPTION TO CHANGE PRODUCER ELECTION.**

6 *Section 1115 of the Agricultural Act of 2014 (7 U.S.C.*
7 *9015) is amended by adding at the end the following:*

8 “(h) **OPTION TO CHANGE PRODUCER ELECTION.**—*Not-*
9 *withstanding subsection (a), for the 2021 crop year, all of*
10 *the producers on a farm may make a 1-time, irrevocable*
11 *election to change the election applicable to the producers*
12 *on the farm under that subsection or subsection (c), as ap-*
13 *plicable, to price loss coverage or agriculture risk coverage,*
14 *as applicable, which shall apply to the producers on the*
15 *farm for each of the 2021, 2022, and 2023 crop years.”.*

16 **Subtitle B—Marketing Loans**

17 **SEC. 1201. EXTENSIONS.**

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

21 (b) **LOAN RATES.**—*Section 1202(a) of the Agricultural*
22 *Act of 2014 (7 U.S.C. 9032(a)) is amended by striking*
23 *“2018” each place it appears and inserting “2023”.*

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

1 (1) *in subsection (e)(2)(B), in the matter pre-*
2 *ceding clause (i), by striking “2019” and inserting*
3 *“2024”; and*

4 (2) *in subsection (g), by striking “2018” and in-*
5 *serting “2023”.*

6 *(d) LOAN DEFICIENCY PAYMENTS.—*

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

10 (2) *PAYMENTS IN LIEU OF LDPS.—Section 1206*
11 *of the Agricultural Act of 2014 (7 U.S.C. 9036) is*
12 *amended in subsections (a) and (d) by striking*
13 *“2018” each place it appears and inserting “2023”.*

14 (3) *SPECIAL COMPETITIVE PROVISIONS.—Section*
15 *1208(a) of the Agricultural Act of 2014 (7 U.S.C.*
16 *9038(a)) is amended in the matter preceding para-*
17 *graph (1) by striking “2019” and inserting “2024”.*

18 (4) *AVAILABILITY OF RECOURSE LOANS.—Sec-*
19 *tion 1209 of the Agricultural Act of 2014 (7 U.S.C.*
20 *9039) is amended in subsections (a)(2) and (b) by*
21 *striking “2018” each place it appears and inserting*
22 *“2023”.*

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

24 *Section 1205 of the Agricultural Act of 2014 (7 U.S.C.*
25 *9035) is amended—*

1 (1) in subsection (a)(2)—

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

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

7 (C) in subparagraph (B) (as amended by
8 section 1201(d)(1)), by striking “unshorn pelts
9 or”; and

10 (2) in subsection (c)—

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

12 (B) by redesignating paragraph (3) as
13 paragraph (2).

14 **SEC. 1203. ECONOMIC ADJUSTMENT ASSISTANCE FOR UP-**
15 **LAND COTTON USERS.**

16 (a) 2008 AUTHORITY.—Section 1207 of the Food, Con-
17 servation, and Energy Act of 2008 (7 U.S.C. 8737) is
18 amended by striking subsection (c).

19 (b) 2014 AUTHORITY.—Section 1207(c) of the Agricul-
20 tural Act of 2014 (7 U.S.C. 9037(c)) is amended by striking
21 paragraph (2) and inserting the following:

22 “(2) VALUE OF ASSISTANCE.—

23 “(A) EFFECTIVE PERIOD.—During the pe-
24 riod beginning on August 1, 2013, and ending
25 on July 31, 2021, the value of the assistance pro-

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

3 *“(B) SUBSEQUENT PERIOD.—*

4 *“(i) IN GENERAL.—Beginning on the*
5 *first day after the end of the period de-*
6 *scribed in subparagraph (A), and subject to*
7 *the availability of appropriations under*
8 *clause (ii), the value of the assistance pro-*
9 *vided under paragraph (1) shall be 3 cents*
10 *per pound.*

11 *“(ii) AUTHORIZATION OF APPROPRIA-*
12 *TIONS.—There are authorized to be appro-*
13 *priated such sums as are necessary to carry*
14 *out clause (i).”.*

15 ***Subtitle C—Sugar***

16 ***SEC. 1301. SUGAR PROGRAM.***

17 *(a) EXTENSION.—Section 156 of the Federal Agri-*
18 *culture Improvement and Reform Act of 1996 (7 U.S.C.*
19 *7272) is amended—*

20 *(1) in subsection (a)(4), by striking “2018” and*
21 *inserting “2023”;*

22 *(2) in subsection (b)(2), by striking “2018” and*
23 *inserting “2023”; and*

24 *(3) in subsection (i), by striking “2018” and in-*
25 *serting “2023”.*

1 (b) ALLOTMENTS.—

2 (1) ESTIMATES.—Section 359b(a)(1) of the Agri-
3 cultural Adjustment Act of 1938 (7 U.S.C.
4 1359bb(a)(1)) is amended in the matter preceding
5 subparagraph (A) by striking “2018” and inserting
6 “2023”.

7 (2) EFFECTIVE PERIOD.—Section 359l(a) of the
8 Agricultural Adjustment Act of 1938 (7 U.S.C.
9 1359ll(a)) is amended by striking “2018” and insert-
10 ing “2023”.

11 **Subtitle D—Dairy**

12 **PART I—DAIRY RISK COVERAGE**

13 **SEC. 1401. DAIRY RISK COVERAGE.**

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

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

21 (1) by redesignating paragraphs (4) through (10)
22 as paragraphs (5) through (11), respectively;

23 (2) by inserting after paragraph (3) the fol-
24 lowing:

1 “(4) *CATASTROPHIC COVERAGE*.—The term ‘cat-
2 *astrophic coverage*’ means coverage under section
3 1406(a)(2)(B).”;

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

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

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

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

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

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

17 (B) by striking “margin protection pro-
18 gram” the first place it appears and inserting
19 “dairy risk coverage”; and

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

22 (5) in paragraphs (8) and (9) (as so redesign-
23 ated), by striking “the margin protection program”
24 each place it appears and inserting “dairy risk cov-
25 erage”.

1 (c) *CALCULATION OF ACTUAL DAIRY PRODUCTION*
 2 *MARGIN.*—Section 1402(b)(1) of the Agricultural Act of
 3 2014 (7 U.S.C. 9052(b)(1)) is amended in the matter pre-
 4 ceding subparagraph (A) by striking “the margin protec-
 5 tion program” and inserting “dairy risk coverage”.

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

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

10 “(a) *IN GENERAL.*—Beginning with the 2019 calendar
 11 year, the Secretary shall administer dairy risk coverage
 12 under which participating dairy operations are paid a
 13 dairy risk coverage payment when actual dairy production
 14 margins are less than the threshold levels for a dairy risk
 15 coverage payment.

16 “(b) *REGULATIONS.*—Subpart A of part 1430 of title
 17 7, Code of Federal Regulations (as in effect on the date of
 18 enactment of the Agriculture Improvement Act of 2018),
 19 shall remain in effect for dairy risk coverage beginning with
 20 the 2019 calendar year, except to the extent that the regula-
 21 tions are inconsistent with any provision of this Act.”.

22 (e) *PARTICIPATION OF DAIRY OPERATIONS IN DAIRY*
 23 *RISK COVERAGE.*—Section 1404 of the Agricultural Act of
 24 2014 (7 U.S.C. 9054) is amended—

1 (1) *in the section heading, by striking “**MARGIN***
 2 ***PROTECTION PROGRAM**” and inserting “**DAIRY***
 3 ***RISK COVERAGE**”;*

4 (2) *in subsection (a), by striking “the margin”*
 5 *and all that follows through “payments” and insert-*
 6 *ing “dairy risk coverage to receive dairy risk coverage*
 7 *payments”;*

8 (3) *in subsection (b)—*

9 (A) *in each of paragraphs (1), (3), and (4),*
 10 *by striking “the margin protection program”*
 11 *and inserting “dairy risk coverage”; and*

12 (B) *by adding at the end the following:*

13 “(5) *CATASTROPHIC COVERAGE.—A partici-*
 14 *pating dairy operation may elect to receive cata-*
 15 *strophic coverage instead of paying a premium under*
 16 *section 1407.”;*

17 (4) *in subsection (c)—*

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

21 (B) *in paragraph (1)(B), by striking “of the*
 22 *margin protection program”; and*

23 (C) *in paragraph (2)—*

24 (i) *by striking “The administrative”*
 25 *and inserting the following:*

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

2 *and*

3 (ii) *by adding at the end the following:*

4 “(B) *CATASTROPHIC COVERAGE.*—*In addi-*

5 *tion to the administrative fee under subpara-*

6 *graph (A), a participating dairy operation that*

7 *elects to receive catastrophic coverage shall pay*

8 *an additional administrative fee of \$100.”; and*

9 (5) *in subsection (d), by striking “the margin*
10 *protection program” and inserting “dairy risk cov-*
11 *erage”.*

12 (f) *PRODUCTION HISTORY OF PARTICIPATING DAIRY*
13 *OPERATIONS.*—*Section 1405 of the Agricultural Act of 2014*
14 *(7 U.S.C. 9055) is amended—*

15 (1) *in subsections (a) and (c), by striking “the*
16 *margin protection program” each place it appears*
17 *and inserting “dairy risk coverage”; and*

18 (2) *in subsection (a)(2), by striking “In subse-*
19 *quent years” and inserting “During each of the 2014*
20 *through 2019 calendar years”.*

21 (g) *DAIRY RISK COVERAGE PAYMENTS.*—*Section 1406*
22 *of the Agricultural Act of 2014 (7 U.S.C. 9056) is amend-*
23 *ed—*

1 (1) *in the section heading, by striking “**MARGIN***
2 ***PROTECTION**” and inserting “**DAIRY RISK COV-***
3 ***ERAGE**”;*

4 (2) *by striking “margin protection” each place it*
5 *appears and inserting “dairy risk coverage”;*

6 (3) *in subsection (a)—*

7 (A) *in paragraph (1)—*

8 (i) *by striking “to \$4.00” and all that*
9 *follows through “\$5.50” and inserting the*
10 *following: “to—*

11 *“(A) in the case of catastrophic coverage,*
12 *\$5.00;*

13 *“(B) \$5.50”;* and

14 *(ii) by adding at the end the following:*

15 *“(C) in the case of production subject to*
16 *premiums under section 1407(b), any amount*
17 *described in subparagraph (B), \$8.50, or \$9.00;*
18 *and”;* and

19 (B) *in paragraph (2)—*

20 (i) *by striking “(2) a percentage” and*
21 *inserting the following:*

22 *“(2)(A) a percentage”;*

23 (ii) *in subparagraph (A) (as so des-*
24 *ignated)—*

1 (I) by striking “beginning with 25
2 percent and not exceeding” and insert-
3 ing “that does not exceed”; and

4 (II) by striking the period at the
5 end and inserting “; or”; and

6 (iii) by adding at the end the fol-
7 lowing:

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

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

14 (h) *PREMIUMS FOR DAIRY RISK COVERAGE*.—Section
15 1407 of the Agricultural Act of 2014 (7 U.S.C. 9057) is
16 amended—

17 (1) in the section heading, by striking “**MARGIN**
18 **PROTECTION PROGRAM**” and inserting “**DAIRY**
19 **RISK COVERAGE**”;

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

23 (3) in subsection (b)—

24 (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 the rows relating to the
5 \$4.00, \$4.50, and \$5.00 coverage levels;

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

8 (iv) by striking “\$0.016” and inserting
9 “\$0.04”;

10 (v) by striking “\$0.040” and inserting
11 “\$0.07”;

12 (vi) by striking “\$0.063” and inserting
13 “\$0.10”;

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

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

18 (ix) by adding at the end of the table
19 the following:

“\$8.50	\$0.16
\$9.00	\$0.18”; and

20 (B) by striking paragraph (3);

21 (4) in subsection (c)(2)—

22 (A) by striking the rows relating to the
23 \$4.00, \$4.50, and \$5.00 coverage levels;

1 (B) by striking “\$0.100” and inserting
2 “\$0.144”;

3 (C) by striking “\$0.155” and inserting
4 “\$0.24”;

5 (D) by striking “\$0.290” and inserting
6 “\$0.42”;

7 (E) by striking “\$0.830” and inserting
8 “\$1.08”;

9 (F) by striking “\$1.060” and inserting
10 “\$1.32”; and

11 (G) by striking “\$1.360” and inserting
12 “\$1.68”;

13 (5) in subsection (e)—

14 (A) in paragraph (1), by striking “the mar-
15 gin protection program” and inserting “dairy
16 risk coverage”; and

17 (B) in paragraph (2), by striking “A par-
18 ticipating dairy operation in the margin protec-
19 tion program” and inserting “A dairy operation
20 participating in dairy risk coverage”; and

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

22 “(f) *SMALL AND MEDIUM FARM DISCOUNT.*—The pre-
23 mium per hundredweight specified in the tables contained
24 in subsections (b) and (c) for each coverage level shall be
25 reduced by—

1 “(1) 50 percent for a participating dairy oper-
2 ation with a production history that is less than
3 2,000,000 pounds; and

4 “(2) 25 percent for a participating dairy oper-
5 ation with a production history that is not less than
6 2,000,000 pounds and not greater than 10,000,000
7 pounds.

8 “(g) *REPAYMENT OF PREMIUMS.*—

9 “(1) *IN GENERAL.*—*The Secretary shall repay*
10 *each dairy operation that participated in the margin*
11 *protection program, as in effect for each of calendar*
12 *years 2014 through 2017, an amount equal to the dif-*
13 *ference between—*

14 “(A) *the total amount of premiums paid by*
15 *the participating dairy operation under this sec-*
16 *tion for the applicable calendar year; and*

17 “(B) *the total amount of payments made to*
18 *the participating dairy operation under section*
19 *1406 for that calendar year.*

20 “(2) *APPLICABILITY.*—*Paragraph (1) shall only*
21 *apply to a calendar year for which the amount de-*
22 *scribed in subparagraph (A) of that paragraph is*
23 *greater than the amount described in subparagraph*
24 *(B) of that paragraph.”.*

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

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

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

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

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

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

14 (k) *ADMINISTRATION AND ENFORCEMENT.*—Section
15 1410 of the Agricultural Act of 2014 (7 U.S.C. 9060) is
16 amended—

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

20 (2) in subsection (b), by striking “margin protec-
21 tion” and inserting “dairy risk coverage”.

1 **PART II—REAUTHORIZATIONS AND OTHER**
2 **DAIRY-RELATED PROVISIONS**

3 **SEC. 1411. REAUTHORIZATIONS.**

4 (a) *FORWARD PRICING.*—Section 1502(e) of the Food,
5 *Conservation, and Energy Act of 2008 (7 U.S.C. 8772(e))*
6 *is amended—*

7 (1) *in paragraph (1), by striking “2018” and in-*
8 *serting “2023”; and*

9 (2) *in paragraph (2), by striking “2021” and in-*
10 *serting “2026”.*

11 (b) *INDEMNITY PROGRAM.*—Section 3 of Public Law
12 *90–484 (7 U.S.C. 4553) is amended by striking “2018” and*
13 *inserting “2023”.*

14 (c) *PROMOTION AND RESEARCH.*—Section 113(e)(2) of
15 *the Dairy Production Stabilization Act of 1983 (7 U.S.C.*
16 *4504(e)(2)) is amended by striking “2018” and inserting*
17 *“2023”.*

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

19 (a) *CLASS I SKIM MILK PRICE.*—Section 8c(5)(A) of
20 *the Agricultural Adjustment Act (7 U.S.C. 608c(5)(A)), re-*
21 *enacted with amendments by the Agricultural Marketing*
22 *Agreement Act of 1937, is amended by striking “Through-*
23 *out” in the third sentence and all that follows through the*
24 *period at the end of the fourth sentence and inserting*
25 *“Throughout the 2-year period beginning on the effective*
26 *date of this sentence (and subsequent to such 2-year period*

1 *unless modified by amendment to the order involved), for*
2 *purposes of determining prices for milk of the highest use*
3 *classification, the Class I skim milk price per hundred-*
4 *weight specified in section 1000.50(b) of title 7, Code of Fed-*
5 *eral Regulations (or successor regulations), shall be the sum*
6 *of the adjusted Class I differential specified in section*
7 *1000.52 of such title 7 (or successor regulations), plus the*
8 *adjustment to Class I prices specified in sections*
9 *1005.51(b), 1006.51(b), and 1007.51(b) of such title 7 (or*
10 *successor regulations), plus the simple average of the ad-*
11 *vanced pricing factors computed in sections 1000.50(q)(1)*
12 *and 1000.50(q)(2) of such title 7 (or successor regulations),*
13 *plus \$0.74.”.*

14 (b) *EFFECTIVE DATE AND IMPLEMENTATION.—*

15 (1) *EFFECTIVE DATE.—The amendment made by*
16 *subsection (a) shall take effect on the first day of the*
17 *first month beginning more than 120 days after the*
18 *date of enactment of this Act.*

19 (2) *IMPLEMENTATION.—Implementation of the*
20 *amendment made by subsection (a) shall not be sub-*
21 *ject to any of the following:*

22 (A) *The notice and comment provisions of*
23 *section 553 of title 5, United States Code.*

24 (B) *The notice and hearing requirements of*
25 *section 8c(3) of the Agricultural Adjustment Act*

1 (7 U.S.C. 608c(3)), reenacted with amendments
2 by the Agricultural Marketing Agreement Act of
3 1937.

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

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

8 **SEC. 1413. MILK DONATION PROGRAM.**

9 (a) *IN GENERAL.*—Part III of subtitle D of title I of
10 the Agricultural Act of 2014 (7 U.S.C. 9071) is amended
11 to read as follows:

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

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

14 “(a) *DEFINITIONS.*—In this section:

15 “(1) *ELIGIBLE DAIRY ORGANIZATION.*—The term
16 ‘eligible dairy organization’ means a dairy farmer
17 (either individually or as part of a cooperative), or
18 a dairy processor, who—

19 “(A) accounts to a Federal milk marketing
20 order marketwide pool; and

21 “(B) incurs qualified expenses under sub-
22 section (e).

23 “(2) *ELIGIBLE DISTRIBUTOR.*—The term ‘eligible
24 distributor’ means a public or private nonprofit orga-
25 nization that distributes donated eligible milk.

1 “(3) *ELIGIBLE MILK*.—The term ‘eligible milk’
2 *means Class I fluid milk products produced and proc-*
3 *essed in the United States.*

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

7 “(5) *PARTICIPATING PARTNERSHIP*.—The term
8 ‘*participating partnership*’ means an eligible partner-
9 *ship for which the Secretary has approved a donation*
10 *and distribution plan for eligible milk under sub-*
11 *section (c)(2).*

12 “(b) *PROGRAM REQUIRED; PURPOSES*.—Not later
13 *than 180 days after the date of enactment of the Agriculture*
14 *Improvement Act of 2018, the Secretary shall establish and*
15 *administer a milk donation program for the purposes of—*

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

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

19 “(3) *reducing food waste.*

20 “(c) *DONATION AND DISTRIBUTION PLANS*.—

21 “(1) *IN GENERAL*.—To be eligible to receive re-
22 *imbursement under subsection (d), an eligible part-*
23 *nership shall submit to the Secretary a donation and*
24 *distribution plan that—*

1 “(A) describes the process that the eligible
2 partnership will use for the donation, processing,
3 transportation, temporary storage, and distribu-
4 tion of eligible milk;

5 “(B) includes an estimate of the quantity of
6 eligible milk that the eligible partnership will do-
7 nate each year, based on—

8 “(i) preplanned donations; and

9 “(ii) contingency plans to address un-
10 anticipated donations; and

11 “(C) describes the rate at which the eligible
12 partnership will be reimbursed, which shall be
13 based on a percentage of the limitation described
14 in subsection (e)(2).

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

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

19 “(B) determine whether to approve or dis-
20 approve each of those donation and distribution
21 plans.

22 “(d) REIMBURSEMENT.—

23 “(1) IN GENERAL.—On receipt of appropriate
24 documentation under paragraph (2), the Secretary
25 shall reimburse an eligible dairy organization that is

1 *a member of a participating partnership on a regular*
2 *basis for qualified expenses described in subsection*
3 *(e).*

4 “(2) *DOCUMENTATION.*—

5 “(A) *IN GENERAL.*—*An eligible dairy orga-*
6 *nization shall submit to the Secretary such docu-*
7 *mentation as the Secretary may require to dem-*
8 *onstrate the qualified expenses described in sub-*
9 *section (e) of the eligible dairy organization.*

10 “(B) *VERIFICATION.*—*The Secretary may*
11 *verify the accuracy of documentation submitted*
12 *under subparagraph (A) by spot checks and au-*
13 *dits.*

14 “(3) *RETROACTIVE REIMBURSEMENT.*—*In pro-*
15 *viding reimbursements under paragraph (1), the Sec-*
16 *retary may provide reimbursements for qualified ex-*
17 *periences incurred before the date on which the donation*
18 *and distribution plan for the applicable participating*
19 *partnership was approved by the Secretary.*

20 “(e) *QUALIFIED EXPENSES.*—

21 “(1) *IN GENERAL.*—*The amount of a reimburse-*
22 *ment under subsection (d) shall be an amount equal*
23 *to the product of—*

24 “(A) *the quantity of eligible milk donated*
25 *by the eligible dairy organization under a dona-*

1 *tion and distribution plan approved by the Sec-*
2 *retary under subsection (c); and*

3 *“(B) subject to the limitation under para-*
4 *graph (2), the rate described in that donation*
5 *and distribution plan under subsection (c)(1)(C).*

6 *“(2) LIMITATION.—Expenses eligible for reim-*
7 *bursement under subsection (d) shall not exceed the*
8 *value that an eligible dairy organization incurred by*
9 *accounting to the Federal milk marketing order pool*
10 *at the difference in the Class I milk value and the*
11 *lowest classified price for the applicable month (either*
12 *Class III milk or Class IV milk).*

13 *“(f) PREAPPROVAL.—*

14 *“(1) IN GENERAL.—The Secretary shall—*

15 *“(A) establish a process for an eligible part-*
16 *nership to apply for preapproval of donation*
17 *and distribution plans under subsection (c); and*

18 *“(B) not less frequently than annually,*
19 *preapprove an amount for qualified expenses de-*
20 *scribed in subsection (e) that the Secretary will*
21 *allocate for reimbursement under each donation*
22 *and distribution plan preapproved under sub-*
23 *paragraph (A), based on an assessment of—*

24 *“(i) the feasibility of the plan; and*

1 “(ii) *the extent to which the plan ad-*
2 *vances the purposes described in subsection*
3 *(b).*

4 “(2) *PREFERENCE.—In preapproving amounts*
5 *for reimbursement under paragraph (1)(B), the Sec-*
6 *retary shall give preference to eligible partnerships*
7 *that will provide funding and in-kind contributions*
8 *in addition to the reimbursements.*

9 “(3) *ADJUSTMENTS.—*

10 “(A) *IN GENERAL.—The Secretary shall ad-*
11 *just or increase amounts preapproved for reim-*
12 *bursement under paragraph (1)(B) based on per-*
13 *formance and demand.*

14 “(B) *REQUESTS FOR INCREASE.—*

15 “(i) *IN GENERAL.—The Secretary shall*
16 *establish a procedure for a participating*
17 *partnership to request an increase in the*
18 *amount preapproved for reimbursement*
19 *under paragraph (1)(B) based on changes*
20 *in conditions.*

21 “(ii) *INTERIM APPROVAL; INCRE-*
22 *MENTAL INCREASE.—The Secretary may*
23 *provide an interim approval of an increase*
24 *requested under clause (i) and an incre-*
25 *mental increase in the amount of reim-*

1 *bursement to the applicable participating*
2 *partnership to allow time for the Secretary*
3 *to review the request without interfering*
4 *with the donation and distribution of eligi-*
5 *ble milk by the participating partnership.*

6 “(g) *PROHIBITION ON RESALE OF PRODUCTS.—*

7 *“(1) IN GENERAL.—An eligible distributor that*
8 *receives eligible milk donated under this section may*
9 *not sell the products back into commercial markets.*

10 *“(2) PROHIBITION ON FUTURE PARTICIPATION.—*

11 *An eligible distributor that the Secretary determines*
12 *has violated paragraph (1) shall not be eligible for*
13 *any future participation in the program established*
14 *under this section.*

15 “(h) *ADMINISTRATION.—The Secretary shall publicize*
16 *opportunities to participate in the program established*
17 *under this section.*

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

21 “(j) *FUNDING.—Of the funds of the Commodity Credit*
22 *Corporation, the Secretary shall use to carry out this sec-*
23 *tion \$8,000,000 for fiscal year 2019, and \$5,000,000 for*
24 *each fiscal year thereafter, to remain available until ex-*
25 *pendent.”.*

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

5 ***Subtitle E—Supplemental***
6 ***Agricultural Disaster Assistance***

7 ***SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER AS-***
8 ***SISTANCE.***

9 (a) *MEMBERS OF INDIAN TRIBES.*—Section
10 *1501(a)(1)(B)* of the *Agricultural Act of 2014* (7 U.S.C.
11 *9081(a)(1)(B)*) is amended—

12 (1) by redesignating clauses (iii) and (iv) as
13 clauses (iv) and (v), respectively; and

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

15 “(iii) an Indian tribe or tribal organi-
16 zation (as those terms are defined in section
17 4 of the *Indian Self-Determination and*
18 *Education Assistance Act* (25 U.S.C.
19 *5304*));”.

20 (b) *LIVESTOCK INDEMNITY PROGRAM.*—Section
21 *1501(b)* of the *Agricultural Act of 2014* (7 U.S.C. 9081(b))
22 is amended—

23 (1) in paragraph (1)(B), by striking “cold.” and
24 inserting “cold, on the condition that in the case of
25 the death loss of unweaned livestock due to that ad-

1 *verse weather, the Secretary may disregard any man-*
2 *agement practice, vaccination protocol, or lack of vac-*
3 *cination by the eligible producer on a farm.”; and*

4 *(2) by adding at the end the following:*

5 *“(5) SHARING OF BISON MARKET VALUE DATA.—*
6 *To ensure that payments made under this subsection*
7 *relating to bison are consistent with the market value*
8 *of bison, the Secretary shall annually seek input and*
9 *data from the bison industry (including bison pro-*
10 *ducer groups) relating to the market value of bison.”.*

11 *(c) TREE ASSISTANCE PROGRAM.—Section 1501(e) of*
12 *the Agricultural Act of 2014 (7 U.S.C. 9081(e)) is amend-*
13 *ed—*

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

17 *(2) by adding at the end the following:*

18 *“(5) PAYMENT RATE FOR BEGINNING AND VET-*
19 *ERAN PRODUCERS.—Subject to paragraph (4), in the*
20 *case of a beginning farmer or rancher or a veteran*
21 *farmer or rancher (as those terms are defined in sec-*
22 *tion 2501(a) of the Food, Agriculture, Conservation,*
23 *and Trade Act of 1990 (7 U.S.C. 2279(a)) that is eli-*
24 *gible to receive assistance under this subsection, the*
25 *Secretary shall provide reimbursement of 75 percent*

1 of the costs under subparagraphs (A)(i) and (B) of
2 paragraph (3).”.

3 **SEC. 1502. LOSS OF PEACH AND BLUEBERRY CROPS DUE TO**
4 **EXTREME COLD.**

5 (a) *IN GENERAL.*—The Secretary shall provide com-
6 pensation for expenses relating to losses of peach and blue-
7 berry crops that occurred—

8 (1) during calendar year 2017; and

9 (2) due to extreme cold, as determined by the
10 Secretary.

11 (b) *FUNDING.*—Of the funds of the Commodity Credit
12 Corporation, the Secretary shall use to carry out this sec-
13 tion \$18,000,000, to remain available until expended.

14 **Subtitle F—Noninsured Crop**
15 **Assistance**

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

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

19 (1) in subsection (a)—

20 (A) in paragraph (1), by adding at the end
21 the following:

22 “(C) *DATA COLLECTION AND SHARING.*—
23 The Secretary shall coordinate with the Adminis-
24 trator of the Risk Management Agency on the

1 *type and format of data received under the non-*
2 *insured crop disaster assistance program that—*

3 “(i) *best facilitates the use of that data*
4 *in developing policies or plans of insurance*
5 *offered under the Federal Crop Insurance*
6 *Act (7 U.S.C. 1501 et seq.); and*

7 “(ii) *ensures the availability of that*
8 *data on a regular basis.*

9 “(D) *COORDINATION.—The Secretary shall*
10 *coordinate between the agencies of the Depart-*
11 *ment that provide programs or services to farm-*
12 *ers and ranchers that are potentially eligible for*
13 *the noninsured crop disaster assistance program*
14 *under this section—*

15 “(i) *to make available coverage*
16 *under—*

17 “(I) *the fee waiver under sub-*
18 *section (k)(2); or*

19 “(II) *the premium discount under*
20 *subsection (l)(3); and*

21 “(ii) *to share eligibility information to*
22 *reduce paperwork and avoid duplication.”;*
23 *and*

24 “(B) *in paragraph (4)—*

1 (i) in subparagraph (B), by striking
2 *clause (i) and inserting the following:*

3 “(i) *IN GENERAL.—*

4 “(I) *AGRICULTURAL ACT OF*
5 *2014.—As determined by the Secretary,*
6 *native sod acreage that has been tilled*
7 *for the production of a covered crop*
8 *during the period beginning on Feb-*
9 *ruary 8, 2014, and ending on the date*
10 *of enactment of the Agriculture Im-*
11 *provement Act of 2018 shall be subject*
12 *to 4 cumulative years of a reduction in*
13 *benefits under this section as described*
14 *in this subparagraph.*

15 “(II) *SUBSEQUENT YEARS.—*

16 “(aa) *NON-HAY AND NON-*
17 *FORAGE CROPS.—During the first*
18 *4 crop years of planting, as deter-*
19 *mined by the Secretary, native*
20 *sod acreage that has been tilled for*
21 *the production of a covered crop*
22 *other than a hay or forage crop*
23 *after the date of enactment of the*
24 *Agriculture Improvement Act of*
25 *2018 shall be subject to 4 cumu-*

1 *lative years of a reduction in ben-*
 2 *efits under this section as de-*
 3 *scribed in this subparagraph.*

4 “(bb) *HAY AND FORAGE*
 5 *CROPS.—During each crop year of*
 6 *planting, as determined by the*
 7 *Secretary, native sod acreage that*
 8 *has been tilled for the production*
 9 *of a hay or forage crop after the*
 10 *date of enactment of the Agri-*
 11 *culture Improvement Act of 2018*
 12 *shall be subject to 4 cumulative*
 13 *years of a reduction in benefits*
 14 *under this section as described in*
 15 *this subparagraph.”;*

16 *(ii) by redesignating subparagraph (C)*
 17 *as subparagraph (D);*

18 *(iii) by inserting after subparagraph*
 19 *(B) the following:*

20 “(C) *NATIVE SOD CONVERSION CERTIFI-*
 21 *CATION.—*

22 *“(i) CERTIFICATION.—As a condition*
 23 *on the receipt of benefits under this section,*
 24 *a producer that has tilled native sod acre-*
 25 *age for the production of an insurable crop*

1 as described in subparagraph (B)(i) shall
2 certify to the Secretary that acreage using—

3 “(I) an acreage report form of the
4 Farm Service Agency (FSA-578 or
5 any successor form); and

6 “(II) 1 or more maps.

7 “(ii) CORRECTIONS.—Beginning on the
8 date on which a producer submits a certifi-
9 cation under clause (i), as soon as prac-
10 ticable after the producer discovers a change
11 in tilled native sod acreage described in
12 that clause, the producer shall submit to the
13 Secretary any appropriate corrections to a
14 form or map described in subclause (I) or
15 (II) of that clause.

16 “(iii) ANNUAL REPORTS.—Not later
17 than January 1, 2019, and each January 1
18 thereafter through January 1, 2023, the
19 Secretary shall submit to the Committee on
20 Agriculture of the House of Representatives
21 and the Committee on Agriculture, Nutri-
22 tion, and Forestry of the Senate a report
23 that describes the tilled native sod acreage
24 that has been certified under clause (i) in

1 *each county and State as of the date of sub-*
2 *mission of the report.”; and*

3 *(iv) in subparagraph (D) (as so reded-*
4 *ignated)—*

5 *(I) by striking “This paragraph”*
6 *and inserting the following:*

7 *“(i) IN GENERAL.—Subject to clause*
8 *(ii), this paragraph”; and*

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

11 *“(ii) ELECTION.—A governor of a*
12 *State other than a State described in clause*
13 *(i) may elect to have this paragraph apply*
14 *to the State.”;*

15 *(2) in subsection (b)—*

16 *(A) in paragraph (1), by striking “not later*
17 *than 30 days” and inserting “by an appropriate*
18 *deadline”; and*

19 *(B) by adding at the end the following:*

20 *“(4) STREAMLINED SUBMISSION PROCESS.—The*
21 *Secretary shall establish a streamlined process for the*
22 *submission of records and acreage reports under*
23 *paragraphs (2) and (3) for—*

24 *“(A) diverse production systems such as*
25 *those typical of urban production systems, other*

1 *small-scale production systems, and direct-to-*
2 *consumer production systems; and*

3 “(B) *additional coverage under subsection*
4 *(l)—*

5 *“(i) for maximum liabilities not great-*
6 *er than \$100,000; and*

7 *“(ii) that is equivalent to the process*
8 *described in the regulations for microloan*
9 *operating loans under parts 761 and 764 of*
10 *title 7, Code of Federal Regulations (as in*
11 *effect on the date of enactment of the Agri-*
12 *culture Improvement Act of 2018).”;*

13 *(3) in subsection (d)—*

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

17 *(B) by inserting before paragraph (2) (as so*
18 *redesignated) the following:*

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

21 *(C) in paragraph (2) (as so redesignated),*
22 *by striking “established yield for the crop” and*
23 *inserting “approved yield for the crop, as deter-*
24 *mined by the Secretary”;*

25 *(4) in subsection (e)—*

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

3 (B) in paragraph (2)—

4 (i) in the second sentence—

5 (I) by inserting “approved” before
6 “yield”; and

7 (II) by striking “Subject” and in-
8 serting the following:

9 “(B) CALCULATION.—Subject”; and

10 (ii) in the matter preceding subpara-
11 graph (B) (as so designated)—

12 (I) by striking “yield coverage”
13 and inserting “an approved yield”;
14 and

15 (II) by striking “The Secretary”
16 and inserting the following:

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

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

21 (5) in subsection (i)(2), by striking “exceed
22 \$125,000” and inserting the following: “exceed—

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

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

3 (6) in subsection (k)(1)—

4 (A) in subparagraph (A), by striking
5 “\$250” and inserting “\$325”; and

6 (B) in subparagraph (B)—

7 (i) by striking “\$750” and inserting
8 “\$825”; and

9 (ii) by striking “\$1,875” and inserting
10 “\$1,950”; and

11 (7) in subsection (l)—

12 (A) in paragraph (1)—

13 (i) by redesignating subparagraphs
14 (A), (B), and (C) as subparagraphs (B),
15 (C), and (D), respectively;

16 (ii) by inserting before subparagraph
17 (B) (as so redesignated) the following:

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

20 (iii) in subparagraph (C) (as so redesi-
21 gnated), by inserting “, contract price, or
22 other premium price (such as a local, or-
23 ganic, or direct market price, as elected by
24 the producer)” after “price”;

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

1 (C) by redesignating paragraph (4) as
2 paragraph (3).

3 **SEC. 1602. ADDITIONAL ASSISTANCE FOR CERTAIN PRO-**
4 **DUCERS.**

5 (a) *DEFINITION OF QUALIFYING NATURAL DISASTER*
6 *DECLARATION.*—*In this section, the term “qualifying nat-*
7 *ural disaster declaration” means—*

8 (1) *a natural disaster declared by the Secretary*
9 *under section 321(a) of the Consolidated Farm and*
10 *Rural Development Act (7 U.S.C. 1961(a)); or*

11 (2) *a major disaster or emergency designated by*
12 *the President under the Robert T. Stafford Disaster*
13 *Relief and Emergency Assistance Act (42 U.S.C. 5121*
14 *et seq.).*

15 (b) *AVAILABILITY OF ADDITIONAL ASSISTANCE.*—*As*
16 *soon as practicable after October 1, 2018, the Secretary*
17 *shall make available assistance under section 196 of the*
18 *Federal Agriculture Improvement and Reform Act of 1996*
19 *(7 U.S.C. 7333) to producers of an eligible crop (as defined*
20 *in subsection (a)(2) of that section) that suffered losses in*
21 *a county covered by a qualifying natural disaster declara-*
22 *tion for production losses due to volcanic activity.*

23 (c) *AMOUNT.*—*The Secretary shall make assistance*
24 *available under subsection (b) in an amount equal to the*
25 *amount of assistance determined under section 196(d) of the*

1 *Federal Agriculture Improvement and Reform Act of 1996*
2 *(7 U.S.C. 7333(d)), less any fees that are owed by producers*
3 *under section 196(k) of that Act (7 U.S.C. 7333(k)).*

4 ***Subtitle G—Administration***

5 ***SEC. 1701. REGULATIONS.***

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

8 *(1) in the matter preceding subparagraph (A),*
9 *by striking “title and sections 11003 and 11017” and*
10 *inserting “title, sections 11003 and 11017, title I of*
11 *the Agriculture Improvement Act of 2018 and the*
12 *amendments made by that title, and section 10109 of*
13 *that Act”;*

14 *(2) in subparagraph (A), by adding “and” at the*
15 *end;*

16 *(3) in subparagraph (B), by striking “; and”*
17 *and inserting a period; and*

18 *(4) by striking subparagraph (C).*

19 ***SEC. 1702. SUSPENSION OF PERMANENT PRICE SUPPORT*** 20 ***AUTHORITY.***

21 *Section 1602 of the Agricultural Act of 2014 (7 U.S.C.*
22 *9092) is amended by striking “2018” each place it appears*
23 *and inserting “2023”.*

1 **SEC. 1703. IMPLEMENTATION.**

2 *Section 1614 of the Agricultural Act of 2014 (7 U.S.C.*
3 *9097) is amended—*

4 *(1) by striking subsection (b) and inserting the*
5 *following:*

6 *“(b) STREAMLINING.—In implementing this title, the*
7 *Secretary shall—*

8 *“(1) reduce administrative burdens and costs to*
9 *producers by streamlining and reducing paperwork,*
10 *forms, and other administrative requirements, includ-*
11 *ing through the implementation of the Acreage Crop*
12 *Reporting and Streamlining Initiative that, in part,*
13 *shall ensure that—*

14 *“(A) a producer (or an agent of a producer)*
15 *may report information electronically (including*
16 *geospatial data) or conventionally to the Depart-*
17 *ment of Agriculture;*

18 *“(B) the Department of Agriculture collects*
19 *and collates producer information that allows*
20 *cross-agency collation, including by—*

21 *“(i) using farm numbers, common-*
22 *land-unit identifiers, or other common iden-*
23 *tifiers to enable data across the farm pro-*
24 *duction and conservation mission area to be*
25 *collated by farm, field, and operator or*
26 *owner;*

1 “(ii) recording and making available
2 data at the smallest possible unit, such as
3 field-level; and

4 “(iii) harmonizing methods for deter-
5 mining yields and property descriptions;
6 and

7 “(C) on the request of the producer (or
8 agent thereof), the Department of Agriculture
9 electronically shares with the producer (or agent)
10 in real time and without cost to the producer (or
11 agent) the common land unit data, related farm
12 level data, conservation practices and other in-
13 formation of the producer through a single De-
14 partment-wide login;

15 “(2) improve coordination, information sharing,
16 and administrative work with the Farm Service
17 Agency, the Risk Management Agency, the Natural
18 Resources Conservation Service, and other agencies,
19 as determined appropriate by the Secretary, includ-
20 ing by—

21 “(A) streamlining processes and reducing
22 paperwork for cross-agency interactions, such as
23 acreage reports and conservation compliance de-
24 terminations; and

1 “(B) utilizing common acreage reporting
2 processes to collect relevant field-level data such
3 that a producer—

4 “(i) has the option to report—

5 “(I) to any of those agencies; and

6 “(II) electronically; and

7 “(ii) does not need to report duplica-
8 tive information; and

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

12 “(A) providing an option, as practicable,
13 for uploading other farm- or field-level data that
14 is unrelated to program requirements, such as
15 input costs or field characteristics, such as soil
16 test results;

17 “(B) maintaining historical information
18 and allowing users to examine trends on a field-
19 or farm-level;

20 “(C) providing access to agency tools, such
21 as farm- or field-level estimates of benefits of ex-
22 isting or prospective conservation practices;

23 “(D) developing data standards and secu-
24 rity procedures to allow optional precision agri-
25 culture or other third-party providers to develop

1 *applications to use or feed into the datasets and*
2 *analysis; and*

3 “(E) *developing methods to summarize the*
4 *improved yield or reduced risk relating to con-*
5 *servation best practices through cooperative ex-*
6 *tension services or other similar means, while en-*
7 *sureing the privacy of individual producers.”;*
8 *and*

9 (2) *by adding at the end the following:*

10 “(e) *DEOBLIGATION OF UNLIQUIDATED OBLIGA-*
11 *TIONS.—*

12 “(1) *IN GENERAL.—Subject to paragraph (3),*
13 *any payment obligated or otherwise made available*
14 *by the Secretary under this title on or after the date*
15 *of enactment of the Agriculture Improvement Act of*
16 *2018 that is not disbursed to the recipient by the date*
17 *that is 5 years after the date on which the payment*
18 *is obligated or otherwise made available shall—*

19 “(A) *be deobligated; and*

20 “(B) *revert to the Treasury.*

21 “(2) *OUTSTANDING PAYMENTS.—*

22 “(A) *IN GENERAL.—Subject to paragraph*
23 *(3), any payment obligated or otherwise made*
24 *available by the Farm Service Agency (or any*
25 *predecessor agency of the Department of Agri-*

1 *culture) under the laws described in subpara-*
2 *graph (B) before the date of enactment of the Ag-*
3 *riculture Improvement Act of 2018, that is not*
4 *disbursed by the date that is 5 years after the*
5 *date on which the payment is obligated or other-*
6 *wise made available shall—*

7 *“(i) be deobligated; and*

8 *“(ii) revert to the Treasury.*

9 *“(B) LAWS DESCRIBED.—The laws referred*
10 *to in subparagraph (A) are any of the following:*

11 *“(i) This title.*

12 *“(ii) Title I of the Food, Conservation,*
13 *and Energy Act of 2008 (7 U.S.C. 8702 et*
14 *seq.).*

15 *“(iii) Title I of the Farm Security and*
16 *Rural Investment Act of 2002 (7 U.S.C.*
17 *7901 et seq.).*

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

20 *“(v) Titles I through XI of the Food,*
21 *Agriculture, Conservation, and Trade Act of*
22 *1990 (Public Law 101–624; 104 Stat. 3374)*
23 *and the amendments made by those titles.*

24 *“(vi) Titles I through X of the Food*
25 *Security Act of 1985 (Public Law 99–198;*

1 99 Stat. 1362) and the amendments made
2 by those titles.

3 “(vii) Titles I through XI of the Agri-
4 culture and Food Act of 1981 (Public Law
5 97–98; 95 Stat. 1218) and the amendments
6 made by those titles.

7 “(viii) Titles I through X of the Food
8 and Agriculture Act of 1977 (Public Law
9 95–113; 91 Stat. 917) and the amendments
10 made by those titles.

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

14 “(A) that is the subject of—

15 “(i) ongoing administrative review or
16 appeal;

17 “(ii) litigation; or

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

19 “(B) for which the Secretary otherwise de-
20 termines that the circumstances are such that the
21 delay is equitable.”.

1 **SEC. 1704. DEFINITION OF SIGNIFICANT CONTRIBUTION OF**
2 **ACTIVE PERSONAL MANAGEMENT.**

3 *Section 1001(a) of the Food Security Act of 1985 (7*
4 *U.S.C. 1308(a)) is amended by adding at the end the fol-*
5 *lowing:*

6 “(6) *SIGNIFICANT CONTRIBUTION OF ACTIVE*
7 *PERSONAL MANAGEMENT.—The term ‘significant con-*
8 *tribution of active personal management’ means ac-*
9 *tive personal management activities performed by a*
10 *person with a direct or indirect ownership interest in*
11 *the farming operation on a regular, continuous, and*
12 *substantial basis to the farming operation, and that*
13 *meet at least one of the following to be considered sig-*
14 *nificant:*

15 “(A) *Are performed for at least 25 percent*
16 *of the total management hours required for the*
17 *farming operation on an annual basis.*

18 “(B) *Are performed for at least 500 hours*
19 *annually for the farming operation.”.*

20 **SEC. 1705. ACTIVELY ENGAGED IN FARMING REQUIREMENT.**

21 *Section 1001A(b) of the Food Security Act of 1985 (7*
22 *U.S.C. 1308–1(b)) is amended by adding at the end the fol-*
23 *lowing:*

24 “(3) *ACTIVELY ENGAGED IN FARMING REQUIRE-*
25 *MENT.—*

1 “(A) *IN GENERAL.*—Notwithstanding any
2 *other provision of this section, section 1001, and*
3 *sections 1001B through 1001F, and any regula-*
4 *tions to implement those provisions or sections,*
5 *the Secretary shall consider not more than 1 per-*
6 *son or legal entity per farming operation to be*
7 *actively engaged in farming using active per-*
8 *sonal management.*

9 “(B) *REQUIREMENTS.*—*The Secretary may*
10 *only consider a person or legal entity to be ac-*
11 *tively engaged in farming using active personal*
12 *management under subparagraph (A) if the per-*
13 *son or legal entity—*

14 “(i) *together with other persons or legal*
15 *entities in the farming operation qualifying*
16 *as actively engaged in farming under para-*
17 *graph (2), does not collectively receive, di-*
18 *rectly or indirectly, an amount equal to*
19 *more than the limitation under section*
20 *1001(b);*

21 “(ii) *does not use the active manage-*
22 *ment contribution allowed under this sec-*
23 *tion to qualify as actively engaged in farm-*
24 *ing in more than 1 farming operation; and*

1 “(iii) manages a farming operation
2 that does not substantially share equipment,
3 labor, or management with persons or legal
4 entities that, together with the person or
5 legal entity, collectively receive, directly or
6 indirectly, an amount equal to more than
7 the limitation under section 1001(b).”.

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

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

12 **SEC. 1707. BASE ACRES REVIEW.**

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

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

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

24 (a) *IN GENERAL.*—Not later than 1 year after the date
25 of enactment of this Act, the Secretary, in consultation with

1 *the Inspector General of the Department of Agriculture,*
2 *shall establish policies, procedures, and plans to improve*
3 *program accountability and integrity through targeted and*
4 *coordinated activities, including utilizing data mining to*
5 *identify and reduce errors, waste, fraud, and abuse in pro-*
6 *grams administered by the Farm Service Agency.*

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

13 **(1)** *the existing efforts of the Department of Agri-*
14 *culture to eliminate errors, waste, fraud, and abuse,*
15 *including efforts that involve coordination with other*
16 *departments or agencies;*

17 **(2)** *identified weaknesses or program integrity*
18 *issues that contribute to errors, waste, fraud, and*
19 *abuse in Farm Service Agency programs and plans*
20 *for actions to be taken to address and reduce those*
21 *weaknesses or program integrity issues;*

22 **(3)** *the existing and planned data sampling and*
23 *mining activities of the Farm Service Agency;*

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

1 (5) *any plans for administrative actions or rec-*
2 *ommendations for legislative changes relating to re-*
3 *ducing errors, waste, fraud, and abuse in programs of*
4 *the Department of Agriculture.*

5 **SEC. 1709. TECHNICAL CORRECTIONS.**

6 (a) *Section 1112(c)(2) of the Agricultural Act of 2014*
7 *(7 U.S.C. 9012(c)(2)) is amended by striking subparagraph*
8 *(A) and inserting the following:*

9 “(A) *Any acreage on the farm enrolled in—*

10 “(i) *the conservation reserve program*
11 *established under subchapter B of chapter 1*
12 *of subtitle D of title XII of the Food Secu-*
13 *rity Act of 1985 (16 U.S.C. 3831 et seq.);*
14 *or*

15 “(ii) *a wetland reserve easement under*
16 *section 1265C of the Food Security Act of*
17 *1985 (16 U.S.C. 3865c).”.*

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

20 (1) *in paragraph (1), by striking “pursuant 2*
21 *U.S.C. 901(a)” and inserting “pursuant to section*
22 *251(a) of the Balanced Budget and Emergency Deficit*
23 *Control Act of 1985 (2 U.S.C. 901(a))”; and*

24 (2) *by striking “subtitles B” each place it ap-*
25 *pears and inserting “subtitle B”.*

1 **TITLE II—CONSERVATION**
2 **Subtitle A—Conservation Reserve**
3 **Program**

4 **SEC. 2101. EXTENSION AND ENROLLMENT REQUIREMENTS**
5 **OF CONSERVATION RESERVE PROGRAM.**

6 *Section 1231 of the Food Security Act of 1985 (16*
7 *U.S.C. 3831) is amended—*

8 (1) *in subsection (a), by striking “2018” and in-*
9 *serting “2023”;*

10 (2) *in subsection (b)(1)—*

11 (A) *in subparagraph (A)(i), by striking*
12 *“or” at the end and inserting “and”; and*

13 (B) *in subparagraph (B), by striking “Ag-*
14 *ricultural Act of 2014” and inserting “Agri-*
15 *culture Improvement Act of 2018”;*

16 (3) *in subsection (d)—*

17 (A) *in paragraph (1)—*

18 (i) *in subparagraph (D), by striking*
19 *“and” at the end;*

20 (ii) *in subparagraph (E), by striking*
21 *the period at the end and inserting “; and”;*
22 *and*

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

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

3 (B) in paragraph (2)—

4 (i) in subparagraph (A)—

5 (I) by striking “limitations” and
6 inserting “limitation”; and

7 (II) by striking “2018” and in-
8 serting “2023”; and

9 (ii) in subparagraph (B)—

10 (I) by striking “may” and insert-
11 ing “shall”;

12 (II) by striking “land with expir-
13 ing” and inserting the following:
14 “land, as determined by the Sec-
15 retary—

16 “(i) with expiring”;

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

20 (IV) by adding at the end the fol-
21 lowing:

22 “(ii) at risk of conversion or develop-
23 ment; or

24 “(iii) of ecological significance, includ-
25 ing land that—

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

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

10 “(III) improves or creates wildlife
11 habitat corridors.”; and

12 (iii) in subparagraph (C)—

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

16 “(i) make”;

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

20 (III) by adding at the end the fol-
21 lowing:

22 “(ii) offer enrollment under subpara-
23 graph (A) during any period that any other
24 land may be enrolled in the conservation re-
25 serve.”; and

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

2 “(3) *ADDITIONAL ENROLLMENT PROCEDURE.*—

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

10 “(B) *ANNUAL ENROLLMENT.*—Subject to the
11 availability of acreage for enrollment in the con-
12 servation reserve program for a fiscal year in ac-
13 cordance with paragraph (1), the Secretary shall
14 enter into contracts under the conservation re-
15 serve program for each fiscal year.

16 “(4) *STATE ACRES FOR WILDLIFE ENHANCE-*
17 *MENT.*—

18 “(A) *IN GENERAL.*—For the purposes of ap-
19 plying the limitations in paragraph (1), the Sec-
20 retary shall give priority to land—

21 “(i) enrolled in the conservation reserve
22 program using continuous sign-up under
23 section 1234(d)(2)(A)(ii); and

24 “(ii) on which practices to maintain,
25 enhance, or restore wildlife habitat on land

1 *designated as a State acres for wildlife en-*
2 *hancement area under subsection (j)(1) shall*
3 *be conducted.*

4 “(B) *ACREAGE.*—*Of the acres maintained*
5 *in the conservation reserve in accordance with*
6 *paragraph (1), to the maximum extent prac-*
7 *ticable, not less than 30 percent of acres enrolled*
8 *in the conservation reserve using continuous*
9 *sign-up under section 1234(d)(2)(A)(ii) shall be*
10 *of land described in subparagraph (A).*

11 “(5) *ENROLLMENT OF WATER QUALITY PRAC-*
12 *TICES TO FOSTER CLEAN LAKES, ESTUARIES, AND*
13 *RIVERS.*—

14 “(A) *IN GENERAL.*—*For purposes of apply-*
15 *ing the limitation in paragraph (1), the Sec-*
16 *retary shall give priority to the enrollment in the*
17 *conservation reserve program under this sub-*
18 *chapter of land that, as determined by the Sec-*
19 *retary—*

20 “(i) *will have a positive impact on*
21 *water quality; and*

22 “(ii) *(I) will be devoted to—*

23 “(aa) *a grass sod waterway;*

24 “(bb) *a contour grass sod strip;*

25 “(cc) *a prairie strip;*

- 1 “(dd) a filterstrip;
- 2 “(ee) a riparian buffer;
- 3 “(ff) a wetland or a wetland buff-
- 4 er;
- 5 “(gg) a saturated buffer;
- 6 “(hh) a bioreactor; or
- 7 “(ii) another similar water qual-
- 8 ity practice, as determined by the Sec-
- 9 retary; or
- 10 “(II) will be enrolled in the conserva-
- 11 tion reserve program using continuous sign-
- 12 up under section 1234(d)(2)(A)(ii).
- 13 “(B) *SEDIMENT AND NUTRIENT LOAD-*
- 14 *INGS.—In carrying out subparagraph (A), the*
- 15 *Secretary shall consider land that—*
- 16 “(i) *is located in a watershed impacted*
- 17 *by sediment and nutrient; and*
- 18 “(ii) *if enrolled, will reduce sediment*
- 19 *loadings, nutrient loadings, and harmful*
- 20 *algal blooms, as determined by the Sec-*
- 21 *retary.*
- 22 “(C) *ACREAGE.—Of the acres maintained*
- 23 *in the conservation reserve in accordance with*
- 24 *paragraph (1), to the maximum extent prac-*
- 25 *ticable, not less than 40 percent of acres enrolled*

1 *in the conservation reserve using continuous*
2 *sign-up under section 1234(d)(2)(A)(ii) shall be*
3 *of land described in subparagraph (A).*

4 “(D) *REPORT.—The Secretary shall—*

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

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

14 “(I) *new enrollments;*

15 “(II) *expirations;*

16 “(III) *geographic distribution;*

17 *and*

18 “(IV) *estimated water quality*
19 *benefits.”; and*

20 (4) *by adding at the end the following:*

21 “(j) *STATE ACRES FOR WILDLIFE ENHANCEMENT.—*

22 “(1) *IN GENERAL.—A State or Indian Tribe, in*
23 *consultation with the applicable State technical com-*
24 *mittee established under section 1261(a), may submit*
25 *to the Secretary a request to designate within the*

1 *State or territory of the Indian Tribe a State acres*
2 *for wildlife enhancement area (referred to in this sub-*
3 *section as a ‘SAFE area’) in accordance with this*
4 *subsection.*

5 “(2) *REQUESTS.—A request submitted under*
6 *paragraph (1) shall—*

7 “(A) *include a description of—*

8 “(i) *the specific wildlife species that*
9 *would benefit from the creation of the habi-*
10 *tat;*

11 “(ii) *the number of acres requested for*
12 *enrollment;*

13 “(iii) *the geographic area where the*
14 *habitat would be created; and*

15 “(iv) *the 1 or more specific practices to*
16 *be conducted for the benefit of the wildlife*
17 *species described in clause (i);*

18 “(B) *be in accordance with State or na-*
19 *tional wildlife habitat plans or goals; and*

20 “(C) *include a wildlife monitoring and*
21 *evaluation plan.*

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

24 “(A) *that cover an area—*

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

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

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

11 “(II) to remove a species from the
12 list of threatened species or endangered
13 species under that Act;

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

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

21 “(B) that include a commitment of funds
22 from which to pay for incentive payments to an
23 agricultural producer that enrolls land in the
24 conservation reserve program within a *SAFE*
25 area.

1 “(4) *REGIONAL BALANCE.*—*To the maximum extent practicable, the Secretary shall maintain a regional balance in the designation of SAFE areas.*

4 “(5) *REPORT.*—*The Secretary shall—*

5 “(A) *in the monthly publication of the Secretary describing conservation reserve program statistics, include a description of enrollments in SAFE areas; and*

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

12 “(i) *new enrollments;*

13 “(ii) *expirations;*

14 “(iii) *geographic distribution; and*

15 “(iv) *estimated wildlife benefits.*”.

16 **SEC. 2102. FARMABLE WETLAND PROGRAM.**

17 *Section 1231B(a)(1) of the Food Security Act of 1985*
18 *(16 U.S.C. 3831b(a)(1)) is amended by striking “2018” and*
19 *inserting “2023”.*

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

21 *(a) COST-SHARE AND RENTAL PAYMENTS.*—*Section*
22 *1233(a)(1) of the Food Security Act of 1985 (16 U.S.C.*
23 *3833(a)(1)) is amended by inserting “, including the cost*
24 *of fencing and other water distribution practices, if appli-*
25 *cable” after “interest”.*

1 (b) *SPECIFIED ACTIVITIES PERMITTED.*—Section
2 *1233(b) of the Food Security Act of 1985 (16 U.S.C.*
3 *3833(b)) is amended—*

4 (1) *by striking paragraphs (1), (2), (3), and (5);*

5 (2) *by redesignating paragraph (4) as subpara-*
6 *graph (C) and indenting appropriately;*

7 (3) *by inserting before subparagraph (C) (as so*
8 *redesignated) the following:*

9 “(B) *harvesting, grazing, or other commer-*
10 *cial use of the forage, without any reduction in*
11 *the rental rate, in response to—*

12 “(i) *drought;*

13 “(ii) *flooding;*

14 “(iii) *a state of emergency caused by*
15 *drought or wildfire—*

16 “(I) *that is declared by the Gov-*
17 *ernor, in consultation with the State*
18 *Committee of the Farm Service Agen-*
19 *cy, of the State in which the land that*
20 *is subject to a contract under the con-*
21 *servation reserve program is located;*

22 “(II) *that covers any part of the*
23 *State or the entire State; and*

24 “(III) *the declaration of which*
25 *under subclause (I) is not objected to*

1 *by the Secretary during the 5 business*
2 *days after the date of declaration; or*

3 *“(iv) any other emergency, as deter-*
4 *mined by the Secretary;”;*

5 *(4) in the matter preceding subparagraph (B)*
6 *(as so designated), by striking “The Secretary” and*
7 *inserting the following:*

8 *“(1) IN GENERAL.—The Secretary”;*

9 *(5) in paragraph (1) (as so designated)—*

10 *(A) by inserting before subparagraph (B)*
11 *(as so designated) the following:*

12 *“(A) consistent with the conservation of soil,*
13 *water quality, and wildlife habitat—*

14 *“(i) managed harvesting and other*
15 *commercial use (including the managed*
16 *harvesting of biomass), in exchange for a re-*
17 *duction in the annual rental rate of 25 per-*
18 *cent for the acres covered by the activity, ex-*
19 *cept that in permitting those activities, the*
20 *Secretary, in consultation with the State*
21 *technical committee established under sec-*
22 *tion 1261(a) for the applicable State,*
23 *shall—*

24 *“(I) develop appropriate vegeta-*
25 *tion management requirements;*

1 “(II) subject harvesting to restric-
2 tions during the primary nesting sea-
3 son for birds in the area, as deter-
4 mined by the Secretary, in consulta-
5 tion with the State technical com-
6 mittee;

7 “(III) not allow harvesting to
8 occur more frequently than once every
9 3 years on the same land; and

10 “(IV) not allow more than $\frac{1}{3}$ of
11 the acres covered by all of the conserva-
12 tion reserve program contracts of the
13 owner or operator to be harvested dur-
14 ing any year; and

15 “(ii) grazing, in exchange for a reduc-
16 tion in the annual rental rate of 25 percent
17 for the acres covered by the activity, except
18 that in permitting that grazing, the Sec-
19 retary, in consultation with the State tech-
20 nical committee established under section
21 1261(a) for the applicable State, shall—

22 “(I) develop appropriate vegeta-
23 tion management requirements and
24 stocking rates, based on stocking rates
25 under the livestock forage disaster pro-

1 *gram established under section 1501(c)*
2 *of the Agricultural Act of 2014 (7*
3 *U.S.C. 9081(c)) (referred to in this*
4 *subsection as the ‘livestock forage dis-*
5 *aster program’), for the land that are*
6 *suitable for continued grazing;*

7 *“(II) identify the periods during*
8 *which grazing may be conducted, tak-*
9 *ing into consideration regional dif-*
10 *ferences, such as—*

11 *“(aa) climate, soil type, and*
12 *natural resources;*

13 *“(bb) the appropriate fre-*
14 *quency and duration of grazing*
15 *activities; and*

16 *“(cc) how often during a*
17 *year in which grazing is per-*
18 *mitted that grazing should be al-*
19 *lowed to occur;*

20 *“(III) not allow grazing to occur*
21 *more frequently than once every 3*
22 *years on the same land;*

23 *“(IV)(aa) in the case of a con-*
24 *servation reserve program contract that*
25 *covers more than 20 acres, not allow*

1 *more than $\frac{1}{3}$ of the acres covered by*
2 *all of the conservation reserve program*
3 *contracts of the owner or operator to be*
4 *grazed during any year; or*

5 *“(bb) in the case of a con-*
6 *servaion reserve program con-*
7 *tract that covers less than or equal*
8 *to 20 acres, allow grazing on all*
9 *of the land covered by the contract*
10 *at 25 percent of the stocking rate*
11 *permitted under the livestock for-*
12 *age disaster program; and*

13 *“(V) allow a veteran or beginning*
14 *farmer or rancher to graze livestock*
15 *without any reduction in the rental*
16 *rate; and”;* and

17 *(B) in subparagraph (C) (as so redesign-*
18 *ated), by striking “; and” and inserting a pe-*
19 *riod; and*

20 *(6) by adding at the end the following:*

21 *“(2) RESTRICTIONS AND CONDITIONS.—Para-*
22 *graph (1)(A) shall be subject to the following restric-*
23 *tions and conditions:*

24 *“(A) SEVERE OR HIGHER INTENSITY*
25 *DROUGHT.—Land located in a county that has*

1 *been rated by the United States Drought Monitor*
2 *as having a D2 (severe drought) or greater inten-*
3 *sity for not less than 1 month during the normal*
4 *grazing period established under the livestock*
5 *forage disaster program for the 3 previous con-*
6 *secutive years shall be ineligible for harvesting or*
7 *grazing under paragraph (1)(A) for that year.*

8 “(B) *DAMAGE TO VEGETATIVE COVER.*—*The*
9 *Secretary, in coordination with the applicable*
10 *State technical committee established under sec-*
11 *tion 1265(a), may determine for any year that*
12 *harvesting or grazing under paragraph (1)(A)*
13 *shall not be permitted on land subject to a con-*
14 *tract under the conservation reserve program in*
15 *a particular county if harvesting or grazing for*
16 *that year would cause long-term damage to the*
17 *vegetative cover on that land.*

18 “(C) *STATE ACRES FOR WILDLIFE EN-*
19 *HANCEMENT.*—*The Secretary, in consultation*
20 *with the State technical committee established*
21 *under section 1261(a) for the applicable State,*
22 *may allow grazing or harvesting in accordance*
23 *with paragraph (1)(A) on land covered by a con-*
24 *tract enrolled under the State acres for wildlife*
25 *enhancement program established by the Sec-*

1 *retary or established under section 1231(j)*
2 *through the duration of that contract, if grazing*
3 *or harvesting is specifically permitted under the*
4 *applicable State acres for wildlife enhancement*
5 *program agreement for that contract.*

6 “(D) CONSERVATION RESERVE ENHANCE-
7 MENT PROGRAM.—*The Secretary, in consultation*
8 *with the State technical committee established*
9 *under section 1261(a) for the applicable State,*
10 *may allow grazing or harvesting under para-*
11 *graph (1)(A) to be conducted on land covered by*
12 *a contract enrolled under the conservation re-*
13 *serve enhancement program established by the*
14 *Secretary under this subchapter or under section*
15 *1231A, if grazing or harvesting is specifically*
16 *permitted under the applicable conservation re-*
17 *serve enhancement program agreement for that*
18 *contract.”.*

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

22 “(e) HARVESTING AND GRAZING.—

23 “(1) IN GENERAL.—*The Secretary, in consulta-*
24 *tion with the State technical committee established*
25 *under section 1261(a) for the applicable State, may*

1 *permit harvesting and grazing in accordance with*
2 *subsection (b) on any land subject to a contract under*
3 *the conservation reserve program.*

4 “(2) *EXCEPTION.—The Secretary, in coordina-*
5 *tion with the applicable State technical committee es-*
6 *tablished under section 1261(a), may determine for*
7 *any year that harvesting or grazing described in*
8 *paragraph (1) shall not be permitted on land subject*
9 *to a contract under the conservation reserve program*
10 *in a particular county, or under a particular prac-*
11 *tice, if harvesting or grazing for that year in that*
12 *county or under that practice, as applicable, would*
13 *cause long-term damage to vegetative cover on that*
14 *land.”.*

15 **SEC. 2104. PAYMENTS.**

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

18 *(1) in subsection (c)—*

19 *(A) by redesignating paragraphs (1) and*
20 *(2) as subparagraphs (A) and (B), respectively,*
21 *and indenting appropriately;*

22 *(B) by inserting before subparagraph (A)*
23 *(as so redesignated) the following:*

24 “(1) *SIGNING AND PRACTICE INCENTIVE PAY-*
25 *MENTS.—*

1 “(A) *IN GENERAL.*—*In the case of a contin-*
2 *uous enrollment contract, the Secretary may*
3 *make an incentive payment to an owner or oper-*
4 *ator of eligible land in an amount sufficient to*
5 *encourage participation in the program estab-*
6 *lished under this subchapter.*

7 “(B) *LIMITATION ON MAKING PAYMENTS.*—
8 *The Secretary may only make an incentive pay-*
9 *ment under subparagraph (A) if the national av-*
10 *erage market price received by producers during*
11 *the previous 12-month marketing year for major*
12 *covered commodities is greater than the national*
13 *average market price received by producers dur-*
14 *ing the most recent 10 marketing years for major*
15 *covered commodities.*

16 “(2) *TREE THINNING AND OTHER PRACTICES.*—
17 ”*; and*

18 (C) *in paragraph (2)(B) (as so designated),*
19 *by striking “paragraph (1)” and inserting “sub-*
20 *paragraph (A)”;*

21 (2) *in subsection (d)—*

22 (A) *in paragraph (3)(A)—*

23 (i) *by striking “Secretary may” and*
24 *inserting the following: “Secretary—*

25 “(i) *may”;*

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

4 (iii) by adding at the end the fol-
5 lowing:

6 “(i) shall prioritize the enrollment of
7 marginal and environmentally sensitive
8 land that is the subject of the contract
9 offer.”; and

10 (B) in paragraph (5)—

11 (i) in subparagraph (A), by striking
12 “other” before “year,”;

13 (ii) in subparagraph (C)—

14 (I) by striking “The Secretary
15 may use” and inserting “Subject to
16 paragraph (3)(A)(ii), with respect to”;
17 and

18 (II) by striking “rental rates” the
19 first place it appears and inserting the
20 following: “rental rates, the Sec-
21 retary—

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

24 “(ii) may use the estimates”; and

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

3 “(D) *RENTAL RATE LIMITATION.*—*Except*
4 *in the case of an incentive payment under sub-*
5 *section (c), a payment under this subchapter*
6 *shall not exceed 88.5 percent of the estimated*
7 *rental rate determined under subparagraph*
8 *(A).”*; and
9 (3) in subsection (g)—

10 (A) in paragraph (1), by striking “*The*
11 *total*” and inserting “*Except as provided in*
12 *paragraph (2), the total*”; and

13 (B) by striking paragraph (2) and inserting
14 the following:

15 “(2) *WELLHEAD PROTECTION.*—*Paragraph (1)*
16 *and section 1001D(b) shall not apply to rental pay-*
17 *ments received by a rural water district or associa-*
18 *tion for land that is enrolled under this subchapter*
19 *for the purpose of protecting a wellhead.”*.

20 **SEC. 2105. CONSERVATION RESERVE ENHANCEMENT PRO-**
21 **GRAM.**

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

1 **“SEC. 1231A. CONSERVATION RESERVE ENHANCEMENT**
2 **PROGRAM.**

3 “(a) *DEFINITIONS.—In this section:*

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

7 “(2) *ELIGIBLE PARTNER.—The term ‘eligible*
8 *partner’ means—*

9 “(A) *a State;*

10 “(B) *a political subdivision of a State;*

11 “(C) *an Indian tribe (as defined in section*
12 *4 of the Indian Self-Determination and Edu-*
13 *cation Assistance Act (25 U.S.C. 5304));*

14 “(D) *a nongovernmental organization;*

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

18 “(F) *a State cooperative extension service;*

19 “(G) *a research institute; and*

20 “(H) *any other entity, as determined ap-*
21 *propriate by the Secretary.*

22 “(3) *MANAGEMENT.—The term ‘management’*
23 *means an activity conducted by an owner or operator*
24 *under a contract entered into under this subchapter*
25 *after the establishment of a conservation practice on*
26 *eligible land, to regularly maintain or enhance the*

1 *vegetative cover established by the conservation prac-*
2 *tice—*

3 *“(A) throughout the term of the contract;*
4 *and*

5 *“(B) consistent with the conservation plan*
6 *that covers the eligible land.*

7 *“(4) PROGRAM.—The term ‘program’ means a*
8 *conservation reserve enhancement program carried*
9 *out under an agreement under subsection (b)(1).*

10 *“(b) AGREEMENTS.—*

11 *“(1) IN GENERAL.—The Secretary may enter*
12 *into an agreement with an eligible partner to carry*
13 *out a conservation reserve enhancement program—*

14 *“(A) to assist in enrolling eligible land in*
15 *the program established under this subchapter;*
16 *and*

17 *“(B) that the Secretary determines will ad-*
18 *vance the purposes of this subchapter.*

19 *“(2) CONTENTS.—An agreement entered into*
20 *under paragraph (1) shall—*

21 *“(A) describe—*

22 *“(i) 1 or more specific State or nation-*
23 *ally significant conservation concerns to be*
24 *addressed by the agreement;*

1 “(ii) quantifiable environmental goals
2 for addressing the concerns under clause (i);

3 “(iii) a suitable acreage goal for enroll-
4 ment of eligible land under the agreement,
5 as determined by the Secretary;

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

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

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

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

21 “(3) EFFECT ON EXISTING AGREEMENTS.—

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

1 “(B) *MODIFICATION OF EXISTING AGREEMENTS.*—*To implement this section, the signato-*
2 *ries to an agreement under this subsection may*
3 *mutually agree to a modification of an agree-*
4 *ment entered into before the date of enactment of*
5 *this section under the Conservation Reserve En-*
6 *hancement Program established by the Secretary*
7 *under this subchapter.*

8
9 “(c) *PAYMENTS.*—

10 “(1) *FUNDING REQUIREMENT.*—*Funds provided*
11 *by an eligible partner may be in cash, in-kind con-*
12 *tributions, or technical assistance.*

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

19 “(3) *COST-SHARE AND PRACTICE INCENTIVE PAY-*
20 *MENTS.*—

21 “(A) *IN GENERAL.*—*On request of an owner*
22 *or operator, the Secretary shall provide cost-*
23 *share payments when a major conservation prac-*
24 *tice component is completed under a program, as*
25 *determined by the Secretary.*

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

8 “(4) *RIPARIAN BUFFER MANAGEMENT PAY-*
9 *MENTS.—*

10 “(A) *IN GENERAL.—In the case of an agree-*
11 *ment under subsection (b)(1) that includes ripar-*
12 *ian buffers as an eligible practice, the Secretary*
13 *shall make cost-share payments to encourage the*
14 *regular management of the riparian buffer*
15 *throughout the term of the agreement, consistent*
16 *with the conservation plan that covers the eligi-*
17 *ble land.*

18 “(B) *LIMITATION.—The amount of pay-*
19 *ments received by an owner or operator under*
20 *subparagraph (A) shall not be greater than 100*
21 *percent of the normal and customary projected*
22 *management cost, as determined by the Sec-*
23 *retary, in consultation with the applicable State*
24 *technical committee established under section*
25 *1261(a).*

1 “(d) *FORESTED RIPARIAN BUFFER PRACTICE.*—

2 “(1) *FOOD-PRODUCING WOODY PLANTS.*—*In the*
3 *case of an agreement under subsection (b)(1) that in-*
4 *cludes forested riparian buffers as an eligible practice,*
5 *the Secretary shall allow an owner or operator—*

6 “(A) *to plant food-producing woody plants*
7 *in the forested riparian buffers, on the conditions*
8 *that—*

9 “(i) *the plants shall contribute to the*
10 *conservation of soil, water quality, and*
11 *wildlife habitat; and*

12 “(ii) *the planting shall be consistent*
13 *with—*

14 “(I) *recommendations of the ap-*
15 *plicable State technical committee es-*
16 *tablished under section 1261(a); and*

17 “(II) *technical guide standards of*
18 *the applicable field office of the Nat-*
19 *ural Resources Conservation Service;*
20 *and*

21 “(B) *to harvest from plants described in*
22 *subparagraph (A), on the conditions that—*

23 “(i) *the harvesting shall not damage*
24 *the conserving cover or otherwise have a*

1 *negative impact on the conservation con-*
2 *cerns targeted by the program; and*

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

6 “(2) *TECHNICAL ASSISTANCE.—For the purpose*
7 *of enrolling forested riparian buffers in a program,*
8 *the Administrator of the Farm Service Agency, in*
9 *consultation with the Chief of the Forest Service—*

10 *“(A) shall provide funds for technical assist-*
11 *ance directly to a State forestry agency; and*

12 *“(B) is encouraged to partner with a non-*
13 *governmental organization—*

14 *“(i) to make recommendations for con-*
15 *servations practices under the program;*

16 *“(ii) to provide technical assistance*
17 *necessary to carry out the conservation*
18 *practices recommended under clause (i);*
19 *and*

20 *“(iii) to implement riparian buffers*
21 *by—*

22 *“(I) pooling and submitting ap-*
23 *plications on behalf of owners and op-*
24 *erators in a specific watershed; and*

1 “(II) carrying out management
2 activities for the duration of the pro-
3 gram.

4 “(e) ACREAGE.—Of the acres of land maintained in
5 the conservation reserve in accordance with section
6 1231(d)(1), to the maximum extent practicable, not less
7 than 20 percent of the acres enrolled in the conservation
8 reserve program using continuous sign-up under section
9 1234(d)(2)(A)(ii) shall be enrolled under an agreement
10 under subsection (b)(1).

11 “(f) STATUS REPORT.—Not later than 180 days after
12 the end of each fiscal year, the Secretary shall submit to
13 Congress a report that describes, with respect to each agree-
14 ment entered into under subsection (b)(1)—

15 “(1) the status of the agreement;

16 “(2) the purposes and objectives of the agreement;

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

19 “(4) the progress made in fulfilling those com-
20 mitments.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) Section 1240R(c)(3) of the Food Security Act
23 of 1985 (16 U.S.C. 3839bb–5(c)(3)) is amended by
24 striking “a special conservation reserve enhancement
25 program described in section 1234(f)(4)” and insert-

1 *ing “the Conservation Reserve Enhancement Program*
 2 *under section 1231A”.*

3 *(2) Section 1244(f)(3) of the Food Security Act*
 4 *of 1985 (16 U.S.C. 3844(f)(3)) is amended by striking*
 5 *“subsection (d)(2)(A)(ii) or (g)(2) of section 1234”*
 6 *and inserting “section 1231A or 1234(d)(2)(A)(ii)”.*

7 **SEC. 2106. CONTRACTS.**

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

10 *(1) by striking subsection (e);*

11 *(2) by redesignating subsections (f) through (h)*
 12 *as subsections (e) through (g), respectively;*

13 *(3) in subsection (e) (as so redesignated)—*

14 *(A) in paragraph (1)—*

15 *(i) in the matter preceding subpara-*
 16 *graph (A), by striking “retired farmer or*
 17 *rancher” and inserting “contract holder”;*

18 *(ii) by striking “retired or retiring*
 19 *owner or operator” each place it appears*
 20 *and inserting “contract holder”;*

21 *(iii) in subparagraph (A), in the mat-*
 22 *ter preceding clause (i), by striking “1*
 23 *year” and inserting “2 years”;*

24 *(iv) in subparagraph (B), by inserting*
 25 *“purchase, including a lease with a term of*

1 *less than 5 years and an option to*” before
2 *“purchase”*;

3 *(v) in subparagraph (D), by striking*
4 *“and” at the end;*

5 *(vi) by redesignating subparagraph*
6 *(E) as subparagraph (F); and*

7 *(vii) by inserting after subparagraph*
8 *(D) the following:*

9 *“(E) give priority to the enrollment of the*
10 *land in—*

11 *“(i) the conservation stewardship pro-*
12 *gram established under subchapter B of*
13 *chapter 2;*

14 *“(ii) the environmental quality incen-*
15 *tives program established under chapter 4;*
16 *or*

17 *“(iii) the agricultural conservation*
18 *easement program established under subtitle*
19 *H; and”*; and

20 *(B) in paragraph (2)(A), by striking*
21 *“under the” and inserting the following:*

22 *“under—*

23 *“(i) the conservation reserve program*
24 *for grasslands described in section*
25 *1231(b)(3); or*

1 “(ii) the”; and

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

3 “(h) OWNER OR OPERATOR ELECTION RELATING TO
4 CONSERVATION RESERVE EASEMENTS.—

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

8 “(A) during the period beginning on the
9 date of enactment of this subsection and ending
10 on September 30, 2023; and

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

13 “(i) under the clean lakes, estuaries,
14 and rivers priority described in section
15 1231(d)(5); or

16 “(ii) that is located in a State acres
17 for wildlife enhancement area under section
18 1231(j).

19 “(2) ELECTION.—On the expiration of a covered
20 contract, an owner or operator party to the covered
21 contract shall elect—

22 “(A) not to reenroll the land under the con-
23 tract;

24 “(B) to reenroll the land under the contract,
25 on the conditions that—

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

3 “(ii) no incentive payments shall be
4 provided under the contract; or

5 “(C) not to reenroll the land under the con-
6 tract and to enroll the land under the contract
7 in a conservation reserve easement under section
8 1231C.

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

18 (b) *CONFORMING AMENDMENT.*—Section
19 1241(a)(1)(B) of the Food Security Act of 1985 (16 U.S.C.
20 3841(a)(1)(B)) is amended by striking “1235(f)” and in-
21 serting “1235(e)”.

22 **SEC. 2107. CONSERVATION RESERVE EASEMENTS.**

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

1 **“SEC. 1231C. CONSERVATION RESERVE EASEMENTS.**2 “(a) *IN GENERAL.*—3 “(1) *ENROLLMENT.*—*The Secretary shall offer to*
4 *enroll land in the conservation reserve program*
5 *through a conservation reserve easement in accord-*
6 *ance with this section.*7 “(2) *EXCLUSION OF ACREAGE LIMITATION.*—*For*
8 *purposes of applying the limitations in section*
9 *1231(d)(1), the Secretary shall not count acres of land*
10 *enrolled under this section.*11 “(b) *ELIGIBLE LAND.*—*Only land subject to an ex-*
12 *pired covered contract (as defined in section 1235(h)(1))*
13 *shall be eligible for enrollment through a conservation re-*
14 *serve easement under this section.*15 “(c) *TERM.*—*The term of a conservation reserve ease-*
16 *ment shall be—*17 “(1) *permanent; or*18 “(2) *the maximum period allowed by State law.*19 “(d) *AGREEMENTS.*—*To be eligible to enroll land in*
20 *the conservation reserve program through a conservation re-*
21 *serve easement, the owner of the land shall enter into an*
22 *agreement with the Secretary—*23 “(1) *to grant an easement on the land to the Sec-*
24 *retary;*

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

4 “(3) to create and record an appropriate deed re-
5 striction in accordance with applicable State law to
6 reflect the easement;

7 “(4) to provide a written statement of consent to
8 the easement signed by any person holding a security
9 interest in the land;

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

12 “(6) to permanently retire any existing base his-
13 tory for the land covered by the easement.

14 “(e) *TERMS AND CONDITIONS OF EASEMENTS.*—

15 “(1) *IN GENERAL.*—A conservation reserve ease-
16 ment shall include terms and conditions that—

17 “(A) permit—

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

22 “(ii) owners to control public access on
23 the land while identifying access routes to
24 be used for restoration activities and man-
25 agement and easement monitoring;

1 “(B) prohibit—

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

7 “(ii) the spraying of the land with
8 chemicals or the mowing of the land, except
9 where the spraying or mowing is authorized
10 by the Secretary or is necessary—

11 “(I) to comply with Federal or
12 State noxious weed control laws;

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

16 “(III) to meet habitat needs of
17 specific wildlife species;

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

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

5 “(C) include any additional provision that
6 the Secretary determines is appropriate to carry
7 out this section or facilitate the practical admin-
8 istration of this section.

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

11 “(A) the conservation reserve easement shall
12 remain in force; and

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

18 “(3) COMPATIBLE USES.—Land subject to a con-
19 servation reserve easement may be used for compatible
20 economic uses, including hunting and fishing, man-
21 aged timber harvest, or periodic haying or grazing, if
22 the use—

23 “(A) is specifically permitted by the con-
24 servation reserve easement plan developed for the
25 land; and

1 “(B) is consistent with the long-term protec-
2 tion and enhancement of the conservation re-
3 sources for which the easement was established.

4 “(f) COMPENSATION.—

5 “(1) DETERMINATION.—

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

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

17 “(ii) the amount corresponding to a
18 geographical limitation, as determined by
19 the Secretary in regulations prescribed by
20 the Secretary; or

21 “(iii) the offer made by the landowner.

22 “(B) OTHER.—Compensation for a con-
23 servation reserve easement that is not permanent
24 due to a restriction in applicable State law shall
25 be not less than 50 percent, but not more than

1 75 percent, of the compensation that would be
2 paid for a permanent conservation reserve ease-
3 ment.

4 “(2) *FORM OF PAYMENT.*—Compensation for a
5 conservation reserve easement shall be provided by the
6 Secretary in the form of a cash payment, in an
7 amount determined under paragraph (1).

8 “(3) *PAYMENTS.*—The Secretary may provide
9 payment under this paragraph to a landowner
10 using—

11 “(A) 10 annual payments; or

12 “(B) 1 payment.

13 “(4) *TIMING.*—The Secretary shall provide any
14 annual easement payment obligation under para-
15 graph (3)(A) as early as practicable in each fiscal
16 year.

17 “(5) *PAYMENTS TO OTHERS.*—The Secretary
18 shall make a payment, in accordance with regulations
19 prescribed by the Secretary, in a manner as the Sec-
20 retary determines is fair and reasonable under the
21 circumstances, if an owner who is entitled to a pay-
22 ment under this section—

23 “(A) dies;

24 “(B) becomes incompetent;

1 “(C) is succeeded by another person or enti-
2 ty who renders or completes the required per-
3 formance; or

4 “(D) is otherwise unable to receive the pay-
5 ment.

6 “(g) *TECHNICAL ASSISTANCE.*—

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

10 “(2) *CONTRACTS OR AGREEMENTS.*—The Sec-
11 retary may enter into 1 or more contracts with pri-
12 vate entities or agreements with a State, nongovern-
13 mental organization, or Indian Tribe to carry out
14 necessary maintenance of a conservation reserve ease-
15 ment if the Secretary determines that the contract or
16 agreement will advance the purposes of the conserva-
17 tion reserve program.

18 “(h) *ADMINISTRATION.*—

19 “(1) *CONSERVATION RESERVE EASEMENT*
20 *PLAN.*—The Secretary shall develop a conservation re-
21 serve easement plan for any land subject to a con-
22 servation reserve easement, which shall include prac-
23 tices and activities necessary to maintain, protect,
24 and enhance the conservation value of the enrolled
25 land.

1 “(2) *DELEGATION OF EASEMENT ADMINISTRA-*
2 *TION.—*

3 “(A) *FEDERAL, STATE, OR LOCAL GOVERN-*
4 *MENT AGENCIES.—The Secretary may delegate*
5 *any of the management, monitoring, and en-*
6 *forcement responsibilities of the Secretary under*
7 *this section to other Federal, State, or local gov-*
8 *ernment agencies that have the appropriate au-*
9 *thority, expertise, and resources necessary to*
10 *carry out those delegated responsibilities.*

11 “(B) *CONSERVATION ORGANIZATIONS.—The*
12 *Secretary may delegate any management respon-*
13 *sibilities of the Secretary under this section to*
14 *conservation organizations if the Secretary deter-*
15 *mines the conservation organization has similar*
16 *expertise and resources.”.*

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

18 *The Secretary shall revise paragraph (4) of section*
19 *1410.6(d) of title 7, Code of Federal Regulations, to provide*
20 *that land shall not be ineligible for enrollment in the con-*
21 *servation reserve program established under subchapter B*
22 *of chapter 1 of subtitle D of title XII of the Food Security*
23 *Act of 1985 (16 U.S.C. 3831 et seq.) under that paragraph*
24 *if the Deputy Administrator (as defined in section*
25 *1410.2(b) of title 7, Code of Federal Regulations (or suc-*

1 cessor regulations)), in consultation with the applicable
2 State technical committee established under section 1261(a)
3 of the Food Security Act of 1985 (16 U.S.C. 3861(a)) deter-
4 mines, under such terms and conditions as the Deputy Ad-
5 ministrator, in consultation with the State technical com-
6 mittee, determines to be appropriate, that making that land
7 eligible for enrollment in that program is in the best inter-
8 ests of that program.

9 ***Subtitle B—Conservation***
10 ***Stewardship Program***

11 ***SEC. 2201. DEFINITIONS.***

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

14 *(1) in paragraph (2)(B)—*

15 *(A) in clause (i), by striking “and” at the*
16 *end;*

17 *(B) in clause (ii), by striking the period at*
18 *the end and inserting a semicolon; and*

19 *(C) by adding at the end the following:*

20 *“(iii) development of a comprehensive*
21 *conservation plan, as defined in section*
22 *1238G(f)(1);*

23 *“(iv) soil health planning, including*
24 *planning to increase soil organic matter;*
25 *and*

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

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

7 “(A) quality criteria under a resource man-
8 agement system;

9 “(B) predictive analytics tools or models de-
10 veloped or approved by the Natural Resources
11 Conservation Service;

12 “(C) data from past and current enrollment
13 in the program; and

14 “(D) other methods that measure conserva-
15 tion and improvement in priority resource con-
16 cerns, as determined by the Secretary.”.

17 **SEC. 2202. ESTABLISHMENT.**

18 (a) *EXTENSION.*—Section 1238E(a) of the Food Secu-
19 rity Act of 1985 (16 U.S.C. 3838e(a)) is amended in the
20 matter preceding paragraph (1) by striking “2018” and in-
21 serting “2023”.

22 (b) *EXCLUSIONS.*—Section 1238E(b)(2) of the Food
23 Security Act of 1985 (16 U.S.C. 3838e(b)(2)) is amended
24 in the matter preceding paragraph (1) by striking “the Ag-

1 *gricultural Act of 2014*” and inserting “*the Agriculture Im-*
2 *provement Act of 2018*”.

3 **SEC. 2203. STEWARDSHIP CONTRACTS.**

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

6 *(1) in subsection (b), by striking paragraph (1)*
7 *and inserting the following:*

8 *“(1) RANKING OF APPLICATIONS.—*

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

12 *“(i) the natural resource conservation*
13 *and environmental benefits that result from*
14 *the conservation treatment on all applicable*
15 *priority resource concerns at the time of*
16 *submission of the application;*

17 *“(ii) the degree to which the proposed*
18 *conservation activities increase natural re-*
19 *source conservation and environmental ben-*
20 *efits; and*

21 *“(iii) other consistent criteria, as de-*
22 *termined by the Secretary.*

23 *“(B) ADDITIONAL CRITERION.—If 2 or more*
24 *applications receive the same ranking under sub-*
25 *paragraph (A), the Secretary shall rank those*

1 *contracts based on the extent to which the actual*
2 *and anticipated conservation benefits from each*
3 *contract are provided at the lowest cost relative*
4 *to other similarly beneficial contract offers.”;*
5 *and*

6 *(2) in subsection (e)—*

7 *(A) in paragraph (2)—*

8 *(i) by inserting “new or improved”*
9 *after “integrate”; and*

10 *(ii) by inserting “demonstrating con-*
11 *tinued improvement during the additional*
12 *5-year period,” after “operation,”; and*

13 *(B) in paragraph (3)(B), by striking “to ex-*
14 *ceed the stewardship threshold of” and inserting*
15 *“to adopt or improve conservation activities, as*
16 *determined by the Secretary, to achieve higher*
17 *levels of performance with respect to not less*
18 *than”.*

19 **SEC. 2204. DUTIES OF SECRETARY.**

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

22 *(1) in subsection (c)—*

23 *(A) in the matter preceding paragraph*

24 *(1)—*

1 (i) by striking “Agricultural Act of
2 2014, and ending on September 30, 2022”
3 and inserting “Agriculture Improvement
4 Act of 2018, and ending on September 30,
5 2028”; and

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

8 (B) in paragraph (1)—

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

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

13 (C) in paragraph (2)—

14 (i) by inserting “notwithstanding any
15 other provision of this subchapter,” before
16 “manage”; and

17 (ii) by striking “all financial” and all
18 that follows through the period at the end
19 and inserting the following: “all—

20 “(A) financial assistance, including pay-
21 ments made under subsections (d)(5), (e), and
22 (f);

23 “(B) technical assistance; and

24 “(C) any other expenses associated with en-
25 rollment or participation in the program.”;

1 (2) *in subsection (d), by adding at the end the*
2 *following:*

3 “(5) *PAYMENT FOR COVER CROP ACTIVITIES.—*
4 *Subject to the restriction under subsection (c)(2), the*
5 *amount of a payment under this subsection for cover*
6 *crop activities shall be not less than 125 percent of*
7 *the annual payment amount determined by the Sec-*
8 *retary under paragraph (2).”;*

9 (3) *in subsection (e)—*

10 (A) *in the subsection heading, by inserting*
11 *“AND ADVANCED GRAZING MANAGEMENT” after*
12 *“ROTATIONS”;*

13 (B) *by striking paragraph (2);*

14 (C) *by redesignating paragraphs (1) and*
15 *(4) as paragraphs (2) and (1), respectively, and*
16 *moving the paragraphs so as to appear in nu-*
17 *merical order;*

18 (D) *in paragraph (1) (as so redesignated)—*

19 (i) *by redesignating subparagraphs (A)*
20 *through (D) and (E) as clauses (i) through*
21 *(iv) and (vi), respectively, and indenting*
22 *appropriately;*

23 (ii) *by striking the paragraph designa-*
24 *tion and all that follows through “the term”*

1 *in the matter preceding clause (i) (as so re-*
2 *designated) and inserting the following:*

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

4 “(A) *ADVANCED GRAZING MANAGEMENT.—*
5 *The term ‘advanced grazing management’ means*
6 *the use of a combination of grazing practices (as*
7 *determined by the Secretary), which may include*
8 *management-intensive rotational grazing, that*
9 *provide for—*

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

12 “(ii) *drought resilience;*

13 “(iii) *wildlife habitat;*

14 “(iv) *wildfire mitigation;*

15 “(v) *control of invasive plants; and*

16 “(vi) *water quality improvement.*

17 “(B) *MANAGEMENT-INTENSIVE ROTATIONAL*
18 *GRAZING.—The term ‘management-intensive ro-*
19 *tational grazing’ means a strategic, adaptively*
20 *managed multipasture grazing system in which*
21 *animals are regularly and systematically moved*
22 *to fresh pasture in a manner that—*

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

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

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

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

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

9 “(vi) improves water quality.

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

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

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

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

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

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

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

1 “(B) advanced grazing management.”;

2 (F) in paragraph (3)—

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

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

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

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

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

19 (5) by inserting after subsection (e) the following:

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

22 “(1) DEFINITION OF COMPREHENSIVE CONSERVA-
23 TION PLAN.—In this subsection, the term ‘comprehen-
24 sive conservation plan’ means a conservation plan
25 that meets or exceeds the stewardship threshold for

1 *each priority resource concern identified by the Sec-*
2 *retary under subsection (a)(2).*

3 *“(2) PAYMENT FOR COMPREHENSIVE CONSERVA-*
4 *TION PLAN.—Subject to the restriction under sub-*
5 *section (c)(2), the Secretary shall provide a 1-time*
6 *payment to a producer that develops and implements*
7 *a comprehensive conservation plan.*

8 *“(3) AMOUNT OF PAYMENT.—The Secretary shall*
9 *determine the amount of payment under paragraph*
10 *(2) based on—*

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

14 *“(B) the number of types of land uses in-*
15 *cluded in the comprehensive conservation plan.”;*
16 *(6) in subsection (g) (as so redesignated)—*

17 *(A) by striking “2014 through 2018” and*
18 *inserting “2019 through 2023”; and*

19 *(B) by inserting “or acequias” after “In-*
20 *dian tribes”; and*

21 *(7) in subsection (i) (as so redesignated)—*

22 *(A) by striking the subsection designation*
23 *and heading and all that follows through “The*
24 *Secretary” and inserting the following:*

25 *“(i) ORGANIC CERTIFICATION.—*

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

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

3 “(2) *ALLOCATION.*—

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

10 “(B) *DETERMINATION.*—*The Secretary shall*
11 *determine the allocation to a State under sub-*
12 *paragraph (A) based on—*

13 “(i) *the certified and transitioning or-*
14 *ganic operations of the State; and*

15 “(ii) *the organic acreage of the State.*”;

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

19 (9) *by adding at the end the following:*

20 “(k) *STREAMLINING AND COORDINATION.*—*To the*
21 *maximum extent feasible, the Secretary shall provide for*
22 *streamlined and coordinated procedures for the program*
23 *and the environmental quality incentives program under*
24 *chapter 4, including applications, contracting, conservation*

1 *planning, conservation practices, and related administra-*
2 *tive procedures.*

3 “(l) *SOIL HEALTH.*—*To the maximum extent feasible,*
4 *the Secretary shall manage the program to enhance soil*
5 *health.*

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

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

16 “(2) *the payment rates for conservation activities*
17 *offered to producers under the program and an anal-*
18 *ysis of whether payment rates can be reduced for the*
19 *most expensive conservation activities.”.*

20 ***Subtitle C—Environmental Quality***
21 ***Incentives Program***

22 ***SEC. 2301. PURPOSES.***

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

25 (1) *in paragraph (3)—*

1 (A) in subparagraph (B), by striking “and”
2 at the end; and

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

4 “(D) adapting to, and mitigating against,
5 increasing weather volatility; and”; and

6 (2) in paragraph (4)—

7 (A) by striking “to make beneficial, cost ef-
8 fective changes to production systems (including
9 conservation practices related to organic produc-
10 tion)” and inserting “to address identified, new,
11 or expected resource concerns associated with
12 changes to production systems, including con-
13 servation practices related to organic produc-
14 tion”; and

15 (B) by striking “livestock, pest or irrigation
16 management” and inserting “crops and live-
17 stock, pest management, irrigation management,
18 drought resiliency measures”.

19 **SEC. 2302. DEFINITIONS.**

20 Section 1240A of the Food Security Act of 1985 (16
21 U.S.C. 3839aa-1) is amended—

22 (1) by redesignating paragraphs (1) through (4)
23 and (5) as paragraphs (2) through (5) and (7), re-
24 spectively;

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

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

6 “(A) is developed by—

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

9 “(ii) a Federal agency; or

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

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

17 “(C) can be incorporated into a comprehen-
18 sive planning document required by the Sec-
19 retary for enrollment in a conservation program
20 of the Department of Agriculture; and

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

24 (3) in paragraph (2) (as so redesignated), in
25 subparagraph (B)—

1 (A) by redesignating clause (vi) as clause
2 (vii);

3 (B) by inserting after clause (v) the fol-
4 lowing:

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

9 (C) in clause (vii) (as so redesignated), by
10 inserting “identified or expected” before “re-
11 source concerns”;

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

13 (A) in subparagraph (A)—

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

16 (ii) by redesignating clause (v) as
17 clause (vii); and

18 (iii) by inserting after clause (iv) the
19 following:

20 “(v) soil tests for—

21 “(I) heavy metals, volatile organic
22 compounds, polycyclic aromatic hydro-
23 carbons, and other contaminants; and

24 “(II) biological and physical soil
25 health;

1 “(vi) *scientifically based soil remedi-*
 2 *ation practices to be carried out by the pro-*
 3 *ducer, as determined by the Secretary;*
 4 *and”;* and

5 *(B) in subparagraph (B)—*

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

8 *(ii) by redesignating clause (ii) as*
 9 *clause (v); and*

10 *(iii) by inserting after clause (i) the*
 11 *following:*

12 “(ii) *resource-conserving crop rotation*
 13 *planning;*

14 “(iii) *soil health planning, including*
 15 *planning to increase soil organic matter;*

16 “(iv) *a conservation planning survey;*
 17 *and”;* and

18 (5) *by inserting after paragraph (5) (as so red-*
 19 *ignated) the following:*

20 “(6) *PRODUCER.—The term ‘producer’ includes*
 21 *an acequia.”.*

22 **SEC. 2303. ESTABLISHMENT AND ADMINISTRATION.**

23 Section 1240B of the Food Security Act of 1985 (16
 24 U.S.C. 3839aa-2) is amended—

1 (1) *in subsection (a), by striking “2019” and in-*
2 *serting “2023”;*

3 (2) *in subsection (b)(2)—*

4 (A) *by striking “A contract” and inserting*
5 *the following:*

6 “(A) *IN GENERAL.—A contract*”; *and*

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

8 “(B) *WILDLIFE PRACTICES.—*

9 “(i) *IN GENERAL.—In the case of a*
10 *contract under the program entered into*
11 *solely for the establishment of 1 or more an-*
12 *annual management practices for the benefit*
13 *of wildlife, notwithstanding any maximum*
14 *contract term established by the Secretary,*
15 *the contract shall have a term that does not*
16 *exceed 10 years.*

17 “(ii) *INCLUSIONS.—A contract under*
18 *the program may include a practice that*
19 *provides incentives to producers to—*

20 “(I) *carry out postharvest flooding*
21 *to provide seasonal wetland habitat for*
22 *waterfowl and migratory birds during*
23 *the fall and winter months; and*

24 “(II) *maintain the hydrology of*
25 *temporary and seasonal wetlands of*

1 *not more than 2 acres in order to*
2 *maintain waterfowl and migratory*
3 *bird habitat on working cropland.”;*

4 (3) *in subsection (d)—*

5 (A) *in paragraph (4)(B)—*

6 (i) *in clause (i)—*

7 (I) *by striking “Not more than”*
8 *and inserting “The Secretary shall*
9 *provide at least”;*

10 (II) *by striking “may be pro-*
11 *vided”;* *and*

12 (III) *by striking “the purpose of”*
13 *and inserting “all costs related to”;*

14 (ii) *in clause (ii), by striking “90-day”*
15 *and inserting “180-day”;* *and*

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

18 “(iii) *OPTION TO OPT OUT.—A pro-*
19 *ducer described in subparagraph (A) shall*
20 *be given the opportunity to opt out of the*
21 *advance payments under clause (i).”;* *and*

22 (B) *by adding at the end the following:*

23 “(7) *REVIEW AND GUIDANCE FOR COST SHARE*

24 *RATES.—*

1 “(A) *IN GENERAL.*—Not later than 365
2 *days after the date of enactment of this para-*
3 *graph, the Secretary shall—*

4 “(i) *review the cost share rates of pay-*
5 *ments made to producers for practices on el-*
6 *igible land under this section; and*

7 “(ii) *evaluate whether those rates are*
8 *the least costly rates of payment that—*

9 “(I) *encourage participation in*
10 *the program; and*

11 “(II) *encourage implementation of*
12 *the most effective practices to address*
13 *local natural resource concerns on eli-*
14 *gible land.*

15 “(B) *GUIDANCE.*—

16 “(i) *IN GENERAL.*—*The Secretary shall*
17 *issue guidance to States to consider the use*
18 *of the least costly rate of payment to pro-*
19 *ducers for practices.*

20 “(ii) *CONSIDERATIONS.*—*In deter-*
21 *mining the least costly rate of payment to*
22 *producers under clause (i), the Secretary*
23 *shall consider the rate of payment that—*

24 “(I) *encourages participation in*
25 *the program; and*

1 “(II) *most effectively addresses*
2 *local natural resource concerns on eli-*
3 *gible land.*

4 “(8) *REVIEW OF CONSERVATION PRACTICE*
5 *STANDARDS.—*

6 “(A) *REVIEW.—Not later than 365 days*
7 *after the date of enactment of this paragraph, the*
8 *Secretary shall review conservation practice*
9 *standards under the program to evaluate oppor-*
10 *tunities to increase flexibility within conserva-*
11 *tion practice standards while ensuring equiva-*
12 *lent natural resource benefits.*

13 “(B) *GUIDANCE.—If the Secretary identifies*
14 *under subparagraph (A) a conservation practice*
15 *standard that can be modified to provide more*
16 *flexibility without compromising natural re-*
17 *source benefits, the Secretary shall issue guidance*
18 *for revising the applicable conservation practice*
19 *standard.*

20 “(9) *INCREASED PAYMENTS FOR HIGH-PRIORITY*
21 *PRACTICES.—*

22 “(A) *STATE DETERMINATION.—Each State,*
23 *in consultation with the State technical com-*
24 *mittee established under section 1261(a) for the*
25 *State, may designate 10 practices to be eligible*

1 *for increased payments under subparagraph (B),*
2 *on the condition that the practice, as determined*
3 *by the Secretary—*

4 “(i) *has received a high Natural Re-*
5 *sources Conservation Service evaluation*
6 *score for addressing specific causes of im-*
7 *pairment relating to excessive nutrients in*
8 *groundwater or surface water or for ad-*
9 *ressing the conservation of water to ad-*
10 *vance drought mitigation;*

11 “(ii) *meets other environmental prior-*
12 *ities; and*

13 “(iii) *is geographically targeted to ad-*
14 *dress a natural resource concern in a spe-*
15 *cific watershed.*

16 “(B) *INCREASED PAYMENTS.—Notwith-*
17 *standing paragraph (2), the Secretary may in-*
18 *crease the amount that would otherwise be pro-*
19 *vided for a practice under this subsection to not*
20 *more than 90 percent of the costs associated with*
21 *planning, design, materials, equipment, installa-*
22 *tion, labor, management, maintenance, or train-*
23 *ing.”;*

24 (4) *in subsection (f)—*

25 (A) *in paragraph (1)—*

1 (i) by striking “2014 through 2018”
2 and inserting “2019 through 2023”;

3 (ii) by striking “60” and inserting
4 “50”; and

5 (iii) by striking “production.” and in-
6 serting “production, including grazing
7 management practices.”;

8 (B) in paragraph (2)—

9 (i) by striking “For each” and insert-
10 ing the following:

11 “(A) FISCAL YEARS 2014 THROUGH 2018.—
12 For each”; and

13 (ii) by adding at the end the following:

14 “(B) FISCAL YEARS 2019 THROUGH 2023.—
15 For each of fiscal years 2019 through 2023, at
16 least 10 percent of the funds made available for
17 payments under the program shall be targeted at
18 practices benefitting wildlife habitat under sub-
19 section (g).”; and

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

21 “(3) REVIEW OF PROCESS FOR DETERMINING AN-
22 NUAL FUNDING ALLOCATIONS TO STATES.—

23 “(A) IN GENERAL.—Not later than 365
24 days after the date of enactment of the Agri-
25 culture Improvement Act of 2018, the Secretary

1 *shall review the process for determining annual*
2 *funding allocations to States under the program.*

3 “(B) *CONSIDERATIONS.*—*In conducting the*
4 *review under subparagraph (A), the Secretary*
5 *shall consider—*

6 “(i) *the roles of, in determining annual*
7 *funding allocations to States—*

8 “(I) *relevant data on local nat-*
9 *ural resource concerns, including the*
10 *outcomes of the Conservation Effects*
11 *Assessment Project carried out by the*
12 *Natural Resources Conservation Serv-*
13 *ice; and*

14 “(II) *the recommendations of*
15 *State technical committees established*
16 *under section 1261(a) and other local*
17 *stakeholder input;*

18 “(ii) *how to utilize the data and local*
19 *input described in subclauses (I) and (II) of*
20 *clause (i) such that, to the maximum extent*
21 *practicable, consideration of local natural*
22 *resource concerns is a leading factor when*
23 *determining annual funding allocations to*
24 *States; and*

1 “(iii) the process used at the national
2 level to evaluate State budget proposals and
3 allocate funds to achieve priority natural
4 resource objectives, including the factors
5 considered in ranking State proposals.”;

6 (5) in subsection (h)—

7 (A) by striking paragraph (1) and inserting
8 the following:

9 “(1) *AVAILABILITY OF PAYMENTS.*—The Sec-
10 retary may provide water conservation and system ef-
11 ficiency payments under this subsection to an entity
12 described in paragraph (2) or a producer for—

13 “(A) water conservation scheduling, water
14 distribution efficiency, soil moisture monitoring,
15 or an appropriate combination thereof;

16 “(B) irrigation-related structural or other
17 measures that conserve surface water or ground-
18 water, including managed aquifer recovery prac-
19 tices; or

20 “(C) a transition to water-conserving crops,
21 water-conserving crop rotations, or deficit irriga-
22 tion.”;

23 (B) by redesigning paragraph (2) as para-
24 graph (3);

1 (C) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) *ELIGIBILITY OF CERTAIN ENTITIES.*—

4 “(A) *IN GENERAL.*—Notwithstanding sec-
5 tion 1001(f)(6), the Secretary may enter into a
6 contract under this subsection with a State, irri-
7 gation district, groundwater management dis-
8 trict, acequia, or similar entity under a stream-
9 lined contracting process to implement water
10 conservation or irrigation practices under a wa-
11 tershed-wide project that will effectively conserve
12 water, provide fish and wildlife habitat, or pro-
13 vide for drought-related environmental mitiga-
14 tion, as determined by the Secretary.

15 “(B) *IMPLEMENTATION.*—Water conserva-
16 tion or irrigation practices that are the subject
17 of a contract entered into under subparagraph
18 (A) shall be implemented on—

19 “(i) eligible land of a producer; or

20 “(ii) land that is under the control of
21 an irrigation district, a groundwater man-
22 agement district, an acequia, or a similar
23 entity.

24 “(C) *WAIVER AUTHORITY.*—The Secretary
25 may waive the applicability of the limitations in

1 *section 1001D(b) or section 1240G for a pay-*
2 *ment made under a contract entered into under*
3 *this paragraph if the Secretary determines that*
4 *the waiver is necessary to fulfill the objectives of*
5 *the project.”;*

6 *(D) in paragraph (3) (as so redesignated)—*

7 *(i) in the matter preceding subpara-*
8 *graph (A), by striking “to a producer” and*
9 *inserting “under this subsection”;*

10 *(ii) in subparagraph (A), by striking*
11 *“the eligible land of the producer is located,*
12 *there is a reduction in water use in the op-*
13 *eration of the producer” and inserting “the*
14 *land on which the practices will be imple-*
15 *mented is located, there is a reduction in*
16 *water use in the operation on that land”;*
17 *and*

18 *(iii) in subparagraph (B), by inserting*
19 *“except in the case of an application under*
20 *paragraph (2),” before “the producer*
21 *agrees”;* and

22 *(E) by adding at the end the following:*

23 *“(4) EFFECT.—Nothing in this section author-*
24 *izes the Secretary to modify the process for deter-*

1 *mining the annual allocation of funding to States*
2 *under the program.”;*

3 *(6) in subsection (i)(3), by striking “\$20,000 per*
4 *year or \$80,000 during any 6-year period” and in-*
5 *serting “\$160,000 during the period of fiscal years*
6 *2019 through 2023”; and*

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

8 *“(j) MICRO-EQIP PILOT PROGRAM.—*

9 *“(1) IN GENERAL.—On request of not more than*
10 *10 States, the Secretary may establish under the envi-*
11 *ronmental quality incentives program a pilot pro-*
12 *gram in that State under which the Secretary may—*

13 *“(A) provide financial and technical assist-*
14 *ance to small-scale agricultural producers, in-*
15 *cluding beginning farmers and ranchers and*
16 *limited resource producers, that enter into con-*
17 *tracts with the Secretary under the pilot pro-*
18 *gram to address natural resource concerns relat-*
19 *ing to production on small-scale agricultural op-*
20 *erations; and*

21 *“(B) conduct outreach to small-scale agri-*
22 *cultural producers to increase participation in*
23 *the pilot program.*

24 *“(2) PAYMENTS.—*

1 “(A) *IN GENERAL.*—*The Secretary shall de-*
2 *termine whether a small-scale agricultural pro-*
3 *ducer is eligible to receive payments under this*
4 *subsection—*

5 “(i) *on a State-by-State basis;*

6 “(ii) *in consultation with the technical*
7 *committee established under section 1261(a)*
8 *of the State in which the small-scale agri-*
9 *cultural producer is located; and*

10 “(iii) *based on factors that may in-*
11 *clude—*

12 “(I) *the operations of a small-*
13 *scale agricultural producer, including*
14 *with respect to adjusted gross income*
15 *and gross sales;*

16 “(II) *demographic data relating*
17 *to small-scale agricultural producers*
18 *compiled by the National Agricultural*
19 *Statistics Service; and*

20 “(III) *other relevant information,*
21 *as determined by the Secretary.*

22 “(B) *AMOUNT.*—*The Secretary shall provide*
23 *payments under this subsection to a producer*
24 *that is eligible for the payments under subpara-*
25 *graph (A) in an amount that the Secretary de-*

1 *termines is necessary to achieve the purpose de-*
2 *scribed in paragraph (1)(A).*

3 “(3) *APPLICATIONS.—*

4 “(A) *IN GENERAL.—To be eligible to receive*
5 *financial and technical assistance under this*
6 *subsection, a producer that is eligible for the as-*
7 *istance under paragraph (2)(A) shall submit to*
8 *the Secretary an application at such time, in*
9 *such manner, and containing such information*
10 *as the Secretary may require.*

11 “(B) *ADMINISTRATION.—To the maximum*
12 *extent practicable, the Secretary shall limit the*
13 *administrative burdens, and the regulatory bar-*
14 *riers that contribute to administrative burdens,*
15 *on producers applying for payments under this*
16 *subsection, including by streamlining the appli-*
17 *cation and approval processes for payments.*

18 “(4) *PILOT PROGRAM COORDINATOR.—The Sec-*
19 *retary may designate a pilot program coordinator in*
20 *each State who—*

21 “(A) *at the time of designation is an em-*
22 *ployee of the Natural Resources Conservation*
23 *Service in that State; and*

24 “(B) *shall be responsible for—*

1 “(i) public outreach relating to the
2 pilot program under this subsection;

3 “(ii) assisting producers in the submis-
4 sion of applications under the pilot pro-
5 gram; and

6 “(iii) distributing financial and tech-
7 nical assistance under this subsection in
8 that State.

9 “(5) REPORT.—Not later than May 1, 2022, the
10 Secretary shall submit to the Committee on Agri-
11 culture of the House of Representatives and the Com-
12 mittee on Agriculture, Nutrition, and Forestry of the
13 Senate a report describing the results of the pilot pro-
14 gram under this subsection, including—

15 “(A) steps taken under paragraph (3)(B) to
16 limit administrative burdens and regulatory
17 barriers; and

18 “(B) to the maximum extent practicable,
19 demographic information about each small-scale
20 agricultural producer participating in the pilot
21 program.”.

22 **SEC. 2304. EVALUATION OF APPLICATIONS.**

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

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

3 “(1) ensure”;

4 (2) in paragraph (1) (as so designated), by strik-
5 ing the period at the end and inserting “; and”; and

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

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

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

11 Section 1240F of the Food Security Act of 1985 (16
12 U.S.C. 3839aa-6) is amended—

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

15 “(a) ASSISTANCE TO PRODUCERS.—To the extent ap-
16 propriate,”; and

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

18 “(b) STREAMLINING AND COORDINATION.—To the
19 maximum extent feasible, the Secretary shall—

20 “(1) provide for streamlined and coordinated
21 procedures for the program and the conservation stew-
22 ardship program under subchapter B of chapter 2, in-
23 cluding applications, contracting, conservation plan-
24 ning, conservation practices, and related administra-
25 tive procedures; and

1 “(2) coordinate management of the program and
2 the conservation stewardship program under sub-
3 chapter B of chapter 2 to facilitate the ability of a
4 participant in the program to enroll in the conserva-
5 tion stewardship program after meeting the steward-
6 ship threshold (as defined in section 1238D) for not
7 less than 2 priority resource concerns under that pro-
8 gram.

9 “(c) SOIL HEALTH.—To the maximum extent feasible,
10 the Secretary shall manage the program to enhance soil
11 health.”.

12 **SEC. 2306. ENVIRONMENTAL QUALITY INCENTIVES PRO-**
13 **GRAM PLAN.**

14 Section 1240E(a)(3) of the Food Security Act of 1985
15 (16 U.S.C. 3839aa–5(a)(3)) is amended by inserting “pro-
16 gressive” before “implementation”.

17 **SEC. 2307. LIMITATION ON PAYMENTS.**

18 Section 1240G of the Food Security Act of 1985 (16
19 U.S.C. 3839aa–7) is amended by striking “2014 through
20 2018” and inserting “2019 through 2023”.

21 **SEC. 2308. CONSERVATION INNOVATION GRANTS AND PAY-**
22 **MENTS.**

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

25 (1) in subsection (a)(2)—

1 (A) by redesignating subparagraphs (E)
2 and (F) as subparagraphs (F) and (G), respec-
3 tively;

4 (B) by inserting after subparagraph (D) the
5 following:

6 “(E) partner with farmers to develop inno-
7 vative conservation practices for urban, indoor,
8 or other emerging agricultural practices to in-
9 crease—

10 “(i) green space;

11 “(ii) pollinator habitat;

12 “(iii) stormwater management;

13 “(iv) carbon sequestration; and

14 “(v) access to agricultural production
15 sites through land tenure agreements and
16 other contracts;”;

17 (C) in subparagraph (F) (as so redesign-
18 ated), by striking “and” at the end;

19 (D) in subparagraph (G) (as so redesign-
20 ated), by striking the period at the end and in-
21 serting “; and”; and

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

23 “(H) utilize edge-of-field and other moni-
24 toring practices on farms—

1 “(i) to quantify the impacts of con-
2 servation practices utilized under the pro-
3 gram; and

4 “(ii) to assist producers in making the
5 best conservation investments for their oper-
6 ation.”; and

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

9 **SEC. 2309. SOIL HEALTH DEMONSTRATION PILOT PROJECT.**

10 Chapter 4 of subtitle D of title XII of the Food Security
11 Act of 1985 (16 U.S.C. 3839aa et seq.) is amended by add-
12 ing at the end the following:

13 **“SEC. 1240I. SOIL HEALTH DEMONSTRATION PILOT**
14 **PROJECT.**

15 “(a) *IN GENERAL.*—The Secretary shall carry out a
16 pilot project that provides financial incentives, as deter-
17 mined by the Secretary, to producers to adopt practices de-
18 signed to improve soil health, including by increasing car-
19 bon levels in soil (or ‘soil carbon levels’).

20 “(b) *REQUIREMENTS.*—In establishing the pilot project
21 under subsection (a), the Secretary shall—

22 “(1) identify geographic regions of the United
23 States, including not less than 1 drought prone re-
24 gion, based on factors such as soil type, cropping his-

1 *tory, and water availability, in which to establish the*
2 *pilot project;*

3 *“(2) establish payments to provide an incentive*
4 *for the use of practices approved under the pilot*
5 *project that—*

6 *“(A) improve soil health;*

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

8 *“(C) meet the goals described in subpara-*
9 *graphs (A) and (B); and*

10 *“(3) establish protocols for measuring carbon lev-*
11 *els in soil to measure gains in soil health as a result*
12 *of the practices used in the pilot project.*

13 *“(c) STUDY; REPORT TO CONGRESS.—*

14 *“(1) STUDY.—Not later than September 30,*
15 *2022, the Secretary shall conduct a study regarding*
16 *changes in soil health, and, if feasible, economic out-*
17 *comes, as a result of the practices used in the pilot*
18 *project established under subsection (a).*

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

23 *“(d) FUNDING.—Of the funds made available to carry*
24 *out this chapter, the Secretary may use to carry out the*

1 *pilot project under subsection (a) \$15,000,000 for each of*
2 *fiscal years 2019 through 2023.”.*

3 ***Subtitle D—Other Conservation***
4 ***Programs***

5 ***SEC. 2401. WETLAND CONSERVATION.***

6 *Section 1222(c) of the Food Security Act of 1985 (16*
7 *U.S.C. 3822(c)) is amended by inserting before the period*
8 *at the end the following: “in the presence of the affected*
9 *person, as long as the affected person makes themselves*
10 *available for the on-site visit”.*

11 ***SEC. 2402. CONSERVATION SECURITY PROGRAM.***

12 *Subchapter A of chapter 2 of subtitle D of title XII*
13 *of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)*
14 *is repealed.*

15 ***SEC. 2403. CONSERVATION OF PRIVATE GRAZING LAND.***

16 *Section 1240M of the Food Security Act of 1985 (16*
17 *U.S.C. 3839bb) is amended—*

18 *(1) in subsection (c)(2), by adding at the end the*
19 *following:*

20 *“(C) PARTNERSHIPS.—In carrying out the*
21 *program under this section, the Secretary shall*
22 *provide education and outreach activities*
23 *through partnerships with—*

24 *“(i) land-grant colleges and univer-*
25 *sities (as defined in section 1404 of the Na-*

1 *tional Agricultural Research, Extension,*
 2 *and Teaching Policy Act of 1977 (7 U.S.C.*
 3 *3103)); and*

4 *“(ii) nongovernmental organizations.”;*
 5 *and*

6 *(2) in subsection (e), by striking “2018” and in-*
 7 *serting “2023”.*

8 **SEC. 2404. SOIL HEALTH AND INCOME PROTECTION PRO-**
 9 **GRAM.**

10 *Chapter 5 of subtitle D of title XII of the Food Security*
 11 *Act of 1985 is amended by inserting after section 1240M*
 12 *(16 U.S.C. 3839bb) the following:*

13 **“SEC. 1240N. SOIL HEALTH AND INCOME PROTECTION PRO-**
 14 **GRAM.**

15 *“(a) DEFINITION OF ELIGIBLE LAND.—In this section:*

16 *“(1) IN GENERAL.—The term ‘eligible land’*
 17 *means land that—*

18 *“(A) is selected by the owner or operator of*
 19 *the land for proposed enrollment in the program*
 20 *under this section; and*

21 *“(B) as determined by the Secretary—*

22 *“(i) had a cropping history or was*
 23 *considered to be planted during the 3 crop*
 24 *years preceding the crop year described in*
 25 *subsection (b)(2); and*

1 “(ii) *is verified to be less-productive*
2 *land, as compared to other land on the ap-*
3 *plicable farm.*

4 “(2) *EXCLUSION.—The term ‘eligible land’ does*
5 *not include any land covered by a conservation re-*
6 *serve program contract under subchapter B of chapter*
7 *1 that expires during the crop year described in sub-*
8 *section (b)(2).*

9 “(b) *ESTABLISHMENT.—*

10 “(1) *IN GENERAL.—The Secretary shall establish*
11 *a voluntary soil health and income protection pro-*
12 *gram under which eligible land is enrolled through*
13 *the use of agreements to assist owners and operators*
14 *of eligible land to conserve and improve the soil,*
15 *water, and wildlife resources of the eligible land.*

16 “(2) *DEADLINE FOR PARTICIPATION.—Eligible*
17 *land may be enrolled in the program under this sec-*
18 *tion only during the first crop year beginning after*
19 *the date of enactment of the Agriculture Improvement*
20 *Act of 2018.*

21 “(c) *AGREEMENTS.—*

22 “(1) *REQUIREMENTS.—An agreement described*
23 *in subsection (b) shall—*

1 “(A) be entered into by the Secretary, the
2 owner of the eligible land, and (if applicable) the
3 operator of the eligible land; and

4 “(B) provide that, during the term of the
5 agreement—

6 “(i) the lowest practicable cost peren-
7 nial conserving use cover crop for the eligi-
8 ble land, as determined by the applicable
9 State conservationist after considering the
10 advice of the applicable State technical com-
11 mittee, shall be planted on the eligible land;

12 “(ii) except as provided in paragraph
13 (5), the owner or operator of the eligible
14 land shall pay the cost of planting the con-
15 serving use cover crop under clause (i);

16 “(iii) subject to paragraph (6), the eli-
17 gible land may be harvested for seed, hayed,
18 or grazed outside the nesting and brood-
19 rearing period established for the applicable
20 county;

21 “(iv) the eligible land may be eligible
22 for a walk-in access program of the applica-
23 ble State, if any; and

24 “(v) a nonprofit wildlife organization
25 may provide to the owner or operator of the

1 *eligible land a payment in exchange for an*
2 *agreement by the owner or operator not to*
3 *harvest the conserving use cover.*

4 “(2) *PAYMENTS.—Except as provided in para-*
5 *graphs (5) and (6)(B)(i), the annual rental rate for*
6 *a payment under an agreement described in sub-*
7 *section (b) shall be equal to 50 percent of the average*
8 *rental rate for the applicable county under section*
9 *1234(d), as determined by the Secretary.*

10 “(3) *LIMITATION ON ENROLLED LAND.—Not*
11 *more than 15 percent of the eligible land on a farm*
12 *may be enrolled in the program under this section.*

13 “(4) *TERM.—*

14 “(A) *IN GENERAL.—Except as provided in*
15 *subparagraph (B), each agreement described in*
16 *subsection (b) shall be for a term of 3, 4, or 5*
17 *years, as determined by the parties to the agree-*
18 *ment.*

19 “(B) *EARLY TERMINATION.—*

20 “(i) *SECRETARY.—The Secretary may*
21 *terminate an agreement described in sub-*
22 *section (b) before the end of the term de-*
23 *scribed in subparagraph (A) if the Sec-*
24 *retary determines that the early termi-*
25 *nation of the agreement is necessary.*

1 “(i) OWNERS AND OPERATORS.—An
2 owner and (if applicable) an operator of eli-
3 gible land enrolled in the program under
4 this section may terminate an agreement
5 described in subsection (b) before the end of
6 the term described in subparagraph (A) if
7 the owner and (if applicable) the operator
8 pay to the Secretary an amount equal to the
9 amount of rental payments received under
10 the agreement.

11 “(5) BEGINNING, SMALL, SOCIALLY DISADVAN-
12 TAGED, YOUNG, OR VETERAN FARMERS AND RANCH-
13 ERS.—With respect to a beginning, small, socially
14 disadvantaged, young, or veteran farmer or rancher,
15 as determined by the Secretary—

16 “(A) an agreement described in subsection
17 (b) shall provide that, during the term of the
18 agreement, the beginning, underserved, or young
19 farmer or rancher shall pay 50 percent of the
20 cost of planting the conserving use cover crop
21 under paragraph (1)(B)(i); and

22 “(B) the annual rental rate for a payment
23 under an agreement described in subsection (b)
24 shall be equal to 75 percent of the average rental

1 *rate for the applicable county under section*
2 *1234(d), as determined by the Secretary.*

3 “(6) *HARVESTING, HAYING, AND GRAZING OUT-*
4 *SIDE APPLICABLE PERIOD.—The harvesting for seed,*
5 *haying, or grazing of eligible land under paragraph*
6 *(1)(B)(iii) outside of the nesting and brood-rearing*
7 *period established for the applicable county shall be*
8 *subject to the conditions that—*

9 “(A) *with respect to eligible land that is so*
10 *hayed or grazed, adequate stubble height shall be*
11 *maintained to protect the soil on the eligible*
12 *land, as determined by the applicable State con-*
13 *servationist after considering the advice of the*
14 *applicable State technical committee; and*

15 “(B) *with respect to eligible land that is so*
16 *harvested for seed—*

17 “(i) *the eligible land shall not be eligi-*
18 *ble to be insured or reinsured under the*
19 *Federal Crop Insurance Act (7 U.S.C. 1501*
20 *et seq.); and*

21 “(ii) *the rental payment otherwise ap-*
22 *plicable to the eligible land under this sub-*
23 *section shall be reduced by 25 percent.*

1 “(1) *IN GENERAL.*—*The Secretary, in consulta-*
2 *tion with the Administrator of the Environmental*
3 *Protection Agency, shall establish a coordinated soil*
4 *testing protocol to simplify the process used by pro-*
5 *ducers to evaluate soil health, including testing for—*

6 “(A) *the optimal level of constituents in and*
7 *characteristics of the soil, such as organic mat-*
8 *ter, nutrients, and the potential presence of soil*
9 *contamination from heavy metals, volatile or-*
10 *ganic compounds, polycyclic aromatic hydro-*
11 *carbons, or other contaminants; and*

12 “(B) *biological and physical characteristics*
13 *indicative of proper soil functioning.*

14 “(2) *PUBLIC AVAILABILITY.*—*The Secretary shall*
15 *make the soil testing protocol established under para-*
16 *graph (1) available to the public.*

17 “(d) *SOIL ASSESSMENT AND REMEDIATION TECH-*
18 *NICAL ASSISTANCE.*—

19 “(1) *IN GENERAL.*—*The Secretary shall provide*
20 *technical assistance to a producer carrying out a soil*
21 *assessment or soil remediation practice that shall in-*
22 *clude—*

23 “(A) *an overall review of the health of the*
24 *soil used by the producer for agricultural pro-*
25 *duction;*

1 “(B) testing of the soil, if applicable, to de-
2 termine the suitability of the soil for agricultural
3 production;

4 “(C) based on the results of the soil tested
5 under subparagraph (B), a consultation with the
6 producer and a determination of the quality,
7 health, and level of contamination of the soil
8 adequate—

9 “(i) to protect against a health risk to
10 producers;

11 “(ii) to limit contaminants from enter-
12 ing agricultural products for human con-
13 sumption; and

14 “(iii) to regenerate and sustain the
15 soil; and

16 “(D) recommendations on methods to con-
17 duct remediation or soil building efforts to im-
18 prove soils and ensure that the producers—

19 “(i) are not growing products in soils
20 with high levels of heavy metals, volatile or-
21 ganic compounds, polycyclic aromatic hy-
22 drocarbons, or other contaminants;

23 “(ii) have appropriate information re-
24 garding financial resources and conserva-
25 tion practices available to keep soil healthy,

1 *including practices, as defined in section*
2 *1240A; and*

3 “(iii) *are given information about ex-*
4 *perts, including experts outside of the Nat-*
5 *ural Resources Conservation Service, that*
6 *may provide assistance to producers to over-*
7 *see and monitor soil under remediation or*
8 *regeneration to ensure soils are suitable for*
9 *agricultural production in the future.*

10 “(2) *EDUCATION AND OUTREACH.—The Sec-*
11 *retary shall conduct education and outreach to pro-*
12 *ducers regarding the uses of soil and methods of ad-*
13 *dressing soil contamination and soil health degrada-*
14 *tion.*

15 “(e) *REFERRAL.—On the request of a producer, where*
16 *soil is found to pose an imminent hazard to human health,*
17 *the Secretary may refer the producer to the Administrator*
18 *of the Environmental Protection Agency for additional as-*
19 *sistance for remediation under section 104(k) of the Com-*
20 *prehensive Environmental Response, Compensation, and*
21 *Liability Act of 1980 (42 U.S.C. 9604(k)).”.*

1 **SEC. 2407. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**
2 **CENTIVE PROGRAM.**

3 (a) *CONSERVATION INNOVATION GRANTS AND PAY-*
4 *MENTS.*—Section 1240H of the Food Security Act of 1985
5 (16 U.S.C. 3839aa–8) is amended—

6 (1) in the section heading, by striking
7 “**GRANTS**” and inserting “**GRANTS, VOLUNTARY**
8 **PUBLIC ACCESS AND HABITAT INCENTIVE PRO-**
9 **GRAM,**”; and

10 (2) by redesignating subsection (c) as subsection
11 (d).

12 (b) *MODIFICATIONS AND MERGING OF PROVISIONS.*—
13 Section 1240R of the Food Security Act of 1985 (16 U.S.C.
14 3839bb–5) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1), by redesignating sub-
17 paragraphs (A) and (B) as clauses (i) and (ii),
18 respectively, and indenting appropriately; and

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

22 (2) in subsection (c), by redesignating para-
23 graphs (1) through (5) as subparagraphs (A) through
24 (E), respectively, and indenting appropriately;

25 (3) in subsection (d)—

1 (A) in paragraph (1), by striking “section”
2 and inserting “subsection”; and

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

6 (4) in subsection (e), by striking “section” and
7 inserting “subsection”;

8 (5) by striking subsection (f);

9 (6) by redesignating subsections (a) through (e)
10 as paragraphs (1) through (5), respectively, and in-
11 denting appropriately;

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

13 “(6) *FUNDING.*—Of the funds made available to
14 carry out this chapter, the Secretary shall use to
15 carry out this subsection \$40,000,000 for the period of
16 fiscal years 2019 through 2023.”;

17 (8) by striking the section designation and head-
18 ing and all that follows through “The Secretary shall
19 establish a voluntary public access program” in para-
20 graph (1) (as so redesignated) and inserting the fol-
21 lowing:

22 “(c) *VOLUNTARY PUBLIC ACCESS AND HABITAT IN-*
23 *CENTIVE PROGRAM.*—

24 “(1) *IN GENERAL.*—Out of the funds made avail-
25 able to carry out this chapter, the Secretary shall

1 *carry out a voluntary public access program (referred*
2 *to in this subsection as the ‘program’)*”; and

3 *(9) by moving subsection (c) (as so amended and*
4 *redesignated) so as to appear after subsection (b) of*
5 *section 1240H (16 U.S.C. 3839aa–8) (as amended by*
6 *subsection (a)(2)).*

7 **SEC. 2408. AGRICULTURE CONSERVATION EXPERIENCED**
8 **SERVICES PROGRAM.**

9 *Section 1252 of the Food Security Act of 1985 (16*
10 *U.S.C. 3851) is amended by adding at the end the following:*

11 *“(e) TERMINATION OF EFFECTIVENESS.—The author-*
12 *ity provided by this section terminates effective October 1,*
13 *2023.”.*

14 **SEC. 2409. REMOTE TELEMETRY DATA SYSTEM.**

15 *The Food Security Act of 1985 is amended by inserting*
16 *after section 1252 (16 U.S.C. 3851) the following:*

17 **“SEC. 1253. REMOTE TELEMETRY DATA SYSTEM.**

18 *“(a) FINDING.—Congress finds that a remote telemetry*
19 *data system, as used for irrigation scheduling—*

20 *“(1) combines the use of field, weather, crop, soil,*
21 *and irrigation data to ensure that the precise quan-*
22 *tity of necessary water is applied to crops; and*

23 *“(2) saves water and energy while sustaining or*
24 *increasing crop yields.*

1 “(b) *BEST PRACTICE*.—*In carrying out the environ-*
 2 *mental quality incentives program established under chap-*
 3 *ter 4 of subtitle D, the Secretary shall encourage as a best*
 4 *management practice the use of remote telemetry data sys-*
 5 *tems for irrigation scheduling.”*

6 **SEC. 2410. AGRICULTURAL CONSERVATION EASEMENT PRO-**
 7 **GRAM.**

8 (a) *PURPOSES*.—*Section 1265(b)(3) of the Food Secu-*
 9 *rity Act of 1985 (16 U.S.C. 3865(b))(3) is amended by in-*
 10 *serting “that may negatively impact the agricultural uses*
 11 *and conservation values” before “; and”.*

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

14 (1) *in paragraph (1)(B), by striking “subject to*
 15 *an agricultural land easement plan, as approved by*
 16 *the Secretary”;*

17 (2) *in paragraph (2)(A), by striking “govern-*
 18 *ment or an Indian tribe” and inserting “government,*
 19 *an Indian tribe, or an acequia”;* and

20 (3) *in paragraph (3)—*

21 (A) *in subparagraph (A)(i), by striking*
 22 *“entity;” and inserting “entity, unless the land*
 23 *will be enrolled in an agricultural land easement*
 24 *under subparagraph (B);”;*

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

4 (C) by inserting after subparagraph (A) the
5 following:

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

12 “(i) if the organization that owns the
13 land is also the eligible entity that would
14 hold the agricultural land easement, the or-
15 ganization that owns the land shall certify
16 to the Secretary on submission of the appli-
17 cation that the land will be owned by a
18 farmer or rancher that is not an organiza-
19 tion described in paragraph (2)(B) on ac-
20 quisition of the agricultural land easement;

21 “(ii) if the organization that owns the
22 land is not the eligible entity that would
23 hold the agricultural land easement, the or-
24 ganization that owns the land shall certify,
25 through an agreement, contract, or guar-

1 *antee with the Secretary on submission of*
2 *the application, that the organization will*
3 *identify a farmer or rancher that is not an*
4 *organization described in paragraph (2)(B)*
5 *and effect the timely subsequent transfer of*
6 *the ownership of the land to that farmer or*
7 *rancher after the date of acquisition of the*
8 *agricultural land easement; and*

9 *“(iii) if the organization that certified*
10 *the timely subsequent transfer of the owner-*
11 *ship of the land under clause (i) breaches*
12 *the agreement, contract, or guarantee with-*
13 *out justification and without a plan to ef-*
14 *fect the timely transfer of the land, that or-*
15 *ganization shall reimburse the Secretary for*
16 *the entire amount of the Federal share of*
17 *cost of each applicable agricultural land*
18 *easement.”.*

19 *(c) AGRICULTURAL LAND EASEMENTS.—Section*
20 *1265B of the Food Security Act of 1985 (16 U.S.C. 3865b)*
21 *is amended—*

22 *(1) in subsection (a)(2), by striking “provide”*
23 *and all that follows through the period at the end and*
24 *inserting “implement the program, including tech-*

1 *nical assistance with the development of a conserva-*
2 *tion plan under subsection (b)(3).”; and*

3 *(2) in subsection (b)—*

4 *(A) in paragraph (2)—*

5 *(i) in subparagraph (A), in the matter*
6 *preceding clause (i), by striking “paragraph*
7 *(4)” and inserting “paragraph (5)”;* and

8 *(ii) in subparagraph (B), by striking*
9 *clause (ii) and inserting the following:*

10 *“(i) NON-FEDERAL SHARE.—The non-*
11 *Federal share provided by an eligible entity*
12 *under clause (i) may comprise—*

13 *“(I) a charitable donation or*
14 *qualified conservation contribution (as*
15 *defined in section 170(h) of the Inter-*
16 *nal Revenue Code of 1986) from the*
17 *private landowner from which the ag-*
18 *ricultural land easement will be pur-*
19 *chased;*

20 *“(II) costs associated with secur-*
21 *ing a deed to the agricultural land*
22 *easement, including the cost of ap-*
23 *praisal, survey, inspection, and title;*
24 *and*

1 “(III) other costs, as determined
2 by the Secretary.”;

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

6 (C) by inserting after paragraph (2) the fol-
7 lowing:

8 “(3) *CONDITION ON ASSISTANCE.*—An eligible
9 entity applying for cost-share assistance under this
10 subsection shall develop an agricultural land easement
11 plan—

12 “(A) with the landowner of the eligible land
13 subject to the agricultural land easement; and

14 “(B) that—

15 “(i) describes the natural resource con-
16 cerns on the eligible land subject to the agri-
17 cultural land easement;

18 “(ii) describes the conservation meas-
19 ures and practices that the landowner of the
20 eligible land subject to the agricultural land
21 easement may employ to address the con-
22 cerns under clause (i);

23 “(iii) in the case of grasslands of spe-
24 cial environmental significance, requires the

1 *management of grasslands according to a*
2 *grasslands management plan; and*

3 “*(iv) in the case of highly erodible*
4 *cropland, requires the implementation of a*
5 *conservation plan that includes, at the op-*
6 *tion of the Secretary, the conversion of high-*
7 *ly erodible cropland to less intensive uses.”;*

8 *(D) in paragraph (4) (as so redesignated)—*

9 *(i) in subparagraph (B)—*

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

12 *(II) in clause (ii), by striking the*
13 *period at the end and inserting “;*
14 *and”;* and

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

17 “*(iii) consultation with the appro-*
18 *priate State technical committee established*
19 *under section 1261 to adjust evaluation and*
20 *ranking criteria to account for geographic*
21 *nuances if those adjustments—*

22 “*(I) meet the purposes of the pro-*
23 *gram; and*

1 “(II) continue to maximize the
2 benefits of Federal investment under
3 the program.”; and

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

5 “(D) *PRIORITY*.—In evaluating applica-
6 tions under the program, the Secretary may give
7 priority to an application for the purchase of an
8 agricultural land easement that, as determined
9 by the Secretary, maintains agricultural viabil-
10 ity.”;

11 (E) in paragraph (5) (as so redesignated)—

12 (i) in subparagraph (B)(i), by striking
13 “paragraph (5)” and inserting “paragraph
14 (6)”;

15 (ii) in subparagraph (C)—

16 (I) in clause (i), by inserting
17 “and the agricultural activities to be
18 conducted on the eligible land” after
19 “program”; and

20 (II) by striking clause (iv) and
21 inserting the following:

22 “(iv) exclude a right of inspection, un-
23 less the eligible entity fails to provide moni-
24 toring reports to the Secretary;”;

1 *(iii) by redesignating subparagraphs*
2 *(D) and (E) as subparagraphs (E) and (F),*
3 *respectively; and*

4 *(iv) by inserting after subparagraph*
5 *(C) the following:*

6 “*(D) ADDITIONAL PERMITTED TERMS AND*
7 *CONDITIONS.—An eligible entity may include*
8 *terms and conditions for an agricultural land*
9 *easement that—*

10 *“(i) are intended to keep the land sub-*
11 *ject to the agricultural land easement in*
12 *farmer ownership, as determined by the*
13 *Secretary; and*

14 *“(ii) include other relevant activities*
15 *relating to the agricultural land easement,*
16 *as determined by the Secretary.”; and*

17 *(F) in paragraph (6) (as so redesignated)—*

18 *(i) in subparagraph (B)—*

19 *(I) in clause (iii), by redesign-*
20 *ating subclauses (I) through (III) as*
21 *items (aa) through (cc), respectively,*
22 *and indenting appropriately;*

23 *(II) by redesignating clauses (i)*
24 *through (iii) as subclauses (I) through*

1 *(III), respectively, and indenting ap-*
2 *propriately;*

3 *(III) in the matter preceding sub-*
4 *clause (I) (as so redesignated), by*
5 *striking “entity will” and inserting the*
6 *following: “eligible entity—*
7 *“(i) will”;*

8 *(IV) in clause (i)(III)(cc) (as so*
9 *redesignated), by striking the period at*
10 *the end and inserting a semicolon; and*

11 *(V) by adding at the end the fol-*
12 *lowing:*

13 *“(ii) has—*

14 *“(I) been accredited by the Land*
15 *Trust Accreditation Commission, or by*
16 *an equivalent accrediting body, as de-*
17 *termined by the Secretary; and*

18 *“(II) acquired not fewer than 10*
19 *agricultural land easements under the*
20 *program; and*

21 *“(III) successfully met the respon-*
22 *sibilities of the eligible entity under the*
23 *applicable agreements with the Sec-*
24 *retary, as determined by the Secretary,*
25 *relating to agricultural land easements*

1 *that the eligible entity has acquired*
2 *under the program; or*

3 *“(iii) is a State department of agri-*
4 *culture or other State agency with statutory*
5 *authority for farm and ranchland protec-*
6 *tion that has—*

7 *“(I) acquired not fewer than 10*
8 *agricultural land easements under the*
9 *program; and*

10 *“(II) successfully met the respon-*
11 *sibilities of the eligible entity under the*
12 *applicable agreements with the Sec-*
13 *retary, as determined by the Secretary,*
14 *relating to agricultural land easements*
15 *that the eligible entity has acquired*
16 *under the program.”;*

17 *(ii) by redesignating subparagraph (C)*
18 *as subparagraph (D); and*

19 *(iii) by inserting after subparagraph*
20 *(B) the following:*

21 *“(C) TERMS AND CONDITIONS.—Notwith-*
22 *standing paragraph (5)(C), to account for geo-*
23 *graphic and other differences among States and*
24 *regions, an eligible entity certified under sub-*
25 *paragraph (A) may use terms and conditions es-*

1 *tablished by the eligible entity for agricultural*
2 *land easements, on the condition that those terms*
3 *and conditions shall be consistent with the pur-*
4 *poses of the program.”.*

5 *(d) WETLAND RESERVE EASEMENTS.—Section 1265C*
6 *of the Food Security Act of 1985 (16 U.S.C. 3865c) is*
7 *amended—*

8 *(1) in subsection (b)—*

9 *(A) in paragraph (1)(D), by inserting “and*
10 *acequias” after “Indian tribes”; and*

11 *(B) in paragraph (3)—*

12 *(i) in subparagraph (B)—*

13 *(I) in clause (iii), by striking*
14 *“and” at the end;*

15 *(II) by redesignating clause (iv)*
16 *as clause (v); and*

17 *(III) by inserting after clause (iii)*
18 *the following:*

19 *“(iv) the ability of the land to sequester*
20 *carbon; and”; and*

21 *(ii) in subparagraph (C), by inserting*
22 *“and improving water quality” before the*
23 *period at the end;*

24 *(2) in subsection (d)(2), by striking “or Indian*
25 *tribe” and inserting “Indian tribe, or acequia”;*

1 (3) in subsection (e), by striking “or Indian
2 *tribe*” and inserting “Indian tribe, or *acequia*”; and

3 (4) in subsection (f)—

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

6 (B) by inserting after paragraph (1) the fol-
7 *lowing*:

8 “(2) *NATIVE VEGETATION*.—The Secretary may
9 allow the establishment or restoration of an alter-
10 native vegetative community on the entirety of the eli-
11 gible land subject to a wetland reserve easement if
12 that alternative vegetative community—

13 “(A) will substantially support or benefit
14 migratory waterfowl or other wetland wildlife; or

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

18 (e) *ADMINISTRATION*.—Section 1265D of the Food Se-
19 curity Act of 1985 (16 U.S.C. 3865d) is amended—

20 (1) in subsection (a)—

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

23 (B) by redesignating paragraphs (1)
24 through (4) as subparagraphs (A) through (D),
25 respectively, and indenting appropriately;

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

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

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

6 “(2) *LAND OWNED BY ACEQUIAS.—Notwith-*
7 *standing paragraph (1)(B), the Secretary may use*
8 *program funds for the purpose of acquiring an ease-*
9 *ment on land owned by an acequia.*”; and

10 (2) in subsection (d)—

11 (A) in paragraph (1), by striking “trans-
12 ferred into the program” and inserting “enrolled
13 in an easement under section 1265C(b)”; and

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

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

19 **SEC. 2411. REGIONAL CONSERVATION PARTNERSHIP PRO-**
20 **GRAM.**

21 (a) *ESTABLISHMENT AND PURPOSES.—Section 1271*
22 *of the Food Security Act of 1985 (16 U.S.C. 3871) is*
23 *amended—*

24 (1) in subsection (a)—

1 (A) in paragraph (1), by inserting “, in-
2 cluding grant agreements under section
3 1271C(d),” after “partnership agreements”; and

4 (B) in paragraph (2), by striking “con-
5 tracts with producers” and inserting “program
6 contracts with eligible producers”; and

7 (2) in subsection (b)—

8 (A) in paragraph (1), in the matter pre-
9 ceding subparagraph (A), by striking “use cov-
10 ered programs” and inserting “carry out con-
11 servation activities”;

12 (B) by striking paragraph (2) and inserting
13 the following:

14 “(2) To further the conservation, protection, res-
15 toration, and sustainable use of soil, water (including
16 sources of drinking water), wildlife, agricultural land,
17 and related natural resources on eligible land on a re-
18 gional or watershed scale.”;

19 (C) in paragraph (3)—

20 (i) in the matter preceding subpara-
21 graph (A), by inserting “eligible” before
22 “producers”; and

23 (ii) in subparagraph (B), by striking
24 “installation” and inserting “adoption, in-
25 stallation,”; and

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

2 “(4) To encourage the flexible and streamlined
3 delivery of conservation assistance to eligible pro-
4 ducers through partnership agreements.

5 “(5) To encourage alignment of partnership
6 projects with other Federal, State, and local agencies
7 and programs addressing similar natural resource or
8 environmental concerns in a coordinated manner.

9 “(6) To engage eligible producers in conservation
10 projects to achieve greater conservation outcomes and
11 benefits for eligible producers than would otherwise be
12 achieved.

13 “(7) To advance conservation and rural commu-
14 nity development goals simultaneously.”.

15 (b) *DEFINITIONS.*—Section 1271A of the Food Secu-
16 rity Act of 1985 (16 U.S.C. 3871a) is amended—

17 (1) in paragraph (1)—

18 (A) in the matter preceding subparagraph
19 (A), by inserting “a purpose, activity, or agree-
20 ment under any of” after “means”; and

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

22 “(E) The conservation reserve program es-
23 tablished under subchapter B of chapter 1 of sub-
24 title D.

1 “(F) *The program established by the Sec-*
2 *retary to carry out the Watershed Protection and*
3 *Flood Prevention Act (16 U.S.C. 1001 et seq.),*
4 *except for any program established by the Sec-*
5 *retary to carry out section 14 (16 U.S.C. 1012)*
6 *of that Act.”;*

7 (2) *by striking paragraphs (2) and (3) and in-*
8 *serting the following:*

9 “(2) *ELIGIBLE ACTIVITY.—The term ‘eligible ac-*
10 *tivity’ means—*

11 “(A) *an eligible activity under the statutory*
12 *authority for a covered program; and*

13 “(B) *any other related activity that an eli-*
14 *gible partner determines will help address nat-*
15 *ural resource concerns, subject to the approval of*
16 *the Secretary.*

17 “(3) *ELIGIBLE LAND.—The term ‘eligible land’*
18 *means—*

19 “(A) *eligible land under the statutory au-*
20 *thority for a covered program; and*

21 “(B) *any other agricultural or nonindus-*
22 *trial private forest land or associated land on*
23 *which the Secretary determines an eligible activ-*
24 *ity would help address natural resource con-*
25 *cerns.”;*

1 (3) *in paragraph (4)*—

2 (A) *in subparagraph (E), by inserting*

3 “*acequia,*” *after “irrigation district,”; and*

4 (B) *by adding at the end the following:*

5 “(I) *An organization described in clause (i),*

6 *(ii), or (iii) of section 1265A(2)(B).*

7 “(J) *A conservation district.*”;

8 (4) *by redesignating paragraphs (5) and (6) as*
9 *paragraphs (6) and (7), respectively;*

10 (5) *by inserting after paragraph (4) the fol-*
11 *lowing:*

12 “(5) *ELIGIBLE PRODUCER.—The term ‘eligible*
13 *producer’ means a person, legal entity, or Indian*
14 *tribe that is an owner or operator on eligible land.*”;
15 *and*

16 (6) *by adding at the end the following:*

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

20 (c) *REGIONAL CONSERVATION PARTNERSHIPS.—Sec-*
21 *tion 1271B of the Food Security Act of 1985 (16 U.S.C.*
22 *3871b) is amended—*

23 (1) *in subsection (a), by inserting “eligible” be-*
24 *fore “producers”;*

1 (2) *by striking subsection (b) and inserting the*
2 *following:*

3 “(b) *MAXIMUM LENGTH.—*

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

7 “(2) *EXCEPTIONS.—*

8 “(A) *CONCURRENT PROGRAM DEADLINE.—*
9 *Subject to approval by the Secretary, the term of*
10 *a partnership agreement may be longer than 5*
11 *years if the longer period is concurrent with a*
12 *deadline established under a State or Federal*
13 *program that relates specifically to the project.*

14 “(B) *SPECIAL CIRCUMSTANCES.—In the*
15 *case of special circumstances outside the control*
16 *of an eligible partner (as determined by the Sec-*
17 *retary) that have created a delay in the imple-*
18 *mentation of a project of the eligible partner, the*
19 *eligible partner may request an extension of the*
20 *term of the partnership agreement.*

21 “(3) *PARTNERSHIP AGREEMENT RENEWALS.—If*
22 *an eligible partner demonstrates to the satisfaction of*
23 *the Secretary that the eligible partner has made*
24 *progress in addressing 1 or more natural resource*
25 *concerns defined in the partnership agreement, not*

1 *earlier than 1 year before the date of expiration of the*
2 *partnership agreement, the eligible partner may re-*
3 *quest from the Secretary a renewal of the partnership*
4 *agreement, including a renewal of funding, through*
5 *an expedited approval process—*

6 *“(A) to continue to implement the partner-*
7 *ship agreement;*

8 *“(B) to expand the scope of the partnership*
9 *agreement;*

10 *“(C) to enroll additional eligible producers;*
11 *or*

12 *“(D) to carry out other conservation activi-*
13 *ties relating to the project, including the assess-*
14 *ment of the project under subsection (c)(1)(E), as*
15 *mutually agreed by the Secretary and the eligible*
16 *partner.”;*

17 *(3) in subsection (c)—*

18 *(A) in paragraph (1)—*

19 *(i) in subparagraph (A)—*

20 *(I) by redesignating clauses (iii)*
21 *and (iv) as clauses (iv) and (v), respec-*
22 *tively; and*

23 *(II) by striking clauses (i) and*
24 *(ii) and inserting the following:*

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

3 “(ii) the eligible activities on eligible
4 land to be conducted under the project to
5 address the natural resource concerns;

6 “(iii) the implementation timeline for
7 carrying out the project, including any in-
8 terim milestones;”;

9 (ii) in subparagraph (B), by inserting
10 “eligible” before “producers”;

11 (iii) in subparagraph (C), by striking
12 “a producer” each place it appears and in-
13 serting “an eligible producer”;

14 (iv) in subparagraph (D), by inserting
15 “or in-kind contributions” after “additional
16 funds”; and

17 (v) in subparagraph (E), by striking
18 “of the project’s effects; and” and inserting
19 the following: “of—

20 “(i) the progress made by the project in
21 addressing each natural resource concern
22 defined in the partnership agreement, in-
23 cluding in a quantified form; and

1 “(ii) as appropriate, other environ-
2 mental, economic, or social outcomes of the
3 project; and”;

4 (B) in paragraph (2)—

5 (i) by striking “An eligible” and in-
6 serting the following:

7 “(A) *IN GENERAL.*—An eligible”;

8 (ii) by adding at the end the following:

9 “(B) *FORM.*—A contribution of an eligible
10 partner under this paragraph may be in the
11 form of—

12 “(i) direct funding;

13 “(ii) in-kind support; or

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

16 “(C) *TREATMENT.*—Any amounts expended
17 during the period beginning on the date on
18 which the Secretary announces the approval of
19 an application under subsection (e) and ending
20 on the day before the effective date of the part-
21 nership agreement by an eligible partner for staff
22 salaries or development of the partnership agree-
23 ment shall be considered to be a part of the con-
24 tribution of the eligible partner under this para-
25 graph.”;

1 (4) by redesignating subsection (d) as subsection
2 (e);

3 (5) by inserting after subsection (c) the fol-
4 lowing:

5 “(d) *DUTIES OF SECRETARY.*—*The Secretary shall—*

6 “(1) *establish a timeline for carrying out the du-*
7 *ties of the Secretary under a partnership agreement,*
8 *including—*

9 “(A) *entering into contracts with eligible*
10 *producers;*

11 “(B) *providing financial assistance to eligi-*
12 *ble producers; and*

13 “(C) *in the case of a partnership agreement*
14 *that is a grant agreement under section*
15 *1271C(d), providing the grant amounts to the el-*
16 *igible partner;*

17 “(2) *establish in each State a program coordi-*
18 *nator for the State, who shall be responsible solely for*
19 *providing assistance to eligible partners and eligible*
20 *producers under the program;*

21 “(3) *establish guidance to assist eligible partners*
22 *with carrying out the assessment required under sub-*
23 *section (c)(1)(E);*

24 “(4) *provide to each eligible partner that has en-*
25 *tered into a partnership agreement—*

1 “(A) a semiannual report describing the
2 status of each pending and obligated contract
3 under the project of the eligible partner; and

4 “(B) an annual report describing how the
5 Secretary used amounts reserved by the Sec-
6 retary for that year for technical assistance
7 under section 1271D(f);

8 “(5) allow an eligible partner to use a new or
9 modified conservation practice standard under a
10 partnership agreement, if the Secretary ensures that
11 the new or modified conservation practice standard—

12 “(A) is based on the best available science;

13 “(B) is implemented after consultation with
14 the Secretary at the local level to assess the an-
15 ticipated effectiveness of the new or modified con-
16 servation practice standard; and

17 “(C) effectively addresses natural resource
18 concerns; and

19 “(6) ensure that any eligible activity effectively
20 addresses natural resource concerns.”; and

21 (6) in subsection (e) (as redesignated by para-
22 graph (4))—

23 (A) by striking paragraph (2) and inserting
24 the following:

1 “(2) *CRITERIA USED.*—*In carrying out the process described in paragraph (1), the Secretary shall—*

2 “(A) *make public the criteria used in evaluating applications; and*

3 “(B) *in the case of an application submitted by a lead eligible partner that identifies a local conservation district as another eligible partner for the project, evaluate the engagement of the lead eligible partner with the local conservation district to ensure local input.*”;

4 *(B) in paragraph (3)—*

5 *(i) by striking the paragraph designation and heading and all that follows through “description of—” and inserting the following:*

6 “(3) *CONTENTS.*—*The Secretary shall develop a simplified application process that requires each application submitted under this subsection to include a description of—*”;

7 *(ii) in subparagraph (C), by striking “, including the covered programs to be used”; and*

8 *(iii) in subparagraph (D), by inserting “or in-kind” after “financial”;*

9 *(C) in paragraph (4)—*

1 (i) *in the matter preceding subpara-*
2 *graph (A), by striking “may” and inserting*
3 *“shall”;*

4 (ii) *in subparagraphs (A) and (B), by*
5 *inserting “eligible” before “producers” each*
6 *place it appears;*

7 (iii) *by striking subparagraph (D);*

8 (iv) *by redesignating subparagraphs*
9 *(E) and (F) as subparagraphs (G) and (H),*
10 *respectively; and*

11 (v) *by inserting after subparagraph*
12 *(C) the following:*

13 “(D) *build new partnerships at the local,*
14 *State, and corporate levels or include a diversity*
15 *of stakeholders in the project;*

16 “(E) *deliver a high percentage of applied*
17 *conservation—*

18 “(i) *to address the identified natural*
19 *resource concerns; or*

20 “(ii) *in the case of a project in a crit-*
21 *ical conservation area under section 1271F,*
22 *to address the critical conservation condi-*
23 *tion for that critical conservation area;*

1 “(F)(i) develop and implement new water-
 2 shed or habitat plans to address 1 or more nat-
 3 ural resource concerns; or

4 “(ii) implement the project consistent with
 5 existing watershed restoration plans;” and

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

7 “(5) REVIEW.—To the extent practicable, after
 8 receipt of an application under this subsection, the
 9 Secretary shall provide to each applicant information
 10 and feedback (including written information and
 11 feedback, as the Secretary determines to be appro-
 12 priate) throughout the annual program application
 13 process for any improvements that could be made to
 14 the application.”.

15 (d) ASSISTANCE TO ELIGIBLE PRODUCERS.—Section
 16 1271C of the Food Security Act of 1985 (16 U.S.C. 3871c)
 17 is amended—

18 (1) in the section heading, by inserting “**ELIGI-**
 19 **BLE**” before “**PRODUCERS**”;

20 (2) by striking subsections (a) and (b) and in-
 21 serting the following:

22 “(a) IN GENERAL.—An eligible producer may receive
 23 financial or technical assistance to conduct eligible activi-
 24 ties on eligible land through a program contract entered
 25 into with the Secretary.

1 “(b) *PROGRAM CONTRACTS.*—

2 “(1) *IN GENERAL.*—*The Secretary shall establish*
3 *a program contract to be entered into with an eligible*
4 *producer to conduct eligible activities on eligible land,*
5 *subject to such terms and conditions as the Secretary*
6 *may establish.*

7 “(2) *APPLICATION BUNDLES.*—

8 “(A) *IN GENERAL.*—*An eligible partner*
9 *may submit to the Secretary, on behalf of eligible*
10 *producers, a bundle of applications for assistance*
11 *under the program through program contracts to*
12 *address a substantial portion of a natural re-*
13 *source concern defined in the partnership agree-*
14 *ment.*

15 “(B) *PRIORITY.*—*The Secretary shall give*
16 *priority to applications described in subpara-*
17 *graph (A).”;*

18 (3) *in subsection (c)*—

19 (A) *in paragraph (1), by striking “In ac-*
20 *cordance with statutory requirements of the cov-*
21 *ered programs involved, the Secretary may make*
22 *payments to a producer” and inserting “Subject*
23 *to section 1271D, the Secretary may make pay-*
24 *ments to an eligible producer”;*

1 (B) in paragraph (2), by inserting “*eligi-*
2 *ble*” before “*producers*” each place it appears;
3 *and*

4 (C) in paragraph (3), by striking “*partici-*
5 *pating*” and inserting “*eligible*”; and

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

7 “(d) *FUNDING ARRANGEMENTS THROUGH GRANT*
8 *AGREEMENTS.—*

9 “(1) *IN GENERAL.—A partnership agreement*
10 *may be a grant agreement entered into with an eligi-*
11 *ble partner in accordance with this subsection.*

12 “(2) *REQUIREMENTS.—Under a grant agreement*
13 *under paragraph (1)—*

14 “(A) *using amounts made available to*
15 *carry out this subtitle, the Secretary shall pro-*
16 *vide to the eligible partner a grant;*

17 “(B) *the eligible partner shall carry out eli-*
18 *gible activities on eligible land (including by*
19 *contracting with 1 or more producers, if the eli-*
20 *gible partner determines the contracting to be*
21 *appropriate), on the condition that the eligible*
22 *activities directly or indirectly benefit agricul-*
23 *tural producers (including forestry producers), to*
24 *address natural resource concerns on a regional*
25 *or watershed scale, such as—*

1 “(i) *infrastructure investments relating*
2 *to agricultural or nonindustrial private for-*
3 *est production that would benefit multiple*
4 *producers, such as a multiproducer irriga-*
5 *tion water delivery system, including in-*
6 *vestments to address drought;*

7 “(ii) *projects addressing water quality*
8 *or quantity concerns (including drought) in*
9 *coordination with producers, including the*
10 *development and implementation of water-*
11 *shed plans;*

12 “(iii) *projects that use innovative ap-*
13 *proaches to leveraging the Federal invest-*
14 *ment in conservation with private financial*
15 *mechanisms, in conjunction with agricul-*
16 *tural production or forest resource manage-*
17 *ment, such as—*

18 “(I) *the provision of performance-*
19 *based payments to eligible producers;*
20 *and*

21 “(II) *support for an environ-*
22 *mental market;*

23 “(iv) *projects that facilitate pilot test-*
24 *ing of new conservation practices, tech-*
25 *nologies, or activities;*

1 “(v) projects that promote the long-
2 term viability and sustainability of agricul-
3 tural land through innovative agricultural
4 land and water protection strategies and
5 mechanisms, including projects that support
6 the transfer of land to beginning farmers
7 and ranchers, veteran farmers and ranchers,
8 socially disadvantaged farmers and ranch-
9 ers, and limited resource farmers and
10 ranchers; and

11 “(vi) other projects for which the Sec-
12 retary determines that the goals and objec-
13 tives of the program would be easier to
14 achieve through the grant agreement; and

15 “(C) the Secretary may provide technical
16 and administrative assistance, as mutually
17 agreed by the parties.

18 “(3) *NONAPPLICABILITY OF ADJUSTED GROSS IN-*
19 *COME LIMITATION.*—*The adjusted gross income limi-*
20 *tation described in section 1001D(b)(1) shall not*
21 *apply to the receipt by an eligible partner of a grant*
22 *under this subsection.*

23 “(4) *LIMITATION.*—*The Secretary may not use*
24 *more than 30 percent of funding made available to*
25 *carry out the program for grant agreements.*

1 “(5) *REPORTS.*—*An eligible partner that enters*
2 *into a grant agreement under this subsection shall*
3 *submit to the Secretary—*

4 “(A) *any information that the Secretary re-*
5 *quires to prepare the report under section*
6 *1271E(b); and*

7 “(B) *an annual report that describes the*
8 *status of the project carried out by the eligible*
9 *partner, including a description of—*

10 “(i) *the use of the grant funds;*

11 “(ii) *any subcontracts awarded using*
12 *grant funds;*

13 “(iii) *the eligible producers receiving*
14 *funding using the grant funds;*

15 “(iv)(I) *the progress made by the*
16 *project in addressing each natural resource*
17 *concern defined in the grant agreement, in-*
18 *cluding in a quantified form; and*

19 “(II) *as appropriate, other environ-*
20 *mental, economic, or social outcomes of the*
21 *project; and*

22 “(v) *any other reporting data the Sec-*
23 *retary determines are necessary to ensure*
24 *compliance with the program rules.”.*

1 (e) *FUNDING.*—Section 1271D of the Food Security
2 Act of 1985 (16 U.S.C. 3871d) is amended—

3 (1) in subsection (a)—

4 (A) by striking “\$100,000,000” and insert-
5 ing “\$200,000,000”; and

6 (B) by striking “2014 through 2018” and
7 inserting “2019 through 2023”;

8 (2) in subsection (c), by striking paragraphs (1)
9 and (2) and inserting the following:

10 “(1) *IN GENERAL.*—To ensure that additional re-
11 sources are available to carry out the program, in ad-
12 dition to the funds made available under subsection
13 (a), for each fiscal year the Secretary shall transfer
14 7 percent of the funds and acres made available for
15 the following programs:

16 “(A) The conservation stewardship program
17 established under subchapter B of chapter 2 of
18 subtitle D.

19 “(B) The environmental quality incentives
20 program established under chapter 4 of subtitle
21 D.

22 “(C) The agricultural conservation easement
23 program established under subtitle H.

24 “(2) *DURATION OF AVAILABILITY.*—Any funds or
25 acres transferred under paragraph (1) shall remain

1 *available for obligation only for the purposes of car-*
2 *rying out the program until expended.*

3 “(3) *DISTRIBUTION OF FUNDS.—To the max-*
4 *imum extent practicable, of projects receiving funds*
5 *or acres transferred under paragraph (1) from a pro-*
6 *gram described in subparagraph (A), (B), or (C) of*
7 *that paragraph, the percentage of projects that shall*
8 *have purposes similar to the purposes of the applica-*
9 *ble program from which funds or acres were trans-*
10 *ferred shall be approximately equal to the percentage*
11 *of funds or acres transferred from the applicable pro-*
12 *gram.”;*

13 (3) *in subsection (d)—*

14 (A) *in paragraph (1), by striking “25 per-*
15 *cent of the funds and acres to projects based on*
16 *a State competitive process administered by the*
17 *State Conservationist, with the advice of the*
18 *State technical committee” and inserting the fol-*
19 *lowing: “40 percent of the funds and acres to*
20 *projects based on a State or multistate competi-*
21 *tive process administered by the Secretary at the*
22 *local level with the advice of the applicable State*
23 *technical committees”;*

24 (B) *by striking paragraph (2);*

1 (C) by redesignating paragraph (3) as
2 paragraph (2); and

3 (D) in paragraph (2) (as so redesignated),
4 by striking “35 percent” and inserting “60 per-
5 cent”;

6 (4) in subsection (e)—

7 (A) by striking “None of the funds” and in-
8 serting the following:

9 “(1) *IN GENERAL.*—*Except as provided in para-*
10 *graph (2), none of the funds*”; and

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

12 “(2) *PROJECT DEVELOPMENT AND OUTREACH.*—
13 *Under a partnership agreement, the Secretary may*
14 *advance reasonable amounts of funding for technical*
15 *assistance to eligible partners to conduct project devel-*
16 *opment and outreach activities in a project area, in-*
17 *cluding—*

18 “(A) *providing outreach and education to*
19 *eligible producers for potential participation in*
20 *the project;*

21 “(B) *developing a watershed or habitat*
22 *plan;*

23 “(C) *establishing baseline metrics to support*
24 *the development of the assessment required under*
25 *section 1271B(c)(1)(E); or*

1 “(D) providing technical assistance to eligi-
2 ble producers.

3 “(3) REIMBURSEMENT.—The Secretary may re-
4 imburse reasonable amounts of funding for activities
5 conducted during the period beginning on the date on
6 which the Secretary announces the approval of an ap-
7 plication under section 1271B(e) and ending on the
8 day before the effective date of the partnership agree-
9 ment.”; and

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

11 “(f) TECHNICAL ASSISTANCE.—

12 “(1) IN GENERAL.—At the time of project selec-
13 tion, the Secretary shall identify and make publically
14 available the amount that the Secretary shall use to
15 provide technical assistance under the terms of the
16 partnership agreement.

17 “(2) LIMITATION.—The Secretary shall limit
18 costs of the Secretary for technical assistance to costs
19 specific and necessary to carry out the objectives of
20 the program.

21 “(3) THIRD-PARTY PROVIDERS.—The Secretary
22 shall develop and implement strategies to encourage
23 third-party technical service providers to provide
24 technical assistance to eligible partners pursuant to a
25 partnership agreement.”.

1 (f) *ADMINISTRATION.*—*Section 1271E of the Food Se-*
2 *curity Act of 1985 (16 U.S.C. 3871e) is amended—*

3 (1) *in subsection (b)—*

4 (A) *in the matter preceding paragraph (1),*
5 *by striking “December 31, 2014” and inserting*
6 *“December 31, 2018”;*

7 (B) *in paragraphs (1) and (2), by inserting*
8 *“eligible” before “producers” each place it ap-*
9 *pears;*

10 (C) *by redesignating paragraphs (1)*
11 *through (4) as paragraphs (2) through (5), re-*
12 *spectively; and*

13 (D) *by inserting before paragraph (2) (as so*
14 *redesignated) the following:*

15 “(1) *a summary of—*

16 “(A) *the progress made towards addressing*
17 *the 1 or more natural resource concerns defined*
18 *for the projects; and*

19 “(B) *any other related environmental, so-*
20 *cial, or economic outcomes of the projects;”;* and

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

22 “(c) *COMPLIANCE WITH CERTAIN REQUIREMENTS.—*

23 *The Secretary may not provide assistance under the pro-*
24 *gram to an eligible producer unless the eligible producer*

1 *agrees, during the program year for which the assistance*
2 *is provided—*

3 “(1) *to comply with applicable conservation re-*
4 *quirements under subtitle B; and*

5 “(2) *to comply with applicable wetland protec-*
6 *tion requirements under subtitle C.*

7 “(d) *HISTORICALLY UNDERSERVED PRODUCERS.—To*
8 *the maximum extent practicable, in carrying out the pro-*
9 *gram, the Secretary shall work with eligible partners to*
10 *maintain eligible benefits available through the covered pro-*
11 *grams for beginning farmers and ranchers, veteran farmers*
12 *and ranchers, socially disadvantaged farmers and ranchers,*
13 *and limited resource farmers and ranchers.*

14 “(e) *REGULATIONS.—The Secretary shall issue regula-*
15 *tions to carry out the program.”.*

16 “(g) *CRITICAL CONSERVATION AREAS.—Section 1271F*
17 *of the Food Security Act of 1985 (16 U.S.C. 3871f) is*
18 *amended—*

19 (1) *by redesignating subsections (a), (b), and (c)*
20 *as subsections (b), (c), and (e), respectively;*

21 (2) *by inserting before subsection (b) (as so re-*
22 *designated) the following:*

23 “(a) *DEFINITIONS.—In this section:*

24 “(1) *CRITICAL CONSERVATION AREA.—The term*
25 *‘critical conservation area’ means a geographical area*

1 *that contains a critical conservation condition that*
2 *can be addressed through the program.*

3 “(2) *CRITICAL CONSERVATION CONDITION.*—*The*
4 *term ‘critical conservation condition’ means—*

5 “(A) *a condition of land that would benefit*
6 *from water quality improvement, including*
7 *through reducing erosion, promoting sediment*
8 *control, and addressing nutrient management*
9 *activities affecting large bodies of water of re-*
10 *gional, national, or international significance;*
11 *and*

12 “(B) *a condition of land that would benefit*
13 *from water quantity improvement, including im-*
14 *provement relating to—*

15 “(i) *drought;*

16 “(ii) *groundwater, surface water, aqui-*
17 *fer, or other water sources; or*

18 “(iii) *water retention and flood pre-*
19 *vention.”;*

20 (3) *in subsection (b) (as so redesignated)—*

21 (A) *by striking “producer” and inserting*
22 *“program”;* and

23 (B) *by inserting “that address each critical*
24 *conservation condition for which the critical con-*

1 *ervation area is designated” before the period at*
2 *the end;*

3 *(4) in subsection (c) (as so redesignated)—*

4 *(A) by redesignating paragraphs (1)*
5 *through (3) as paragraphs (2) through (4), re-*
6 *spectively;*

7 *(B) by inserting before paragraph (2) (as so*
8 *redesignated) the following:*

9 *“(1) IN GENERAL.—The Secretary shall identify*
10 *1 or more critical conservation conditions that apply*
11 *to each critical conservation area designated under*
12 *this section after the date of enactment of the Agricul-*
13 *tural Act of 2014 (Public Law 113–79; 128 Stat.*
14 *649), including the conservation goals and outcomes*
15 *sufficient to demonstrate that progress is being made*
16 *to address the critical conservation conditions.”;*

17 *(C) in paragraph (2) (as so redesignated)—*

18 *(i) by striking subparagraphs (C) and*
19 *(D) and inserting the following:*

20 *“(C) contains a critical conservation condi-*
21 *tion; or”;*

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

1 (iii) in subparagraph (D) (as so reded-
2 ignated), by inserting “eligible” before “pro-
3 ducers”; and

4 (D) by striking paragraph (3) (as so reded-
5 ignated) and inserting the following:

6 “(3) *REVIEW AND WITHDRAWAL.*—The Secretary
7 may—

8 “(A) review designations of critical con-
9 servation areas under this section not more fre-
10 quently than once every 5 years; and

11 “(B) withdraw designation of a critical
12 conservation area only if the Secretary deter-
13 mines that the area is no longer a critical con-
14 servation area.”;

15 (5) by inserting after subsection (c) (as so reded-
16 ignated) the following:

17 “(d) *OUTREACH TO ELIGIBLE PARTNERS AND ELIGI-*
18 *BLE PRODUCERS.*—The Secretary shall provide outreach
19 and education to eligible partners and eligible producers in
20 critical conservation areas designated under this section to
21 encourage the development of projects to address each crit-
22 ical conservation condition identified by the Secretary for
23 that critical conservation area.”;

24 (6) in subsection (e) (as so redesignated)—

1 (A) in paragraph (1), by striking “pro-
2 ducer” and inserting “program”; and

3 (B) by striking paragraph (3); and
4 (7) by adding at the end the following:

5 “(f) *REPORTS.*—Not later than December 31, 2018,
6 and each year thereafter, the Secretary shall submit to the
7 Committee on Agriculture of the House of Representatives
8 and the Committee on Agriculture, Nutrition, and Forestry
9 of the Senate a report describing the status of each critical
10 conservation condition for each critical conservation area
11 designated under this section, including—

12 “(1) the conditions for which each critical con-
13 servation area is designated;

14 “(2) conservation goals and outcomes sufficient
15 to demonstrate that progress is being made to address
16 the critical conservation conditions;

17 “(3) the partnership agreements selected to ad-
18 dress each conservation goal and outcome; and

19 “(4) the extent to which each conservation goal
20 and outcome is being addressed by the partnership
21 agreements.”.

22 (h) *CONFORMING AMENDMENTS.*—

23 (1) Section 1271E of the Food Security Act of
24 1985 (16 U.S.C. 3871e) (as amended by subsection
25 (f)) is amended—

1 (A) in subsection (a), by striking
2 “1271B(d)” each place it appears and inserting
3 “1271B(e)”; and

4 (B) in subsection (b)(5), in the matter pre-
5 ceding subparagraph (A), by striking
6 “1271C(b)(2)” and inserting “1271C(d)”.

7 (2) Section 1271F of the Food Security Act of
8 1985 (16 U.S.C. 3871f) is amended in subsection (b)
9 (as redesignated by subsection (g)(1)) by striking
10 “1271D(d)(3)” and inserting “1271D(d)(2)”.

11 **SEC. 2412. WETLAND CONVERSION.**

12 Section 1221(d) of the Food Security Act of 1985 (16
13 U.S.C. 3821(d)) is amended—

14 (1) by striking “Except as” and inserting the fol-
15 lowing:

16 “*(1) IN GENERAL.—Except as*”; and

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

18 “*(2) DUTY OF THE SECRETARY.—No person*
19 *shall become ineligible under paragraph (1) if the*
20 *Secretary determines that an exemption under section*
21 *1222(b) applies to that person.*”.

22 **SEC. 2413. DELINEATION OF WETLANDS.**

23 (a) **IDENTIFICATION OF MINIMAL EFFECT EXEMP-**
24 **TIONS.**—Section 1222(d) of the Food Security Act of 1985
25 (16 U.S.C. 3822(d)) is amended—

1 (1) *in the first sentence, by striking “For pur-*
2 *poses” and inserting the following:*

3 *“(1) IN GENERAL.—For purposes”;* and

4 (2) *in paragraph (1) (as so designated)—*

5 (A) *in the first sentence, by inserting “not*
6 *later than 1 year after the date of enactment of*
7 *the Agriculture Improvement Act of 2018, in ac-*
8 *cordance with paragraph (2),” before “the Sec-*
9 *retary”;* and

10 (B) *in the second sentence, by striking “The*
11 *Secretary” and inserting the following:*

12 *“(2) REQUIREMENTS.—The Secretary shall carry*
13 *out paragraph (1)—*

14 (A) *in compliance with applicable Federal*
15 *environmental laws, including the National En-*
16 *vironmental Policy Act of 1969 (42 U.S.C. 4321*
17 *et seq.);*

18 (B) *in accordance with subsections (d) and*
19 *(e) of section 12.31 of title 7, Code of Federal*
20 *Regulations (as in effect on the date of enact-*
21 *ment of the Agriculture Improvement Act of*
22 *2018); and*

23 (C) *in consultation with—*

24 (i) *State technical committees estab-*
25 *lished under section 1261(a);*

1 “(ii) *State wildlife and water resource*
2 *agencies;*

3 “(iii) *the Director of the United States*
4 *Fish and Wildlife Service;*

5 “(iv) *State Committees of the Farm*
6 *Service Agency; and*

7 “(v) *agricultural commodity organiza-*
8 *tions.*

9 “(3) *TRAINING OF EMPLOYEES.—The Secretary*”.

10 (b) *MITIGATION BANKING.—Section 1222(k)(1) of the*
11 *Food Security Act of 1985 (16 U.S.C. 3822(k)(1)) is amend-*
12 *ed by striking subparagraph (B) and inserting the fol-*
13 *lowing:*

14 “(B) *AUTHORIZATION OF APPROPRIA-*
15 *TIONS.—There is authorized to be appropriated*
16 *to the Secretary to carry out this paragraph*
17 *\$5,000,000 for each of fiscal years 2019 through*
18 *2023.*”.

19 **SEC. 2414. EMERGENCY CONSERVATION PROGRAM.**

20 (a) *WATERSHED PROTECTION PROGRAM.—Section*
21 *403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203)*
22 *is amended—*

23 (1) *in the section heading, by striking “MEAS-*
24 *URES” and inserting “WATERSHED PROTECTION*
25 *PROGRAM”; and*

1 (2) *in subsection (a), by inserting “watershed*
 2 *protection” after “emergency”.*

3 (b) *PAYMENT LIMITATIONS.—Title IV of the Agricul-*
 4 *tural Credit Act of 1978 is amended by inserting after sec-*
 5 *tion 403 (16 U.S.C. 2203) the following:*

6 **“SEC. 403A. PAYMENT LIMITATION.**

7 *“The maximum payment made under the emergency*
 8 *conservation program to an agricultural producer under*
 9 *this title may not exceed \$500,000.”.*

10 (c) *FUNDING AND ADMINISTRATION.—Section 404 of*
 11 *the Agricultural Credit Act of 1978 (16 U.S.C. 2204) is*
 12 *amended—*

13 (1) *in the fourth sentence, by striking “The Cor-*
 14 *poration” and inserting the following:*

15 *“(d) LIMITATION.—The Commodity Credit Corpora-*
 16 *tion”;*

17 (2) *in the third sentence, by striking “In imple-*
 18 *menting the provisions of” and inserting the fol-*
 19 *lowing:*

20 *“(c) USE OF COMMODITY CREDIT CORPORATION.—In*
 21 *implementing”;*

22 (3) *by striking the second sentence;*

23 (4) *by striking the section designation and all*
 24 *that follows through “There are authorized” in the*
 25 *first sentence and inserting the following:*

1 **“SEC. 404. FUNDING AND ADMINISTRATION.**

2 “(a) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
3 *are authorized*”;

4 (5) *in subsection (a) (as so designated), by in-*
5 *serting “, to remain available until expended” before*
6 *the period at the end; and*

7 (6) *by inserting after subsection (a) (as so des-*
8 *ignated) the following:*

9 “(b) *SET-ASIDE FOR FENCING.*—*Of the amounts made*
10 *available under subsection (a) for a fiscal year, 25 percent*
11 *shall be set aside until April 1 of that fiscal year for the*
12 *repair or replacement of fencing.”.*

13 **SEC. 2415. WATERSHED PROTECTION AND FLOOD PREVEN-**
14 **TION.**

15 *Section 10 of the Watershed Protection and Flood Pre-*
16 *vention Act (16 U.S.C. 1007) is amended by striking the*
17 *section designation and all that follows through “No appro-*
18 *priation” in the second sentence and inserting the following:*

19 **“SEC. 10. FUNDING.**

20 “(a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
21 *authorized to be appropriated to carry out this Act*
22 *\$200,000,000 for each of fiscal years 2019 through 2023.*

23 “(b) *LIMITATIONS.*—*No appropriation*”.

24 **SEC. 2416. SMALL WATERSHED REHABILITATION PROGRAM.**

25 *Section 14(h)(2) of the Watershed Protection and*
26 *Flood Prevention Act (16 U.S.C. 1012(h)(2)) is amended—*

1 (1) *in subparagraph (D), by striking “and” at*
2 *the end;*

3 (2) *in subparagraph (E), by striking the period*
4 *at the end and inserting “; and”; and*

5 (3) *by adding at the end the following:*

6 “(F) \$20,000,000 for each of fiscal years
7 2019 through 2023.”

8 **SEC. 2417. REPEAL OF CONSERVATION CORRIDOR DEM-**
9 **ONSTRATION PROGRAM.**

10 (a) *IN GENERAL.*—*Subtitle G of title II of the Farm*
11 *Security and Rural Investment Act of 2002 (16 U.S.C. 3801*
12 *note; Public Law 107–171) is repealed.*

13 (b) *CONFORMING AMENDMENT.*—*Section 5059 of the*
14 *Water Resources Development Act of 2007 (16 U.S.C. 3801*
15 *note; Public Law 110–114) is repealed.*

16 **SEC. 2418. REPEAL OF CRANBERRY ACREAGE RESERVE PRO-**
17 **GRAM.**

18 *Section 10608 of the Farm Security and Rural Invest-*
19 *ment Act of 2002 (16 U.S.C. 3801 note; Public Law 107–*
20 *171) is repealed.*

21 **SEC. 2419. REPEAL OF NATIONAL NATURAL RESOURCES**
22 **FOUNDATION.**

23 *Subtitle F of title III of the Federal Agriculture Im-*
24 *provement and Reform Act of 1996 (16 U.S.C. 5801 et seq.)*
25 *is repealed.*

1 **SEC. 2420. REPEAL OF FLOOD RISK REDUCTION.**

2 *Section 385 of the Federal Agriculture Improvement*
3 *and Reform Act of 1996 (7 U.S.C. 7334) is repealed.*

4 **SEC. 2421. REPEAL OF STUDY OF LAND USE FOR EXPIRING**
5 **CONTRACTS AND EXTENSION OF AUTHORITY.**

6 *Section 1437 of the Food, Agriculture, Conservation,*
7 *and Trade Act of 1990 (16 U.S.C. 3831 note; Public Law*
8 *101–624) is repealed.*

9 **SEC. 2422. REPEAL OF INTEGRATED FARM MANAGEMENT**
10 **PROGRAM OPTION.**

11 *Section 1451 of the Food, Agriculture, Conservation,*
12 *and Trade Act of 1990 (7 U.S.C. 5822) is repealed.*

13 **SEC. 2423. REPEAL OF CLARIFICATION OF DEFINITION OF**
14 **AGRICULTURAL LANDS.**

15 *Section 325 of the Federal Agriculture Improvement*
16 *and Reform Act of 1996 (Public Law 104–127; 110 Stat.*
17 *992) is repealed.*

18 **SEC. 2424. RESOURCE CONSERVATION AND DEVELOPMENT**
19 **PROGRAM.**

20 *Section 1537 of the Agriculture and Food Act of 1981*
21 *(16 U.S.C. 3460) is amended to read as follows:*

22 **“SEC. 1537. TERMINATION OF EFFECTIVENESS.**

23 *“The authority provided by this subtitle terminates ef-*
24 *fective October 1, 2023.”.*

1 **SEC. 2425. WILDLIFE MANAGEMENT.**

2 (a) *IN GENERAL.*—*The Secretary and the Secretary of*
3 *the Interior shall continue to carry out the Working Lands*
4 *for Wildlife model of conservation on working landscapes,*
5 *as implemented on the day before the date of enactment of*
6 *this Act, in accordance with—*

7 (1) *the document entitled “Partnership Agree-*
8 *ment Between the United States Department of Agri-*
9 *culture Natural Resources Conservation Service and*
10 *the United States Department of the Interior Fish*
11 *and Wildlife Service”, numbered A–3A7516–937, and*
12 *formalized by the Chief of the Natural Resources Con-*
13 *servation Service on September 15, 2016, and by the*
14 *Director of the United States Fish and Wildlife Serv-*
15 *ice on August 4, 2016, as in effect on September 15,*
16 *2016; and*

17 (2) *United States Fish and Wildlife Service Di-*
18 *rector’s Order No. 217, dated August 9, 2016, as in*
19 *effect on August 9, 2016.*

20 (b) *EXPANSION OF MODEL.*—*The Secretary and the*
21 *Secretary of the Interior may expand the conservation*
22 *model described in subsection (a) through a new partner-*
23 *ship agreement between the Farm Service Agency and the*
24 *United States Fish and Wildlife Service for the purpose of*
25 *carrying out conservation activities for species conserva-*
26 *tion.*

1 (c) *EXTENSION OF PERIOD OF REGULATORY PREDICT-*
2 *ABILITY.—*

3 (1) *DEFINITION OF PERIOD OF REGULATORY*
4 *PREDICTABILITY.—In this subsection, the term “pe-*
5 *riod of regulatory predictability” means the period of*
6 *regulatory predictability under the Endangered Spe-*
7 *cies Act of 1973 (16 U.S.C. 1531 et seq.) initially de-*
8 *termined in accordance with the document and order*
9 *described in paragraphs (1) and (2), respectively, of*
10 *subsection (a).*

11 (2) *EXTENSION.—After the period of regulatory*
12 *predictability, on request of the Secretary, the Sec-*
13 *retary of the Interior, acting through the Director of*
14 *the United States Fish and Wildlife Service, may pro-*
15 *vide additional consultation under section 7(a)(2) of*
16 *the Endangered Species Act of 1973 (16 U.S.C.*
17 *1536(a)(2)), or additional conference under section*
18 *7(a)(4) of that Act (16 U.S.C. 1536(a)(4)), as appli-*
19 *cable, with the Chief of the Natural Resources Con-*
20 *servaion Service or the Administrator of the Farm*
21 *Service Agency, as applicable, to extend the period of*
22 *regulatory predictability.*

23 (d) *REGULATORY CERTAINTY.—Section 1244 of the*
24 *Food Security Act of 1985 (16 U.S.C. 3844) is amended*
25 *by adding at the end the following:*

1 “(n) *REGULATORY CERTAINTY.*—

2 “(1) *IN GENERAL.*—*In addition to technical and*
3 *programmatic information that the Secretary is oth-*
4 *erwise authorized to provide, on request of a Federal*
5 *agency, a State, an Indian tribe, or a unit of local*
6 *government, the Secretary may provide technical and*
7 *programmatic information—*

8 “(A) *subject to paragraph (2), to the Fed-*
9 *eral agency, State, Indian tribe, or unit of local*
10 *government to support specifically the develop-*
11 *ment of mechanisms that would provide regu-*
12 *latory certainty, regulatory predictability, safe*
13 *harbor protection, or other similar regulatory as-*
14 *surances to a farmer, rancher, or private non-*
15 *industrial forest landowner under a regulatory*
16 *requirement—*

17 “(i) *that relates to soil, water, or wild-*
18 *life; and*

19 “(ii) *over which that Federal agency,*
20 *State, Indian tribe, or unit of local govern-*
21 *ment has authority; and*

22 “(B) *relating to conservation practices or*
23 *activities that could be implemented by a farmer,*
24 *rancher, or private nonindustrial forest land-*
25 *owner to address a targeted soil, water, or wild-*

1 *life resource concern that is the direct subject of*
2 *a regulatory requirement enforced by that Fed-*
3 *eral agency, State, Indian tribe, or unit of local*
4 *government, as applicable.*

5 “(2) *MECHANISMS.—The Secretary shall only*
6 *provide additional technical and programmatic infor-*
7 *mation under paragraph (1) if the mechanisms to be*
8 *developed by the Federal agency, State, Indian tribe,*
9 *or unit of local government, as applicable, under*
10 *paragraph (1)(A) are anticipated to include, at a*
11 *minimum—*

12 “(A) *the implementation of 1 or more con-*
13 *servation practices or activities that effectively*
14 *addresses the soil, water, or wildlife resource con-*
15 *cern identified under paragraph (1);*

16 “(B) *the on-site confirmation that the ap-*
17 *plicable conservation practices or activities iden-*
18 *tified under subparagraph (A) have been imple-*
19 *mented;*

20 “(C) *a plan for a periodic audit, as appro-*
21 *priate, of the continued implementation or*
22 *maintenance of each of the conservation practices*
23 *or activities identified under subparagraph (A);*
24 *and*

1 “(D) notification to a farmer, rancher, or
2 private nonindustrial forest landowner of, and
3 an opportunity to correct, any noncompliance
4 with a requirement to obtain regulatory cer-
5 tainty, regulatory predictability, safe harbor
6 protection, or other similar regulatory assurance.

7 “(3) CONTINUING CURRENT COLLABORATION ON
8 SOIL, WATER, OR WILDLIFE CONSERVATION PRAC-
9 TICES.—The Secretary shall—

10 “(A) continue collaboration with Federal
11 agencies, States, Indian tribes, or local units of
12 government on existing regulatory certainty, reg-
13 ulatory predictability, safe harbor protection, or
14 other similar regulatory assurances in accord-
15 ance with paragraph (2); and

16 “(B) continue collaboration with the Sec-
17 retary of the Interior on consultation under sec-
18 tion 7(a)(2) of the Endangered Species Act of
19 1973 (16 U.S.C. 1536(a)(2)) or conference under
20 section 7(a)(4) of that Act (16 U.S.C.
21 1536(a)(4)), as applicable, for wildlife conserva-
22 tion efforts, including the Working Lands for
23 Wildlife model of conservation on working land-
24 scapes, as implemented on the day before the

1 *date of enactment of the Agriculture Improve-*
2 *ment Act of 2018, in accordance with—*

3 “(i) *the document entitled ‘Partnership*
4 *Agreement Between the United States De-*
5 *partment of Agriculture Natural Resources*
6 *Conservation Service and the United States*
7 *Department of the Interior Fish and Wild-*
8 *life Service’, numbered A-3A75-16-937,*
9 *and formalized by the Chief of the Natural*
10 *Resources Conservation Service on Sep-*
11 *tember 15, 2016, and by the Director of the*
12 *United States Fish and Wildlife Service on*
13 *August 4, 2016, as in effect on September*
14 *15, 2016; and*

15 “(ii) *United States Fish and Wildlife*
16 *Service Director’s Order No. 217, dated Au-*
17 *gust 9, 2016, as in effect on August 9, 2016.*

18 “(4) *SAVINGS CLAUSE.—Nothing in this sub-*
19 *section—*

20 “(A) *preempts, displaces, or supplants any*
21 *authority or right of a Federal agency, a State,*
22 *an Indian tribe, or a unit of local government;*

23 “(B) *modifies or otherwise affects, preempts,*
24 *or displaces—*

25 “(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 re-
6 questing a consultation or other technical and
7 programmatic information or assistance from
8 another Federal agency in assisting farmers,
9 ranchers, or nonindustrial private forest land-
10 owners participating in a conservation program
11 administered by the Secretary.”.

12 **SEC. 2426. HEALTHY FORESTS RESERVE PROGRAM.**

13 (a) *PURPOSES.*—Section 501(a) of the Healthy Forests
14 Restoration Act of 2003 (16 U.S.C. 6571(a)) is amended—

15 (1) in paragraph (2), by striking “and” at the
16 end;

17 (2) in paragraph (3), by striking the period at
18 the end and inserting “; and”; and

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

20 “(4) to conserve forest land that provides habitat
21 for species described in section 502(b)(2).”.

22 (b) *ELIGIBILITY.*—Section 502 of the Healthy Forests
23 Restoration Act of 2003 (16 U.S.C. 6572) is amended—

24 (1) in subsection (b)—

1 (A) in paragraph (1), by striking “private
2 land” and all that follows through “which will”
3 and inserting “private land, including private
4 forest land or land being restored to forest, the
5 enrollment of which will maintain,”; and

6 (B) in paragraph (2)—

7 (i) in the matter preceding subpara-
8 graph (A), by striking “private land” and
9 all that follows through “which will” and
10 inserting “private land, including private
11 forest land or land being restored to forest,
12 the enrollment of which will maintain,”;

13 (ii) by striking subparagraph (B) and
14 inserting the following:

15 “(B)(i) are candidates for such listing,
16 State-listed species, or special concern species; or

17 “(i) are deemed a species of greatest con-
18 servation need under a State wildlife action
19 plan.”;

20 (2) in subsection (c)—

21 (A) in paragraph (1), by striking “and” at
22 the end;

23 (B) in paragraph (2), by striking the period
24 at the end and inserting “; and”; and

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

1 “(3) conserve forest land that provides habitat
2 for species described in section 502(b)(2).”;

3 (3) in subsection (e)—

4 (A) by striking paragraph (2);

5 (B) by redesignating paragraph (3) as
6 paragraph (2); and

7 (C) in paragraph (2)(B) (as redesignated
8 by subparagraph (A))—

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

11 (ii) by striking clause (iii) and insert-
12 ing the following:

13 “(iii) a permanent easement; or

14 “(iv) any combination of the options
15 described in clauses (i), (ii), and (iii).”;

16 and

17 (4) in subsection (f)(1)(B), by striking clause (ii)
18 and inserting the following:

19 “(i)(I) are candidates for such listing,
20 State-listed species, or special concern spe-
21 cies; or

22 “(II) are deemed a species of greatest
23 conservation need under a State wildlife ac-
24 tion plan.”.

1 (c) *RESTORATION PLANS.*—Section 503(b) of the
2 *Healthy Forests Restoration Act of 2003* (16 U.S.C.
3 6573(b)) is amended—

4 (1) by redesignating paragraphs (1) and (2) as
5 subparagraphs (A) and (B), respectively, and indent-
6 ing appropriately;

7 (2) by striking the subsection designation and all
8 that follows through “restoration practices” and in-
9 serting the following:

10 “(b) *PRACTICES AND MEASURES.*—

11 “(1) *DEFINITION OF PRACTICES AND MEAS-*
12 *URES.*—In this subsection, the term ‘practices and
13 measures’ includes land management practices, vege-
14 tative treatments, structural practices and measures,
15 practices to improve biological diversity, practices to
16 increase carbon sequestration, and other appropriate
17 activities, as determined by the Secretary.

18 “(2) *RESTORATION PLANS.*—The restoration
19 plan may require such restoration practices and
20 measures”;

21 (3) in subparagraph (A) (as redesignated by
22 paragraph (1)), by striking “and” at the end; and

23 (4) in subparagraph (B) (as redesignated by
24 paragraph (1)), by striking the period at the end and
25 inserting “, or a species deemed a species of greatest

1 *conservation need under a State wildlife action*
2 *plan.”.*

3 **SEC. 2427. WATERSHED PROTECTION.**

4 *(a) WATERSHED AREAS.—Section 2 of the Watershed*
5 *Protection and Flood Prevention Act (16 U.S.C. 1002) is*
6 *amended in the undesignated matter following paragraph*
7 *(3) by inserting “(except in cases in which the Secretary*
8 *determines that the undertaking is necessary in a larger*
9 *watershed or subwatershed in order to address regional*
10 *drought concerns)” after “fifty thousand acres”.*

11 *(b) AUTHORITY OF THE SECRETARY.—Section 3 of the*
12 *Watershed Protection and Flood Prevention Act (16 U.S.C.*
13 *1003) is amended—*

14 *(1) by striking the section designation and all*
15 *that follows through “In order to assist” and insert-*
16 *ing the following:*

17 **“SEC. 3. ASSISTANCE TO LOCAL ORGANIZATIONS.**

18 *“(a) IN GENERAL.—In order to assist”; and*

19 *(2) by adding at the end the following:*

20 *“(b) WAIVER.—The Secretary may waive the water-*
21 *shed plan for works of improvement if the Secretary deter-*
22 *mines the watershed plan is unnecessary or duplicative.”.*

1 **SEC. 2428. SENSE OF CONGRESS RELATING TO INCREASED**
 2 **WATERSHED-BASED COLLABORATION.**

3 *It is the sense of Congress that the Federal Government*
 4 *should recognize and encourage partnerships at the water-*
 5 *shed level between nonpoint sources and regulated point*
 6 *sources to advance the goals of the Federal Water Pollution*
 7 *Control Act (33 U.S.C. 1251 et seq.) and provide benefits*
 8 *to farmers, landowners, and the public.*

9 **SEC. 2429. MODIFICATIONS TO CONSERVATION EASEMENT**
 10 **PROGRAM.**

11 *Title XII of the Food Security Act of 1985 (16 U.S.C.*
 12 *3801 et seq.) is amended by inserting after subtitle E the*
 13 *following:*

14 **“Subtitle F—Other Conservation**
 15 **Provisions**

16 **“SEC. 1251. MODIFICATIONS TO CONSERVATION EASEMENT**
 17 **PROGRAM.**

18 *“(a) DEFINITION OF COVERED PROGRAM.—In this sec-*
 19 *tion, the term ‘covered program’ means wetland reserve*
 20 *easements under section 1265C.*

21 *“(b) MODIFICATIONS.—Notwithstanding any other*
 22 *provision of law applicable to the covered program, subject*
 23 *to subsection (c), if requested by the landowner, the Sec-*
 24 *retary shall—*

25 *“(1) allow land enrolled in the covered program*
 26 *to be—*

1 “(A) modified for water management, gen-
2 eral maintenance, vegetative cover control, wild-
3 life habitat management, or any other purpose,
4 subject to the condition that the modification
5 shall be approved jointly by—

6 “(i) the State department of natural
7 resources (or equivalent State agency); and

8 “(ii) the technical committee estab-
9 lished under section 1261(a) of the State; or

10 “(B) exchanged for land that has equal or
11 greater conservation, wildlife, ecological, and eco-
12 nomic values, as determined by the Secretary;
13 and

14 “(2) provide for the modification of an easement
15 under the covered program if the Secretary determines
16 that the modification—

17 “(A) would facilitate the practical adminis-
18 tration and management of the land covered by
19 the easement; and

20 “(B) would not adversely affect the func-
21 tions and values for which the easement was es-
22 tablished.

23 “(c) REQUIREMENTS.—

1 “(1) *NO EFFECT ON ENROLLED ACREAGE, ECO-*
2 *LOGICAL FUNCTIONS AND VALUES.*—*A modification or*
3 *exchange under subsection (b) shall not—*

4 “(A) *result in a net loss of acreage enrolled*
5 *in the covered program; or*

6 “(B) *adversely affect any ecological or con-*
7 *servaion function or value for which the appli-*
8 *cable easement was established.*

9 “(2) *EXCHANGED ACRES.*—*Any land for which*
10 *an exchange is made under subsection (b) shall satisfy*
11 *all requirements for enrollment in the covered pro-*
12 *gram.*

13 “(3) *RESTRICTION ON PAYMENTS.*—*In modifying*
14 *any easement under the covered program, the Sec-*
15 *retary shall not increase any payment to any party*
16 *to the easement.*

17 “(d) *COSTS.*—*A party to an easement under the cov-*
18 *ered program that requests a modification or exchange*
19 *under subsection (b) shall be responsible for all costs of the*
20 *modification or exchange, including—*

21 “(1) *an appraisal to determine whether the eco-*
22 *nomiic value of the land for which an exchange is*
23 *made under subsection (b) is equal to or greater than*
24 *the value of the land removed from the covered pro-*
25 *gram;*

1 “(2) the repayment of the costs paid by the Sec-
2 retary for any restoration of land removed from the
3 covered program;

4 “(3) if applicable, a survey of property bound-
5 aries, including review and approval by the applica-
6 ble agency;

7 “(4) preparation and recording in accordance
8 with standard real estate practices of any exchange,
9 including requirements for title approval by the Sec-
10 retary, subordination of liens, and amended warranty
11 easement deed recording; and

12 “(5) any applicable recording and legal fees.”.

13 ***Subtitle E—Funding and***
14 ***Administration***

15 **SEC. 2501. FUNDING.**

16 (a) *IN GENERAL.*—Section 1241(a) of the Food Secu-
17 rity Act of 1985 (16 U.S.C. 3841(a)) is amended—

18 (1) in the matter preceding paragraph (1), by
19 striking “2018 (and fiscal year 2019 in the case of the
20 program specified in paragraph (5))” and inserting
21 “2023”;

22 (2) in paragraph (1)—

23 (A) in subparagraph (A), by striking
24 “\$10,000,000 for the period of fiscal years 2014
25 through 2018” and inserting “\$11,000,000 for

1 *the period of fiscal years 2019 through 2023*”;
2 *and*

3 *(B) in subparagraph (B)—*

4 *(i) by striking “\$33,000,000 for the pe-*
5 *riod of fiscal years 2014 through 2018” and*
6 *inserting “\$50,000,000 for the period of fis-*
7 *cal years 2019 through 2023, including not*
8 *more than \$5,000,000 to provide outreach*
9 *and technical assistance,”; and*

10 *(ii) by striking “retired or retiring*
11 *owners and operators” and inserting “con-*
12 *tract holders”;*

13 *(3) in paragraph (2), by striking subparagraphs*
14 *(A) through (E) and inserting the following:*

15 *“(A) \$400,000,000 for each of fiscal years*
16 *2019 through 2021;*

17 *“(B) \$425,000,000 for fiscal year 2022; and*

18 *“(C) \$450,000,000 for fiscal year 2023.”;*

19 *and*

20 *(4) in paragraph (5), by striking subparagraphs*
21 *(A) through (E) and inserting the following:*

22 *“(A) \$1,473,000,000 for fiscal year 2019;*

23 *“(B) \$1,478,000,000 for fiscal year 2020;*

24 *“(C) \$1,541,000,000 for fiscal year 2021;*

1 “(D) \$1,571,000,000 for fiscal year 2022;

2 and

3 “(E) \$1,595,000,000 for fiscal year 2023.”.

4 (b) *AVAILABILITY OF FUNDS.*—Section 1241(b) of the
5 *Food Security Act of 1985 (16 U.S.C. 3841(b))* is amended
6 by striking “2018 (and fiscal year 2019 in the case of the
7 program specified in subsection (a)(5))” and inserting
8 “2023”.

9 (c) *ALLOCATIONS REVIEW AND UPDATE.*—Section
10 1241(g) of the *Food Security Act of 1985 (16 U.S.C.*
11 *3841(g))* is amended by striking “*REVIEW AND UPDATE*”
12 in the subsection heading and all that follows through “*The*
13 *Secretary*” in paragraph (2) and inserting “*UPDATE.—The*
14 *Secretary*”.

15 (d) *ASSISTANCE TO CERTAIN FARMERS OR RANCHERS*
16 *FOR CONSERVATION ACCESS.*—Section 1241(h)(1) of the
17 *Food Security Act of 1985 (16 U.S.C. 3841(h)(1))* is
18 amended—

19 (1) in the matter preceding subparagraph (A),
20 by striking “2018” and inserting “2023”; and

21 (2) by striking “5 percent” each place it appears
22 and inserting “15 percent”.

23 (e) *CONSERVATION STANDARDS AND REQUIRE-*
24 *MENTS.*—Section 1241 of the *Food Security Act of 1985 (16*
25 *U.S.C. 3841)* is amended by adding at the end the following:

1 “(j) CONSERVATION STANDARDS AND REQUIRE-
2 MENTS.—

3 “(1) IN GENERAL.—Subject to the requirements
4 of this title, the Natural Resources Conservation Serv-
5 ice shall serve as the lead agency in developing and
6 establishing technical standards and requirements for
7 conservation programs carried out under this title,
8 including—

9 “(A) standards for conservation practices
10 under this title;

11 “(B) technical guidelines for implementing
12 conservation practices under this title, including
13 the location of the conservation practices;

14 “(C) standards for conservation plans; and

15 “(D) payment rates for conservation prac-
16 tices and activities under programs carried out
17 under this title.

18 “(2) CONSISTENCY OF FARM SERVICE AGENCY
19 STANDARDS.—The Administrator of the Farm Service
20 Agency shall ensure that the standards and require-
21 ments of programs administered by the Farm Service
22 Agency incorporate and are consistent with the stand-
23 ards and requirements established by the Natural Re-
24 sources Conservation Service under paragraph (1).

1 “(3) *LOCAL FLEXIBILITY.*—*The Secretary shall*
2 *establish a procedure to allow, on request of a State*
3 *committee of the Farm Service Agency or a State*
4 *technical committee established under section 1261(a)*
5 *to modify any standard or requirement established*
6 *under paragraph (1), that modification if the modi-*
7 *fication—*

8 “(A) *addresses a specific and local natural*
9 *resource concern;*

10 “(B) *is based on science; and*

11 “(C) *maintains the conservation benefits of*
12 *the standards and requirements established*
13 *under paragraph (1).”.*

14 **SEC. 2502. DELIVERY OF TECHNICAL ASSISTANCE.**

15 *Section 1242 of the Food Security Act of 1985 (16*
16 *U.S.C. 3842) is amended—*

17 (1) *in subsection (a)—*

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

21 “(a) *DEFINITIONS.*—*In this section:*

22 “(1) *ELIGIBLE PARTICIPANT.*—*The term”;* and

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

24 “(2) *THIRD-PARTY PROVIDER.*—*The term ‘third-*
25 *party provider’ means a commercial entity (including*

1 *a farmer cooperative, agriculture retailer, or other*
2 *commercial entity, as determined by the Secretary), a*
3 *nonprofit entity, a State, a unit of local government*
4 *(including a conservation district), or a Federal agen-*
5 *cy, that has expertise in the technical aspect of con-*
6 *servation planning, including nutrient management*
7 *planning, watershed planning, or environmental engi-*
8 *neering.”;*

9 (2) *in subsection (e), by adding at the end the*
10 *following:*

11 “(4) *CERTIFICATION PROCESS.—The Secretary*
12 *shall certify a third-party provider through—*

13 “(A) *a certification process administered by*
14 *the Secretary, acting through the Chief of the*
15 *Natural Resources Conservation Service; or*

16 “(B) *a non-Federal entity approved by the*
17 *Secretary to perform the certification.*

18 “(5) *STREAMLINED CERTIFICATION.—The Sec-*
19 *retary shall provide a streamlined certification proc-*
20 *ess for a third-party provider that has an appropriate*
21 *specialty certification, including a sustainability spe-*
22 *cialty certification and a 4R nutrient management*
23 *specialty certification from the American Society of*
24 *Agronomy.”; and*

25 (3) *in subsection (h)—*

1 (A) by striking paragraph (3) and inserting
2 the following:

3 “(3) *EXPEDITED REVISION OF STANDARDS.*—Not
4 later than 1 year after the date of enactment of the
5 *Agriculture Improvement Act of 2018*, the Secretary
6 shall develop an administrative process for—

7 “(A) expediting the establishment and revi-
8 sion of conservation practice standards; and

9 “(B) considering conservation innovations
10 with respect to any establishment or revision
11 under subparagraph (A).

12 “(4) *REPORT.*—Not later than 2 years after the
13 date of enactment of the *Agriculture Improvement Act*
14 of 2018, and every 2 years thereafter, the Secretary
15 shall submit to Congress a report on—

16 “(A) the administrative process developed
17 under paragraph (3);

18 “(B) conservation practice standards that
19 were established or revised under that process;
20 and

21 “(C) conservation innovations that were
22 considered under that process.”.

1 **SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CON-**
2 **SERVATION PROGRAMS.**

3 (a) *INCENTIVES FOR ACEQUIAS.*—Section 1244(a) of
4 the Food Security Act of 1985 (16 U.S.C. 3844(a)) is
5 amended—

6 (1) in the subsection heading, by striking
7 “RANCHERS AND INDIAN TRIBES” and inserting
8 “RANCHERS, INDIAN TRIBES, AND ACEQUIAS”; and

9 (2) in paragraph (2), by adding at the end the
10 following:

11 “(F) *Acequias.*”.

12 (b) *ACREAGE LIMITATIONS.*—Section 1244(f) of the
13 Food Security Act of 1985 (16 U.S.C. 3844(f)) is amend-
14 ed—

15 (1) in paragraph (1)(B), by striking “10” and
16 inserting “15”; and

17 (2) in paragraph (5), by striking “the Agricul-
18 tural Act of 2014” and inserting “the Agriculture Im-
19 provement Act of 2018”.

20 (c) *FUNDING FOR INDIAN TRIBES.*—Section 1244(l) of
21 the Food Security Act of 1985 (16 U.S.C. 3844(l)) is
22 amended by striking “may” and inserting “shall”.

23 (d) *EXEMPTION FROM CERTAIN REPORTING REQUIRE-*
24 *MENTS.*—Section 1244(m) of the Food Security Act of 1985
25 (16 U.S.C. 3844(m)) is amended—

1 (1) in paragraph (1), by inserting “or com-
2 modity” after “conservation”; and

3 (2) in paragraph (2), by inserting “or the Farm
4 Service Agency” before the period at the end.

5 (e) *SOURCE WATER PROTECTION*.—Section 1244 of the
6 *Food Security Act of 1985 (16 U.S.C. 3844)* (as amended
7 by section 2425(d)) is amended by adding at the end the
8 following:

9 “(o) *SOURCE WATER PROTECTION*.—

10 “(1) *IN GENERAL*.—In carrying out the con-
11 servation stewardship program under subchapter B of
12 chapter 2 of subtitle D and the environmental quality
13 incentives program under chapter 4 of subtitle D, the
14 Secretary shall encourage water quality and water
15 quantity practices that—

16 “(A) protect sources of potable water, in-
17 cluding protecting against public health threats;
18 and

19 “(B) mutually benefit agricultural pro-
20 ducers.

21 “(2) *COLLABORATION AND PAYMENTS*.—In en-
22 couraging practices under paragraph (1), the Sec-
23 retary shall—

24 “(A) work collaboratively with drinking
25 water utilities, community water systems, and

1 *State technical committees established under sec-*
2 *tion 1261 to identify local priority areas for the*
3 *protection of source waters for drinking water;*
4 *and*

5 *“(B) subject to limitations under the pro-*
6 *grams described in paragraph (1), provide pay-*
7 *ment rates to producers for water quality prac-*
8 *tices or enhancements that primarily result in*
9 *off-farm benefit at a rate sufficient to encourage*
10 *greater adoption of those practices or enhance-*
11 *ments by producers.”.*

12 *(f) PAYMENTS MADE TO ACEQUIAS.—Section 1244 of*
13 *the Food Security Act of 1985 (16 U.S.C. 3844) (as amend-*
14 *ed by subsection (e)) is amended by adding at the end the*
15 *following:*

16 *“(p) PAYMENTS MADE TO ACEQUIAS.—*

17 *“(1) WAIVER AUTHORITY.—The Secretary may*
18 *wave the applicability of the limitations in section*
19 *1001D(b) or section 1240G for a payment made*
20 *under a contract under this title entered into with an*
21 *acequia if the Secretary determines that the waiver is*
22 *necessary to fulfill the objectives of the project under*
23 *the contract.*

24 *“(2) CONTRACT LIMITATIONS.—If the Secretary*
25 *grants a waiver under paragraph (1), the Secretary*

1 *shall impose a separate payment limitation, as deter-*
2 *mined by the Secretary, for the contract to which the*
3 *waiver applies.”.*

4 **SEC. 2504. DEFINITION OF ACEQUIA.**

5 *(a) IN GENERAL.—Section 1201(a) of the Food Secu-*
6 *rity Act of 1985 (16 U.S.C. 3801(a)) is amended—*

7 *(1) by redesignating paragraphs (1) through (27)*
8 *as paragraphs (2) through (28), respectively;*

9 *(2) by inserting before paragraph (2) (as so re-*
10 *designated) the following:*

11 *“(1) ACEQUIA.—The term ‘acequia’ means an*
12 *entity that—*

13 *“(A) is a political subdivision of a State;*

14 *“(B) is organized for the purpose of man-*
15 *aging the operation of an irrigation ditch; and*

16 *“(C) does not have the authority to impose*
17 *taxes or levies.”; and*

18 *(3) in paragraph (19)(B) (as so redesignated),*
19 *by inserting “acequia,” before “or other”.*

20 *(b) CONFORMING AMENDMENTS.—Section 363 of the*
21 *Consolidated Farm and Rural Development Act (7 U.S.C.*
22 *2006e) is amended—*

23 *(1) by striking “section 1201(a)(16)” and insert-*
24 *ing “section 1201(a)”;* and

1 (2) by striking “(16 U.S.C. 3801(a)(16))” and
2 inserting “(16 U.S.C. 3801(a))”.

3 **SEC. 2505. AUTHORIZATION OF APPROPRIATIONS FOR**
4 **WATER BANK PROGRAM.**

5 Section 11 of the Water Bank Act (16 U.S.C. 1310)
6 is amended—

7 (1) in the first sentence, by striking “without fis-
8 cal year” and all that follows through “necessary”
9 and inserting “\$5,000,000 for each of fiscal years
10 2019 through 2023, to remain available until ex-
11 pended,”; and

12 (2) by striking the second sentence.

13 **SEC. 2506. REPORT ON LAND ACCESS, TENURE, AND TRAN-**
14 **SITION.**

15 Not later than 1 year after the date of enactment of
16 this Act, the Secretary of Agriculture, in consultation with
17 the Chief Economist, shall submit to Congress and make
18 publicly available a report identifying—

19 (1) the barriers that prevent or hinder the ability
20 of beginning farmers and ranchers and historically
21 underserved producers to acquire or access farmland;

22 (2) the extent to which Federal programs, includ-
23 ing agricultural conservation easement programs,
24 land transition programs, and financing programs,
25 are improving—

1 (A) *farmland access and tenure for begin-*
2 *ning farmers and ranchers and historically un-*
3 *derserved producers; and*

4 (B) *farmland transition and succession;*
5 *and*

6 (3) *the regulatory, operational, or statutory*
7 *changes that are necessary to improve—*

8 (A) *the ability of beginning farmers and*
9 *ranchers and historically underserved producers*
10 *to acquire or access farmland;*

11 (B) *farmland tenure for beginning farmers*
12 *and ranchers and historically underserved pro-*
13 *ducers; and*

14 (C) *farmland transition and succession.*

15 **SEC. 2507. REPORT ON SMALL WETLANDS.**

16 (a) *IN GENERAL.—The Chief of the Natural Resources*
17 *Conservation Service shall submit to Congress a report de-*
18 *scribing the number of wetlands with an area not more than*
19 *1 acre that have been delineated in each of the States of*
20 *North Dakota, South Dakota, Minnesota, and Iowa.*

21 (b) *REQUIREMENT.—In the report under subsection*
22 *(a), the Chief of the Natural Resources Conservation Service*
23 *shall list the number of wetlands acres in each State de-*
24 *scribed in the report by tenths of an acre, and ensure the*
25 *report is based on based available science.*

1 **SEC. 2508. STATE TECHNICAL COMMITTEES.**

2 *Section 1262(c) of the Food Security Act of 1985 (16*
3 *U.S.C. 3862(c)) is amended by adding at the end the fol-*
4 *lowing:*

5 *“(3) RECOMMENDATIONS TO SECRETARY.—Each*
6 *State technical committee shall regularly review new*
7 *and innovative technologies and practices, including*
8 *processes to conserve water and improve water quality*
9 *and quantity, and make recommendations to the Sec-*
10 *retary for further consideration of and possible devel-*
11 *opment of conservation practice standards that incor-*
12 *porate those technologies and practices.”.*

13 ***Subtitle F—Technical Corrections***

14 **SEC. 2601. FARMABLE WETLAND PROGRAM.**

15 *Section 1231B(b)(2)(A)(i) of the Food Security Act of*
16 *1985 (16 U.S.C. 3831b(b)(2)(A)(i)) is amended by adding*
17 *a semicolon at the end.*

18 **SEC. 2602. REPORT ON PROGRAM ENROLLMENTS AND AS-**
19 ***SISTANCE.***

20 *Section 1241(i) of the Food Security Act of 1985 (16*
21 *U.S.C. 3841(i)) is amended—*

22 *(1) by striking paragraphs (2) and (4); and*
23 *(2) by redesignating paragraphs (3), (5), and (6)*
24 *as paragraphs (2), (3), and (4), respectively.*

1 **SEC. 2603. DELIVERY OF TECHNICAL ASSISTANCE.**

2 *Section 1242 of the Food Security Act of 1985 (16*
 3 *U.S.C. 3842) is amended in subsections (e)(3)(B) and (f)(4)*
 4 *by striking “third party” each place it appears and insert-*
 5 *ing “third-party”.*

6 **SEC. 2604. STATE TECHNICAL COMMITTEES.**

7 *Section 1261(b)(2) of the Food Security Act of 1985*
 8 *(16 U.S.C. 3861(b)(2)) is amended by striking “under sec-*
 9 *tion 1262(b)”.*

10 **TITLE III—TRADE**

11 **Subtitle A—Food for Peace Act**

12 **SEC. 3101. FOOD AID QUALITY.**

13 *Section 202(h)(3) of the Food for Peace Act (7 U.S.C.*
 14 *1722(h)(3)) is amended by striking “2014 through 2018”*
 15 *and inserting “2019 through 2023”.*

16 **SEC. 3102. GENERATION AND USE OF CURRENCIES BY PRI-**
 17 **VATE VOLUNTARY ORGANIZATIONS AND CO-**
 18 **OPERATIVES.**

19 *Section 203 of the Food for Peace Act (7 U.S.C. 1723)*
 20 *is amended by striking subsection (b) and inserting the fol-*
 21 *lowing:*

22 *“(b) LOCAL SALES.—In carrying out agreements of the*
 23 *type referred to in subsection (a), the Administrator may*
 24 *permit private voluntary organizations and cooperatives to*
 25 *sell, in 1 or more recipient countries, or in 1 or more coun-*
 26 *tries in the same region, commodities distributed under*

1 *nonemergency programs under this title for each fiscal year*
2 *to generate proceeds to be used as provided in this section.”.*

3 **SEC. 3103. MINIMUM LEVELS OF ASSISTANCE.**

4 *Section 204(a) of the Food for Peace Act (7 U.S.C.*
5 *1724(a)) is amended in paragraphs (1) and (2) by striking*
6 *“2018” each place it appears and inserting “2023”.*

7 **SEC. 3104. FOOD AID CONSULTATIVE GROUP.**

8 *Section 205 of the Food for Peace Act (7 U.S.C. 1725)*
9 *is amended—*

10 *(1) in subsection (d)(1), in the first sentence, by*
11 *striking “45” and inserting “30”; and*

12 *(2) in subsection (f), by striking “2018” and in-*
13 *serting “2023”.*

14 **SEC. 3105. OVERSIGHT, MONITORING, AND EVALUATION.**

15 *Section 207(f)(4) of the Food for Peace Act (7 U.S.C.*
16 *1726a(f)(4)) is amended—*

17 *(1) in subparagraph (A)—*

18 *(A) by striking “\$17,000,000” and inserting*
19 *“1.5 percent, but not less than \$17,000,000,”;*
20 *and*

21 *(B) by striking “2018” each place it ap-*
22 *pears and inserting “2023”; and*

23 *(2) in subparagraph (B)(i), by striking “2018”*
24 *and inserting “2023”.*

1 **SEC. 3106. ASSISTANCE FOR STOCKPILING AND RAPID**
2 **TRANSPORTATION, DELIVERY, AND DIS-**
3 **TRIBUTION OF SHELF-STABLE PREPACKAGED**
4 **FOODS.**

5 *Section 208(f) of the Food for Peace Act (7 U.S.C.*
6 *1726b(f)) is amended by striking “2018” and inserting*
7 *“2023”.*

8 **SEC. 3107. ALLOWANCE OF DISTRIBUTION COSTS.**

9 *Section 406(b)(6) of the Food for Peace Act (7 U.S.C.*
10 *1736(b)(6)) is amended by striking “distribution costs” and*
11 *inserting “distribution costs, including the types of activi-*
12 *ties for which costs were paid under this subsection prior*
13 *to fiscal year 2017”.*

14 **SEC. 3108. PREPOSITIONING OF AGRICULTURAL COMMOD-**
15 **ITIES.**

16 *Section 407(c)(4)(A) of the Food for Peace Act (7*
17 *U.S.C. 1736a(c)(4)(A)) is amended by striking “2018” each*
18 *place it appears and inserting “2023”.*

19 **SEC. 3109. ANNUAL REPORT REGARDING FOOD AID PRO-**
20 **GRAMS AND ACTIVITIES.**

21 *Section 407(f)(1)(A) of the Food for Peace Act (7*
22 *U.S.C. 1736a(f)(1)(A)) is amended—*

23 *(1) by inserting “or each separately” after*
24 *“jointly”; and*

25 *(2) by inserting “by the Administrator, the Sec-*
26 *retary, or both, as applicable,” after “Act”.*

1 **SEC. 3110. DEADLINE FOR AGREEMENTS TO FINANCE SALES**
2 **OR TO PROVIDE OTHER ASSISTANCE.**

3 *Section 408 of the Food for Peace Act (7 U.S.C. 1736b)*
4 *is amended by striking “2018” and inserting “2023”.*

5 **SEC. 3111. NONEMERGENCY FOOD ASSISTANCE.**

6 *Section 412(e) of the Food for Peace Act (7 U.S.C.*
7 *1736f(e)) is amended—*

8 *(1) in the subsection heading, by striking “MIN-*
9 *IMUM LEVEL OF”;*

10 *(2) in paragraph (1), by striking “2018” and in-*
11 *serting “2023”;*

12 *(3) in paragraph (2), by striking*
13 *“\$350,000,000” and inserting “\$365,000,000”; and*

14 *(4) by adding at the end the following:*

15 *“(3) FARMER-TO-FARMER PROGRAM.—In deter-*
16 *mining the amount expended for a fiscal year for*
17 *nonemergency food assistance programs under para-*
18 *graphs (1) and (2), amounts expended for that year*
19 *to carry out programs under section 501 may be con-*
20 *sidered amounts expended for those nonemergency*
21 *food assistance programs.*

22 *“(4) COMMUNITY DEVELOPMENT FUNDS.—In de-*
23 *termining the amount expended for a fiscal year for*
24 *nonemergency food assistance programs under para-*
25 *graphs (1) and (2), amounts expended for that year*
26 *from funds appropriated to carry out part I of the*

1 *Foreign Assistance Act of 1961 (22 U.S.C. 2151 et*
2 *seq.) may be considered amounts expended for those*
3 *nonemergency food assistance programs if the funds*
4 *are made available through grants or cooperative*
5 *agreements that—*

6 *“(A) strengthen food security in developing*
7 *countries; and*

8 *“(B) are consistent with the goals of title*
9 *II.”.*

10 **SEC. 3112. MICRONUTRIENT FORTIFICATION PROGRAMS.**

11 *Section 415(c) of the Food for Peace Act (7 U.S.C.*
12 *1736g–2(c)) is amended by striking “2018” and inserting*
13 *“2023”.*

14 **SEC. 3113. JOHN OGWONSKI AND DOUG BEREUTER FARM-**
15 **ER-TO-FARMER PROGRAM.**

16 *Section 501 of the Food for Peace Act (7 U.S.C. 1737)*
17 *is amended—*

18 *(1) in subsection (b)—*

19 *(A) in the matter preceding paragraph (1),*
20 *by inserting “section 1342 of title 31, United*
21 *States Code, or” after “Notwithstanding”; and*

22 *(B) in paragraph (2), in the matter pre-*
23 *ceding subparagraph (A), by inserting “employ-*
24 *ees or staff of a State cooperative institution (as*
25 *defined in subparagraphs (A) through (D) of sec-*

1 *tion 1404(18) of the National Agricultural Re-*
2 *search, Extension, and Teaching Policy Act of*
3 *1977 (7 U.S.C. 3103(18)),” after “private cor-*
4 *porations,”;*

5 *(2) in subsection (d), in the matter preceding*
6 *paragraph (1), by striking “2018” and inserting*
7 *“2023”; and*

8 *(3) in subsection (e)(1), in the matter preceding*
9 *subparagraph (A), by striking “2018” and inserting*
10 *“2023”.*

11 ***Subtitle B—Agricultural Trade Act***
12 ***of 1978***

13 ***SEC. 3201. PRIORITY TRADE PROMOTION, DEVELOPMENT,***
14 ***AND ASSISTANCE.***

15 *(a) IN GENERAL.—Title II of the Agricultural Trade*
16 *Act of 1978 (7 U.S.C. 5621 et seq.) is amended by adding*
17 *at the end the following:*

18 ***“Subtitle C—Priority Trade Pro-***
19 ***motion, Development, and Assist-***
20 ***ance***

21 ***“SEC. 221. ESTABLISHMENT.***

22 *“The Secretary shall carry out activities under this*
23 *subtitle—*

1 “(1) to access, develop, maintain, and expand
2 markets for United States agricultural commodities;
3 and

4 “(2) to promote cooperation and the exchange of
5 information.

6 **“SEC. 222. MARKET ACCESS PROGRAM.**

7 “(a) *IN GENERAL.*—The Commodity Credit Corpora-
8 tion shall establish and carry out a program to encourage
9 the development, maintenance, and expansion of commer-
10 cial export markets for agricultural commodities (including
11 commodities that are organically produced (as defined in
12 section 2103 of the Organic Foods Production Act of 1990
13 (7 U.S.C. 6502))) through cost-share assistance to eligible
14 trade organizations that implement a foreign market devel-
15 opment program.

16 “(b) *TYPE OF ASSISTANCE.*—Assistance under this sec-
17 tion may be provided in the form of funds of, or commod-
18 ities owned by, the Commodity Credit Corporation, as de-
19 termined appropriate by the Secretary.

20 “(c) *REQUIREMENTS FOR PARTICIPATION.*—To be eli-
21 gible for cost-share assistance under this section, an organi-
22 zation shall—

23 “(1) be an eligible trade organization;

1 “(2) prepare and submit a marketing plan to the
2 Secretary that meets the guidelines governing such
3 plans established by the Secretary; and

4 “(3) meet any other requirements established by
5 the Secretary.

6 “(d) *ELIGIBLE TRADE ORGANIZATIONS.*—An eligible
7 trade organization shall be—

8 “(1) a United States agricultural trade organi-
9 zation or regional State-related organization that—

10 “(A) promotes the export and sale of agri-
11 cultural commodities; and

12 “(B) does not stand to profit directly from
13 specific sales of agricultural commodities;

14 “(2) a cooperative organization or State agency
15 that promotes the sale of agricultural commodities; or

16 “(3) a private organization that promotes the ex-
17 port and sale of agricultural commodities if the Sec-
18 retary determines that such organization would sig-
19 nificantly contribute to United States export market
20 development.

21 “(e) *APPROVED MARKETING PLAN.*—

22 “(1) *IN GENERAL.*—A marketing plan submitted
23 by an eligible trade organization under this section
24 shall describe the advertising or other market oriented
25 export promotion activities to be carried out by the

1 *eligible trade organization with respect to which as-*
2 *istance under this section is being requested.*

3 “(2) *REQUIREMENTS.*—*To be approved by the*
4 *Secretary, a marketing plan submitted under this*
5 *subsection shall—*

6 “(A) *specifically describe the manner in*
7 *which assistance received by the eligible trade or-*
8 *ganization in conjunction with funds and serv-*
9 *ices provided by the eligible trade organization*
10 *will be expended in implementing the marketing*
11 *plan;*

12 “(B) *establish specific market goals to be*
13 *achieved as a result of the market access pro-*
14 *gram; and*

15 “(C) *contain any additional requirements*
16 *that the Secretary determines to be necessary.*

17 “(3) *AMENDMENTS.*—*A marketing plan may be*
18 *amended by the eligible trade organization at any*
19 *time, with the approval of the Secretary.*

20 “(4) *BRANDED PROMOTION.*—*An agreement en-*
21 *tered into under this section may provide for the use*
22 *of branded advertising to promote the sale of agricul-*
23 *tural commodities in a foreign country under such*
24 *terms and conditions as may be established by the*
25 *Secretary.*

1 “(f) *OTHER TERMS AND CONDITIONS.*—

2 “(1) *MULTIYEAR BASIS.*—*The Secretary may*
3 *provide assistance under this section on a multiyear*
4 *basis, subject to annual review by the Secretary for*
5 *compliance with the approved marketing plan.*

6 “(2) *TERMINATION OF ASSISTANCE.*—*The Sec-*
7 *retary may terminate any assistance made, or to be*
8 *made, available under this section if the Secretary de-*
9 *termines that—*

10 “(A) *the eligible trade organization is not*
11 *adhering to the terms and conditions of the pro-*
12 *gram established under this section;*

13 “(B) *the eligible trade organization is not*
14 *implementing the approved marketing plan or is*
15 *not adequately meeting the established goals of*
16 *the market access program;*

17 “(C) *the eligible trade organization is not*
18 *adequately contributing its own resources to the*
19 *market access program; or*

20 “(D) *the Secretary determines that termi-*
21 *nation of assistance in a particular instance is*
22 *in the best interests of the program.*

23 “(3) *MONITORING AND EVALUATIONS.*—

1 “(A) *MONITORING.*—*The Secretary shall*
2 *monitor the expenditure of funds received under*
3 *this section by recipients of those funds.*

4 “(B) *EVALUATIONS.*—*The Secretary shall*
5 *make evaluations of the expenditure of funds re-*
6 *ceived under this section, including—*

7 “(i) *an evaluation of the effectiveness*
8 *of the program in developing or maintain-*
9 *ing markets for United States agricultural*
10 *commodities;*

11 “(ii) *an evaluation of whether assist-*
12 *ance provided under this section is nec-*
13 *essary to maintain markets for United*
14 *States agricultural commodities; and*

15 “(iii) *a thorough accounting of the ex-*
16 *penditure of those funds by the recipient.*

17 “(C) *INITIAL EVALUATION.*—*The Secretary*
18 *shall make an initial evaluation of expenditures*
19 *of a recipient under this paragraph not later*
20 *than 15 months after the initial provision of*
21 *funds to the recipient.*

22 “(4) *USE OF FUNDS.*—*Funds made available to*
23 *carry out this section—*

24 “(A) *shall not be used to provide direct as-*
25 *sistance to any foreign for-profit corporation for*

1 *the use of the corporation in promoting foreign-*
2 *produced products;*

3 *“(B) shall not be used to provide direct as-*
4 *istance to any for-profit corporation that is not*
5 *recognized as a small-business concern described*
6 *in section 3(a) of the Small Business Act (15*
7 *U.S.C. 632(a)), excluding—*

8 *“(i) a cooperative;*

9 *“(ii) an association described in the*
10 *first section of the Act entitled ‘An Act to*
11 *authorize association of producers of agri-*
12 *cultural products’, approved February 18,*
13 *1922 (7 U.S.C. 291); and*

14 *“(iii) a nonprofit trade association;*

15 *and*

16 *“(C) may be used by a United States trade*
17 *association, cooperative, or small business for in-*
18 *dividual branded promotional activity related to*
19 *a United States branded product, if the bene-*
20 *ficiaries of the activity have provided funds for*
21 *the activity in an amount that is at least equiv-*
22 *alent to the amount of assistance provided under*
23 *this section.*

24 *“(g) LEVEL OF MARKETING ASSISTANCE.—*

1 “(1) *IN GENERAL.*—*The Secretary shall justify*
2 *in writing the level of assistance provided to an eligi-*
3 *ble trade organization under the program under this*
4 *section and the level of cost-sharing required of the or-*
5 *ganization.*

6 “(2) *LIMITATION.*—

7 “(A) *IN GENERAL.*—*Except as provided in*
8 *subparagraph (B), assistance provided under*
9 *this section for activities described in subsection*
10 *(e)(4) shall not exceed 50 percent of the cost of*
11 *implementing the marketing plan.*

12 “(B) *ACTION BY UNITED STATES TRADE*
13 *REPRESENTATIVE.*—

14 “(i) *IN GENERAL.*—*The Secretary may*
15 *determine not to apply the limitation de-*
16 *scribed in subparagraph (A) in the case of*
17 *agricultural commodities with respect to*
18 *which there has been a favorable decision by*
19 *the United States Trade Representative*
20 *under section 301 of the Trade Act of 1974*
21 *(19 U.S.C. 2411).*

22 “(ii) *REQUIREMENT.*—*Criteria for de-*
23 *termining that the limitation shall not*
24 *apply under clause (i) shall be consistent*
25 *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 organization’*
5 *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 establish*
12 *and, in cooperation with eligible trade organizations, carry*
13 *out a foreign market development cooperator program to*
14 *maintain and develop foreign markets for United States ag-*
15 *ricultural commodities, with a continued significant em-*
16 *phasis on the importance of the export of value-added*
17 *United States agricultural commodities into emerging mar-*
18 *kets.*

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 or-*
22 *ganization under a contract or agreement with the el-*
23 *igible trade organization; and*

24 “(2) *assistance for other costs that are appro-*
25 *priate to carry out the foreign market development co-*

1 operator program, including contingent liabilities
2 that are not otherwise funded.

3 **“SEC. 224. E (KIKA) DE LA GARZA AGRICULTURAL FELLOW-**
4 **SHIP PROGRAM.**

5 “(a) *DEFINITION OF EMERGING MARKET.*—In this sec-
6 tion, the term ‘emerging market’ means any country, for-
7 eign 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, territory,
12 customs union, or other economic market, as applica-
13 ble; 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 establish
18 a program, to be known as the ‘E (Kika) de la Garza Agri-
19 cultural Fellowship Program’—

20 “(1) to develop agricultural markets in emerging
21 markets; and

22 “(2) to promote cooperation and exchange of in-
23 formation between agricultural institutions and agri-
24 businesses 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 exports*
5 *of United States agricultural commodities, the*
6 *Secretary shall make available to emerging mar-*
7 *kets the expertise of the United States—*

8 “(i) *to make assessments of food and*
9 *rural business systems needs;*

10 “(ii) *to make recommendations on*
11 *measures necessary to enhance the effective-*
12 *ness of the food and rural business systems*
13 *described in clause (i), including potential*
14 *reductions in trade barriers; and*

15 “(iii) *to identify and carry out specific*
16 *opportunities and projects to enhance the ef-*
17 *fectiveness of the food and rural business*
18 *systems described in clause (i).*

19 “(B) *EXTENT OF PROGRAM.*—*The Secretary*
20 *shall implement this paragraph with respect to*
21 *at least 3 emerging markets in each fiscal year.*

22 “(2) *EXPERTS FROM THE UNITED STATES.*—*The*
23 *Secretary may implement paragraph (1) by pro-*
24 *viding—*

1 “(A) assistance to teams (consisting pri-
2 marily of agricultural consultants, agricultural
3 producers, other persons from the private sector,
4 and government officials expert in assessing the
5 food and rural business systems of other coun-
6 tries) to enable those teams to conduct the assess-
7 ments, make the recommendations, and identify
8 the opportunities and projects described in para-
9 graph (1)(A) in emerging markets;

10 “(B) necessary subsistence expenses in the
11 United States and necessary transportation ex-
12 penses by individuals designated by emerging
13 markets to enable those individuals to consult
14 with food and rural business system experts in
15 the United States to enhance those systems of
16 those emerging markets;

17 “(C) necessary subsistence expenses in
18 emerging markets and necessary transportation
19 expenses of United States food and rural busi-
20 ness system experts, agricultural producers, and
21 other individuals knowledgeable in agricultural
22 and agribusiness matters to assist in transfer-
23 ring knowledge and expertise to entities in
24 emerging markets; and

1 “(D) *necessary subsistence expenses and*
2 *necessary transportation expenses of United*
3 *States food and rural business system experts,*
4 *including United States agricultural producers*
5 *and other United States individuals knowledge-*
6 *able in agriculture and agribusiness matters,*
7 *and of individuals designated by emerging mar-*
8 *kets, to enable those designated individuals to*
9 *consult with those United States experts—*

10 “(i) *to enhance food and rural business*
11 *systems of emerging markets; and*

12 “(ii) *to transfer knowledge and exper-*
13 *tise to emerging markets.*

14 “(3) *COST-SHARING.—The Secretary shall en-*
15 *courage the nongovernmental experts described in*
16 *paragraph (2) to share the costs of, and otherwise as-*
17 *sist in, the participation of those experts in the pro-*
18 *gram under this subsection.*

19 “(4) *TECHNICAL ASSISTANCE.—The Secretary is*
20 *authorized to provide, or pay the necessary costs for,*
21 *technical assistance (including the establishment of*
22 *extension services) to enable individuals or other enti-*
23 *ties to carry out recommendations, projects, and op-*
24 *portunities in emerging markets, including rec-*

1 *ommendations, projects, and opportunities described*
2 *in clauses (ii) and (iii) of paragraph (1)(A).*

3 “(5) *REPORTS TO SECRETARY.*—*A team that re-*
4 *ceives assistance under paragraph (2)(A) shall pre-*
5 *pare and submit to the Secretary such reports as the*
6 *Secretary may require.*

7 “(6) *ADVISORY COMMITTEE.*—*To provide the*
8 *Secretary with information that may be useful to the*
9 *Secretary in carrying out this subsection, the Sec-*
10 *retary may establish an advisory committee composed*
11 *of representatives of the various sectors of the food*
12 *and rural business systems of the United States.*

13 “(7) *EFFECT.*—*The authority provided under*
14 *this subsection shall be in addition to and not in*
15 *place of any other authority of the Secretary or the*
16 *Commodity Credit Corporation.*

17 **“SEC. 225. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

18 “(a) *ESTABLISHMENT.*—*The Secretary of Agriculture*
19 *shall establish an export assistance program (referred to in*
20 *this section as the ‘program’) to address existing or poten-*
21 *tial unique barriers that prohibit or threaten the export of*
22 *United States specialty crops.*

23 “(b) *PURPOSE.*—*The program shall provide direct as-*
24 *sistance through public and private sector projects and tech-*
25 *nical assistance, including through the program under sec-*

1 *tion 2(e) of the Competitive, Special, and Facilities Re-*
2 *search Grant Act (7 U.S.C. 3157(e)), to remove, resolve, or*
3 *mitigate existing or potential sanitary and phytosanitary*
4 *and technical barriers to trade.*

5 “(c) *PRIORITY.*—*The program shall address time sen-*
6 *sitive and strategic market access projects based on—*

7 “(1) *trade effect on market retention, market ac-*
8 *cess, and market expansion; and*

9 “(2) *trade impact.*

10 “(d) *MULTIYEAR PROJECTS.*—*The Secretary may pro-*
11 *vide assistance under the program to a project for longer*
12 *than a 5-year period if the Secretary determines that fur-*
13 *ther assistance would effectively support the purpose of the*
14 *program described in subsection (b).*

15 “(e) *ANNUAL REPORT.*—*Each year, the Secretary shall*
16 *submit to the appropriate committees of Congress a report*
17 *that contains, for the period covered by the report, a de-*
18 *scription of—*

19 “(1) *each factor that affects the export of spe-*
20 *cialty crops, including each factor relating to any—*

21 “(A) *significant sanitary or phytosanitary*
22 *issue;*

23 “(B) *trade barrier; or*

24 “(C) *emerging sanitary or phytosanitary*
25 *issue or trade barrier; and*

1 “(2)(A) any funds provided under section
2 226(c)(4) that were not obligated in a fiscal year; and

3 “(B) a description of why the funds described in
4 subparagraph (A) were not obligated.

5 **“SEC. 226. FUNDING AND ADMINISTRATION.**

6 “(a) *COMMODITY CREDIT CORPORATION.*—The Sec-
7 retary shall use the funds, facilities, and authorities of the
8 Commodity Credit Corporation to carry out this subtitle.

9 “(b) *FUNDING AMOUNT.*—For each of fiscal years 2019
10 through 2023, of the funds of, or an equal value of commod-
11 ities owned by, the Commodity Credit Corporation, the Sec-
12 retary shall use to carry out this subtitle \$259,500,000, to
13 remain available until expended.

14 “(c) *ALLOCATION.*—For each of fiscal years 2019
15 through 2023, the Secretary shall allocate funds to carry
16 out this subtitle in accordance with the following:

17 “(1) *MARKET ACCESS PROGRAM.*—For market
18 access activities authorized under section 222, of the
19 funds of, or an equal value of commodities owned by,
20 the Commodity Credit Corporation, not less than
21 \$200,000,000 for each fiscal year.

22 “(2) *FOREIGN MARKET DEVELOPMENT COOP-*
23 *ERATOR PROGRAM.*—To carry out section 223, of the
24 funds of, or an equal value of commodities owned by,

1 *the Commodity Credit Corporation, not less than*
2 *\$34,500,000 for each fiscal year.*

3 “(3) *E (KIKI) DE LA GARZA AGRICULTURAL FEL-*
4 *LOWSHIP PROGRAM.—To provide assistance under*
5 *section 224, of the funds of the Commodity Credit*
6 *Corporation, not more than \$10,000,000 for each fis-*
7 *cal year.*

8 “(4) *TECHNICAL ASSISTANCE FOR SPECIALTY*
9 *CROPS.—To carry out section 225, of the funds of the*
10 *Commodity Credit Corporation, not less than*
11 *\$9,000,000 for each fiscal year, to remain available*
12 *until expended.*

13 “(5) *PRIORITY TRADE FUND.—*

14 “(A) *IN GENERAL.—In addition to the*
15 *amounts allocated under paragraphs (1) through*
16 *(4), and notwithstanding any limitations in*
17 *those paragraphs, as determined by the Sec-*
18 *retary, for 1 or more programs under this sub-*
19 *title for authorized activities to access, develop,*
20 *maintain, and expand markets for United States*
21 *agricultural commodities, \$6,000,000 for each*
22 *fiscal year.*

23 “(B) *CONSIDERATIONS.—In allocating*
24 *funds made available under subparagraph (A),*
25 *the Secretary may consider providing a greater*

1 *allocation to 1 or more programs under this sub-*
2 *title for which the amounts requested under ap-*
3 *plications exceed available funding for the 1 or*
4 *more programs.*

5 “(d) *CUBA.—Notwithstanding section 908 of the Trade*
6 *Sanctions Reform and Export Enhancement Act of 2000*
7 *(22 U.S.C. 7207) or any other provision of law, funds made*
8 *available under this section may be used to carry out the*
9 *programs authorized under sections 222 and 223 in Cuba.*
10 *Funds may not be used as described in the previous sentence*
11 *in contravention with directives set forth under the Na-*
12 *tional Security Presidential Memorandum entitled*
13 *‘Strengthening the Policy of the United States Toward*
14 *Cuba’ issued by the President on June 16, 2017, during*
15 *the period in which that memorandum is in effect.*

16 “(e) *AUTHORIZATION FOR APPROPRIATIONS.—In ad-*
17 *dition to any other amounts provided under this section,*
18 *there are authorized to be appropriated such sums as are*
19 *necessary to carry out the programs and authorities under*
20 *subsection (c)(5) and sections 222 through 225.”.*

21 (b) *CONFORMING AMENDMENTS.—*

22 (1) *MARKET ACCESS PROGRAM.—*

23 (A) *Section 203 of the Agricultural Trade*
24 *Act of 1978 (7 U.S.C. 5623) is repealed.*

1 (B) *Section 211 of the Agricultural Trade*
2 *Act of 1978 (7 U.S.C. 5641) is amended by strik-*
3 *ing subsection (c).*

4 (C) *Section 402(a)(1) of the Agricultural*
5 *Trade Act of 1978 (7 U.S.C. 5662(a)(1)) is*
6 *amended by striking “203” and inserting “222”.*

7 (D) *Section 282(f)(2)(C) of the Agricultural*
8 *Marketing Act of 1946 (7 U.S.C. 1638a(f)(2)(C))*
9 *is amended by striking “section 203 of the Agri-*
10 *cultural Trade Act of 1978 (7 U.S.C. 5623)” and*
11 *inserting “section 222 of the Agricultural Trade*
12 *Act of 1978”.*

13 (E) *Section 718 of the Agriculture, Rural*
14 *Development, Food and Drug Administration,*
15 *and Related Agencies Appropriations Act, 1999*
16 *(7 U.S.C. 5623 note; Public Law 105–277) is*
17 *amended by striking “section 203 of the Agricul-*
18 *tural Trade Act of 1978 (7 U.S.C. 5623)” and*
19 *inserting “section 222 of the Agricultural Trade*
20 *Act of 1978”.*

21 (F) *Section 1302(b) of the Agricultural Rec-*
22 *onciliation Act of 1993 (7 U.S.C. 5623 note;*
23 *Public Law 103–66) is amended—*

24 (i) *in the matter preceding paragraph*
25 (1), *by striking “section 203 of the Agricul-*

1 *tural Trade Act of 1978 (7 U.S.C. 5623)”*
 2 *and inserting “section 222 of the Agricul-*
 3 *tural Trade Act of 1978”;* and

4 *(ii) in paragraph (2), in the matter*
 5 *preceding subparagraph (A), by striking*
 6 *“section 203 of such Act” and inserting*
 7 *“section 222 of that Act”.*

8 (2) *FOREIGN MARKET DEVELOPMENT COOP-*
 9 *ERATOR PROGRAM.—Title VII of the Agricultural*
 10 *Trade Act of 1978 (7 U.S.C. 5721 et seq.) is repealed.*

11 (3) *E (KIKI) DE LA GARZA AGRICULTURAL FEL-*
 12 *LOWSHIP PROGRAM.—*

13 *(A) Section 1542 of the Food, Agriculture,*
 14 *Conservation, and Trade Act of 1990 (7 U.S.C*
 15 *5622 note; Public Law 101–624) is amended—*

16 *(i) by striking subsection (d);*

17 *(ii) by redesignating subsections (e)*
 18 *and (f) as subsections (d) and (e), respec-*
 19 *tively; and*

20 *(iii) in subsection (e) (as so redesign-*
 21 *ated)—*

22 *(I) in the matter preceding para-*
 23 *graph (1), by striking “country” and*
 24 *inserting “country, foreign territory,*

1 *customs union, or economic market”;*
2 *and*

3 *(II) in paragraph (1), by striking*
4 *“the country” and inserting “that*
5 *country, foreign territory, customs*
6 *union, or economic market, as applica-*
7 *ble”.*

8 *(B) Section 1543(b)(5) of the Food, Agri-*
9 *culture, Conservation, and Trade Act of 1990 (7*
10 *U.S.C. 3293(b)(5)) is amended by striking “sec-*
11 *tion 1542(f)” and inserting “section 1542(e)”.*

12 *(C) Section 1543A(c)(2) of the Food, Agri-*
13 *culture, Conservation, and Trade Act of 1990 (7*
14 *U.S.C. 5679(c)(2)) is amended by inserting “and*
15 *section 224 of the Agricultural Trade Act of*
16 *1978” after “section 1542”.*

17 *(4) TECHNICAL ASSISTANCE FOR SPECIALTY*
18 *CROPS.—Section 3205 of the Farm Security and*
19 *Rural Investment Act of 2002 (7 U.S.C. 5680) is re-*
20 *pealed.*

21 ***Subtitle C—Other Agricultural***
22 ***Trade Laws***

23 ***SEC. 3301. FOOD FOR PROGRESS ACT OF 1985.***

24 *The Food for Progress Act of 1985 (7 U.S.C. 1736o)*
25 *is amended—*

1 (1) by striking “President” each place it appears
2 and inserting “Secretary”;

3 (2) in subsection (b)—

4 (A) in paragraph (5)—

5 (i) in subparagraph (E), by striking
6 “and”;

7 (ii) in subparagraph (F), by striking
8 the period at the end and inserting “; and”;
9 and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(G) a land-grant college or university (as
13 defined in section 1404 of the National Agricul-
14 tural Research, Extension, and Teaching Policy
15 Act of 1977 (7 U.S.C. 3103)).”; and

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

17 “(10) SECRETARY.—The term ‘Secretary’ means
18 the Secretary of Agriculture.”;

19 (3) in subsection (c)—

20 (A) by striking “food”;

21 (B) by striking “entities to furnish” and in-
22 serting the following: “entities—

23 “(1) to furnish”;

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

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

5 “(2) to provide financial assistance under sub-
6 section (l)(5) to eligible entities.”;

7 (4) in subsection (f)(3), by striking “2018” and
8 inserting “2023”;

9 (5) in subsection (g), by striking “2018” and in-
10 serting “2023”;

11 (6) in subsection (k), by striking “2018” and in-
12 serting “2023”;

13 (7) in subsection (l)—

14 (A) by striking the subsection designation
15 and heading and all that follows through “(1) To
16 enhance” and inserting the following:

17 “(l) *SUPPORT FOR AGRICULTURAL DEVELOPMENT.*—

18 “(1) *IN GENERAL.*—*To enhance*”;

19 (B) in paragraph (1), by striking “2018”
20 and inserting “2023”;

21 (C) in paragraph (4)(B), by inserting “in-
22 ternal” before “transportation”; and

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

24 “(5) *FLEXIBILITY.*—*Notwithstanding any other*
25 *provision of law, as necessary to carry out this sec-*

1 *tion, the following funds shall be used to pay for the*
 2 *costs described in paragraph (4):*

3 “(A) *Of the funds of the Corporation de-*
 4 *scribed in subsection (f)(3), 30 percent.*”

5 “(B) *Of the funds for administrative ex-*
 6 *penses under paragraph (1), 30 percent.*”

7 “(C) *Of the funds of the Corporation,*
 8 *\$26,000,000 for each of fiscal years 2019 through*
 9 *2023.”;*

10 (8) *in subsection (m), in the subsection heading,*
 11 *by striking “PRESIDENTIAL” and inserting “SECRE-*
 12 *TARIAL”;*

13 (9) *in subsection (n)—*

14 (A) *in paragraph (1)—*

15 (i) *in subparagraph (A), in the matter*
 16 *preceding clause (i), by inserting “and as-*
 17 *sistance” after “commodities”; and*

18 (ii) *in subparagraph (B), by inserting*
 19 *“and assistance made available under this*
 20 *section” after “commodities”; and*

21 (B) *by striking paragraph (2) and inserting*
 22 *the following:*

23 “(2) *REQUIREMENTS.—*

24 “(A) *IN GENERAL.—Not later than 270*
 25 *days after the date of enactment of the Agri-*

1 *culture Improvement Act of 2018, the Secretary*
2 *shall issue regulations and revisions to agency*
3 *guidance and procedures necessary to implement*
4 *the amendments made to this section by that Act.*

5 “(B) *CONSULTATIONS.—Not later than 270*
6 *days after the date of enactment of the Agri-*
7 *culture Improvement Act of 2018, the Secretary*
8 *shall consult with the Committee on Agriculture*
9 *and the Committee on Foreign Affairs of the*
10 *House of Representatives and the Committee on*
11 *Agriculture, Nutrition, and Forestry of the Sen-*
12 *ate relating to regulations issued and agency*
13 *guidance and procedures revised under subpara-*
14 *graph (A).”;* and

15 *(10) in subsection (o), in the matter preceding*
16 *paragraph (1), by striking “(acting through the Sec-*
17 *retary)”.*

18 **SEC. 3302. BILL EMERSON HUMANITARIAN TRUST ACT.**

19 *Section 302 of the Bill Emerson Humanitarian Trust*
20 *Act (7 U.S.C. 1736f–1) is amended—*

21 *(1) in subsection (b)(2)(B)(i), by striking “2018”*
22 *each place it appears and inserting “2023”; and*

23 *(2) in subsection (h), by striking “2018” each*
24 *place it appears and inserting “2023”.*

1 **SEC. 3303. PROMOTION OF AGRICULTURAL EXPORTS TO**
2 **EMERGING MARKETS.**

3 *Section 1542(a) of the Food, Agriculture, Conserva-*
4 *tion, and Trade Act of 1990 (7 U.S.C. 5622 note; Public*
5 *Law 101–624) is amended by striking “2018” and inserting*
6 *“2023”.*

7 **SEC. 3304. COCHRAN EMERGING MARKET FELLOWSHIP PRO-**
8 **GRAM.**

9 *Section 1543 of the Food, Agriculture, Conservation,*
10 *and Trade Act of 1990 (7 U.S.C. 3293) is amended—*

11 *(1) in subsection (c)—*

12 *(A) in paragraph (1), by inserting “(which*
13 *may include agricultural extension services)”*
14 *after “systems”; and*

15 *(B) in paragraph (2)—*

16 *(i) by striking “enhance trade” and in-*
17 *serting the following: “enhance—*
18 *“(A) trade”;*

19 *(ii) in subparagraph (A) (as so des-*
20 *ignated) by striking the period at the end*
21 *and inserting “; or”; and*

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

24 *“(B) linkages between agricultural interests*
25 *in the United States and regulatory systems gov-*

1 *erning sanitary and phytosanitary standards for*
 2 *agricultural products that—*

3 *“(i) may enter the United States; and*

4 *“(ii) may pose risks to human, ani-*
 5 *mal, or plant life or health.”; and*

6 *(2) in subsection (f)—*

7 *(A) in paragraph (1), by striking*
 8 *“\$3,000,000” and inserting “\$4,000,000”;*

9 *(B) in paragraph (2), by striking*
 10 *“\$2,000,000” and inserting “\$3,000,000”; and*

11 *(C) in paragraph (3), by striking*
 12 *“\$5,000,000” and inserting “\$6,000,000”.*

13 **SEC. 3305. BORLAUG INTERNATIONAL AGRICULTURAL**
 14 **SCIENCE AND TECHNOLOGY FELLOWSHIP**
 15 **PROGRAM.**

16 *Section 1473G of the National Agricultural Research,*
 17 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 18 *3319j) is amended—*

19 *(1) in subsection (c)(2)—*

20 *(A) in the matter preceding subparagraph*
 21 *(A), by striking “shall support” and inserting*
 22 *“support”;*

23 *(B) in subparagraph (C), by striking “and”*
 24 *at the end;*

1 (C) in subparagraph (D), by striking the
2 period at the end and inserting “; and”; and

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

4 “(E) the development of agricultural exten-
5 sion services in eligible countries.”; and

6 (2) in subsection (f)—

7 (A) by striking “The Secretary” and insert-
8 ing the following:

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

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

11 “(2) LEVERAGING ALUMNI ENGAGEMENT.—In
12 carrying out the purposes and programs under this
13 section, the Secretary shall encourage ongoing engage-
14 ment with fellowship recipients who have completed
15 training under the program to provide advice regard-
16 ing, and participate in, new or ongoing agricultural
17 development projects, with a priority for capacity-
18 building projects, that are sponsored by—

19 “(A) Federal agencies; and

20 “(B) institutions of higher education in the
21 eligible country of the fellowship recipient.”.

1 **SEC. 3306. INTERNATIONAL FOOD SECURITY TECHNICAL**
2 **ASSISTANCE.**

3 *The Food, Agriculture, Conservation, and Trade Act*
4 *of 1990 is amended by inserting after section 1543A (7*
5 *U.S.C. 5679) the following:*

6 **“SEC. 1543B. INTERNATIONAL FOOD SECURITY TECHNICAL**
7 **ASSISTANCE.**

8 “(a) *DEFINITION OF INTERNATIONAL FOOD SECUR-*
9 *ITY.—In this section, the term ‘international food security’*
10 *means access by any person at any time to food and nutri-*
11 *tion that is sufficient for a healthy and productive life.*

12 “(b) *COLLECTION OF INFORMATION.—The Secretary of*
13 *Agriculture (referred to in this section as the ‘Secretary’)*
14 *shall compile information from appropriate mission areas*
15 *of the Department of Agriculture (including the Food, Nu-*
16 *trition, and Consumer Services mission area) relating to*
17 *the improvement of international food security.*

18 “(c) *PUBLIC AVAILABILITY.—To benefit programs for*
19 *the improvement of international food security, the Sec-*
20 *retary shall organize the information described in sub-*
21 *section (b) and make the information available in a format*
22 *suitable for—*

23 “(1) *public education; and*

24 “(2) *use by—*

25 “(A) *a Federal, State, or local agency;*

1 “(B) an agency or instrumentality of the
2 government of a foreign country;

3 “(C) a domestic or international organiza-
4 tion, including a domestic or international non-
5 governmental organization; and

6 “(D) an intergovernmental organization.

7 “(d) *TECHNICAL ASSISTANCE*.—On request by an enti-
8 ty described in subsection (c)(2), the Secretary may provide
9 technical assistance to the entity to implement a program
10 for the improvement of international food security.

11 “(e) *PROGRAM PRIORITY*.—In carrying out this sec-
12 tion, the Secretary shall give priority to programs relating
13 to the development of food and nutrition safety net systems
14 with a focus on food insecure countries.

15 “(f) *AUTHORIZATION OF APPROPRIATIONS*.—There is
16 authorized to be appropriated to carry out this section
17 \$1,000,000 for each of fiscal years 2019 through 2023.”.

18 **SEC. 3307. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**
19 **EDUCATION AND CHILD NUTRITION PRO-**
20 **GRAM.**

21 Section 3107 of the Farm Security and Rural Invest-
22 ment Act of 2002 (7 U.S.C. 1736o–1) is amended—

23 (1) in subsection (a)—

24 (A) by striking “that is” and inserting the
25 following: “that—

1 “(1) is”;

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

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

6 “(2)(A) is produced in and procured from—

7 “(i) a developing country that is a recipient
8 country; or

9 “(ii) a developing country in the same re-
10 gion as a recipient country; and

11 “(B) at a minimum, meets each nutritional,
12 quality, and labeling standard of the recipient coun-
13 try, as determined by the Secretary.”;

14 (2) in subsection (c)(2)(A)—

15 (A) in clause (v)(IV), by striking “and” at
16 the end;

17 (B) by redesignating clause (vi) as clause
18 (vii); and

19 (C) by inserting after clause (v) the fol-
20 lowing:

21 “(vi) the costs associated with trans-
22 porting the commodities described in sub-
23 section (a)(2) from a developing country de-
24 scribed in subparagraph (A)(ii) of that sub-

1 *section to any designated point of entry*
2 *within the recipient country; and”;*

3 *(3) in subsection (f)(1)—*

4 *(A) by redesignating subparagraphs (E)*
5 *and (F) as subparagraphs (F) and (G), respec-*
6 *tively; and*

7 *(B) by inserting after subparagraph (D) the*
8 *following:*

9 *“(E) ensure to the maximum extent prac-*
10 *ticable that assistance—*

11 *“(i) is provided under this section in a*
12 *timely manner; and*

13 *“(ii) is available when needed through-*
14 *out the applicable school year;”;* and

15 *(4) in subsection (l)—*

16 *(A) in paragraph (2), by striking “2018”*
17 *and inserting “2023”; and*

18 *(B) by adding at the end the following:*

19 *“(4) PURCHASE OF COMMODITIES.—Of the funds*
20 *made available to carry out this section, not more*
21 *than 10 percent shall be used to purchase agricultural*
22 *commodities described in subsection (a)(2).”.*

23 **SEC. 3308. GLOBAL CROP DIVERSITY TRUST.**

24 *Section 3202(c) of the Food, Conservation, and Energy*
25 *Act of 2008 (22 U.S.C. 2220a note; Public Law 110–246)*

1 *is amended by striking “2014 through 2018” and inserting*
2 *“2019 through 2023”.*

3 **SEC. 3309. LOCAL AND REGIONAL FOOD AID PROCUREMENT**
4 **PROJECTS.**

5 *Section 3206(e)(1) of the Food, Conservation, and En-*
6 *ergy Act of 2008 (7 U.S.C. 1726c(e)(1)) is amended—*

7 *(1) by inserting “to the Secretary” after “appro-*
8 *priated”; and*

9 *(2) by striking “2014 through 2018” and insert-*
10 *ing “2019 through 2023”.*

11 **SEC. 3310. FOREIGN TRADE MISSIONS.**

12 *(a) TRIBAL REPRESENTATION ON TRADE MISSIONS.—*

13 *(1) IN GENERAL.—The Secretary, in consultation*
14 *with the Tribal Advisory Committee established under*
15 *subsection (b)(2) of section 309 of the Department of*
16 *Agriculture Reorganization Act of 1994 (7 U.S.C.*
17 *6921) (as added by section 12304(2)) (referred to in*
18 *this section as the “Advisory Committee”), shall*
19 *seek—*

20 *(A) to support the greater inclusion of Trib-*
21 *al agricultural and food products in Federal*
22 *trade-related activities; and*

23 *(B) to increase the collaboration between*
24 *Federal trade promotion efforts and other Fed-*
25 *eral trade-related activities in support of the*

1 *greater inclusion sought under subparagraph*
2 *(A).*

3 (2) *INTERDEPARTMENTAL COORDINATION.—In*
4 *carrying out activities to increase the collaboration*
5 *described in paragraph (1)(B), the Secretary shall co-*
6 *ordinate with—*

7 *(A) the Secretary of Commerce;*

8 *(B) the Secretary of State;*

9 *(C) the Secretary of the Interior; and*

10 *(D) the heads of any other relevant Federal*
11 *agencies.*

12 (b) *REPORT; GOALS.—*

13 (1) *REPORT.—Not later than 2 years after the*
14 *date of enactment of this Act, the Secretary shall sub-*
15 *mit a report describing the efforts of the Department*
16 *of Agriculture and other Federal agencies under this*
17 *section to—*

18 *(A) the Advisory Committee;*

19 *(B) the Committee on Agriculture of the*
20 *House of Representatives;*

21 *(C) the Committee on Energy and Com-*
22 *merce of the House of Representatives;*

23 *(D) the Committee on Agriculture, Nutri-*
24 *tion, and Forestry of the Senate;*

1 (E) the Committee on Commerce, Science,
2 and Transportation of the Senate; and

3 (F) the Committee on Indian Affairs of the
4 Senate.

5 (2) GOALS.—Not later than 90 days after the
6 date of enactment of this Act, the Secretary shall es-
7 tablish goals for measuring, in an objective and quan-
8 tifiable format, the extent to which Indian Tribes and
9 Tribal agricultural and food products are included in
10 the trade-related activities of the Department of Agri-
11 culture.

12 **TITLE IV—NUTRITION**

13 **Subtitle A—Supplemental Nutrition** 14 **Assistance Program**

15 **SEC. 4101. DEFINITION OF CERTIFICATION PERIOD.**

16 Section 3 of the Food and Nutrition Act of 2008 (7
17 U.S.C. 2012) is amended by striking subsection (f) and in-
18 serting the following:

19 “(f) CERTIFICATION PERIOD.—

20 “(1) IN GENERAL.—The term ‘certification pe-
21 riod’ means the period for which a household shall be
22 eligible to receive benefits.

23 “(2) TIME LIMITS.—

1 “(A) *IN GENERAL.*—*Except as provided in*
2 *subparagraph (C), the certification period shall*
3 *not exceed 12 months.*

4 “(B) *CONTACT.*—*A State agency shall have*
5 *at least 1 contact with each certified household*
6 *every 12 months.*

7 “(C) *ELDERLY OR DISABLED HOUSEHOLD*
8 *MEMBERS.*—*The certification period may be for*
9 *a duration of—*

10 “(i) *not more than 24 months if each*
11 *adult household member is elderly or dis-*
12 *abled; or*

13 “(ii) *not more than 36 months if—*

14 “(I) *each adult household member*
15 *is elderly or disabled; and*

16 “(II) *the household of the adult*
17 *household member has no earned in-*
18 *come at the time of certification.*

19 “(D) *EXTENSION OF LIMIT.*—*The limits*
20 *under this paragraph may be extended until the*
21 *end of any transitional benefit period established*
22 *under section 11(s).”.*

1 **SEC. 4102. FOOD DISTRIBUTION PROGRAM ON INDIAN RES-**
2 **ERVATIONS.**

3 (a) *IN GENERAL.*—Section 4(b) of the Food and Nutri-
4 tion Act of 2008 (7 U.S.C. 2013(b)) is amended—

5 (1) by striking paragraph (4) and inserting the
6 following:

7 “(4) *ADMINISTRATIVE COSTS.*—

8 “(A) *IN GENERAL.*—The Secretary shall pay
9 not less than 80 percent of administrative costs
10 and distribution costs on Indian reservations as
11 the Secretary determines necessary for effective
12 administration of such distribution by a State
13 agency or tribal organization.

14 “(B) *WAIVER.*—The Secretary shall waive
15 up to 100 percent of the non-Federal share of the
16 costs described in subparagraph (A) if the Sec-
17 retary determines that—

18 “(i) the tribal organization is finan-
19 cially unable to provide a greater non-Fed-
20 eral share of the costs; or

21 “(ii) providing a greater non-Federal
22 share of the costs would be a substantial
23 burden for the tribal organization.

24 “(C) *LIMITATION.*—The Secretary may not
25 reduce any benefits or services under the food
26 distribution program on Indian reservations

1 *under this subsection to any tribal organization*
2 *that is granted a waiver under subparagraph*
3 *(B).*

4 “(D) *TRIBAL CONTRIBUTION.*—*The Sec-*
5 *retary may allow a tribal organization to use*
6 *funds provided to the tribal organization through*
7 *a Federal agency or other Federal benefit to sat-*
8 *isfy all or part of the non-Federal share of the*
9 *costs described in subparagraph (A) if that use*
10 *is otherwise consistent with the purpose of the*
11 *funds.”;*

12 *(2) in paragraph (6)(F), by striking “2018” and*
13 *inserting “2023”; and*

14 *(3) by adding at the end the following:*

15 “(7) *AVAILABILITY OF FUNDS.*—

16 “(A) *IN GENERAL.*—*Funds made available*
17 *for a fiscal year to carry out this subsection shall*
18 *remain available for obligation for a period of 2*
19 *fiscal years.*

20 “(B) *ADMINISTRATIVE COSTS.*—*Funds*
21 *made available for a fiscal year to carry out*
22 *paragraph (4) shall remain available for obliga-*
23 *tion by the State agency or tribal organization*
24 *for a period of 2 fiscal years.”.*

1 **(b) DEMONSTRATION PROJECT FOR TRIBAL ORGANI-**
2 **ZATIONS.—**

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

4 **(A) DEMONSTRATION PROJECT.—***The term*
5 *“demonstration project” means the demonstra-*
6 *tion project established under paragraph (2).*

7 **(B) FOOD DISTRIBUTION PROGRAM.—***The*
8 *term “food distribution program” means the food*
9 *distribution program on Indian reservations car-*
10 *ried out under section 4(b) of the Food and Nu-*
11 *trition Act of 2008 (7 U.S.C. 2013(b)).*

12 **(C) INDIAN RESERVATION.—***The term “In-*
13 *Indian reservation” has the meaning given the*
14 *term “reservation” in section 3 of the Food and*
15 *Nutrition Act of 2008 (7 U.S.C. 2012).*

16 **(D) INDIAN TRIBE.—***The term “Indian*
17 *tribe” has the meaning given the term in section*
18 *4 of the Indian Self-Determination and Edu-*
19 *cation Assistance Act (25 U.S.C. 5304).*

20 **(E) SELF-DETERMINATION CONTRACT.—***The*
21 *term “self-determination contract” has the mean-*
22 *ing given the term in section 4 of the Indian*
23 *Self-Determination and Education Assistance*
24 *Act (25 U.S.C. 5304).*

1 (F) *TRIBAL ORGANIZATION.*—*The term*
2 *“tribal organization” has the meaning given the*
3 *term in section 3 of the Food and Nutrition Act*
4 *of 2008 (7 U.S.C. 2012).*

5 (2) *ESTABLISHMENT.*—*Subject to the avail-*
6 *ability of appropriations, the Secretary shall establish*
7 *a demonstration project under which 1 or more tribal*
8 *organizations may enter into self-determination con-*
9 *tracts to purchase agricultural commodities under the*
10 *food distribution program for the Indian reservation*
11 *of that tribal organization.*

12 (3) *ELIGIBILITY.*—

13 (A) *CONSULTATION.*—*The Secretary shall*
14 *consult with the Secretary of the Interior and*
15 *Indian tribes to determine the process and cri-*
16 *teria under which a tribal organization may*
17 *participate in the demonstration project.*

18 (B) *CRITERIA.*—*The Secretary shall select*
19 *for participation in the demonstration project*
20 *tribal organizations that—*

21 (i) *are successfully administering the*
22 *food distribution program of the tribal orga-*
23 *nization under section 4(b)(2)(B) of the*
24 *Food and Nutrition Act of 2008 (7 U.S.C.*
25 *2013(b)(2)(B));*

1 (ii) have the capacity to purchase agri-
2 cultural commodities in accordance with
3 paragraph (4) for the food distribution pro-
4 gram of the tribal organization; and

5 (iii) meet any other criteria deter-
6 mined by the Secretary, in consultation
7 with the Secretary of the Interior and In-
8 dian tribes.

9 (4) *PROCUREMENT OF AGRICULTURAL COMMOD-*
10 *ITIES.*—Any agricultural commodities purchased by a
11 tribal organization under the demonstration project
12 shall—

13 (A) be domestically produced;

14 (B) supplant, not supplement, the type of
15 agricultural commodities in existing food pack-
16 ages for that tribal organization;

17 (C) be of similar or higher nutritional value
18 as the type of agricultural commodities that
19 would be supplanted in the existing food package
20 for that tribal organization; and

21 (D) meet any other criteria determined by
22 the Secretary.

23 (5) *REPORT.*—Not later than 1 year after the
24 date of enactment of this Act and annually thereafter,
25 the Secretary shall submit to the Committee on Agri-

1 *culture of the House of Representatives and the Com-*
2 *mittee on Agriculture, Nutrition, and Forestry of the*
3 *Senate a report describing the activities carried out*
4 *under the demonstration project during the preceding*
5 *year.*

6 (6) *FUNDING.*—

7 (A) *AUTHORIZATION OF APPROPRIA-*
8 *TIONS.*—*There is authorized to be appropriated*
9 *to the Secretary to carry out this subsection*
10 *\$5,000,000, to remain available until expended.*

11 (B) *APPROPRIATIONS IN ADVANCE.*—*Only*
12 *funds appropriated under subparagraph (A) in*
13 *advance specifically to carry out this subsection*
14 *shall be available to carry out this subsection.*

15 (c) *CONFORMING AMENDMENT.*—*Section 3(v) of the*
16 *Food and Nutrition Act of 2008 (7 U.S.C. 2012(v)) is*
17 *amended by striking “the Indian Self-Determination Act*
18 *(25 U.S.C. 450b(b))” and inserting “section 4 of the Indian*
19 *Self-Determination and Education Assistance Act (25*
20 *U.S.C. 5304)”.*

21 **SEC. 4103. WORK REQUIREMENTS FOR SUPPLEMENTAL NU-**
22 **TRITION ASSISTANCE PROGRAM.**

23 (a) *WORK REQUIREMENTS FOR ABLE-BODIED ADULTS*
24 *WITHOUT DEPENDENTS.*—*Section 6 of the Food and Nutri-*
25 *tion Act of 2008 (7 U.S.C. 2015) is amended—*

1 (1) *in subsection (d)—*

2 (A) *in paragraph (2)—*

3 (i) *by striking the second sentence;*

4 (ii) *by striking “, as amended” each*
5 *place it appears;*

6 (iii) *by striking “(F) a person” and*
7 *inserting the following:*

8 “(vi) a person”;

9 (iv) *by striking “(E) employed” and*
10 *inserting the following:*

11 “(v) employed”;

12 (v) *by striking “(D) a regular” and in-*
13 *serting the following:*

14 “(iv) a regular”;

15 (vi) *by striking “(C) a bona fide stu-*
16 *dent” and inserting the following:*

17 “(iii) a bona fide student”;

18 (vii) *by striking “(B) a parent” and*
19 *inserting the following:*

20 “(ii) a parent”;

21 (viii) *by striking “(A) currently” and*
22 *inserting the following:*

23 “(i) currently”; and

1 *(ix) by striking “(2) A person who”*
2 *and all that follows through “if he or she is”*
3 *inserting the following:*

4 *“(E) EXEMPTIONS.—A person who other-*
5 *wise would be required to comply with the re-*
6 *quirements of subparagraphs (A) through (D)*
7 *shall be exempt from such requirements if the*
8 *person is—”;* and

9 *(B) by inserting after paragraph (1) (as*
10 *amended by subparagraph (A)) the following:*

11 *“(2) ADDITIONAL WORK REQUIREMENTS.—*

12 *“(A) DEFINITION OF WORK PROGRAM.—In*
13 *this paragraph, the term ‘work program’*
14 *means—*

15 *“(i) a program under title I of the*
16 *Workforce Innovation and Opportunity Act;*

17 *“(ii) a program under section 236 of*
18 *the Trade Act of 1974 (19 U.S.C. 2296);*

19 *“(iii) a program of employment and*
20 *training operated or supervised by a State*
21 *or political subdivision of a State that*
22 *meets standards approved by the Governor*
23 *of the State, including a program under*
24 *paragraph (4), other than a job search pro-*
25 *gram or a job search training program; and*

1 “(iv) a workforce partnership under
2 paragraph (4)(N).

3 “(B) *WORK REQUIREMENT.*—Subject to the
4 other provisions of this paragraph, no individual
5 shall be eligible to participate in the supple-
6 mental nutrition assistance program as a mem-
7 ber of any household if, during the preceding 36-
8 month period, the individual received supple-
9 mental nutrition assistance program benefits for
10 not less than 3 months (consecutive or otherwise)
11 during which the individual did not—

12 “(i) work 20 hours or more per week,
13 averaged monthly;

14 “(ii) participate in and comply with
15 the requirements of a work program for 20
16 hours or more per week, as determined by
17 the State agency;

18 “(iii) participate in and comply with
19 the requirements of a program under section
20 20 or a comparable program established by
21 a State or political subdivision of a State;
22 or

23 “(iv) receive benefits pursuant to sub-
24 paragraph (C), (D), (E), or (F).

1 “(C) *EXCEPTION.*—Subparagraph (B) shall
2 *not apply to an individual if the individual is—*

3 “(i) *under 18 or over 50 years of age;*

4 “(ii) *medically certified as physically*
5 *or mentally unfit for employment;*

6 “(iii) *a parent or other member of a*
7 *household with responsibility for a depend-*
8 *ent child;*

9 “(iv) *otherwise exempt under para-*
10 *graph (1)(E); or*

11 “(v) *a pregnant woman.*

12 “(D) *WAIVER.*—

13 “(i) *IN GENERAL.*—*On the request of a*
14 *State agency, the Secretary may waive the*
15 *applicability of subparagraph (B) to any*
16 *group of individuals in the State if the Sec-*
17 *retary makes a determination that the area*
18 *in which the individuals reside—*

19 “(I) *has an unemployment rate of*
20 *over 10 percent; or*

21 “(II) *does not have a sufficient*
22 *number of jobs to provide employment*
23 *for the individuals.*

24 “(ii) *REPORT.*—*The Secretary shall re-*
25 *port the basis for a waiver under clause (i)*

1 to the Committee on Agriculture of the
2 House of Representatives and the Committee
3 on Agriculture, Nutrition, and Forestry of
4 the Senate.

5 “(E) *SUBSEQUENT ELIGIBILITY.*—

6 “(i) *REGAINING ELIGIBILITY.*—An in-
7 dividual denied eligibility under subpara-
8 graph (B) shall regain eligibility to partici-
9 pate in the supplemental nutrition assist-
10 ance program if, during a 30-day period,
11 the individual—

12 “(I) works 80 or more hours;

13 “(II) participates in and complies
14 with the requirements of a work pro-
15 gram for 80 or more hours, as deter-
16 mined by a State agency; or

17 “(III) participates in and com-
18 plies with the requirements of a pro-
19 gram under section 20 or a comparable
20 program established by a State or po-
21 litical subdivision of a State.

22 “(ii) *MAINTAINING ELIGIBILITY.*—An
23 individual who regains eligibility under
24 clause (i) shall remain eligible as long as

1 *the individual meets the requirements of*
2 *clause (i), (ii), or (iii) of subparagraph (B).*

3 “(iii) *LOSS OF EMPLOYMENT.*—

4 “(I) *IN GENERAL.*—*An individual*
5 *who regained eligibility under clause*
6 *(i) and who no longer meets the re-*
7 *quirements of clause (i), (ii), or (iii) of*
8 *subparagraph (B) shall remain eligible*
9 *for a consecutive 3-month period, be-*
10 *ginning on the date the individual first*
11 *notifies the State agency that the indi-*
12 *vidual no longer meets the require-*
13 *ments of clause (i), (ii), or (iii) of sub-*
14 *paragraph (B).*

15 “(II) *LIMITATION.*—*An indi-*
16 *vidual shall not receive any benefits*
17 *pursuant to subclause (I) for more*
18 *than a single 3-month period in any*
19 *36-month period.*

20 “(F) *15-PERCENT EXEMPTION.*—

21 “(i) *DEFINITIONS.*—*In this subpara-*
22 *graph:*

23 “(I) *CASELOAD.*—*The term ‘case-*
24 *load’ means the average monthly num-*
25 *ber of individuals receiving supple-*

1 *mental nutrition assistance program*
2 *benefits during the 12-month period*
3 *ending the preceding June 30.*

4 “(II) COVERED INDIVIDUAL.—The
5 term ‘covered individual’ means a
6 member of a household that receives
7 supplemental nutrition assistance pro-
8 gram benefits, or an individual denied
9 eligibility for supplemental nutrition
10 assistance program benefits solely due
11 to subparagraph (B), who—

12 “(aa) is not eligible for an
13 exception under subparagraph
14 (C);

15 “(bb) does not reside in an
16 area covered by a waiver granted
17 under subparagraph (D);

18 “(cc) is not complying with
19 clause (i), (ii), or (iii) of subpara-
20 graph (B);

21 “(dd) is not receiving supple-
22 mental nutrition assistance pro-
23 gram benefits during the 3 months
24 of eligibility provided under sub-
25 paragraph (B); and

1 “(ee) is not receiving supple-
2 mental nutrition assistance pro-
3 gram benefits under subparagraph
4 (E).

5 “(ii) GENERAL RULE.—Subject to
6 clauses (iii) through (vii), a State agency
7 may provide an exemption from the re-
8 quirements of subparagraph (B) for covered
9 individuals.

10 “(iii) FISCAL YEAR 1998.—Subject to
11 clauses (v) and (vii), for fiscal year 1998,
12 a State agency may provide a number of
13 exemptions such that the average monthly
14 number of the exemptions in effect during
15 the fiscal year does not exceed 15 percent of
16 the number of covered individuals in the
17 State in fiscal year 1998, as estimated by
18 the Secretary, based on the survey conducted
19 to carry out section 16(c) for fiscal year
20 1996 and such other factors as the Secretary
21 considers appropriate due to the timing and
22 limitations of the survey.

23 “(iv) SUBSEQUENT FISCAL YEARS.—
24 Subject to clauses (v) through (vii), for fis-
25 cal year 1999 and each subsequent fiscal

1 year, a State agency may provide a number
2 of exemptions such that the average monthly
3 number of the exemptions in effect during
4 the fiscal year does not exceed 15 percent of
5 the number of covered individuals in the
6 State, as estimated by the Secretary under
7 clause (iii), adjusted by the Secretary to re-
8 flect changes in the State’s caseload and the
9 Secretary’s estimate of changes in the pro-
10 portion of members of households that re-
11 ceive supplemental nutrition assistance pro-
12 gram benefits covered by waivers granted
13 under subparagraph (D).

14 “(v) CASELOAD ADJUSTMENTS.—The
15 Secretary shall adjust the number of indi-
16 viduals estimated for a State under clause
17 (iii) or (iv) during a fiscal year if the num-
18 ber of members of households that receive
19 supplemental nutrition assistance program
20 benefits in the State varies from the State’s
21 caseload by more than 10 percent, as deter-
22 mined by the Secretary.

23 “(vi) EXEMPTION ADJUSTMENTS.—
24 During fiscal year 1999 and each subse-
25 quent fiscal year, the Secretary shall in-

1 crease or decrease the number of individuals
2 who may be granted an exemption by a
3 State agency under this subparagraph to
4 the extent that the average monthly number
5 of exemptions in effect in the State for the
6 preceding fiscal year under this subpara-
7 graph is lesser or greater than the average
8 monthly number of exemptions estimated
9 for the State agency for such preceding fis-
10 cal year under this subparagraph.

11 “(vii) *REPORTING REQUIREMENT.*—A
12 State agency shall submit such reports to
13 the Secretary as the Secretary determines
14 are necessary to ensure compliance with
15 this subparagraph.

16 “(G) *OTHER PROGRAM RULES.*—Nothing in
17 this paragraph shall make an individual eligible
18 for benefits under this Act if the individual is
19 not otherwise eligible for benefits under the other
20 provisions of this Act.”; and

21 (2) by striking subsection (o).

22 (b) *EMPLOYMENT AND TRAINING PROGRAMS THAT*
23 *MEET STATE AND LOCAL WORKFORCE NEEDS.*—Section
24 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C.
25 2015(d)(4)) is amended—

1 (1) *in subparagraph (A)—*

2 *(A) in clause (i)—*

3 *(i) by inserting “, in consultation with*
4 *the State workforce development board, or,*
5 *if the State demonstrates that consultation*
6 *with private employers or employer organi-*
7 *zations would be more effective or efficient,*
8 *in consultation with private employers or*
9 *employer organizations,” after “designed by*
10 *the State agency”; and*

11 *(ii) by striking “that will increase*
12 *their ability to obtain regular employment.”*
13 *and inserting the following: “that will—*

14 *“(I) increase the ability of the*
15 *household members to obtain regular*
16 *employment; and*

17 *“(II) meet State or local workforce*
18 *needs.”; and*

19 *(B) in clause (ii), by inserting “and imple-*
20 *mented to meet the purposes of clause (i)” after*
21 *“under this paragraph”;*

22 (2) *in subparagraph (B)—*

23 *(A) in clause (iv), by redesignating sub-*
24 *clauses (I) and (II) as items (aa) and (bb), re-*
25 *spectively, and indenting appropriately;*

1 (B) by redesignating clauses (i) through
2 (vii) and clause (viii) as subclauses (I) through
3 (VII) and subclause (IX), respectively, and in-
4 denting appropriately;

5 (C) by inserting after subclause (VII) (as so
6 redesignated) the following:

7 “(VIII) Programs or activities de-
8 scribed in subclauses (I) through (XII)
9 of clause (iv) of section 16(h)(1)(F)
10 that the Secretary determines, based on
11 the results of the applicable inde-
12 pendent evaluations conducted under
13 clause (vii)(I) of that section, are effec-
14 tive at increasing employment or earn-
15 ings for households participating in a
16 pilot project under that section.”;

17 (D) in the matter preceding subclause (I)
18 (as so redesignated)—

19 (i) by striking “this subparagraph”
20 and inserting “this clause”;

21 (ii) by inserting “and a program con-
22 taining a component under subclause (I)
23 shall contain at least 1 additional compo-
24 nent” before the colon; and

1 *(iii) by striking “(B) For purposes of*
2 *this Act, an” and inserting the following:*

3 *“(B) DEFINITIONS.—In this Act:*

4 *“(i) EMPLOYMENT AND TRAINING PRO-*
5 *GRAM.—The term”;* and

6 *(E) by adding at the end the following:*

7 *“(ii) WORKFORCE PARTNERSHIP.—*

8 *“(I) IN GENERAL.—The term*
9 *‘workforce partnership’ means a pro-*
10 *gram that—*

11 *“(aa) is operated by a pri-*
12 *ivate employer, an organization*
13 *representing private employers, or*
14 *a nonprofit organization pro-*
15 *viding services relating to work-*
16 *force development;*

17 *“(bb) the Secretary or the*
18 *State agency certifies—*

19 *“(AA) subject to sub-*
20 *paragraph (N)(ii), would as-*
21 *assist participants who are*
22 *members of households par-*
23 *ticipating in the supple-*
24 *mental nutrition assistance*
25 *program in gaining high-*

1 *quality, work-relevant skills,*
2 *training, work, or experience*
3 *that will increase the ability*
4 *of the participants to obtain*
5 *regular employment;*
6 “(BB) subject to sub-
7 paragraph (N)(ii), would
8 provide participants with
9 not fewer than 20 hours per
10 week of training, work, or ex-
11 perience under subitem (AA);
12 “(CC) would not use
13 any funds authorized to be
14 appropriated by this Act;
15 “(DD) would provide
16 sufficient information, on re-
17 quest by the State agency, for
18 the State agency to determine
19 that participants who are
20 members of households par-
21 ticipating in the supple-
22 mental nutrition assistance
23 program are fulfilling any
24 applicable work requirement
25 under this subsection;

1 “(EE) would be willing
2 to serve as a reference for
3 participants who are mem-
4 bers of households partici-
5 pating in the supplemental
6 nutrition assistance program
7 for future employment or
8 work-related programs; and

9 “(FF) meets any other
10 criteria established by the
11 Secretary, on the condition
12 that the Secretary shall not
13 establish any additional cri-
14 teria that would impose sig-
15 nificant paperwork burdens
16 on the workforce partnership;
17 and

18 “(cc) is in compliance with
19 the Fair Labor Standards Act of
20 1938 (29 U.S.C. 201 et seq.), if
21 applicable.

22 “(II) INCLUSION.—The term
23 ‘workforce partnership’ includes a
24 multistate program.”;

25 (3) in subparagraph (E)—

1 (A) *in the second sentence, by striking*
2 *“Such requirements” and inserting the following:*

3 “(ii) *VARIATION.—The requirements*
4 *under clause (i)”;*

5 (B) *by striking “(E) Each State” and in-*
6 *serting the following:*

7 “(E) *REQUIREMENTS FOR PARTICIPATION*
8 *FOR CERTAIN INDIVIDUALS.—*

9 “(i) *IN GENERAL.—Each State”;* and
10 (C) *adding at the end the following:*

11 “(iii) *APPLICATION TO WORKFORCE*
12 *PARTNERSHIPS.—To the extent that a State*
13 *agency requires an individual to partici-*
14 *pate in an employment and training pro-*
15 *gram, the State agency shall consider an in-*
16 *dividual participating in a workforce part-*
17 *nership to be in compliance with the em-*
18 *ployment and training requirements.”;*

19 (4) *in subparagraph (H), by striking “(B)(v)”*
20 *and inserting “(B)(i)(V)”;* and

21 (5) *by adding at the end the following:*

22 “(N) *WORKFORCE PARTNERSHIPS.—*

23 “(i) *IN GENERAL.—A work registrant*
24 *may participate in a workforce partnership*

1 to comply with the requirements of para-
2 graph (1)(A)(ii) and paragraph (2).

3 “(ii) *CERTIFICATION.*—*In certifying*
4 *that a program meets the requirements of*
5 *subitems (AA) and (BB) of subparagraph*
6 *(B)(ii)(I)(bb) to be certified as a workforce*
7 *partnership, the Secretary or the State*
8 *agency shall require that the program sub-*
9 *mit to the Secretary or State agency suffi-*
10 *cient information that describes—*

11 *“(I) the services and activities of*
12 *the program that would provide par-*
13 *ticipants with not fewer than 20 hours*
14 *per week of training, work, or experi-*
15 *ence under those subitems; and*

16 *“(II) how the program would pro-*
17 *vide services and activities described in*
18 *subclause (I) that would directly en-*
19 *hance the employability or job readi-*
20 *ness of the participant.*

21 “(iii) *SUPPLEMENT, NOT SUPPLANT.*—
22 *A State agency may use a workforce part-*
23 *nership to supplement, not to supplant, the*
24 *employment and training program of the*
25 *State agency.*

1 “(iv) *PARTICIPATION.*—A State agency
2 may provide information on workforce part-
3 nerships, if available, to any member of a
4 household participating in the supplemental
5 nutrition assistance program, but may not
6 require any member of a household to par-
7 ticipate in a workforce partnership.

8 “(v) *EFFECT.*—

9 “(I) *IN GENERAL.*—A workforce
10 partnership shall not replace the em-
11 ployment or training of an individual
12 not participating in the workforce
13 partnership.

14 “(II) *SELECTION.*—Nothing in
15 this subsection affects the criteria or
16 screening process for selecting partici-
17 pants by a workforce partnership.

18 “(vi) *LIMITATION ON REPORTING RE-*
19 *QUIREMENTS.*—In carrying out this sub-
20 paragraph, the Secretary and each applica-
21 ble State agency shall limit the reporting
22 requirements of a workforce partnership
23 to—

24 “(I) on notification that an indi-
25 vidual is receiving supplemental nutri-

1 *tion assistance program benefits, noti-*
2 *fying the applicable State agency that*
3 *the individual is participating in the*
4 *workforce partnership;*

5 *“(II) identifying participants who*
6 *have completed or are no longer par-*
7 *ticipating in the workforce partner-*
8 *ship;*

9 *“(III) identifying changes to the*
10 *workforce partnership that result in*
11 *the workforce partnership no longer*
12 *meeting the certification requirements*
13 *of the Secretary or the State agency*
14 *under subparagraph (B)(i)(I)(bb);*
15 *and*

16 *“(IV) providing sufficient infor-*
17 *mation, on request by the State agency,*
18 *for the State agency to verify that a*
19 *participant is fulfilling any applicable*
20 *work requirements under this sub-*
21 *section.*

22 *“(O) REFERRAL OF CERTAIN INDIVID-*
23 *UALS.—*

24 *“(i) IN GENERAL.—In accordance with*
25 *such regulations as may be issued by the*

1 *Secretary, with respect to any individual*
2 *who is not eligible for an exemption under*
3 *paragraph (1)(E) and who is determined by*
4 *an employment and training program com-*
5 *ponent to be ill-suited to participate in the*
6 *employment and training program compo-*
7 *nent, the State agency shall—*

8 *“(I) refer the individual to an ap-*
9 *propriate employment and training*
10 *program component;*

11 *“(II) refer the individual to an*
12 *appropriate workforce partnership, if*
13 *available;*

14 *“(III) reassess the physical and*
15 *mental fitness of the individual under*
16 *paragraph (1)(A); or*

17 *“(IV) to the maximum extent*
18 *practicable, coordinate with other Fed-*
19 *eral, State, or local workforce or assist-*
20 *ance programs to identify work oppor-*
21 *tunities or assistance for the indi-*
22 *vidual.*

23 *“(ii) PROCESS.—In carrying out*
24 *clause (i), the State agency shall ensure that*
25 *an individual undergoing and complying*

1 *with the process established under that*
2 *clause shall not be found to have refused*
3 *without good cause to participate in an em-*
4 *ployment and training program.”.*

5 *(c) UPDATING WORK-RELATED PILOT PROJECTS.—*

6 *(1) IN GENERAL.—Section 16(h) of the Food and*
7 *Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amend-*
8 *ed—*

9 *(A) in paragraph (1)—*

10 *(i) in subparagraph (B)(ii), by strik-*
11 *ing “6(o)” and inserting “6(d)(2)”;*

12 *(ii) in subparagraph (E)—*

13 *(I) in clause (i)—*

14 *(aa) in subclause (I), by*
15 *striking “6(o)(3)” and inserting*
16 *“6(d)(2)(C)”;* and

17 *(bb) in subclause (II), by*
18 *striking “subparagraph (B) or (C)*
19 *of section 6(o)(2)” and inserting*
20 *“clause (ii) or (iii) of section*
21 *6(d)(2)(B)”;* and

22 *(II) in clause (ii)—*

23 *(aa) in the matter preceding*
24 *subclause (I), by striking “sub-*
25 *paragraph (B) or (C) of section*

1 6(o)(2)” and inserting “clause (ii)
2 or (iii) of section 6(d)(2)(B)”;

3 (bb) in subclause (I), by
4 striking “6(o)(2)” and inserting
5 “6(d)(2)(B)”;

6 (cc) in subclause (II), by
7 striking “6(o)(3)” and inserting
8 “6(d)(2)(C)”;

9 (dd) in subclause (III), by
10 striking “6(o)(4)” and inserting
11 “6(d)(2)(D)”;

12 (ee) in subclause (IV), by
13 striking “6(o)(6)” and inserting
14 “6(d)(2)(F)”;

15 (iii) in subparagraph (F)—

16 (I) in clause (ii)(III)(ee)(AA), by
17 striking “6(o)” and inserting
18 “6(d)(2)”;

19 (II) in clause (viii)—

20 (aa) in subclause (III), by
21 striking “September 30, 2018”
22 and inserting the following: “Sep-
23 tember 30, 2023, for—

24 “(aa) the continuation of
25 pilot projects being carried out

1 *under this subparagraph as of the*
2 *date of enactment of the Agri-*
3 *culture Improvement Act of 2018,*
4 *if the pilot projects meet the limi-*
5 *tations described in subclause (II);*
6 *and*

7 *“(bb) additional pilot*
8 *projects authorized under clause*
9 *(x).”;* and

10 *(bb) by adding at the end the*
11 *following:*

12 *“(IV) FUNDS FOR ADDITIONAL*
13 *PILOT PROJECTS.—From amounts*
14 *made available under section 18(a)(1),*
15 *the Secretary shall use to carry out*
16 *clause (x) \$92,500,000 for each of fiscal*
17 *years 2019 and 2020, to remain avail-*
18 *able until expended.”;* and

19 *(III) by adding at the end the fol-*
20 *lowing:*

21 *“(x) AUTHORITY TO CARRY OUT ADDI-*
22 *TIONAL PILOT PROJECTS.—*

23 *“(I) IN GENERAL.—Subject to the*
24 *availability of funds under clause*
25 *(viii), the Secretary may carry out 8*

1 *or more additional pilot projects using*
2 *a competitive grant process.*

3 “(II) *REQUIREMENTS.—Except as*
4 *otherwise provided in this clause, a*
5 *pilot project under this clause shall*
6 *meet the criteria described in clauses*
7 *(i), (ii)(II)(bb), and (iii) through (vi)*
8 *and items (aa) through (dd) of clause*
9 *(ii)(III).*

10 “(III) *EVALUATION AND REPORT-*
11 *ING.—*

12 “(aa) *OPTIONAL EVALUA-*
13 *TION.—*

14 “(AA) *IN GENERAL.—*
15 *The Secretary shall have the*
16 *option to conduct an inde-*
17 *pendent longitudinal evalua-*
18 *tion of pilot projects carried*
19 *out under this clause, in ac-*
20 *cordance with clause (vii)(I).*

21 “(BB) *QUALIFYING CRI-*
22 *TERIA.—If the Secretary de-*
23 *termines to conduct an inde-*
24 *pendent longitudinal evalua-*
25 *tion under subitem (AA), to*

1 *be eligible to participate in a*
2 *pilot project under this*
3 *clause, a State agency shall*
4 *agree to participate in the*
5 *evaluation described in*
6 *clause (vii), including pro-*
7 *viding evidence that the*
8 *State has a robust data col-*
9 *lection system for program*
10 *administration and is co-*
11 *operating to make available*
12 *State data on the employ-*
13 *ment activities and post-par-*
14 *ticipation employment, earn-*
15 *ings, and public benefit re-*
16 *ceipt of participants to en-*
17 *sure proper and timely eval-*
18 *uation.*

19 *“(bb) REPORTING.—If the*
20 *Secretary determines not to con-*
21 *duct an independent longitudinal*
22 *evaluation under item (aa), sub-*
23 *ject to such terms and conditions*
24 *as the Secretary determines to be*
25 *appropriate and not less fre-*

1 *quently than annually, each State*
2 *agency participating in a pilot*
3 *project carried out under this*
4 *clause shall submit to the Sec-*
5 *retary a report that describes the*
6 *results of the pilot project.*

7 “(IV) *VOLUNTARY ACTIVITIES.*—
8 *Except as provided in subclause (VIII),*
9 *employment and training activities*
10 *under a pilot project carried out under*
11 *this clause shall be voluntary for work*
12 *registrants.*

13 “(V) *ELIGIBILITY.*—*To be eligible*
14 *to participate in a pilot project carried*
15 *out under this clause, a State agency*
16 *shall commit to maintain at least the*
17 *amount of State funding for employ-*
18 *ment and training programs and serv-*
19 *ices under paragraphs (2) and (3) and*
20 *under section 20 as the State expended*
21 *for fiscal year 2018.*

22 “(VI) *LIMITATION.*—*In carrying*
23 *out pilot projects under this clause, the*
24 *Secretary shall not be subject to the*

1 *limitation described in clause*
2 *(viii)(II)(aa).*

3 “(VII) *PRIORITY.—In selecting*
4 *pilot projects under this clause, the*
5 *Secretary may give priority to pilot*
6 *projects that—*

7 “(aa) *are targeted to—*

8 “(AA) *individuals 50*
9 *years of age or older;*

10 “(BB) *formerly incar-*
11 *cerated individuals;*

12 “(CC) *individuals par-*
13 *ticipating in a substance*
14 *abuse treatment program.*

15 “(DD) *homeless individ-*
16 *uals;*

17 “(EE) *people with dis-*
18 *abilities seeking to enter the*
19 *workforce; or*

20 “(FF) *other individuals*
21 *with substantial barriers to*
22 *employment; or*

23 “(bb) *support employment*
24 *and workforce participation*
25 *through an integrated and family-*

1 *focused approach in providing*
2 *supportive services.*

3 “(VIII) *PILOT PROJECTS FOR*
4 *MANDATORY PARTICIPATION IN EM-*
5 *PLOYMENT AND TRAINING ACTIVI-*
6 *TIES.—A State agency may be eligible*
7 *to participate in a pilot project under*
8 *this clause to test programs that assign*
9 *work registrants to mandatory partici-*
10 *pation in employment and training*
11 *activities, on the conditions that—*

12 *“(aa) the pilot project pro-*
13 *vides individualized case manage-*
14 *ment designed to help remove bar-*
15 *riers to employment for partici-*
16 *pants; and*

17 *“(bb) a work registrant is*
18 *not assigned to employment and*
19 *training activities primarily con-*
20 *sisting of job search, job search*
21 *training, or workforce activities.”;*
22 *and*

23 *(B) in paragraph (5)—*

24 *(i) in subparagraph (A)—*

1 (I) in the matter preceding clause
2 (i), by striking “section 6(d)(4)” and
3 inserting “this paragraph”; and

4 (II) by redesignating clauses (i)
5 and (ii) as subclauses (I) and (II), re-
6 spectively, and indenting appro-
7 priately;

8 (ii) in subparagraph (B)—

9 (I) in clause (ii), by redesignating
10 subclauses (I) and (II) as items (aa)
11 and (bb), respectively, and indenting
12 appropriately;

13 (II) in clause (iv)—

14 (aa) in the matter preceding
15 subclause (I), by striking “clause
16 (iii)” and inserting “subclause
17 (III)”;

18 (bb) in subclause (IV)—

19 (AA) in item (cc), by
20 striking “section 6(b)” and
21 inserting “subsection (b)”;
22 and

23 (BB) by redesignating
24 items (aa) through (cc) as
25 subitems (AA) through (CC),

1 *respectively, and indenting*
2 *appropriately; and*

3 *(cc) by redesignating sub-*
4 *clauses (I) through (V) as items*
5 *(aa) through (ee), respectively,*
6 *and indenting appropriately;*

7 *(III) by redesignating clauses (i)*
8 *through (iv) as subclauses (I) through*
9 *(IV), respectively, and indenting ap-*
10 *propriately; and*

11 *(IV) by adding at the end the fol-*
12 *lowing:*

13 *“(V) STATE OPTION.—The State*
14 *agency may report relevant data from*
15 *a workforce partnership carried out*
16 *under subparagraph (N) to dem-*
17 *onstrate the number of program par-*
18 *ticipants served by the workforce part-*
19 *nership.”;*

20 *(iii) in subparagraph (C)—*

21 *(I) in clause (iii), by striking*
22 *“and” after the semicolon;*

23 *(II) in clause (iv)—*

24 *(aa) in the matter preceding*
25 *subclause (I)—*

1 (AA) by striking “para-
2 graph (1)(E)” and inserting
3 “subparagraph (E) of section
4 16(h)(1)”; and

5 (BB) by striking “para-
6 graph (1)” and inserting
7 “that section”;

8 (bb) in subclause (I)—

9 (AA) by striking “para-
10 graph (1)(E)(ii)” and insert-
11 ing “section 16(h)(1)(E)(ii)”;
12 and

13 (BB) by striking “sub-
14 paragraph (B) or (C) of sec-
15 tion 6(o)(2)” and inserting
16 “clause (ii) or (iii) of para-
17 graph (2)(B)”;

18 (cc) in subclause (II), by
19 striking “paragraph (1)(E)” and
20 inserting “section 16(h)(1)(E)”;
21 and

22 (dd) by redesignating sub-
23 clauses (I) through (III) as items
24 (aa) through (cc), respectively,
25 and indenting appropriately;

1 (III) by redesignating clauses (i),
2 (ii), (iii), and (iv) as subclauses (I),
3 (II), (IV), and (VI), respectively, and
4 indenting appropriately;

5 (IV) by inserting after subclause
6 (II) (as so redesignated) the following:

7 “(III) that the State agency has
8 consulted with the State workforce
9 board or, if appropriate, private em-
10 ployers or employer organizations, in
11 the design of the employment and
12 training program;” and

13 (V) by inserting after subclause
14 (IV) (as so redesignated) the following:

15 “(V) that the employment and
16 training program components of the
17 State agency are responsive to State or
18 local workforce needs; and”;

19 (iv) in subparagraph (D), by striking
20 “subparagraph (B)” and inserting “clause
21 (ii)”;

22 (v) in subparagraph (E), by inserting
23 “or that the employment and training pro-
24 gram is not adequately meeting State or
25 local workforce needs” after “is inadequate”;

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(vi) in subparagraph (F)—

(I) in the matter preceding clause (i), by striking “October 1, 2016” and inserting “October 1, 2020”;

(II) in clause (i), by striking “and” after the semicolon;

(III) in clause (ii), by striking the period at the end and inserting “; and”;

(IV) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and indenting appropriately; and

(V) by adding at the end the following:

“(III) are meeting State or local workforce needs.”;

(vii) by redesignating subparagraphs (A) through (F) (as so amended) as clauses (i) through (vi), respectively, and indenting appropriately; and

(viii) by redesignating the paragraph as subparagraph (P), indenting the subparagraph appropriately, and moving the subparagraph so as to appear after sub-

1 *paragraph (O) of section 6(d)(4) of the Food*
2 *and Nutrition Act of 2008 (7 U.S.C.*
3 *2015(d)(4)) (as added by subsection (b)(5)).*

4 (2) *RESEARCH, DEMONSTRATION, AND EVALUA-*
5 *TIONS.—Section 17 of the Food and Nutrition Act of*
6 *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 PROJECTS.—*

12 (1) *IN GENERAL.—The Secretary”;*

13 (iii) *in paragraph (1) (as so des-*
14 *ignated)—*

15 (I) *in subparagraph (D)—*

16 (aa) *in clause (i), in the*
17 *matter preceding subclause (I), by*
18 *striking “subparagraph (A)” and*
19 *inserting “paragraph (1)”;*

20 (bb) *in clause (ii), by strik-*
21 *ing “clause (i)” and inserting*
22 *“subparagraph (A)”;* and

23 (cc) *in clause (iii), by strik-*
24 *ing “clause (i)(III)” and inserting*
25 *“subparagraph (A)(iii)”;*

1 (II) by redesignating subpara-
2 graph (D) as paragraph (4), and in-
3 denting appropriately;

4 (III) in subparagraph (C), by
5 striking “(C)(i) No waiver” and insert-
6 ing the following:

7 “(3) RESTRICTIONS.—

8 “(A) IN GENERAL.—No waiver”;

9 (IV) in subparagraph (B)—

10 (aa) in clause (i), in the
11 matter preceding subclause (I), by
12 striking “subparagraph (A)” and
13 inserting “paragraph (1)”;

14 (bb) in clause (ii)—

15 (AA) in the matter pre-
16 ceding subclause (I), by strik-
17 ing “subparagraph (A)” and
18 inserting “paragraph (1)”;
19 and

20 (BB) in subclause (IV),
21 by striking “this paragraph”
22 and inserting “this sub-
23 section”;

24 (cc) in clause (iii), in the
25 matter preceding subclause (I), by

1 striking “subparagraph (A)” and
2 inserting “paragraph (1)”;

3 (dd) in clause (iv)—

4 (AA) in the matter pre-
5 ceding subclause (I), by strik-
6 ing “subparagraph (A)” and
7 inserting “paragraph (1)”;

8 (BB) in subclause (I),
9 by striking “the date of en-
10 actment of this subpara-
11 graph” and inserting “Au-
12 gust 22, 1996”;

13 (CC) in subclause
14 (III)(aa), by striking “3(n)”
15 and inserting “3(q)”;

16 (DD) in subclause
17 (III)(dd), by striking
18 “(2)(B)” and inserting
19 “(1)(E)(ii)”;

20 (EE) in subclause
21 (III)(ii), by striking “this
22 paragraph” and inserting
23 “this subsection”; and

24 (FF) in subclause
25 (IV)(bb), by striking “this

1 *subclause” and inserting*
2 *“this clause”; and*
3 *(ee) in clause (vi), by strik-*
4 *ing “this paragraph” and insert-*
5 *ing “this subsection”; and*
6 *(V) by redesignating subpara-*
7 *graph (B) as paragraph (2) and in-*
8 *denting appropriately;*
9 *(iv) in paragraph (2) (as so redesign-*
10 *ated)—*
11 *(I) by redesignating clauses (i)*
12 *through (vi) as subparagraphs (A)*
13 *through (F), respectively, and indent-*
14 *ing appropriately;*
15 *(II) in subparagraph (A) (as so*
16 *redesignated), by redesignating sub-*
17 *clauses (I) and (II) as clauses (i) and*
18 *(ii), respectively, and indenting appro-*
19 *priately;*
20 *(III) in subparagraph (B) (as so*
21 *redesignated), by redesignating sub-*
22 *clauses (I) through (IV) as clauses (i)*
23 *through (iv), respectively, and indent-*
24 *ing appropriately;*

1 (IV) in subparagraph (C) (as so
2 redesignated), by redesignating sub-
3 clauses (I) and (II) as clauses (i) and
4 (ii), respectively, and indenting appro-
5 priately; and

6 (V) in subparagraph (D) (as so
7 redesignated)—

8 (aa) by redesignating sub-
9 clauses (I) through (VII) as
10 clauses (i) through (vii), respec-
11 tively, and indenting appro-
12 priately;

13 (bb) in clause (iii) (as so re-
14 designated), by redesignating
15 items (aa) through (jj) as sub-
16 clauses (I) through (X), respec-
17 tively, and indenting appro-
18 priately; and

19 (cc) in clause (iv) (as so re-
20 designated), by redesignating
21 items (aa) and (bb) as subclauses
22 (I) and (II), respectively, and in-
23 denting appropriately;

24 (v) in paragraph (3) (as so redesign-
25 ated)—

1 (I) in subparagraph (A) (as so re-
2 designated)—

3 (aa) in the matter preceding
4 subclause (I), by striking “the
5 date of enactment of this subpara-
6 graph” and inserting “November
7 28, 1990”; and

8 (bb) in clause (ii), by strik-
9 ing “(ii) Clause (i)” and insert-
10 ing the following:

11 “(B) APPLICATION.—Subparagraph (A)”;

12 and

13 (II) in subparagraph (A) (as so
14 redesignated), by redesignating sub-
15 clauses (I) and (II) as clauses (i) and
16 (ii), respectively, and indenting appro-
17 priately; and

18 (vi) in paragraph (4) (as so redesi-
19 gnated)—

20 (I) by redesignating clauses (i)
21 through (iii) as subparagraphs (A)
22 through (C), respectively, and indent-
23 ing appropriately; and

24 (II) in subparagraph (A) (as so
25 redesignated), by redesignating sub-

1 *clauses (I) through (IV) as clauses (i)*
2 *through (iv), respectively, and indent-*
3 *ing appropriately;*

4 *(B) by striking subsection (d);*

5 *(C) by redesignating subsections (e) through*
6 *(l) as subsections (d) through (k), respectively;*
7 *and*

8 *(D) in subsection (e) (as so redesignated),*
9 *in the first sentence, by striking “subsection*
10 *(b)(1)” and inserting “subsection (b)”.*

11 *(d) AUTHORIZATION OF APPROPRIATIONS.—Section*
12 *18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027)*
13 *is amended by adding at the end the following:*

14 *“(i) RESTRICTION.—No funds authorized to be appro-*
15 *priated under this Act shall be used to operate a workforce*
16 *partnership under section 6(d)(4)(N).”.*

17 *(e) CONFORMING AMENDMENTS.—*

18 *(1) Section 5(a) of the Food and Nutrition Act*
19 *of 2008 (7 U.S.C. 2014(a)) is amended in the second*
20 *sentence by striking “(d)(2)” and inserting*
21 *“(d)(1)(E)”.*

22 *(2) Section 6(i)(3) of the Food and Nutrition Act*
23 *of 2008 (7 U.S.C. 2015(i)(3)) is amended by striking*
24 *“(d)” and inserting “(d)(1)”.*

1 (3) *Section 7(h)(6) of the Food and Nutrition*
2 *Act of 2008 (7 U.S.C. 2016(h)(6)) is amended by*
3 *striking “17(f)” and inserting “17(e)”.*

4 (4) *Section 7(i)(1) of the Food and Nutrition Act*
5 *of 2008 (7 U.S.C. 2016(i)(1)) is amended by striking*
6 *“6(o)(2)” and inserting “6(d)(2)(B)”.*

7 (5) *Section 7(j)(1)(G) of the Food and Nutrition*
8 *Act of 2008 (7 U.S.C. 2016(j)(1)(G)) is amended by*
9 *striking “17(f)” and inserting “17(e)”.*

10 (6) *Section 11(n) of the Food and Nutrition Act*
11 *of 2008 (7 U.S.C. 2020(n)) is amended by striking*
12 *“17(b)(1)” and inserting “17(b)”.*

13 (7) *Section 16(b)(4) of the Food and Nutrition*
14 *Act of 2008 (7 U.S.C. 2025(b)(4)) is amended by*
15 *striking “section 6(d)” and inserting “section*
16 *6(d)(1)”.*

17 (8) *Section 20(b)(1) of the Food and Nutrition*
18 *Act of 2008 (7 U.S.C. 2029(b)(1)) is amended by*
19 *striking “clause (B), (C), (D), (E), or (F) of section*
20 *6(d)(2)” and inserting “clause (ii), (iii), (iv), (v), or*
21 *(vi) of section 6(d)(1)(E)”.*

22 (9) *Section 103(a)(2)(D) of the Workforce Inno-*
23 *vation and Opportunity Act (29 U.S.C.*
24 *3113(a)(2)(D)) is amended by striking “section 6(o)*
25 *of the Food and Nutrition Act of 2008 (7 U.S.C.*

1 *2015(o))” and inserting “paragraph (2) of section*
2 *6(d) of the Food and Nutrition Act of 2008 (7 U.S.C.*
3 *2015(d))”.*

4 *(10) Section 121(b)(2)(B)(iv) of the Workforce*
5 *Innovation and Opportunity Act (29 U.S.C.*
6 *3151(b)(2)(B)(iv)) is amended by striking “section*
7 *6(o) of the Food and Nutrition Act of 2008 (7 U.S.C.*
8 *2015(o))” and inserting “paragraph (2) of section*
9 *6(d) of the Food and Nutrition Act of 2008 (7 U.S.C.*
10 *2015(d))”.*

11 *(11) Section 23(b)(7)(D)(ii) of the Richard B.*
12 *Russell National School Lunch Act (42 U.S.C.*
13 *1769d(b)(7)(D)(ii)) is amended by striking “section*
14 *17(b)(1)(B) of the Food and Nutrition Act of 2008 (7*
15 *U.S.C. 2026(b)(1)(B))” and inserting “paragraph (2)*
16 *of section 17(b) of the Food and Nutrition Act of 2008*
17 *(7 U.S.C. 2026(b))”.*

18 *(12) Section 24(g)(3)(C) of the Richard B. Rus-*
19 *sell National School Lunch Act (42 U.S.C.*
20 *1769e(g)(3)(C)) is amended by striking “section*
21 *17(b)(1)(B) of the Food and Nutrition Act of 2008 (7*
22 *U.S.C. 2026(b)(1)(B))” and inserting “paragraph (2)*
23 *of section 17(b) of the Food and Nutrition Act of 2008*
24 *(7 U.S.C. 2026(b))”.*

1 **SEC. 4104. IMPROVEMENTS TO ELECTRONIC BENEFIT**
2 **TRANSFER SYSTEM.**

3 (a) *PROHIBITED FEES.*—Section 7 of the Food and
4 Nutrition Act of 2008 (7 U.S.C. 2016) is amended—

5 (1) in subsection (f)(2)(C), in the subparagraph
6 heading, by striking “INTERCHANGE” and inserting
7 “PROHIBITED”; and

8 (2) in subsection (h), by striking paragraph (13)
9 and inserting the following:

10 “(13) *PROHIBITED FEES.*—

11 “(A) *DEFINITION OF SWITCHING.*—In this
12 paragraph, the term ‘switching’ means the rout-
13 ing of an intrastate or interstate transaction
14 that consists of transmitting the details of a
15 transaction electronically recorded through the
16 use of an EBT card in 1 State to the issuer of
17 the card in—

18 “(i) the same State; or

19 “(ii) another State.

20 “(B) *PROHIBITION.*—

21 “(i) *INTERCHANGE FEES.*—No inter-
22 change fee shall apply to an electronic ben-
23 efit transfer transaction under this sub-
24 section.

25 “(ii) *OTHER FEES.*—

1 “(I) *IN GENERAL.*—No fee charged
2 by a benefit issuer (including any af-
3 filiate of a benefit issuer), or by any
4 agent or contractor when acting on be-
5 half of such benefit issuer, to a third
6 party relating to the switching or rout-
7 ing of benefits to the same benefit
8 issuer (including any affiliate of the
9 benefit issuer) shall apply to an elec-
10 tronic benefit transfer transaction
11 under this subsection.

12 “(II) *EFFECTIVE DATE.*—The pro-
13 hibition under subclause (I) shall be ef-
14 fective through fiscal year 2022.”.

15 (b) *EBT PORTABILITY.*—Section 7(f)(5) of the Food
16 and Nutrition Act of 2008 (7 U.S.C. 2016(f)(5)) is amended
17 by adding at the end the following:

18 “(C) *OPERATION OF INDIVIDUAL POINT OF*
19 *SALE DEVICE BY FARMERS’ MARKETS AND DI-*
20 *RECT MARKETING FARMERS.*—A farmers’ market
21 or direct marketing farmer that is exempt under
22 paragraph (2)(B)(i) shall be allowed to operate
23 an individual electronic benefit transfer point of
24 sale device at more than 1 location under the

1 same supplemental nutrition assistance program
2 authorization, if—

3 “(i) the farmers’ market or direct mar-
4 keting farmer provides to the Secretary in-
5 formation on location and hours of oper-
6 ation at each location; and

7 “(ii)(I) the point of sale device used by
8 the farmers’ market or direct marketing
9 farmer is capable of providing location in-
10 formation of the device through the elec-
11 tronic benefit transfer system; or

12 “(II) if the Secretary determines that
13 the technology is not available for a point
14 of sale device to meet the requirement under
15 subclause (I), the farmers’ market or direct
16 marketing farmer provides to the Secretary
17 any other information, as determined by the
18 Secretary, necessary to ensure the integrity
19 of transactions processed using the point of
20 sale device.”.

21 (c) *EVALUATION OF STATE ELECTRONIC BENEFIT*
22 *TRANSFER SYSTEMS.*—Section 7(h) of the *Food and Nutri-*
23 *tion Act of 2008 (7 U.S.C. 2016(h))* is amended by adding
24 *at the end the following:*

1 “(15) *GAO EVALUATION AND STUDY OF STATE*
2 *ELECTRONIC BENEFIT TRANSFER SYSTEMS.—*

3 “(A) *EVALUATION.—*

4 “(i) *IN GENERAL.—Not later than 18*
5 *months after the date of enactment of this*
6 *paragraph, the Comptroller General of the*
7 *United States (referred to in this paragraph*
8 *as the ‘Comptroller General’) shall evaluate*
9 *for each electronic benefit transfer system of*
10 *a State agency selected in accordance with*
11 *clause (ii)—*

12 “(I) *any type of fee charged—*

13 “(aa) *by the benefit issuer*
14 *(or an affiliate, agent, or con-*
15 *tractor of the benefit issuer) of the*
16 *State agency for electronic benefit*
17 *transfer-related services, including*
18 *electronic benefit transfer-related*
19 *services that did not exist before*
20 *February 7, 2014; and*

21 “(bb) *to any retail food*
22 *stores, including retail food stores*
23 *that are exempt under subsection*
24 *(f)(2)(B)(i) for electronic benefit*
25 *transfer-related services;*

1 “(II) in consultation with the Sec-
2 retary and the retail food stores within
3 the State, any electronic benefit trans-
4 fer system outages affecting the EBT
5 cards of the State agency;

6 “(III) in consultation with the
7 Secretary, any type of entity that—

8 “(aa) provides electronic ben-
9 efit transfer equipment and re-
10 lated services to the State agency,
11 any benefit issuers of the State
12 agency, or any retail food stores
13 within the State;

14 “(bb) routes or switches
15 transactions through the electronic
16 benefit transfer system of the
17 State agency; or

18 “(cc) has access to trans-
19 action information in the elec-
20 tronic benefit transfer system of
21 the State agency; and

22 “(IV) in consultation with the
23 Secretary, any emerging entities, serv-
24 ices, or technologies in use with respect

1 to the electronic benefit transfer system
2 of the State agency.

3 “(ii) *SELECTION CRITERIA.*—The
4 Comptroller General shall select for evalua-
5 tion under clause (i)—

6 “(I) with respect to each benefit
7 issuer that provides electronic benefit
8 transfer-related services to 1 or more
9 State agencies, not fewer than 1 elec-
10 tronic benefit transfer system provided
11 by that benefit issuer; and

12 “(II) any electronic benefit trans-
13 fer system of a State agency that has
14 experienced significant or frequent out-
15 ages during the 2-year period pre-
16 ceding the date of enactment of this
17 paragraph.

18 “(B) *STUDY.*—Not later than 2 years after
19 the date of enactment of this paragraph, the
20 Comptroller General shall submit to the Com-
21 mittee on Agriculture of the House of Represent-
22 atives and the Committee on Agriculture, Nutri-
23 tion, and Forestry of the Senate a report based
24 on the evaluation carried out under subpara-
25 graph (A) that includes—

1 “(i) a description of the types of enti-
2 ties that—

3 “(I) provide electronic benefit
4 transfer equipment and related services
5 to State agencies, benefit issuers, and
6 retail food stores;

7 “(II) route or switch transactions
8 through electronic benefit transfer sys-
9 tems of State agencies; or

10 “(III) have access to transaction
11 information in electronic benefit trans-
12 fer systems of State agencies;

13 “(ii) a description of emerging entities,
14 services, and technologies in use with re-
15 spect to electronic benefit transfer systems of
16 State agencies; and

17 “(iii) a summary of—

18 “(I) the types of fees charged—

19 “(aa) by benefit issuers (or
20 affiliates, agents, or contractors of
21 benefit issuers) of State agencies
22 for electronic benefit transfer-re-
23 lated services, including whether
24 the types of fees existed before Feb-
25 ruary 7, 2014; and

1 “(bb) to any retail food
2 stores, including retail food stores
3 that are exempt under subsection
4 (f)(2)(B)(i) for electronic benefit
5 transfer-related services;

6 “(II)(aa) the causes of any elec-
7 tronic benefit transfer system outages
8 affecting EBT cards; and

9 “(bb) potential solutions to mini-
10 mize the disruption of outages to par-
11 ticipating households.

12 “(16) REVIEW OF EBT SYSTEMS REQUIRE-
13 MENTS.—

14 “(A) REVIEW.—

15 “(i) IN GENERAL.—Not later than 18
16 months after the date of enactment of this
17 paragraph, the Secretary shall review for
18 each electronic benefit transfer system of a
19 State agency selected under clause (ii)—

20 “(I) any contracts or other agree-
21 ments between the State agency and
22 the benefit issuer of the State agency to
23 determine—

24 “(aa) the customer service re-
25 quirements of the benefit issuer,

1 including call center require-
2 ments; and

3 “(bb) the consistency and
4 compatibility of data provided by
5 the benefit issuer to the Secretary
6 for appropriate oversight of pos-
7 sible fraudulent transactions; and

8 “(II) the use of third-party appli-
9 cations that access the electronic benefit
10 transfer system to provide electronic
11 benefit transfer account information to
12 participating households.

13 “(ii) *SELECTION CRITERIA.*—The Sec-
14 retary shall select for the review under
15 clause (i) not fewer than 5 electronic benefit
16 transfer systems of State agencies, of
17 which—

18 “(I) with respect to each benefit
19 issuer that provides electronic benefit
20 transfer-related services to 1 or more
21 State agencies, not fewer than 1 shall
22 be provided by that benefit issuer; and

23 “(II) not more than 4 shall have
24 experienced significant or frequent out-
25 ages during the 2-year period pre-

1 ceding the date of enactment of this
2 paragraph.

3 “(B) REGULATIONS AND GUIDANCE.—Based
4 on the study conducted by the Comptroller Gen-
5 eral of the United States under paragraph
6 (15)(B) and the review conducted by the Sec-
7 retary under subparagraph (A), the Secretary
8 shall promulgate such regulations or issue such
9 guidance as the Secretary determines appro-
10 priate—

11 “(i) to prohibit the imposition of any
12 fee that is inconsistent with paragraph (13);

13 “(ii) to minimize electronic benefit sys-
14 tem outages;

15 “(iii) to update procedures to handle
16 electronic benefit transfer system outages
17 that minimize disruption to participating
18 households and retail food stores while pro-
19 tecting against fraud and abuse;

20 “(iv) to develop cost-effective customer
21 service standards for benefit issuers, includ-
22 ing benefit issuer call centers or other cus-
23 tomer service options equivalent to call cen-
24 ters, that would ensure adequate customer
25 service for participating households;

1 “(v) to address the use of third-party
2 applications that access electronic benefit
3 transfer systems to provide electronic benefit
4 transfer account information to partici-
5 pating households, including by establishing
6 safeguards consistent with sections 9(c) and
7 11(e)(8) to protect the privacy of data relat-
8 ing to participating households and ap-
9 proved retail food stores; and

10 “(vi) to improve the reliability of elec-
11 tronic benefit transfer systems.

12 “(C) *REPORT.*—Not later than 2 years after
13 the date of enactment of this paragraph, the Sec-
14 retary shall submit to the Committee on Agri-
15 culture of the House of Representatives and the
16 Committee on Agriculture, Nutrition, and For-
17 estry of the Senate a report that includes a de-
18 scription of the effects, if any, on an electronic
19 benefit transfer system of a State agency from
20 the use of third-party applications that access
21 the electronic benefit transfer system to provide
22 electronic benefit transfer account information to
23 participating households.”.

1 (d) *APPROVAL OF RETAIL FOOD STORES.*—Section 9
2 *of the Food and Nutrition Act (7 U.S.C. 2018) is amend-*
3 *ed—*

4 (1) *in subsection (a)(1)—*

5 (A) *in the fourth sentence, by striking “No*
6 *retail food store” and inserting the following:*

7 “(D) *VISIT REQUIRED.*—No retail food
8 *store”;*

9 (B) *in the third sentence, by striking “Ap-*
10 *proval” and inserting the following:*

11 “(C) *CERTIFICATE.*—Approval”;

12 (C) *in the second sentence—*

13 (i) *by striking “food; and (D) the” and*
14 *inserting the following: “food;*

15 “(iv) *any information, if available,*
16 *about the ability of the anticipated or exist-*
17 *ing electronic benefit transfer equipment*
18 *and service provider of the applicant to pro-*
19 *vide sufficient information through the elec-*
20 *tronic benefit transfer system to minimize*
21 *the risk of fraudulent transactions; and*

22 “(v) *the”;*

23 (ii) *by striking “concern; (C) whether”*
24 *and inserting the following: “concern;*

25 “(iii) *whether”;*

1 (iii) by striking “applicant; (B) the”
2 and inserting the following: “applicant;
3 “(ii) the”;

4 (iv) by striking “following: (A) the na-
5 ture” and inserting the following: “fol-
6 lowing:

7 “(i) the nature”; and

8 (v) in the matter preceding clause (i)
9 (as so designated), by striking “In deter-
10 mining” and inserting the following:

11 “(B) *FACTORS FOR CONSIDERATION.—In*
12 *determining*”; and

13 (D) in the first sentence, by striking “(a)(1)
14 Regulations” and inserting the following:

15 “(a) *AUTHORIZATION TO ACCEPT AND REDEEM BENE-*
16 *FITS.—*

17 “(1) *APPLICATIONS.—*

18 “(A) *IN GENERAL.—Regulations*”;

19 (2) in subsection (a), by adding at the end the
20 following:

21 “(4) *ELECTRONIC BENEFIT TRANSFER EQUIP-*
22 *MENT AND SERVICE PROVIDERS.—Before imple-*
23 *menting clause (iv) of paragraph (1)(B), the Sec-*
24 *retary shall issue guidance for retail food stores on*
25 *how to select electronic benefit transfer equipment and*

1 *service providers that are able to meet the require-*
2 *ments of that clause.”; and*

3 *(3) in subsection (c), in the first sentence, by in-*
4 *serting “records relating to electronic benefit transfer*
5 *equipment and related services, transaction and re-*
6 *demption data provided through the electronic benefit*
7 *transfer system,” after “purchase invoices.”*

8 **SEC. 4105. RETAIL INCENTIVES.**

9 *Section 9 of the Food and Nutrition Act of 2008 (7*
10 *U.S.C. 2018) is amended by adding at the end the following:*

11 *“(i) INCENTIVES.—*

12 *“(1) DEFINITION OF ELIGIBLE INCENTIVE*
13 *FOOD.—In this subsection, the term ‘eligible incentive*
14 *food’ means food that is—*

15 *“(A) identified for increased consumption*
16 *by the most recent Dietary Guidelines for Ameri-*
17 *cans published under section 301 of the National*
18 *Nutrition Monitoring and Related Research Act*
19 *of 1990 (7 U.S.C. 5341); and*

20 *“(B) a fruit, a vegetable, low-fat dairy, or*
21 *a whole grain.*

22 *“(2) REGULATIONS.—*

23 *“(A) IN GENERAL.—The Secretary shall*
24 *promulgate regulations to clarify the process by*
25 *which an approved retail food store may seek a*

1 *waiver to offer an incentive that may be used*
2 *only for the purchase of eligible incentive food at*
3 *the point of purchase to a household purchasing*
4 *food with benefits issued under this Act.*

5 “(B) *REGULATIONS.—The regulations*
6 *under subparagraph (A) shall establish a process*
7 *under which an approved retail food store, prior*
8 *to carrying out an incentive program under this*
9 *subsection, shall provide to the Secretary infor-*
10 *mation describing the incentive program, includ-*
11 *ing—*

12 “(i) *the types of incentives that will be*
13 *offered;*

14 “(ii) *the types of foods that will be*
15 *incentivized for purchase; and*

16 “(iii) *an explanation of how the incen-*
17 *tive program intends to support meeting di-*
18 *etary intake goals.*

19 “(3) *NO LIMITATION ON BENEFITS.—A waiver*
20 *granted under this subsection shall not be used to*
21 *carry out any activity that limits the use of benefits*
22 *under this Act or any other Federal nutrition law.*

23 “(4) *EFFECT.—Regulations promulgated under*
24 *this subsection shall not affect any requirements*
25 *under section 4405 of the Food, Conservation, and*

1 *Energy Act of 2008 (7 U.S.C. 7517) or section 4304*
2 *of the Agriculture Improvement Act of 2018, includ-*
3 *ing the eligibility of a retail food store to participate*
4 *in a project funded under those sections.*

5 “(5) *REPORT.*—*The Secretary shall submit to the*
6 *Committee on Agriculture of the House of Representa-*
7 *tives and the Committee on Agriculture, Nutrition,*
8 *and Forestry of the Senate an annual report describ-*
9 *ing the types of incentives approved under this sub-*
10 *section.”.*

11 **SEC. 4106. REQUIRED ACTION ON DATA MATCH INFORMA-**
12 **TION.**

13 *Section 11(e) of the Food and Nutrition Act of 2008*
14 *(7 U.S.C. 2020(e)) is amended—*

15 (1) *in paragraph (24), by striking “and” after*
16 *the semicolon;*

17 (2) *in paragraph (25), by striking the period at*
18 *the end and inserting a semicolon; and*

19 (3) *by adding at the end the following:*

20 “(26) *that for a household participating in the*
21 *supplemental nutrition assistance program, the State*
22 *agency shall pursue clarification and verification, if*
23 *applicable, of information relating to the cir-*
24 *cumstances of the household received from data*
25 *matches for the purpose of ensuring an accurate eligi-*

1 *bility and benefit determination, only if the informa-*
2 *tion—*

3 *“(A) appears to present significantly con-*
4 *flicting information from the information that*
5 *was used by the State agency at the time of cer-*
6 *tification of the household;*

7 *“(B) is obtained from data matches carried*
8 *out under subsection (q), (r), or (w); or*

9 *“(C)(i) is fewer than 60 days old relative to*
10 *the current month of participation of the house-*
11 *hold; and*

12 *“(ii) if accurate, would have been required*
13 *to be reported by the household based on the re-*
14 *porting requirements assigned to the household*
15 *by the State agency under section 6(c).”.*

16 **SEC. 4107. INCOME VERIFICATION.**

17 *Section 17 of the Food and Nutrition Act of 2008 (7*
18 *U.S.C. 2026) (as amended by section 4103(c)(2)(C)) is*
19 *amended by adding at the end the following:*

20 *“(l) PILOT PROJECTS FOR IMPROVING EARNED IN-*
21 *COME VERIFICATION.—*

22 *“(1) IN GENERAL.—Under such terms and condi-*
23 *tions as the Secretary considers to be appropriate, the*
24 *Secretary shall establish a pilot program (referred to*
25 *in this subsection as the ‘pilot program’) under which*

1 *not more than 8 States may carry out pilot projects*
2 *to test strategies to improve the accuracy or efficiency*
3 *of the process for verification of earned income at cer-*
4 *tification and recertification of applicant households*
5 *for the supplemental nutrition assistance program.*

6 “(2) *CONTRACT OPTIONS.*—

7 “(A) *IN GENERAL.*—*In carrying out the*
8 *pilot program, prior to soliciting applications*
9 *for pilot projects from State agencies, the Sec-*
10 *retary shall—*

11 “(i) *assess the availability of up-to-*
12 *date earned income information from dif-*
13 *ferent commercial data service providers;*
14 *and*

15 “(ii) *make a determination regarding*
16 *the overall cost-effectiveness to the Depart-*
17 *ment of Agriculture and the State agencies*
18 *administering the supplemental nutrition*
19 *assistance program of—*

20 “(I) *the Secretary entering into a*
21 *contract with a commercial data serv-*
22 *ice provider to provide to State agen-*
23 *cies carrying out pilot projects up-to-*
24 *date earned income information for*
25 *verification of the earned income at*

1 *certification and recertification of ap-*
2 *plicant households for the supplemental*
3 *nutrition assistance program;*

4 “*(II) the Secretary entering into*
5 *an agreement with the Secretary of*
6 *Health and Human Services to allow*
7 *State agencies carrying out pilot*
8 *projects to verify earned income infor-*
9 *mation at certification and recertifi-*
10 *cation of applicant households for the*
11 *supplemental nutrition assistance pro-*
12 *gram in the State using up-to-date*
13 *earned income information from a*
14 *commercial data service provider*
15 *under the electronic interface developed*
16 *by the State and used by the State*
17 *Medicaid agency to verify income eligi-*
18 *bility for the State Medicaid program*
19 *under title XIX of the Social Security*
20 *Act (42 U.S.C. 1396 et seq.); or*

21 “*(III) a State agency carrying*
22 *out a pilot project entering into a con-*
23 *tract with a commercial data service*
24 *provider to obtain up-to-date earned*
25 *income information to verify the*

1 *earned income at certification and re-*
2 *certification of applicant households*
3 *for the supplemental nutrition assist-*
4 *ance program in the State.*

5 “(B) *AUTHORITY TO ENTER INTO CON-*
6 *TRACTS.—If determined appropriate by the Sec-*
7 *retary, the Secretary may, based on the cost-ef-*
8 *fectiveness determination described in subpara-*
9 *graph (A)(ii)—*

10 *“(i) enter into a contract described in*
11 *subclause (I) of that subparagraph;*

12 *“(ii) enter into an agreement described*
13 *in subclause (II) of that subparagraph; or*

14 *“(iii) allow each State agency carrying*
15 *out a pilot project to enter into a contract*
16 *described in subclause (III) of that subpara-*
17 *graph, on the condition that the Federal*
18 *share of the cost of the contract shall not ex-*
19 *ceed 75 percent of the total cost of the con-*
20 *tract.*

21 “(C) *REPORT.—Not later than 1 year after*
22 *the date of enactment of this subsection, the Sec-*
23 *retary shall submit to the Committee on Agri-*
24 *culture of the House of Representatives and the*
25 *Committee on Agriculture, Nutrition, and For-*

1 *estry of the Senate a report that describes the re-*
2 *sults of the assessment and determination under*
3 *subparagraph (A).*

4 “(3) *PILOT PROJECTS.*—

5 “(A) *APPLICATION.*—*A State agency seeking*
6 *to carry out a pilot project under the pilot pro-*
7 *gram shall submit to the Secretary an applica-*
8 *tion at such time, in such manner, and con-*
9 *taining such information as the Secretary may*
10 *require, including—*

11 “(i) *an identification of the 1 or more*
12 *proposed changes to the process for verifying*
13 *earned income used by the State agency;*

14 “(ii) *a description of how the proposed*
15 *changes under clause (i) would meet the*
16 *purpose described in paragraph (1); and*

17 “(iii) *a plan to evaluate how the pro-*
18 *posed changes under clause (i) would im-*
19 *prove the accuracy or efficiency of the*
20 *verification of earned income at certifi-*
21 *cation and recertification of applicant*
22 *households for the supplemental nutrition*
23 *assistance program in the State.*

1 “(B) *SELECTION CRITERIA.*—*The Secretary*
2 *shall select to carry out pilot projects State agen-*
3 *cies that, as determined by the Secretary—*

4 “(i) *do not have access to up-to-date*
5 *earned income information for the*
6 *verification of earned income at certifi-*
7 *cation and recertification of applicant*
8 *households for the supplemental nutrition*
9 *assistance program in the State;*

10 “(ii) *would be able to access and use,*
11 *for the verification of earned income at cer-*
12 *tification and recertification of applicant*
13 *households for the supplemental nutrition*
14 *assistance program in the State, up-to-date*
15 *earned income information used to deter-*
16 *mine eligibility for another Federal assist-*
17 *ance program; or*

18 “(iii) *have cost-effective, innovative ap-*
19 *proaches to verifying earned income that*
20 *would improve the accuracy or efficiency of*
21 *the verification of earned income at certifi-*
22 *cation and recertification of applicant*
23 *households for the supplemental nutrition*
24 *assistance program in the State.*

1 “(4) *GRANTS.*—*The Secretary may make grants*
2 *to a State agency to carry out a pilot project.*

3 “(5) *EFFECT ON OTHER REQUIREMENTS.*—*A*
4 *pilot project carried out under this subsection shall*
5 *not alter the eligibility requirements under section 5*
6 *or the reporting requirements under section 6(c).*

7 “(6) *REPORT.*—*Not later than 180 days after the*
8 *date on which the pilot program terminates under*
9 *paragraph (8), the Secretary shall submit to the Com-*
10 *mittee on Agriculture of the House of Representatives*
11 *and the Committee on Agriculture, Nutrition, and*
12 *Forestry of the Senate a report that describes the re-*
13 *sults of the pilot projects carried out under the pilot*
14 *program.*

15 “(7) *FUNDING.*—

16 “(A) *IN GENERAL.*—*Out of funds made*
17 *available under section 18(a)(1), on October 1,*
18 *2018, the Secretary shall make available*
19 *\$10,000,000 to carry out this subsection, to re-*
20 *main available until expended.*

21 “(B) *COSTS.*—*The Secretary shall allocate*
22 *not more than 10 percent of the amounts made*
23 *available under subparagraph (A) to carry out*
24 *subparagraphs (A) and (C) of paragraph (2)*
25 *and paragraph (6).*

1 “(8) *TERMINATION.*—*The pilot program shall*
2 *terminate not later than September 30, 2022.*”.

3 **SEC. 4108. PILOT PROJECTS TO IMPROVE HEALTHY DIE-**
4 **TARY PATTERNS RELATED TO FLUID MILK IN**
5 **THE SUPPLEMENTAL NUTRITION ASSIST-**
6 **ANCE PROGRAM.**

7 *Section 17 of the Food and Nutrition Act of 2008 (7*
8 *U.S.C. 2026) (as amended by section 4107) is amended by*
9 *adding at the end the following:*

10 “(m) *PILOT PROJECTS TO IMPROVE HEALTHY DIE-*
11 *TARY PATTERNS RELATED TO FLUID MILK CONSUMPTION*
12 *AMONG PARTICIPANTS OR HOUSEHOLDS IN THE SUPPLE-*
13 *MENTAL NUTRITION ASSISTANCE PROGRAM THAT UNDER-*
14 *CONSUME FLUID MILK.*—

15 “(1) *DEFINITION OF FLUID MILK.*—*In this sub-*
16 *section, the term ‘fluid milk’ means cow milk, without*
17 *flavoring or sweeteners, consistent with the most re-*
18 *cent Dietary Guidelines for Americans published*
19 *under section 301 of the National Nutrition Moni-*
20 *toring and Related Research Act of 1990 (7 U.S.C.*
21 *5341), that is packaged in liquid form.*

22 “(2) *PILOT PROJECTS.*—*The Secretary shall*
23 *carry out, under such terms and conditions as the*
24 *Secretary considers to be appropriate, pilot projects to*
25 *develop and test methods that would increase the pur-*

1 *chase of fluid milk, in a manner consistent with the*
2 *most recent Dietary Guidelines for Americans pub-*
3 *lished under section 301 of the National Nutrition*
4 *Monitoring and Related Research Act of 1990 (7*
5 *U.S.C. 5341), by individuals or households partici-*
6 *pating in the supplemental nutrition assistance pro-*
7 *gram that under-consume fluid milk by providing an*
8 *incentive for the purchase of fluid milk at the point*
9 *of purchase to a household purchasing food with sup-*
10 *plemental nutrition assistance program benefits.*

11 “(3) *GRANTS OR COOPERATIVE AGREEMENTS.*—

12 “(A) *IN GENERAL.*—*In carrying out this*
13 *subsection, the Secretary may enter into competi-*
14 *tively awarded cooperative agreements with, or*
15 *provide grants to, a government agency or non-*
16 *profit organization for use in accordance with*
17 *projects that meet the strategic goals of this sub-*
18 *section, including allowing the government agen-*
19 *cy or nonprofit organization to award subgrants*
20 *to retail food stores authorized under this Act.*

21 “(B) *APPLICATION.*—*To be eligible to re-*
22 *ceive a cooperative agreement or grant under*
23 *this paragraph, a government agency or non-*
24 *profit organization shall submit to the Secretary*
25 *an application at such time, in such manner,*

1 *and containing such information as the Sec-*
2 *retary may require.*

3 “(C) *SELECTION CRITERIA.*—*Pilot projects*
4 *shall be evaluated against publicly disseminated*
5 *criteria that shall include—*

6 “(i) *incorporation of a scientifically*
7 *based strategy that is designed to improve*
8 *diet quality through the increased purchase*
9 *of fluid milk for participants or households*
10 *in the supplemental nutrition assistance*
11 *program that under-consume fluid milk;*

12 “(ii) *a commitment to a pilot project*
13 *that allows for a rigorous outcome evalua-*
14 *tion, including data collection; and*

15 “(iii) *other criteria, as determined by*
16 *the Secretary.*

17 “(D) *USE OF FUNDS.*—*Funds provided*
18 *under this paragraph shall not be used for any*
19 *project that limits the use of benefits under this*
20 *Act.*

21 “(E) *DURATION.*—*Each pilot project car-*
22 *ried out under this subsection shall be in effect*
23 *for not more than 24 months.*

24 “(4) *PROJECTS.*—*Pilot projects carried out*
25 *under paragraph (2) shall include projects to deter-*

1 *mine whether incentives for the purchase of fluid milk*
2 *by individuals or households participating in the sup-*
3 *plemental nutrition assistance program that under-*
4 *consume fluid milk result in—*

5 *“(A) improved nutritional outcomes for*
6 *participating individuals or households;*

7 *“(B) changes in purchasing and consump-*
8 *tion of fluid milk among participating individ-*
9 *uals or households; or*

10 *“(C) diets more closely aligned with healthy*
11 *eating patterns consistent with the most recent*
12 *Dietary Guidelines for Americans published*
13 *under section 301 of the National Nutrition*
14 *Monitoring and Related Research Act of 1990 (7*
15 *U.S.C. 5341).*

16 *“(5) EVALUATION AND REPORTING.—*

17 *“(A) EVALUATION.—*

18 *“(i) INDEPENDENT EVALUATION.—*

19 *“(I) IN GENERAL.—The Secretary*
20 *shall provide for an independent eval-*
21 *uation of projects selected under this*
22 *subsection that measures the impact of*
23 *the pilot program on health and nutri-*
24 *tion as described in paragraphs (2)*
25 *through (4).*

1 “(II) *REQUIREMENT.*—*The inde-*
2 *pendent evaluation under subclause (I)*
3 *shall use rigorous methodologies, par-*
4 *ticularly random assignment or other*
5 *methods that are capable of producing*
6 *scientifically valid information regard-*
7 *ing which activities are effective.*

8 “(ii) *COSTS.*—*The Secretary may use*
9 *funds provided to carry out this subsection*
10 *to pay costs associated with monitoring and*
11 *evaluating each pilot project.*

12 “(B) *REPORTING.*—*Not later than 90 days*
13 *after the last day of fiscal year 2019 and each*
14 *fiscal year thereafter until the completion of the*
15 *last evaluation under subparagraph (A), the Sec-*
16 *retary shall submit to the Committee on Agri-*
17 *culture of the House of Representatives and the*
18 *Committee on Agriculture, Nutrition, and For-*
19 *estry of the Senate a report that includes a de-*
20 *scription of—*

21 “(i) *the status of each pilot project;*

22 “(ii) *the results of the evaluation com-*
23 *pleted during the previous fiscal year; and*

24 “(iii) *to the maximum extent prac-*
25 *ticable—*

1 “(I) *the impact of the pilot project*
2 *on appropriate health, nutrition, and*
3 *associated behavioral outcomes among*
4 *households participating in the pilot*
5 *project;*

6 “(II) *baseline information rel-*
7 *evant to the stated goals and desired*
8 *outcomes of the pilot project; and*

9 “(III) *equivalent information*
10 *about similar or identical measures*
11 *among control or comparison groups*
12 *that did not participate in the pilot*
13 *project.*

14 “(C) *PUBLIC DISSEMINATION.—In addition*
15 *to the reporting requirements under subpara-*
16 *graph (B), evaluation results shall be shared*
17 *broadly to inform policy makers, service pro-*
18 *viders, other partners, and the public to promote*
19 *wide use of successful strategies.*

20 “(6) *FUNDING.—*

21 “(A) *AUTHORIZATION OF APPROPRIA-*
22 *TIONS.—There is authorized to be appropriated*
23 *to carry out this subsection \$20,000,000, to re-*
24 *main available until expended.*

1 “(B) *APPROPRIATIONS IN ADVANCE.*—Only
2 *funds appropriated under subparagraph (A) in*
3 *advance specifically to carry out this subsection*
4 *shall be available to carry out this subsection.*”.

5 **SEC. 4109. INTERSTATE DATA MATCHING TO PREVENT MUL-**
6 **TIPLE ISSUANCES.**

7 *Section 11 of the Food and Nutrition Act of 2008 (7*
8 *U.S.C. 2020) is amended by adding at the end the following:*

9 “(w) *NATIONAL ACCURACY CLEARINGHOUSE.*—

10 “(1) *DEFINITION OF INDICATION OF MULTIPLE*
11 *ISSUANCE.*—*In this subsection, the term ‘indication of*
12 *multiple issuance’ means an indication, based on a*
13 *computer match, that benefits are being issued to an*
14 *individual under the supplemental nutrition assist-*
15 *ance program from more than 1 State simulta-*
16 *neously.*

17 “(2) *ESTABLISHMENT.*—

18 “(A) *IN GENERAL.*—*The Secretary shall es-*
19 *tablish an interstate data system, to be known as*
20 *the ‘National Accuracy Clearinghouse’, to pre-*
21 *vent the simultaneous issuance of benefits to an*
22 *individual by more than 1 State under the sup-*
23 *plemental nutrition assistance program.*

24 “(B) *DATA MATCHING.*—*The Secretary shall*
25 *require that States make available to the Na-*

1 *tional Accuracy Clearinghouse only such infor-*
2 *mation as is necessary for the purpose described*
3 *in subparagraph (A).*

4 “(C) *DATA PROTECTION.*—*The information*
5 *made available by States under subparagraph*
6 *(B)—*

7 “(i) *shall be used only for the purpose*
8 *described in subparagraph (A); and*

9 “(ii) *shall not be retained for longer*
10 *than is necessary to accomplish that pur-*
11 *pose.*

12 “(3) *ISSUANCE OF INTERIM FINAL REGULA-*
13 *TIONS.*—*Not later than 18 months after the date of*
14 *enactment of this subsection, the Secretary shall pro-*
15 *mulgate regulations (which shall include interim*
16 *final regulations) to carry out this subsection that—*

17 “(A) *incorporate best practices and lessons*
18 *learned from the pilot program under section*
19 *4032(c) of the Agricultural Act of 2014 (7 U.S.C.*
20 *2036c(e));*

21 “(B) *require a State to take appropriate ac-*
22 *tion, as determined by the Secretary, with re-*
23 *spect to each indication of multiple issuance or*
24 *indication that an individual receiving benefits*
25 *in 1 State has applied to receive benefits in an-*

1 *other State, while ensuring timely and fair serv-*
2 *ice to applicants for, and participants in, the*
3 *supplemental nutrition assistance program;*

4 *“(C) limit the information submitted*
5 *through or retained by the National Accuracy*
6 *Clearinghouse to information necessary to ac-*
7 *complish the purpose described in paragraph*
8 *(2)(A);*

9 *“(D) establish safeguards to protect—*

10 *“(i) the information submitted through*
11 *or retained by the National Accuracy Clear-*
12 *inghouse, including by limiting the period*
13 *of time that information is retained to the*
14 *period necessary to accomplish the purpose*
15 *described in paragraph (2)(A); and*

16 *“(ii) the privacy of information that is*
17 *submitted through or retained by the Na-*
18 *tional Accuracy Clearinghouse, which shall*
19 *include—*

20 *“(I) prohibiting any contractor*
21 *who has access to information that is*
22 *submitted through or retained by the*
23 *National Accuracy Clearinghouse from*
24 *using that information for purposes*

1 *not directly related to the purpose de-*
2 *scribed in paragraph (2)(A); and*

3 *“(II) other safeguards, consistent*
4 *with subsection (e)(8);*

5 *“(E) establish a process by which a State*
6 *shall—*

7 *“(i) not later than 3 years after the*
8 *date of enactment of this subsection, conduct*
9 *a computer match using the National Accu-*
10 *racy Clearinghouse;*

11 *“(ii) after the first computer match*
12 *under clause (i), conduct computer matches*
13 *on an ongoing basis, as determined by the*
14 *Secretary;*

15 *“(iii) identify and take appropriate*
16 *action, as determined by the Secretary, with*
17 *respect to each indication of multiple*
18 *issuance or indication that an individual*
19 *receiving benefits in 1 State has applied to*
20 *receive benefits in another State; and*

21 *“(iv) protect the identity and location*
22 *of a vulnerable individual (including a vic-*
23 *tim of domestic violence) that is an appli-*
24 *cant to or participant of the supplemental*
25 *nutrition assistance program; and*

1 “(F) include other rules and standards, as
2 determined by the Secretary.”.

3 **SEC. 4110. QUALITY CONTROL.**

4 (a) *RECORDS.*—

5 (1) *IN GENERAL.*—Section 11(a)(3)(B) of the
6 *Food and Nutrition Act of 2008* (7 U.S.C.
7 2020(a)(3)(B)) is amended in the matter preceding
8 clause (i) by inserting “and systems containing those
9 records” after “subparagraph (A)”.

10 (2) *COST SHARING FOR COMPUTERIZATION.*—
11 Section 16(g)(1) of the *Food and Nutrition Act of*
12 *2008* (7 U.S.C. 2025(g)(1)) is amended—

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

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

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

18 “(G) would be accessible by the Secretary
19 for inspection and audit under section
20 11(a)(3)(B); and”.

21 (b) *QUALITY CONTROL SYSTEM.*—Section 16(c)(1) of
22 the *Food and Nutrition Act of 2008* (7 U.S.C. 2025(c)(1))
23 is amended by striking subparagraph (B) and inserting the
24 following:

1 “(B) *QUALITY CONTROL SYSTEM INTEG-*
2 *RITY.—*

3 “(i) *IN GENERAL.—Not later than 180*
4 *days after the date of enactment of the Agri-*
5 *culture Improvement Act of 2018, the Sec-*
6 *retary shall issue interim final regulations*
7 *that—*

8 “(I) *ensure that the quality con-*
9 *trol system established under this sub-*
10 *section produces valid statistical re-*
11 *sults;*

12 “(II) *provide for oversight of con-*
13 *tracts entered into by a State agency*
14 *for the purpose of improving payment*
15 *accuracy;*

16 “(III) *ensure the accuracy of data*
17 *collected under the quality control sys-*
18 *tem established under this subsection;*
19 *and*

20 “(IV) *to the maximum extent*
21 *practicable, for each fiscal year, evalu-*
22 *ate the integrity of the quality control*
23 *process of not fewer than 2 State agen-*
24 *cies, selected in accordance with cri-*
25 *teria determined by the Secretary.*

1 “(i) *DEBARMENT.*—*In accordance*
2 *with the nonprocurement debarment proce-*
3 *dures under part 417 of title 2, Code of*
4 *Federal Regulations (or successor regula-*
5 *tions), the Secretary shall bar any person*
6 *that, in carrying out the quality control*
7 *system established under this subsection,*
8 *knowingly submits, or causes to be sub-*
9 *mitted, false information to the Secretary.”.*

10 (c) *ELIMINATION OF STATE BONUSES FOR ERROR*
11 *RATES.*—

12 (1) *IN GENERAL.*—*Section 16(d) of the Food and*
13 *Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amend-*
14 *ed—*

15 (A) *by striking the subsection heading and*
16 *inserting “STATE PERFORMANCE INDICATORS*
17 *AND BONUSES.—”; and*

18 (B) *in paragraph (2)—*

19 (i) *in subparagraph (A)(ii), by strik-*
20 *ing “subparagraph (B)(ii)” and inserting*
21 *“clauses (ii) and (iii) of subparagraph*
22 *(B)”;* and

23 (ii) *in subparagraph (B)—*

24 (I) *in the matter preceding clause*

25 (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 (i), by striking
10 “(i) subject to paragraph (3),” and
11 inserting the following:

12 “(ii) *PERFORMANCE BONUSES FOR FIS-*
13 *CAL YEARS 2005 THROUGH 2017.*—With re-
14 spect to each of fiscal years 2005 through
15 2017, subject to paragraph (3), the Sec-
16 retary shall”; and

17 (III) by adding at the end the fol-
18 lowing:

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 year
23 thereafter, subject to subclause (II) and
24 paragraph (3), the Secretary shall
25 award performance bonus payments in

1 *the following fiscal year, in a total*
2 *amount of \$6,000,000 for each fiscal*
3 *year, to State agencies that meet*
4 *standards for high or most improved*
5 *performance established by the Sec-*
6 *retary under subparagraph (A)(ii) for*
7 *the measure of application processing*
8 *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 16(i)(1)*
18 *of the Food and Nutrition Act of 2008 (7 U.S.C.*
19 *2025(i)(1)) is amended by striking “(as defined in*
20 *subsection (d)(1))”.*

1 **SEC. 4111. 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 2008*
6 *(7 U.S.C. 2025(g)(1)) (as amended by section 4110(a)(2))*
7 *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 subpara-*
22 *graph (A) (as so designated), by striking “implemen-*
23 *tation, including through pilot projects in limited*
24 *areas for major systems changes as determined under*
25 *rules promulgated by the Secretary, data from which”*

1 *and inserting the following: “implementation, includ-*
2 *ing 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 data*
18 *processing and information retrieval systems*
19 *that the Secretary determines may continue to be*
20 *operated in accordance with clauses (i) through*
21 *(vii) of subparagraph (A).”.*

22 **SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.**

23 *Section 18(a)(1) of the Food and Nutrition Act of 2008*
24 *(7 U.S.C. 2027(a)(1)) is amended in the first sentence by*
25 *striking “2018” and inserting “2023”.*

1 **SEC. 4113. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.**

2 *Section 25(b)(2) of the Food and Nutrition Act of 2008*
3 *(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. 4114. 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 subpara-*
19 *graph (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 that
3 measures and evaluates the projects; and”;
4 and

5 (B) by striking subparagraph (C);

6 (2) in paragraph (3)(B), in the matter preceding
7 clause (i), by inserting “, the Director of the National
8 Institute of Food and Agriculture,” before “and out-
9 side stakeholders”;

10 (3) in paragraph (5), by inserting “the expanded
11 food and nutrition education program or” before
12 “other health promotion”; and

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

14 “(6) REPORT.—The State agency shall submit to
15 the Secretary an annual evaluation report in accord-
16 ance with regulations issued by the Secretary.”.

17 **SEC. 4115. EMERGENCY FOOD ASSISTANCE PROGRAM.**

18 (a) STATE PLAN.—Section 202A(b) of the Emergency
19 Food Assistance Act of 1983 (7 U.S.C. 7503(b)) is amend-
20 ed—

21 (1) in paragraph (3), by striking “and” after the
22 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 partner-
3 ship with 1 or more emergency feeding organizations
4 located in the State to harvest, process, and package
5 donated commodities received under section 203D(d);
6 and

7 “(6) describe a plan, which may include the use
8 of a State advisory board established under subsection
9 (c), that provides emergency feeding organizations or
10 eligible recipient agencies within the State an oppor-
11 tunity to provide input on the commodity preferences
12 and needs of the emergency feeding organization or el-
13 igible 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 PACKAGE*
19 *DONATED COMMODITIES.*—

20 “(1) *DEFINITION OF PROJECT.*—*In this sub-*
21 *section, the term ‘project’ means the harvesting, proc-*
22 *essing, or packaging of unharvested, unprocessed, or*
23 *unpacked commodities donated by agricultural pro-*
24 *ducers, processors, or distributors for use by emer-*
25 *gency feeding organizations under subsection (a).*

1 “(2) *FEDERAL FUNDING FOR PROJECTS.*—

2 “(A) *IN GENERAL.*—Subject to subpara-
3 graphs (B) and (C) and paragraph (3), using
4 funds made available under paragraph (5), the
5 Secretary may provide funding to States to pay
6 for the costs of carrying out a project.

7 “(B) *FEDERAL SHARE.*—The Federal share
8 of the cost of a project under subparagraph (A)
9 shall not exceed 50 percent of the total cost of the
10 project.

11 “(C) *ALLOCATION.*—

12 “(i) *IN GENERAL.*—Each fiscal year,
13 the Secretary shall allocate to States that
14 have submitted under section 202A(b)(5) a
15 State plan describing a plan of operation
16 for a project the funds made available under
17 subparagraph (A) based on a formula deter-
18 mined by the Secretary.

19 “(ii) *REALLOCATION.*—If the Secretary
20 determines that a State will not expend all
21 of the funds allocated to the State for a fis-
22 cal year under clause (i), the Secretary
23 shall reallocate the unexpended funds to
24 other States that have submitted under sec-
25 tion 202A(b)(5) a State plan describing a

1 *plan of operation for a project during that*
2 *fiscal year or the subsequent fiscal year, as*
3 *the Secretary determines appropriate.*

4 *“(iii) REPORTS.—Each State to which*
5 *funds are allocated for a fiscal year under*
6 *this subparagraph shall, on a regular basis,*
7 *submit to the Secretary financial reports*
8 *describing the use of the funds.*

9 *“(3) PROJECT PURPOSES.—A State may only*
10 *use Federal funds received under paragraph (2) for a*
11 *project the purposes of which are—*

12 *“(A) to reduce food waste at the agricul-*
13 *tural production, processing, or distribution level*
14 *through the donation of food;*

15 *“(B) to provide food to individuals in need;*
16 *and*

17 *“(C) to build relationships between agricul-*
18 *tural producers, processors, and distributors and*
19 *emergency feeding organizations through the do-*
20 *nation of food.*

21 *“(4) COOPERATIVE AGREEMENTS.—The Sec-*
22 *retary may encourage a State agency that carries out*
23 *a project using Federal funds received under para-*
24 *graph (2) to enter into cooperative agreements with*
25 *State agencies of other States under section 203B(d)*

1 *to maximize the use of commodities donated under the*
2 *project.*

3 “(5) *FUNDING.*—*Out of funds not otherwise ap-*
4 *propriated, the Secretary of the Treasury shall trans-*
5 *fer to the Secretary to carry out this subsection*
6 *\$4,000,000 for each of fiscal years 2019 through 2023,*
7 *to remain available until the end of the subsequent*
8 *fiscal year.”.*

9 (c) *FOOD WASTE.*—*Section 203D of the Emergency*
10 *Food Assistance Act of 1983 (7 U.S.C. 7507) (as amended*
11 *by subsection (b)) is amended by adding at the end the fol-*
12 *lowing:*

13 “(e) *FOOD WASTE.*—*The Secretary shall issue guid-*
14 *ance outlining best practices to minimize the food waste of*
15 *the commodities donated under subsection (a).”.*

16 (d) *EMERGENCY FOOD PROGRAM INFRASTRUCTURE*
17 *GRANTS.*—*Section 209(d) of the Emergency Food Assist-*
18 *ance Act of 1983 (7 U.S.C. 7511a(d)) is amended by strik-*
19 *ing “2018” and inserting “2023”.*

20 (e) *AVAILABILITY OF COMMODITIES FOR THE EMER-*
21 *GENCY FOOD ASSISTANCE PROGRAM.*—*Section 27(a) of the*
22 *Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is*
23 *amended—*

24 (1) *in paragraph (1), by striking “2018” and in-*
25 *serting “2023”; and*

- 1 (2) *in paragraph (2)*—
- 2 (A) *in subparagraph (C), by striking*
- 3 “2018” *and inserting “2023”;*
- 4 (B) *in subparagraph (D)*—
- 5 (i) *in the matter preceding clause (i),*
- 6 *by striking “2018” and inserting “2023”;*
- 7 (ii) *in clause (iii), by striking “and”*
- 8 *after the semicolon;*
- 9 (iii) *in clause (iv), by striking “and”*
- 10 *after the semicolon;*
- 11 (iv) *by adding at the end the following:*
- 12 “*(v) for fiscal year 2019, \$23,000,000;*
- 13 “*(vi) for fiscal year 2020, \$35,000,000;*
- 14 “*(vii) for fiscal year 2021,*
- 15 “*\$35,000,000;*
- 16 “*(viii) for fiscal year 2022,*
- 17 “*\$35,000,000; and*
- 18 “*(ix) for fiscal year 2023, \$35,000,000;*
- 19 “*and”; and*
- 20 (C) *in subparagraph (E)*—
- 21 (i) *by striking “2019” and inserting*
- 22 “2024”;
- 23 (ii) *by striking “(D)(iv)” and insert-*
- 24 *ing “(D)(ix)”;* *and*

1 (iii) by striking “June 30, 2017” and
2 inserting “June 30, 2023”.

3 **SEC. 4116. TECHNICAL AND CONFORMING AMENDMENTS.**

4 (a) Section 3 of the Food and Nutrition Act of 2008
5 (7 U.S.C. 2012) is amended—

6 (1) in subsection (d), by striking “7(i)” and in-
7 serting “7(h)”;

8 (2) in subsection (i), by striking “7(i)” and in-
9 serting “7(h)”;

10 (3) in subsection (o)(1)(A), by striking “(r)(1)”
11 and inserting “(q)(1)”.

12 (b) Section 5(a) of the Food and Nutrition Act of 2008
13 (7 U.S.C. 2014(a)) is amended by striking “3(n)(4)” each
14 place it appears and inserting “3(m)(4)”.

15 (c) Section 8 of the Food and Nutrition Act of 2008
16 (7 U.S.C. 2017) is amended—

17 (1) in subsection (e)(1), by striking “3(n)(5)”
18 and inserting “3(m)(5)”;

19 (2) in subsection (f)(1)(A), by striking “3(n)(5)”
20 and inserting “3(m)(5)”.

21 (d) Section 9(c) of the Food and Nutrition Act of 2008
22 (7 U.S.C. 2018(c)) is amended in the third sentence by
23 striking “to any used by” and inserting “to, and used by”.

24 (e) Section 10 of the Food and Nutrition Act of 2008
25 (7 U.S.C. 2019) is amended in the first sentence—

1 (1) by striking “or the Federal Savings and
2 *Loan Insurance Corporation*” each place it appears;
3 and

4 (2) by striking “3(p)(4)” and inserting
5 “3(o)(4)”.

6 (f) Section 11 of the *Food and Nutrition Act of 2008*
7 (*7 U.S.C. 2020*) is amended—

8 (1) by striking “3(t)(1)” each place it appears
9 and inserting “3(s)(1)”; and

10 (2) by striking “3(t)(2)” each place it appears
11 and inserting “3(s)(2)”.

12 (g) Section 18(e) of the *Food and Nutrition Act of 2008*
13 (*7 U.S.C. 2027(e)*) is amended in the first sentence by strik-
14 ing “7(f)” and inserting “7(e)”.

15 (h) Section 25(a)(1)(B)(i)(I) of the *Food and Nutri-*
16 *tion Act of 2008* (*7 U.S.C. 2034(a)(1)(B)(i)(I)*) is amended
17 by striking “service;” and inserting “service;”.

18 ***Subtitle B—Commodity Distribution***
19 ***Programs***

20 ***SEC. 4201. COMMODITY DISTRIBUTION PROGRAM.***

21 Section 4(a) of the *Agriculture and Consumer Protec-*
22 *tion Act of 1973* (*7 U.S.C. 612c note; Public Law 93–86*)
23 is amended in the first sentence by striking “2018” and
24 inserting “2023”.

1 **SEC. 4202. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

2 *Section 5 of the Agriculture and Consumer Protection*
3 *Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is*
4 *amended—*

5 *(1) in subsection (a)—*

6 *(A) in paragraph (1), by striking “2018”*
7 *and inserting “2023”; and*

8 *(B) in paragraph (2)(B), in the matter pre-*
9 *ceding clause (i), by striking “2018” and insert-*
10 *ing “2023”;*

11 *(2) in subsection (d)(2), in the first sentence, by*
12 *striking “2018” and inserting “2023”; and*

13 *(3) in subsection (g)—*

14 *(A) by striking “Except” and inserting the*
15 *following:*

16 *“(1) IN GENERAL.—Except”; and*

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

18 *“(2) CERTIFICATION.—*

19 *“(A) DEFINITION OF CERTIFICATION PE-*
20 *RIOD.—In this paragraph, the term ‘certification*
21 *period’ means the period during which a partici-*
22 *part in the commodity supplemental food pro-*
23 *gram in a State may continue to receive benefits*
24 *under the commodity supplemental food program*
25 *without a formal review of the eligibility of the*
26 *participant.*

1 “(B) *MINIMUM CERTIFICATION PERIOD.*—
2 *Subject to subparagraphs (C) and (D), a State*
3 *shall establish for the commodity supplemental*
4 *food program of the State a certification period*
5 *of—*

6 “(i) *not less than 1 year; but*

7 “(ii) *not more than 3 years.*

8 “(C) *TEMPORARY CERTIFICATION.*—*An eli-*
9 *gible individual in the commodity supplemental*
10 *food program in a State may be provided with*
11 *a temporary monthly certification to fill any*
12 *caseload slot resulting from nonparticipation by*
13 *other certified participants.*

14 “(D) *APPROVALS.*—*A certification period of*
15 *more than 1 year established by a State under*
16 *subparagraph (B) shall be subject to the ap-*
17 *proval of the Secretary, who shall approve such*
18 *a certification period on the condition that, with*
19 *respect to each participant receiving benefits*
20 *under the commodity supplemental food program*
21 *of the State, the local agency in the State admin-*
22 *istering the commodity supplemental food pro-*
23 *gram, on an annual basis during the certifi-*
24 *cation period applicable to the participant—*

1 “(i) verifies the address and continued
2 interest of the participant; and

3 “(ii) has sufficient reason to determine
4 that the participant still meets the income
5 eligibility standards under paragraph (1),
6 which may include a determination that the
7 participant has a fixed income.”.

8 **SEC. 4203. DISTRIBUTION OF SURPLUS COMMODITIES; SPE-**
9 **CIAL NUTRITION PROJECTS.**

10 Section 1114(a)(2)(A) of the Agriculture and Food Act
11 of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended in the first
12 sentence by striking “2018” and inserting “2023”.

13 ***Subtitle C—Miscellaneous***

14 **SEC. 4301. PURCHASE OF SPECIALTY CROPS.**

15 Section 10603(b) of the Farm Security and Rural In-
16 vestment Act of 2002 (7 U.S.C. 612c-4(b)) is amended by
17 striking “2018” and inserting “2023”.

18 **SEC. 4302. SENIORS FARMERS’ MARKET NUTRITION PRO-**
19 **GRAM.**

20 Section 4402(a) of the Farm Security and Rural In-
21 vestment Act of 2002 (7 U.S.C. 3007(a)) is amended by
22 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 (B)*
2 *and (C) as subparagraphs (C) and (D), re-*
3 *spectively;*

4 *(ii) by inserting after subparagraph*
5 *(A) the following:*

6 “(B) *PARTNERS AND COLLABORATORS.—An*
7 *eligible entity that receives a grant under this*
8 *subsection may partner with, or make subgrants*
9 *to, public, private, nonprofit, or for-profit enti-*
10 *ties, 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 (in-
20 cluding the Indian Health Service) or other
21 Federal benefit to satisfy all or part of the
22 non-Federal share described in clause (i), if
23 such use is otherwise consistent with the
24 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 over*
3 *1 year, would measure the purchase of*
4 *fruits and vegetables by low-income*
5 *consumers participating in the supple-*
6 *mental nutrition assistance program;”;*
7 *(cc) in subclause (IV), by*
8 *striking “and” at the end; and*
9 *(dd) by striking subclause*
10 *(V) and inserting the following:*
11 *“(V) has adequate plans to collect*
12 *data for reporting and agrees to pro-*
13 *vide that information for the report de-*
14 *scribed in paragraph (5); and*
15 *“(VI) would share information*
16 *with the Training and Technical As-*
17 *sistance Centers and the Information*
18 *and Evaluation Centers (as those terms*
19 *are defined in paragraph (4)) for the*
20 *purposes described in that para-*
21 *graph.”; and*
22 *(ii) in subparagraph (B)—*
23 *(I) by striking clause (v);*
24 *(II) by redesignating clause (vi)*
25 *as clause (x); and*

1 (III) by inserting after clause (iv)
2 the following:

3 “(v) include a program design—

4 “(I) that provides incentives when
5 fruits or vegetables are purchased using
6 supplemental nutrition assistance pro-
7 gram benefits; and

8 “(II) in which the incentives
9 earned may be used only to purchase
10 fruits or vegetables;

11 “(vi) have demonstrated the ability to
12 provide services to underserved commu-
13 nities;

14 “(vii) include coordination with mul-
15 tiple stakeholders, such as farm organiza-
16 tions, nutrition education programs, cooper-
17 ative extension services, public health de-
18 partments, health providers, private and
19 public health insurance agencies, coopera-
20 tive grocers, grocery associations, and com-
21 munity-based and nongovernmental organi-
22 zations;

23 “(viii) offer supplemental services in
24 high-need communities, including online or-

1 *dering, transportation between home and*
 2 *store, and delivery services;*

3 *“(ix) include food retailers that are*
 4 *open—*

5 *“(I) for extended hours; and*

6 *“(II) most or all days of the year;*
 7 *or”;* and

8 *(C) by striking paragraph (4) and inserting*
 9 *the following:*

10 *“(4) TRAINING AND TECHNICAL ASSISTANCE CEN-*
 11 *TERS; INFORMATION AND EVALUATION CENTERS.—*

12 *“(A) DEFINITIONS.—In this paragraph:*

13 *“(i) INFORMATION AND EVALUATION*
 14 *CENTER.—The term ‘Information and Eval-*
 15 *uation Center’ means any of the informa-*
 16 *tion and evaluation centers established*
 17 *under subparagraph (B)(i)(II).*

18 *“(ii) TRAINING AND TECHNICAL AS-*
 19 *SISTANCE CENTER.—The term ‘Training*
 20 *and Technical Assistance Center’ means*
 21 *any of the training and technical assistance*
 22 *centers established under subparagraph*
 23 *(B)(i)(I).*

24 *“(B) ESTABLISHMENT.—*

1 “(i) *IN GENERAL.*—*To provide services*
2 *to eligible entities applying for or receiving*
3 *a grant under this subsection or to partners*
4 *or collaborators applying for or receiving a*
5 *subgrant under paragraph (1)(B), the Sec-*
6 *retary shall establish, in accordance with*
7 *clause (ii)—*

8 “(I) *1 or more training and tech-*
9 *nical centers, each of which shall be*
10 *known as a ‘Food Insecurity Nutrition*
11 *Incentive Program Training and Tech-*
12 *nical Assistance Center’; and*

13 “(II) *1 or more information and*
14 *evaluation centers, each of which shall*
15 *be known as a ‘Food Insecurity Nutri-*
16 *tion Incentive Program Information*
17 *and Evaluation Center’.*

18 “(ii) *CRITERIA.*—

19 “(I) *IN GENERAL.*—*The Secretary*
20 *shall establish the Training and Tech-*
21 *nical Assistance Centers and the Infor-*
22 *mation and Evaluation Centers under*
23 *clause (i) by designating as a Training*
24 *and Technical Assistance Center or an*
25 *Information or Evaluation Center, as*

1 applicable, 1 or more entities that meet
2 the criteria described in subclause (II)
3 or (III), as applicable.

4 “(II) TRAINING AND TECHNICAL
5 ASSISTANCE CENTERS.—To be eligible
6 to be designated as a Training and
7 Technical Assistance Center—

8 “(aa) an entity shall—

9 “(AA) have the capacity
10 to effectively implement and
11 track outreach, training, and
12 coordination functions;

13 “(BB) be able to
14 produce instructional mate-
15 rials that can easily be rep-
16 licated and distributed
17 through multiple formats;

18 “(CC) have working re-
19 lationships with nonprofit
20 and private organizations,
21 State and local governments,
22 and tribal organizations (as
23 defined in section 4 of the In-
24 dian Self-Determination and

1 *Education Assistance Act (25*
2 *U.S.C. 5304));*

3 *“(DD) have the ability*
4 *to work in underserved or*
5 *rural communities; and*

6 *“(EE) have an organi-*
7 *zational mission aligned*
8 *with the needs of eligible en-*
9 *tities receiving grants under*
10 *this subsection; or*

11 *“(bb) for purposes of car-*
12 *rying out subclauses (VII) and*
13 *(VIII) of subparagraph (C)(i), an*
14 *entity shall—*

15 *“(AA) have experience*
16 *developing or supporting the*
17 *development of point of sale*
18 *technology; and*

19 *“(BB) meet any other*
20 *criteria, as determined by the*
21 *Secretary, to effectively carry*
22 *out subclauses (VII) and*
23 *(VIII) of subparagraph*
24 *(C)(i).*

1 “(III) *INFORMATION AND EVALUA-*
2 *TION CENTERS.*—*To be eligible to be*
3 *designated as an Information and*
4 *Evaluation Center, an entity shall—*

5 “(aa) *have experience design-*
6 *ing, creating, and maintaining*
7 *an online, publicly searchable re-*
8 *porting and informational clear-*
9 *inghouse; and*

10 “(bb) *be able to conduct sys-*
11 *tematic analysis of the impacts*
12 *and outcomes of projects using a*
13 *grant under this subsection.*

14 “(C) *SERVICES.*—

15 “(i) *TRAINING AND TECHNICAL ASSIST-*
16 *ANCE CENTERS.*—*The Training and Tech-*
17 *nical Assistance Centers shall provide serv-*
18 *ices that include—*

19 “(I) *assisting eligible entities ap-*
20 *plying for a grant or partners or col-*
21 *laborators applying for a subgrant*
22 *under this subsection in—*

23 “(aa) *assessing the food sys-*
24 *tem in the geographical area of*
25 *the eligible entity; and*

1 “(bb) *designing a proposed*
2 *project;*

3 “(II) *collecting and providing to*
4 *eligible entities applying for or receiv-*
5 *ing a grant or to partners or collabo-*
6 *rators applying for or receiving a*
7 *subgrant under this subsection infor-*
8 *mation on best practices from existing*
9 *projects, including best practices re-*
10 *garding communications, signage,*
11 *record-keeping, incentive instruments,*
12 *integration with point of sale systems,*
13 *and reporting;*

14 “(III) *disseminating information*
15 *and facilitating communication among*
16 *eligible entities receiving a grant or*
17 *partners or collaborators receiving a*
18 *subgrant under this subsection;*

19 “(IV)(aa) *identifying common*
20 *challenges faced by eligible entities re-*
21 *ceiving a grant or partners or collabo-*
22 *rators receiving a subgrant under this*
23 *subsection; and*

24 “(bb) *coordinating the work to-*
25 *wards solutions to those challenges;*

1 “(V) communicating with farms,
2 direct to consumer markets, and gro-
3 cery organizations to share informa-
4 tion and partner on projects using a
5 grant or subgrant under this sub-
6 section;

7 “(VI) assisting with collaboration
8 among eligible entities receiving a
9 grant or partners or collaborators re-
10 ceiving a subgrant under this sub-
11 section, State agencies, and the Food
12 and Nutrition Service;

13 “(VII) identifying and providing
14 to eligible entities applying for or re-
15 ceiving a grant or partners or collabo-
16 rators applying for or receiving a
17 subgrant under this subsection infor-
18 mation on point of sale technology that
19 could reduce cost and increase effi-
20 ciency of supplemental nutrition as-
21 sistance program and incentive trans-
22 action processing at participating au-
23 thorized retailers;

1 “(VIII) supporting the develop-
2 ment of the technology described in
3 clause (VII); and

4 “(IX) other services identified by
5 the Secretary.

6 “(ii) INFORMATION AND EVALUATION
7 CENTERS.—The Information and Evalua-
8 tion Centers shall provide services that in-
9 clude—

10 “(I) using standard metrics based
11 on outcome measures used for existing
12 projects, and in collaboration with the
13 Director of the National Institute of
14 Food and Agriculture and the Admin-
15 istrator of the Food and Nutrition
16 Service, creating a system to collect
17 and compile core data sets from eligible
18 entities receiving a grant and partners
19 or collaborators receiving a subgrant,
20 as appropriate, under this subsection;

21 “(II) beginning with fiscal year
22 2020, preparing an annual report with
23 summary data and an evaluation of
24 each project receiving a grant under
25 this subsection during the fiscal year

1 *preceding the report, that includes the*
2 *amount of grant funds used for the*
3 *project and the measurement of the*
4 *outcomes of the project, for submission*
5 *to the Secretary; and*

6 *“(III) other services identified by*
7 *the Secretary.*

8 *“(D) GRANTS AND COOPERATIVE AGREE-*
9 *MENTS.—In carrying out this paragraph, the*
10 *Secretary, on a competitive basis, shall make*
11 *grants to, or enter into cooperative agreements*
12 *with—*

13 *“(i) State cooperative extension serv-*
14 *ices;*

15 *“(ii) nongovernmental organizations;*

16 *“(iii) Federal, State, or tribal agencies;*

17 *“(iv) 2-year and 4-year degree-grant-*
18 *ing institutions of higher education (as de-*
19 *defined in section 101(a) of the Higher Edu-*
20 *cation Act of 1965 (20 U.S.C. 1001(a)))*
21 *and land-grant colleges and universities (as*
22 *defined in section 1404 of the National Ag-*
23 *ricultural Research, Extension, and Teach-*
24 *ing Policy Act of 1977 (7 U.S.C. 3103));*
25 *and*

1 “(v) other appropriate partners, as de-
2 termined by the Secretary.

3 “(5) ANNUAL EVALUATION AND REPORT.—

4 “(A) IN GENERAL.—Annually beginning
5 with fiscal year 2020, the Secretary shall con-
6 duct, and submit to Congress an evaluation of
7 each project receiving a grant under this sub-
8 section, including—

9 “(i) the results of the project;

10 “(ii) the amount of grant funds used
11 for the project; and

12 “(iii) a measurement of the outcomes
13 of the project.

14 “(B) REQUIREMENT.—The evaluation con-
15 ducted under subparagraph (A) shall be based on
16 uniform data provided by eligible entities receiv-
17 ing a grant under this subsection.

18 “(C) PUBLIC AVAILABILITY.—The Secretary
19 shall make the evaluation conducted under sub-
20 paragraph (A), including the data provided by
21 eligible entities under subparagraph (B), pub-
22 licly available online in an anonymized format
23 that protects confidential, personal, or other sen-
24 sitive data.

1 “(D) *REPORTING MECHANISM.*—The Sec-
2 retary shall, to the maximum extent practicable,
3 include eligible entities receiving a grant under
4 this subsection, grocers, farmers, health profes-
5 sionals, researchers, and employees of the De-
6 partment of Agriculture with direct experience
7 with implementation of the supplemental nutri-
8 tion assistance program in the design of—

9 “(i) the instrument through which data
10 will be collected from eligible entities under
11 subparagraph (B); and

12 “(ii) the mechanism for reporting by
13 eligible entities.”; and

14 (4) in subsection (c), by striking paragraph (2)
15 and inserting the following:

16 “(2) *MANDATORY FUNDING.*—Of the funds of the
17 Commodity Credit Corporation, the Secretary shall
18 use to carry out subsection (b) \$50,000,000 for fiscal
19 year 2019 and each fiscal year thereafter.

20 “(3) *COSTS.*—Of the funds made available under
21 paragraph (2) for a fiscal year, the Secretary shall
22 allocate not more than 15 percent—

23 “(A) to carry out paragraphs (4) and (5) of
24 subsection (b); and

1 “(B) to pay for the administrative costs of
2 carrying out this section.”.

3 **SEC. 4304. HARVESTING HEALTH PILOT PROJECTS.**

4 (a) *DEFINITIONS.*—*In this section:*

5 (1) *ELIGIBLE ENTITY.*—*The term “eligible enti-*
6 *ty” means—*

7 (A) *a nonprofit organization; or*

8 (B) *a State or unit of local government.*

9 (2) *HEALTHCARE PARTNER.*—*The term*
10 *“healthcare partner” means a healthcare provider, in-*
11 *cluding—*

12 (A) *a hospital;*

13 (B) *a Federally-qualified health center (as*
14 *defined in section 1905(l) of the Social Security*
15 *Act (42 U.S.C. 1396d(l));*

16 (C) *a hospital or clinic operated by the Sec-*
17 *retary of Veterans Affairs; or*

18 (D) *a health care provider group.*

19 (3) *MEMBER.*—

20 (A) *IN GENERAL.*—*The term “member”*
21 *means, as determined by the applicable eligible*
22 *entity or healthcare partner carrying out a pilot*
23 *project in accordance with procedures established*
24 *by the Secretary—*

25 (i) *an individual eligible for—*

1 (I) *benefits under the Food and*
2 *Nutrition Act of 2008 (7 U.S.C. 2011*
3 *et seq.); or*

4 (II) *medical assistance under a*
5 *State plan or a waiver of such a plan*
6 *under title XIX of the Social Security*
7 *Act (42 U.S.C. 1396 et seq.) and en-*
8 *rolled under such plan or waiver; and*

9 (ii) *a member of a low-income house-*
10 *hold that suffers from, or is at risk of devel-*
11 *oping, a diet-related health condition.*

12 (B) *SCOPE OF ELIGIBILITY DETERMINA-*
13 *TIONS.—A determination by an eligible entity or*
14 *healthcare partner that an individual is a mem-*
15 *ber for purposes of subparagraph (A) shall not—*

16 (i) *constitute a determination that the*
17 *individual is eligible for benefits or assist-*
18 *ance under title XIX of the Social Security*
19 *Act (42 U.S.C. 1396 et seq.) or the Food*
20 *and Nutrition Act of 2008 (7 U.S.C. 2011*
21 *et seq.), as applicable; or*

22 (ii) *be a factor in determining whether*
23 *the individual is eligible for such benefits or*
24 *assistance.*

1 (4) *PILOT PROJECT.*—*The term “pilot project”*
2 *means a pilot project that is awarded a grant under*
3 *subsection (b)(1).*

4 (5) *PRODUCE PRESCRIPTION PROGRAM.*—*The*
5 *term “produce prescription program” means a pro-*
6 *gram that—*

7 (A) *prescribes fresh fruits and vegetables to*
8 *members;*

9 (B) *may provide—*

10 (i) *financial or non-financial incen-*
11 *tives for members to purchase or procure*
12 *fresh fruits and vegetables; and*

13 (ii) *educational resources on nutrition*
14 *to members; and*

15 (C) *may establish additional accessible loca-*
16 *tions for members to procure fresh fruits and*
17 *vegetables.*

18 (b) *GRANT PROGRAM.*—

19 (1) *ESTABLISHMENT.*—

20 (A) *IN GENERAL.*—*The Secretary shall es-*
21 *tablish a grant program under which the Sec-*
22 *retary shall award grants to eligible entities to*
23 *conduct pilot projects that demonstrate and*
24 *evaluate the impact of a produce prescription*
25 *program on—*

1 (i) *the improvement of dietary health*
2 *through increased consumption of fruits and*
3 *vegetables;*

4 (ii) *the reduction of individual and*
5 *household food insecurity; and*

6 (iii) *the reduction in health care use*
7 *and associated costs.*

8 (B) *HEALTHCARE PARTNERS.*—*In carrying*
9 *out a pilot project using a grant received under*
10 *subparagraph (A), an eligible entity shall part-*
11 *ner with 1 or more healthcare partners.*

12 (C) *GRANT APPLICATIONS.*—

13 (i) *IN GENERAL.*—*To be eligible to re-*
14 *ceive a grant under subparagraph (A), an*
15 *eligible entity shall submit to the Secretary*
16 *an application containing such information*
17 *as the Secretary may require, including the*
18 *information described in clause (i).*

19 (ii) *APPLICATION.*—*An application*
20 *under clause (i) shall—*

21 (I) *identify the 1 or more*
22 *healthcare partners with which the eli-*
23 *gible entity is partnering under sub-*
24 *paragraph (B); and*

25 (II) *include—*

1 (aa) a description of the
2 methods by which an eligible enti-
3 ty shall—

4 (AA) screen and verify
5 eligibility for members for
6 participation in a produce
7 prescription program, in ac-
8 cordance with procedures es-
9 tablished under subsection
10 (a)(3)(A);

11 (BB) implement an ef-
12 fective produce prescription
13 program, including the role
14 of each healthcare partner in
15 implementing the produce
16 prescription program;

17 (CC) evaluate members
18 participating in a produce
19 prescription program with
20 respect to the issues described
21 in clauses (i) through (iii) of
22 subparagraph (A);

23 (DD) provide edu-
24 cational opportunities relat-
25 ing to nutrition to members

1 *participating in a produce*
2 *prescription program; and*
3 *(EE) inform members of*
4 *the availability of the*
5 *produce prescription pilot*
6 *project;*

7 *(bb) a description of any ad-*
8 *ditional nonprofit or emergency*
9 *feeding organizations that shall be*
10 *involved in the pilot project and*
11 *the role of each additional non-*
12 *profit or emergency feeding orga-*
13 *nization in implementing and*
14 *evaluating an effective produce*
15 *prescription program;*

16 *(cc) documentation of a part-*
17 *nership agreement with a relevant*
18 *State Medicaid agency or other*
19 *appropriate entity, as determined*
20 *by the Secretary, to evaluate the*
21 *effectiveness of a produce prescrip-*
22 *tion program in reducing health*
23 *care use and associated costs; and*

24 *(dd) any other data nec-*
25 *essary to analyze the impact of a*

1 produce prescription program, as
2 determined by the Secretary.

3 (2) *COORDINATION.*—*In carrying out the grant*
4 *program established under paragraph (1), the Sec-*
5 *retary shall coordinate with the Secretary of Health*
6 *and Human Services and the heads of other appro-*
7 *prate Federal agencies that carry out activities relat-*
8 *ing to healthcare partners.*

9 (3) *PARTNERSHIPS.*—

10 (A) *IN GENERAL.*—*In carrying out the*
11 *grant program under paragraph (1), the Sec-*
12 *retary may enter into 1 or more memoranda of*
13 *understanding with a Federal agency, a State,*
14 *or a private partner to ensure the effective im-*
15 *plementation and evaluation of each pilot*
16 *project.*

17 (B) *MEMORANDUM OF UNDERSTANDING.*—*A*
18 *memorandum of understanding entered into*
19 *under subparagraph (A) shall include—*

20 (i) *a description of a plan to provide*
21 *educational opportunities relating to nutri-*
22 *tion to members participating in the*
23 *produce prescription program;*

24 (ii) *a description of the role of the Fed-*
25 *eral agency, State, or private partner, as*

1 *applicable, in implementing and evaluating*
2 *an effective produce prescription program;*

3 *(iii) documentation of a partnership*
4 *agreement with a relevant State Medicaid*
5 *agency or other appropriate entity, as de-*
6 *termined by the Secretary, to evaluate the*
7 *effectiveness of the produce prescription pro-*
8 *gram in reducing health care use and asso-*
9 *ciated costs; and*

10 *(iv) any other data necessary to ana-*
11 *lyze the impact of the produce prescription*
12 *program, as determined by the Secretary.*

13 *(c) FUNDING.—*

14 *(1) IN GENERAL.—Of the funds of the Com-*
15 *modity Credit Corporation, the Secretary shall use to*
16 *carry out this section \$4,000,000 for each of fiscal*
17 *years 2019 through 2023, to remain available until*
18 *expended.*

19 *(2) COSTS.—The Secretary may use not greater*
20 *than 10 percent of the amounts provided under para-*
21 *graph (1) to pay for the costs of administering, moni-*
22 *toring, 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 Consolidated
7 *Farm and Rural Development Act (7 U.S.C. 1922(b)) is*
8 *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 de-*
20 *termining whether a farmer or rancher has other ac-*
21 *ceptable 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 armed
7 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 require-
15 ments and day-to-day farm management deci-
16 sions; and

17 “(G) an established relationship with an in-
18 dividual participating as a counselor who has
19 experience in farming or ranching or is a retired
20 farmer or rancher in a Service Corps of Retired
21 Executives program authorized under section
22 8(b)(1)(B) of the Small Business Act (15 U.S.C.
23 637(b)(1)(B)), or with a local farm or ranch op-
24 erator or organization, approved by the Sec-

1 *the period at the end and inserting the following: “lesser*
2 *of—*

3 *“(1) the value of the farm or other security; and*

4 *“(2) in the case of—*

5 *“(A) a loan other than a loan guaranteed*
6 *by the Secretary, \$600,000 for each of fiscal*
7 *years 2019 through 2023; or*

8 *“(B) a loan guaranteed by the Secretary,*
9 *subject to subsection (c), \$1,750,000 for each of*
10 *fiscal years 2019 through 2023.”.*

11 ***Subtitle B—Operating Loans***

12 ***SEC. 5201. LIMITATIONS ON AMOUNT OF OPERATING*** 13 ***LOANS.***

14 *Section 313 of the Consolidated Farm and Rural De-*
15 *velopment Act (7 U.S.C. 1943) is amended in subsection*
16 *(a)(1), by striking “to exceed” and all that follows through*
17 *“Secretary);” and inserting the following: “to exceed, in the*
18 *case of—*

19 *“(A) a loan other than a loan guaranteed*
20 *by the Secretary, \$400,000 for each of fiscal*
21 *years 2019 through 2023; or*

22 *“(B) a loan guaranteed by the Secretary,*
23 *subject to subsection (c), \$1,750,000 for each of*
24 *fiscal years 2019 through 2023;”.*

1 **SEC. 5202. COOPERATIVE LENDING PILOT PROJECTS.**

2 *Section 313(c)(4)(A) of the Consolidated Farm and*
 3 *Rural Development Act (7 U.S.C. 1943(c)(4)(A)) is amend-*
 4 *ed by striking “2018” and inserting “2023”.*

5 **Subtitle C—Administrative**
 6 **Provisions**

7 **SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL**
 8 **DEVELOPMENT ACCOUNTS PILOT PROGRAM.**

9 *Section 333B(h) of the Consolidated Farm and Rural*
 10 *Development Act (7 U.S.C. 1983b(h)) is amended by strik-*
 11 *ing “2018” and inserting “2023”.*

12 **SEC. 5302. LOAN AUTHORIZATION LEVELS.**

13 *Section 346(b)(1) of the Consolidated Farm and Rural*
 14 *Development Act (7 U.S.C. 1994(b)(1)) is amended—*

15 *(1) in the matter preceding subparagraph (A),*
 16 *by striking “\$4,226,000,000 for each of fiscal years*
 17 *2008 through 2018” and inserting “\$12,000,000,000*
 18 *for each of fiscal years 2019 through 2023”; and*

19 *(2) by striking subparagraphs (A) and (B) and*
 20 *inserting the following:*

21 *“(A) \$4,000,000,000 shall be for direct*
 22 *loans, of which—*

23 *“(i) \$2,000,000,000 shall be for farm*
 24 *ownership loans under subtitle A; and*

25 *“(ii) \$2,000,000,000 shall be for oper-*
 26 *ating loans under subtitle B; and*

1 “(B) \$8,000,000,000 shall be for guaranteed
2 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 Farm
9 and Rural Development Act (7 U.S.C.
10 1994(b)(2)(A)(ii)(III)) is amended by striking “2018” and
11 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 Sec-
18 retary may provide a form of relief described in subsection
19 (c) to any farmer or rancher who—

20 “(1) received a direct farm ownership, operating,
21 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 fol-*
11 *lowing 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 (a)(2).*

16 “(2) *The farmer or rancher may receive such*
17 *other equitable relief as the Secretary determines to be*
18 *appropriate.*

19 “(d) *CONDITION.*—*As a condition of receiving relief*
20 *under this section, the Secretary may require the farmer*
21 *or rancher to take actions designed to remedy the non-*
22 *compliance.*

23 “(e) *ADMINISTRATIVE APPEAL; JUDICIAL REVIEW.*—
24 *A determination or action of the Secretary under this sec-*
25 *tion—*

1 “(1) shall be final; and

2 “(2) shall not be subject to administrative appeal
3 or judicial review under chapter 7 of title 5, United
4 States Code.”.

5 **SEC. 5305. SOCIALLY DISADVANTAGED FARMERS AND**
6 **RANCHERS; QUALIFIED BEGINNING FARMERS**
7 **AND RANCHERS.**

8 *The Consolidated Farm and Rural Development Act*
9 *is amended by inserting after section 366 (as added by sec-*
10 *tion 5304) the following:*

11 **“SEC. 367. SOCIALLY DISADVANTAGED FARMERS AND**
12 **RANCHERS; QUALIFIED BEGINNING FARMERS**
13 **AND RANCHERS.**

14 *“In the case of a loan guaranteed by the Secretary*
15 *under subtitle A or B to a socially disadvantaged farmer*
16 *or rancher (as defined in section 355(e)) or a qualified be-*
17 *ginning farmer or rancher, the Secretary shall—*

18 “(1) waive the guarantee fee of 1.5 percent; and

19 “(2) provide for a standard guarantee plan,
20 which shall cover an amount equal to 95 percent of
21 the outstanding principal of the loan.”.

22 **SEC. 5306. EMERGENCY LOAN ELIGIBILITY.**

23 *Section 373(b)(2)(B) of the Consolidated Farm and*
24 *Rural Development Act (7 U.S.C. 2008h(b)(2)(B)) is*
25 *amended—*

1 (1) by redesignating clauses (i) and (ii) as sub-
 2 clauses (I) and (II), respectively, and indenting ap-
 3 propriately;

4 (2) in the matter preceding subclause (I) (as so
 5 redesignated), by striking “The Secretary” and insert-
 6 ing the following:

7 “(i) IN GENERAL.—The Secretary”;
 8 and

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

10 “(ii) RESTRUCTURED LOANS.—For
 11 purposes of clause (i), a borrower who was
 12 restructured with a write-down or restruc-
 13 turing under section 353 shall not be con-
 14 sidered to have received debt forgiveness on
 15 a loan made or guaranteed under this
 16 title.”.

17 ***Subtitle D—Miscellaneous***

18 **SEC. 5401. STATE AGRICULTURAL MEDIATION PROGRAMS.**

19 (a) ISSUES COVERED BY STATE MEDIATION PRO-
 20 GRAMS.—Section 501(c) of the Agricultural Credit Act of
 21 1987 (7 U.S.C. 5101(c)) is amended—

22 (1) in paragraph (1)—

23 (A) in subparagraph (B)—

1 *(i) in the matter preceding clause (i),*
2 *by striking “under the jurisdiction of the*
3 *Department of Agriculture”;*

4 *(ii) in clause (ii), by inserting “and*
5 *the national organic program established*
6 *under the Organic Foods Production Act of*
7 *1990 (7 U.S.C. 6501 et seq.)” before the pe-*
8 *riod at the end; and*

9 *(iii) by striking clause (vii) and in-*
10 *serting the following:*

11 *“(vii) Lease issues, including land*
12 *leases and equipment leases.*

13 *“(viii) Family farm transition.*

14 *“(ix) Farmer-neighbor disputes.*

15 *“(x) Such other issues as the Secretary*
16 *or the head of the department of agriculture*
17 *of each participating State considers appro-*
18 *priate for better serving the agricultural*
19 *community and persons eligible for medi-*
20 *ation.”; and*

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

22 *“(C) MEDIATION SERVICES.—Funding pro-*
23 *vided for the mediation program of a qualifying*
24 *State may also be used to provide credit coun-*
25 *seling to persons described in paragraph (2)—*

1 “(i) prior to the initiation of any me-
2 diation involving the Department of Agri-
3 culture; or

4 “(ii) unrelated to any ongoing dispute
5 or mediation in which the Department of
6 Agriculture is a party.”;

7 (2) in paragraph (2)(A)—

8 (A) in clause (ii), by striking “and” after
9 the semicolon;

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) any other persons involved in an
14 issue described in any of clauses (i) through
15 (x) of paragraph (1)(B).”; and

16 (3) in paragraph (3)(F), by striking “that per-
17 sons” and inserting the following: “that—

18 “(i) the Department of Agriculture re-
19 ceives adequate notification of those issues;
20 and

21 “(ii) persons”.

22 (b) *REPORT REQUIRED.*—Section 505 of the Agricul-
23 tural Credit Act of 1987 (7 U.S.C. 5105) is amended to
24 read as follows:

1 **“SEC. 505. REPORT.**

2 *“Not later than 2 years after the date of enactment*
3 *of the Agriculture Improvement Act of 2018, the Secretary*
4 *shall submit to Congress a report describing—*

5 *“(1) the effectiveness of the State mediation pro-*
6 *grams receiving matching grants under this subtitle;*

7 *“(2) recommendations for improving the delivery*
8 *of mediation services to producers;*

9 *“(3) the steps being taken to ensure that State*
10 *mediation programs receive timely funding under this*
11 *subtitle; and*

12 *“(4) the savings to the States as a result of hav-*
13 *ing a mediation program.”.*

14 (c) *AUTHORIZATION OF APPROPRIATIONS.—Section*
15 *506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106)*
16 *is amended by striking “2018” and inserting “2023”.*

17 **SEC. 5402. SOCIALLY DISADVANTAGED FARMERS AND**
18 **RANCHERS.**

19 (a) *IN GENERAL.—Section 4.19 of the Farm Credit*
20 *Act of 1971 (12 U.S.C. 2207) is amended—*

21 *(1) by striking the section designation and head-*
22 *ing and inserting the following:*

1 **“SEC. 4.19. YOUNG, BEGINNING, SMALL, AND SOCIALLY DIS-**
2 **ADVANTAGED FARMERS AND RANCHERS.”;**
3 **and**

4 *(2) in subsection (a), in the first sentence, by*
5 *striking “ranchers.” and inserting “ranchers and so-*
6 *cially disadvantaged farmers or ranchers (as defined*
7 *in section 2501(e) of the Food, Agriculture, Conserva-*
8 *tion, and Trade Act of 1990 (7 U.S.C. 2279(e)).”.*

9 *(b) CONFORMING AMENDMENT.—Section 5.17(a)(3) of*
10 *the Farm Credit Act of 1971 (12 U.S.C. 2252(a)(3)) is*
11 *amended, in the second sentence, by striking “ranchers.”*
12 *and inserting “ranchers and socially disadvantaged farmers*
13 *or ranchers (as defined in section 2501(e) of the Food, Agri-*
14 *culture, Conservation, and Trade Act of 1990 (7 U.S.C.*
15 *2279(e)).”.*

16 **SEC. 5403. SHARING OF PRIVILEGED AND CONFIDENTIAL**
17 **INFORMATION.**

18 *Section 5.19 of the Farm Credit Act of 1971 (12 U.S.C.*
19 *2254) is amended by adding at the end the following:*

20 *“(e) SHARING OF PRIVILEGED AND CONFIDENTIAL IN-*
21 *FORMATION.—A System institution shall not be considered*
22 *to have waived the confidentiality of a privileged commu-*
23 *nication with an attorney or an accountant if the System*
24 *institution provides the content of the communication to the*
25 *Farm Credit Administration pursuant to the supervisory*

1 *or regulatory authorities of the Farm Credit Administra-*
2 *tion.”.*

3 **SEC. 5404. REMOVAL AND PROHIBITION AUTHORITY; IN-**
4 **DUSTRY-WIDE PROHIBITION.**

5 *Part C of title V of the Farm Credit Act of 1971 is*
6 *amended by inserting after section 5.29 (12 U.S.C. 2265)*
7 *the following:*

8 **“SEC. 5.29A. REMOVAL AND PROHIBITION AUTHORITY; IN-**
9 **DUSTRY-WIDE PROHIBITION.**

10 *“(a) DEFINITION OF PERSON.—In this section, the*
11 *term ‘person’ means—*

12 *“(1) an individual; and*

13 *“(2) in the case of a specific determination by*
14 *the Farm Credit Administration, a legal entity.*

15 *“(b) INDUSTRY-WIDE PROHIBITION.—Except as pro-*
16 *vided in subsection (c), any person who, pursuant to an*
17 *order issued under section 5.28 or 5.29, has been removed*
18 *or suspended from office at a System institution or prohib-*
19 *ited from participating in the conduct of the affairs of a*
20 *System institution shall not, during the period of effective-*
21 *ness of the order, continue or commence to hold any office*
22 *in, or participate in any manner in the conduct of the af-*
23 *fairs of—*

1 “(1) any insured depository institution subject to
2 section 8(e)(7)(A)(i) of the Federal Deposit Insurance
3 Act (12 U.S.C. 1818(e)(7)(A)(i));

4 “(2) any institution subject to section
5 8(e)(7)(A)(ii) of the Federal Deposit Insurance Act
6 (12 U.S.C. 1818(e)(7)(A)(ii));

7 “(3) any insured credit union under the Federal
8 Credit Union Act (12 U.S.C. 1751 et seq.);

9 “(4) any Federal home loan bank;

10 “(5) any institution chartered under this Act;

11 “(6) any appropriate Federal financial institu-
12 tions regulatory agency (as defined in section
13 8(e)(7)(D) of the Federal Deposit Insurance Act (12
14 U.S.C. 1818(e)(7)(D)));

15 “(7) the Federal Housing Finance Agency; or

16 “(8) the Farm Credit Administration.

17 “(c) EXCEPTION FOR INSTITUTION-AFFILIATED PARTY
18 THAT RECEIVES WRITTEN CONSENT.—

19 “(1) IN GENERAL.—

20 “(A) AFFILIATED PARTIES.—If, on or after
21 the date on which an order described in sub-
22 section (b) is issued that removes or suspends an
23 institution-affiliated party from office at a Sys-
24 tem institution or prohibits an institution-affili-
25 ated party from participating in the conduct of

1 *the affairs of a System institution, that party re-*
2 *ceives written consent described in subparagraph*
3 *(B), subsection (b) shall not apply to that*
4 *party—*

5 *“(i) to the extent provided in the writ-*
6 *ten consent received; and*

7 *“(ii) with respect to the institution de-*
8 *scribed in each written consent.*

9 *“(B) WRITTEN CONSENT DESCRIBED.—The*
10 *written consent referred to in subparagraph (A)*
11 *is written consent received from—*

12 *“(i) the Farm Credit Administration;*
13 *and*

14 *“(ii) each appropriate Federal finan-*
15 *cial institutions regulatory agency (as de-*
16 *finied in section 8(e)(7)(D) of the Federal*
17 *Deposit Insurance Act (12 U.S.C.*
18 *1818(e)(7)(D))) of the applicable institution*
19 *described in any of paragraphs (1), (2), (3),*
20 *or (4) of subsection (b) with respect to*
21 *which the party proposes to be become an*
22 *affiliated party.*

23 *“(2) DISCLOSURE.—Any agency described in*
24 *clause (i) or (ii) of paragraph (1)(B) that provides a*
25 *written consent under that paragraph shall—*

1 “(A) report the action to the Farm Credit
2 Administration; and

3 “(B) publicly disclose the action.

4 “(3) CONSULTATION BETWEEN AGENCIES.—The
5 agencies described in clauses (i) and (ii) of paragraph
6 (1)(B) shall consult with each other before providing
7 any written consent under that paragraph.

8 “(d) VIOLATIONS.—A violation of subsection (b) by
9 any person who is subject to an order described in that sub-
10 section shall be treated as violation of that order.”.

11 **SEC. 5405. JURISDICTION OVER INSTITUTION-AFFILIATED**
12 **PARTIES.**

13 Part C of title V of the Farm Credit Act of 1971 is
14 amended by inserting after section 5.31 (12 U.S.C. 2267)
15 the following:

16 **“SEC. 5.31A. JURISDICTION OVER INSTITUTION-AFFILIATED**
17 **PARTIES.**

18 “(a) IN GENERAL.—For purposes of sections 5.25,
19 5.26, and 5.32, the jurisdiction of the Farm Credit Admin-
20 istration over parties, and the authority of the Farm Credit
21 Administration to initiate actions, shall include enforce-
22 ment authority over institution-affiliated parties.

23 “(b) EFFECT OF SEPARATION ON JURISDICTION AND
24 AUTHORITY.—Subject to subsection (c), the resignation, ter-
25 mination of employment or participation, or separation of

1 *an institution-affiliated party (including a separation*
2 *caused by the merger, consolidation, conservatorship, or re-*
3 *ceivership of a Farm Credit System institution) shall not*
4 *affect the jurisdiction and authority of the Farm Credit Ad-*
5 *ministration to issue any notice or order and proceed under*
6 *this part against that party.*

7 “(c) *LIMITATION.*—*To proceed against a party under*
8 *subsection (b), the notice or order described in that sub-*
9 *section shall be served not later than 6 years after the date*
10 *on which the party ceased to be an institution-affiliated*
11 *party with respect to the applicable Farm Credit System*
12 *institution.*

13 “(d) *APPLICABILITY.*—*The date on which a party*
14 *ceases to be an institution-affiliated party described in sub-*
15 *section (c) may occur before, on, or after the date of enact-*
16 *ment of this section.*”.

17 **SEC. 5406. DEFINITION OF INSTITUTION-AFFILIATED**
18 **PARTY.**

19 *Section 5.35 of the Farm Credit Act of 1971 (12 U.S.C.*
20 *2271) is amended—*

21 (1) *in paragraph (3), by striking “and” at the*
22 *end;*

23 (2) *by redesignating paragraph (4) as para-*
24 *graph (5); and*

1 (3) by inserting after paragraph (3) the fol-
2 *lowing:*

3 “(4) the term ‘institution-affiliated party’
4 *means—*

5 “(A) a director, officer, employee, share-
6 *holder, or agent of a System institution;*

7 “(B) an independent contractor (including
8 *an attorney, appraiser, or accountant) who*
9 *knowingly or recklessly participates in—*

10 “(i) a violation of law (including regu-
11 *lations) that is associated with the oper-*
12 *ations and activities of 1 or more System*
13 *institutions;*

14 “(ii) a breach of fiduciary duty; or

15 “(iii) an unsafe practice that causes or
16 *is likely to cause more than a minimum fi-*
17 *nancial loss to, or a significant adverse ef-*
18 *fect on, a System institution; and*

19 “(C) any other person, as determined by the
20 *Farm Credit Administration (by regulation or*
21 *on a case-by-case basis) who participates in the*
22 *conduct of the affairs of a System institution;*
23 *and”.*

1 **SEC. 5407. REPEAL OF OBSOLETE PROVISIONS; TECHNICAL**
2 **CORRECTIONS.**

3 (1) *Section 1.1(c) of the Farm Credit Act of 1971*
4 *(12 U.S.C. 2001(c)) is amended in the first sentence*
5 *by striking “including any costs of defeasance under*
6 *section 4.8(b).”.*

7 (2) *Section 1.2 of the Farm Credit Act of 1971*
8 *(12 U.S.C. 2002) is amended by striking subsection*
9 *(a) and inserting the following:*

10 “(a) *COMPOSITION.—The Farm Credit System shall*
11 *include the Farm Credit Banks, the bank for cooperatives,*
12 *Agricultural Credit Banks, the Federal Land Bank Associa-*
13 *tions, the Federal Land Credit Associations, the Production*
14 *Credit Associations, the agricultural credit associations, the*
15 *Federal Farm Credit Banks Funding Corporation, the Fed-*
16 *eral Agricultural Mortgage Corporation, service corpora-*
17 *tions established pursuant to section 4.25, and such other*
18 *institutions as may be made a part of the Farm Credit*
19 *System, all of which shall be chartered by and subject to*
20 *regulation by the Farm Credit Administration.”.*

21 (3) *Section 2.4 of the Farm Credit Act of 1971*
22 *(12 U.S.C. 2075) is amended by striking subsection*
23 *(d).*

24 (4) *Section 3.0(a) of the Farm Credit Act of*
25 *1971 (12 U.S.C. 2121(a)) is amended—*

1 (A) in the third sentence, by striking “and
2 a Central Bank for Cooperatives”; and

3 (B) by striking the fifth sentence.

4 (5) Section 3.2 of the Farm Credit Act of 1971
5 (12 U.S.C. 2123) is amended—

6 (A) in subsection (a)—

7 (i) in paragraph (1), by striking “not
8 merged into the United Bank for Coopera-
9 tives or the National Bank for Coopera-
10 tives”; and

11 (ii) in paragraph (2)(A), in the matter
12 preceding clause (i), by striking “(other
13 than the National Bank for Cooperatives)”;

14 (B) by striking subsection (b);

15 (C) in subsection (a)—

16 (i) by striking “(a)(1) Each bank” and
17 inserting the following:

18 “(a) *IN GENERAL.*—Each bank”; and

19 (ii) by striking “(2)(A) If approved”
20 and inserting the following:

21 “(b) *NOMINATION AND ELECTION.*—

22 “(1) *IN GENERAL.*—If approved”;

23 (D) in subsection (b)(1) (as so des-
24 ignated)—

1 (i) in subparagraph (B), by striking

2 “(B) The total” and inserting the following:

3 “(2) NUMBER OF VOTES.—The total”; and

4 (ii) by redesignating clauses (i) and

5 (ii) as subparagraphs (A) and (B), respec-

6 tively, and indenting appropriately; and

7 (E) in paragraph (2) (as so designated), by

8 striking “paragraph” and inserting “sub-

9 section”.

10 (6) Section 3.5 of the Farm Credit Act of 1971

11 (12 U.S.C. 2126) is amended in the third sentence by

12 striking “district”.

13 (7) Section 3.7(a) of the Farm Credit Act of

14 1971 (12 U.S.C. 2128(a)) is amended by striking the

15 second sentence.

16 (8) Section 3.8(b)(1)(A) of the Farm Credit Act

17 of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended by in-

18 serting “(or any successor agency)” after “Rural

19 Electrification Administration”.

20 (9) Section 3.9(a) of the Farm Credit Act of

21 1971 (12 U.S.C. 2130(a)) is amended by striking the

22 third sentence.

23 (10) Section 3.10 of the Farm Credit Act of 1971

24 (12 U.S.C. 2131) is amended—

1 (A) in subsection (c), by striking the second
2 sentence; and

3 (B) in subsection (d)—

4 (i) by striking “district” each place it
5 appears; and

6 (ii) by inserting “for cooperatives (or
7 any successor bank)” before “on account”.

8 (11) Section 3.11 of the Farm Credit Act of 1971
9 (12 U.S.C. 2132) is amended—

10 (A) in subsection (a), in the first sentence,
11 by striking “subsections (b) and (c) of this sec-
12 tion” and inserting “subsection (b)”;

13 (B) in subsection (b)—

14 (i) in the first sentence, by striking
15 “district”; and

16 (ii) in the second sentence, by striking
17 “Except as provided in subsection (c) below,
18 all” and inserting “All”;

19 (C) by striking subsection (c); and

20 (D) by redesignating subsections (d)
21 through (f) as subsections (c) through (e), respec-
22 tively.

23 (12) Part B of title III of the Farm Credit Act
24 of 1971 (12 U.S.C. 2141 et seq.) is amended in the
25 part heading by striking “UNITED AND”.

1 (13) *Section 3.20 of the Farm Credit Act of 1971*
2 (12 U.S.C. 2141) is amended—

3 (A) in subsection (a), by striking “or the
4 *United Bank for Cooperatives, as the case may*
5 *be*”; and

6 (B) in subsection (b), by striking “the dis-
7 *trict banks for cooperatives and the Central*
8 *Bank for Cooperatives” and inserting “the con-*
9 *stituent banks described in section 413(b) of the*
10 *Agricultural Credit Act of 1987 (12 U.S.C. 2121*
11 *note; Public Law 100–233)”.*

12 (14) *Section 3.21 of the Farm Credit Act of 1971*
13 (12 U.S.C. 2142) is repealed.

14 (15) *Section 3.28 of the Farm Credit Act of 1971*
15 (12 U.S.C. 2149) is amended by striking “a district
16 *bank for cooperatives and the Central Bank for Co-*
17 *operatives” and inserting “the constituent banks de-*
18 *scribed in section 413(b) of the Agricultural Credit*
19 *Act of 1987 (12 U.S.C. 2121 note; Public Law 100–*
20 *233)”.*

21 (16) *Section 3.29 of the Farm Credit Act of 1971*
22 (12 U.S.C. 2149a) is repealed.

23 (17) *Section 4.0 of the Farm Credit Act of 1971*
24 (12 U.S.C. 2151) is repealed.

1 (18) *Section 4.8 of the Farm Credit Act of 1971*
 2 (12 U.S.C. 2159) *is amended—*

3 (A) *by striking the section designation and*
 4 *heading and all that follows through “Each*
 5 *bank” in subsection (a) and inserting the fol-*
 6 *lowing:*

7 **“SEC. 4.8. PURCHASE AND SALE OF OBLIGATIONS.**

8 *“Each bank”; and*

9 (B) *by striking subsection (b).*

10 (19) *Section 4.9 of the Farm Credit Act of 1971*
 11 (12 U.S.C. 2160) *is amended—*

12 (A) *in subsection (d)—*

13 (i) *by striking paragraph (2) and in-*
 14 *serting the following:*

15 “(3) *REPRESENTATION OF BOARD.—The Farm*
 16 *Credit System Insurance Corporation shall not have*
 17 *representation on the board of directors of the Cor-*
 18 *poration.”;*

19 (ii) *in the undesignated matter fol-*
 20 *lowing paragraph (1)(D), by striking “In*
 21 *selecting” and inserting the following:*

22 “(2) *CONSIDERATIONS.—In selecting”; and*

23 (iii) *in paragraph (2) (as so des-*
 24 *ignated), by inserting “of paragraph (1)”*
 25 *after “(A) and (B)”;*

1 (B) by striking subsection (e); and

2 (C) by redesignating subsection (f) as sub-
3 section (e).

4 (20) Section 4.9A(c) of the Farm Credit Act of
5 1971 (12 U.S.C. 2162(c)) is amended—

6 (A) by striking “institution, and—” in the
7 matter preceding paragraph (1) and all that fol-
8 lows through the period at the end of paragraph
9 (2) and inserting “institution.”;

10 (B) by striking “If an institution” and in-
11 serting the following:

12 “(1) *IN GENERAL.*—If an institution”;

13 (C) in paragraph (1) (as so designated), by
14 striking “the receiver of the institution” and in-
15 serting “the Farm Credit System Insurance Cor-
16 poration, acting as receiver,”; and

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

18 “(2) *FUNDING.*—The Farm Credit System Insur-
19 ance Corporation shall use such funds from the Farm
20 Credit Insurance Fund as are sufficient to carry out
21 this section.”.

22 (21) Section 4.12A(a) of the Farm Credit Act of
23 1971 (12 U.S.C. 2184(a)) is amended by striking
24 paragraph (1) and inserting the following:

1 “(1) *IN GENERAL.*—A *Farm Credit System* bank
2 or association shall provide to a stockholder of the
3 bank or association a current list of stockholders of
4 the bank or association not later than 7 calendar
5 days after the date on which the bank or association
6 receives a written request for the stockholder list from
7 the stockholder.”.

8 (22) Section 4.14A of the *Farm Credit Act of*
9 1971 (12 U.S.C. 2202a) is amended—

10 (A) in subsection (a)—

11 (i) in the matter preceding paragraph
12 (1), by inserting “and section 4.36” before
13 the colon at the end; and

14 (ii) in paragraph (5)(B)(ii)(I), by
15 striking “4.14C,”;

16 (B) by striking subsection (h);

17 (C) by redesignating subsections (i) through
18 (l) as subsections (h) through (k), respectively;
19 and

20 (D) in subsection (k) (as so redesignated),
21 by striking “production credit”.

22 (23) Section 4.14C of the *Farm Credit Act of*
23 1971 (12 U.S.C. 2202c) is repealed.

1 (24) *Section 4.17 of the Farm Credit Act of 1971*
2 *(12 U.S.C. 2205) is amended in the third sentence by*
3 *striking “Federal intermediate credit banks and”.*

4 (25) *Section 4.19(a) of the Farm Credit Act of*
5 *1971 (12 U.S.C. 2207(a)) (as amended by section*
6 *5402(a)(2)) is amended—*

7 (A) *in the first sentence—*

8 (i) *by striking “district”; and*

9 (ii) *by striking “Federal land bank as-*
10 *sociation and production credit”; and*

11 (B) *in the second sentence, by striking*
12 *“units” and inserting “institutions”.*

13 (26) *Section 4.38 of the Farm Credit Act of 1971*
14 *(12 U.S.C. 2219c) is amended by striking “The As-*
15 *sistance Board established under section 6.0 and all”*
16 *and inserting “All”.*

17 (27) *Section 4.39 of the Farm Credit Act of 1971*
18 *(12 U.S.C. 2219d) is amended by striking “8.0(7))”*
19 *and inserting “8.0”.*

20 (28) *Section 5.16 of the Farm Credit Act of 1971*
21 *(12 U.S.C. 2251) is amended—*

22 (A) *by striking the section designation and*
23 *heading and all that follows through “As an al-*
24 *ternate” in the matter preceding paragraph (1)*
25 *and inserting the following:*

1 **“SEC. 5.16. OFFICES, QUARTERS, AND FACILITIES FOR THE**
2 **FARM CREDIT ADMINISTRATION.**

3 “(a) *OFFICES.*—*The Farm Credit Administration*
4 *shall maintain—*

5 “(1) *the principal office of the Farm Credit Ad-*
6 *ministration within the Washington-Arlington-Alex-*
7 *andria, DC-VA-MD-WV Metropolitan Statistical*
8 *Area, as defined by the Office of Management and*
9 *Budget; and*

10 “(2) *such other offices in the United States as the*
11 *Farm Credit Administration determines are nec-*
12 *essary.*

13 “(b) *QUARTERS AND FACILITIES.*—*As an alternative*”;
14 *and*

15 (B) *in the undesignated matter following*
16 *paragraph (5) of subsection (b) (as so des-*
17 *ignated)—*

18 (i) *in the fifth sentence, by striking “In*
19 *actions undertaken by the banks pursuant*
20 *to the foregoing provisions of this section”*
21 *and inserting the following:*

22 “(5) *AGENT FOR BANKS.*—*In actions undertaken*
23 *by the banks pursuant to this section”;*

24 (ii) *in the fourth sentence, by striking*
25 *“The plans” and inserting the following:*

26 “(4) *APPROVAL OF BOARD.*—*The plans*”;

1 (iii) in the third sentence, by striking

2 “*The powers*” and inserting the following:

3 “(3) *POWERS OF BANKS.—The powers*”;

4 (iv) in the second sentence, by striking

5 “*Such advances*” and inserting the fol-
6 lowing:

7 “(2) *ADVANCES.—The advances of funds de-*
8 scribed in paragraph (1)”;

9 (v) in the first sentence, by striking

10 “*The Board*” and inserting the following:

11 “(c) *FINANCING.—*

12 “(1) *IN GENERAL.—The Board*”.

13 (29) *Section 5.17(a)(2) of the Farm Credit Act*
14 *of 1971 (12 U.S.C. 2252(a)(2)) is amended by strik-*
15 *ing the second and third sentences.*

16 (30) *Section 5.18 of the Farm Credit Act of 1971*
17 *(12 U.S.C. 2253) is repealed.*

18 (31) *Section 5.19 of the Farm Credit Act of 1971*
19 *(12 U.S.C. 2254) is amended—*

20 (A) in subsection (a)—

21 (i) in the first sentence, by striking

22 “*Except for Federal land bank associations,*
23 *each*” and inserting “*Each*”; and

24 (ii) by striking the second sentence;

25 and

1 (B) in subsection (b)—

2 (i) by striking “(b)(1) Each” and in-
3 serting “(b) Each”;

4 (ii) in the matter preceding paragraph
5 (2) (as so designated)—

6 (I) in the second sentence, by
7 striking “, except with respect to any
8 actions taken by any banks of the Sys-
9 tem under section 4.8(b),”; and

10 (II) by striking the third sentence;

11 and

12 (iii) by striking paragraphs (2) and
13 (3).

14 (32) Section 5.31 of the Farm Credit Act of 1971
15 (12 U.S.C. 2267) is amended in the second sentence
16 by striking “4.14A(i)” and inserting “4.14A(h)”.

17 (33) Section 5.32(h) of the Farm Credit Act of
18 1971 (12 U.S.C. 2268(h)) is amended by striking
19 “4.14A(i)” and inserting “4.14A(h)”.

20 (34) Section 5.35 of the Farm Credit Act of 1971
21 (12 U.S.C. 2271) is amended in paragraph (5) (as re-
22 designated by section 5406(2))—

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

25 (B) by striking subparagraph (B);

1 (C) by redesignating subparagraph (C) as
2 subparagraph (B); and

3 (D) in subparagraph (B) (as so redesign-
4 ated)—

5 (i) by striking “after December 31,
6 1992,”; and

7 (ii) by striking “by the Farm Credit
8 System Assistance Board under section 6.6
9 or”.

10 (35) Section 5.38 of the Farm Credit Act of 1971
11 (12 U.S.C. 2274) is amended by striking “a farm”
12 and all that follows through “land bank” and insert-
13 ing “a Farm Credit Bank board, officer, or employee
14 shall not remove any director or officer of any”.

15 (36) Section 5.44 of the Farm Credit Act of 1971
16 (12 U.S.C. 2275) is repealed.

17 (37) Section 5.58(2) of the Farm Credit Act of
18 1971 (12 U.S.C. 2277a-7(2)) is amended by striking
19 the second sentence.

20 (38) Section 5.60 of the Farm Credit Act of 1971
21 (12 U.S.C. 2277a-9) is amended—

22 (A) in subsection (b), by striking the sub-
23 section designation and heading and all that fol-
24 lows through “The Corporation” in paragraph
25 (2) and inserting the following:

1 “(b) AMOUNTS IN FUND.—The Corporation”; and

2 (B) in subsection (c)(2), by striking “Insur-
3 ance Fund to—” in the matter preceding sub-
4 paragraph (A) and all that follows through “en-
5 sure” in subparagraph (B) and inserting “In-
6 surance Fund to ensure”.

7 (39) Title VI of the Farm Credit Act of 1971 (12
8 U.S.C. 2278a et seq.) is repealed.

9 (40) Section 7.9 of the Farm Credit Act of 1971
10 (12 U.S.C. 2279c–2) is amended by striking sub-
11 section (c).

12 (41) Section 7.10(a) of the Farm Credit Act of
13 1971 (12 U.S.C. 2279d(a)) is amended by striking
14 paragraph (4) and inserting the following:

15 “(4) the institution pays to the Farm Credit In-
16 surance Fund the amount by which the total capital
17 of the institution exceeds 6 percent of the assets;”.

18 (42) Section 8.0 of the Farm Credit Act of 1971
19 (12 U.S.C. 2279aa) is amended—

20 (A) in paragraph (2), by striking “means—
21 ” in the matter preceding subparagraph (A) and
22 all that follows through the period at the end of
23 the undesignated matter following subparagraph
24 (B) and inserting “means the board of directors
25 established under section 8.2.”;

1 (B) by striking paragraphs (6) and (8);

2 (C) by redesignating paragraphs (7), (9),
3 and (10) as paragraphs (6), (7), and (8), respec-
4 tively; and

5 (D) in subparagraph (B)(i) of paragraph
6 (7) (as so redesignated), by striking “(b) through
7 (d)” and inserting “(b) and (c)”.

8 (43) Section 8.2 of the Farm Credit Act of 1971
9 (12 U.S.C. 2279aa–2) is amended—

10 (A) by striking subsection (a);

11 (B) in subsection (b), by striking the sub-
12 section designation and heading and all that fol-
13 lows through the period at the end of paragraph
14 (1) and inserting the following:

15 “(a) *IN GENERAL.*—

16 “(1) *ESTABLISHMENT.*—The Corporation shall
17 be under the management of the board of directors.”;

18 (C) in subsection (a) (as so designated)—

19 (i) by striking “permanent board” each
20 place it appears and inserting “Board”;

21 (ii) by striking paragraph (3);

22 (iii) by redesignating paragraphs (4)
23 through (10) as paragraphs (3) through (9),
24 respectively; and

1 (iv) in paragraph (3)(A) (as so reded-
2 ignated), by striking “(6)” and inserting
3 “(5)”; and
4 (D) by redesignating subsection (c) as sub-
5 section (b).

6 (44) Section 8.4(a)(1) of the Farm Credit Act of
7 1971 (12 U.S.C. 2279aa-4(a)(1)) is amended—

8 (A) in the sixth sentence—

9 (i) by striking “Class B” and inserting
10 the following:

11 “(iii) CLASS B STOCK.—Class B”; and

12 (ii) by striking “8.2(b)(2)(B)” and in-
13 serting “8.2(a)(2)(B)”;

14 (B) in the fifth sentence—

15 (i) by striking “Class A” and inserting
16 the following:

17 “(ii) CLASS A STOCK.—Class A”; and

18 (ii) by striking “8.2(b)(2)(A)” and in-
19 serting “8.2(a)(2)(A)”;

20 (C) in the fourth sentence, by striking “The
21 stock” and inserting the following:

22 “(D) CLASSES OF STOCK.—

23 “(i) IN GENERAL.—The stock”;

24 (D) by striking the third sentence and in-
25 serting the following:

1 “(C) OFFERS.—

2 “(i) *IN GENERAL.*—*The Board shall*
3 *offer the voting common stock to banks,*
4 *other financial institutions, insurance com-*
5 *panies, and System institutions under such*
6 *terms and conditions as the Board may*
7 *adopt.*

8 “(ii) *REQUIREMENTS.*—*The voting*
9 *common stock shall be fairly and broadly*
10 *offered to ensure that—*

11 “(I) *no institution or institutions*
12 *acquire a disproportionate share of the*
13 *total quantity of the voting common*
14 *stock outstanding of a class of stock;*
15 *and*

16 “(II) *capital contributions and*
17 *issuances of voting common stock for*
18 *the contributions are fairly distributed*
19 *between entities eligible to hold class A*
20 *stock and class B stock.”;*

21 (E) *in the second sentence, by striking*
22 *“Each share” and inserting the following:*

23 “(B) *NUMBER OF VOTES.*—*Each share”;*
24 *and*

1 (F) in the first sentence, by striking “The
2 Corporation” and inserting the following:

3 “(A) IN GENERAL.—The Corporation”.

4 (45) Section 8.6 of the Farm Credit Act of 1971
5 (12 U.S.C. 2279aa–6) is amended—

6 (A) by striking subsection (d);

7 (B) by redesignating subsection (e) as sub-
8 section (d); and

9 (C) in paragraph (2) of subsection (d) (as
10 so redesignated), by striking “8.0(9)” and in-
11 serting “8.0”.

12 (46) Section 8.9 of the Farm Credit Act of 1971
13 (12 U.S.C. 2279aa–9) is amended by striking
14 “4.14C,” each place it appears.

15 (47) Section 8.11(e) of the Farm Credit Act of
16 1971 (12 U.S.C. 2279aa–11(e)) is amended by strik-
17 ing “8.0(7))” and inserting “8.0”.

18 (48) Section 8.32(a) of the Farm Credit Act of
19 1971 (12 U.S.C. 2279bb–1(a)) is amended—

20 (A) in the first sentence of the matter pre-
21 ceding paragraph (1), by striking “Not sooner
22 than the expiration of the 3-year period begin-
23 ning on the date of enactment of the Farm Cred-
24 it System Reform Act of 1996, the” and insert-
25 ing “The”; and

1 (B) in paragraph (1)(B), by striking
2 “8.0(9)(C)” and inserting “8.0(7)(C)”.

3 (49) Section 8.33(b)(2)(A) of the Farm Credit
4 Act of 1971 (12 U.S.C. 2279bb–2(b)(2)(A)) is amend-
5 ed by striking “8.6(e)” and inserting “8.6(d)”.

6 (50) Section 8.35 of the Farm Credit Act of 1971
7 (12 U.S.C. 2279bb–4) is amended by striking sub-
8 section (e).

9 (51) Section 8.38 of the Farm Credit Act of 1971
10 (12 U.S.C. 2279bb–7) is repealed.

11 (52) Section 4 of the Agricultural Marketing Act
12 (12 U.S.C. 1141b) is repealed.

13 (53) Section 5 of the Agricultural Marketing Act
14 (12 U.S.C. 1141c) is repealed.

15 (54) Section 6 of the Agricultural Marketing Act
16 (12 U.S.C. 1141d) is repealed.

17 (55) Section 7 of the Agricultural Marketing Act
18 (12 U.S.C. 1141e) is repealed.

19 (56) Section 8 of the Agricultural Marketing Act
20 (12 U.S.C. 1141f) is repealed.

21 (57) Section 14 of the Agricultural Marketing
22 Act (12 U.S.C. 1141i) is repealed.

23 (58) The Act of June 22, 1939 (53 Stat. 853,
24 chapter 239; 12 U.S.C. 1141d–1), is repealed.

1 (59) *Section 201(e) of the Emergency Relief and*
2 *Construction Act of 1932 (12 U.S.C. 1148) is re-*
3 *pealed.*

4 (60) *Section 2 of the Act of July 14, 1953 (67*
5 *Stat. 150, chapter 192; 12 U.S.C. 1148a-4), is re-*
6 *pealed.*

7 (61) *Section 32 of the Farm Credit Act of 1937*
8 *(12 U.S.C. 1148b) is repealed.*

9 (62) *Section 33 of the Farm Credit Act of 1937*
10 *(12 U.S.C. 1148c) is repealed.*

11 (63) *Section 34 of the Farm Credit Act of 1937*
12 *(12 U.S.C. 1148d) is repealed.*

13 (64) *The Joint Resolution of March 3, 1932 (47*
14 *Stat. 60, chapter 70; 12 U.S.C. 1401 et seq.), is re-*
15 *pealed.*

16 **SEC. 5408. CORPORATION AS CONSERVATOR OR RECEIVER;**
17 **CERTAIN OTHER POWERS.**

18 *Part E of title V of the Farm Credit Act of 1971 is*
19 *amended by inserting after section 5.61B (12 U.S.C.*
20 *2277a-10b) the following:*

21 **“SEC. 5.61C. CORPORATION AS CONSERVATOR OR RE-**
22 **CEIVER; CERTAIN OTHER POWERS.**

23 “(a) *DEFINITION OF INSTITUTION.—In this section,*
24 *the term ‘institution’ includes any System institution for*

1 *which the Corporation has been appointed as conservator*
2 *or receiver.*

3 “(b) *CERTAIN POWERS AND DUTIES OF CORPORATION*
4 *AS CONSERVATOR OR RECEIVER.—In addition to the pow-*
5 *ers inherent in the express grant of corporate authority*
6 *under section 5.58(9), and other powers exercised by the*
7 *Corporation under this part, the Corporation shall have the*
8 *following express powers to act as a conservator or receiver:*

9 “(1) *RULEMAKING AUTHORITY OF CORPORA-*
10 *TION.—The Corporation may prescribe such regula-*
11 *tions as the Corporation determines to be appropriate*
12 *regarding the conduct of conservatorships or receiver-*
13 *ships.*

14 “(2) *GENERAL POWERS.—*

15 “(A) *SUCCESSOR TO SYSTEM INSTITU-*
16 *TION.—The Corporation shall, as conservator or*
17 *receiver, and by operation of law, succeed to—*

18 “(i) *all rights, titles, powers, and*
19 *privileges of the System institution, and of*
20 *any stockholder, member, officer, or director*
21 *of such System institution with respect to*
22 *the System institution and the assets of the*
23 *System institution; and*

1 “(i) title to the books, records, and as-
2 sets of any previous conservator or other
3 legal custodian of such System institution.

4 “(B) OPERATE THE SYSTEM INSTITU-
5 TION.—The Corporation may, as conservator or
6 receiver—

7 “(i) take over the assets of and operate
8 the System institution with all the powers
9 of the stockholders or members, the directors,
10 and the officers of the System institution
11 and conduct all business of the System in-
12 stitution;

13 “(ii) collect all obligations and money
14 due the System institution;

15 “(iii) perform all functions of the Sys-
16 tem institution in the name of the System
17 institution which are consistent with the
18 appointment as conservator or receiver;

19 “(iv) preserve and conserve the assets
20 and property of such System institution;
21 and

22 “(v) provide by contract for assistance
23 in fulfilling any function, activity, action,
24 or duty of the Corporation as conservator or
25 receiver.

1 “(C) *FUNCTIONS OF SYSTEM INSTITUTION’S*
2 *OFFICERS, DIRECTORS, MEMBERS, AND STOCK-*
3 *HOLDERS.—The Corporation may, by regulation*
4 *or order, provide for the exercise of any function*
5 *by any stockholder, member, director, or officer*
6 *of any System institution for which the Corpora-*
7 *tion has been appointed conservator or receiver.*

8 “(D) *POWERS AS CONSERVATOR.—Subject*
9 *to any Farm Credit Administration approvals*
10 *required under this Act, the Corporation may, as*
11 *conservator, take such action as may be—*

12 “(i) *necessary to put the System insti-*
13 *tution in a sound and solvent condition;*
14 *and*

15 “(ii) *appropriate to carry on the busi-*
16 *ness of the System institution and preserve*
17 *and conserve the assets and property of the*
18 *System institution.*

19 “(E) *ADDITIONAL POWERS AS RECEIVER.—*
20 *The Corporation may, as receiver, liquidate the*
21 *System institution and proceed to realize upon*
22 *the assets of the System institution, in such*
23 *manner as the Corporation determines to be ap-*
24 *propriate.*

1 “(F) ORGANIZATION OF NEW SYSTEM
2 BANK.—*The Corporation may, as receiver with*
3 *respect to any System bank, organize a bridge*
4 *System bank under subsection (h).*

5 “(G) MERGER; TRANSFER OF ASSETS AND
6 LIABILITIES.—

7 “(i) IN GENERAL.—*Subject to clause*
8 *(ii), the Corporation may, as conservator or*
9 *receiver—*

10 “(I) *merge the System institution*
11 *with another System institution; and*

12 “(II) *transfer or sell any asset or*
13 *liability of the System institution in*
14 *default without any approval, assign-*
15 *ment, or consent with respect to such*
16 *transfer.*

17 “(ii) APPROVAL.—*No merger or trans-*
18 *fer under clause (i) may be made to another*
19 *System institution (other than a bridge*
20 *System bank under subsection (h)) without*
21 *the approval of the Farm Credit Adminis-*
22 *tration.*

23 “(H) PAYMENT OF VALID OBLIGATIONS.—
24 *The Corporation, as conservator or receiver,*
25 *shall, to the extent that proceeds are realized*

1 *from the performance of contracts or the sale of*
2 *the assets of a System institution, pay all valid*
3 *obligations of the System institution in accord-*
4 *ance with the prescriptions and limitations of*
5 *this section.*

6 “(I) *INCIDENTAL POWERS.—*

7 “(i) *IN GENERAL.—The Corporation*
8 *may, as conservator or receiver—*

9 “(I) *exercise all powers and au-*
10 *thorities specifically granted to con-*
11 *servators or receivers, respectively,*
12 *under this section and such incidental*
13 *powers as shall be necessary to carry*
14 *out such powers; and*

15 “(II) *take any action authorized*
16 *by this section, which the Corporation*
17 *determines is in the best interests of—*

18 “(aa) *the System institution*
19 *in receivership or conservatorship;*

20 “(bb) *System institutions;*

21 “(cc) *System institution*
22 *stockholders or investors; or*

23 “(dd) *the Corporation.*

24 “(ii) *TERMINATION OF RIGHTS AND*
25 *CLAIMS.—*

1 “(I) *IN GENERAL.*—*Except as pro-*
2 *vided in subclause (II), notwith-*
3 *standing any other provision of law,*
4 *the appointment of the Corporation as*
5 *receiver for a System institution and*
6 *the succession of the Corporation, by*
7 *operation of law, to the rights, titles,*
8 *powers, and privileges described in*
9 *subparagraph (A) shall terminate all*
10 *rights and claims that the stockholders*
11 *and creditors of the System institution*
12 *may have, arising as a result of their*
13 *status as stockholders or creditors,*
14 *against the assets or charter of the Sys-*
15 *tem institution or the Corporation.*

16 “(II) *EXCEPTIONS.*—*Subclause (I)*
17 *shall not terminate the right to pay-*
18 *ment, resolution, or other satisfaction*
19 *of the claims of stockholders and credi-*
20 *tors described in that subclause, as per-*
21 *mitted under paragraphs (10) and*
22 *(11) and subsection (d).*

23 “(iii) *CHARTER.*—*Notwithstanding*
24 *any other provision of law, for purposes of*
25 *this section, the charter of a System institu-*

1 *tion shall not be considered to be an asset*
2 *of the System institution.*

3 “(J) *UTILIZATION OF PRIVATE SECTOR.—In*
4 *carrying out its responsibilities in the manage-*
5 *ment and disposition of assets from System in-*
6 *stitutions, as conservator, receiver, or in its cor-*
7 *porate capacity, the Corporation may utilize the*
8 *services of private persons, including real estate*
9 *and loan portfolio asset management, property*
10 *management, auction marketing, legal, and bro-*
11 *kerage services, if the Corporation determines*
12 *utilization of such services is practicable, effi-*
13 *cient, and cost effective.*

14 “(3) *AUTHORITY OF RECEIVER TO DETERMINE*
15 *CLAIMS.—*

16 “(A) *IN GENERAL.—The Corporation may,*
17 *as receiver, determine claims in accordance with*
18 *the requirements of this subsection and regula-*
19 *tions prescribed under paragraph (4).*

20 “(B) *NOTICE REQUIREMENTS.—The re-*
21 *ceiver, in any case involving the liquidation or*
22 *winding up of the affairs of a closed System in-*
23 *stitution, shall—*

24 “(i) *promptly publish a notice to the*
25 *System institution’s creditors to present*

1 *their claims, together with proof, to the re-*
2 *ceiver by a date specified in the notice*
3 *which shall be not less than 90 days after*
4 *the publication of such notice; and*

5 *“(i) republish such notice approxi-*
6 *mately 1 month and 2 months, respectively,*
7 *after the publication under clause (i).*

8 *“(C) MAILING REQUIRED.—The receiver*
9 *shall mail a notice similar to the notice pub-*
10 *lished under subparagraph (B)(i) at the time of*
11 *such publication to any creditor shown on the*
12 *System institution’s books—*

13 *“(i) at the creditor’s last address ap-*
14 *pearing in such books; or*

15 *“(ii) upon discovery of the name and*
16 *address of a claimant not appearing on the*
17 *System institution’s books within 30 days*
18 *after the discovery of such name and ad-*
19 *dress.*

20 *“(4) RULEMAKING AUTHORITY RELATING TO DE-*
21 *TERMINATION OF CLAIMS.—The Corporation may pre-*
22 *scribe regulations regarding the allowance or dis-*
23 *allowance of claims by the receiver and providing for*
24 *administrative determination of claims and review of*
25 *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 extended*
14 *by a written agreement between the claim-*
15 *ant and the Corporation.*

16 “(iii) *MAILING OF NOTICE SUFFI-*
17 *ICIENT.—The requirements of clause (i) shall*
18 *be deemed to be satisfied if the notice of any*
19 *determination with respect to any claim is*
20 *mailed to the last address of the claimant*
21 *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 for*
8 *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.—The*
14 *receiver shall allow any claim received on or be-*
15 *fore the date specified in the notice published*
16 *under paragraph (3)(B)(i) by the receiver from*
17 *any claimant which is proved to the satisfaction*
18 *of the receiver.*

19 “(C) *DISALLOWANCE OF CLAIMS FILED*
20 *AFTER END OF FILING PERIOD.—*

21 “(i) *IN GENERAL.—Except as provided*
22 *in clause (ii), claims filed after the date*
23 *specified in the notice published under*
24 *paragraph (3)(B)(i) shall be disallowed and*
25 *such disallowance shall be final.*

1 “(i) *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 be*
6 *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 FULLY*
20 *SECURED CREDITORS.*—*In the case of a*
21 *claim of a creditor against a System insti-*
22 *tution which is secured by any property or*
23 *other asset of such System institution, any*
24 *receiver appointed for any System institu-*
25 *tion—*

1 “(I) may treat the portion of such
2 claim which exceeds an amount equal
3 to the fair market value of such prop-
4 erty or other asset as an unsecured
5 claim against the System institution;
6 and

7 “(II) may not make any payment
8 with respect to such unsecured portion
9 of the claim other than in connection
10 with the disposition of all claims of
11 unsecured creditors of the System insti-
12 tution.

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 DETERMINA-*
24 *TION PURSUANT TO SUBPARAGRAPH (D).*—No
25 court may review the Corporation’s determina-

1 *tion pursuant to subparagraph (D) to disallow a*
2 *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 the*
11 *determination of claims by a receiver, the*
12 *filing of a claim with the receiver shall not*
13 *prejudice any right of the claimant to con-*
14 *tinue any action which was filed before the*
15 *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 disallow-
2 ance of such claim pursuant to paragraph
3 (5)(A)(i),
4 the claimant may request administrative review
5 of the claim in accordance with paragraph (7) or
6 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 for
12 the District of Columbia (and such court shall
13 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-day
18 period described in subparagraph (A), the claim
19 shall be deemed to be disallowed (other than any
20 portion of such claim which was allowed by the
21 receiver) as of the end of such period, such dis-
22 allowance shall be final, and the claimant shall
23 have no further rights or remedies with respect
24 to such claim.

1 “(7) *REVIEW OF CLAIMS; ADMINISTRATIVE HEAR-*
2 *ING.*—*If any claimant requests review under this*
3 *paragraph in lieu of filing or continuing any action*
4 *under paragraph (6) and the Corporation agrees to*
5 *such request, the Corporation shall consider the claim*
6 *after opportunity for a hearing on the record. The*
7 *final determination of the Corporation with respect to*
8 *such claim shall be subject to judicial review under*
9 *chapter 7 of title 5, United States Code.*

10 “(8) *EXPEDITED DETERMINATION OF CLAIMS.*—

11 “(A) *ESTABLISHMENT REQUIRED.*—*The*
12 *Corporation shall establish a procedure for expe-*
13 *ditated relief outside of the routine claims process*
14 *established under paragraph (5) for claimants*
15 *who—*

16 “(i) *allege the existence of legally valid*
17 *and enforceable or perfected security inter-*
18 *ests in assets of any System institution for*
19 *which the Corporation has been appointed*
20 *receiver; and*

21 “(ii) *allege that irreparable injury will*
22 *occur if the routine claims procedure is fol-*
23 *lowed.*

24 “(B) *DETERMINATION PERIOD.*—*Before the*
25 *end of the 90-day period beginning on the date*

1 *any claim is filed in accordance with the proce-*
2 *dures established pursuant to subparagraph (A),*
3 *the Corporation shall—*

4 “(i) *determine—*

5 “(I) *whether to allow or disallow*
6 *such claim; or*

7 “(II) *whether such claim should*
8 *be determined pursuant to the proce-*
9 *dures established pursuant to para-*
10 *graph (5); and*

11 “(ii) *notify the claimant of the deter-*
12 *mination, and if the claim is disallowed,*
13 *provide a statement of each reason for the*
14 *disallowance and the procedure for obtain-*
15 *ing agency review or judicial determina-*
16 *tion.*

17 “(C) *PERIOD FOR FILING OR RENEWING*
18 *SUIT.—Any claimant who files a request for ex-*
19 *pedited relief shall be permitted to file a suit, or*
20 *to continue a suit filed before the appointment of*
21 *the receiver, seeking a determination of the*
22 *claimant’s rights with respect to such security*
23 *interest after the earlier of—*

1 “(i) the end of the 90-day period begin-
2 ning on the date of the filing of a request
3 for expedited relief; or

4 “(ii) the date the Corporation denies
5 the claim.

6 “(D) STATUTE OF LIMITATIONS.—If an ac-
7 tion described in subparagraph (C) is not filed,
8 or the motion to renew a previously filed suit is
9 not made, before the end of the 30-day period be-
10 ginning on the date on which such action or mo-
11 tion may be filed in accordance with subpara-
12 graph (B), the claim shall be deemed to be dis-
13 allowed as of the end of such period (other than
14 any portion of such claim which was allowed by
15 the receiver), such disallowance shall be final,
16 and the claimant shall have no further rights or
17 remedies with respect to such claim.

18 “(E) LEGAL EFFECT OF FILING.—

19 “(i) STATUTE OF LIMITATION
20 TOLLED.—For purposes of any applicable
21 statute of limitations, the filing of a claim
22 with the receiver shall constitute a com-
23 mencement of an action.

24 “(ii) NO PREJUDICE TO OTHER AC-
25 TIONS.—Subject to paragraph (12), the fil-

1 *ing of a claim with the receiver shall not*
2 *prejudice any right of the claimant to con-*
3 *tinue any action which was filed before the*
4 *appointment of the receiver.*

5 “(9) *AGREEMENT AS BASIS OF CLAIM.*—

6 “(A) *REQUIREMENTS.*—*Except as provided*
7 *in subparagraph (B), any agreement which does*
8 *not meet the requirements set forth in section*
9 *5.61(d) shall not form the basis of, or substan-*
10 *tially comprise, a claim against the receiver or*
11 *the Corporation.*

12 “(B) *EXCEPTION TO CONTEMPORANEOUS*
13 *EXECUTION REQUIREMENT.*—*Notwithstanding*
14 *section 5.61(d), any agreement relating to an ex-*
15 *ension of credit between a Federal Reserve bank*
16 *or the United States Treasury and any System*
17 *institution which was executed before such exten-*
18 *sion of credit to such System institution shall be*
19 *treated as having been executed contempora-*
20 *neously with such extension of credit for pur-*
21 *poses of subparagraph (A).*

22 “(10) *PAYMENT OF CLAIMS.*—

23 “(A) *IN GENERAL.*—*The receiver may, in*
24 *the receiver’s discretion and to the extent funds*
25 *are available from the assets of the System insti-*

1 *tution, pay creditor claims which are allowed by*
2 *the receiver, approved by the Corporation pursu-*
3 *ant to a final determination pursuant to para-*
4 *graph (7) or (8), or determined by the final*
5 *judgment of any court of competent jurisdiction*
6 *in such manner and amounts as are authorized*
7 *under this Act.*

8 *“(B) LIQUIDATION PAYMENTS.—The re-*
9 *ceiver may, in the receiver’s sole discretion, pay*
10 *from the assets of the System institution portions*
11 *of proved claims at any time, and no liability*
12 *shall attach to the Corporation (in such Corpora-*
13 *tion’s corporate capacity or as receiver), by rea-*
14 *son of any such payment, for failure to make*
15 *payments to a claimant whose claim is not*
16 *proved at the time of any such payment.*

17 *“(C) RULEMAKING AUTHORITY OF COR-*
18 *PORATION.—The Corporation may prescribe such*
19 *rules, including definitions of terms, as it deems*
20 *appropriate to establish a single uniform interest*
21 *rate for or to make payments of post insolvency*
22 *interest to creditors holding proven claims*
23 *against the receivership estates of System insti-*
24 *tutions following satisfaction by the receiver of*
25 *the principal amount of all creditor claims.*

1 “(11) *PRIORITY OF EXPENSES AND CLAIMS.*—

2 “(A) *IN GENERAL.*—*Amounts realized from*
3 *the liquidation or other resolution of any System*
4 *institution by any receiver appointed for such*
5 *System institution shall be distributed to pay*
6 *claims (other than secured claims to the extent of*
7 *any such security) in the following order of pri-*
8 *ority:*

9 “(i) *Administrative expenses of the re-*
10 *ceiver.*

11 “(ii) *If authorized by the Corporation,*
12 *wages, salaries, or commissions, including*
13 *vacation, severance, and sick leave pay*
14 *earned by an individual—*

15 “(I) *in an amount that is not*
16 *more than \$11,725 for each individual*
17 *(as indexed for inflation, by regulation*
18 *of the Corporation); and*

19 “(II) *that is earned 180 days or*
20 *fewer before the date of appointment of*
21 *the Corporation as receiver.*

22 “(iii) *In the case of the resolution of a*
23 *System bank, all claims of holders of con-*
24 *solidated and System-wide bonds and all*
25 *claims of the other System banks arising*

1 *from the payments of the System banks pur-*
2 *suant to—*

3 “(I) *section 4.4 on consolidated*
4 *and System-wide bonds issued under*
5 *subsection (c) or (d) of section 4.2; or*

6 “(II) *an agreement, in writing*
7 *and approved by the Farm Credit Ad-*
8 *ministration, among the System banks*
9 *to reallocate the payments.*

10 “(iv) *In the case of the resolution of a*
11 *production credit association or other asso-*
12 *ciation making direct loans under section*
13 *7.6, all claims of a System bank based on*
14 *the financing agreement between the asso-*
15 *ciation and the System bank—*

16 “(I) *including interest accrued be-*
17 *fore and after the appointment of the*
18 *receiver; and*

19 “(II) *not including any setoff for*
20 *stock or other equity of that System*
21 *bank owned by the association, on that*
22 *condition that, prior to making that*
23 *setoff, that System bank shall obtain*
24 *the approval of the Farm Credit Ad-*

1 *ministration Board for the retirement*
2 *of that stock or equity.*

3 “(v) *Any general or senior liability of*
4 *the System institution (which is not a li-*
5 *ability described in clause (vi) or (vii)).*

6 “(vi) *Any obligation subordinated to*
7 *general creditors (which is not an obligation*
8 *described in clause (vii)).*

9 “(vii) *Any obligation to stockholders or*
10 *members arising as a result of their status*
11 *as stockholders or members.*

12 “(B) *PAYMENT OF CLAIMS.—*

13 “(i) *IN GENERAL.—*

14 “(I) *PAYMENT.—All claims of*
15 *each priority described in clauses (i)*
16 *through (vii) of subparagraph (A) shall*
17 *be paid in full, or provisions shall be*
18 *made for that payment, prior to the*
19 *payment of any claim of a lesser pri-*
20 *ority.*

21 “(II) *INSUFFICIENT FUNDS.—If*
22 *there are insufficient funds to pay in*
23 *full all claims in any priority de-*
24 *scribed clauses (i) through (vii) of sub-*
25 *paragraph (A), distribution on that*

1 *priority of claims shall be made on a*
2 *pro rata basis.*

3 “(ii) *DISTRIBUTION OF REMAINING AS-*
4 *SETS.—Following the payment of all claims*
5 *in accordance with subparagraph (A), the*
6 *receiver shall distribute the remainder of the*
7 *assets of the System institution to the own-*
8 *ers of stock, participation certificates, and*
9 *other equities in accordance with the prior-*
10 *ities for impairment under the bylaws of the*
11 *System institution.*

12 “(iii) *ELIGIBLE BORROWER STOCK.—*
13 *Notwithstanding subparagraph (C) or any*
14 *other provision of this section, eligible bor-*
15 *rower stock shall be retired in accordance*
16 *with section 4.9A.*

17 “(C) *EFFECT OF STATE LAW.—*

18 “(i) *IN GENERAL.—The provisions of*
19 *subparagraph (A) shall not supersede the*
20 *law of any State except to the extent such*
21 *law is inconsistent with the provisions of*
22 *such subparagraph, and then only to the ex-*
23 *tent of the inconsistency.*

24 “(ii) *PROCEDURE FOR DETERMINATION*
25 *OF INCONSISTENCY.—Upon the Corpora-*

1 *tion’s own motion or upon the request of*
2 *any person with a claim described in sub-*
3 *paragraph (A) or any State which is sub-*
4 *mitted to the Corporation in accordance*
5 *with procedures which the Corporation shall*
6 *prescribe, the Corporation shall determine*
7 *whether any provision of the law of any*
8 *State is inconsistent with any provision of*
9 *subparagraph (A) and the extent of any*
10 *such inconsistency.*

11 *“(iii) JUDICIAL REVIEW.—The final*
12 *determination of the Corporation under*
13 *clause (ii) shall be subject to judicial review*
14 *under chapter 7 of title 5, United States*
15 *Code.*

16 *“(D) ACCOUNTING REPORT.—Any distribu-*
17 *tion by the Corporation in connection with any*
18 *claim described in subparagraph (A)(vii) shall*
19 *be accompanied by the accounting report re-*
20 *quired under paragraph (15)(B).*

21 *“(12) SUSPENSION OF LEGAL ACTIONS.—*

22 *“(A) IN GENERAL.—After the appointment*
23 *of a conservator or receiver for a System institu-*
24 *tion, the conservator or receiver may request a*
25 *stay for a period not to exceed—*

1 “(i) 45 days, in the case of any conser-
2 vator; and

3 “(ii) 90 days, in the case of any re-
4 ceiver,

5 in any judicial action or proceeding to which
6 such System institution is or becomes a party.

7 “(B) GRANT OF STAY BY ALL COURTS RE-
8 QUIRED.—Upon receipt of a request by any con-
9 servator or receiver pursuant to subparagraph
10 (A) for a stay of any judicial action or pro-
11 ceeding in any court with jurisdiction of such
12 action or proceeding, the court shall grant such
13 stay as to all parties.

14 “(13) ADDITIONAL RIGHTS AND DUTIES.—

15 “(A) PRIOR FINAL ADJUDICATION.—The
16 Corporation shall abide by any final
17 unappealable judgment of any court of competent
18 jurisdiction which was rendered before the ap-
19 pointment of the Corporation as conservator or
20 receiver.

21 “(B) RIGHTS AND REMEDIES OF CONSER-
22 VATOR OR RECEIVER.—In the event of any ap-
23 pealable judgment, the Corporation as conser-
24 vator or receiver shall—

1 “(i) *have all the rights and remedies*
2 *available to the System institution (before*
3 *the appointment of such conservator or re-*
4 *ceiver) and the Corporation in its corporate*
5 *capacity, including removal to Federal*
6 *court and all appellate rights; and*

7 “(ii) *not be required to post any bond*
8 *in order to pursue such remedies.*

9 “(C) *NO ATTACHMENT OR EXECUTION.—No*
10 *attachment or execution may issue by any court*
11 *on—*

12 “(i) *assets in the possession of the re-*
13 *ceiver; or*

14 “(ii) *the charter of a System institu-*
15 *tion for which the Corporation has been ap-*
16 *pointed receiver.*

17 “(D) *LIMITATION ON JUDICIAL REVIEW.—*
18 *Except as otherwise provided in this subsection,*
19 *no court shall have jurisdiction over—*

20 “(i) *any claim or action for payment*
21 *from, or any action seeking a determination*
22 *of rights with respect to, the assets of any*
23 *System institution for which the Corpora-*
24 *tion has been appointed receiver, including*

1 *assets which the Corporation may acquire*
2 *from itself as such receiver; or*

3 “(ii) *any claim relating to any act or*
4 *omission of such System institution or the*
5 *Corporation as receiver.*

6 “(E) *DISPOSITION OF ASSETS.—In exer-*
7 *cising any right, power, privilege, or authority*
8 *as receiver in connection with any sale or dis-*
9 *position of assets of any System institution for*
10 *which the Corporation is acting as receiver, the*
11 *Corporation shall, to the maximum extent prac-*
12 *ticable, conduct its operations in a manner*
13 *which—*

14 “(i) *maximizes the net present value*
15 *return from the sale or disposition of such*
16 *assets;*

17 “(ii) *minimizes the amount of any loss*
18 *realized in the resolution of cases;*

19 “(iii) *ensures adequate competition*
20 *and fair and consistent treatment of*
21 *offerors;*

22 “(iv) *prohibits discrimination on the*
23 *basis of race, sex, or ethnic groups in the so-*
24 *licitation and consideration of offers; and*

1 “(v) mitigates the potential for serious
2 adverse effects to the rest of the System.

3 “(14) STATUTE OF LIMITATIONS FOR ACTIONS
4 BROUGHT BY CONSERVATOR OR RECEIVER.—

5 “(A) IN GENERAL.—Notwithstanding any
6 provision of any contract, the applicable statute
7 of limitations with regard to any action brought
8 by the Corporation as conservator or receiver
9 shall be—

10 “(i) in the case of any contract claim,
11 the longer of—

12 “(I) the 6-year period beginning
13 on the date the claim accrues; or

14 “(II) the period applicable under
15 State law; and

16 “(ii) in the case of any tort claim, the
17 longer of—

18 “(I) the 3-year period beginning
19 on the date the claim accrues; or

20 “(II) the period applicable under
21 State law.

22 “(B) DETERMINATION OF THE DATE ON
23 WHICH A CLAIM ACCRUES.—For purposes of sub-
24 paragraph (A), the date on which the statute of

1 *limitations begins to run on any claim described*
2 *in such subparagraph shall be the later of—*

3 “(i) *the date of the appointment of the*
4 *Corporation as conservator or receiver; or*

5 “(ii) *the date on which the cause of ac-*
6 *tion accrues.*

7 “(C) *REVIVAL OF EXPIRED STATE CAUSES*
8 *OF ACTION.—*

9 “(i) *IN GENERAL.—In the case of any*
10 *tort claim described in clause (ii) for which*
11 *the statute of limitation applicable under*
12 *State law with respect to such claim has ex-*
13 *pired not more than 5 years before the ap-*
14 *pointment of the Corporation as conservator*
15 *or receiver, the Corporation may bring an*
16 *action as conservator or receiver on such*
17 *claim without regard to the expiration of*
18 *the statute of limitation applicable under*
19 *State law.*

20 “(ii) *CLAIMS DESCRIBED.—A tort*
21 *claim referred to in clause (i) is a claim*
22 *arising from fraud, intentional misconduct*
23 *resulting in unjust enrichment, or inten-*
24 *tional misconduct resulting in substantial*
25 *loss to the System institution.*

1 “(15) *ACCOUNTING AND RECORDKEEPING RE-*
2 *QUIREMENTS.*—

3 “(A) *IN GENERAL.*—*The Corporation as*
4 *conservator or receiver shall, consistent with the*
5 *accounting and reporting practices and proce-*
6 *dures established by the Corporation, maintain a*
7 *full accounting of each conservatorship and re-*
8 *ceivership or other disposition of System institu-*
9 *tions in default.*

10 “(B) *ANNUAL ACCOUNTING OR REPORT.*—
11 *With respect to each conservatorship or receiver-*
12 *ship to which the Corporation was appointed,*
13 *the Corporation shall make an annual account-*
14 *ing or report, as appropriate, available to the*
15 *Farm Credit Administration Board.*

16 “(C) *AVAILABILITY OF REPORTS.*—*Any re-*
17 *port prepared pursuant to subparagraph (B)*
18 *shall be made available by the Corporation upon*
19 *request to any stockholder of the System institu-*
20 *tion for which the Corporation was appointed*
21 *conservator or receiver or any other member of*
22 *the public.*

23 “(D) *RECORDKEEPING REQUIREMENT.*—

24 “(i) *IN GENERAL.*—*Except as provided*
25 *in clause (ii), after the end of the 6-year pe-*

1 *riod beginning on the date the Corporation*
2 *is appointed as receiver of a System institu-*
3 *tion, the Corporation may destroy any*
4 *records of such System institution which the*
5 *Corporation, in the Corporation's discre-*
6 *tion, determines to be unnecessary unless*
7 *directed not to do so by a court of com-*
8 *petent jurisdiction or governmental agency,*
9 *or prohibited by law.*

10 *“(i) OLD RECORDS.—Notwithstanding*
11 *clause (i), the Corporation may destroy*
12 *records of a System institution which are at*
13 *least 10 years old as of the date on which*
14 *the Corporation is appointed as the receiver*
15 *of such System institution in accordance*
16 *with clause (i) at any time after such ap-*
17 *pointment is final, without regard to the 6-*
18 *year period of limitation contained in*
19 *clause (i).*

20 *“(16) FRAUDULENT TRANSFERS.—*

21 *“(A) IN GENERAL.—The Corporation, as*
22 *conservator or receiver for any System institu-*
23 *tion, may avoid a transfer of any interest of a*
24 *System institution-affiliated party, or any per-*
25 *son who the Corporation determines is a debtor*

1 *of the System institution, in property, or any*
2 *obligation incurred by such party or person, that*
3 *was made within 5 years of the date on which*
4 *the Corporation was appointed conservator or re-*
5 *ceiver if such party or person voluntarily or in-*
6 *voluntarily made such transfer or incurred such*
7 *liability with the intent to hinder, delay, or de-*
8 *fraud the System institution, the Farm Credit*
9 *Administration, or the Corporation.*

10 *“(B) RIGHT OF RECOVERY.—To the extent a*
11 *transfer is avoided under subparagraph (A), the*
12 *Corporation may recover, for the benefit of the*
13 *System institution, the property transferred, or,*
14 *if a court so orders, the value of such property*
15 *(at the time of such transfer) from—*

16 *“(i) the initial transferee of such trans-*
17 *fer or the System institution-affiliated*
18 *party or person for whose benefit such*
19 *transfer was made; or*

20 *“(ii) any immediate or mediate trans-*
21 *feree of any such initial transferee.*

22 *“(C) RIGHTS OF TRANSFEREE OR OBLI-*
23 *GEE.—The Corporation may not recover under*
24 *subparagraph (B) from—*

1 “(i) any transferee that takes for value,
2 including satisfaction or securing of a
3 present or antecedent debt, in good faith; or

4 “(ii) any immediate or mediate good
5 faith transferee of such transferee.

6 “(D) RIGHTS UNDER THIS PARAGRAPH.—

7 *The rights under this paragraph of the Corpora-*
8 *tion shall be superior to any rights of a trustee*
9 *or any other party (other than any party which*
10 *is a Federal agency) under title 11, United*
11 *States Code.*

12 “(17) ATTACHMENT OF ASSETS AND OTHER IN-
13 JUNCTIVE RELIEF.—*Subject to paragraph (18), any*
14 *court of competent jurisdiction may, at the request of*
15 *the Corporation (in the Corporation’s capacity as*
16 *conservator or receiver for any System institution or*
17 *in the Corporation’s corporate capacity with respect*
18 *to any asset acquired or liability assumed by the Cor-*
19 *poration under section 5.61), issue an order in ac-*
20 *cordance with Rule 65 of the Federal Rules of Civil*
21 *Procedure, including an order placing the assets of*
22 *any person designated by the Corporation under the*
23 *control of the court and appointing a trustee to hold*
24 *such assets.*

25 “(18) STANDARDS.—

1 “(A) *SHOWING.*—Rule 65 of the Federal
2 *Rules of Civil Procedure shall apply with respect*
3 *to any proceeding under paragraph (17) without*
4 *regard to the requirement of such rule that the*
5 *applicant show that the injury, loss, or damage*
6 *is irreparable and immediate.*

7 “(B) *STATE PROCEEDING.*—If, in the case
8 *of any proceeding in a State court, the court de-*
9 *termines that rules of civil procedure available*
10 *under the laws of such State provide substan-*
11 *tially similar protections to such party’s right to*
12 *due process as Rule 65 (as modified with respect*
13 *to such proceeding by subparagraph (A)), the re-*
14 *lief sought by the Corporation pursuant to para-*
15 *graph (17) may be requested under the laws of*
16 *such State.*

17 “(19) *TREATMENT OF CLAIMS ARISING FROM*
18 *BREACH OF CONTRACTS EXECUTED BY THE RECEIVER*
19 *OR CONSERVATOR.*—Notwithstanding any other provi-
20 *sion of this subsection, any final and unappealable*
21 *judgment for monetary damages entered against a re-*
22 *ceiver or conservator for a System institution for the*
23 *breach of an agreement executed or approved by such*
24 *receiver or conservator after the date of its appoint-*
25 *ment shall be paid as an administrative expense of*

1 *the receiver or conservator. Nothing in this paragraph*
2 *shall be construed to limit the power of a receiver or*
3 *conservator to exercise any rights under contract or*
4 *law, including terminating, breaching, canceling, or*
5 *otherwise discontinuing such agreement.*

6 “(c) *PROVISIONS RELATING TO CONTRACTS ENTERED*
7 *INTO BEFORE APPOINTMENT OF CONSERVATOR OR RE-*
8 *CEIVER.—*

9 “(1) *AUTHORITY TO REPUDIATE CONTRACTS.—*
10 *In addition to any other rights a conservator or re-*
11 *ceiver may have, the conservator or receiver for a Sys-*
12 *tem institution may disaffirm or repudiate any con-*
13 *tract or lease—*

14 “(A) *to which such System institution is a*
15 *party;*

16 “(B) *the performance of which the conser-*
17 *vator or receiver, in the conservator’s or receiv-*
18 *er’s discretion, determines to be burdensome; and*

19 “(C) *the disaffirmance or repudiation of*
20 *which the conservator or receiver determines, in*
21 *the conservator’s or receiver’s discretion, will*
22 *promote the orderly administration of the Sys-*
23 *tem institution’s affairs.*

24 “(2) *TIMING OF REPUDIATION.—The Corporation*
25 *as conservator or receiver for any System institution*

1 *shall determine whether or not to exercise the rights*
2 *of repudiation under this subsection within a reason-*
3 *able period following such appointment.*

4 “(3) *CLAIMS FOR DAMAGES FOR REPUDIATION.—*

5 “(A) *IN GENERAL.—Except as otherwise*
6 *provided in subparagraph (C) and paragraphs*
7 *(4), (5), and (6), the liability of the conservator*
8 *or receiver for the disaffirmance or repudiation*
9 *of any contract pursuant to paragraph (1) shall*
10 *be—*

11 “(i) *limited to actual direct compen-*
12 *satory damages; and*

13 “(ii) *determined as of—*

14 “(I) *the date of the appointment*
15 *of the conservator or receiver; or*

16 “(II) *in the case of any contract*
17 *or agreement referred to in paragraph*
18 *(8), the date of the disaffirmance or re-*
19 *pudiation of such contract or agree-*
20 *ment.*

21 “(B) *NO LIABILITY FOR OTHER DAMAGES.—*

22 *For purposes of subparagraph (A), the term ‘ac-*
23 *tual direct compensatory damages’ does not in-*
24 *clude—*

25 “(i) *punitive or exemplary damages;*

1 “(ii) damages for lost profits or oppor-
2 tunity; or

3 “(iii) damages for pain and suffering.

4 “(C) *MEASURE OF DAMAGES FOR REPUDI-*
5 *ATION OF FINANCIAL CONTRACTS.—In the case of*
6 *any qualified financial contract or agreement to*
7 *which paragraph (8) applies, compensatory*
8 *damages shall be—*

9 “(i) *deemed to include normal and rea-*
10 *sonable costs of cover or other reasonable*
11 *measures of damages utilized in the indus-*
12 *tries for such contract and agreement*
13 *claims; and*

14 “(ii) *paid in accordance with this sub-*
15 *section and subsection (j), except as other-*
16 *wise specifically provided in this section.*

17 “(4) *LEASES UNDER WHICH THE SYSTEM INSTI-*
18 *TUTION IS THE LESSEE.—*

19 “(A) *IN GENERAL.—If the conservator or re-*
20 *ceiver disaffirms or repudiates a lease under*
21 *which the System institution was the lessee, the*
22 *conservator or receiver shall not be liable for any*
23 *damages (other than damages determined pursu-*
24 *ant to subparagraph (B)) for the disaffirmance*
25 *or repudiation of such lease.*

1 “(B) *PAYMENTS OF RENT.*—*Notwith-*
2 *standing subparagraph (A), the lessor under a*
3 *lease to which such subparagraph applies shall—*

4 “(i) *be entitled to the contractual rent*
5 *accruing before the later of the date—*

6 “(I) *the notice of disaffirmance or*
7 *repudiation is mailed; or*

8 “(II) *the disaffirmance or repudi-*
9 *ation becomes effective, unless the lessor*
10 *is in default or breach of the terms of*
11 *the lease; and*

12 “(ii) *have no claim for damages under*
13 *any acceleration clause or other penalty*
14 *provision in the lease; and*

15 “(iii) *have a claim for any unpaid*
16 *rent, subject to all appropriate offsets and*
17 *defenses, due as of the date of the appoint-*
18 *ment, which shall be paid in accordance*
19 *with this subsection and subsection (j).*

20 “(5) *LEASES UNDER WHICH THE SYSTEM INSTI-*
21 *TUTION IS THE LESSOR.—*

22 “(A) *IN GENERAL.*—*If the conservator or re-*
23 *ceiver repudiates an unexpired written lease of*
24 *real property of the System institution under*
25 *which the System institution is the lessor and*

1 *the lessee is not, as of the date of such repudi-*
2 *ation, in default, the lessee under such lease may*
3 *either—*

4 *“(i) treat the lease as terminated by*
5 *such repudiation; or*

6 *“(ii) remain in possession of the lease-*
7 *hold interest for the balance of the term of*
8 *the lease, unless the lessee defaults under the*
9 *terms of the lease after the date of such re-*
10 *pudiation.*

11 *“(B) PROVISIONS APPLICABLE TO LESSEE*
12 *REMAINING IN POSSESSION.—If any lessee under*
13 *a lease described in subparagraph (A) remains*
14 *in possession of a leasehold interest pursuant to*
15 *clause (ii) of such subparagraph—*

16 *“(i) the lessee—*

17 *“(I) shall continue to pay the con-*
18 *tractual rent pursuant to the terms of*
19 *the lease after the date of the repudi-*
20 *ation of such lease; and*

21 *“(II) may offset against any rent*
22 *payment which accrues after the date*
23 *of the repudiation of the lease, any*
24 *damages which accrue after such date*
25 *due to the nonperformance of any obli-*

1 *gation of the System institution under*
2 *the lease after such date; and*

3 *“(ii) the conservator or receiver shall*
4 *not be liable to the lessee for any damages*
5 *arising after such date as a result of the re-*
6 *repudiation, other than the amount of any*
7 *offset allowed under clause (i)(II).*

8 *“(6) CONTRACTS FOR THE SALE OF REAL PROP-*
9 *ERTY.—*

10 *“(A) IN GENERAL.—If the conservator or re-*
11 *ceiver repudiates any contract (which repudiates*
12 *any contract that meets the requirements of*
13 *paragraphs (1) through (4) of section 5.61(d) for*
14 *the sale of real property, and the purchaser of*
15 *such real property under such contract is in pos-*
16 *session and is not, as of the date of such repudi-*
17 *ation, in default, such purchaser may either—*

18 *“(i) treat the contract as terminated by*
19 *such repudiation; or*

20 *“(ii) remain in possession of such real*
21 *property.*

22 *“(B) PROVISIONS APPLICABLE TO PUR-*
23 *CHASER REMAINING IN POSSESSION.—If any*
24 *purchaser of real property under any contract*
25 *described in subparagraph (A) remains in pos-*

1 *session of such property pursuant to clause (ii)*
2 *of such subparagraph—*

3 “(i) *the purchaser—*

4 “(I) *shall continue to make all*
5 *payments due under the contract after*
6 *the date of the repudiation of the con-*
7 *tract; and*

8 “(II) *may offset against any such*
9 *payments any damages which accrue*
10 *after such date due to the nonperform-*
11 *ance (after such date) of any obligation*
12 *of the System institution under the*
13 *contract; and*

14 “(ii) *the conservator or receiver shall—*

15 “(I) *not be liable to the purchaser*
16 *for any damages arising after that*
17 *date as a result of the repudiation,*
18 *other than the amount of any offset al-*
19 *lowed under clause (i)(II);*

20 “(II) *deliver title to the purchaser*
21 *in accordance with the contract; and*

22 “(III) *have no obligation under*
23 *the contract, other than the perform-*
24 *ance required under subclause (II).*

25 “(C) *ASSIGNMENT AND SALE ALLOWED.—*

1 “(i) *IN GENERAL.*—No provision of
2 *this paragraph shall be construed as lim-*
3 *iting the right of the conservator or receiver*
4 *to assign the contract described in subpara-*
5 *graph (A) and sell the property subject to*
6 *the contract and this paragraph.*

7 “(ii) *NO LIABILITY AFTER ASSIGNMENT*
8 *AND SALE.*—If an assignment and sale de-
9 *scribed in clause (i) is consummated, the*
10 *Corporation, acting as conservator or re-*
11 *ceiver, shall have no further liability under*
12 *the applicable contract described in sub-*
13 *paragraph (A) or with respect to the real*
14 *property which was the subject of such con-*
15 *tract.*

16 “(7) *PROVISIONS APPLICABLE TO SERVICE CON-*
17 *TRACTS.*—

18 “(A) *SERVICES PERFORMED BEFORE AP-*
19 *POINTMENT.*—In the case of any contract for
20 *services between any person and any System in-*
21 *stitution for which the Corporation has been ap-*
22 *pointed conservator or receiver, any claim of*
23 *such person for services performed before the ap-*
24 *pointment of the conservator or the receiver shall*
25 *be—*

1 “(i) a claim to be paid in accordance
2 with subsections (b) and (d); and

3 “(ii) deemed to have arisen as of the
4 date the conservator or receiver was ap-
5 pointed.

6 “(B) SERVICES PERFORMED AFTER AP-
7 POINTMENT AND PRIOR TO REPUDIATION.—If, in
8 the case of any contract for services described in
9 subparagraph (A), the conservator or receiver ac-
10 cepts performance by the other person before the
11 conservator or receiver makes any determination
12 to exercise the right of repudiation of such con-
13 tract under this section—

14 “(i) the other party shall be paid
15 under the terms of the contract for the serv-
16 ices performed; and

17 “(ii) the amount of such payment shall
18 be treated as an administrative expense of
19 the conservatorship or receivership.

20 “(C) ACCEPTANCE OF PERFORMANCE NO
21 BAR TO SUBSEQUENT REPUDIATION.—The ac-
22 ceptance by any conservator or receiver of serv-
23 ices referred to in subparagraph (B) in connec-
24 tion with a contract described in such subpara-
25 graph shall not affect the right of the conservator

1 *or receiver, to repudiate such contract under this*
2 *section at any time after such performance.*

3 “(8) CERTAIN QUALIFIED FINANCIAL CON-
4 TRACTS.—

5 “(A) DEFINITIONS.—*In this paragraph:*

6 “(i) COMMODITY CONTRACT.—*The term*
7 *‘commodity contract’ means—*

8 “(I) *with respect to a futures com-*
9 *mission merchant, a contract for the*
10 *purchase or sale of a commodity for fu-*
11 *ture delivery on, or subject to the rules*
12 *of, a contract market or board of trade;*

13 “(II) *with respect to a foreign fu-*
14 *tures commission merchant, a foreign*
15 *future;*

16 “(III) *with respect to a leverage*
17 *transaction merchant, a leverage trans-*
18 *action;*

19 “(IV) *with respect to a clearing*
20 *organization, a contract for the pur-*
21 *chase or sale of a commodity for future*
22 *delivery on, or subject to the rules of,*
23 *a contract market or board of trade*
24 *that is cleared by such clearing organi-*
25 *zation, or commodity option traded on,*

1 or subject to the rules of, a contract
2 market or board of trade that is
3 cleared by such clearing organization;

4 “(V) with respect to a commodity
5 options dealer, a commodity option;

6 “(VI) any other agreement or
7 transaction that is similar to any
8 agreement or transaction referred to in
9 this clause;

10 “(VII) any combination of the
11 agreements or transactions referred to
12 in this clause;

13 “(VIII) any option to enter into
14 any agreement or transaction referred
15 to in this clause;

16 “(IX) a master agreement that
17 provides for an agreement or trans-
18 action referred to in any of subclauses
19 (I) through (VIII), together with all
20 supplements to any such master agree-
21 ment, without regard to whether the
22 master agreement provides for an
23 agreement or transaction that is not a
24 commodity contract under this clause,
25 except that the master agreement shall

1 *be considered to be a commodity con-*
2 *tract under this clause only with re-*
3 *spect to each agreement or transaction*
4 *under the master agreement that is re-*
5 *ferred to in subclause (I), (II), (III),*
6 *(IV), (V), (VI), (VII), or (VIII); or*

7 *“(X) any security agreement or*
8 *arrangement or other credit enhance-*
9 *ment related to any agreement or*
10 *transaction referred to in this clause,*
11 *including any guarantee or reimburse-*
12 *ment obligation in connection with*
13 *any agreement or transaction referred*
14 *to in this clause.*

15 *“(ii) FORWARD CONTRACT.—The term*
16 *‘forward contract’ means—*

17 *“(I) a contract (other than a com-*
18 *modity contract) for the purchase, sale,*
19 *or transfer of a commodity or any*
20 *similar good, article, service, right, or*
21 *interest which is presently or in the fu-*
22 *ture becomes the subject of dealing in*
23 *the forward contract trade, or product*
24 *or byproduct thereof, with a maturity*
25 *date more than 2 days after the date*

1 *the contract is entered into, including*
2 *a repurchase or reverse repurchase*
3 *transaction (whether or not such re-*
4 *purchase or reverse repurchase trans-*
5 *action is a repurchase agreement), con-*
6 *signment, lease, swap, hedge trans-*
7 *action, deposit, loan, option, allocated*
8 *transaction, unallocated transaction,*
9 *or any other similar agreement;*
10 *“(II) any combination of agree-*
11 *ments or transactions referred to in*
12 *subclauses (I) and (III);*
13 *“(III) any option to enter into*
14 *any agreement or transaction referred*
15 *to in subclause (I) or (II);*
16 *“(IV) a master agreement that*
17 *provides for an agreement or trans-*
18 *action referred to in subclauses (I)*
19 *through (III), together with all supple-*
20 *ments to any such master agreement,*
21 *without regard to whether the master*
22 *agreement provides for an agreement*
23 *or transaction that is not a forward*
24 *contract under this clause, except that*
25 *the master agreement shall be consid-*

1 *ered to be a forward contract under*
2 *this clause only with respect to each*
3 *agreement or transaction under the*
4 *master agreement that is referred to in*
5 *subclause (I), (II), or (III); or*

6 *“(V) any security agreement or*
7 *arrangement or other credit enhance-*
8 *ment related to any agreement or*
9 *transaction referred to in subclause (I),*
10 *(II), (III), or (IV), including any*
11 *guarantee or reimbursement obligation*
12 *in connection with any agreement or*
13 *transaction referred to in any such*
14 *subclause.*

15 *“(iii) PERSON.—The term ‘person’—*

16 *“(I) has the meaning given the*
17 *term in section 1 of title 1, United*
18 *States Code; and*

19 *“(II) includes any governmental*
20 *entity.*

21 *“(iv) QUALIFIED FINANCIAL CON-*
22 *TRACT.—The term ‘qualified financial con-*
23 *tract’ means any securities contract, com-*
24 *modity contract, forward contract, repur-*
25 *chase agreement, swap agreement, and any*

1 *similar agreement that the Corporation de-*
2 *termines by regulation, resolution, or order*
3 *to be a qualified financial contract for pur-*
4 *poses of this paragraph.*

5 “(v) *REPURCHASE AGREEMENT.*—

6 “(I) *IN GENERAL.*—*The term ‘re-*
7 *purchase agreement’ (including with*
8 *respect to a reverse repurchase agree-*
9 *ment)—*

10 “(aa) *means—*

11 “(AA) *an agreement, in-*
12 *cluding related terms, which*
13 *provides for the transfer of*
14 *one or more certificates of de-*
15 *posit, mortgage-related secu-*
16 *rities (as such term is de-*
17 *defined in section 3(a) of the*
18 *Securities Exchange Act of*
19 *1934 (15 U.S.C. 78c(a)),*
20 *mortgage loans, interests in*
21 *mortgage-related securities or*
22 *mortgage loans, eligible bank-*
23 *ers’ acceptances, qualified*
24 *foreign government securities*
25 *or securities that are direct*

1 *obligations of, or that are*
2 *fully guaranteed by, the*
3 *United States or any agency*
4 *of the United States against*
5 *the transfer of funds by the*
6 *transferee of such certificates*
7 *of deposit, eligible bankers’*
8 *acceptances, securities, mort-*
9 *gage loans, or interests with*
10 *a simultaneous agreement by*
11 *such transferee to transfer to*
12 *the transferor thereof certifi-*
13 *cates of deposit, eligible*
14 *bankers’ acceptances, securi-*
15 *ties, mortgage loans, or inter-*
16 *ests as described above, at a*
17 *date certain not later than 1*
18 *year after such transfers or*
19 *on demand, against the*
20 *transfer of funds, or any*
21 *other similar agreement;*
22 *“(BB) any combination*
23 *of agreements or transactions*
24 *referred to in subitems (AA)*
25 *and (CC);*

1 “(CC) any option to
2 enter into any agreement or
3 transaction referred to in
4 subitem (AA) or (BB);
5 “(DD) a master agree-
6 ment that provides for an
7 agreement or transaction re-
8 ferred to in subitem (AA),
9 (BB), or (CC), together with
10 all supplements to any such
11 master agreement, without
12 regard to whether the master
13 agreement provides for an
14 agreement or transaction
15 that is not a repurchase
16 agreement under this item,
17 except that the master agree-
18 ment shall be considered to
19 be a repurchase agreement
20 under this item only with re-
21 spect to each agreement or
22 transaction under the master
23 agreement that is referred to
24 in subitem (AA), (BB), or
25 (CC); and

1 “(EE) any security
2 agreement or arrangement or
3 other credit enhancement re-
4 lated to any agreement or
5 transaction referred to in
6 any of subitems (AA)
7 through (DD), including any
8 guarantee or reimbursement
9 obligation in connection with
10 any agreement or transaction
11 referred to in any such
12 subitem; and

13 “(bb) does not include any
14 repurchase obligation under a
15 participation in a commercial
16 mortgage, loan unless the Cor-
17 poration determines by regula-
18 tion, resolution, or order to in-
19 clude any such participation
20 within the meaning of such term.

21 “(II) RELATED DEFINITION.—For
22 purposes of subclause (I)(aa), the term
23 ‘qualified foreign government security’
24 means a security that is a direct obli-
25 gation of, or that is fully guaranteed

1 *by, the central government of a mem-*
2 *ber of the Organization for Economic*
3 *Cooperation and Development (as de-*
4 *termined by regulation or order adopt-*
5 *ed by the appropriate Federal banking*
6 *authority).*

7 “(vi) *SECURITIES CONTRACT.*—*The*
8 *term ‘securities contract’—*

9 “(I) *means—*

10 “(aa) *a contract for the pur-*
11 *chase, sale, or loan of a security,*
12 *a certificate of deposit, a mortgage*
13 *loan, any interest in a mortgage*
14 *loan, a group or index of securi-*
15 *ties, certificates of deposit, or*
16 *mortgage loans or interests therein*
17 *(including any interest therein or*
18 *based on the value thereof) or any*
19 *option on any of the foregoing, in-*
20 *cluding any option to purchase or*
21 *sell any such security, certificate*
22 *of deposit, mortgage loan, interest,*
23 *group or index, or option, and in-*
24 *cluding any repurchase or reverse*
25 *repurchase transaction on any*

1 such security, certificate of de-
2 posit, mortgage loan, interest,
3 group or index, or option (whether
4 or not the repurchase or reverse
5 repurchase transaction is a repur-
6 chase agreement);
7 “(bb) any option entered into
8 on a national securities exchange
9 relating to foreign currencies;
10 “(cc) the guarantee (includ-
11 ing by novation) by or to any se-
12 curities clearing agency of any
13 settlement of cash, securities, cer-
14 tificates of deposit, mortgage loans
15 or interests therein, group or
16 index of securities, certificates of
17 deposit, or mortgage loans or in-
18 terests therein (including any in-
19 terest therein or based on the
20 value thereof) or option on any of
21 the foregoing, including any op-
22 tion to purchase or sell any such
23 security, certificate of deposit,
24 mortgage loan, interest, group or
25 index, or option (whether or not

1 *the settlement is in connection*
2 *with any agreement or trans-*
3 *action referred to in any of items*
4 *(aa), (bb), and (dd) through (kk));*

5 *“(dd) any margin loan;*

6 *“(ee) any extension of credit*
7 *for the clearance or settlement of*
8 *securities transactions;*

9 *“(ff) any loan transaction*
10 *coupled with a securities collar*
11 *transaction, any prepaid securi-*
12 *ties forward transaction, or any*
13 *total return swap transaction cou-*
14 *pled with a securities sale trans-*
15 *action;*

16 *“(gg) any other agreement or*
17 *transaction that is similar to any*
18 *agreement or transaction referred*
19 *to in this subclause;*

20 *“(hh) any combination of the*
21 *agreements or transactions re-*
22 *ferred to in this subclause;*

23 *“(ii) any option to enter into*
24 *any agreement or transaction re-*
25 *ferred to in this subclause;*

1 “(jj) a master agreement that
2 provides for an agreement or
3 transaction referred to in any of
4 items (aa) through (ii), together
5 with all supplements to any such
6 master agreement, without regard
7 to whether the master agreement
8 provides for an agreement or
9 transaction that is not a securities
10 contract under this subclause, ex-
11 cept that the master agreement
12 shall be considered to be a securi-
13 ties contract under this subclause
14 only with respect to each agree-
15 ment or transaction under the
16 master agreement that is referred
17 to in item (aa), (bb), (cc), (dd),
18 (ee), (ff), (gg), (hh), or (ii); and

19 “(kk) any security agreement
20 or arrangement or other credit en-
21 hancement related to any agree-
22 ment or transaction referred to in
23 this subclause, including any
24 guarantee or reimbursement obli-
25 gation in connection with any

1 *agreement or transaction referred*
2 *to in this subclause; and*

3 “(II) *does not include any pur-*
4 *chase, sale, or repurchase obligation*
5 *under a participation in a commercial*
6 *mortgage loan unless the Corporation*
7 *determines by regulation, resolution, or*
8 *order to include any such agreement*
9 *within the meaning of such term.*

10 “(vii) *SWAP AGREEMENT.—The term*
11 *‘swap agreement’ means—*

12 “(I) *any agreement, including the*
13 *terms and conditions incorporated by*
14 *reference in any such agreement, that*
15 *is—*

16 “(aa) *an interest rate swap,*
17 *option, future, or forward agree-*
18 *ment, including a rate floor, rate*
19 *cap, rate collar, cross-currency*
20 *rate swap, and basis swap;*

21 “(bb) *a spot, same day-to-*
22 *morrow, tomorrow-next, forward,*
23 *or other foreign exchange precious*
24 *metals or other commodity agree-*
25 *ment;*

1 “(cc) a currency swap, op-
2 tion, future, or forward agree-
3 ment;

4 “(dd) an equity index or eq-
5 uity swap, option, future, or for-
6 ward agreement;

7 “(ee) a debt index or debt
8 swap, option, future, or forward
9 agreement;

10 “(ff) a total return, credit
11 spread or credit swap, option, fu-
12 ture, or forward agreement;

13 “(gg) a commodity index or
14 commodity swap, option, future,
15 or forward agreement;

16 “(hh) a weather swap, op-
17 tion, future, or forward agree-
18 ment;

19 “(ii) an emissions swap, op-
20 tion, future, or forward agree-
21 ment; or

22 “(jj) an inflation swap, op-
23 tion, future, or forward agree-
24 ment;

1 “(II) any agreement or trans-
2 action that is similar to any other
3 agreement or transaction referred to in
4 this clause and that is of a type that
5 has been, is presently, or in the future
6 becomes, the subject of recurrent deal-
7 ings in the swap or other derivatives
8 markets (including terms and condi-
9 tions incorporated by reference in such
10 agreement) and that is a forward,
11 swap, future, option or spot trans-
12 action on one or more rates, currencies,
13 commodities, equity securities or other
14 equity instruments, debt securities or
15 other debt instruments, quantitative
16 measures associated with an occur-
17 rence, extent of an occurrence, or con-
18 tingency associated with a financial,
19 commercial, or economic consequence,
20 or economic or financial indices or
21 measures of economic or financial risk
22 or value;

23 “(III) any combination of agree-
24 ments or transactions referred to in
25 this clause;

1 “(IV) any option to enter into
2 any agreement or transaction referred
3 to in this clause;

4 “(V) a master agreement that pro-
5 vides for an agreement or transaction
6 referred to in any of subclauses (I)
7 through (IV), together with all supple-
8 ments to any such master agreement,
9 without regard to whether the master
10 agreement contains an agreement or
11 transaction that is not a swap agree-
12 ment under this clause, except that the
13 master agreement shall be considered to
14 be a swap agreement under this clause
15 only with respect to each agreement or
16 transaction under the master agree-
17 ment that is referred to in subclause
18 (I), (II), (III), or (IV); and

19 “(VI) any security agreement or
20 arrangement or other credit enhance-
21 ment related to any agreements or
22 transactions referred to in any of sub-
23 clauses (I) through (V), including any
24 guarantee or reimbursement obligation
25 in connection with any agreement or

1 *transaction referred to in any such*
2 *subclause.*

3 “(viii) *TRANSFER.*—*The term ‘trans-*
4 *fer’ means every mode, direct or indirect,*
5 *absolute or conditional, voluntary or invol-*
6 *untary, of disposing of or parting with*
7 *property or with an interest in property,*
8 *including retention of title as a security in-*
9 *terest and foreclosure of the equity of re-*
10 *demption of a System institution.*

11 “(ix) *TREATMENT OF MASTER AGREE-*
12 *MENT AS 1 AGREEMENT.*—*For purposes of*
13 *this subparagraph—*

14 “(I) *any master agreement for*
15 *any contract or agreement described in*
16 *this subparagraph (or any master*
17 *agreement for such a master agreement*
18 *or agreements), together with all sup-*
19 *plements to the master agreement, shall*
20 *be treated as a single agreement and a*
21 *single qualified financial contact; and*

22 “(II) *if a master agreement con-*
23 *tains provisions relating to agreements*
24 *or transactions that are not qualified*
25 *financial contracts, the master agree-*

1 *ment shall be deemed to be a qualified*
2 *financial contract only with respect to*
3 *those transactions that are themselves*
4 *qualified financial contracts.*

5 “(B) *RIGHTS OF PARTIES TO CONTRACTS.*—
6 *Subject to paragraphs (9) and (10), and not-*
7 *withstanding any other provision of this Act*
8 *(other than subsection (b)(9) and section 5.61(d))*
9 *or any other Federal or State law, no person*
10 *shall be stayed or prohibited from exercising—*

11 “(i) *any right such person has to cause*
12 *the termination, liquidation, or acceleration*
13 *of any qualified financial contract with a*
14 *System institution which arises upon the*
15 *appointment of the Corporation as receiver*
16 *for such System institution at any time*
17 *after such appointment;*

18 “(ii) *any right under any security*
19 *agreement or arrangement or other credit*
20 *enhancement related to one or more quali-*
21 *fied financial contracts described in clause*
22 *(i); or*

23 “(iii) *any right to offset or net out any*
24 *termination value, payment amount, or*
25 *other transfer obligation arising under, or*

1 *in connection with, 1 or more contracts and*
2 *agreements described in clause (i), includ-*
3 *ing any master agreement for such con-*
4 *tracts or agreements.*

5 “(C) *APPLICABILITY OF OTHER PROVI-*
6 *SIONS.—Subsection (b)(12) shall apply in the*
7 *case of any judicial action or proceeding brought*
8 *against any receiver referred to in subparagraph*
9 *(A), or the System institution for which such re-*
10 *ceiver was appointed, by any party to a contract*
11 *or agreement described in subparagraph (B)(i)*
12 *with such System institution.*

13 “(D) *CERTAIN TRANSFERS NOT AVOID-*
14 *ABLE.—*

15 “(i) *IN GENERAL.—Notwithstanding*
16 *paragraph (11) or any other Federal or*
17 *State law relating to the avoidance of pref-*
18 *erential or fraudulent transfers, the Cor-*
19 *poration, whether acting as such or as con-*
20 *servator or receiver of a System institution,*
21 *may not avoid any transfer of money or*
22 *other property in connection with any*
23 *qualified financial contract with a System*
24 *institution.*

1 “(i) *EXCEPTION FOR CERTAIN TRANS-*
2 *FERS.—Clause (i) shall not apply to any*
3 *transfer of money or other property in con-*
4 *nection with any qualified financial con-*
5 *tract with a System institution if the Cor-*
6 *poration determines that the transferee had*
7 *actual intent to hinder, delay, or defraud*
8 *such System institution, the creditors of*
9 *such System institution, or any conservator*
10 *or receiver appointed for such System insti-*
11 *tution.*

12 “(E) *CERTAIN PROTECTIONS IN EVENT OF*
13 *APPOINTMENT OF CONSERVATOR.—Notwith-*
14 *standing any other provision of this Act (other*
15 *than subparagraph (G), paragraph (10), sub-*
16 *section (b)(9), and section 5.61(d)) or any other*
17 *Federal or State law, no person shall be stayed*
18 *or prohibited from exercising—*

19 “(i) *any right such person has to cause*
20 *the termination, liquidation, or acceleration*
21 *of any qualified financial contract with a*
22 *System institution in a conservatorship*
23 *based upon a default under such financial*
24 *contract which is enforceable under applica-*
25 *ble noninsolvency law;*

1 “(ii) any right under any security
2 agreement or arrangement or other credit
3 enhancement related to one or more quali-
4 fied financial contracts described in clause
5 (i); and

6 “(iii) any right to offset or net out any
7 termination values, payment amounts, or
8 other transfer obligations arising under or
9 in connection with such qualified financial
10 contracts.

11 “(F) CLARIFICATION.—No provision of law
12 shall be construed as limiting the right or power
13 of the Corporation, or authorizing any court or
14 agency to limit or delay, in any manner, the
15 right or power of the Corporation to transfer any
16 qualified financial contract in accordance with
17 paragraphs (9) and (10) or to disaffirm or repu-
18 diate any such contract in accordance with
19 paragraph (1).

20 “(G) WALKAWAY CLAUSES NOT EFFEC-
21 TIVE.—

22 “(i) DEFINITION OF WALKAWAY
23 CLAUSE.—In this subparagraph, the term
24 ‘walkaway clause’ means any provision in
25 a qualified financial contract that suspends,

1 *conditions, or extinguishes a payment obli-*
2 *gation of a party, in whole or in part, or*
3 *does not create a payment obligation of a*
4 *party that would otherwise exist—*

5 *“(I) solely because of—*

6 *“(aa) the status of the party*
7 *as a nondefaulting party in con-*
8 *nection with the insolvency of a*
9 *System institution that is a party*
10 *to the contract; or*

11 *“(bb) the appointment of, or*
12 *the exercise of rights or powers by,*
13 *the Corporation as a conservator*
14 *or receiver of the System institu-*
15 *tion; and*

16 *“(II) not as a result of the exercise*
17 *by a party of any right to offset, setoff,*
18 *or net obligations that exist under—*

19 *“(aa) the contract;*

20 *“(bb) any other contract be-*
21 *tween those parties; or*

22 *“(cc) applicable law.*

23 *“(ii) TREATMENT.—Notwithstanding*
24 *the provisions of subparagraphs (B) and*
25 *(E), no walkaway clause shall be enforceable*

1 *in a qualified financial contract of a Sys-*
2 *tem institution in default.*

3 “(iii) *LIMITED SUSPENSION OF CER-*
4 *TAIN OBLIGATIONS.—In the case of a quali-*
5 *fied financial contract referred to in clause*
6 *(ii), any payment or delivery obligations*
7 *otherwise due from a party pursuant to the*
8 *qualified financial contract shall be sus-*
9 *pended 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 subject*

1 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 Im-*
10 *provement Act of 1991 (12 U.S.C. 4402).*

11 “(ii) *FINANCIAL INSTITUTION.*—*The*
12 *term ‘financial institution’ means a System*
13 *institution, a broker or dealer, a depository*
14 *institution, a futures commission merchant,*
15 *or any other institution, as determined by*
16 *the Corporation by regulation to be a finan-*
17 *cial institution.*

18 “(B) *REQUIREMENT.*—*In making any*
19 *transfer of assets or liabilities of a System insti-*
20 *tution in default which includes any qualified fi-*
21 *nancial contract, the conservator or receiver for*
22 *such System institution shall either—*

23 “(i) *transfer to one financial institu-*
24 *tion, other than a financial institution for*
25 *which a conservator, receiver, trustee in*

1 *bankruptcy, or other legal custodian has*
2 *been appointed, or that is otherwise the sub-*
3 *ject of a bankruptcy or insolvency pro-*
4 *ceeding—*

5 *“(I) all qualified financial con-*
6 *tracts between any person or any affil-*
7 *iate of such person and the System in-*
8 *stitution in default;*

9 *“(II) all claims of such person or*
10 *any affiliate of such person against*
11 *such System institution under any*
12 *such contract (other than any claim*
13 *which, under the terms of any such*
14 *contract, is subordinated to the claims*
15 *of general unsecured creditors of such*
16 *System institution);*

17 *“(III) all claims of such System*
18 *institution against such person or any*
19 *affiliate of such person under any such*
20 *contract; and*

21 *“(IV) all property securing or any*
22 *other credit enhancement for any con-*
23 *tract described in subclause (I) or any*
24 *claim described in subclause (II) or*
25 *(III) under any such contract; or*

1 “(i) transfer none of the qualified fi-
2 nancial contracts, claims, property or other
3 credit enhancement referred to in clause (i)
4 (with respect to such person and any affil-
5 iate of such person).

6 “(C) TRANSFER TO FOREIGN BANK, FOR-
7 EIGN FINANCIAL INSTITUTION, OR BRANCH OR
8 AGENCY OF A FOREIGN BANK OR FINANCIAL IN-
9 STITUTION.—In transferring any qualified fi-
10 nancial contracts and related claims and prop-
11 erty under subparagraph (B)(i), the conservator
12 or receiver for the System institution shall not
13 make such transfer to a foreign bank, financial
14 institution organized under the laws of a foreign
15 country, or a branch or agency of a foreign bank
16 or financial institution unless, under the law ap-
17 plicable to such bank, financial institution,
18 branch or agency, to the qualified financial con-
19 tracts, and to any netting contract, any security
20 agreement or arrangement or other credit en-
21 hancement related to one or more qualified fi-
22 nancial contracts, the contractual rights of the
23 parties to such qualified financial contracts, net-
24 ting contracts, security agreements or arrange-
25 ments, or other credit enhancements are enforce-

1 *able substantially to the same extent as per-*
2 *mitted under this section.*

3 “(D) *TRANSFER OF CONTRACTS SUBJECT TO*
4 *THE RULES OF A CLEARING ORGANIZATION.—In*
5 *the event that a conservator or receiver transfers*
6 *any qualified financial contract and related*
7 *claims, property, and credit enhancements pur-*
8 *suant to subparagraph (B)(i) and such contract*
9 *is cleared by or subject to the rules of a clearing*
10 *organization, the clearing organization shall not*
11 *be required to accept the transferee as a member*
12 *by virtue of the transfer.*

13 “(10) *NOTIFICATION OF TRANSFER.—*

14 “(A) *DEFINITION OF BUSINESS DAY.—In*
15 *this paragraph, the term ‘business day’ means*
16 *any day other than any Saturday, Sunday, or*
17 *any day on which either the New York Stock Ex-*
18 *change or the Federal Reserve Bank of New York*
19 *is closed.*

20 “(B) *NOTIFICATION.—If—*

21 “(i) *the conservator or receiver for a*
22 *System institution in default makes any*
23 *transfer of the assets and liabilities of such*
24 *System institution; and*

1 “(ii) *the transfer includes any quali-*
2 *fied financial contract, the conservator or*
3 *receiver shall notify any person who is a*
4 *party to any such contract of such transfer*
5 *by 5:00 p.m. (eastern time) on the business*
6 *day following the date of the appointment of*
7 *the receiver in the case of a receivership, or*
8 *the business day following such transfer in*
9 *the case of a conservatorship.*

10 “(C) *CERTAIN RIGHTS NOT ENFORCE-*
11 *ABLE.—*

12 “(i) *RECEIVERSHIP.—A person who is*
13 *a party to a qualified financial contract*
14 *with a System institution may not exercise*
15 *any right that such person has to terminate,*
16 *liquidate, or net such contract under para-*
17 *graph (8)(B) of this subsection, solely by*
18 *reason of or incidental to the appointment*
19 *of a receiver for the System institution (or*
20 *the insolvency or financial condition of the*
21 *System institution for which the receiver*
22 *has been appointed)—*

23 “(I) *until 5:00 p.m. (eastern time)*
24 *on the business day following the date*
25 *of the appointment of the receiver; or*

1 “(II) after the person has received
2 notice that the contract has been trans-
3 ferred pursuant to paragraph (9)(B).

4 “(ii) CONSERVATORSHIP.—A person
5 who is a party to a qualified financial con-
6 tract with a System institution may not ex-
7 ercise any right that such person has to ter-
8 minate, liquidate, or net such contract
9 under paragraph (8)(E) of this subsection,
10 solely by reason of or incidental to the ap-
11 pointment of a conservator for the System
12 institution (or the insolvency or financial
13 condition of the System institution for
14 which the conservator has been appointed).

15 “(iii) NOTICE.—For purposes of this
16 paragraph, the Corporation as receiver or
17 conservator of a System institution shall be
18 deemed to have notified a person who is a
19 party to a qualified financial contract with
20 such System institution if the Corporation
21 has taken steps reasonably calculated to
22 provide notice to such person by the time
23 specified in subparagraph (B).

24 “(D) TREATMENT OF BRIDGE SYSTEM IN-
25 STITUTIONS.—The following System institutions

1 *shall not be considered to be a financial institu-*
2 *tion for which a conservator, receiver, trustee in*
3 *bankruptcy, or other legal custodian has been ap-*
4 *pointed or which is otherwise the subject of a*
5 *bankruptcy or insolvency proceeding for purposes*
6 *of paragraph (9):*

7 *“(i) A bridge System bank.*

8 *“(ii) A System institution organized*
9 *by the Corporation or the Farm Credit Ad-*
10 *ministration, for which a conservator is ap-*
11 *pointed either—*

12 *“(I) immediately upon the organi-*
13 *zation of the System institution; or*

14 *“(II) at the time of a purchase*
15 *and assumption transaction between*
16 *the System institution and the Cor-*
17 *poration as receiver for a System insti-*
18 *tution in default.*

19 *“(11) DISAFFIRMANCE OR REPUDIATION OF*
20 *QUALIFIED FINANCIAL CONTRACTS.—In exercising the*
21 *rights of disaffirmance or repudiation of a conser-*
22 *vator or receiver with respect to any qualified finan-*
23 *cial contract to which a System institution is a*
24 *party, the conservator or receiver for such System in-*
25 *stitution shall either—*

1 “(A) disaffirm or repudiate all qualified fi-
2 nancial contracts between—

3 “(i) any person or any affiliate of such
4 person; and

5 “(ii) the System institution in default;
6 or

7 “(B) disaffirm or repudiate none of the
8 qualified financial contracts referred to in sub-
9 paragraph (A) (with respect to such person or
10 any affiliate of such person).

11 “(12) CERTAIN SECURITY INTERESTS NOT AVOID-
12 ABLE.—No provision of this subsection shall be con-
13 strued as permitting the avoidance of any legally en-
14 forceable or perfected security interest in any of the
15 assets of any System institution except where such an
16 interest is taken in contemplation of the System insti-
17 tution’s insolvency or with the intent to hinder, delay,
18 or defraud the System institution or the creditors of
19 such System institution.

20 “(13) AUTHORITY TO ENFORCE CONTRACTS.—

21 “(A) IN GENERAL.—The conservator or re-
22 ceiver may enforce any contract, other than a di-
23 rector’s or officer’s liability insurance contract or
24 a System institution bond, entered into by the
25 System institution notwithstanding any provi-

1 *sion of the contract providing for termination,*
2 *default, acceleration, or exercise of rights upon,*
3 *or solely by reason of, insolvency or the appoint-*
4 *ment of or the exercise of rights or powers by a*
5 *conservator or receiver.*

6 *“(B) CERTAIN RIGHTS NOT AFFECTED.—No*
7 *provision of this paragraph may be construed as*
8 *impairing or affecting any right of the conser-*
9 *vator or receiver to enforce or recover under a di-*
10 *rector’s or officer’s liability insurance contract or*
11 *institution bond under other applicable law.*

12 *“(C) CONSENT REQUIREMENT.—*

13 *“(i) IN GENERAL.—Except as otherwise*
14 *provided by this section, no person may ex-*
15 *ercise any right or power to terminate, ac-*
16 *celerate, or declare a default under any con-*
17 *tract to which the System institution is a*
18 *party, or to obtain possession of or exercise*
19 *control over any property of the System in-*
20 *stitution or affect any contractual rights of*
21 *the System institution, without the consent*
22 *of the conservator or receiver, as appro-*
23 *priate, during the 45-day period beginning*
24 *on the date of the appointment of the con-*
25 *servator, or during the 90-day period begin-*

1 *ning on the date of the appointment of the*
2 *receiver, as applicable.*

3 “(ii) *CERTAIN EXCEPTIONS.—No pro-*
4 *vision of this subparagraph shall apply to*
5 *a director or officer liability insurance con-*
6 *tract or an institution bond, to the rights of*
7 *parties to certain qualified financial con-*
8 *tracts pursuant to paragraph (8), or shall*
9 *be construed as permitting the conservator*
10 *or receiver to fail to comply with otherwise*
11 *enforceable provisions of such contract.*

12 “(14) *EXCEPTION FOR FEDERAL RESERVE AND*
13 *THE UNITED STATES TREASURY.—No provision of*
14 *this subsection shall apply with respect to—*

15 “(A) *any extension of credit from any Fed-*
16 *eral Reserve bank or the United States Treasury*
17 *to any System institution; or*

18 “(B) *any security interest in the assets of*
19 *the System institution securing any such exten-*
20 *sion of credit.*

21 “(15) *SAVINGS CLAUSE.—The meanings of terms*
22 *used in this subsection—*

23 “(A) *are applicable for purposes of this sub-*
24 *section only; and*

1 “(B) shall not be construed or applied so as
2 to challenge or affect the characterization, defini-
3 tion, or treatment of any similar terms under
4 any other law, regulation, or rule, including—

5 “(i) the Gramm-Leach-Bliley Act (12
6 U.S.C. 1811 note; Public Law 106–102);

7 “(ii) the Legal Certainty for Bank
8 Products Act of 2000 (7 U.S.C. 27 et seq.);

9 “(iii) the securities laws (as that term
10 is defined in section 3(a) of the Securities
11 Exchange Act of 1934 (15 U.S.C. 78c(a)));
12 and

13 “(iv) the Commodity Exchange Act (7
14 U.S.C. 1 et seq.).

15 “(d) VALUATION OF CLAIMS IN DEFAULT.—

16 “(1) IN GENERAL.—Notwithstanding any other
17 provision of Federal law or the law of any State and
18 regardless of the method which the Corporation deter-
19 mines to utilize with respect to a System institution
20 in default or in danger of default, including trans-
21 actions authorized under subsection (h) and section
22 5.61(a), this subsection shall govern the rights of the
23 creditors of such System institution.

24 “(2) MAXIMUM LIABILITY.—The maximum li-
25 ability of the Corporation, acting as receiver or in

1 *any other capacity, to any person having a claim*
2 *against the receiver or the System institution for*
3 *which such receiver is appointed shall equal the*
4 *amount such claimant would have received if the Cor-*
5 *poration had liquidated the assets and liabilities of*
6 *such System institution without exercising the Cor-*
7 *poration's authority under subsection (h) or section*
8 *5.61(a).*

9 “(3) *ADDITIONAL PAYMENTS AUTHORIZED.*—

10 “(A) *IN GENERAL.*—*The Corporation may,*
11 *in its discretion and in the interests of mini-*
12 *mizing its losses, use its own resources to make*
13 *additional payments or credit additional*
14 *amounts to or with respect to or for the account*
15 *of any claimant or category of claimants. Not-*
16 *withstanding any other provision of Federal or*
17 *State law, or the constitution of any State, the*
18 *Corporation shall not be obligated, as a result of*
19 *having made any such payment or credited any*
20 *such amount to or with respect to or for the ac-*
21 *count of any claimant or category of claimants,*
22 *to make payments to any other claimant or cat-*
23 *egory of claimants.*

24 “(B) *MANNER OF PAYMENT.*—*The Corpora-*
25 *tion may make the payments or credit the*

1 *amounts specified in subparagraph (A) directly*
2 *to the claimants or may make such payments or*
3 *credit such amounts to an open System institu-*
4 *tion to induce such System institution to accept*
5 *liability for such claims.*

6 “(e) *LIMITATION ON COURT ACTION.—Except as pro-*
7 *vided in this section, no court may take any action, except*
8 *at the written request of the Board of Directors, to restrain*
9 *or affect the exercise of powers or functions of the Corpora-*
10 *tion as a conservator or a receiver.*

11 “(f) *LIABILITY OF DIRECTORS AND OFFICERS.—*

12 “(1) *IN GENERAL.—A director or officer of a*
13 *System institution may be held personally liable for*
14 *monetary damages in any civil action—*

15 “(A) *brought by, on behalf of, or at the re-*
16 *quest or direction of the Corporation;*

17 “(B) *prosecuted wholly or partially for the*
18 *benefit of the Corporation—*

19 “(i) *acting as conservator or receiver of*
20 *that System institution;*

21 “(ii) *acting based on a suit, claim, or*
22 *cause of action purchased from, assigned by,*
23 *or otherwise conveyed by that receiver or*
24 *conservator; or*

1 “(iii) acting based on a suit, claim, or
2 cause of action purchased from, assigned by,
3 or otherwise conveyed in whole or in part
4 by a System institution or an affiliate of a
5 System institution in connection with as-
6 sistance provided under section 5.61(a); and
7 “(C) for, as determined under the applicable
8 State law—

9 “(i) gross negligence; or
10 “(ii) any similar conduct, including
11 conduct that demonstrates a greater dis-
12 regard of a duty of care than gross neg-
13 ligence, such as intentional tortious con-
14 duct.

15 “(2) *EFFECT.*—Nothing in paragraph (1) im-
16 pairs or affects any right of the Corporation under
17 any other applicable law.

18 “(g) *DAMAGES.*—In any proceeding related to any
19 claim against a System institution’s director, officer, em-
20 ployee, agent, attorney, accountant, appraiser, or any other
21 party employed by or providing services to a System insti-
22 tution, recoverable damages determined to result from the
23 improvident or otherwise improper use or investment of any
24 System institution’s assets shall include principal losses
25 and appropriate interest.

1 “(h) *BRIDGE FARM CREDIT SYSTEM BANKS.*—

2 “(1) *ORGANIZATION.*—

3 “(A) *PURPOSE.*—

4 “(i) *IN GENERAL.*—When 1 or more
5 *System banks are in default, or when the*
6 *Corporation anticipates that 1 or more Sys-*
7 *tem banks may become in default, the Cor-*
8 *poration may, in its discretion, organize,*
9 *and the Farm Credit Administration may,*
10 *in its discretion, charter, 1 or more System*
11 *banks, with the powers and attributes of*
12 *System banks, subject to the provisions of*
13 *this subsection, to be referred to as ‘bridge*
14 *System banks’.*

15 “(ii) *INTENT OF CONGRESS.*—It is the
16 *intent of the Congress that, in order to pre-*
17 *vent unnecessary hardship or losses to the*
18 *customers of any System bank in default*
19 *with respect to which a bridge System bank*
20 *is chartered, the Corporation should—*

21 “(I) *continue to honor commit-*
22 *ments made by the System bank in de-*
23 *fault to creditworthy customers; and*

24 “(II) *not interrupt or terminate*
25 *adequately secured loans which are*

1 *transferred under this subsection and*
2 *are being repaid by the debtor in ac-*
3 *cordance with the terms of the loan in-*
4 *strument.*

5 “(B) *AUTHORITIES.*—*Once chartered by the*
6 *Farm Credit Administration, the bridge System*
7 *bank may—*

8 “(i) *assume such liabilities of the Sys-*
9 *tem bank or banks in default or in danger*
10 *of default as the Corporation may, in its*
11 *discretion, determine to be appropriate;*

12 “(ii) *purchase such assets of the Sys-*
13 *tem bank or banks in default or in danger*
14 *of default as the Corporation may, in its*
15 *discretion, determine to be appropriate; and*

16 “(iii) *perform any other temporary*
17 *function which the Corporation may, in its*
18 *discretion, prescribe in accordance with this*
19 *Act.*

20 “(C) *ARTICLES OF ASSOCIATION.*—*The arti-*
21 *cles of association and organization certificate of*
22 *a bridge System bank as approved by the Cor-*
23 *poration shall be executed by 3 representatives*
24 *designated by the Corporation.*

1 “(D) *INTERIM DIRECTORS.*—A bridge Sys-
2 *tem bank shall have an interim board of direc-*
3 *tors consisting of not fewer than 5 nor more than*
4 *10 members appointed by the Corporation.*

5 “(2) *CHARTERING.*—

6 “(A) *CONDITIONS.*—The Farm Credit Ad-
7 *ministration may charter a bridge System bank*
8 *only if the Board of Directors determines that—*

9 “(i) *the amount which is reasonably*
10 *necessary to operate such bridge System*
11 *bank will not exceed the amount which is*
12 *reasonably necessary to save the cost of liq-*
13 *uidating 1 or more System banks in default*
14 *or in danger of default with respect to*
15 *which the bridge System bank is chartered;*

16 “(ii) *the continued operation of such*
17 *System bank or banks in default or in dan-*
18 *ger of default with respect to which the*
19 *bridge System bank is chartered is essential*
20 *to provide adequate farm credit services in*
21 *the 1 or more communities where each such*
22 *System bank in default or in danger of de-*
23 *fault is or was providing those farm credit*
24 *services; or*

1 “(iii) *the continued operation of such*
2 *System bank or banks in default or in dan-*
3 *ger of default with respect to which the*
4 *bridge System bank is chartered is in the*
5 *best interest of the Farm Credit System or*
6 *the public.*

7 “(B) *BRIDGE SYSTEM BANK TREATED AS*
8 *BEING IN DEFAULT FOR CERTAIN PURPOSES.—A*
9 *bridge System bank shall be treated as being in*
10 *default at such times and for such purposes as*
11 *the Corporation may, in its discretion, deter-*
12 *mine.*

13 “(C) *MANAGEMENT.—A bridge System*
14 *bank, upon the granting of its charter, shall be*
15 *under the management of a board of directors*
16 *consisting of not fewer than 5 nor more than 10*
17 *members appointed by the Corporation, in con-*
18 *sultation with the Farm Credit Administration.*

19 “(D) *BYLAWS.—The board of directors of a*
20 *bridge System bank shall adopt such bylaws as*
21 *may be approved by the Corporation.*

22 “(3) *TRANSFER OF ASSETS AND LIABILITIES.—*

23 “(A) *TRANSFER UPON GRANT OF CHAR-*
24 *TER.—Upon the granting of a charter to a*
25 *bridge System bank pursuant to this subsection,*

1 *the Corporation, as receiver, may transfer any*
2 *assets and liabilities of the System bank to the*
3 *bridge System bank in accordance with para-*
4 *graph (1).*

5 “(B) *SUBSEQUENT TRANSFERS.*—*At any*
6 *time after a charter is granted to a bridge Sys-*
7 *tem bank, the Corporation, as receiver, may*
8 *transfer any assets and liabilities of such System*
9 *bank in default as the Corporation may, in its*
10 *discretion, determine to be appropriate in ac-*
11 *cordance with paragraph (1).*

12 “(C) *EFFECTIVE WITHOUT APPROVAL.*—*The*
13 *transfer of any assets or liabilities of a System*
14 *bank in default or danger of default transferred*
15 *to a bridge System bank shall be effective with-*
16 *out any further approval under Federal or State*
17 *law, assignment, or consent with respect thereto.*

18 “(4) *POWERS OF BRIDGE SYSTEM BANKS.*—*Each*
19 *bridge System bank chartered under this subsection*
20 *shall, to the extent described in the charter of the Sys-*
21 *tem bank in default with respect to which the bridge*
22 *System bank is chartered, have all corporate powers*
23 *of, and be subject to the same provisions of law as,*
24 *any System bank, except that—*

25 “(A) *the Corporation may—*

1 “(i) remove the interim directors and
2 directors of a bridge System bank;

3 “(ii) fix the compensation of members
4 of the interim board of directors and the
5 board of directors and senior management,
6 as determined by the Corporation in its dis-
7 cretion, of a bridge System bank; and

8 “(iii) waive any requirement estab-
9 lished under Federal or State law which
10 would otherwise be applicable with respect
11 to directors of a bridge System bank, on the
12 condition that the waiver of any require-
13 ment established by the Farm Credit Ad-
14 ministration shall require the concurrence
15 of the Farm Credit Administration;

16 “(B) the Corporation may indemnify the
17 representatives for purposes of paragraph (1)(B)
18 and the interim directors, directors, officers, em-
19 ployees, and agents of a bridge System bank on
20 such terms as the Corporation determines to be
21 appropriate;

22 “(C) no requirement under any provision of
23 law relating to the capital of a System institu-
24 tion shall apply with respect to a bridge System
25 bank;

1 “(D) the Farm Credit Administration
2 Board may establish a limitation on the extent
3 to which any person may become indebted to a
4 bridge System bank without regard to the
5 amount of the bridge System bank’s capital or
6 surplus;

7 “(E)(i) the board of directors of a bridge
8 System bank shall elect a chairperson who may
9 also serve in the position of chief executive offi-
10 cer, except that such person shall not serve either
11 as chairperson or as chief executive officer with-
12 out the prior approval of the Corporation; and

13 “(ii) the board of directors of a bridge Sys-
14 tem bank may appoint a chief executive officer
15 who is not also the chairperson, except that such
16 person shall not serve as chief executive officer
17 without the prior approval of the Corporation;

18 “(F) the Farm Credit Administration may
19 waive any requirement for a fidelity bond with
20 respect to a bridge System bank at the request of
21 the Corporation;

22 “(G) any judicial action to which a bridge
23 System bank becomes a party by virtue of its ac-
24 quisition of any assets or assumption of any li-
25 abilities of a System bank in default shall be

1 *stayed from further proceedings for a period of*
2 *up to 45 days at the request of the bridge System*
3 *bank;*

4 *“(H) no agreement which tends to diminish*
5 *or defeat the right, title or interest of a bridge*
6 *System bank in any asset of a System bank in*
7 *default acquired by it shall be valid against the*
8 *bridge System bank unless such agreement—*

9 *“(i) is in writing;*

10 *“(ii) was executed by such System*
11 *bank in default and the person or persons*
12 *claiming an adverse interest thereunder, in-*
13 *cluding the obligor, contemporaneously with*
14 *the acquisition of the asset by such System*
15 *bank in default;*

16 *“(iii) was approved by the board of di-*
17 *rectors of such System bank in default or its*
18 *loan committee, which approval shall be re-*
19 *flected in the minutes of said board or com-*
20 *mittee; and*

21 *“(iv) has been, continuously from the*
22 *time of its execution, an official record of*
23 *such System bank in default;*

24 *“(I) notwithstanding subsection 5.61(d)(2),*
25 *any agreement relating to an extension of credit*

1 *between a System bank, Federal Reserve bank, or*
2 *the United States Treasury and any System in-*
3 *stitution which was executed before the extension*
4 *of credit by such lender to such System institu-*
5 *tion shall be treated as having been executed con-*
6 *temporaneously with such extension of credit for*
7 *purposes of subparagraph (H); and*

8 “(J) *except with the prior approval of the*
9 *Corporation and the concurrence of the Farm*
10 *Credit Administration, a bridge System bank*
11 *may not, in any transaction or series of trans-*
12 *actions, issue capital stock or be a party to any*
13 *merger, consolidation, disposition of substan-*
14 *tially all of the assets or liabilities of the bridge*
15 *System bank, sale or exchange of capital stock,*
16 *or similar transaction, or change its charter.*

17 “(5) *CAPITAL.—*

18 “(A) *NO CAPITAL REQUIRED.—The Cor-*
19 *poration shall not be required to—*

20 “(i) *issue any capital stock on behalf of*
21 *a bridge System bank chartered under this*
22 *subsection; or*

23 “(ii) *purchase any capital stock of a*
24 *bridge System bank, except that notwith-*
25 *standing any other provision of Federal or*

1 *State law, the Corporation may purchase*
2 *and retain capital stock of a bridge System*
3 *bank in such amounts and on such terms as*
4 *the Corporation, in its discretion, deter-*
5 *mines to be appropriate.*

6 “(B) *OPERATING FUNDS IN LIEU OF CAP-*
7 *ITAL.—Upon the organization of a bridge Sys-*
8 *tem bank, and thereafter, as the Corporation*
9 *may, in its discretion, determine to be necessary*
10 *or advisable, the Corporation may make avail-*
11 *able to the bridge System bank, upon such terms*
12 *and conditions and in such form and amounts*
13 *as the Corporation may in its discretion deter-*
14 *mine, funds for the operation of the bridge Sys-*
15 *tem bank in lieu of capital.*

16 “(C) *AUTHORITY TO ISSUE CAPITAL*
17 *STOCK.—Whenever the Farm Credit Administra-*
18 *tion Board determines it is advisable to do so,*
19 *the Corporation shall cause capital stock of a*
20 *bridge System bank to be issued and offered for*
21 *sale in such amounts and on such terms and*
22 *conditions as the Corporation may, in its discre-*
23 *tion, determine.*

24 “(6) *EMPLOYEE STATUS.—Representatives for*
25 *purposes of paragraph (1)(C), interim directors, di-*

1 *rectors, officers, employees, or agents of a bridge Sys-*
2 *tem bank are not, solely by virtue of service in any*
3 *such capacity, officers or employees of the United*
4 *States. Any employee of the Corporation, the Farm*
5 *Credit Administration, or any Federal instrumen-*
6 *tality who serves at the request of the Corporation as*
7 *a representative for purposes of paragraph (1)(C), in-*
8 *terim director, director, officer, employee, or agent of*
9 *a bridge System bank shall not—*

10 *“(A) solely by virtue of service in any such*
11 *capacity lose any existing status as an officer or*
12 *employee of the United States for purposes of*
13 *any provision of law; or*

14 *“(B) receive any salary or benefits for serv-*
15 *ice in any such capacity with respect to a bridge*
16 *System bank in addition to such salary or bene-*
17 *fits as are obtained through employment with the*
18 *Corporation or such Federal instrumentality.*

19 *“(7) ASSISTANCE AUTHORIZED.—The Corpora-*
20 *tion may, in its discretion, provide assistance under*
21 *section 5.61(a) to facilitate any merger or consolida-*
22 *tion of a bridge System bank in the same manner*
23 *and to the same extent as such assistance may be pro-*
24 *vided to a qualifying insured System bank (as defined*
25 *in section 5.61(a)(2)(B)) or to facilitate a bridge Sys-*

1 *tem bank's acquisition of any assets or the assump-*
2 *tion of any liabilities of a System bank in default or*
3 *in danger of default.*

4 “(8) *DURATION OF BRIDGE SYSTEM BANKS.—*
5 *Subject to paragraphs (10) and (11), the status of a*
6 *bridge System bank as such shall terminate at the end*
7 *of the 2-year period following the date it was granted*
8 *a charter. The Farm Credit Administration Board*
9 *may, in its discretion, extend the status of the bridge*
10 *System bank as such for 3 additional 1-year periods.*

11 “(9) *TERMINATION OF BRIDGE SYSTEM BANKS*
12 *STATUS.—The status of any bridge System bank as*
13 *such shall terminate upon the earliest of—*

14 “(A) *the merger or consolidation of the*
15 *bridge System bank with a System institution*
16 *that is not a bridge System bank, on the condi-*
17 *tion that the merger or consolidation shall be*
18 *subject to the approval of the Farm Credit Ad-*
19 *ministration;*

20 “(B) *at the election of the Corporation and*
21 *with the approval of the Farm Credit Adminis-*
22 *tration, the sale of a majority or all of the cap-*
23 *ital stock of the bridge System bank to a System*
24 *institution or another bridge System bank;*

1 “(C) *at the election of the Corporation, and*
2 *with the approval of the Farm Credit Adminis-*
3 *tration, either the assumption of all or substan-*
4 *tially all of the liabilities of the bridge System*
5 *bank, or the acquisition of all or substantially*
6 *all of the assets of the bridge System bank, by a*
7 *System institution that is not a bridge System*
8 *bank or other entity as permitted under applica-*
9 *ble law; and*

10 “(D) *the expiration of the period provided*
11 *in paragraph (8), or the earlier dissolution of the*
12 *bridge System bank as provided in paragraph*
13 *(11).*

14 “(10) *EFFECT OF TERMINATION EVENTS.—*

15 “(A) *MERGER OR CONSOLIDATION.—A*
16 *bridge System bank that participates in a merg-*
17 *er or consolidation as provided in paragraph*
18 *(9)(A) shall be for all purposes a System institu-*
19 *tion, with all the rights, powers, and privileges*
20 *thereof, and such merger or consolidation shall be*
21 *conducted in accordance with, and shall have the*
22 *effect provided in, the provisions of applicable*
23 *law.*

24 “(B) *CHARTER CONVERSION.—Following*
25 *the sale of a majority or all of the capital stock*

1 of the bridge System bank as provided in para-
2 graph (9)(B), the Farm Credit Administration
3 Board may amend the charter of the bridge Sys-
4 tem bank to reflect the termination of the status
5 of the bridge System bank as such, whereupon
6 the System bank shall remain a System bank,
7 with all of the rights, powers, and privileges
8 thereof, subject to all laws and regulations appli-
9 cable thereto.

10 “(C) ASSUMPTION OF LIABILITIES AND
11 SALE OF ASSETS.—Following the assumption of
12 all or substantially all of the liabilities of the
13 bridge System bank, or the sale of all or substan-
14 tially all of the assets of the bridge System bank,
15 as provided in paragraph (9)(C), at the election
16 of the Corporation, the bridge System bank may
17 retain its status as such for the period provided
18 in paragraph (8).

19 “(D) AMENDMENTS TO CHARTER.—Fol-
20 lowing the consummation of a transaction de-
21 scribed in subparagraph (A), (B), or (C) of
22 paragraph (9), the charter of the resulting Sys-
23 tem institution shall be amended by the Farm
24 Credit Administration to reflect the termination
25 of bridge System bank status, if appropriate.

1 “(11) *DISSOLUTION OF BRIDGE SYSTEM BANK.*—

2 “(A) *IN GENERAL.*—*Notwithstanding any*
3 *other provision of State or Federal law, if the*
4 *bridge System bank’s status as such has not pre-*
5 *viously been terminated by the occurrence of an*
6 *event specified in subparagraph (A), (B), or (C)*
7 *of paragraph (9)—*

8 “(i) *the Corporation, after consultation*
9 *with the Farm Credit Administration, may,*
10 *in its discretion, dissolve a bridge System*
11 *bank in accordance with this paragraph at*
12 *any time; and*

13 “(ii) *the Corporation, after consulta-*
14 *tion with the Farm Credit Administration,*
15 *shall promptly commence dissolution pro-*
16 *ceedings in accordance with this paragraph*
17 *upon the expiration of the 2-year period fol-*
18 *lowing the date the bridge System bank was*
19 *chartered, or any extension thereof, as pro-*
20 *vided in paragraph (8).*

21 “(B) *PROCEDURES.*—*The Farm Credit Ad-*
22 *ministration Board shall appoint the Corpora-*
23 *tion as receiver for a bridge System bank upon*
24 *determining to dissolve the bridge System bank.*
25 *The Corporation as such receiver shall wind up*

1 *the affairs of the bridge System bank in con-*
2 *formity with the provisions of law relating to the*
3 *liquidation of closed System banks. With respect*
4 *to any such bridge System bank, the Corporation*
5 *as such receiver shall have all the rights, powers,*
6 *and privileges and shall perform the duties re-*
7 *lated to the exercise of such rights, powers, or*
8 *privileges granted by law to a receiver of any in-*
9 *sured System bank and, notwithstanding any*
10 *other provision of law in the exercise of such*
11 *rights, powers, and privileges, the Corporation*
12 *shall not be subject to the direction or super-*
13 *vision of any State agency or other Federal*
14 *agency.*

15 “(12) *MULTIPLE BRIDGE SYSTEM BANKS.—The*
16 *Corporation may, in the Corporation’s discretion, or-*
17 *ganize, and the Farm Credit Administration may, in*
18 *its discretion, charter, 2 or more bridge System banks*
19 *under this subsection to assume any liabilities and*
20 *purchase any assets of a single System institution in*
21 *default.*

22 “(i) *CERTAIN SALES OF ASSETS PROHIBITED.—*

23 “(1) *PERSONS WHO ENGAGED IN IMPROPER CON-*
24 *DUCT WITH, OR CAUSED LOSSES TO, SYSTEM INSTITU-*
25 *TIONS.—The Corporation shall prescribe regulations*

1 *which, at a minimum, shall prohibit the sale of assets*
2 *of a failed System institution by the Corporation to—*

3 “(A) *any person who—*

4 “(i) *has defaulted, or was a member of*
5 *a partnership or an officer or director of a*
6 *corporation that has defaulted, on 1 or more*
7 *obligations the aggregate amount of which*
8 *exceed \$1,000,000, to such failed System in-*
9 *stitution;*

10 “(ii) *has been found to have engaged in*
11 *fraudulent activity in connection with any*
12 *obligation referred to in clause (i); and*

13 “(iii) *proposes to purchase any such*
14 *asset in whole or in part through the use of*
15 *the proceeds of a loan or advance of credit*
16 *from the Corporation or from any System*
17 *institution for which the Corporation has*
18 *been appointed as conservator or receiver;*

19 “(B) *any person who participated, as an of-*
20 *ficer or director of such failed System institution*
21 *or of any affiliate of such System institution, in*
22 *a material way in transactions that resulted in*
23 *a substantial loss to such failed System institu-*
24 *tion;*

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 obli-
8 gations 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 failed
11 System institution which, if not paid, will cause
12 substantial loss to the System institution or the
13 Corporation.

14 “(2) *DEFAULTED DEBTORS.*—*Except as provided*
15 *in paragraph (3), any person who is in default on*
16 *any loan or other extension of credit from the System*
17 *institution, which, if not paid, will cause substantial*
18 *loss to the System institution or the Corporation,*
19 *may not purchase any asset from the conservator or*
20 *receiver.*

21 “(3) *SETTLEMENT OF CLAIMS.*—*Paragraph (1)*
22 *shall not apply to the sale or transfer by the Corpora-*
23 *tion of any asset of any System institution to any*
24 *person if the sale or transfer of the asset resolves or*
25 *settles, or is part of the resolution or settlement, of—*

1 “(A) 1 or more claims that have been, or
2 could have been, asserted by the Corporation
3 against the person; or

4 “(B) obligations owed by the person to any
5 System institution, or the Corporation.

6 “(4) DEFINITION OF DEFAULT.—For purposes of
7 this subsection, the term ‘default’ means a failure to
8 comply with the terms of a loan or other obligation
9 to such an extent that the property securing the obli-
10 gation is foreclosed upon.

11 “(j) EXPEDITED PROCEDURES FOR CERTAIN
12 CLAIMS.—

13 “(1) TIME FOR FILING NOTICE OF APPEAL.—The
14 notice of appeal of any order, whether interlocutory
15 or final, entered in any case brought by the Corpora-
16 tion against a System institution’s director, officer,
17 employee, agent, attorney, accountant, or appraiser or
18 any other person employed by or providing services to
19 a System institution shall be filed not later than 30
20 days after the date of entry of the order. The hearing
21 of the appeal shall be held not later than 120 days
22 after the date of the notice of appeal. The appeal shall
23 be decided not later than 180 days after the date of
24 the notice of appeal.

1 “(2) *SCHEDULING.*—A court of the United States
2 shall expedite the consideration of any case brought
3 by the Corporation against a System institution’s di-
4 rector, officer, employee, agent, attorney, accountant,
5 or appraiser or any other person employed by or pro-
6 viding services to a System institution. As far as
7 practicable the court shall give such case priority on
8 its docket.

9 “(3) *JUDICIAL DISCRETION.*—The court may
10 modify the schedule and limitations stated in para-
11 graphs (1) and (2) in a particular case, based on a
12 specific finding that the ends of justice that would be
13 served by making such a modification would outweigh
14 the best interest of the public in having the case re-
15 solved expeditiously.

16 “(k) *BOND NOT REQUIRED; AGENTS; FEE.*—The Cor-
17 poration as conservator or receiver of a System institution
18 shall not be required to furnish bond and may appoint an
19 agent or agents to assist in its duties as such conservator
20 or receiver. All fees, compensation, and expenses of liquida-
21 tion and administration shall be fixed by the Corporation
22 and may be paid by it out of funds coming into its posses-
23 sion as such conservator or receiver.

24 “(l) *CONSULTATION REGARDING CONSERVATORSHIPS*
25 *AND RECEIVERSHIPS.*—To the extent practicable—

1 “(1) *the Farm Credit Administration shall con-*
2 *sult with the Corporation prior to taking a*
3 *preresolution action concerning a System institution*
4 *that may result in a conservatorship or receivership;*
5 *and*

6 “(2) *the Corporation, acting in the capacity of*
7 *the Corporation as a conservator or receiver, shall*
8 *consult with the Farm Credit Administration prior to*
9 *taking any significant action impacting System in-*
10 *stitutions or service to System borrowers.*

11 “(m) *APPLICABILITY.—This section shall become ap-*
12 *plicable with respect to the power of the Corporation to act*
13 *as a conservator or receiver on the date on which the Farm*
14 *Credit Administration appoints the Corporation as a con-*
15 *servator or receiver under section 4.12 or 8.41.”.*

16 **SEC. 5409. REPORTING.**

17 “(a) *DEFINITION OF FARM LOAN.—In this section, the*
18 *term “farm loan” means—*

19 “(1) *a farm ownership loan under subtitle A of*
20 *the Consolidated Farm and Rural Development Act*
21 *(7 U.S.C. 1922 et seq.); and*

22 “(2) *an operating loan under subtitle B of that*
23 *Act (7 U.S.C. 1941 et seq.).*

24 “(b) *REPORTS.—*

1 (1) *PREPARATION.*—*For each fiscal year, the*
2 *Secretary shall prepare a report that includes—*

3 (A) *aggregate data based on a review of*
4 *each outstanding farm loan made or guaranteed*
5 *by the Secretary describing, for the United States*
6 *and for each State and county in the United*
7 *States—*

8 (i) *the age of the recipient producer;*

9 (ii) *the duration that the recipient pro-*
10 *ducer has engaged in agricultural produc-*
11 *tion;*

12 (iii) *the size of the farm or ranch of*
13 *the recipient producer;*

14 (iv) *the race, ethnicity, and gender of*
15 *the recipient producer;*

16 (v) *the agricultural commodity or com-*
17 *modities, or type of enterprise, for which the*
18 *loan was secured;*

19 (vi) *the amount of the farm loan made*
20 *or guaranteed;*

21 (vii) *the type of the farm loan made or*
22 *guaranteed; and*

23 (viii) *the default rate of the farm loan*
24 *made or guaranteed;*

1 (B) for each State and county in the United
2 States, data demonstrating the number of out-
3 standing farm loans made or guaranteed, accord-
4 ing to loan size cohort; and

5 (C) an assessment of actual loans made or
6 guaranteed as measured against target partici-
7 pation rates for beginning and socially dis-
8 advantaged farmers, broken down by State, as
9 described in sections 346(b)(2) and 355 of the
10 Consolidated Farm and Rural Development Act
11 (7 U.S.C. 1994(b)(2), 2003).

12 (2) SUBMISSION OF REPORT.—The report de-
13 scribed in paragraph (1) shall be—

14 (A) submitted—

15 (i) to—

16 (I) the Committee on Agriculture
17 of the House of Representatives;

18 (II) the Committee on Appropria-
19 tions of the House of Representatives;

20 (III) the Committee on Agri-
21 culture, Nutrition, and Forestry of the
22 Senate; and

23 (IV) the Committee on Appropria-
24 tions of the Senate; and

1 (ii) not later than December 30, 2018,
2 and annually thereafter; and
3 (B) made publically available not later
4 than 90 days after the date described in subpara-
5 graph (A)(ii).

6 (c) *COMPREHENSIVE REVIEW.*—

7 (1) *IN GENERAL.*—Not later than 4 years after
8 the date of enactment of this Act (and every 5 years
9 thereafter), the Secretary shall—

10 (A) prepare a comprehensive review of all
11 reports submitted under subsection (b)(2);

12 (B) identify trends within data outlined in
13 subsection (b)(1), including the extent to which
14 target annual participation rates for beginning
15 and socially disadvantaged farmers (as defined
16 by the Secretary) are being met for each loan
17 type; and

18 (C) provide specific actions the Department
19 will take to improve the performance of direct
20 and guaranteed loans with respect to under-
21 served producers and any recommendations the
22 Secretary may make for further congressional ac-
23 tion.

1 (2) *SUBMISSION OF COMPREHENSIVE REVIEW.*—

2 *The comprehensive review described in paragraph (1)*
3 *shall be—*

4 (A) *submitted to—*

5 (i) *the Committee on Agriculture of the*
6 *House of Representatives;*

7 (ii) *the Committee on Appropriations*
8 *of the House of Representatives;*

9 (iii) *the Committee on Agriculture,*
10 *Nutrition, and Forestry of the Senate; and*

11 (iv) *the Committee on Appropriations*
12 *of the Senate; and*

13 (B) *made publicly available not later than*
14 *90 days after the date of submission under sub-*
15 *paragraph (A).*

16 (d) *PRIVACY.*—*In preparing any report or review*
17 *under this section, the Secretary shall aggregate or de-iden-*
18 *tify the data in a manner sufficient to ensure that the iden-*
19 *tity of a recipient producer associated with the data cannot*
20 *be ascertained.*

21 **SEC. 5410. SENSE OF THE SENATE.**

22 *It is the sense of the Senate that —*

23 (1) *sections 346 and 355 of the Consolidated*
24 *Farm and Rural Development Act (7 U.S.C. 1994,*
25 *2003) reserve amounts to incentivize participation in*

1 *Farm Service Agency loan programs for qualified be-*
2 *ginning farmers and ranchers and socially disadvan-*
3 *taged farmers;*

4 (2) *under current law—*

5 (A) *for direct loans, 75 percent of the fund-*
6 *ing for farm ownership loans and 50 percent of*
7 *operating loans are reserved for the first 11*
8 *months of the fiscal year; and*

9 (B) *for guaranteed loans, 40 percent of*
10 *available funding is reserved for ownership loans*
11 *and farm operating loans for the first 1/2 of the*
12 *fiscal year; and*

13 (3) *all participants of the Farm Service Agency*
14 *loan programs should strive to encourage beginning*
15 *farmers and ranchers and socially disadvantaged*
16 *farmers to use Farm Service Agency loans.*

17 **TITLE VI—RURAL DEVELOPMENT**

18 **Subtitle A—Consolidated Farm and**
19 **Rural Development Act**

20 **SEC. 6101. WATER, WASTE DISPOSAL, AND WASTEWATER FA-**
21 **CILITY GRANTS.**

22 *Section 306(a)(2)(B) of the Consolidated Farm and*
23 *Rural Development Act (7 U.S.C. 1926(a)(2)(B)) is amend-*
24 *ed—*

1 (1) *in clause (iii), by striking “\$100,000” each*
2 *place it appears and inserting “\$200,000”; and*

3 (2) *in clause (vii), by striking “2018” and in-*
4 *serting “2023”.*

5 **SEC. 6102. RURAL WATER AND WASTEWATER TECHNICAL**
6 **ASSISTANCE AND TRAINING PROGRAMS.**

7 *Section 306(a)(14) of the Consolidated Farm and*
8 *Rural Development Act (7 U.S.C. 1926(a)(14)) is amend-*
9 *ed—*

10 (1) *in subparagraph (A)—*

11 (A) *in clause (ii), by striking “and” at the*
12 *end;*

13 (B) *in clause (iii), by striking the period at*
14 *the end and inserting “; and”; and*

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

16 *“(iv) identify options to enhance the*
17 *long-term sustainability of rural water and*
18 *waste systems, including operational prac-*
19 *tices, revenue enhancements, policy revi-*
20 *sions, partnerships, consolidation, regional-*
21 *ization, or contract services.”;*

22 (2) *by striking subparagraph (B) and inserting*
23 *the following:*

1 “(B) *SELECTION PRIORITY.*—*In selecting*
2 *recipients of grants to be made under subpara-*
3 *graph (A), the Secretary shall give priority to—*

4 “(i) *private nonprofit organizations*
5 *that have experience in providing the tech-*
6 *nical assistance and training described in*
7 *subparagraph (A) to associations serving*
8 *rural areas in which residents have low in-*
9 *come and in which water supply systems or*
10 *waste facilities are unhealthful; and*

11 “(ii) *recipients that will provide tech-*
12 *nical assistance and training programs to*
13 *address the contamination of drinking*
14 *water and surface water supplies by emerg-*
15 *ing contaminants, including per- and*
16 *polyfluoroalkyl substances and*
17 *perfluorooctanoic acid.”; and*

18 (3) *in subparagraph (C)—*

19 (A) *by striking “1 nor more than 3” and*
20 *inserting “3 percent and not more than 5”; and*

21 (B) *by striking “1 per centum” and insert-*
22 *ing “3 percent”.*

1 **SEC. 6103. RURAL WATER AND WASTEWATER CIRCUIT**
2 **RIDER PROGRAM.**

3 *Section 306(a)(22)(B) of the Consolidated Farm and*
4 *Rural Development Act (7 U.S.C. 1926(a)(22)(B)) is*
5 *amended by striking “\$20,000,000 for fiscal year 2014 and*
6 *each fiscal year thereafter” and inserting “\$25,000,000 for*
7 *each of fiscal years 2019 through 2023”.*

8 **SEC. 6104. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL**
9 **COMMUNITY FACILITIES.**

10 *Section 306(a)(25)(C) of the Consolidated Farm and*
11 *Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is*
12 *amended by striking “2018” and inserting “2023”.*

13 **SEC. 6105. COMMUNITY FACILITIES DIRECT LOANS AND**
14 **GRANTS FOR SUBSTANCE USE DISORDER**
15 **TREATMENT SERVICES.**

16 *Section 306(a) of the Consolidated Farm and Rural*
17 *Development Act (7 U.S.C. 1926(a)) is amended by adding*
18 *at the end the following:*

19 *“(27) DIRECT LOANS AND GRANTS FOR SUB-*
20 *STANCE USE DISORDER TREATMENT SERVICES.—*

21 *“(A) SELECTION PRIORITY.—In selecting re-*
22 *cipients of loans or grants (not including loans*
23 *guaranteed by the Secretary) for the development*
24 *of essential community facilities under this sec-*
25 *tion, the Secretary shall give priority to entities*
26 *eligible for those loans or grants—*

1 “(i) to develop facilities to provide sub-
2 stance use disorder (including opioid sub-
3 stance use disorder)—

4 “(I) prevention services;

5 “(II) treatment services;

6 “(III) recovery services; or

7 “(IV) any combination of those
8 services; and

9 “(ii) that employ staff that have ap-
10 propriate expertise and training in how to
11 identify and treat individuals with sub-
12 stance use disorders.

13 “(B) *USE OF FUNDS.*—An eligible entity de-
14 scribed in subparagraph (A) that receives a loan
15 or grant described in that subparagraph may use
16 the loan or grant funds for the development of
17 telehealth facilities and systems to provide tele-
18 health services for substance use disorder treat-
19 ment.”.

20 **SEC. 6106. EMERGENCY AND IMMINENT COMMUNITY WATER**
21 **ASSISTANCE GRANT PROGRAM.**

22 Section 306A of the Consolidated Farm and Rural De-
23 velopment Act (7 U.S.C. 1926a) is amended—

1 (1) *in subsection (b)(1), by striking “; and” and*
2 *inserting the following: “, particularly to projects to*
3 *address contamination that—*

4 *“(A) poses a threat to human health or the*
5 *environment; and*

6 *“(B) was caused by circumstances beyond*
7 *the control of the applicant for a grant, includ-*
8 *ing circumstances that occurred over a period of*
9 *time; and”;*

10 (2) *in subsection (f)(1), by striking “\$500,000”*
11 *and inserting “\$1,000,000”;*

12 (3) *by redesignating subsection (i) as subsection*
13 *(j);*

14 (4) *by inserting after subsection (h) the fol-*
15 *lowing:*

16 *“(i) INTERAGENCY TASK FORCE ON RURAL WATER*
17 *QUALITY.—*

18 *“(1) IN GENERAL.—Not later than 90 days after*
19 *the date of enactment of the Agriculture Improvement*
20 *Act of 2018, the Secretary shall coordinate and chair*
21 *an interagency task force to examine drinking water*
22 *and surface water contamination in rural commu-*
23 *nities, particularly rural communities that are in*
24 *close proximity to active or decommissioned military*
25 *installations in the United States.*

1 “(2) *MEMBERSHIP.*—*The interagency task force*
2 *shall consist of—*

3 “(A) *the Secretary;*

4 “(B) *the Secretary of the Army, acting*
5 *through the Chief of Engineers;*

6 “(C) *the Secretary of Health and Human*
7 *Services, acting through—*

8 “(i) *the Director of the Agency for*
9 *Toxic Substances and Disease Registry; and*

10 “(ii) *the Director of the Centers for*
11 *Disease Control and Prevention;*

12 “(D) *the Secretary of Housing and Urban*
13 *Development;*

14 “(E) *the Secretary of the Interior, acting*
15 *through—*

16 “(i) *the Director of the United States*
17 *Fish and Wildlife Service; and*

18 “(ii) *the Director of the United States*
19 *Geological Survey;*

20 “(F) *the Administrator of the Environ-*
21 *mental Protection Agency; and*

22 “(G) *representatives from rural drinking*
23 *and wastewater entities, State and community*
24 *regulators, and appropriate scientific experts*

1 *that reflect a diverse cross-section of the rural*
2 *communities described in paragraph (1).*

3 “(3) *REPORT.*—

4 “(A) *IN GENERAL.*—*Not later than 360*
5 *days after the date of enactment of the Agri-*
6 *culture Improvement Act of 2018, the task force*
7 *shall submit to the committees described in sub-*
8 *paragraph (B) a report that—*

9 “(i) *examines, and identifies issues re-*
10 *lating to, water contamination in rural*
11 *communities, particularly rural commu-*
12 *nities that are in close proximity to active*
13 *or decommissioned military installations in*
14 *the United States;*

15 “(ii) *reviews the extent to which Fed-*
16 *eral, State, and local government agencies*
17 *coordinate with one another to address the*
18 *issues identified under clause (i);*

19 “(iii) *recommends how Federal, State,*
20 *and local government agencies can work to-*
21 *gether in the most effective, efficient, and*
22 *cost-effective manner practicable, to address*
23 *the issues identified under clause (i); and*

24 “(iv) *recommends changes to existing*
25 *statutory requirements, regulatory require-*

1 *ments, or both, to improve interagency co-*
2 *ordination and responsiveness to address*
3 *the issues identified under clause (i).*

4 *“(B) COMMITTEES DESCRIBED.—The com-*
5 *mittees referred to in subparagraph (A) are—*

6 *“(i) the Committee on Agriculture of*
7 *the House of Representatives;*

8 *“(ii) the Committee on Agriculture,*
9 *Nutrition, and Forestry of the Senate;*

10 *“(iii) the Committee on Energy and*
11 *Commerce of the House of Representatives;*

12 *“(iv) the Committee on Environment*
13 *and Public Works of the Senate;*

14 *“(v) the Committee on Armed Services*
15 *of the House of Representatives; and*

16 *“(vi) the Committee on Armed Services*
17 *of the Senate.”; and*

18 *(5) in subsection (j) (as so redesignated)—*

19 *(A) in paragraph (1)(A), by striking “3 nor*
20 *more than 5” and inserting “5 percent and not*
21 *more than 7”; and*

22 *(B) in paragraph (2), by striking*
23 *“\$35,000,000 for each of fiscal years 2008*
24 *through 2018” and inserting “\$50,000,000 for*
25 *each of fiscal years 2019 through 2023”.*

1 **SEC. 6107. WATER SYSTEMS FOR RURAL AND NATIVE VIL-**
2 **LAGES IN ALASKA.**

3 *Section 306D of the Consolidated Farm and Rural De-*
4 *velopment Act (7 U.S.C. 1926d) is amended—*

5 *(1) in subsection (a), by striking “Alaska for”*
6 *and inserting “Alaska, a consortium formed pursuant*
7 *to section 325 of the Department of the Interior and*
8 *Related Agencies Appropriations Act, 1998 (Public*
9 *Law 105–83; 111 Stat. 1597), and Native villages (as*
10 *defined in section 3 of the Alaska Native Claims Set-*
11 *tlement Act (43 U.S.C. 1602)) for”;*

12 *(2) in subsection (b), by inserting “for any grant*
13 *awarded under subsection (a)” before the period at*
14 *the end; and*

15 *(3) in subsection (d)—*

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

18 *(B) in paragraph (2), by striking “Alaska”*
19 *and inserting “Alaska, and not more than 2 per-*
20 *cent of the amount made available under para-*
21 *graph (1) for a fiscal year may be used by a con-*
22 *sortium formed pursuant to section 325 of the*
23 *Department of the Interior and Related Agencies*
24 *Appropriations Act, 1998 (Public Law 105–83;*
25 *111 Stat. 1597),”.*

1 **SEC. 6108. RURAL DECENTRALIZED WATER SYSTEMS.**

2 *Section 306E of the Consolidated Farm and Rural De-*
3 *velopment Act (7 U.S.C. 1926e) is amended—*

4 *(1) by striking the section heading and inserting*
5 **“RURAL DECENTRALIZED WATER SYSTEMS”;**

6 *(2) in subsection (a), by striking “100” and in-*
7 *serting “60”;*

8 *(3) in subsection (b)—*

9 *(A) in paragraph (1)—*

10 *(i) by inserting “and subgrants” after*
11 *“loans”; and*

12 *(ii) by inserting “and individually*
13 *owned household decentralized wastewater*
14 *systems” after “well systems”;*

15 *(B) by striking paragraph (2) and inserting*
16 *the following:*

17 **“(2) TERMS AND AMOUNTS.—**

18 **“(A) TERMS OF LOANS.—***A loan made with*
19 *grant funds under this section—*

20 *“(i) shall have an interest rate of 1*
21 *percent; and*

22 *“(ii) shall have a term not to exceed 20*
23 *years.*

24 **“(B) AMOUNTS.—***A loan or subgrant made*
25 *with grant funds under this section shall not ex-*
26 *ceed \$15,000 for each water well system or decen-*

1 *tralized wastewater system described in para-*
2 *graph (1).”; and*

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

4 “(4) *GROUND WELL WATER CONTAMINATION.—In*
5 *the event of ground well water contamination, the*
6 *Secretary shall allow a loan or subgrant to be made*
7 *with grant funds under this section for the installa-*
8 *tion of water treatment where needed beyond the*
9 *point of entry, with or without the installation of a*
10 *new water well system.”;*

11 *(4) in subsection (c), by striking “productive use*
12 *of individually-owned household water well systems”*
13 *and inserting “effective use of individually owned*
14 *household water well systems, individually owned*
15 *household decentralized wastewater systems,”; and*

16 *(5) in subsection (d)—*

17 *(A) by striking “\$5,000,000” and inserting*
18 *“\$40,000,000”; and*

19 *(B) by striking “2014 through 2018” and*
20 *inserting “2019 through 2023”.*

21 **SEC. 6109. SOLID WASTE MANAGEMENT GRANTS.**

22 *Section 310B(b)(2) of the Consolidated Farm and*
23 *Rural Development Act (7 U.S.C. 1932(b)(2)) is amended*
24 *by striking “2018” and inserting “2023”.*

1 **SEC. 6110. RURAL BUSINESS DEVELOPMENT GRANTS.**

2 *Section 310B(c)(4)(A) of the Consolidated Farm and*
3 *Rural Development Act (7 U.S.C. 1932(c)(4)(A)) is amend-*
4 *ed by striking “2018” and inserting “2023”.*

5 **SEC. 6111. RURAL COOPERATIVE DEVELOPMENT GRANTS.**

6 *Section 310B(e) of the Consolidated Farm and Rural*
7 *Development Act (7 U.S.C. 1932(e)) is amended—*

8 *(1) in paragraph (10), by inserting “(including*
9 *research and analysis based on data from the latest*
10 *available Economic Census conducted by the Bureau*
11 *of the Census)” after “conduct research”; and*

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

14 **SEC. 6112. LOCALLY OR REGIONALLY PRODUCED AGRICUL-**
15 **TURAL FOOD PRODUCTS.**

16 *Section 310B(g)(9)(B)(iv)(I) of the Consolidated Farm*
17 *and Rural Development Act (7 U.S.C. 1932(g)(9)(B)(iv)(I))*
18 *is amended by striking “2018” and inserting “2023”.*

19 **SEC. 6113. APPROPRIATE TECHNOLOGY TRANSFER FOR**
20 **RURAL AREAS PROGRAM.**

21 *Section 310B(i)(4) of the Consolidated Farm and*
22 *Rural Development Act (7 U.S.C. 1932(i)(4)) is amended*
23 *by striking “2018” and inserting “2023”.*

1 **SEC. 6114. RURAL ECONOMIC AREA PARTNERSHIP ZONES.**

2 *Section 310B(j) of the Consolidated Farm and Rural*
3 *Development Act (7 U.S.C. 1932(j)) is amended by striking*
4 *“2018” and inserting “2023”.*

5 **SEC. 6115. INTEMEDIARY RELENDING PROGRAM.**

6 *Section 310H of the Consolidated Farm and Rural De-*
7 *velopment Act (7 U.S.C. 1936b) is amended—*

8 *(1) by redesignating subsection (e) as subsection*
9 *(i);*

10 *(2) by inserting after subsection (d) the fol-*
11 *lowing:*

12 *“(e) LIMITATION ON LOAN AMOUNTS.—The maximum*
13 *amount of a loan by an eligible entity described in sub-*
14 *section (b) to individuals and entities for a project under*
15 *subsection (c), including the unpaid balance of any existing*
16 *loans, shall be the lesser of—*

17 *“(1) \$400,000; and*

18 *“(2) 50 percent of the loan to the eligible entity*
19 *under subsection (a).*

20 *“(f) APPLICATIONS.—*

21 *“(1) IN GENERAL.—To be eligible to receive a*
22 *loan or loan guarantee under subsection (a), an eligi-*
23 *ble entity described in subsection (b) shall submit to*
24 *the Secretary an application at such time, in such*
25 *manner, and containing such information as the Sec-*
26 *retary may require.*

1 “(2) *EVALUATION.*—*In evaluating applications*
2 *submitted under paragraph (1), the Secretary shall—*

3 “(A)(i) *take into consideration the previous*
4 *performance of an eligible entity in carrying out*
5 *projects under subsection (c); and*

6 “(i) *in the case of satisfactory performance*
7 *under clause (i), require the eligible entity to*
8 *contribute less equity for subsequent loans with-*
9 *out modifying the priority given to subsequent*
10 *applications; and*

11 “(B) *in assigning priorities to applications,*
12 *require an eligible entity to demonstrate that it*
13 *has a governing or advisory board made up of*
14 *business, civic, and community leaders who are*
15 *representative of the communities of the service*
16 *area, without limitation to the size of the service*
17 *area.*

18 “(g) *RETURN OF EQUITY.*—*The Secretary shall estab-*
19 *lish a schedule that is consistent with the amortization*
20 *schedules of the portfolio of loans made or guaranteed under*
21 *subsection (a) for the return of any equity contribution*
22 *made under this section by an eligible entity described in*
23 *subsection (b), if the eligible entity is—*

24 “(1) *current on all principal and interest pay-*
25 *ments; and*

1 “(2) *in compliance with loan covenants.*

2 “(h) *REGULATIONS.—The Secretary shall promulgate*
3 *regulations and establish procedures reducing the adminis-*
4 *trative requirements on eligible entities described in sub-*
5 *section (b), including regulations to carry out the amend-*
6 *ments made to this section by the Agriculture Improvement*
7 *Act of 2018.”; and*

8 (3) *in subsection (i) (as so redesignated), by*
9 *striking “2018” and inserting “2023”.*

10 **SEC. 6116. SINGLE APPLICATION FOR BROADBAND.**

11 *Section 331 of the Consolidated Farm and Rural De-*
12 *velopment Act (7 U.S.C. 1981) is amended by adding at*
13 *the end the following:*

14 “(e) *SINGLE APPLICATION FOR BROADBAND.—*

15 “(1) *IN GENERAL.—Subject to paragraphs (2),*
16 *(3), and (4), notwithstanding any other provision of*
17 *law, broadband facilities and broadband service (as*
18 *defined in section 601(b) of the Rural Electrification*
19 *Act of 1936 (7 U.S.C. 950bb(b)), may be funded as*
20 *an incidental part of any grant, loan, or loan guar-*
21 *antee provided under this title or any other provision*
22 *of law administered by the Secretary, acting through*
23 *the rural development mission area.*

24 “(2) *LIMITATION.—Except as otherwise author-*
25 *ized by an Act of Congress, funding under paragraph*

1 (1) shall not constitute more than 10 percent of any
2 loan for a fiscal year for any program under this title
3 or any other provision of law administered by the
4 Secretary, acting through the rural development mis-
5 sion area.

6 “(3) *COMPETITIVE HARM.*—The Secretary shall
7 not provide funding under paragraph (1) if the fund-
8 ing would result in competitive harm to any existing
9 grant, loan, or loan guarantee described in that para-
10 graph.

11 “(4) *ELIGIBILITY.*—Funding under paragraph
12 (1) shall be granted only for eligible projects described
13 in section 601(d)(2) of the Rural Electrification Act
14 of 1936 (7 U.S.C. 950bb(d)(2)).”.

15 **SEC. 6117. LOAN GUARANTEE LOAN FEES.**

16 (a) *CERTAIN PROGRAMS UNDER CONSOLIDATED FARM*
17 *AND RURAL DEVELOPMENT ACT.*—Section 333 of the Con-
18 solidated Farm and Rural Development Act (7 U.S.C.
19 1983) is amended—

20 (1) in paragraph (5), by striking “and” at the
21 end;

22 (2) in paragraph (6)(E), by striking the period
23 at the end and inserting “; and”; and

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

1 “(7) *in the case of an insured or guaranteed loan*
2 *issued or modified under section 306(a), charge and*
3 *collect from the lender fees in such amounts as are*
4 *necessary such that—*

5 “(A) *the sum of—*

6 “(i) *the total amount of fees so charged*
7 *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 for*
12 *the insured or guaranteed loans for the fiscal*
13 *year.”.*

14 (b) *RURAL BROADBAND PROGRAM.—Section 601(c) of*
15 *the Rural Electrification Act of 1936 (7 U.S.C. 950bb(c))*
16 *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 charged*
23 *for each fiscal year; and*

1 “(i) the total of the amounts appro-
 2 priated for the loan guarantees for the fiscal
 3 year; is equal to

4 “(B) the amount of the costs of subsidies for
 5 the loan guarantees for the fiscal year.”.

6 **SEC. 6118. 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 367 (as added by sec-*
 11 *tion 5305) the following:*

12 **“SEC. 368. 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 Ad-*
 22 *ministrator 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 to
8 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 of*
13 *grants under this section, the Secretary shall give priority*
14 *to grants serving persistent poverty counties and high pov-*
15 *erty communities, as determined by the Secretary.*

16 “(d) *FUNDING.*—

17 “(1) *IN GENERAL.*—*There is authorized to be ap-*
18 *propriated 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 to*
22 *be appropriated under paragraph (1) for any fiscal*
23 *year that are not appropriated for that fiscal year*
24 *may be appropriated for any succeeding fiscal year.”.*

1 **SEC. 6119. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.**

2 *Section 378 of the Consolidated Farm and Rural De-*
 3 *velopment Act (7 U.S.C. 2008m) is amended in subsections*
 4 *(g)(1) and (h) by striking “2018” each place it appears and*
 5 *inserting “2023”.*

6 **SEC. 6120. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-**
 7 **TERS.**

8 *Section 379B(d) of the Consolidated Farm and Rural*
 9 *Development Act (7 U.S.C. 2008p(d)) is amended by strik-*
 10 *ing “2018” and inserting “2023”.*

11 **SEC. 6121. RURAL MICROENTREPRENEUR ASSISTANCE PRO-**
 12 **GRAM.**

13 *Section 379E of the Consolidated Farm and Rural De-*
 14 *velopment Act (7 U.S.C. 2008s) is amended—*

15 *(1) in subsection (b)(4)(B)(ii)—*

16 *(A) in the clause heading, by striking*
 17 *“MAXIMUM AMOUNT” and inserting “AMOUNT”;*

18 *(B) by inserting “not less than 20 percent*
 19 *and” before “not more than 25 percent”; and*

20 *(C) by striking the period at the end and*
 21 *inserting the following: “, subject to—*

22 *“(I) satisfactory performance by*
 23 *the microenterprise development orga-*
 24 *nization under this section, and*

25 *“(II) the availability of funding.”;*

26 *and*

1 (2) *in subsection (d)(2)—*

2 (A) *by striking “\$40,000,000” and inserting*

3 “\$20,000,000”; and

4 (B) *by striking “2009 through 2018” and*

5 *inserting “2019 through 2023”.*

6 **SEC. 6122. HEALTH CARE SERVICES.**

7 *Section 379G(e) of the Consolidated Farm and Rural*

8 *Development Act (7 U.S.C. 2008u(e)) is amended by strik-*

9 *ing “2018” and inserting “2023”.*

10 **SEC. 6123. STRATEGIC ECONOMIC AND COMMUNITY DEVEL-**

11 **OPMENT.**

12 *Section 379H of the Consolidated Farm and Rural De-*

13 *velopment Act (7 U.S.C. 2008v) is amended to read as fol-*

14 *lows:*

15 **“SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DE-**

16 **VELOPMENT.**

17 “(a) *IN GENERAL.—In the case of any program under*

18 *this title or administered by the Secretary, acting through*

19 *the rural development mission area, as determined by the*

20 *Secretary (referred to in this section as a ‘covered pro-*

21 *gram’), the Secretary shall give priority to an application*

22 *for a project that, as determined and approved by the Sec-*

23 *retary—*

24 “(1) *meets the applicable eligibility requirements*

25 *of this title or the other applicable authorizing law;*

1 “(2) *will be carried out in a rural area; and*

2 “(3) *supports the implementation of a strategic*
3 *community investment plan described in subsection*
4 *(d) on a multisectoral and multijurisdictional basis,*
5 *to include considerations for improving and expand-*
6 *ing broadband services as needed.*

7 “(b) *RESERVE.—*

8 “(1) *IN GENERAL.—Subject to paragraph (2), the*
9 *Secretary shall reserve not more than 10 percent of*
10 *the funds made available for a fiscal year for covered*
11 *programs for projects that support the implementa-*
12 *tion of a strategic community investment plan de-*
13 *scribed in subsection (d) on a multisectoral and*
14 *multijurisdictional basis.*

15 “(2) *PERIOD.—Any funds reserved under para-*
16 *graph (1) shall only be reserved for the 1-year period*
17 *beginning on the date on which the funds were first*
18 *made available, as determined by the Secretary.*

19 “(c) *APPROVED APPLICATIONS.—*

20 “(1) *IN GENERAL.—Subject to paragraph (2),*
21 *any applicant who submitted an application under a*
22 *covered program that was approved before the date of*
23 *enactment of this section may amend the application*
24 *to qualify for the funds reserved under subsection (b).*

1 “(2) *RURAL UTILITIES.*—Any applicant who
2 submitted an application under paragraph (2), (14),
3 or (24) of section 306(a), or section 306A or 310B(b),
4 that was approved by the Secretary before the date of
5 enactment of this section shall be eligible for the funds
6 reserved under subsection (b)—

7 “(A) on the same basis as an application
8 submitted under this section; and

9 “(B) until September 30, 2019.

10 “(d) *STRATEGIC COMMUNITY INVESTMENT PLANS.*—

11 “(1) *IN GENERAL.*—The Secretary shall provide
12 assistance to rural communities in developing stra-
13 tegic community investment plans.

14 “(2) *PLANS.*—A strategic community investment
15 plan described in paragraph (1) shall include—

16 “(A) a variety of activities designed to fa-
17 cilitate the vision of a rural community for the
18 future, including considerations for improving
19 and expanding broadband services as needed;

20 “(B) participation by multiple stakeholders,
21 including local and regional partners;

22 “(C) leverage of applicable regional re-
23 sources;

24 “(D) investment from strategic partners,
25 such as—

1 “(i) private organizations;
2 “(ii) cooperatives;
3 “(iii) other government entities;
4 “(iv) Indian Tribes; and
5 “(v) philanthropic organizations;
6 “(E) clear objectives with the ability to es-
7 tablish measurable performance metrics;
8 “(F) action steps for implementation; and
9 “(G) any other elements necessary to ensure
10 that the plan results in a comprehensive and
11 strategic approach to rural economic develop-
12 ment, as determined by the Secretary.

13 “(3) *COORDINATION.*—The Secretary shall co-
14 ordinate with Indian Tribes and local, State, re-
15 gional, and Federal partners to develop strategic com-
16 munity investment plans under this subsection.

17 “(4) *AUTHORIZATION OF APPROPRIATIONS.*—
18 There is authorized to be appropriated to carry out
19 this subsection \$5,000,000 for each of fiscal years
20 2019 through 2023, to remain available until ex-
21 pended.”.

22 **SEC. 6124. DELTA REGIONAL AUTHORITY.**

23 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
24 382M(a) of the Consolidated Farm and Rural Development

1 Act (7 U.S.C. 2009aa-12(a)) is amended by striking
2 “2018” and inserting “2023”.

3 (b) *TERMINATION OF AUTHORITY.*—Section 382N of
4 the Consolidated Farm and Rural Development Act (7
5 U.S.C. 2009aa-13) is amended by striking “2018” and in-
6 serting “2023”.

7 **SEC. 6125. RURAL BUSINESS INVESTMENT PROGRAM.**

8 Section 384S of the Consolidated Farm and Rural De-
9 velopment Act (7 U.S.C. 2009cc-18) is amended by striking
10 “2018” and inserting “2023”.

11 ***Subtitle B—Rural Electrification***
12 ***Act of 1936***

13 **SEC. 6201. ELECTRIC LOAN REFINANCING.**

14 Section 2(a) of the Rural Electrification Act of 1936
15 (7 U.S.C. 902(a)) is amended by striking “loans in” and
16 inserting “loans, or refinance loans made by the Secretary
17 under this Act, in”.

18 **SEC. 6202. TECHNICAL ASSISTANCE FOR RURAL ELEC-**
19 ***TRIFICATION LOANS.***

20 Section 2 of the Rural Electrification Act of 1936 (7
21 U.S.C. 902) is amended by adding at the end the following:

22 “(c) *TECHNICAL ASSISTANCE.*—

23 “(1) *IN GENERAL.*—Not later than 180 days
24 after the date of enactment of the Agriculture Im-
25 provement Act of 2018, the Secretary shall enter into

1 *a memorandum of understanding with the Secretary*
2 *of Energy under which the Secretary of Energy shall*
3 *provide technical assistance to applicants for loans*
4 *made under subsection (a) and section 4(a).*

5 “(2) *FORM OF ASSISTANCE.*—*The technical as-*
6 *sistance that the Secretary may request pursuant to*
7 *a memorandum of understanding entered into under*
8 *paragraph (1) may include—*

9 “(A) *direct advice;*

10 “(B) *tools, maps, and training relating*
11 *to—*

12 “(i) *the implementation of demand-*
13 *side management of electric and telephone*
14 *service in rural areas;*

15 “(ii) *energy efficiency and conserva-*
16 *tion programs; and*

17 “(iii) *on-grid and off-grid renewable*
18 *energy systems; and*

19 “(C) *any other forms of assistance deter-*
20 *mined necessary by the Secretary.”.*

21 **SEC. 6203. LOANS FOR TELEPHONE SERVICE.**

22 *Section 201 of the Rural Electrification Act of 1936*
23 *(7 U.S.C. 922) is amended—*

1 (1) *by striking the section designation and all*
2 *that follows through “From such sums” and inserting*
3 *the following:*

4 **“SEC. 201. LOANS FOR TELEPHONE SERVICE.**

5 *“From such sums”;*

6 (2) *in the second sentence, by striking “associa-*
7 *tions:” and all that follows through “same sub-*
8 *scribers.” and inserting “associations.”; and*

9 (3) *in the sixth sentence, by striking “nor shall*
10 *such loan” and all that follows through “writing)”*
11 *and inserting “and”.*

12 **SEC. 6204. CUSHION OF CREDIT PAYMENTS PROGRAM.**

13 (a) *IN GENERAL.—Section 313 of the Rural Elec-*
14 *trification Act of 1936 (7 U.S.C. 940c) is amended—*

15 (1) *in subsection (a)—*

16 (A) *by redesignating paragraphs (2) and*
17 (3) *as paragraphs (3) and (4), respectively;*

18 (B) *by inserting after paragraph (1) the fol-*
19 *lowing:*

20 “*(2) TERMINATION OF DEPOSIT AUTHORITY.—*
21 *Effective October 1, 2018, no deposits may be made*
22 *under paragraph (1).”;* and

23 (C) *in paragraph (3) (as so designated), by*
24 *striking “borrower at a rate of 5 percent per*

1 *annum.*” and inserting the following: “bor-
2 *rower—*

3 “(A) for each fiscal year through fiscal year
4 2018, at a rate of 5 percent; and

5 “(B) for fiscal year 2019 and each fiscal
6 year thereafter, at a rate equal to—

7 “(i) the average interest rate used to
8 make payments on the 5-year Treasury note
9 for the most recent calendar quarter; but

10 “(ii) not greater than 5 percent.”;

11 (2) in subsection (b)(2)—

12 (A) in subparagraph (A)—

13 (i) by striking “The Secretary” and
14 inserting the following:

15 “(i) *IN GENERAL.—The Secretary*”;

16 (ii) in clause (i) (as so designated), by
17 striking “Fund to which shall be credited,
18 on a monthly basis,” and inserting the fol-
19 lowing: “Fund, to be known as the “rural
20 economic development subaccount” (referred
21 to in this paragraph as the “subaccount”).

22 “(ii) *DIFFERENTIAL PAYMENTS.—For*
23 each month through September 2021, the
24 Secretary shall credit to the subaccount”;
25 and

1 *(iii) in clause (ii) (as so designated),*
2 *by striking “the 5 percent” and all that fol-*
3 *lows through the period at the end and in-*
4 *serting “5 percent.”;*

5 *(B) in subparagraph (B)—*

6 *(i) by striking “is authorized, from the*
7 *interest differential sums credited this sub-*
8 *account” and inserting “shall, from interest*
9 *differential sums credited under subpara-*
10 *graph (A)(ii) to the subaccount”; and*

11 *(ii) by striking “to provide” and in-*
12 *serting “provide”;*

13 *(C) in subparagraph (E), by striking “rural*
14 *economic development”; and*

15 *(D) by adding at the end the following:*

16 *“(F) FUNDING.—*

17 *“(i) MANDATORY FUNDING.—Of the*
18 *funds of the Commodity Credit Corporation,*
19 *the Secretary shall credit to the subaccount*
20 *to use for the cost of grants and loans under*
21 *subparagraphs (B) through (E) \$5,000,000*
22 *for each of fiscal years 2022 and 2023, to*
23 *remain available until expended.*

24 *“(ii) AUTHORIZATION OF APPROPRIA-*
25 *TIONS.—In addition to other amounts*

1 *available in the subaccount for the cost of*
2 *grants and loans under subparagraphs (B)*
3 *through (E), there is authorized to be ap-*
4 *propriated to the subaccount for the cost of*
5 *the grants and loans \$5,000,000 for each of*
6 *fiscal years 2022 and 2023, to remain*
7 *available until expended.”.*

8 **(b) CONFORMING AMENDMENTS.—**

9 **(1) Section 12(b)(3)(D) of the Rural Electrifica-**
10 **tion Act of 1936 (7 U.S.C. 912(b)(3)(D)) is amended**
11 **by striking “313(b)(2)(A)” and inserting**
12 **“313(b)(2)(A)(ii)”.**

13 **(2) Section 313A of the Rural Electrification Act**
14 **of 1936 (7 U.S.C. 940c–1) is amended in subsections**
15 **(c)(4)(A) and (e)(2) by striking “313(b)(2)(A)” each**
16 **place it appears and inserting “313(b)(2)(A)(i)”.**

17 **SEC. 6205. GUARANTEES FOR BONDS AND NOTES ISSUED**
18 **FOR ELECTRIFICATION OR TELEPHONE PUR-**
19 **POSES.**

20 **(a) IN GENERAL.—Section 313A of the Rural Elec-**
21 **trification Act of 1936 (7 U.S.C. 940c–1) is amended—**

22 **(1) in subsection (a)—**

23 **(A) by striking “Subject to” and inserting**
24 **the following:**

25 **“(1) GUARANTEES.—Subject to”;**

1 (B) in paragraph (1) (as so designated), by
2 striking “basis” and all that follows through the
3 period at the end and inserting “basis, if the
4 proceeds of the bonds or notes are used to make
5 utility infrastructure loans, or refinance bonds
6 or notes issued for those purposes, to a borrower
7 that has at any time received, or is eligible to re-
8 ceive, a loan under this Act.”; and

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

10 “(2) *TERMS.*—A bond or note guaranteed under
11 this section shall, by agreement between the Secretary
12 and the borrower—

13 “(A) be for a term of 30 years (or another
14 term of years that the Secretary determines is
15 appropriate); and

16 “(B) be repaid by the borrower—

17 “(i) in periodic installments of prin-
18 cipal and interest;

19 “(ii) in periodic installments of inter-
20 est and, at the end of the term of the bond
21 or note, as applicable, by the repayment of
22 the outstanding principal; or

23 “(iii) through a combination of the
24 methods described in clauses (i) and (ii).”;

25 (2) in subsection (b)—

1 (A) in paragraph (1), by striking “elec-
2 trification” and all that follows through the pe-
3 riod at the end and inserting “purposes de-
4 scribed in subsection (a)(1).”;

5 (B) by striking paragraph (2);

6 (C) by redesignating paragraphs (3) and
7 (4) as paragraphs (2) and (3), respectively; and

8 (D) in paragraph (2) (as so redesignated)—

9 (i) in subparagraph (A), by striking
10 “for electrification or telephone purposes”
11 and inserting “for eligible purposes de-
12 scribed in subsection (a)(1)”; and

13 (ii) in subparagraph (C), by striking
14 “subsection (a)” and inserting “subsection
15 (a)(1)”; and

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

18 (b) *ADMINISTRATION.*—Beginning on the date of enact-
19 ment of the Agriculture Improvement Act of 2018, the Sec-
20 retary shall continue to carry out section 313A of the Rural
21 Electrification Act of 1936 (7 U.S.C. 940c–1) (as amended
22 by subsection (a)) under a Notice of Solicitation of Applica-
23 tions until the date on which any regulations necessary to
24 carry out the amendments made by subsection (a) are fully
25 implemented.

1 **SEC. 6206. ACCESS TO BROADBAND TELECOMMUNICATIONS**

2 **SERVICES IN RURAL AREAS.**

3 *Section 601 of the Rural Electrification Act of 1936*
4 *(7 U.S.C. 950bb) is amended—*

5 *(1) in subsection (a), by striking “loans and”*
6 *and inserting “grants, loans, and”;*

7 *(2) in subsection (c)—*

8 *(A) in the subsection heading, by striking*
9 *“LOANS AND” and inserting “GRANTS, LOANS,*
10 *AND”;*

11 *(B) in paragraph (1), by inserting “make*
12 *grants and” after “Secretary shall”;*

13 *(C) by striking paragraph (2) and inserting*
14 *the following:*

15 *“(2) PRIORITY.—*

16 *“(A) IN GENERAL.—In making grants,*
17 *loans, or loan guarantees under paragraph (1),*
18 *the Secretary shall—*

19 *“(i) give the highest priority to appli-*
20 *cations for projects to provide broadband*
21 *service to unserved rural communities that*
22 *do not have any residential broadband serv-*
23 *ice;*

24 *“(ii) give priority to applications for*
25 *projects to provide the maximum level of*
26 *broadband service to the greatest proportion*

1 of rural households in the proposed service
2 area identified in the application;

3 “(iii) give priority to applications for
4 projects to provide rapid and expanded de-
5 ployment of fixed and mobile broadband on
6 cropland and rangeland within a service
7 territory for use in various applications of
8 precision agriculture;

9 “(iv) provide equal consideration to all
10 eligible entities, including those that have
11 not previously received grants, loans, or
12 loan guarantees under paragraph (1); and

13 “(v) with respect to 2 or more applica-
14 tions that are given the same priority under
15 clause (i), give priority to an application
16 that requests less grant funding than loan
17 funding.

18 “(B) OTHER.—After giving priority to the
19 applications described in clauses (i) and (ii) of
20 subparagraph (A), the Secretary shall then give
21 priority to applications—

22 “(i) for projects to provide broadband
23 service to rural communities—

24 “(I) with a population of less
25 than 10,000 permanent residents;

1 “(II) that are experiencing out-
2 migration and have adopted a strategic
3 community investment plan under sec-
4 tion 379H(d) that includes consider-
5 ations for improving and expanding
6 broadband service;

7 “(III) with a high percentage of
8 low income families or persons (as de-
9 fined in section 501(b) of the Housing
10 Act of 1949 (42 U.S.C. 1471(b)); or

11 “(IV) that are isolated from other
12 significant population centers; and

13 “(ii) that were developed with the par-
14 ticipation of, and will receive a substantial
15 portion of the funding for the project from,
16 1 or more stakeholders, including—

17 “(I) State, local, and tribal gov-
18 ernments;

19 “(II) nonprofit institutions;

20 “(III) community anchor institu-
21 tions, such as—

22 “(aa) public libraries;

23 “(bb) elementary schools and
24 secondary schools (as defined in
25 section 8101 of the Elementary

1 *and Secondary Education Act of*
2 *1965 (20 U.S.C. 7801));*

3 *“(cc) institutions of higher*
4 *education; and*

5 *“(dd) health care facilities;*

6 *“(IV) private entities; and*

7 *“(V) philanthropic organizations.*

8 *“(C) IDENTIFICATION OF UNSERVED COM-*
9 *MUNITIES.—*

10 *“(i) IN GENERAL.—In the case of an*
11 *application given the highest priority under*
12 *subparagraph (A)(i), the Secretary shall*
13 *confirm that each unserved rural commu-*
14 *nity identified in the application is eligible*
15 *for funding by—*

16 *“(I) conferring with and obtain-*
17 *ing data from the Chair of the Federal*
18 *Communications Commission and the*
19 *Administrator of the National Tele-*
20 *communications and Information Ad-*
21 *ministration with respect to the service*
22 *level in the service area proposed in the*
23 *application;*

24 *“(II) reviewing any other source*
25 *that is relevant to service data valida-*

1 tion, as determined by the Secretary;
2 and

3 “(III) performing site-specific
4 testing to verify the unavailability of
5 any residential broadband service in
6 the unserved rural community.

7 “(i) ADJUSTMENTS.—Not less often
8 than once every 2 years, the Secretary shall
9 review, and may adjust through notice pub-
10 lished in the Federal Register, the unserved
11 communities identified under clause (i).”;

12 (D) by redesignating paragraph (3) (as
13 added by section 6117(b)) as paragraph (4); and
14 (E) by inserting after paragraph (2) the fol-
15 lowing:

16 “(3) GRANT AMOUNTS.—

17 “(A) DEFINITION OF DEVELOPMENT
18 COSTS.—In this paragraph, the term ‘develop-
19 ment costs’ means costs of—

20 “(i) construction, including labor and
21 materials;

22 “(ii) project applications; and

23 “(iii) other development activities, as
24 determined by the Secretary.

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 per-*
8 *cent of the development costs of the project for*
9 *which the grant is provided.*

10 “(D) *SECRETARIAL AUTHORITY TO AD-*
11 *JUST.*—*The Secretary may make grants of up to*
12 *75 percent of the development costs of the project*
13 *for which the grant is provided to an eligible en-*
14 *tity if the Secretary determines that the project*
15 *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)—*

1 (I) *in the matter preceding clause*
2 *(i), by striking “loan or” and inserting*
3 *“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 guaranteed*
16 *under this section are” and in-*
17 *serting “assistance under this sec-*
18 *tion is”;* and

19 (ii) *by adding at the end the following:*

20 “(C) *RELATION TO UNIVERSAL SERVICE*
21 *HIGH-COST SUPPORT.—The Secretary shall co-*
22 *ordinate with the Federal Communications Com-*
23 *mission to ensure that any grants, loans, or loan*
24 *guarantees made under this section complement*
25 *and do not conflict with universal service high-*

1 *cost support (as defined in section 54.5 of title*
2 *47, Code of Federal Regulations, or any successor*
3 *regulation) provided by the Commission.”;*

4 *(B) in paragraph (2)—*

5 *(i) in subparagraph (A)—*

6 *(I) in the matter preceding clause*

7 *(i)—*

8 *(aa) by striking “the pro-*
9 *ceeds of a loan made or guaran-*
10 *teed” and inserting “assistance”;*
11 *and*

12 *(bb) by striking “for the loan*
13 *or loan guarantee” and inserting*
14 *“of the eligible entity”;*

15 *(II) in clause (i)—*

16 *(aa) by striking “15” and*
17 *inserting “90”; and*

18 *(bb) by striking “level of*
19 *broadband service” and inserting*
20 *“level of fixed broadband service,*
21 *whether terrestrial or wireless,”;*
22 *and*

23 *(III) in clause (ii), by striking*
24 *“3” and inserting “2”;*

1 (ii) in subparagraph (C), by striking
2 clause (ii) and inserting the following:

3 “(ii) *EXCEPTIONS.*—Clause (i) shall
4 not apply if the applicant is eligible for
5 funding under another title of this Act.”;

6 (C) in paragraph (3), in subparagraph (A),
7 by striking “loan or” and inserting “grant, loan,
8 or”;

9 (D) in paragraph (4), by striking “loan or”
10 and inserting “grant, loan, or”;

11 (E) in paragraph (5)(A), in the matter pre-
12 ceding clause (i), by striking “loan or” and in-
13 serting “grant, loan, or”;

14 (F) in paragraph (6), by striking “loan or”
15 and inserting “grant, loan, or”;

16 (G) by redesignating paragraph (7) as sub-
17 paragraph (B) and indenting appropriately;

18 (H) by inserting after paragraph (6) the
19 following:

20 “(7) *APPLICATION PROCESS.*—

21 “(A) *IN GENERAL.*—The Secretary shall
22 provide to an applicant of a grant, loan, or loan
23 guarantee under this section feedback and deci-
24 sions on funding in a timely manner.”;

1 (I) in paragraph (7)(B) (as so redesignated), by striking “may seek a determination of
2 area eligibility prior to preparing a loan application under this section.” and inserting the following: “may, before preparing an application
3 under this section—
4 under this section—

5 “(i) seek a determination of area eligibility;
6 and
7 “(i) seek a determination of area eligibility;
8 bility; and

9 “(ii) submit to the Secretary a proposal for a project, on which the Secretary
10 shall provide feedback regarding how the
11 proposal could be changed to improve the
12 likelihood that the Secretary would approve
13 the application.”;

14 (J) in paragraph (10)(A), by striking “15”
15 and inserting “30”; and
16 and inserting “30”; and

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

18 “(11) TECHNICAL ASSISTANCE AND TRAINING.—

19 “(A) IN GENERAL.—The Secretary may
20 provide eligible entities described in paragraph
21 (1) that are applying for a grant, loan, or loan
22 guarantee for a project described in subsection
23 (c)(2)(A)(i) technical assistance and training—

24 “(i) to prepare reports and surveys
25 necessary to request grants, loans, and loan

1 *guarantees under this section for broadband*
2 *deployment;*

3 “(ii) *to improve management, includ-*
4 *ing financial management, relating to the*
5 *proposed broadband deployment;*

6 “(iii) *to prepare applications for*
7 *grants, loans, and loan guarantees under*
8 *this section; or*

9 “(iv) *to assist with other areas of need*
10 *identified by the Secretary.*

11 “(B) *FUNDING.—Not less than 3 percent*
12 *and not more than 5 percent of amounts appro-*
13 *priated to carry out this section for a fiscal year*
14 *shall be used for technical assistance and train-*
15 *ing under this paragraph.”;*

16 (4) *in subsection (e)(1)—*

17 (A) *in subparagraph (A), by striking “4-*
18 *Mbps” and inserting “25-Mbps”; and*

19 (B) *in subparagraph (B), by striking “1-*
20 *Mbps” and inserting “3-Mbps”;*

21 (5) *in subsection (f), by striking “make a loan*
22 *or loan guarantee” and inserting “provide assist-*
23 *ance”;*

24 (6) *in subsection (j)—*

1 (A) in the matter preceding paragraph (1),
2 by striking “loan and loan guarantee”;

3 (B) in paragraph (1), by inserting “grants
4 and” after “number of”;

5 (C) in paragraph (2)—

6 (i) in subparagraph (A), by striking
7 “loan”; and

8 (ii) in subparagraph (B), by striking
9 “loans and” and inserting “grants, loans,
10 and”;

11 (D) in paragraph (3), by striking “loan”;

12 (7) by redesignating subsections (k) and (l) as
13 subsections (m) and (n), respectively;

14 (8) by inserting after subsection (j) the following:

15 “(k) *BROADBAND BUILDOUT DATA.*—As a condition of
16 receiving a grant, loan, or loan guarantee under this sec-
17 tion, a recipient of assistance shall provide to the Secretary
18 complete, reliable, and precise geolocation information that
19 indicates the location of new broadband service that is being
20 provided or upgraded within the service territory supported
21 by the grant, loan, or loan guarantee not later than 30 days
22 after the earlier of—

23 “(1) the date of completion of any project mile-
24 stone established by the Secretary; or

25 “(2) the date of completion of the project.

1 “(l) *ENVIRONMENTAL REVIEWS.*—*The Secretary may*
2 *obligate, but not disperse, funds under this Act before the*
3 *completion of otherwise required environmental, historical,*
4 *or other types of reviews if the Secretary determines that*
5 *a subsequent site-specific review shall be adequate and eas-*
6 *ily accomplished for the location of towers, poles, or other*
7 *broadband facilities in the service area of the borrower*
8 *without compromising the project or the required reviews.”;*

9 (9) *in subsection (m) (as so redesignated)—*

10 (A) *in paragraph (1)—*

11 (i) *by striking “\$25,000,000” and in-*
12 *serting “\$150,000,000”; and*

13 (ii) *by striking “2008 through 2018”*
14 *and inserting “2019 through 2023”; and*

15 (B) *in paragraph (2)(A)—*

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

18 (ii) *in clause (ii), 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 “(iii) *set aside at least 1 percent to be*
23 *used for—*

24 “(I) *conducting oversight under*
25 *this section; and*

1 “(II) implementing accountability
2 measures and related activities author-
3 ized under this section.”; and
4 (10) in subsection (n) (as so redesignated)—
5 (A) by striking “loan or” and inserting
6 “grant, loan, or”; and
7 (B) by striking “2018” and inserting
8 “2023”.

9 **SEC. 6207. COMMUNITY CONNECT GRANT PROGRAM.**

10 Title VI of the Rural Electrification Act of 1936 (7
11 U.S.C. 950bb et seq.) is amended by adding at the end the
12 following:

13 **“SEC. 604. COMMUNITY CONNECT GRANT PROGRAM.**

14 “(a) DEFINITIONS.—In this section:

15 “(1) ELIGIBLE BROADBAND SERVICE.—The term
16 ‘eligible broadband service’ means broadband service
17 that has the capability to transmit data at a speed
18 specified by the Secretary, which may not be less than
19 the applicable minimum download and upload speeds
20 established by the Federal Communications Commis-
21 sion in defining the term ‘advanced telecommuni-
22 cations capability’ for purposes of section 706 of the
23 Telecommunications Act of 1996 (47 U.S.C. 1302).

1 “(2) *ELIGIBLE SERVICE AREA.*—*The term ‘eligible*
2 *service area’ means an area in which broadband*
3 *service capacity is less than—*

4 “(A) *a 10-Mbps downstream transmission*
5 *capacity; and*

6 “(B) *a 1-Mbps upstream transmission ca-*
7 *capacity.*

8 “(3) *ELIGIBLE ENTITY.*—

9 “(A) *IN GENERAL.*—*The term ‘eligible enti-*
10 *ty’ means a legally organized entity that—*

11 “(i) *is—*

12 “(I) *an incorporated organiza-*
13 *tion;*

14 “(II) *an Indian Tribe or Tribal*
15 *organization;*

16 “(III) *a State;*

17 “(IV) *a unit of local government;*

18 *or*

19 “(V) *any other legal entity, in-*
20 *cluding a cooperative, a private cor-*
21 *poration, or a limited liability com-*
22 *pany, that is organized on a for-profit*
23 *or a not-for-profit basis; and*

24 “(ii) *has the legal capacity and au-*
25 *thority to enter into a contract, to comply*

1 with applicable Federal laws, and to own
2 and operate broadband facilities, as pro-
3 posed in the application submitted by the
4 entity for a grant under the Program.

5 “(B) *EXCLUSIONS.*—The term ‘eligible enti-
6 ty’ does not include—

7 “(i) an individual; or

8 “(ii) a partnership.

9 “(4) *PROGRAM.*—The term ‘Program’ means the
10 Community Connect Grant Program established
11 under subsection (b).

12 “(5) *RURAL AREA.*—The term ‘rural area’ has
13 the meaning given the term in section 601(b)(3)(A).

14 “(b) *ESTABLISHMENT.*—The Secretary shall establish
15 a program, to be known as the ‘Community Connect Grant
16 Program’, to provide grants to eligible entities to finance
17 broadband transmission in rural areas.

18 “(c) *ELIGIBLE PROJECTS.*—An eligible entity that re-
19 ceives a grant under the Program shall use the grant to
20 carry out a project that—

21 “(1) provides eligible broadband service to, with-
22 in the proposed eligible service area described in the
23 application submitted by the eligible entity—

24 “(A) each essential community facility
25 funded under section 306(a) of the Consolidated

1 *Farm and Rural Development Act (7 U.S.C.*
2 *1926(a)); and*

3 *“(B) any required facilities necessary to*
4 *offer that eligible broadband service to each resi-*
5 *dential and business customer; and*

6 *“(2) for not less than 2 years—*

7 *“(A) furnishes free wireless eligible*
8 *broadband service to a community center de-*
9 *scribed in subsection (d)(1)(B);*

10 *“(B) provides not fewer than 2 computer*
11 *access points for that free wireless eligible*
12 *broadband service; and*

13 *“(C) covers the cost of bandwidth to provide*
14 *free eligible broadband service to each essential*
15 *community facility funded under section 306(a)*
16 *of the Consolidated Farm and Rural Develop-*
17 *ment Act (7 U.S.C. 1926(a)) within the proposed*
18 *eligible service area described in the application*
19 *submitted by the eligible entity.*

20 *“(d) USES OF GRANT FUNDS.—*

21 *“(1) IN GENERAL.—An eligible entity that re-*
22 *ceives a grant under the Program may use the grant*
23 *for—*

24 *“(A) the construction, acquisition, or leas-*
25 *ing of facilities (including spectrum), land, or*

1 *buildings to deploy eligible broadband service;*
2 *and*

3 *“(B) the improvement, expansion, construc-*
4 *tion, or acquisition of a community center with-*
5 *in the proposed eligible service area described in*
6 *the application submitted by the eligible entity.*

7 *“(2) INELIGIBLE USES.—An eligible entity that*
8 *receives a grant under the Program shall not use the*
9 *grant for—*

10 *“(A) the duplication of any existing*
11 *broadband service provided by another entity in*
12 *the eligible service area; or*

13 *“(B) operating expenses, except as provided*
14 *in—*

15 *“(i) subsection (c)(2)(C) with respect to*
16 *free wireless eligible broadband service; and*

17 *“(ii) paragraph (1)(A) with respect to*
18 *spectrum.*

19 *“(3) FREE ACCESS FOR COMMUNITY CENTERS.—*
20 *Of the amounts provided to an eligible entity under*
21 *a grant under the Program, the eligible entity shall*
22 *use to carry out paragraph (1)(B) not greater than*
23 *the lesser of—*

24 *“(A) 10 percent; and*

25 *“(B) \$150,000.*

1 “(e) *MATCHING FUNDS.*—

2 “(1) *IN GENERAL.*—*An eligible entity that re-*
3 *ceives a grant under the Program shall provide a cash*
4 *contribution in an amount that is not less than 15*
5 *percent of the amount of the grant.*

6 “(2) *REQUIREMENTS.*—*A cash contribution de-*
7 *scribed in paragraph (1)—*

8 “(A) *shall be used solely for the project for*
9 *which the eligible entity receives a grant under*
10 *the Program; and*

11 “(B) *shall not include any Federal funds,*
12 *unless a Federal statute specifically provides that*
13 *those Federal funds may be considered to be from*
14 *a non-Federal source.*

15 “(f) *APPLICATIONS.*—

16 “(1) *IN GENERAL.*—*To be eligible to receive a*
17 *grant under the Program, an eligible entity shall sub-*
18 *mit to the Secretary an application at such time, in*
19 *such manner, and containing such information as the*
20 *Secretary may require.*

21 “(2) *REQUIREMENT.*—*An application submitted*
22 *by an eligible entity under paragraph (1) shall in-*
23 *clude documentation sufficient to demonstrate the*
24 *availability of funds to satisfy the requirement of sub-*
25 *section (e).*

1 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
2 *authorized to be appropriated to carry out this section*
3 *\$50,000,000 for each fiscal year.*”.

4 **SEC. 6208. TRANSPARENCY IN THE TELECOMMUNICATIONS**
5 **INFRASTRUCTURE LOAN PROGRAM.**

6 *Title VI of the Rural Electrification Act of 1936 (7*
7 *U.S.C. 950bb et seq.) (as amended by section 6207) is*
8 *amended by adding at the end the following:*

9 **“SEC. 605. TRANSPARENCY IN THE TELECOMMUNICATIONS**
10 **INFRASTRUCTURE LOAN PROGRAM.**

11 “(a) *PUBLIC NOTICE OF APPLICATIONS FOR ASSIST-*
12 *ANCE.*—*The Secretary shall publish in the Federal Register,*
13 *and promptly make available to the public, a fully search-*
14 *able database on the website of Rural Utilities Service that*
15 *contains, at a minimum—*

16 “(1) *notice of each application for a loan from*
17 *the Telecommunications Infrastructure Loan and*
18 *Guarantee Program under this Act describing the ap-*
19 *plication, including—*

20 “(A) *the identity of the applicant;*

21 “(B) *a description of the application, in-*
22 *cluding—*

23 “(i) *each census block proposed to be*
24 *served by the applicant; and*

1 “(i) the amount and type of support
2 requested by the applicant;

3 “(C) the status of the application;

4 “(D) the estimated number and proportion
5 of households in each census block under sub-
6 paragraph (B)(i) that are without telecommuni-
7 cations service; and

8 “(E) a list of the census block groups, in a
9 manner specified by the Secretary, to which the
10 applicant proposes to provide service; and

11 “(2) notice of each borrower receiving assistance
12 under the Telecommunications Infrastructure Loan
13 and Guarantee Program under this Act, including—

14 “(A) the name of the borrower;

15 “(B) the type of assistance being received;
16 and

17 “(C) the purpose for which the borrower is
18 receiving the assistance; and

19 “(3) such other information as is sufficient to
20 allow the public to understand the assistance provided
21 under the Telecommunications Infrastructure Loan
22 and Guarantee Program under this Act.

23 “(b) OPPORTUNITY FOR THE PUBLIC TO SUBMIT IN-
24 FORMATION.—The Secretary shall, with respect to an appli-

1 *tion for a loan under the Telecommunications Infrastruc-*
2 *ture Loan and Guarantee Program under this Act—*

3 “(1) for a period of not less than 15 days after
4 the date on which the notice required by subsection
5 (a)(1) is provided with respect to the application,
6 provide an opportunity for an interested party to vol-
7 untarily submit information concerning the services
8 that the party offers in the census blocks described in
9 subsection (a)(1)(B)(i), such that the Secretary may
10 assess whether approving the application would result
11 in any duplication of lines, facilities, or systems that
12 are providing reasonably adequate services; and

13 “(2) if no interested party submits information
14 under paragraph (1), consider the number of pro-
15 viders in the census block group to be established by
16 using broadband deployment data from the most re-
17 cent Form 477 data collection of the Federal Commu-
18 nications Commission.”.

19 **SEC. 6209. REFINANCING OF BROADBAND AND TELEPHONE**
20 **LOANS.**

21 (a) *IN GENERAL.*—Section 201 of the Rural Elec-
22 *trification Act of 1936 (7 U.S.C. 922) is amended, in the*
23 *fifth sentence, by striking “furnishing telephone service in*
24 *rural areas:” and all that follows through “40 per centum*
25 *of any loan made under this title.” and inserting “fur-*

1 nishing telephone service in rural areas, including indebted-
 2 ness of recipients on another telecommunications loan made
 3 under this Act.”.

4 (b) *BROADBAND*.—Section 601(i) of the Rural Elec-
 5 trification Act of 1936 (7 U.S.C. 950bb(i)) is amended by
 6 striking “Act if the use of” and all that follows through
 7 the period at the end and inserting “Act, or on any other
 8 loan if that loan would have been for an eligible purpose
 9 under this Act.”.

10 **SEC. 6210. CYBERSECURITY AND GRID SECURITY IMPROVE-**
 11 **MENTS.**

12 Title III of the Rural Electrification Act of 1936 (7
 13 U.S.C. 931 et seq.) is amended by adding at the end the
 14 following:

15 **“SEC. 319. CYBERSECURITY AND GRID SECURITY IMPROVE-**
 16 **MENTS.**

17 “(a) *DEFINITION OF CYBERSECURITY AND GRID SECUR-*
 18 *RITY IMPROVEMENTS*.—In this section, the term ‘cybersecu-
 19 rity and grid security improvements’ means investment in
 20 the development, expansion, and modernization of rural
 21 utility infrastructure that addresses known cybersecurity
 22 and grid security risks.

23 “(b) *LOANS AND LOAN GUARANTEES*.—The Secretary
 24 may make or guarantee loans under this title and title I
 25 for cybersecurity and grid security improvements.”.

Subtitle C—Miscellaneous**SEC. 6301. DISTANCE LEARNING AND TELEMEDICINE.**

(a) *SUBSTANCE USE DISORDER TREATMENT SERVICES.*—Section 2333(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–2(c)) is amended by adding at the end the following:

“(5) *SUBSTANCE USE DISORDER TREATMENT SERVICES.*—

“(A) *IN GENERAL.*—Subject to subparagraph (B), the Secretary shall make available not less than 20 percent of amounts made available under section 2335A for financial assistance under this chapter for substance use disorder treatment services.

“(B) *EXCEPTION.*—In the case of a fiscal year for which the Secretary determines that there are not sufficient qualified applicants to receive financial assistance for substance use disorder treatment services to reach the 20-percent requirement under subparagraph (A), the Secretary may make available less than 20 percent of amounts made available under section 2335A for those services.”

(b) *AUTHORIZATION OF APPROPRIATIONS.*—Section 2335A of the Food, Agriculture, Conservation, and Trade

1 *Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking*
2 *“2018” and inserting “2023”.*

3 *(c) CONFORMING AMENDMENT.—Section 1(b) of Public*
4 *Law 102–551 (7 U.S.C. 950aaa note) is amended by strik-*
5 *ing “2018” and inserting “2023”.*

6 **SEC. 6302. RURAL ENERGY SAVINGS PROGRAM.**

7 *Section 6407 of the Farm Security and Rural Invest-*
8 *ment Act of 2002 (7 U.S.C. 8107a) is amended—*

9 *(1) in subsection (b)(2), by striking “efficiency.”*
10 *and inserting “efficiency (including cost-effective on-*
11 *or off-grid renewable energy or energy storage sys-*
12 *tems).”;*

13 *(2) in subsection (c)—*

14 *(A) by redesignating paragraphs (4)*
15 *through (7) as paragraphs (5) through (8), re-*
16 *spectively;*

17 *(B) by inserting after paragraph (3) the fol-*
18 *lowing:*

19 *“(4) ELIGIBILITY FOR OTHER LOANS.—The Sec-*
20 *retary shall not include any debt incurred by a bor-*
21 *rower under this section in the calculation of the debt-*
22 *equity ratio of the borrower for purposes of eligibility*
23 *for loans under the Rural Electrification Act of 1936*
24 *(7 U.S.C. 901 et seq.).”;*

1 (C) in subparagraph (B) of paragraph (5)
2 (as so redesignated), by striking “(6)” and in-
3 serting “(7)”; and

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

5 “(9) ACCOUNTING.—The Secretary shall take ap-
6 propriate steps to streamline the accounting require-
7 ments on borrowers under this section while main-
8 taining adequate assurances of the repayment of the
9 loans.”;

10 (3) in subsection (d)(1)(A), by striking “3 per-
11 cent” and inserting “6 percent”;

12 (4) by redesignating subsection (h) as subsection
13 (i);

14 (5) by inserting after subsection (g) the fol-
15 lowing:

16 “(h) PUBLICATION.—Not later than 120 days after the
17 end of each fiscal year, the Secretary shall publish a de-
18 scription of—

19 “(1) the number of applications received under
20 this section for that fiscal year;

21 “(2) the number of loans made to eligible entities
22 under this section for that fiscal year; and

23 “(3) the recipients of the loans described in para-
24 graph (2).”;

1 (6) in subsection (i) (as so redesignated), by
2 striking “2018” and inserting “2023”.

3 **SEC. 6303. RURAL HEALTH AND SAFETY EDUCATION PRO-**
4 **GRAMS.**

5 (a) *IN GENERAL.*—Section 502(i) of the Rural Devel-
6 *opment Act of 1972 (7 U.S.C. 2662(i)) is amended—*

7 (1) *by redesignating paragraph (5) as para-*
8 *graph (6); and*

9 (2) *by inserting after paragraph (4) the fol-*
10 *lowing:*

11 “(5) *SUBSTANCE USE DISORDER EDUCATION AND*
12 *PREVENTION.*—*In making grants under this sub-*
13 *section, the Secretary shall give priority to an appli-*
14 *cant that will use the grant for substance use disorder*
15 *education, prevention, or treatment.”.*

16 (b) *TECHNICAL AMENDMENTS.*—*Title V of the Rural*
17 *Development Act of 1972 (7 U.S.C. 2661 et seq.) (as amend-*
18 *ed by subsection (a)) is amended—*

19 (1) *in section 502, in the matter preceding sub-*
20 *section (a), by inserting “(referred to in this title as*
21 *the ‘Secretary’)” after “Agriculture”;* and

22 (2) *by striking “Secretary of Agriculture” each*
23 *place it appears (other than in section 502 in the*
24 *matter preceding subsection (a)) and inserting “Sec-*
25 *retary”.*

1 **SEC. 6304. NORTHERN BORDER REGIONAL COMMISSION RE-**
2 **AUTHORIZATION.**

3 (a) *ADMINISTRATIVE EXPENSES OF REGIONAL COM-*
4 *MISSIONS.*—Section 15304(c)(3)(A) of title 40, United
5 States Code, is amended by striking “unanimous” and in-
6 serting “majority”.

7 (b) *ECONOMIC AND INFRASTRUCTURE DEVELOPMENT*
8 *GRANTS.*—Section 15501 of title 40, United States Code,
9 is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (7), by striking “and” at
12 the end;

13 (B) by redesignating paragraph (8) as
14 paragraph (9); and

15 (C) by inserting after paragraph (7) the fol-
16 lowing:

17 “(8) to grow the capacity for successful commu-
18 nity economic development in its region; and”;

19 (2) in subsection (b), by striking “paragraphs
20 (1) through (3)” and inserting “paragraph (1), (2),
21 (3), or (7)”;

22 (3) in subsection (f), by striking the period at the
23 end and inserting “, except that financial assistance
24 may be used as otherwise authorized by this subtitle
25 to attract businesses to the region from outside the
26 United States.”.

1 (c) *STATE CAPACITY BUILDING GRANT PROGRAM.*—

2 (1) *DEFINITIONS.*—*In this subsection:*

3 (A) *COMMISSION.*—*The term “Commission”*
4 *means the Northern Border Regional Commis-*
5 *sion established by section 15301(a)(3) of title*
6 *40, United States Code.*

7 (B) *COMMISSION STATE.*—*The term “Com-*
8 *mission State” means each of the States of*
9 *Maine, New Hampshire, New York, and*
10 *Vermont.*

11 (C) *ELIGIBLE COUNTY.*—*The term “eligible*
12 *county” means a county described in section*
13 *15733 of title 40, United States Code.*

14 (D) *PROGRAM.*—*The term “program”*
15 *means the State capacity building grant pro-*
16 *gram established under paragraph (2).*

17 (2) *ESTABLISHMENT.*—*Not later than 180 days*
18 *after the date of enactment of this Act, the Commis-*
19 *sion shall establish a State capacity building grant*
20 *program to provide grants to Commission States to*
21 *carry out the purpose under paragraph (3).*

22 (3) *PURPOSE.*—*The purpose of the program is to*
23 *support the efforts of Commission States—*

24 (A) *to better support business retention and*
25 *expansion in eligible counties;*

1 (B) to create programs to encourage job cre-
2 ation and workforce development;

3 (C) to prepare economic and infrastructure
4 plans for eligible counties;

5 (D) to expand access to high-speed
6 broadband;

7 (E) to encourage initiatives that drive in-
8 vestments in transportation, water, wastewater,
9 and other critical infrastructure;

10 (F) to create initiatives to increase the effec-
11 tiveness of local or regional economic developers;
12 and

13 (G) to implement new or innovative eco-
14 nomic development practices that will better po-
15 sition the Commission States to compete in the
16 global economy.

17 (4) USE OF FUNDS.—

18 (A) IN GENERAL.—Funds from a grant
19 under the program may be used to support a
20 project, program, or expense of the Commission
21 State in an eligible county.

22 (B) LIMITATION.—Funds from a grant
23 under the program shall not be used for—

24 (i) the purchase of furniture, fixtures,
25 or equipment; or

1 (ii) the compensation of—

2 (I) any State member of the Com-
3 mission (as described in section
4 15301(b)(1)(B) of title 40, United
5 States Code); or

6 (II) any State alternate member
7 of the Commission (as described in sec-
8 tion 15301(b)(2)(B) of title 40, United
9 States Code).

10 (5) ANNUAL WORK PLAN.—

11 (A) IN GENERAL.—For each fiscal year, be-
12 fore providing a grant under the program, each
13 Commission State shall provide to the Commis-
14 sion an annual work plan that includes the pro-
15 posed use of the grant.

16 (B) APPROVAL.—No grant under the pro-
17 gram shall be provided to a Commission State
18 unless the Commission has approved the annual
19 work plan of the State.

20 (6) AMOUNT OF GRANT.—

21 (A) IN GENERAL.—The amount of a grant
22 provided to a Commission State under the pro-
23 gram shall be an amount equal to the share of
24 the State of administrative expenses of the Com-

1 *mission for a fiscal year (as determined under*
2 *section 15304(c) of title 40, United States Code).*

3 *(B) APPROVAL.—For each fiscal year, a*
4 *grant provided under the program shall be ap-*
5 *proved and made available as part of the ap-*
6 *proval of the annual budget of the Commission.*

7 *(7) GRANT AVAILABILITY.—Funds from a grant*
8 *under the program shall be available only during the*
9 *fiscal year for which the grant is provided.*

10 *(8) REPORT.—Each fiscal year, each Commis-*
11 *sion State shall submit to the Commission and make*
12 *publicly available a report that describes the use of*
13 *the grant funds and the impact of the program in the*
14 *State.*

15 *(9) FUNDING.—*

16 *(A) IN GENERAL.—There is authorized to be*
17 *appropriated such sums as the Commission de-*
18 *termines to be necessary, subject to the condition*
19 *that the Commission may use not more than*
20 *\$5,000,000 to carry out this subsection for any*
21 *fiscal year.*

22 *(B) SUPPLEMENT, NOT SUPPLANT.—Funds*
23 *made available to carry out this subsection shall*
24 *supplement and not supplant funds made avail-*

1 *able for the Commission and other activities of*
2 *the Commission.*

3 (d) *NORTHERN BORDER REGIONAL COMMISSION.*—
4 *Section 15733 of title 40, United States Code, is amended—*

5 (1) *in paragraph (2)—*

6 (A) *by inserting “Belknap,” before “Car-*
7 *roll,”; and*

8 (B) *by inserting “Cheshire,” before “Coos,”;*
9 *and*

10 (2) *in paragraph (4)—*

11 (A) *by inserting “Addison, Bennington,”*
12 *before “Caledonia,”;*

13 (B) *by inserting “Chittenden,” before*
14 *“Essex,”;*

15 (C) *by striking “and” and inserting “Or-*
16 *ange,” and*

17 (D) *by inserting “, Rutland, Washington,*
18 *Windham, and Windsor” after “Orleans”.*

19 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*Section*
20 *15751(a) of title 40, United States Code, is amended by*
21 *striking “2018” and inserting “2023”.*

22 (f) *TECHNICAL AMENDMENTS.*—*Chapters 1, 2, 3, and*
23 *4 of subtitle V of title 40, United States Code, are redesi-*
24 *gnated as chapters 151, 153, 155, and 157, respectively.*

1 **SEC. 6305. COUNCIL ON RURAL COMMUNITY INNOVATION**
2 **AND ECONOMIC DEVELOPMENT.**

3 *(a) FINDINGS.—Congress makes the following findings:*

4 *(1) 16 percent of the population of the United*
5 *States lives in rural counties.*

6 *(2) Strong, sustainable rural communities are*
7 *essential to future prosperity and ensuring United*
8 *States competitiveness in the years ahead.*

9 *(3) Rural communities supply the food, fiber,*
10 *and energy of the United States, safeguard the nat-*
11 *ural resources of the United States, and are essential*
12 *to the development of science and innovation.*

13 *(4) Though rural communities face numerous*
14 *challenges, they also present enormous economic po-*
15 *tential.*

16 *(5) The Federal Government has an important*
17 *role to play in expanding access to the capital nec-*
18 *essary for economic growth, promoting innovation,*
19 *increasing energy resiliency and reliability, improv-*
20 *ing access to health care and education, and expand-*
21 *ing outdoor recreational activities on public land.*

22 *(b) PURPOSE.—The purpose of this section is to en-*
23 *hance the efforts of the Federal Government to address the*
24 *needs of rural areas in the United States by—*

25 *(1) establishing a council to better coordinate*
26 *Federal programs directed to rural communities;*

1 (2) *maximizing the impact of Federal investment*
2 *to promote economic prosperity and quality of life in*
3 *rural communities in the United States; and*

4 (3) *using innovation to resolve local and re-*
5 *gional challenges faced by rural communities.*

6 (c) *ESTABLISHMENT.*—*There is established a Council*
7 *on Rural Community Innovation and Economic Develop-*
8 *ment (referred to in this section as the “Council”).*

9 (d) *MEMBERSHIP.*—

10 (1) *IN GENERAL.*—*The membership of the Coun-*
11 *cil shall be composed of the heads of the following ex-*
12 *ecutive branch departments, agencies, and offices:*

13 (A) *The Department of Agriculture.*

14 (B) *The Department of the Treasury.*

15 (C) *The Department of Defense.*

16 (D) *The Department of Justice.*

17 (E) *The Department of the Interior.*

18 (F) *The Department of Commerce.*

19 (G) *The Department of Labor.*

20 (H) *The Department of Health and Human*
21 *Services.*

22 (I) *The Department of Housing and Urban*
23 *Development.*

24 (J) *The Department of Transportation.*

25 (K) *The Department of Energy.*

- 1 (L) *The Department of Education.*
- 2 (M) *The Department of Veterans Affairs.*
- 3 (N) *The Department of Homeland Security.*
- 4 (O) *The Environmental Protection Agency.*
- 5 (P) *The Federal Communications Commis-*
- 6 *sion.*
- 7 (Q) *The Office of Management and Budget.*
- 8 (R) *The Office of Science and Technology*
- 9 *Policy.*
- 10 (S) *The Office of National Drug Control*
- 11 *Policy.*
- 12 (T) *The Council of Economic Advisers.*
- 13 (U) *The Domestic Policy Council.*
- 14 (V) *The National Economic Council.*
- 15 (W) *The Small Business Administration.*
- 16 (X) *The Council on Environmental Quality.*
- 17 (Y) *The White House Office of Public En-*
- 18 *gagement.*
- 19 (Z) *The White House Office of Cabinet Af-*
- 20 *fairs.*
- 21 (AA) *Such other executive branch depart-*
- 22 *ments, agencies, and offices as the President or*
- 23 *the Secretary may, from time to time, designate.*
- 24 (2) *CHAIR.—The Secretary shall serve as the*
- 25 *Chair of the Council.*

1 (3) *DESIGNEES.*—A member of the Council may
2 designate, to perform the Council functions of the
3 member, a senior-level official who is—

4 (A) part of the department, agency, or office
5 of the member; and

6 (B) a full-time officer or employee of the
7 Federal Government.

8 (4) *ADMINISTRATION.*—The Council shall coordi-
9 nate policy development through the rural develop-
10 ment mission area.

11 (e) *FUNDING.*—The Secretary shall provide funding
12 and administrative support for the Council to the extent
13 permitted by law and within existing appropriations.

14 (f) *MISSION AND FUNCTION OF THE COUNCIL.*—The
15 Council shall work across executive departments, agencies,
16 and offices to coordinate development of policy rec-
17 ommendations—

18 (1) to maximize the impact of Federal invest-
19 ment of rural communities;

20 (2) to promote economic prosperity and quality
21 of life in rural communities; and

22 (3) to use innovation to resolve local and re-
23 gional challenges faced by rural communities.

24 (g) *DUTIES.*—The Council shall—

1 (1) *make recommendations to the President, act-*
2 *ing through the Director of the Domestic Policy Coun-*
3 *cil and the Director of the National Economic Coun-*
4 *cil, on streamlining and leveraging Federal invest-*
5 *ments in rural areas, where appropriate, to increase*
6 *the impact of Federal dollars and create economic op-*
7 *portunities to improve the quality of life in rural*
8 *areas in the United States;*

9 (2) *coordinate and increase the effectiveness of*
10 *Federal engagement with rural stakeholders, includ-*
11 *ing agricultural organizations, small businesses, edu-*
12 *cation and training institutions, health-care pro-*
13 *viders, telecommunications services providers, electric*
14 *service providers, transportation providers, research*
15 *and land grant institutions, law enforcement, State,*
16 *local, and tribal governments, and nongovernmental*
17 *organizations regarding the needs of rural areas in*
18 *the United States;*

19 (3) *coordinate Federal efforts directed toward the*
20 *growth and development of rural geographic regions*
21 *that encompass both metropolitan and nonmetropoli-*
22 *tan areas;*

23 (4) *identify and facilitate rural economic oppor-*
24 *tunities associated with energy development, outdoor*

1 *recreation, and other conservation related activities;*
2 *and*

3 *(5) identify common economic and social chal-*
4 *lenges faced by rural communities that could be*
5 *served through—*

6 *(A) better coordination of existing Federal*
7 *and non-Federal resources; and*

8 *(B) innovative solutions utilizing govern-*
9 *mental and nongovernmental resources.*

10 *(h) EXECUTIVE DEPARTMENTS AND AGENCIES.—*

11 *(1) IN GENERAL.—The heads of executive depart-*
12 *ments and agencies shall assist and provide informa-*
13 *tion to the Council, consistent with applicable law, as*
14 *may be necessary to carry out the functions of the*
15 *Council.*

16 *(2) EXPENSES.—Each executive department or*
17 *agency shall be responsible for paying any expenses of*
18 *the executive department or agency for participating*
19 *in the Council.*

20 *(i) REPORT ON RURAL SMART COMMUNITIES.—*

21 *(1) IN GENERAL.—Not later than 1 year after*
22 *the establishment of the Council, the Council shall*
23 *submit to Congress a report describing efforts of rural*
24 *areas to integrate “smart” technology into their com-*
25 *munities to solve challenges relating to energy, trans-*

1 *portation, health care, law enforcement, housing, or*
2 *other relevant local issues, as determined by the Sec-*
3 *retary.*

4 (2) *SMART RURAL COMMUNITIES.—The report*
5 *under paragraph (1) shall include a description of ef-*
6 *forts of rural communities to apply innovative and*
7 *advanced technologies and related mechanisms (such*
8 *as telecommunications, energy, transportation, hous-*
9 *ing, economic development)—*

10 (A) *to improve the health and quality of life*
11 *of residents;*

12 (B) *to increase the efficiency and cost-effec-*
13 *tiveness of civic operations and services, includ-*
14 *ing public safety and other vital public func-*
15 *tions;*

16 (C) *to promote economic growth;*

17 (D) *to enhance the use of electricity in the*
18 *community and reduce pollution; and*

19 (E) *to create a more sustainable and resil-*
20 *ient community.*

21 (3) *OTHER INCLUSIONS.—The report under*
22 *paragraph (1) shall include—*

23 (A) *an analysis of efforts to integrate*
24 *“smart” technology into rural communities*
25 *across the United States;*

1 (B) *an analysis of barriers and challenges*
 2 *faced by rural areas in integrating “smart” tech-*
 3 *nology into their communities;*

4 (C) *an analysis of Federal efforts to assist*
 5 *rural areas with the development and integra-*
 6 *tion of “smart” technology into rural commu-*
 7 *nities;*

8 (D) *recommendations, if any, on how to im-*
 9 *prove coordination and deployment of Federal ef-*
 10 *forts to assist rural areas develop and integrate*
 11 *“smart” technology into their communities;*

12 (E) *recommendations, if any, on how rural*
 13 *areas developing “smart” communities can better*
 14 *leverage private sector resources; and*

15 (F) *guidelines that establish best practices*
 16 *for rural areas that desire to use “smart” tech-*
 17 *nology to overcome local challenges.*

18 (j) *REVIEW OF PUBLIC BENEFIT TO RURAL COMMU-*
 19 *NITIES ON THE CREATION OF RURAL SMART COMMUNITY*
 20 *DEMONSTRATION PROJECTS.—*

21 (1) *IN GENERAL.—On completion of the report*
 22 *under subsection (i)(1), the Council shall review the*
 23 *benefits of the creation of a rural smart community*
 24 *demonstration projects program for the purposes of*
 25 *coordinating Department of Agriculture rural devel-*

1 *opment, housing, energy, and telecommunication pro-*
2 *grams, and other Federal programs specific to rural*
3 *communities, to expand innovative technologies and*
4 *address local challenges specific to rural communities.*

5 (2) *INCLUSIONS.—In the review under para-*
6 *graph (1) the Council shall determine whether a rural*
7 *smart community demonstration projects program*
8 *would—*

9 (A) *demonstrate smart community tech-*
10 *nologies that can be adapted and repeated by*
11 *other rural communities;*

12 (B) *encourage public, private, local, or re-*
13 *gional best practices that can be replicated by*
14 *other rural communities;*

15 (C) *encourage private sector innovation and*
16 *investment in rural communities;*

17 (D) *promote a skilled workforce; and*

18 (E) *promote standards that allow for the*
19 *measurement and validation of the cost savings*
20 *and performance improvements associated with*
21 *the installation and use of smart community*
22 *technologies and practices.*

23 (k) *RURAL SMART COMMUNITY RESOURCE GUIDE.—*

24 (1) *IN GENERAL.—The Council shall create, pub-*
25 *lish, and maintain a resource guide designed to assist*

1 *States and other rural communities in developing*
2 *and implementing rural smart community programs.*

3 (2) *INCLUSIONS.—A resource guide under para-*
4 *graph (1) may include—*

5 (A) *a compilation of existing related Fed-*
6 *eral and non-Federal programs available to*
7 *rural communities, including technical assist-*
8 *ance, education, training, research and develop-*
9 *ment, analysis, and funding;*

10 (B) *available examples of local rural com-*
11 *munities engaging private sector entities to im-*
12 *plement smart community solutions, including*
13 *public-private partnership models that could be*
14 *used to leverage private sector funding to solve*
15 *similar local challenges;*

16 (C) *available examples of proven methods*
17 *for local rural communities to facilitate integra-*
18 *tion of smart technologies with new and existing*
19 *infrastructure and systems;*

20 (D) *best practices and lessons learned from*
21 *demonstration projects, including return on in-*
22 *vestment and performance information to help*
23 *other rural communities decide how to initiate*
24 *integration of smart technologies; and*

1 (E) such other topics as are requested by in-
2 dustry entities or local governments or deter-
3 mined to be necessary by the Council.

4 (3) *UTILIZATION OF EXISTING GUIDES.*—In cre-
5 ating, publishing, and maintaining the guide under
6 paragraph (1), the Council shall consider Federal,
7 State, and local guides already published relating to
8 smart community goals, activities, and best prac-
9 tices—

10 (A) to prevent duplication of efforts by the
11 Federal Government; and

12 (B) to leverage existing complementary ef-
13 forts.

14 (4) *RESOURCE GUIDE OUTREACH.*—The Council
15 shall conduct outreach to States, counties, commu-
16 nities, and other relevant entities—

17 (A) to provide interested stakeholders with
18 the guide published under paragraph (1);

19 (B) to promote the consideration of smart
20 community technologies and encourage States
21 and local governments to contribute rural smart
22 community program and activity information to
23 the guide published under paragraph (1);

24 (C) to identify—

1 (i) barriers to rural smart community
2 technology adoption; and

3 (ii) any research, development, and as-
4 sistance that is needed that could be in-
5 cluded in the guide published under para-
6 graph (1);

7 (D) to respond to requests for assistance,
8 advice, or consultation from rural communities;
9 and

10 (E) for other purposes, as identified by the
11 Council.

12 (5) *SUBSEQUENT RESOURCE GUIDES.*—The
13 Council shall issue an update to the guide published
14 under paragraph (1) every 5 years.

15 (l) *RURAL BROADBAND INTEGRATION WORKING*
16 *GROUP.*—

17 (1) *FINDINGS.*—Congress makes the following
18 findings:

19 (A) Access to high-speed broadband is no
20 longer a luxury and is important for United
21 States families, businesses, and consumers.

22 (B) Affordable, reliable access to high-speed
23 broadband is critical to United States economic
24 growth and competitiveness.

1 (C) *High-speed broadband enables the peo-*
2 *ple of the United States to use the Internet in*
3 *new ways, expands access to health services and*
4 *education, increases the productivity of busi-*
5 *nesses, and drives innovation throughout the dig-*
6 *ital ecosystem.*

7 (D) *The private sector and Federal, State,*
8 *and local governments have made substantial in-*
9 *vestments to expand broadband access in the*
10 *United States, but more must be done to improve*
11 *the availability and quality of high-speed*
12 *broadband, particularly in areas lacking com-*
13 *petitive choices.*

14 (E) *Today, more than 50,000,000 people of*
15 *the United States cannot purchase a wired*
16 *broadband connection at speeds for adequate*
17 *broadband service, and only 29 percent of people*
18 *of the United States can choose from more than*
19 *1 service provider at that speed.*

20 (F) *As a result of the statistics described in*
21 *subparagraph (E), the costs, benefits, and avail-*
22 *ability of high-speed broadband Internet are not*
23 *evenly distributed, with considerable variation*
24 *among States and between urban and rural*
25 *areas.*

1 (G) *The Federal Government has an impor-*
2 *tant role to play in developing coordinated poli-*
3 *cies to promote broadband deployment and adop-*
4 *tion, including promoting best practices, break-*
5 *ing down regulatory barriers, and encouraging*
6 *further investment, which will help deliver higher*
7 *quality, lower cost broadband to more families,*
8 *businesses, and communities and allow commu-*
9 *nities to benefit fully from those investments.*

10 (2) *POLICY.—*

11 (A) *IN GENERAL.—It is the policy of the*
12 *Federal Government for executive departments*
13 *and agencies having statutory authorities appli-*
14 *cable to broadband deployment (referred to in*
15 *this subsection as the “agencies”) to use all*
16 *available and appropriate authorities—*

17 (i) *to identify and address regulatory*
18 *barriers that may unduly impede either*
19 *wired broadband deployment or the infra-*
20 *structure to augment wireless broadband de-*
21 *ployment;*

22 (ii) *to encourage further investment in*
23 *broadband networks and services;*

1 (iii) to promote the adoption and
2 meaningful use of broadband technology;
3 and

4 (iv) to otherwise encourage or support
5 broadband deployment, competition, and
6 adoption in ways that promote the public
7 interest.

8 (B) *PRIORITIES.*—In carrying out the pol-
9 icy under subparagraph (A), the agencies shall
10 focus on—

11 (i) opportunities to promote broadband
12 adoption and competition through incen-
13 tives to new entrants in the market for
14 broadband services;

15 (ii) modernizing regulations;

16 (iii) accurately measuring real-time
17 broadband availability and speeds;

18 (iv) increasing broadband access for
19 underserved communities, including in
20 rural areas;

21 (v) exploring opportunities to reduce
22 costs for potential low-income users; and

23 (vi) other possible measures, including
24 supporting State, local, and Tribal govern-

1 *ments interested in encouraging or invest-*
2 *ing in high-speed broadband networks.*

3 (C) *EFFECT.*—*In carrying out the policy*
4 *under subparagraph (A), the agencies shall en-*
5 *sure that existing and planned Federal, State,*
6 *local, and Tribal government missions and capa-*
7 *bilities for delivering services to the public, in-*
8 *cluding those missions and capabilities relating*
9 *to national security, public safety, and emer-*
10 *gency response, are maintained.*

11 (D) *COORDINATION.*—*The agencies shall co-*
12 *ordinate the policy under subparagraph (A)*
13 *through the Rural Broadband Integration Work-*
14 *ing Group established under paragraph (3).*

15 (3) *ESTABLISHMENT OF RURAL BROADBAND IN-*
16 *TEGRATION WORKING GROUP.*—

17 (A) *IN GENERAL.*—*There is established the*
18 *Rural Broadband Integration Working Group*
19 *(referred to in this subsection as the “Working*
20 *Group”).*

21 (B) *MEMBERSHIP.*—*The membership of the*
22 *Working Group shall be composed of the heads,*
23 *or their designees, of—*

24 (i) *the Department of Agriculture;*

25 (ii) *the Department of Commerce;*

- 1 *(iii) the Department of Defense;*
2 *(iv) the Department of State;*
3 *(v) the Department of the Interior;*
4 *(vi) the Department of Labor;*
5 *(vii) the Department of Health and*
6 *Human Services;*
7 *(viii) the Department of Homeland Se-*
8 *curity;*
9 *(ix) the Department of Housing and*
10 *Urban Development;*
11 *(x) the Department of Justice;*
12 *(xi) the Department of Transportation;*
13 *(xii) the Department of the Treasury;*
14 *(xiii) the Department of Energy;*
15 *(xiv) the Department of Education;*
16 *(xv) the Department of Veterans Af-*
17 *fairs;*
18 *(xvi) the Environmental Protection*
19 *Agency;*
20 *(xvii) the General Services Adminis-*
21 *tration;*
22 *(xviii) the Small Business Administra-*
23 *tion;*
24 *(xix) the Institute of Museum and Li-*
25 *brary Services;*

1 (xx) *the National Science Foundation;*

2 (xxi) *the Council on Environmental*

3 *Quality;*

4 (xxii) *the Office of Science and Tech-*

5 *nology Policy;*

6 (xxiii) *the Office of Management and*

7 *Budget;*

8 (xxiv) *the Council of Economic Advis-*

9 *ers;*

10 (xxv) *the Domestic Policy Council;*

11 (xxvi) *the National Economic Council;*

12 *and*

13 (xxvii) *such other Federal agencies or*

14 *entities as are determined appropriate in*

15 *accordance with subparagraph (E).*

16 (C) *CO-CHAIRS.—The Secretary and the*

17 *Secretary of Commerce shall serve as the Co-*

18 *Chairs of the Working Group.*

19 (D) *CONSULTATION; COORDINATION.—*

20 (i) *CONSULTATION.—The Working*

21 *Group shall consult, as appropriate, with*

22 *other relevant agencies, including the Fed-*

23 *eral Communications Commission.*

24 (ii) *COORDINATION.—The Working*

25 *Group shall coordinate with existing Fed-*

1 *eral working groups and committees in-*
2 *volved with broadband.*

3 *(E) MEMBERSHIP CHANGES.—*

4 *(i) IN GENERAL.—The Director of the*
5 *National Economic Council and the Direc-*
6 *tor of the Office of Science and Technology*
7 *Policy shall review, on a periodic basis, the*
8 *membership of the Working Group to ensure*
9 *that the Working Group—*

10 *(I) includes necessary Federal*
11 *Government entities; and*

12 *(II) is an effective mechanism for*
13 *coordinating among agencies on the*
14 *policy described in paragraph (2).*

15 *(ii) CHANGES.—The Director of the*
16 *National Economic Council and the Direc-*
17 *tor of the Office of Science and Technology*
18 *Policy may add or remove members of the*
19 *Council, as appropriate, based on the re-*
20 *view under clause (i).*

21 *(4) FUNCTIONS OF THE WORKING GROUP.—*

22 *(A) CONSULTATION.—As permitted by law,*
23 *the members of the Working Group shall consult*
24 *with State, local, Tribal, and territorial govern-*
25 *ments, telecommunications companies, utilities,*

1 *trade associations, philanthropic entities, policy*
2 *experts, and other interested parties to identify*
3 *and assess regulatory barriers described in para-*
4 *graphs (1)(G) and (2)(A)(i) and opportunities*
5 *described in clauses (i) and (v) of paragraph*
6 *(2)(B) to determine possible actions relating to*
7 *those barriers and opportunities.*

8 *(B) POINT OF CONTACT.—Not later than 15*
9 *days after the date of enactment of this Act, each*
10 *member of the Working Group shall—*

11 *(i) designate a representative to serve*
12 *as the main point of contact for matters re-*
13 *lating to the Working Group; and*

14 *(ii) notify the Co-Chairs of the Work-*
15 *ing Group of that designee.*

16 *(C) SURVEY.—*

17 *(i) IN GENERAL.—In Not later than 60*
18 *days after the date of enactment of this Act,*
19 *the members of the Working Group shall*
20 *submit to the Working Group a comprehen-*
21 *sive survey of—*

22 *(I) Federal programs, including*
23 *the allocated funding amounts, that*
24 *currently support or could reasonably*

1 *be modified to support broadband de-*
2 *ployment and adoption; and*

3 (II) *all agency-specific policies*
4 *and rules with the direct or indirect ef-*
5 *fect of facilitating or regulating invest-*
6 *ment in or deployment of wired and*
7 *wireless broadband networks.*

8 (D) *LIST OF ACTIONS.*—*Not later than 120*
9 *days after the date of enactment of this Act, the*
10 *members of the Working Group shall submit to*
11 *the Working Group an initial list of actions that*
12 *each of the agencies could take to identify and*
13 *address regulatory barriers, incentivize invest-*
14 *ment, promote best practices, align funding deci-*
15 *sions, and otherwise support wired broadband*
16 *deployment and adoption.*

17 (E) *REPORT.*—

18 (i) *IN GENERAL.*—*Not later than 150*
19 *days after the date of enactment of this Act,*
20 *after not fewer than 2 meetings of the full*
21 *Working Group, the Working Group shall*
22 *submit to the President, acting through the*
23 *Director of the National Economic Council,*
24 *a coordinated, agreed-to, and prioritized list*
25 *of recommendations of the Working Group*

1 *on actions that agencies can take to support*
2 *broadband deployment and adoption.*

3 (ii) *INCLUSIONS.—The recommenda-*
4 *tions under clause (i) shall include—*

5 (I) *a list of priority actions and*
6 *rulemakings; and*

7 (II) *timelines to complete the pri-*
8 *ority actions and rulemakings under*
9 *subclause (I).*

10 (m) *GENERAL PROVISIONS.—*

11 (1) *EFFECT.—Nothing in this section—*

12 (A) *impairs or otherwise affects—*

13 (i) *the authority granted by law to a*
14 *department or agency, or the head thereof;*

15 (ii) *the functions of the Director of the*
16 *Office of Management and Budget relating*
17 *to budgetary, administrative, or legislative*
18 *proposals; or*

19 (iii) *the authority of the Federal Com-*
20 *munications Commission concerning spec-*
21 *trum allocation decisions;*

22 (B) *requires the disclosure of classified in-*
23 *formation, law enforcement sensitive informa-*
24 *tion, or other information that shall be protected*
25 *in the interests of national security; or*

1 (C) creates any right or benefit, substantive
 2 or procedural, enforceable at law or in equity by
 3 any party against the United States, any Fed-
 4 eral department, agency, or entity, any officer,
 5 employee, or agent, of the United States, or any
 6 other person.

7 (2) *IMPLEMENTATION.*—This section shall be im-
 8 plemented consistent with applicable law and subject
 9 to the availability of appropriations.

10 **TITLE VII—RESEARCH, EXTEN-**
 11 **SION, AND RELATED MAT-**
 12 **TERS**

13 **Subtitle A—National Agricultural**
 14 **Research, Extension, and Teach-**
 15 **ing Policy Act of 1977**

16 **SEC. 7101. PURPOSES OF AGRICULTURAL RESEARCH, EX-**
 17 **TENSION, AND EDUCATION.**

18 Section 1402 of the National Agricultural Research,
 19 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
 20 3101) is amended—

21 (1) in paragraph (7), by striking “and” after the
 22 semicolon;

23 (2) in paragraph (8), by striking the period at
 24 the end and inserting “; and”; and

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

1 “(9) support international collaboration that
2 leverages resources and advances priority food and
3 agricultural interests of the United States, such as—

4 “(A) addressing emerging plant and animal
5 diseases;

6 “(B) improving crop varieties and animal
7 breeds; and

8 “(C) developing safe, efficient, and nutri-
9 tious food systems.”.

10 **SEC. 7102. MATTERS RELATING TO CERTAIN SCHOOL DES-**
11 **IGNATIONS AND DECLARATIONS.**

12 (a) *STUDY OF FOOD AND AGRICULTURAL SCIENCES.*—

13 Section 1404(14) of the National Agricultural Research,
14 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
15 3103(14)) is amended—

16 (1) by striking subparagraph (A) and inserting
17 the following:

18 “(A) *IN GENERAL.*—

19 “(i) *DEFINITION.*—The terms ‘NLGCA
20 Institution’ and ‘non-land-grant college of
21 agriculture’ mean a public college or uni-
22 versity offering a baccalaureate or higher
23 degree in the study of agricultural sciences,
24 forestry, or both in any area of study de-
25 scribed in clause (ii).

1 “(ii) *CLARIFICATION.—An area of*
2 *study referred to in clause (i) may include*
3 *any of the following:*

4 “(I) *Agriculture.*

5 “(II) *Agricultural business and*
6 *management.*

7 “(III) *Agricultural economics.*

8 “(IV) *Agricultural mechanization.*

9 “(V) *Agricultural production op-*
10 *erations.*

11 “(VI) *Aquaculture.*

12 “(VII) *Agricultural and food*
13 *products processing.*

14 “(VIII) *Agricultural and domestic*
15 *animal services.*

16 “(IX) *Equestrian or equine stud-*
17 *ies.*

18 “(X) *Applied horticulture or hor-*
19 *ticulture operations.*

20 “(XI) *Ornamental horticulture.*

21 “(XII) *Greenhouse operations and*
22 *management.*

23 “(XIII) *Turf and turfgrass man-*
24 *agement.*

1 “(XIV) *Plant nursery operations*
2 *and management.*

3 “(XV) *Floriculture or floristry op-*
4 *erations and management.*

5 “(XVI) *International agriculture.*

6 “(XVII) *Agricultural public serv-*
7 *ices.*

8 “(XVIII) *Agricultural and exten-*
9 *sion education services.*

10 “(XIX) *Agricultural communica-*
11 *tion or agricultural journalism.*

12 “(XX) *Animal sciences.*

13 “(XXI) *Food science.*

14 “(XXII) *Plant sciences.*

15 “(XXIII) *Soil sciences.*

16 “(XXIV) *Forestry.*

17 “(XXV) *Forest sciences and biol-*
18 *ogy.*

19 “(XXVI) *Natural resources or con-*
20 *servation.*

21 “(XXVII) *Natural resources man-*
22 *agement and policy.*

23 “(XXVIII) *Natural resource eco-*
24 *nomics.*

25 “(XXIX) *Urban forestry.*

1 “(XXX) Wood science and wood
2 products or pulp or paper technology.

3 “(XXXI) Range science and man-
4 agement.

5 “(XXXII) Agricultural engineer-
6 ing.

7 “(XXXIII) Any other area, as de-
8 termined appropriate by the Sec-
9 retary.”; and

10 (2) in subparagraph (C)—

11 (A) in the matter preceding clause (i), by
12 inserting “any institution designated under”
13 after “include”;

14 (B) by striking clause (i); and

15 (C) in clause (ii)—

16 (i) by striking “(ii) any institution
17 designated under—”;

18 (ii) by striking subclause (IV);

19 (iii) in subclause (II), by adding “or”
20 at the end;

21 (iv) in subclause (III), by striking “;
22 or” at the end and inserting a period; and

23 (v) by redesignating subclauses (I),
24 (II), and (III) as clauses (i), (ii), and (iii),
25 respectively, and indenting appropriately.

1 **(b) DESIGNATION REVIEW.**—

2 **(1) IN GENERAL.**—*Not later than 90 days after*
3 *the date of enactment of this Act, the Secretary shall*
4 *establish a process to review each designated NLGCA*
5 *Institution (as defined in section 1404(14)(A) of the*
6 *National Agricultural Research, Extension, and*
7 *Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)))*
8 *to ensure compliance with that section (as amended*
9 *by subsection (a)).*

10 **(2) VIOLATION.**—*If the Secretary determines*
11 *under paragraph (1) that an NLGCA Institution is*
12 *not in compliance with section 1404(14)(A) of the Na-*
13 *tional Agricultural Research, Extension, and Teach-*
14 *ing Policy Act of 1977 (7 U.S.C. 3103(14)(A)) (as*
15 *amended by subsection (a)), the designation of that*
16 *NLGCA Institution shall be revoked.*

17 **SEC. 7103. NATIONAL AGRICULTURAL RESEARCH, EXTEN-**
18 **SION, EDUCATION, AND ECONOMICS ADVI-**
19 **SORY BOARD.**

20 *Section 1408(h) of the National Agricultural Research,*
21 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
22 *3123(h)) is amended by striking “2018” and inserting*
23 *“2023”.*

1 **SEC. 7104. CITRUS DISEASE SUBCOMMITTEE OF SPECIALTY**
 2 **CROP COMMITTEE.**

3 *Section 1408A(a)(2)(D) of the National Agricultural*
 4 *Research, Extension, and Teaching Policy Act of 1977 (7*
 5 *U.S.C. 3123a(a)(2)(D)) is amended by striking “2018” and*
 6 *inserting “2023”.*

7 **SEC. 7105. VETERINARY SERVICES GRANT PROGRAM.**

8 *Section 1415B of the National Agricultural Research,*
 9 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 10 *3151b) is amended—*

11 *(1) in subsection (c)(2)—*

12 *(A) by striking “to qualified” and inserting*
 13 *the following: “to—*

14 *“(A) qualified”;*

15 *(B) in subparagraph (A) (as so designated),*
 16 *by striking the period at the end and inserting*
 17 *“; and”; and*

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

19 *“(B) qualified entities for the purpose of ex-*
 20 *posing students in grades 11 and 12 to education*
 21 *and career opportunities in food animal medi-*
 22 *cine.”; and*

23 *(2) in subsection (h)—*

24 *(A) by striking the subsection designation*
 25 *and heading and inserting the following:*

26 *“(h) FUNDING.—*

1 “(1) *AUTHORIZATION OF APPROPRIATIONS.—*”;

2 *(B) in paragraph (1) (as so designated), by*
3 *striking “for fiscal year 2014 and each fiscal*
4 *year thereafter” and inserting “for each of fiscal*
5 *years 2014 through 2023”;* and

6 *(C) by adding at the end the following:*

7 “(2) *PRIORITY.—The Secretary shall award not*
8 *less than $\frac{2}{3}$ of amounts made available for grants*
9 *under this section to qualified entities with a focus on*
10 *food animal medicine.”.*

11 **SEC. 7106. GRANTS AND FELLOWSHIPS FOR FOOD AND AG-**
12 **RICULTURE SCIENCES EDUCATION.**

13 *Section 1417(m)(2) of the National Agricultural Re-*
14 *search, Extension, and Teaching Policy Act of 1977 (7*
15 *U.S.C. 3152(m)(2)) is amended by striking “2018” and in-*
16 *serting “2023”.*

17 **SEC. 7107. RESEARCH EQUIPMENT GRANTS.**

18 *The National Agricultural Research, Extension, and*
19 *Teaching Policy Act of 1977 is amended by inserting after*
20 *section 1418 (7 U.S.C. 3153) the following:*

21 **“SEC. 1419. RESEARCH EQUIPMENT GRANTS.**

22 *“(a) DEFINITION OF ELIGIBLE INSTITUTION.—In this*
23 *section, the term ‘eligible institution’ means—*

1 “(1) an institution of higher education (as de-
2 fined in section 101(a) of the Higher Education Act
3 of 1965 (20 U.S.C. 1001(a)); or

4 “(2) a State cooperative institution.

5 “(b) GRANTS.—The Secretary may award competitive
6 grants to eligible institutions for the acquisition of special
7 purpose scientific research equipment for use in the food
8 and agricultural sciences programs of those institutions.

9 “(c) MAXIMUM AMOUNT.—The amount of a grant
10 under subsection (b) shall not exceed \$500,000.

11 “(d) PROHIBITION ON CHARGE OF INDIRECT COSTS.—
12 The cost of the acquisition or depreciation of equipment
13 purchased with a grant under this section shall not be—

14 “(1) charged as an indirect cost against another
15 Federal grant; or

16 “(2) included as part of the indirect cost pool for
17 purposes of calculating the indirect cost rate of an eli-
18 gible institution.

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to carry out this section
21 \$5,000,000 for each of fiscal years 2019 through 2023.”.

22 **SEC. 7108. AGRICULTURAL AND FOOD POLICY RESEARCH**
23 **CENTERS.**

24 Section 1419A(e) of the National Agricultural Re-
25 search, Extension, and Teaching Policy Act of 1977 (7

1 *U.S.C. 3155(e)* is amended by striking “2018” and insert-
2 ing “2023”.

3 **SEC. 7109. EDUCATION GRANTS TO ALASKA NATIVE SERV-**
4 **ING INSTITUTIONS AND NATIVE HAWAIIAN**
5 **SERVING INSTITUTIONS.**

6 *Section 1419B of the National Agricultural Research,*
7 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
8 *3156) is amended—*

9 (1) in subsection (a)(3), by striking “2018” and
10 inserting “2023”; and

11 (2) in subsection (b)(3), by striking “2018” and
12 inserting “2023”.

13 **SEC. 7110. NEXT GENERATION AGRICULTURE TECHNOLOGY**
14 **CHALLENGE.**

15 *Subtitle C of the National Agricultural Research, Ex-*
16 *tension, and Teaching Policy Act of 1977 (7 U.S.C. 3151*
17 *et seq.) is amended by adding at the end the following:*

18 **“SEC. 1419C. NEXT GENERATION AGRICULTURE TECH-**
19 **NOLOGY CHALLENGE.**

20 *“(a) IN GENERAL.—The Secretary shall establish a*
21 *next generation agriculture technology challenge competi-*
22 *tion to provide an incentive for the development of innova-*
23 *tive mobile technology that removes barriers to entry in the*
24 *marketplace for beginning farmers and ranchers (as defined*

1 *in section 2501(a) of the Food, Agriculture, Conservation,*
2 *and Trade Act of 1990 (7 U.S.C. 2279(a)).*

3 “(b) *AMOUNT.—The Secretary may award not more*
4 *than \$1,000,000 in the aggregate to 1 or more winners of*
5 *the competition under subsection (a).”*

6 **SEC. 7111. NUTRITION EDUCATION PROGRAM.**

7 *Section 1425(f) of the National Agricultural Research,*
8 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
9 *3175(f)) is amended by striking “2018” and inserting*
10 *“2023”.*

11 **SEC. 7112. AUTHORIZATION FOR APPROPRIATIONS FOR**
12 **FEDERAL AGRICULTURAL RESEARCH FACILI-**
13 **TIES.**

14 *Section 1431 of the National Agricultural Research,*
15 *Extension, and Teaching Policy Act Amendments of 1985*
16 *(Public Law 99–198; 99 Stat. 1556; 128 Stat. 900) is*
17 *amended by striking “2018” and inserting “2023”.*

18 **SEC. 7113. CONTINUING ANIMAL HEALTH AND DISEASE RE-**
19 **SEARCH PROGRAMS.**

20 *Section 1433(c)(1) of the National Agricultural Re-*
21 *search, Extension, and Teaching Policy Act of 1977 (7*
22 *U.S.C. 3195(c)(1)) is amended by striking “2018” and in-*
23 *serting “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, and*
 11 *matching funds received by—*

12 *“(1) eligible institutions under this section; and*

13 *“(2) institutions designated under the Act of*
 14 *July 2, 1862 (commonly known as the ‘First Morrill*
 15 *Act’) (12 Stat. 503, chapter 130; 7 U.S.C. 301 et*
 16 *seq.).”.*

17 **SEC. 7115. REPORT ON AGRICULTURAL RESEARCH AT 1890**
 18 **LAND-GRANT COLLEGES, INCLUDING**
 19 **TUSKEGEE UNIVERSITY.**

20 *Section 1445 of the National Agricultural Research,*
 21 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 22 *3222) is amended by adding at the end the following:*

23 *“(i) REPORT.—The Secretary shall annually submit*
 24 *to Congress a report describing the allocations made to, and*
 25 *matching funds received by—*

26 *“(1) eligible institutions under this section; and*

1 “(2) institutions designated under the Act of
2 July 2, 1862 (commonly known as the ‘First Morrill
3 Act’) (12 Stat. 503, chapter 130; 7 U.S.C. 301 et
4 seq.).”.

5 **SEC. 7116. GRANTS TO UPGRADE AGRICULTURAL AND FOOD**
6 **SCIENCES FACILITIES AT 1890 LAND-GRANT**
7 **COLLEGES, INCLUDING TUSKEGEE UNIVER-**
8 **SITY.**

9 Section 1447(b) of the National Agricultural Research,
10 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
11 3222b(b)) is amended by striking “2018” and inserting
12 “2023”.

13 **SEC. 7117. GRANTS TO UPGRADE AGRICULTURE AND FOOD**
14 **SCIENCES FACILITIES AND EQUIPMENT AT**
15 **INSULAR AREA LAND-GRANT INSTITUTIONS.**

16 Section 1447B(d) of the National Agricultural Re-
17 search, Extension, and Teaching Policy Act of 1977 (7
18 U.S.C. 3222b–2(d)) is amended by striking “2018” and in-
19 serting “2023”.

20 **SEC. 7118. NEW BEGINNING FOR TRIBAL STUDENTS.**

21 Subtitle G of the National Agricultural Research, Ex-
22 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3221
23 et seq.) is amended by adding at the end the following:

1 **“SEC. 1450. NEW BEGINNING FOR TRIBAL STUDENTS.**

2 “(a) *DEFINITION OF TRIBAL STUDENT.*—*In this sec-*
3 *tion, the term ‘Tribal student’ means a student at a land-*
4 *grant college or university that is a member of an Indian*
5 *tribe (as defined in section 4 of the Indian Self-Determina-*
6 *tion and Education Assistance Act (25 U.S.C. 5304)).*

7 “(b) *NEW BEGINNING INITIATIVE.*—

8 “(1) *AUTHORIZATION.*—*The Secretary may make*
9 *competitive grants to land-grant colleges and univer-*
10 *sities to provide identifiable support specifically tar-*
11 *geted for Tribal students.*

12 “(2) *APPLICATION.*—*A land-grant college or uni-*
13 *versity that desires to receive a grant under this sec-*
14 *tion shall submit an application to the Secretary at*
15 *such time, in such manner, and accompanied by such*
16 *information as the Secretary may require.*

17 “(3) *USE OF FUNDS.*—*A land-grant college or*
18 *university that receives a grant under this section*
19 *shall use the grant funds to support Tribal students*
20 *through—*

21 “(A) *recruiting;*

22 “(B) *tuition and related fees;*

23 “(C) *experiential learning; and*

24 “(D) *student services, including—*

25 “(i) *tutoring;*

26 “(ii) *counseling;*

1 “(iii) academic advising; and

2 “(iv) other student services that would
3 increase the retention and graduation rate
4 of Tribal students enrolled at the land-grant
5 college or university, as determined by the
6 Secretary.

7 “(4) MATCHING FUNDS.—A land-grant college or
8 university that receives a grant under this section
9 shall provide matching funds toward the cost of car-
10 rying out the activities described in this section in an
11 amount equal to not less than 100 percent of the
12 grant award.

13 “(5) MAXIMUM AMOUNT PER STATE.—No State
14 shall receive, through grants made under this section
15 to land-grant colleges and universities located in the
16 State, more than \$500,000 per year.

17 “(c) REPORT.—Not later than 3 years after the date
18 of enactment of this section, the Secretary shall submit to
19 the Committee on Agriculture of the House of Representa-
20 tives and the Committee on Agriculture, Nutrition, and
21 Forestry and the Committee on Indian Affairs of the Senate
22 a report that includes an itemized list of grant funds dis-
23 tributed under this section, including the specific form of
24 assistance, and the number of Tribal students assisted and

1 *the graduation rate of Tribal students at land-grant colleges*
2 *and universities receiving grants under this section.*

3 “(d) *AUTHORIZATION OF APPROPRIATION.—There is*
4 *authorized to be appropriated to carry out this section*
5 *\$5,000,000 for each of fiscal years 2019 through 2023.”.*

6 **SEC. 7119. HISPANIC-SERVING INSTITUTIONS.**

7 *Section 1455(c) of the National Agricultural Research,*
8 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
9 *3241(c)) is amended by striking “2018” and inserting*
10 *“2023”.*

11 **SEC. 7120. BINATIONAL AGRICULTURAL RESEARCH AND DE-**
12 **VELOPMENT.**

13 *Section 1458(e) of the National Agricultural Research,*
14 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
15 *3291(e)) is amended—*

16 *(1) in the subsection heading, by striking “FULL*
17 *PAYMENT OF FUNDS MADE AVAILABLE FOR CER-*
18 *TAIN” and inserting “CERTAIN” ;*

19 *(2) by striking “Notwithstanding” and inserting*
20 *the following:*

21 *“(1) FULL PAYMENT OF FUNDS.—Notwith-*
22 *standing”;*

23 *(3) in paragraph (1) (as so designated)—*

24 *(A) by striking “Israel-United States” and*
25 *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, develop-
12 ment, and application of agricultural solutions
13 resulting from or relating to BARD Fund pro-
14 grams, 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 gov-
19 ernmental, nongovernmental, and private enti-
20 ties, 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 build*
11 *the capacity, and improve the performance, of covered Insti-*
12 *tutions and agricultural higher education institutions in*
13 *lower and middle income countries performing, or desiring*
14 *to perform, activities substantially similar to agricultural*
15 *research, extension, and teaching activities (referred to in*
16 *this section as ‘agricultural higher education institutions*
17 *in developing countries’) in order to solve food, health, nu-*
18 *trition, rural income, and environmental challenges, espe-*
19 *cially among chronically food insecure populations, includ-*
20 *ing by—*

21 *“(1) promoting partnerships between covered In-*
22 *stitutions and agricultural higher education institu-*
23 *tions 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 meanings*
 5 *given the terms in section 2 of the Agricultural Re-*
 6 *search, Extension, and Education Reform Act of 1998*
 7 *(7 U.S.C. 7601).*

8 “(2) *COVERED INSTITUTION.*—*The term ‘covered*
 9 *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 co-*
 19 *operation 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 of*
4 *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 countries,*
11 *encouraging research that addresses problems af-*
12 *fecting food production and security, human nu-*
13 *trition, agriculture, forestry, livestock, and fish-*
14 *eries, including local challenges; and*

15 *“(B) supporting and strengthening national*
16 *agricultural research systems in lower and mid-*
17 *dle 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, regional*
21 *development banks, and international agricultural re-*
22 *search centers;*

23 *“(4) improving agricultural teaching and edu-*
24 *cation by—*

1 “(A) in partnership with agricultural high-
2 er education institutions in developing countries,
3 supporting education and teaching relating to
4 food and agricultural sciences, including tech-
5 nical assistance, degree training, research col-
6 laborations, 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 Insti-
23 tutions;

24 “(7) establishing a program, to be coordinated by
25 the Director of the National Institute of Food and Ag-

1 *riculture and the Administrator of the Foreign Agri-*
 2 *cultural Service, to place interns from covered Insti-*
 3 *tutions in, or in service to benefit, lower and middle*
 4 *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 en-*
 9 *hance the linkages among covered Institutions, the Federal*
 10 *Government, international research centers, counterpart re-*
 11 *search, extension, and teaching agencies and institutions in*
 12 *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 is*
 19 *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 in-*
2 *serting “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 appears*
7 *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 “2023”.*

12 **SEC. 7125. SUPPLEMENTAL AND ALTERNATIVE CROPS;**
13 **HEMP.**

14 *Section 1473D of the National Agricultural Research,*
15 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
16 *3319d) is amended—*

17 *(1) in subsection (a)—*

18 *(A) by striking “2018” and inserting*
19 *“2023”; and*

20 *(B) by striking “crops,” and inserting*
21 *“crops (including canola),”;*

22 *(2) in subsection (b)—*

23 *(A) by inserting “for agronomic rotational*
24 *purposes and as a habitat for honey bees and*
25 *other pollinators” after “alternative crops”; and*

1 (B) by striking “commodities whose” and
2 all that follows through the period at the end and
3 inserting “commodities.”;

4 (3) in subsection (c)(3)(E), by inserting “(in-
5 cluding hemp (as defined in section 297A of the Agri-
6 cultural Marketing Act of 1946))” after “material”;
7 and

8 (4) in subsection (e)(2), by striking “2018” and
9 inserting “2023”.

10 **SEC. 7126. NEW ERA RURAL TECHNOLOGY PROGRAM.**

11 Section 1473E of the National Agricultural Research,
12 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
13 3319e) is amended—

14 (1) in subsection (b)(1)(B)—

15 (A) in clause (ii), by striking “and” at the
16 end;

17 (B) in clause (iii), by striking the period at
18 the end and inserting “; and”; and

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

20 “(iv) precision agriculture.”; and

21 (2) in subsection (d), by striking “2008 through
22 2012” and inserting “2019 through 2023”.

1 **SEC. 7127. CAPACITY BUILDING GRANTS FOR NLGCA INSTI-**
 2 **TUTIONS.**

3 *Section 1473F(b) of the National Agricultural Re-*
 4 *search, Extension, and Teaching Policy Act of 1977 (7*
 5 *U.S.C. 3319i(b)) is amended by striking “2018” and insert-*
 6 *ing “2023”.*

7 **SEC. 7128. AGRICULTURE ADVANCED RESEARCH AND DE-**
 8 **VELOPMENT AUTHORITY PILOT.**

9 *Subtitle K of the National Agricultural Research, Ex-*
 10 *tension, and Teaching Policy Act of 1977 (7 U.S.C. 3310*
 11 *et seq.) is amended by adding at the end the following:*

12 **“SEC. 1473H. AGRICULTURE ADVANCED RESEARCH AND DE-**
 13 **VELOPMENT AUTHORITY PILOT.**

14 *“(a) PURPOSE.—The purpose of this section is to pro-*
 15 *mote advanced research and development through a pilot*
 16 *program targeting high-priority research needs for qualified*
 17 *products and projects, agricultural technologies, and re-*
 18 *search tools.*

19 *“(b) DEFINITIONS.—In this section:*

20 *“(1) ADVANCED RESEARCH AND DEVELOP-*
 21 *MENT.—The term ‘advanced research and develop-*
 22 *ment’ means research and development activities used*
 23 *to overcome long-term and high-risk research chal-*
 24 *lenges in agriculture and food through—*

25 *“(A) targeted acceleration of novel, early*
 26 *stage innovative agricultural research with*

1 *promising technology applications and products;*

2 *or*

3 “(B) *development of qualified products and*
4 *projects, agricultural technologies, or innovative*
5 *research tools, which may include—*

6 “(i) *prototype testing, preclinical de-*
7 *velopment, or field experimental use;*

8 “(ii) *assessing and assisting with prod-*
9 *uct approval, clearance, or need for a li-*
10 *cence under—*

11 “(I) *the Animal Health Protection*
12 *Act (7 U.S.C. 8301 et seq.);*

13 “(II) *the Plant Protection Act (7*
14 *U.S.C. 7701 et seq.); or*

15 “(III) *other applicable law; or*

16 “(iii) *manufacturing and commer-*
17 *cialization of a product.*

18 “(2) *AGARDA.—The term ‘AGARDA’ means the*
19 *Agriculture Advanced Research and Development Au-*
20 *thority established by subsection (c)(1).*

21 “(3) *AGRICULTURAL TECHNOLOGY.—The term*
22 *‘agricultural technology’ means machinery and other*
23 *equipment engineered for an applicable and novel use*
24 *in agriculture, natural resources, and food relating to*

1 *the research and development of qualified products*
2 *and projects.*

3 “(4) *DIRECTOR.*—*The term ‘Director’ means the*
4 *Director of the AGARDA.*

5 “(5) *FUND.*—*The term ‘Fund’ means the Agri-*
6 *culture Advanced Research and Development Fund es-*
7 *tablished by subsection (e)(1).*

8 “(6) *OTHER TRANSACTION.*—

9 “(A) *IN GENERAL.*—*The term ‘other trans-*
10 *action’ means a transaction other than a pro-*
11 *curement contract, grant, or cooperative agree-*
12 *ment.*

13 “(B) *INCLUSION.*—*The term ‘other trans-*
14 *action’ includes a transaction described in sub-*
15 *section (c)(6)(A).*

16 “(7) *PERSON.*—*The term ‘person’ means—*

17 “(A) *an individual;*

18 “(B) *a partnership;*

19 “(C) *a corporation;*

20 “(D) *an association;*

21 “(E) *an entity;*

22 “(F) *a public or private corporation;*

23 “(G) *a Federal, State, or local government*
24 *agency or department; and*

1 “(H) an institution of higher education, in-
2 cluding a land-grant college or university and a
3 non-land-grant college of agriculture.

4 “(8) *QUALIFIED PRODUCT OR PROJECT*.—The
5 term ‘qualified product or project’ means advanced
6 research and development of—

7 “(A) engineering, mechanization, or tech-
8 nology improvements that will address challenges
9 relating to growing, harvesting, handling, proc-
10 essing, storing, packing, and distribution of agri-
11 cultural products;

12 “(B) plant disease or plant pest recovery
13 countermeasures to intentional or unintentional
14 biological or natural threats, including—

15 “(i) replacement or resistant plant
16 cultivars or varieties;

17 “(ii) other enhanced management
18 strategies, including novel chemical, biologi-
19 cal, or cultural approaches; or

20 “(iii) diagnostic or surveillance tech-
21 nology; and

22 “(C) veterinary countermeasures to inten-
23 tional or unintentional biological threats (in-
24 cluding naturally occurring threats), includ-
25 ing—

1 “(i) *animal vaccine or therapeutic*
2 *products (including anti-infective products);*

3 *or*

4 “(ii) *diagnostic or surveillance tech-*
5 *nology.*

6 “(9) *RESEARCH TOOL.—The term ‘research tool’*
7 *means a device, technology, procedure, biological ma-*
8 *terial, reagent, computer system, computer software,*
9 *or analytical technique that is developed to assist in*
10 *the discovery, development, or manufacture of a*
11 *qualified product or project.*

12 “(c) *AGRICULTURE ADVANCED RESEARCH AND DE-*
13 *VELOPMENT AUTHORITY.—*

14 “(1) *ESTABLISHMENT.—There is established*
15 *within the Department of Agriculture the Agriculture*
16 *Advanced Research and Development Authority to ad-*
17 *dress long-term and high-risk challenges in the devel-*
18 *opment of—*

19 “(A) *qualified products and projects;*

20 “(B) *agricultural technologies; and*

21 “(C) *research tools.*

22 “(2) *GOALS.—The goals of the AGARDA are—*

23 “(A) *to enhance the economic viability, se-*
24 *curity, and sustainability of agriculture to en-*

1 *sure that the United States is competitive and*
2 *maintains a technological lead globally;*

3 *“(B) to develop and deploy advanced solu-*
4 *tions to prevent, prepare, and protect against*
5 *unintentional and intentional threats to agri-*
6 *culture and food in the United States;*

7 *“(C) to overcome the long-term and high-*
8 *risk technological barriers in the development of*
9 *agricultural technologies that enhance export*
10 *competitiveness, environmental sustainability,*
11 *and resilience to extreme weather; and*

12 *“(D) to ensure that the United States main-*
13 *tains a technological lead in developing and de-*
14 *ploying advanced agricultural technologies that*
15 *increase economic opportunities for farmers,*
16 *ranchers, and rural communities.*

17 *“(3) LEADERSHIP.—*

18 *“(A) IN GENERAL.—The AGARDA shall be*
19 *a component of the Office of the Chief Scientist.*

20 *“(B) DIRECTOR.—*

21 *“(i) IN GENERAL.—The AGARDA shall*
22 *be headed by a Director, who shall be ap-*
23 *pointed by the Chief Scientist.*

24 *“(ii) QUALIFICATIONS.—The Director*
25 *shall be an individual who, by reason of*

1 *professional background and experience, is*
2 *especially qualified to advise the Chief Sci-*
3 *entist on, and manage research programs*
4 *addressing, matters pertaining to—*

5 “(I) *advanced research and devel-*
6 *opment;*

7 “(II) *qualified products and*
8 *projects;*

9 “(III) *agricultural technologies;*

10 “(IV) *research tools; and*

11 “(V) *long-term and high-risk chal-*
12 *lenges relating to the matters described*
13 *in subclauses (I) through (IV).*

14 “(iii) *RELATIONSHIP WITHIN THE DE-*
15 *PARTMENT OF AGRICULTURE.—The Director*
16 *shall report to the Chief Scientist.*

17 “(4) *DUTIES.—To achieve the goals described in*
18 *paragraph (2), the Secretary, acting through the Di-*
19 *rector, shall accelerate advanced research and develop-*
20 *ment by—*

21 “(A) *identifying and promoting revolu-*
22 *tionary advances in fundamental sciences;*

23 “(B) *translating scientific discoveries and*
24 *cutting-edge inventions into technological inno-*
25 *vations;*

1 “(C) incubating and accelerating trans-
2 formational advances in areas in which industry
3 by itself is not likely to undertake advanced re-
4 search and development because of the high-risk
5 technological or financial uncertainty;

6 “(D) collaborating with Federal agencies,
7 relevant industries, academia, international
8 agencies, the Foundation for Food and Agri-
9 culture Research, and other persons to carry out
10 the goals described in paragraph (2), including
11 convening, at a minimum, annual meetings or
12 working groups to demonstrate the operation and
13 effectiveness of advanced research and develop-
14 ment of qualified products and projects, agricul-
15 tural technologies, and research tools;

16 “(E) conducting ongoing searches for, and
17 support calls for, potential advanced research
18 and development of agricultural technologies,
19 qualified products and projects, and research
20 tools;

21 “(F) awarding grants and entering into
22 contracts, cooperative agreements, or other trans-
23 actions under paragraph (6) for advanced re-
24 search and development of agricultural tech-

1 *nology, qualified products and projects, and re-*
2 *search tools;*

3 *“(G) establishing issue-based multidisci-*
4 *plinary discovery teams to reduce the time and*
5 *cost of solving specific problems that—*

6 *“(i) are composed of representatives*
7 *from Federal and State agencies, profes-*
8 *sional groups, academia, and industry;*

9 *“(ii) seek novel and effective solutions;*
10 *and*

11 *“(iii) encourage data sharing and*
12 *translation of research to field use; and*

13 *“(H) connecting interested persons with of-*
14 *fices or employees authorized by the Secretary to*
15 *advise those persons regarding requirements*
16 *under relevant laws that impact the develop-*
17 *ment, commercialization, and technology transfer*
18 *of qualified products and projects, agricultural*
19 *technologies, and research tools.*

20 *“(5) PRIORITY.—In awarding grants and enter-*
21 *ing into contracts, cooperative agreements, or other*
22 *transactions under paragraph (4)(F), the Secretary*
23 *shall give priority to projects that accelerate the ad-*
24 *vanced research and development of—*

1 “(A) *new technologies to address critical re-*
2 *search needs for specialty crops; and*

3 “(B) *qualified products and projects that*
4 *prevent, protect, and prepare against intentional*
5 *and unintentional threats to agriculture and*
6 *food.*

7 “(6) *OTHER TRANSACTION AUTHORITIES.—*

8 “(A) *IN GENERAL.—In carrying out the*
9 *pilot program under this section, the Secretary*
10 *shall have the authority to enter into other trans-*
11 *actions in the same manner and subject to the*
12 *same terms and conditions as transactions that*
13 *the Secretary of Defense may enter into under*
14 *section 2371 of title 10, United States Code.*

15 “(B) *SCOPE.—The authority of the Sec-*
16 *retary to enter into contracts, cooperative agree-*
17 *ments, and other transactions under this sub-*
18 *section shall be in addition to the authorities*
19 *under this Act and title I of the Department of*
20 *Agriculture and Related Agencies Appropriation*
21 *Act, 1964 (7 U.S.C. 3318a), to use contracts, co-*
22 *operative agreements, and grants in carrying out*
23 *the pilot program under this section.*

1 “(C) *GUIDELINES.*—*The Secretary shall es-*
2 *tablish guidelines regarding the use of the au-*
3 *thority under subparagraph (A).*

4 “(D) *TECHNOLOGY TRANSFER.*—*In entering*
5 *into other transactions, the Secretary may nego-*
6 *tiate terms for technology transfer in the same*
7 *manner as a Federal laboratory under para-*
8 *graphs (1) through (4) of section 12(b) of the*
9 *Stevenson-Wydler Technology Innovation Act of*
10 *1980 (15 U.S.C. 3710a(b)).*

11 “(7) *AVAILABILITY OF DATA.*—

12 “(A) *IN GENERAL.*—*The Secretary shall re-*
13 *quire that, as a condition of being awarded a*
14 *contract or grant or entering into a cooperative*
15 *agreement or other transaction under paragraph*
16 *(4)(F), a person shall make available to the Sec-*
17 *retary on an ongoing basis, and submit to the*
18 *Secretary on request of the Secretary, all data*
19 *relating to or resulting from the activities car-*
20 *ried out by the person pursuant to this section.*

21 “(B) *EXEMPTION FROM DISCLOSURE.*—

22 “(i) *IN GENERAL.*—*This subparagraph*
23 *shall be considered a statute described in*
24 *section 552(b)(3)(B) of title 5, United*
25 *States Code.*

1 “(ii) *EXEMPTION.*—*The following in-*
2 *formation shall be exempt from disclosure*
3 *and withheld from the public:*

4 “(I) *Specific technical data or sci-*
5 *entific information that is created or*
6 *obtained under this section that reveals*
7 *significant and not otherwise publicly*
8 *known vulnerabilities of existing agri-*
9 *culture and food defenses against bio-*
10 *logical, chemical, nuclear, or radio-*
11 *logical threats.*

12 “(II) *Trade secrets or commercial*
13 *or financial information that is privi-*
14 *leged or confidential (within the mean-*
15 *ing of section 552(b)(4) of title 5,*
16 *United States Code) and obtained in*
17 *the conduct of research or as a result*
18 *of activities under this section from a*
19 *non-Federal party participating in a*
20 *contract, grant, cooperative agreement,*
21 *or other transaction under this section.*

22 “(iii) *REVIEW.*—*Information that re-*
23 *sults from research and development activi-*
24 *ties conducted under this section and that*
25 *would be a trade secret or commercial or fi-*

1 *nancial information that is privileged or*
2 *confidential if the information had been ob-*
3 *tained from a non-Federal party partici-*
4 *pating in a cooperative agreement or other*
5 *transaction shall be withheld from disclo-*
6 *sure under clause (ii) for 5 years.*

7 “(8) *MILESTONE-BASED PAYMENTS ALLOWED.—*
8 *In awarding contracts and grants and entering into*
9 *cooperative agreements or other transactions under*
10 *paragraph (4)(F), the Secretary may—*

11 *“(A) use milestone-based awards and pay-*
12 *ments; and*

13 *“(B) terminate a project for not meeting*
14 *technical milestones.*

15 “(9) *USE OF EXISTING PERSONNEL AUTHORI-*
16 *TIES.—In carrying out this subsection, the Secretary*
17 *may appoint highly qualified individuals to scientific*
18 *or professional positions on the same terms and con-*
19 *ditions as provided in section 620(b)(4) of the Agri-*
20 *cultural Research, Extension, and Education Reform*
21 *Act of 1998 (7 U.S.C. 7657(b)(4)).*

22 “(10) *REPORT AND EVALUATION.—*

23 *“(A) REPORT.—The Secretary shall submit*
24 *to the Committee on Agriculture of the House of*
25 *Representatives and the Committee on Agri-*

1 *culture, Nutrition, and Forestry of the Senate an*
2 *annual report examining the actions undertaken*
3 *and results generated by the AGARDA.*

4 “(B) *EVALUATION.*—*After the date on which*
5 *the AGARDA has been in operation for 3 years,*
6 *the Comptroller General of the United States*
7 *shall conduct an evaluation—*

8 “(i) *to be completed and submitted to*
9 *the Committee on Agriculture of the House*
10 *of Representatives and the Committee on*
11 *Agriculture, Nutrition, and Forestry of the*
12 *Senate not later than 1 year after the date*
13 *on which the Comptroller General began*
14 *conducting the evaluation;*

15 “(ii) *describing the extent to which the*
16 *AGARDA is achieving the goals described*
17 *in paragraph (2); and*

18 “(iii) *including a recommendation on*
19 *whether the AGARDA should be continued,*
20 *terminated, or expanded.*

21 “(d) *STRATEGIC PLAN.*—

22 “(1) *IN GENERAL.*—*Not later than 360 days*
23 *after the date of enactment of this section, the Sec-*
24 *retary shall develop and make publically available a*

1 *strategic plan describing the strategic vision that the*
2 *AGARDA shall use—*

3 *“(A) to make determinations for future in-*
4 *vestments during the period of effectiveness of*
5 *this section; and*

6 *“(B) to achieve the goals described in sub-*
7 *section (c)(2).*

8 *“(2) DISSEMINATION.—The Secretary shall carry*
9 *out such activities as the Secretary determines to be*
10 *appropriate to disseminate the information contained*
11 *in the strategic plan under paragraph (1) to persons*
12 *who may have the capacity to substantially contribute*
13 *to the activities described in that strategic plan.*

14 *“(3) COORDINATION; CONSULTATION.—The Sec-*
15 *retary shall—*

16 *“(A) update and coordinate the strategic co-*
17 *ordination plan under section 221(d)(7) of the*
18 *Department of Agriculture Reorganization Act of*
19 *1994 with the strategic plan developed under*
20 *paragraph (1) for activities relating to agri-*
21 *culture and food defense countermeasure develop-*
22 *ment and procurement; and*

23 *“(B) in developing the strategic plan under*
24 *paragraph (1), consult with—*

1 “(i) *the National Agricultural Re-*
2 *search, Extension, Education, and Econom-*
3 *ics Advisory Board established under sec-*
4 *tion 1408(a);*

5 “(ii) *the specialty crops committee es-*
6 *tablished under section 1408A(a)(1);*

7 “(iii) *relevant agriculture research*
8 *agencies of the Federal Government;*

9 “(iv) *the National Academies of*
10 *Sciences, Engineering, and Medicine;*

11 “(v) *the National Veterinary Stockpile*
12 *Intra-Government Advisory Committee for*
13 *Strategic Steering; and*

14 “(vi) *other appropriate parties, as de-*
15 *termined by the Secretary.*

16 “(e) *FUNDS.—*

17 “(1) *ESTABLISHMENT.—There is established in*
18 *the Treasury the Agriculture Advanced Research and*
19 *Development Fund, which shall be administered by*
20 *the Secretary, acting through the Director—*

21 “(A) *for the purpose of carrying out this*
22 *section; and*

23 “(B) *in the same manner and subject to the*
24 *same terms and conditions as are applicable to*

1 *the Secretary of Defense under section 2371 of*
2 *title 10, United States Code.*

3 “(2) *DEPOSITS INTO FUND.*—

4 “(A) *IN GENERAL.*—*The Secretary, acting*
5 *through the Director, may accept and deposit*
6 *into the Fund monies received pursuant to cost*
7 *recovery or contribution under a contract, grant,*
8 *cooperative agreement, or other transaction*
9 *under this section.*

10 “(B) *CLARIFICATION.*—*Nothing in this*
11 *paragraph authorizes the use of the funds of the*
12 *Commodity Credit Corporation to carry out this*
13 *section.*

14 “(3) *FUNDING.*—*In addition to funds otherwise*
15 *deposited in the Fund under paragraph (1) or (2),*
16 *there is authorized to be appropriated to the Fund*
17 *\$50,000,000 for each of fiscal years 2019 through*
18 *2023, to remain available until expended.*

19 “(f) *TERMINATION OF EFFECTIVENESS.*—*The author-*
20 *ity provided by this section terminates effective September*
21 *30, 2023.”.*

22 **SEC. 7129. AQUACULTURE ASSISTANCE PROGRAMS.**

23 *Section 1477(a)(2) of the National Agricultural Re-*
24 *search, Extension, and Teaching Policy Act of 1977 (7*

1 *U.S.C. 3324(a)(2)) is amended by striking “2018” and in-*
2 *serting “2023”.*

3 **SEC. 7130. REPEAL OF RANGELAND RESEARCH PROGRAMS.**

4 *Subtitle M of the National Agricultural Research, Ex-*
5 *tension, and Teaching Policy Act of 1977 (7 U.S.C. 3331*
6 *et seq.) is repealed.*

7 **SEC. 7131. SPECIAL AUTHORIZATION FOR BIOSECURITY**
8 **PLANNING AND RESPONSE.**

9 *Section 1484(a)(2) of the National Agricultural Re-*
10 *search, Extension, and Teaching Policy Act of 1977 (7*
11 *U.S.C. 3351(a)(2)) is amended by striking “2018” and in-*
12 *serting “2023”.*

13 **SEC. 7132. DISTANCE EDUCATION AND RESIDENT INSTRU-**
14 **CTION GRANTS PROGRAM FOR INSULAR AREA**
15 **INSTITUTIONS OF HIGHER EDUCATION.**

16 *(a) DISTANCE EDUCATION GRANTS FOR INSULAR*
17 *AREAS.—Section 1490(f)(2) of the National Agricultural*
18 *Research, Extension, and Teaching Policy Act of 1977 (7*
19 *U.S.C. 3362(f)(2)) is amended by striking “2018” and in-*
20 *serting “2023”.*

21 *(b) RESIDENT INSTRUCTION GRANTS FOR INSULAR*
22 *AREAS.—Section 1491(c)(2) of the National Agricultural*
23 *Research, Extension, and Teaching Policy Act of 1977 (7*
24 *U.S.C. 3363(c)(2)) is amended by striking “2018” and in-*
25 *serting “2023”.*

1 **SEC. 7133. LIMITATION ON DESIGNATION OF ENTITIES ELI-**
2 **GIBLE TO RECEIVE FUNDS UNDER A CAPAC-**
3 **ITY PROGRAM.**

4 *Subtitle P of the National Agricultural Research, Ex-*
5 *ension, and Teaching Policy Act of 1977 (7 U.S.C. 3371*
6 *et seq.) is amended by adding at the end the following:*

7 **“SEC. 1493. LIMITATION ON DESIGNATION OF ENTITIES ELI-**
8 **GIBLE TO RECEIVE FUNDS UNDER A CAPAC-**
9 **ITY PROGRAM.**

10 *“(a) DEFINITION OF CAPACITY PROGRAM.—In this*
11 *section, the term ‘capacity program’ means each of the fol-*
12 *lowing agricultural research, extension, education, and re-*
13 *lated programs:*

14 *“(1) The programs for which funds are made*
15 *available under subsections (b) and (c) of section 3 of*
16 *the Smith-Lever Act (7 U.S.C. 343).*

17 *“(2) The program for which funds are made*
18 *available under the Hatch Act of 1887 (7 U.S.C. 361a*
19 *et seq.).*

20 *“(3) The program for which funds are made*
21 *available under section 1444.*

22 *“(4) The program for which funds are made*
23 *available under section 1445.*

24 *“(5) The grant program authorized under section*
25 *1447.*

1 “(6) *The program for which funds are made*
2 *available under Public Law 87–788 (commonly*
3 *known as the ‘McIntire-Stennis Cooperative Forestry*
4 *Act’)* (16 U.S.C. 582a et seq.).

5 “(7) *Any other agricultural research, extension,*
6 *or education program relating to capacity and infra-*
7 *structure, as determined by the Secretary.*

8 “(b) *LIMITATION.—*

9 “(1) *IN GENERAL.—Except as provided under*
10 *paragraph (2), and notwithstanding any other provi-*
11 *sion of law, no additional entity designated after the*
12 *date of enactment of this section shall be eligible to*
13 *receive funds under a capacity program.*

14 “(2) *EXCEPTIONS.—*

15 “(A) *1994 INSTITUTIONS.—Paragraph (1)*
16 *shall not apply in the case of a designation of*
17 *a 1994 Institution under section 2 of Public Law*
18 *87–788 (commonly known as the “McIntire-*
19 *Stennis Cooperative Forestry Act”)* (16 U.S.C.
20 *582a–1).*

21 “(B) *EXTRAORDINARY CIRCUMSTANCES.—In*
22 *the case of extraordinary circumstances or a sit-*
23 *uation that would lead to an inequitable result,*
24 *as determined by the Secretary, the Secretary*
25 *may determine that an entity designated after*

1 *the date of enactment of this section is eligible to*
2 *receive funds under a capacity program.*

3 “(c) *NO INCREASE IN STATE FUNDING.—No State*
4 *shall receive an increase in the amount of capacity program*
5 *funding as a result of the designation of additional entities*
6 *as eligible to receive funds under a capacity program.”.*

7 **SEC. 7134. SCHOLARSHIP PROGRAM FOR STUDENTS AT-**
8 **TENDING 1890 INSTITUTIONS.**

9 (a) *FINDINGS.—Congress finds the following:*

10 (1) *The Act of August 30, 1890 (commonly*
11 *known as the “Second Morrill Act”) (26 Stat. 417,*
12 *chapter 841; 7 U.S.C. 321 et seq.), brought about the*
13 *establishment of the following 19 public, African-*
14 *American land-grant colleges and universities:*

15 (A) *Alabama A&M University.*

16 (B) *Alcorn State University.*

17 (C) *Central State University.*

18 (D) *Delaware State University.*

19 (E) *Florida A&M University.*

20 (F) *Fort Valley State University.*

21 (G) *Kentucky State University.*

22 (H) *Langston University.*

23 (I) *Lincoln University.*

24 (J) *North Carolina A&T State University.*

25 (K) *Prairie View A&M University.*

1 (L) *South Carolina State University.*

2 (M) *Southern University System.*

3 (N) *Tennessee State University.*

4 (O) *Tuskegee University.*

5 (P) *University of Arkansas Pine Bluff.*

6 (Q) *University of Maryland Eastern Shore.*

7 (R) *Virginia State University.*

8 (S) *West Virginia State University.*

9 (2) *Funding for agricultural education, research,*
10 *and extension at the colleges and universities de-*
11 *scribed in paragraph (1) is authorized to be appro-*
12 *priated to the Department of Agriculture with each*
13 *farm bill, which is enacted approximately every 5*
14 *years.*

15 (3) *The Agricultural Act of 2014 (Public Law*
16 *113–79; 128 Stat. 649) authorizes the appropriation*
17 *of Federal funds for research, education, and exten-*
18 *sion activities at the colleges and universities de-*
19 *scribed in paragraph (1) and the Agriculture, Rural*
20 *Development, Food and Drug Administration, and*
21 *Related Agencies Appropriations Act, 2016 (Public*
22 *Law 114–113; 129 Stat. 2245) appropriated*
23 *\$19,000,000 for education grants for the colleges and*
24 *universities described in paragraph (1).*

1 (4) *There is a great need to increase the number*
2 *of young African-Americans seeking careers in the*
3 *food and agricultural sciences (as defined in section*
4 *1404 of the National Agricultural Research, Extension,*
5 *and Teaching Policy Act of 1977 (7 U.S.C.*
6 *3103)), including agribusiness, food production, dis-*
7 *tribution, and retailing, the clothing industries, en-*
8 *ergy and renewable fuels, and farming marketing, fi-*
9 *nance, and distribution.*

10 (5) *Scholarship funding provided to increase the*
11 *number of young African-American individuals seek-*
12 *ing a career in the food and agricultural sciences*
13 *shall be provided with the caveat that those scholar-*
14 *ship students shall commit to pursue a career in the*
15 *food and agricultural sciences, including agribusiness,*
16 *food production, distribution, and retailing, the cloth-*
17 *ing industries, energy and renewable fuels, and farm-*
18 *ing marketing, finance, and distribution.*

19 (6) *The average age of farmers and producers in*
20 *the United States is 60 years of age and continues to*
21 *rise.*

22 (7) *Beginning farmers and ranchers (as defined*
23 *in section 7405 of the Farm Security and Rural In-*
24 *vestment Act of 2002 (7 U.S.C. 3319f)) need greater*
25 *assistance in the financing of their education because*

1 *of the increased startup costs associated with farming,*
2 *such as the purchase of land and farming equipment.*

3 **(b) PURPOSES.**—*The purposes of this section and the*
4 *amendment made by this section are—*

5 *(1) to address the national crisis posed by the*
6 *aging farmer and producer population in the United*
7 *States;*

8 *(2) to increase the number of young African-*
9 *American individuals seeking a career in the food*
10 *and agricultural sciences (as defined in section 1404*
11 *of the National Agricultural Research, Extension, and*
12 *Teaching Policy Act of 1977 (7 U.S.C. 3103)), includ-*
13 *ing careers in agribusiness, food production, distribu-*
14 *tion, and retailing, the clothing industries, energy*
15 *and renewable fuels, and farming marketing, finance,*
16 *and distribution;*

17 *(3) to reduce the average age of farmers and pro-*
18 *ducers in the United States;*

19 *(4) to provide greater assistance to beginning*
20 *farmers and ranchers (as defined in section 7405 of*
21 *Farm Security and Rural Investment Act of 2002 (7*
22 *U.S.C. 3319f)); and*

23 *(5) to provide scholarships to 1890 land-grant*
24 *students seeking careers in the food and agricultural*
25 *sciences.*

1 (c) *SCHOLARSHIP PROGRAM FOR STUDENTS ATTEND-*
2 *ING 1890-INSTITUTIONS.*—*Subtitle G of the National Agri-*
3 *cultural Research, Extension, and Teaching Policy Act of*
4 *1977 (7 U.S.C. 3221 et seq.) (as amended by section 7118)*
5 *is amended by adding at the end the following:*

6 **“SEC. 1451. SCHOLARSHIPS FOR STUDENTS AT 1890 LAND-**
7 **GRANT COLLEGES, INCLUDING TUSKEGEE**
8 **UNIVERSITY.**

9 “(a) *IN GENERAL.*—*The Secretary shall establish a*
10 *grant program under which the Secretary shall award a*
11 *grant to each 1890 Institution (as defined in section 2 of*
12 *the Agricultural Research, Extension, and Education Re-*
13 *form Act of 1998 (7 U.S.C. 7601)) (referred to in this sec-*
14 *tion as an ‘eligible institution’), to award scholarships to*
15 *individuals who—*

16 “(1) *seek to attend the eligible institution; and*

17 “(2) *intend to pursue a career in the food and*
18 *agricultural sciences, including a career in agri-*
19 *business, food production, distribution, and retailing,*
20 *the clothing industries, energy and renewable fuels,*
21 *and farming marketing, finance, and distribution.*

22 “(b) *FUNDING.*—

23 “(1) *AUTHORIZATION OF APPROPRIATIONS.*—
24 *There is authorized to be appropriated to carry out*

1 *this section \$19,000,000 for each of fiscal years 2019*
2 *through 2023.*

3 “(2) *ALLOCATION.*—*Of the funds made available*
4 *under paragraph (1) for a fiscal year, the Secretary*
5 *shall allocate to each eligible institution \$1,000,000.”.*

6 ***Subtitle B—Food, Agriculture, Con-***
7 ***servation, and Trade Act of 1990***

8 ***SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICA-***
9 ***TIONS.***

10 *Section 1624 of the Food, Agriculture, Conservation,*
11 *and Trade Act of 1990 (7 U.S.C. 5814) is amended in the*
12 *first sentence by striking “2018” and inserting “2023”.*

13 ***SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.***

14 *Section 1627(d) of the Food, Agriculture, Conserva-*
15 *tion, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amended*
16 *by striking “2018” and inserting “2023”.*

17 ***SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-***
18 ***VELOPMENT AND TRANSFER PROGRAM.***

19 *Section 1628(f)(2) of the Food, Agriculture, Conserva-*
20 *tion, and Trade Act of 1990 (7 U.S.C. 5831(f)(2)) is amend-*
21 *ed by striking “2018” and inserting “2023”.*

22 ***SEC. 7204. NATIONAL TRAINING PROGRAM.***

23 *Section 1629(i) of the Food, Agriculture, Conservation,*
24 *and Trade Act of 1990 (7 U.S.C. 5832(i)) is amended by*
25 *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, Agri-
5 culture, 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 signifi-
17 cant backlog of characterization and maintenance of
18 existing accessions considered to be critical to preserve
19 the viability of, and public access to, germplasm and
20 cultivars; and”.

21 (b) *PLAN PUBLICATION.*—Section 1633 of the Food,
22 Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C.
23 5842) is amended by adding at the end the following:

24 “(f) *PLAN PUBLICATION.*—On completion of the devel-
25 opment of the plan described in section 1632(d)(6), the Sec-
26 retary shall make the plan available to the public.”.

1 **SEC. 7206. NATIONAL GENETICS RESOURCES PROGRAM.**

2 (a) *ADVISORY COUNCIL.*—Section 1634 of the Food,
3 *Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C.*
4 *5843) is amended—*

5 (1) *in subsection (a)—*

6 (A) *in the first sentence, by striking “The*
7 *Secretary” and inserting the following:*

8 “(1) *IN GENERAL.*—*The Secretary*”;

9 (B) *in the second sentence of paragraph (1)*
10 *(as so designated), by striking “The advisory”*
11 *and inserting the following:*

12 “(2) *MEMBERSHIP.*—*The advisory*”;

13 (C) *in paragraph (2) (as so designated), by*
14 *striking “nine” and inserting “13”; and*

15 (D) *by adding at the end the following:*

16 “(3) *RECOMMENDATIONS.*—

17 “(A) *IN GENERAL.*—*In making rec-*
18 *ommendations under paragraph (1), the advi-*
19 *sory council shall include recommendations on—*

20 “(i) *the state of public cultivar devel-*
21 *opment, including—*

22 “(I) *an analysis of existing*
23 *cultivar research investments;*

24 “(II) *the research gaps relating to*
25 *the development of cultivars across a*
26 *diverse range of crops; and*

1 “(III) an assessment of the state
2 of commercialization of federally fund-
3 ed cultivars;

4 “(ii) the training and resources needed
5 to meet future breeding challenges;

6 “(iii) the appropriate levels of Federal
7 funding for cultivar development for under-
8 served crops and geographic areas; and

9 “(iv) the development of the plan de-
10 scribed in section 1632(d)(6).”; and

11 (2) in subsection (c)—

12 (A) in paragraph (1)—

13 (i) by striking “Two-thirds” and in-
14 serting “6”; and

15 (ii) by inserting “economics and pol-
16 icy,” after “agricultural sciences,”;

17 (B) in paragraph (2)—

18 (i) by striking “One-third” and insert-
19 ing “3”; and

20 (ii) by inserting “community develop-
21 ment,” after “public policy,”; and

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

23 “(3) 4 of the members shall be appointed from
24 among individuals with expertise in public cultivar
25 and animal breed development.

1 “(4) 4 of the members shall be appointed from
2 among individuals representing—

3 “(A) 1862 Institutions (as defined in sec-
4 tion 2 of the Agricultural Research, Extension,
5 and Education Reform Act of 1998 (7 U.S.C.
6 7601));

7 “(B) 1890 Institutions (as defined in sec-
8 tion 2 of the Agricultural Research, Extension,
9 and Education Reform Act of 1998 (7 U.S.C.
10 7601));

11 “(C) eligible institutions (as defined in sec-
12 tion 502(a) of the Higher Education Act of 1965
13 (20 U.S.C. 1101a(a))); or

14 “(D) 1994 Institutions (as defined in sec-
15 tion 532 of the Equity in Educational Land-
16 Grant Status Act of 1994 (7 U.S.C. 301 note;
17 Public Law 103–382)).”.

18 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
19 1635(b)(2) of the Food, Agriculture, Conservation, and
20 Trade Act of 1990 (7 U.S.C. 5844(b)(2)) is amended by
21 striking “2018” and inserting “2023”.

1 **SEC. 7207. NATIONAL AGRICULTURAL WEATHER INFORMA-**
2 **TION SYSTEM.**

3 *Section 1641(c) of the Food, Agriculture, Conservation,*
4 *and Trade Act of 1990 (7 U.S.C. 5855(c)) is amended by*
5 *striking “2018” and inserting “2023”.*

6 **SEC. 7208. AGRICULTURAL GENOME TO PHENOME INITIA-**
7 **TIVE.**

8 *Section 1671 of the Food, Agriculture, Conservation,*
9 *and Trade Act of 1990 (7 U.S.C. 5924) is amended—*

10 *(1) in the section heading, by inserting “**TO***
11 ***PHENOME**” after “**GENOME**”;*

12 *(2) by striking subsection (a) and inserting the*
13 *following:*

14 *“(a) GOALS.—The goals of this section are—*

15 *“(1) to expand knowledge concerning genomes*
16 *and phenomes of crops and animals of importance to*
17 *the agriculture sector of the United States;*

18 *“(2) to understand how variable weather, envi-*
19 *ronments, and production systems impact the growth*
20 *and productivity of specific varieties of crops and*
21 *species of animals in order to provide greater accu-*
22 *racy in predicting crop and animal performance*
23 *under variable conditions;*

24 *“(3) to support research that leverages plant and*
25 *animal genomic information with phenotypic and en-*
26 *vironmental data through an interdisciplinary frame-*

1 *work, leading to a novel understanding of plant and*
2 *animal processes that affect growth, productivity, and*
3 *the ability to predict performance, which will result*
4 *in the deployment of superior varieties and species to*
5 *producers and improved crop and animal manage-*
6 *ment recommendations for farmers and ranchers;*

7 “(4) to catalyze and coordinate research that
8 *links genomics and predictive phenomics at different*
9 *sites across the United States to achieve advances in*
10 *crops and animals that generate societal benefits;*

11 “(5) to combine fields such as genetics, genomics,
12 *plant physiology, agronomy, climatology, and crop*
13 *modeling with computation and informatics, statis-*
14 *tics, and engineering;*

15 “(6) to combine fields such as genetics, genomics,
16 *animal physiology, meat science, animal nutrition,*
17 *and veterinary science with computation and*
18 *informatics, statistics, and engineering;*

19 “(7) to focus on crops and animals that will
20 *yield scientifically important results that will en-*
21 *hance the usefulness of many other crops and ani-*
22 *mals;*

23 “(8) to build on genomic research, such as the
24 *Plant Genome Research Project and the National*
25 *Animal Genome Research Program, to understand*

1 *gene function in production environments that is ex-*
2 *pected to have considerable returns for crops and ani-*
3 *mals of importance to the agriculture of the United*
4 *States;*

5 “(9) *to develop improved data analytics to en-*
6 *hance understanding of the biological function of*
7 *genes;*

8 “(10) *to allow resources developed under this sec-*
9 *tion, including data, software, germplasm, and other*
10 *biological materials, to be openly accessible to all per-*
11 *sons, subject to any confidentiality requirements im-*
12 *posed by law; and*

13 “(11) *to encourage international partnerships*
14 *with each partner country responsible for financing*
15 *its own research.”;*

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

18 “(b) *DUTIES OF SECRETARY.—The Secretary of Agri-*
19 *culture (referred to in this section as the ‘Secretary’) shall*
20 *conduct a research initiative, to be known as the ‘Agricul-*
21 *tural Genome to Phenome Initiative’, for the purpose of—*

22 “(1) *studying agriculturally significant crops*
23 *and animals in production environments to achieve*
24 *sustainable and secure agricultural production;*

1 “(2) ensuring that current gaps in existing
2 knowledge of agricultural crop and animal genetics
3 and phenomics are filled;

4 “(3) identifying and developing a functional un-
5 derstanding of relevant genes from animals and
6 agronomically relevant genes from crops that are of
7 importance to the agriculture sector of the United
8 States;

9 “(4) ensuring future genetic improvement of
10 crops and animals of importance to the agriculture
11 sector of the United States;

12 “(5) studying the relevance of diverse germplasm
13 as a source of unique genes that may be of importance
14 in the future;

15 “(6) enhancing genetics to reduce the economic
16 impact of pathogens on crops and animals of impor-
17 tance to the agriculture sector of the United States;

18 “(7) disseminating findings to relevant audi-
19 ences; and

20 “(8) otherwise carrying out this section.”;

21 (4) in subsection (c)(1), by inserting “, acting
22 through the National Institute of Food and Agri-
23 culture,” after “The Secretary”;

24 (5) in subsection (e), by inserting “to Phenome”
25 after “Genome”; and

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

2 “(f) *AUTHORIZATION OF APPROPRIATIONS.—There is*
3 *authorized to be appropriated to carry out this section*
4 *\$30,000,000 for each of fiscal years 2019 through 2023.”.*

5 **SEC. 7209. HIGH-PRIORITY RESEARCH AND EXTENSION INI-**
6 **TIATIVES.**

7 (a) *HIGH-PRIORITY RESEARCH AND EXTENSION*
8 *AREAS.—Section 1672(d) of the Food, Agriculture, Con-*
9 *servation, and Trade Act of 1990 (7 U.S.C. 5925(d)) is*
10 *amended by adding at the end the following:*

11 “(11) *NATIONAL TURFGRASS RESEARCH INITIA-*
12 *TIVE.—Research and extension grants may be made*
13 *under this section for the purposes of—*

14 “(A) *carrying out or enhancing research re-*
15 *lated to turfgrass and sod issues;*

16 “(B) *enhancing production and uses of*
17 *turfgrass for the general public;*

18 “(C) *identifying new turfgrass varieties*
19 *with superior drought, heat, cold, and pest toler-*
20 *ance to reduce water, fertilizer, and pesticide use;*

21 “(D) *selecting genetically superior*
22 *turfgrasses and development of improved tech-*
23 *nologies for managing commercial, residential,*
24 *and recreational turf areas;*

1 “(E) producing grasses that aid in miti-
2 gating soil erosion, protect against pollutant
3 runoff into waterways, and provide other envi-
4 ronmental benefits;

5 “(F) investigating, preserving, and pro-
6 tecting native plant species, including grasses
7 not currently used in turf systems;

8 “(G) creating systems for more economical
9 and viable turfgrass seed and sod production
10 throughout the United States; and

11 “(H) investigating the turfgrass phytobiome
12 and developing biologic products to enhance soil,
13 enrich plants, and mitigate pests.

14 “(12) NUTRIENT MANAGEMENT.—Research and
15 extension grants may be made under this section for
16 the purposes of examining nutrient management
17 based on the source, rate, timing, and placement of
18 crop nutrients.

19 “(13) MACADAMIA TREE HEALTH INITIATIVE.—
20 Research and extension grants may be made under
21 this section for the purposes of—

22 “(A) developing and disseminating science-
23 based tools and treatments to combat the maca-
24 damia felted coccid (*Eriococcus ironsidei*); and

1 “(B) *establishing an areawide integrated*
2 *pest management program in areas affected by,*
3 *or areas at risk of being affected by, the maca-*
4 *damia felted coccid (*Eriococcus ironsidei*).*

5 “(14) *CHRONIC WASTING DISEASE.—Research*
6 *and extension grants may be made under this section*
7 *for the purposes of supporting research projects at*
8 *land-grant colleges and universities (as defined in sec-*
9 *tion 1404 of the National Agricultural Research, Ex-*
10 *tension, and Teaching Policy Act of 1977 (7 U.S.C.*
11 *3103)) with established deer research programs for the*
12 *purposes of treating, mitigating, or eliminating*
13 *chronic wasting disease in free-ranging white-tailed*
14 *deer populations.”.*

15 “(b) *PULSE CROP HEALTH INITIATIVE.—Section*
16 *1672(e)(5) of the Food, Agriculture, Conservation, and*
17 *Trade Act of 1990 (7 U.S.C. 5925(e)(5)) is amended by*
18 *striking “2018” and inserting “2023”.*

19 “(c) *TRAINING COORDINATION FOR FOOD AND AGRI-*
20 *CULTURE PROTECTION.—Section 1672(f)(5) of the Food,*
21 *Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C.*
22 *5925(f)(5)) is amended by striking “2018” and inserting*
23 *“2023”.*

1 (d) *POLLINATOR PROTECTION*.—Section 1672(g) of the
2 *Food, Agriculture, Conservation, and Trade Act of 1990* (7
3 *U.S.C. 5925(g)*) is amended—

4 (1) in paragraphs (1)(B), (2)(B), and (3), by
5 striking “2018” each place it appears and inserting
6 “2023”;

7 (2) by redesignating paragraphs (4) and (5) as
8 paragraphs (5) and (7), respectively;

9 (3) by inserting after paragraph (3) the fol-
10 lowing:

11 “(4) *POLLINATOR HEALTH TASK FORCE*.—

12 “(A) *IN GENERAL*.—Not later than 180
13 days after the date of enactment of the *Agricul-*
14 *ture Improvement Act of 2018*, the Secretary,
15 in consultation with the Administrator of the
16 *Environmental Protection Agency* (referred to in
17 this paragraph as the ‘Administrator’), shall re-
18 constitute the *Pollinator Health Task Force* (re-
19 ferred to in this paragraph as the ‘Task Force’)
20 to carry out the purposes described in subpara-
21 graph (B).

22 “(B) *PURPOSES*.—The Task Force shall—

23 “(i) address issues relating to polli-
24 nator health and disease, pollinator popu-

1 *lation decline, and Federal pollinator pro-*
2 *tection activities; and*

3 *“(ii) ensure effective implementation of*
4 *the 2015 National Pollinator Health Strat-*
5 *egy, as modified under subparagraph*
6 *(D)(i).*

7 *“(C) COMPOSITION.—*

8 *“(i) CO-CHAIRS.—The Secretary and*
9 *the Administrator shall serve as co-chairs of*
10 *the Task Force.*

11 *“(ii) MEMBERS.—*

12 *“(I) IN GENERAL.—The Task*
13 *Force shall be composed of not less*
14 *than 15 members, each of whom shall*
15 *be appointed by the Secretary, in con-*
16 *sultation with the Administrator.*

17 *“(II) MEMBERS.—The members of*
18 *the Task Force—*

19 *“(aa) shall include a quali-*
20 *fied representative from each of—*

21 *“(AA) the Department*
22 *of State;*

23 *“(BB) the Department*
24 *of Defense;*

1 “(CC) the Department
2 of the Interior;

3 “(DD) the Department
4 of Housing and Urban De-
5 velopment;

6 “(EE) the Department
7 of Transportation;

8 “(FF) the Department
9 of Energy;

10 “(GG) the Department
11 of Education;

12 “(HH) the Council on
13 Environmental Quality;

14 “(II) the Domestic Pol-
15 icy Council;

16 “(JJ) the General Serv-
17 ices Administration;

18 “(KK) the National
19 Science Foundation;

20 “(LL) the National Se-
21 curity Council;

22 “(MM) the Office of
23 Management and Budget;

24 “(NN) the Food and
25 Drug Administration; and

1 “(OO) the Office of
2 *Science and Technology Pol-*
3 *icy; and*

4 “(bb) may include—

5 “(AA) 1 or more quali-
6 *fied representatives from any*
7 *other Federal department,*
8 *agency, or office, as deter-*
9 *mined by the Secretary and*
10 *the Administrator; and*

11 “(BB) 1 or more non-
12 *governmental individuals*
13 *that possess adequate sci-*
14 *entific credentials to make*
15 *meaningful contributions to*
16 *the activities of the Task*
17 *Force, as determined by the*
18 *Secretary and the Adminis-*
19 *trator.*

20 “(D) DUTIES.—*The Task Force shall—*

21 “(i) *review and modify the 2015 Na-*
22 *tional Pollinator Health Strategy to reflect*
23 *the evolving science on which it is based;*

1 “(ii) implement the 2015 National Pol-
2 linator Health Strategy as modified under
3 clause (i);

4 “(iii) ensure that Federal resources are
5 used effectively to improve pollinator habi-
6 tat and health;

7 “(iv) engage in regular collaboration
8 with the Department of Agriculture, other
9 governmental and institutional entities, and
10 private persons to leverage Federal funding
11 to create public-private partnerships that
12 will achieve the long-term improvement of
13 pollinator habitat and health, consistent
14 with the 2016 Pollinator Partnership Ac-
15 tion Plan; and

16 “(v) not later than 180 days after the
17 date of enactment of the Agriculture Im-
18 provement Act of 2018, host a joint summit
19 of the Department of Agriculture and the
20 Environmental Protection Agency on crop
21 protection tools that examines—

22 “(I) the science relating to the im-
23 pact of crop protection tools on polli-
24 nators;

1 “(II) the techniques used to miti-
2 gate the impact of crop protection
3 tools; and

4 “(III) the gaps in research relat-
5 ing to crop protection tools.

6 “(E) ANNUAL REPORT.—Not later than De-
7 cember 31 of each year, the Task Force shall sub-
8 mit a report—

9 “(i) to—

10 “(I) the Secretary;

11 “(II) the Administrator;

12 “(III) the Committee on Agri-
13 culture of the House of Representatives;
14 and

15 “(IV) the Committee on Agri-
16 culture, Nutrition, and Forestry of the
17 Senate; and

18 “(ii) that describes—

19 “(I) the work carried out by the
20 Task Force under subparagraph (D);
21 and

22 “(II) the recommendations of the
23 Task Force for the next steps that
24 should be taken to carry out the pur-
25 poses described in subparagraph (B).”;

1 (4) by inserting after paragraph (5) (as so reded-
2 ignated) the following:

3 “(6) *ENHANCED COORDINATION OF HONEYBEE*
4 *AND POLLINATOR RESEARCH.*—

5 “(A) *IN GENERAL.*—*The Chief Scientist*
6 *shall coordinate research, education, and eco-*
7 *nomic activities in the Department of Agri-*
8 *culture relating to native and managed polli-*
9 *nator health.*

10 “(B) *DUTIES.*—*To carry out subparagraph*
11 *(A), the Chief Scientist shall—*

12 “(i) *assign an individual to serve in*
13 *the Office of the Chief Scientist as a Hon-*
14 *eybee and Pollinator Research Coordinator,*
15 *who—*

16 “(I) *may be—*

17 “(aa) *an employee of the De-*
18 *partment of Agriculture at the*
19 *time of appointment; and*

20 “(bb) *a detailee from the re-*
21 *search, economics, and education*
22 *mission area; and*

23 “(II) *shall be responsible for lead-*
24 *ing the efforts of the Chief Scientist in*
25 *carrying out subparagraph (A);*

1 “(ii) *implement the pollinator health*
2 *research efforts described in the 2015 report*
3 *of the Pollinator Health Task Force entitled*
4 *‘Pollinator Research Action Plan’;*

5 “(iii) *establish annual strategic prior-*
6 *ities and goals for the Department of Agri-*
7 *culture for native and managed pollinator*
8 *research;*

9 “(iv) *communicate those priorities and*
10 *goals to each agency in the Department of*
11 *Agriculture, the managed pollinator indus-*
12 *try, and relevant grant recipients under*
13 *programs administered by the Secretary;*
14 *and*

15 “(v) *coordinate and identify all re-*
16 *search needed and conducted by the Depart-*
17 *ment of Agriculture and relevant grant re-*
18 *ipients under programs administered by*
19 *the Secretary on native and managed polli-*
20 *nator health to ensure consistency and re-*
21 *duce unintended duplication of effort.*

22 “(C) *POLLINATOR RESEARCH.—*

23 “(i) *IN GENERAL.—In coordinating re-*
24 *search under subparagraph (A), the Chief*

1 *Scientist shall ensure that research is con-*
2 *ducted—*

3 *“(I) to evaluate the impact of hor-*
4 *ticultural and agricultural pest man-*
5 *agement practices on native and man-*
6 *aged pollinator colonies in diverse*
7 *agro-ecosystems;*

8 *“(II) to document pesticide resi-*
9 *dues—*

10 *“(aa) that are found in na-*
11 *tive and managed pollinator colo-*
12 *nies; and*

13 *“(bb) that are associated*
14 *with typical commercial crop pest*
15 *management practices;*

16 *“(III) with respect to native and*
17 *managed pollinator colonies visiting*
18 *crops for crop pollination or honey*
19 *production purposes, to document—*

20 *“(aa) the strength and health*
21 *of those colonies;*

22 *“(bb) survival, growth, repro-*
23 *duction, and production of those*
24 *colonies;*

1 “(cc) pests, pathogens, and
2 viruses that affect those colonies;

3 “(dd) environmental condi-
4 tions of those colonies; and

5 “(ee) any other relevant in-
6 formation, as determined by the
7 Chief Scientist;

8 “(IV) to document best manage-
9 ment practices and other practices in
10 place for managed pollinators and crop
11 managers with respect to healthy popu-
12 lations of managed pollinators;

13 “(V) to evaluate the effectiveness
14 of—

15 “(aa) conservation practices
16 that target the specific needs of
17 native and managed pollinator
18 habitats; and

19 “(bb) incentives that allow
20 for the expansion of native and
21 managed pollinator forage acre-
22 age;

23 “(VI) in the case of commercially
24 managed pollinator colonies, to con-
25 tinue gathering data on—

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“(aa) annual colony losses;

“(bb) rising input costs associated with managing colonies; and

“(cc) the overall economic value of commercially managed pollinators to the food economy; and

“(VII) relating to any other aspect of native and managed pollinators, as determined by the Chief Scientist, in consultation with scientific experts.

“(ii) *PUBLIC AVAILABILITY.*—The Chief Scientist shall—

“(I) make publicly available the results of the research described in clause (i); and

“(II) in the case of the research described in clause (i)(VI), immediately publish any data or reports that were previously produced by the Department of Agriculture but not made publicly available.”; and

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

1 (A) *in the paragraph heading, by inserting*
2 “AND NATIVE AND MANAGED POLLINATORS” *after*
3 “DISORDER”; *and*

4 (B) *in subparagraph (C)—*

5 (i) *by striking “regarding how” and*
6 *inserting the following: “regarding—*
7 “*(i) how”;*

8 (ii) *in clause (i) (as so designated), by*
9 *striking the period at the end and inserting*
10 *a semicolon; and*

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

13 “*(i) the establishment of a sufficiently*
14 *funded large-scale multiyear field research*
15 *project to evaluate the impact of horti-*
16 *cultural and agricultural pest management*
17 *practices on native and managed pollinator*
18 *colonies in diverse agro-ecosystems; and*

19 “*(ii) the development of crop-specific*
20 *best management practices that balance the*
21 *needs of crop managers with the health of*
22 *native and managed pollinator colonies.”.*

23 (e) *AUTHORIZATION OF APPROPRIATIONS.—Section*
24 1672(h) *of the Food, Agriculture, Conservation, and Trade*

1 *Act of 1990 (7 U.S.C. 5925(h)) is amended by striking*
2 *“2018” and inserting “2023”.*

3 **SEC. 7210. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**
4 **SION INITIATIVE.**

5 *Section 1672B of the Food, Agriculture, Conservation,*
6 *and Trade Act of 1990 (7 U.S.C. 5925b) is amended—*

7 *(1) in subsection (a)(7), by striking “conserva-*
8 *tion” and inserting “conservation, soil health,”; and*

9 *(2) in subsection (e)—*

10 *(A) in paragraph (1)—*

11 *(i) in subparagraph (B), by striking*
12 *“and” at the end;*

13 *(ii) in subparagraph (C), by striking*
14 *the period at the end and inserting a semi-*
15 *colon; and*

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

18 *“(D) \$40,000,000 for each of fiscal years*
19 *2019 and 2020;*

20 *“(E) \$45,000,000 for fiscal year 2021; and*

21 *“(F) \$50,000,000 for fiscal year 2022 and*
22 *each fiscal year thereafter.”; and*

23 *(B) in paragraph (2)—*

- 1 (i) *in the paragraph heading, by strik-*
2 *ing “FOR FISCAL YEARS 2014 THROUGH*
3 *2018”;* and
4 (ii) *by striking “2018” and inserting*
5 *“2023”.*

6 **SEC. 7211. FARM BUSINESS MANAGEMENT.**

7 *Section 1672D(d)(2) of the Food, Agriculture, Con-*
8 *servation, and Trade Act of 1990 (7 U.S.C. 5925f(d)(2))*
9 *is amended by striking “2018” and inserting “2023”.*

10 **SEC. 7212. URBAN, INDOOR, AND OTHER EMERGING AGRI-**
11 **CULTURAL PRODUCTION RESEARCH, EDU-**
12 **CATION, AND EXTENSION INITIATIVE.**

13 *(a) IN GENERAL.—The Food, Agriculture, Conserva-*
14 *tion, and Trade Act of 1990 is amended by inserting after*
15 *section 1672D (7 U.S.C. 5925f) the following:*

16 **“SEC. 1672E. URBAN, INDOOR, AND OTHER EMERGING AGRI-**
17 **CULTURAL PRODUCTION RESEARCH, EDU-**
18 **CATION, AND EXTENSION INITIATIVE.**

19 *“(a) COMPETITIVE RESEARCH AND EXTENSION*
20 *GRANTS AUTHORIZED.—In consultation with the Urban*
21 *Agriculture and Innovative Production Advisory Com-*
22 *mittee established under section 222(b) of the Department*
23 *of Agriculture Reorganization Act of 1994, the Secretary*
24 *may make competitive grants to support research, edu-*
25 *cation, and extension activities for the purposes of enhanc-*

1 *ing urban, indoor, and other emerging agricultural produc-*
2 *tion by—*

3 “(1) *facilitating the development of urban, in-*
4 *door, and other emerging agricultural production,*
5 *harvesting, transportation, aggregation, packaging,*
6 *distribution, and markets;*

7 “(2) *assessing and developing strategies to reme-*
8 *diate contaminated sites;*

9 “(3) *determining and developing the best produc-*
10 *tion management and integrated pest management*
11 *practices;*

12 “(4) *assessing the impacts of shipping and trans-*
13 *portation on nutritional value;*

14 “(5) *identifying and promoting the horticultural,*
15 *social, and economic factors that contribute to success-*
16 *ful urban, indoor, and other emerging agricultural*
17 *production;*

18 “(6) *analyzing the means by which new agricul-*
19 *tural sites are determined, including an evaluation of*
20 *soil quality, condition of a building, or local commu-*
21 *nity needs;*

22 “(7) *exploring new and innovative technologies*
23 *that minimize energy, lighting systems, water, and*
24 *other inputs for increased food production;*

1 “(8) *examining building material efficiencies*
2 *and structural upgrades for the purpose of optimizing*
3 *growth of agricultural products;*

4 “(9) *studying and developing new crop varieties*
5 *and innovative agricultural products to connect to*
6 *new markets; or*

7 “(10) *examining the impacts of crop exposure to*
8 *urban elements on environmental quality and food*
9 *safety.*

10 “(b) *GRANT TYPES AND PROCESS.—Subparagraphs*
11 *(A) through (E) of paragraph (4), paragraph (7), and*
12 *paragraph (11)(B) of subsection (b) of the Competitive,*
13 *Special, and Facilities Research Grant Act (7 U.S.C. 3157)*
14 *shall apply with respect to the making of grants under this*
15 *section.*

16 “(c) *PRIORITY.—The Secretary may give priority to*
17 *grant proposals that involve—*

18 “(1) *the cooperation of multiple entities; or*

19 “(2) *States or regions with a high concentration*
20 *of or significant interest in urban farms, rooftop*
21 *farms, and indoor production facilities.*

22 “(d) *FUNDING.—*

23 “(1) *MANDATORY FUNDING.—Of the funds of the*
24 *Commodity Credit Corporation, the Secretary shall*
25 *use to carry out this section \$4,000,000 for each of*

1 *fiscal years 2019 through 2023, to remain available*
2 *until expended.*

3 “(2) *AUTHORIZATION OF APPROPRIATIONS.—In*
4 *addition to amounts made available under paragraph*
5 *(1), there is authorized to be appropriated to carry*
6 *out this section \$10,000,000 for each of fiscal years*
7 *2019 through 2023.”.*

8 *(b) DATA COLLECTION ON URBAN, INDOOR, AND*
9 *EMERGING AGRICULTURAL PRODUCTION.—*

10 *(1) IN GENERAL.—Not later than 360 days after*
11 *the date of enactment of this Act, the Secretary shall*
12 *conduct as a follow-on study to the census of agri-*
13 *culture conducted in the calendar year 2017 under*
14 *section 2 of the Census of Agriculture Act of 1997 (7*
15 *U.S.C. 2204g) a census of urban, indoor, and other*
16 *emerging agricultural production, including informa-*
17 *tion about—*

18 *(A) community gardens and farms located*
19 *in urban areas, suburbs, and urban clusters;*

20 *(B) rooftop farms, outdoor vertical produc-*
21 *tion, and green walls;*

22 *(C) indoor farms, greenhouses, and high-*
23 *tech vertical technology farms;*

24 *(D) hydroponic, aeroponic, and aquaponic*
25 *farm facilities; and*

1 *(E) other innovations in agricultural pro-*
 2 *duction, as determined by the Secretary.*

3 (2) *AUTHORIZATION OF APPROPRIATIONS.—*
 4 *There is authorized to be appropriated to carry out*
 5 *this subsection \$14,000,000 for the period of fiscal*
 6 *years 2019 through 2021.*

7 **SEC. 7213. CENTERS OF EXCELLENCE AT 1890 INSTITU-**
 8 **TIONS.**

9 *Section 1673 of the Food, Agriculture, Conservation,*
 10 *and Trade Act of 1990 (7 U.S.C. 5926) is amended by add-*
 11 *ing at the end the following:*

12 “(d) *CENTERS OF EXCELLENCE AT 1890S INSTITU-*
 13 *TIONS.—*

14 “(1) *ESTABLISHMENT.—The Secretary shall es-*
 15 *tablish not less than 3 centers of excellence, each led*
 16 *by an 1890 Institution (as defined in section 2 of the*
 17 *Agricultural Research, Extension, and Education Re-*
 18 *form Act of 1998 (7 U.S.C. 7601)), to focus on 1 or*
 19 *more of the areas described in paragraph (2).*

20 “(2) *AREAS OF FOCUS.—*

21 “(A) *STUDENT SUCCESS AND WORKFORCE*
 22 *DEVELOPMENT.—A center of excellence estab-*
 23 *lished under paragraph (1) may engage in ac-*
 24 *tivities to ensure that students have the skills*
 25 *and education needed to work in agriculture and*

1 *food industries, agriculture science, technology,*
2 *engineering, mathematics, and related fields of*
3 *study.*

4 “(B) *NUTRITION, HEALTH, WELLNESS, AND*
5 *QUALITY OF LIFE.*—*A center of excellence estab-*
6 *lished under paragraph (1) may carry out re-*
7 *search, education, and extension programs that*
8 *increase access to healthy food, improve nutri-*
9 *tion, mitigate preventive disease, and develop*
10 *strategies to assist limited resource individuals*
11 *in accessing health and nutrition resources.*

12 “(C) *FARMING SYSTEMS, RURAL PROS-*
13 *PERITY, AND ECONOMIC SUSTAINABILITY.*—*A*
14 *center of excellence established under paragraph*
15 *(1) may share best practices with farmers to im-*
16 *prove agricultural production, processing, and*
17 *marketing, reduce urban food deserts, examine*
18 *new uses for traditional and nontraditional*
19 *crops, animals, and natural resources, and con-*
20 *tinue activities carried out by the Center of In-*
21 *novative and Sustainable Small Farms,*
22 *Ranches, and Forest Lands.*

23 “(D) *GLOBAL FOOD SECURITY AND DE-*
24 *FENSE.*—*A center of excellence established under*
25 *paragraph (1) may engage in international*

1 *partnerships that strengthen agricultural devel-*
2 *opment in developing countries, partner with*
3 *international researchers regarding new and*
4 *emerging animal and plant pests and diseases,*
5 *engage in agricultural disaster recovery, and*
6 *continue activities carried out by the Center for*
7 *International Engagement.*

8 “(E) *NATURAL RESOURCES, ENERGY, AND*
9 *ENVIRONMENT.—A center of excellence established*
10 *under paragraph (1) may focus on protecting*
11 *and managing domestic natural resources for*
12 *current and future production of food and agri-*
13 *cultural products.*

14 “(F) *EMERGING TECHNOLOGIES.—A center*
15 *of excellence established under paragraph (1)*
16 *may focus on the development of emerging tech-*
17 *nologies to increase agricultural productivity,*
18 *enhance small farm economic viability, and im-*
19 *prove rural communities by developing genetic*
20 *and sensor technologies for food and agriculture*
21 *and providing technology training to farmers.*

22 “(3) *REPORT.—Not later than 1 year after the*
23 *date of enactment of the Agriculture Improvement Act*
24 *of 2018, and every year thereafter, the Secretary shall*
25 *submit to the Committee on Agriculture of the House*

1 *of Representatives and the Committee on Agriculture,*
2 *Nutrition, and Forestry of the Senate a report de-*
3 *scribing—*

4 *“(A) the resources invested in the centers of*
5 *excellence established under paragraph (1); and*

6 *“(B) the work being done by those centers of*
7 *excellence.*

8 *“(4) AUTHORIZATION OF APPROPRIATIONS.—*

9 *There is authorized to be appropriated to carry out*
10 *this subsection \$10,000,000 for each of fiscal years*
11 *2019 through 2023.”.*

12 **SEC. 7214. ASSISTIVE TECHNOLOGY PROGRAM FOR FARM-**
13 **ERS WITH DISABILITIES.**

14 *Section 1680(c)(1)(B) of the Food, Agriculture, Con-*
15 *servation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)(B))*
16 *is amended by striking “2018” and inserting “2023”.*

17 **SEC. 7215. NATIONAL RURAL INFORMATION CENTER**
18 **CLEARINGHOUSE.**

19 *Section 2381(e) of the Food, Agriculture, Conservation,*
20 *and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by*
21 *striking “2018” and inserting “2023”.*

1 ***Subtitle C—Agricultural Research,***
2 ***Extension, and Education Re-***
3 ***form Act of 1998***

4 **SEC. 7301. NATIONAL FOOD SAFETY TRAINING, EDUCATION,**
5 **EXTENSION, OUTREACH, AND TECHNICAL AS-**
6 **SISTANCE PROGRAM.**

7 *Section 405(j) of the Agricultural Research, Extension,*
8 *and Education Reform Act of 1998 (7 U.S.C. 7625(j)) is*
9 *amended by striking “there are authorized” and all that*
10 *follows through the period at the end and inserting “there*
11 *is authorized to be appropriated \$10,000,000 for each of*
12 *fiscal years 2019 through 2023.”.*

13 **SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EX-**
14 **TENSION COMPETITIVE GRANTS PROGRAM.**

15 *Section 406(e) of the Agricultural Research, Extension,*
16 *and Education Reform Act of 1998 (7 U.S.C. 7626(e)) is*
17 *amended by striking “2018” and inserting “2023”.*

18 **SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES**
19 **OF WHEAT, TRITICALE, AND BARLEY CAUSED**
20 **BY FUSARIUM GRAMINEARUM OR BY**
21 **TILLETIA INDICA.**

22 *Section 408(e) of the Agricultural Research, Extension,*
23 *and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is*
24 *amended—*

1 (1) *in paragraph (1), by striking “and” at the*
2 *end;*

3 (2) *in paragraph (2), by striking the period at*
4 *the end and inserting “; and”; and*

5 (3) *by adding at the end the following:*

6 “*(3) \$15,000,000 for each of fiscal years 2019*
7 *through 2023.*”.

8 **SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.**

9 *Section 410(d)(2) of the Agricultural Research, Exten-*
10 *sion, and Education Reform Act of 1998 (7 U.S.C.*
11 *7630(d)(2)) is amended by striking “2018” and inserting*
12 *“2023”.*

13 **SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.**

14 *(a) INDUSTRY NEEDS.—Section 412(b) of the Agricul-*
15 *tural Research, Extension, and Education Reform Act of*
16 *1998 (7 U.S.C. 7632(b)) is amended—*

17 (1) *in paragraph (1)—*

18 (A) *by redesignating subparagraphs (B)*
19 *through (E) as subparagraphs (C) through (F);*
20 *and*

21 (B) *by inserting after subparagraph (A) the*
22 *following:*

23 “*(B) size-controlling rootstock systems for*
24 *perennial crops;*”;

1 (2) in paragraph (2), by striking “including
2 *threats to specialty crop pollinators;*” and inserting
3 the following: “such as—

4 “(A) *threats to specialty crop pollinators;*

5 “(B) *emerging and invasive species; and*

6 “(C) *a more effective understanding and*
7 *utilization of existing natural enemy com-*
8 *plexes;”;*

9 (3) in paragraph (3)—

10 (A) by striking “*efforts to improve*” and in-
11 serting the following: “*efforts—*

12 “(A) *to improve*”;

13 (B) in subparagraph (A) (as so designated),
14 by adding “and” at the end; and

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

16 “(B) *to achieve a better understanding of—*

17 “(i) *the soil rhizosphere microbiome;*

18 “(ii) *pesticide application systems and*
19 *certified drift-reduction technologies; and*

20 “(iii) *systems to improve and extend*
21 *the storage life of specialty crops;”;* and

22 (4) in paragraph (4), by striking “*including im-*
23 *proved mechanization and technologies that delay or*
24 *inhibit ripening; and*” and inserting the following:
25 “*such as—*

1 “(A) mechanization and automation of
2 labor-intensive tasks in production and proc-
3 essing;

4 “(B) technologies that delay or inhibit rip-
5 ening;

6 “(C) decision support systems driven by
7 phenology and environmental factors;

8 “(D) improved monitoring systems for agri-
9 cultural pests; and

10 “(E) effective systems for preharvest and
11 postharvest management of quarantine pests;
12 and”.

13 (b) *FUNDING*.—Section 412(k) of the Agricultural Re-
14 search, Extension, and Education Reform Act of 1998 (7
15 U.S.C. 7632(k)) is amended—

16 (1) in paragraph (2)—

17 (A) in the paragraph heading, by striking
18 “FOR FISCAL YEARS 2014 THROUGH 2018”;

19 (B) by striking “In addition” and inserting
20 the following:

21 “(A) *IN GENERAL*.—In addition”; and

22 (C) in subparagraph (A) (as so designated),
23 by striking “2018” and inserting “2023”;

1 (2) by redesignating paragraph (3) as subpara-
2 graph (B) of paragraph (2) and indenting appro-
3 priately; and

4 (3) by redesignating paragraphs (4) and (5) as
5 paragraphs (3) and (4), respectively.

6 **SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE**
7 **PROGRAM.**

8 Section 604(e) of the Agricultural Research, Extension,
9 and Education Reform Act of 1998 (7 U.S.C. 7642(e)) is
10 amended by striking “2018” and inserting “2023”.

11 **SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.**

12 Section 614(f)(2) of the Agricultural Research, Exten-
13 sion, and Education Reform Act of 1998 (7 U.S.C.
14 7653(f)(2)) is amended by striking “2018” and inserting
15 “2023”.

16 **SEC. 7308. FORESTRY PRODUCTS ADVANCED UTILIZATION**
17 **RESEARCH.**

18 Section 617(f)(1) of the Agricultural Research, Exten-
19 sion, and Education Reform Act of 1998 (7 U.S.C.
20 7655b(f)(1)) is amended by striking “2018” and inserting
21 “2023”.

22 **Subtitle D—Other Laws**

23 **SEC. 7401. CRITICAL AGRICULTURAL MATERIALS ACT.**

24 (a) *HEMP RESEARCH.*—Section 5(b)(9) of the Critical
25 Agricultural Materials Act (7 U.S.C. 178c(b)(9)) is amend-

1 *ed by inserting “, and including hemp (as defined in section*
 2 *297A of the Agricultural Marketing Act of 1946)” after “hy-*
 3 *drocarbon-containing plants”.*

4 (b) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 5 *16(a)(2) of the Critical Agricultural Materials Act (7*
 6 *U.S.C. 178n(a)(2)) is amended by striking “2018” and in-*
 7 *serting “2023”.*

8 **SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS**
 9 **ACT OF 1994.**

10 (a) *DEFINITION OF 1994 INSTITUTION.—*

11 (1) *IN GENERAL.—Section 532 of the Equity in*
 12 *Educational Land-Grant Status Act of 1994 (7*
 13 *U.S.C. 301 note; Public Law 103–382) is amended—*

14 (A) *by striking paragraph (11);*

15 (B) *by redesignating paragraphs (12)*
 16 *through (23) and (25) through (35) as para-*
 17 *graphs (11) through (22) and (26) through (36),*
 18 *respectively;*

19 (C) *in paragraph (20) (as so redesignated),*
 20 *by striking “College” and inserting “Univer-*
 21 *sity”;*

22 (D) *by inserting after paragraph (22) (as so*
 23 *redesignated) the following:*

24 *“(23) Nueta Hidatsa Sahnish College.”; and*

1 (E) by inserting after paragraph (24) the
2 following:

3 “(25) Red Lake Nation College.”.

4 (2) *EFFECTIVE DATE*.—The amendments made
5 by paragraph (1) take effect on October 1, 2018.

6 (b) *ENDOWMENT FOR 1994 INSTITUTIONS*.—Section
7 533(b) of the *Equity in Educational Land-Grant Status*
8 *Act of 1994* (7 U.S.C. 301 note; Public Law 103–382) is
9 amended in the first sentence by striking “2018” and in-
10 serting “2023”.

11 (c) *INSTITUTIONAL CAPACITY BUILDING GRANTS*.—
12 Section 535 of the *Equity in Educational Land-Grant Sta-*
13 *tus Act of 1994* (7 U.S.C. 301 note; Public Law 103–382)
14 is amended by striking “2018” each place it appears in
15 subsections (b)(1) and (c) and inserting “2023”.

16 (d) *RESEARCH GRANTS*.—Section 536(c) of the *Equity*
17 *in Educational Land-Grant Status Act of 1994* (7 U.S.C.
18 301 note; Public Law 103–382) is amended in the first sen-
19 tence by striking “2018” and inserting “2023”.

20 **SEC. 7403. RESEARCH FACILITIES ACT.**

21 Section 6(a) of the *Research Facilities Act* (7 U.S.C.
22 390d(a)) is amended by striking “2018” and inserting
23 “2023”.

1 **SEC. 7404. AGRICULTURAL AND FOOD RESEARCH INITIA-**
2 **TIVE.**

3 *Subsection (b) of the Competitive, Special, and Facili-*
4 *ties Research Grant Act (7 U.S.C. 3157(b)) is amended—*

5 *(1) in paragraph (2)—*

6 *(A) in subparagraph (D)—*

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

9 *(ii) in clause (vii), by striking the pe-*
10 *riod at the end and inserting “; and”; and*

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

13 *“(viii) soil health.”; and*

14 *(B) in subparagraph (E)—*

15 *(i) in clause (iii), by striking “and” at*
16 *the end;*

17 *(ii) in clause (iv), by striking the pe-*
18 *riod at the end and inserting “; and”; and*

19 *(iii) by adding at the end the fol-*
20 *lowing:*

21 *“(v) automation or mechanization in*
22 *the production and distribution of specialty*
23 *crops, with a focus on labor-intensive*
24 *tasks.”;*

25 *(2) in paragraph (6)—*

1 (A) in subparagraph (D), by striking “and”
2 at the end;

3 (B) in subparagraph (E), by striking the
4 period at the end and inserting “; and”; and

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

6 “(F) to an institution to carry out collabo-
7 ration in biomedical and agricultural research
8 using existing research models.”; and

9 (3) in paragraph (11)(A), in the matter pre-
10 ceding clause (i), by striking “2018” and inserting
11 “2023”.

12 **SEC. 7405. EXTENSION DESIGN AND DEMONSTRATION INI-**
13 **TIATIVE.**

14 (a) *IN GENERAL.*—*The Competitive, Special, and Fa-*
15 *cilities Research Grant Act (7 U.S.C. 3157) is amended by*
16 *inserting after subsection (c) the following:*

17 “(d) *EXTENSION DESIGN AND DEMONSTRATION INI-*
18 *TIATIVE.*—

19 “(1) *PURPOSE.*—*The purpose of this subsection*
20 *is to encourage the design of adaptive prototype sys-*
21 *tems for extension and education that seek to advance*
22 *the application, translation, and demonstration of*
23 *scientific discoveries and other agricultural research*
24 *for the adoption and understanding of food, agricul-*
25 *tural, and natural resources practices, techniques,*

1 *methods, and technologies using digital or other novel*
2 *platforms.*

3 “(2) *GRANTS.*—*The Secretary shall award grants*
4 *on a competitive basis—*

5 “(A) *for the design of 1 or more extension*
6 *and education prototype systems—*

7 “(i) *that leverage digital platforms or*
8 *other novel means of translating, delivering,*
9 *or demonstrating agricultural research; and*

10 “(ii) *to adapt, apply, translate, or*
11 *demonstrate scientific findings, data, tech-*
12 *nology, and other research outcomes to pro-*
13 *ducers, the agricultural industry, and other*
14 *interested persons or organizations; and*

15 “(B) *to demonstrate, by incorporating ana-*
16 *lytics and specific metrics, the value, impact,*
17 *and return on the Federal investment of a proto-*
18 *type system designed under subparagraph (A) as*
19 *a model for use by other eligible entities de-*
20 *scribed in paragraph (3) for improving, modern-*
21 *izing, and adapting applied research, demonstra-*
22 *tion, and extension services.*

23 “(3) *ELIGIBLE ENTITIES.*—*An entity that is eli-*
24 *gible to receive a grant under paragraph (2) is—*

1 “(A) a State agricultural experiment sta-
2 tion; and

3 “(B) 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)).

7 “(4) *REQUIREMENT.*—The Secretary shall award
8 grants under paragraph (2) to not fewer than 2 and
9 not more than 5 eligible entities described in para-
10 graph (3) that represent a diversity of regions, com-
11 modities, and agricultural or food production issues.

12 “(5) *TERM.*—The term of a grant awarded under
13 paragraph (2) shall be not longer than 5 years.

14 “(6) *AUTHORIZATION OF APPROPRIATIONS.*—
15 There is authorized to be appropriated to carry out
16 this subsection \$5,000,000 for each of fiscal years
17 2019 through 2023, to remain available until ex-
18 pended.”.

19 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—
20 The Competitive, Special, and Facilities Research Grant
21 Act (7 U.S.C. 3157) is amended—

22 (1) in subsection (c)(2), by striking “sub-
23 section—” in the matter preceding subparagraph (A)
24 and all that follows through “for the planning” in

1 subparagraph (B) and inserting “subsection for the
2 planning”; and

3 (2) in subsection (h), by inserting “, (d),” after
4 “subsections (b)”.

5 **SEC. 7406. RENEWABLE RESOURCES EXTENSION ACT OF**
6 **1978.**

7 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section 6
8 of the Renewable Resources Extension Act of 1978 (16
9 U.S.C. 1675) is amended in the first sentence by striking
10 “2018” and inserting “2023”.

11 (b) *TERMINATION DATE.*—Section 8 of the Renewable
12 Resources Extension Act of 1978 (16 U.S.C. 1671 note; Pub-
13 lic Law 95–306) is amended by striking “2018” and insert-
14 ing “2023”.

15 **SEC. 7407. NATIONAL AQUACULTURE ACT OF 1980.**

16 Section 10 of the National Aquaculture Act of 1980
17 (16 U.S.C. 2809) is amended by striking “2018” each place
18 it appears and inserting “2023”.

19 **SEC. 7408. REPEAL OF REVIEW OF AGRICULTURAL RE-**
20 **SEARCH SERVICE.**

21 Section 7404 of the Farm Security and Rural Invest-
22 ment Act of 2002 (7 U.S.C. 3101 note; Public Law 107–
23 171) is repealed.

1 **SEC. 7409. BIOMASS RESEARCH AND DEVELOPMENT.**

2 *Section 9008 of the Farm Security and Rural Invest-*
3 *ment Act of 2002 (7 U.S.C. 8108) is amended—*

4 *(1) in subsection (a)(1)—*

5 *(A) in subparagraph (A), by striking “or”*
6 *at the end;*

7 *(B) in subparagraph (B), by striking the*
8 *period at the end and inserting “; or”; and*

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

10 *“(C) carbon dioxide that—*

11 *“(i) is intended for permanent seques-*
12 *tration or utilization; and*

13 *“(ii) is a byproduct of the production*
14 *of the products described in subparagraphs*
15 *(A) and (B).”;*

16 *(2) in subsection (d)(2)(A)—*

17 *(A) in clause (xii), by striking “and” at the*
18 *end;*

19 *(B) by redesignating clause (xiii) as clause*
20 *(xiv); and*

21 *(C) by inserting after clause (xii) the fol-*
22 *lowing:*

23 *“(xiii) an individual with expertise in*
24 *carbon dioxide capture, utilization, and se-*
25 *questration; and”;*

26 *(3) in subsection (e)—*

1 (A) in paragraph (2)(B)—

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

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

5 “(iv) to permanently sequester or uti-
6 lize carbon dioxide that is produced as a
7 byproduct of the production of biobased
8 products; and”; and

9 (B) in paragraph (3)(B)—

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

12 (ii) in clause (ii), by striking the pe-
13 riod at the end and inserting “; and”; and

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

16 “(iii) the development of technologies to
17 permanently sequester or utilize carbon di-
18 oxide that is produced as a byproduct of the
19 production of biobased products.”; and

20 (4) in subsection (h)—

21 (A) in paragraph (1)—

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

1 (ii) in subparagraph (E), by striking
2 the period at the end and inserting “; and”;
3 and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(F) \$3,000,000 for each of fiscal years
7 2019 through 2023.”; and

8 (B) in paragraph (2), by striking “2018”
9 and inserting “2023”.

10 **SEC. 7410. REINSTATEMENT OF MATCHING REQUIREMENT**
11 **FOR FEDERAL FUNDS USED IN EXTENSION**
12 **WORK AT THE UNIVERSITY OF THE DISTRICT**
13 **OF COLUMBIA.**

14 (a) *IN GENERAL.*—Section 208(c) of the District of Co-
15 lumbia Public Postsecondary Education Reorganization
16 Act (88 Stat. 1428; sec. 38–1202.09(c), D.C. Official Code)
17 is amended by inserting after the first sentence the fol-
18 lowing: “Such sums may be used to pay not more than $\frac{1}{2}$
19 of the total cost of providing such extension work.”.

20 (b) *EFFECTIVE DATE.*—The amendment made by sub-
21 section (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 and*
4 *Department of Agriculture Reorganization Act of 1994 (7*
5 *U.S.C. 3125a note; Public Law 103–354) is amended—*

6 *(1) in subsection (b)(6)(A), by striking “10*
7 *years” and inserting “15 years”; and*

8 *(2) in subsection (d)(2), in the matter preceding*
9 *subparagraph (A), by striking “6, 8, and 10 years”*
10 *and inserting “13 years”.*

11 **SEC. 7412. TRANSFER OF ADMINISTRATIVE JURISDICTION**
12 **OVER PORTION OF HENRY A. WALLACE**
13 **BELTSVILLE AGRICULTURAL RESEARCH CEN-**
14 **TER, BELTSVILLE, MARYLAND.**

15 *(a) TRANSFER AUTHORIZED.—Subject to subsection*
16 *(e), the Secretary may transfer to the Secretary of the*
17 *Treasury administrative jurisdiction over a parcel of real*
18 *property at the Henry A. Wallace Beltsville Agricultural*
19 *Research Center consisting of approximately 100 acres,*
20 *which was originally acquired by the United States through*
21 *land acquisitions in 1910 and 1925, and is generally lo-*
22 *cated off of Poultry Road lying between Powder Mill Road*
23 *and Odell Road in Beltsville, Maryland, for the purpose*
24 *of facilitating the establishment of Bureau of Engraving*
25 *and Printing facilities on the parcel.*

26 *(b) LEGAL DESCRIPTION AND MAP.—*

1 (1) *PREPARATION.*—*The Secretary shall prepare*
2 *a legal description and map of the parcel of real*
3 *property to be transferred under subsection (a).*

4 (2) *FORCE OF LAW.*—*The legal description and*
5 *map prepared under paragraph (1) shall have the*
6 *same force and effect as if included in this Act, except*
7 *that the Secretary may correct errors in the legal de-*
8 *scription and map.*

9 (c) *TERMS AND CONDITIONS.*—*The transfer of admin-*
10 *istrative jurisdiction under subsection (a) shall be subject*
11 *to easements, valid existing rights, and such other reserva-*
12 *tions, terms, and conditions as the Secretary considers to*
13 *be necessary.*

14 (d) *WAIVER.*—*The parcel of real property under sub-*
15 *section (a) is exempt from Federal screening for other pos-*
16 *sible use due to an identified Federal need for the parcel*
17 *as the site of Bureau of Engraving and Printing facilities.*

18 (e) *CONDITIONS FOR TRANSFER.*—*As a condition of*
19 *the transfer of administrative jurisdiction under subsection*
20 *(a), the Secretary of the Treasury shall agree to pay the*
21 *Secretary the costs incurred to carry out the transfer of ad-*
22 *ministrative jurisdiction under subsection (a), including*
23 *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 haz-*
11 *ardous 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 the*
17 *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 U.S.C.*
22 *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 funds,
12 gifts, grants, devises, or bequests of real or
13 personal property made to the Foundation,
14 including from private entities; and”;

15 (3) in subsection (f)—

16 (A) in paragraph (2)(A)(iii), by striking
17 “any”; and

18 (B) in paragraph (3)(B)—

19 (i) in clause (i)(I)—

20 (I) in the matter preceding item
21 (aa), by inserting “and post online”
22 before “a report”;

23 (II) in item (aa), by striking “ac-
24 complishments; and” and inserting
25 “accomplishments and how those ac-

1 *tivities align to the challenges identi-*
2 *fied in the strategic plan under clause*
3 *(iv);”;*

4 *(III) in item (bb), by striking the*
5 *period at the end and inserting “;*
6 *and”;* and

7 *(IV) by adding at the end the fol-*
8 *lowing:*

9 *“(cc) a description of avail-*
10 *able agricultural research pro-*
11 *grams and priorities for the up-*
12 *coming fiscal year.”;* and

13 *(ii) by adding at the end the following:*

14 *“(iii) STAKEHOLDER NOTICE.—The*
15 *Foundation shall publish an annual notice*
16 *with a description of agricultural research*
17 *priorities under this section for the upcom-*
18 *ing fiscal year, including—*

19 *“(I) a schedule for funding com-*
20 *petitions;*

21 *“(II) a discussion of how applica-*
22 *tions for funding will be evaluated;*
23 *and*

24 *“(III) how the Foundation will*
25 *communicate information about fund-*

1 *ed awards to the public to ensure that*
2 *grantees and partners understand the*
3 *objectives of the Foundation.*

4 “(iv) *STRATEGIC PLAN.—Not later*
5 *than 1 year after the date of enactment of*
6 *the Agriculture Improvement Act of 2018,*
7 *the Foundation shall submit to the Com-*
8 *mittee on Agriculture of the House of Rep-*
9 *resentatives and the Committee on Agri-*
10 *culture, Nutrition, and Forestry of the Sen-*
11 *ate a strategic plan describing a path for*
12 *the Foundation to become self-sustaining,*
13 *including—*

14 “(I) *a forecast of major agricul-*
15 *tural challenge opportunities identified*
16 *by the scientific advisory councils of*
17 *the Foundation and approved by the*
18 *Board, including short- and long-term*
19 *objectives;*

20 “(II) *an overview of the efforts*
21 *that the Foundation will take to be*
22 *transparent in each of the processes of*
23 *the Foundation, including—*

24 “(aa) *processes relating to*
25 *grant awards, including the selec-*

1 *tion, review, and notification*
2 *processes;*

3 *“(bb) communication of past,*
4 *current, and future research pri-*
5 *orities; and*

6 *“(cc) plans to solicit and re-*
7 *spond to public input on the op-*
8 *portunities identified in the stra-*
9 *tegic plan;*

10 *“(III) a description of financial*
11 *goals and benchmarks for the next 10*
12 *years, including a detailed plan for*
13 *raising funds in amounts greater than*
14 *the amounts required under this sec-*
15 *tion; and*

16 *“(IV) other related issues, as de-*
17 *termined by the Board.”; and*

18 *(4) in subsection (g)(1)—*

19 *(A) in the paragraph heading, by striking*
20 *“MANDATORY FUNDING” and inserting “FUND-*
21 *ING”;*

22 *(B) in subparagraph (A)—*

23 *(i) by striking “On the date” and in-*
24 *serting the following:*

1 “(i) *ESTABLISHMENT FUNDING.*—On
2 *the date*”; and

3 (ii) *by adding at the end the following:*

4 “(ii) *ENHANCED FUNDING.*—On the
5 *date of enactment of the Agriculture Im-*
6 *provement Act of 2018, of the funds of the*
7 *Commodity Credit Corporation, the Sec-*
8 *retary shall transfer to the Foundation to*
9 *carry out this section \$200,000,000, to re-*
10 *main available until expended.*”; and
11 (C) *in subparagraph (B)—*

12 (i) *by striking “The Foundation” and*
13 *inserting the following:*

14 “(i) *IN GENERAL.*—*The Foundation*”;

15 (ii) *in clause (i) (as so designated)—*

16 (I) *by striking “purposes” and in-*
17 *serting “purposes, duties, and powers”;*
18 *and*

19 (II) *by striking “non-Federal*
20 *matching funds for each expenditure”*
21 *and inserting “matching funds from a*
22 *non-Federal source, including a generic*
23 *agricultural commodity promotion, re-*
24 *search, and information program”;*
25 *and*

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

3 “(ii) *EFFECT.*—Nothing in this section
 4 requires the Foundation to require a match-
 5 ing contribution from an individual grantee
 6 as a condition of receiving a grant under
 7 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 as
 12 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 Institutions”;
 15 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 degree
 20 or a baccalaureate degree in forestry,” before “and
 21 (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 the
5 subsection heading, by striking “IN GENERAL” and
6 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 conduct
10 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 the
20 date of enactment of this subsection, the Secretary
21 shall submit to Congress a report describing the re-
22 sults of the study conducted under paragraph (1).”.

23 (b) *REPEAL.*—Effective on the date that is 1 year after
24 the date on which the Secretary establishes a plan under
25 section 297C of the Agricultural Marketing Act of 1946, sec-

1 tion 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940)
2 is repealed.

3 **SEC. 7416. COLLECTION OF DATA RELATING TO BARLEY**
4 **AREA PLANTED AND HARVESTED.**

5 *For all acreage reports published after the date of en-*
6 *actment of this Act, the Secretary, acting through the Ad-*
7 *ministrator of the National Agricultural Statistics Service,*
8 *shall include the State of New York in the States surveyed*
9 *to produce the table entitled “Barley Area Planted and*
10 *Harvested” in those reports.*

11 **SEC. 7417. COLLECTION OF DATA RELATING TO THE SIZE**
12 **AND LOCATION OF DAIRY FARMS.**

13 (a) *IN GENERAL.*—*Not later than 120 days after the*
14 *date of enactment of this Act, the Secretary, acting through*
15 *the Administrator of the Economic Research Service, shall*
16 *update the report entitled “Changes in the Size and Loca-*
17 *tion of US Dairy Farms” contained in the report of the*
18 *Economic Research Service entitled “Profits, Costs, and the*
19 *Changing Structure of Dairy Farming” and published in*
20 *September 2007.*

21 (b) *REQUIREMENT.*—*In updating the report described*
22 *in subsection (a), the Secretary shall include an expanded*
23 *Table 2 of that report containing the full range of herd sizes*
24 *that are detailed in Table 1 of that report.*

1 **SEC. 7418. AGRICULTURE INNOVATION CENTER DEM-**
2 **ONSTRATION PROGRAM.**

3 *Section 6402 of the Farm Security and Rural Invest-*
4 *ment Act of 2002 (7 U.S.C. 1632b) is amended—*

5 *(1) in subsection (e)(1), by striking “subsection*
6 *(i)” and inserting “subsection (h)”;*

7 *(2) by striking subsection (g);*

8 *(3) by redesignating subsections (h) and (i) as*
9 *subsections (g) and (h), respectively; and*

10 *(4) in subsection (h) (as so redesignated), by*
11 *striking “is authorized” and all that follows through*
12 *“2018” and inserting “are authorized to be appro-*
13 *propriated such sums as are necessary to carry out this*
14 *section”.*

15 **SEC. 7419. SMITH-LEVER COMMUNITY EXTENSION PRO-**
16 **GRAM.**

17 *(a) IN GENERAL.—Section 3(d) of the Smith-Lever Act*
18 *(7 U.S.C. 343(d)) is amended—*

19 *(1) by striking “The Secretary” and inserting*
20 *the following:*

21 *“(d) ADMINISTRATION, TECHNICAL, AND EXTENSION*
22 *SERVICES.—*

23 *“(1) IN GENERAL.—The Secretary”;*

24 *(2) in paragraph (1) (as designated by para-*
25 *graph (1)), by striking the second sentence; and*

26 *(3) by adding at the end the following:*

1 “(2) *COMPETITIVE FUNDING.*—*The Secretary of*
2 *Agriculture may provide funding, on a competitive*
3 *basis, to—*

4 “(A) *a college or university eligible to re-*
5 *ceive funds under the Act of August 30, 1890 (7*
6 *U.S.C. 321–326a and 328), including Tuskegee*
7 *University; or*

8 “(B) *a 1994 Institution (as defined in sec-*
9 *tion 532 of the Equity in Educational Land-*
10 *Grant Status Act of 1994 (7 U.S.C. 301 note;*
11 *Public Law 103–382)) for—*

12 “(i) *the Children, Youth, and Families*
13 *at Risk funding program under subsection*
14 *(b)(3); and*

15 “(ii) *the Federally Recognized Tribes*
16 *Extension Program.”.*

17 (b) *CONFORMING AMENDMENTS.*—

18 (1) *Section 3(f) of the Smith Lever Act (7 U.S.C.*
19 *343(f)) is amended—*

20 (A) *by striking “There shall” and inserting*
21 *the following:*

22 “(1) *IN GENERAL.*—*There shall”;* *and*

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

24 “(2) *EXCEPTION NOT APPLICABLE.*—*Paragraph*
25 (1) *shall not apply to a 1994 Institution receiving*

1 *funding under subsection (d)(2)(B) for the Children,*
 2 *Youth, and Families at Risk funding program under*
 3 *subsection (b)(3) or for the Federally Recognized*
 4 *Tribes Extension Program.”.*

5 (2) *Section 533(a)(2)(A) of the Equity in Edu-*
 6 *catinal Land-Grant Status Act of 1994 (7 U.S.C.*
 7 *301 note; Public Law 103–382) is amended by strik-*
 8 *ing clause (ii) and inserting the following:*

9 “(ii) *the Smith-Lever Act (7 U.S.C.*
 10 *341 et seq.), except as provided under—*

11 “(I) *section 3(b)(3) of that Act (7*
 12 *U.S.C. 343(b)(3)); or*

13 “(II) *paragraph (2) of section*
 14 *3(d) of that Act (7 U.S.C. 343(d)); or”.*

15 ***Subtitle E—Food, Conservation,***
 16 ***and Energy Act of 2008***

17 ***PART I—AGRICULTURAL SECURITY***

18 ***SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION***

19 ***CENTER.***

20 *Section 14112(c)(2) of the Food, Conservation, and*
 21 *Energy Act of 2008 (7 U.S.C. 8912(c)(2)) is amended by*
 22 *striking “2018” and inserting “2023”.*

1 **SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AG-**
2 **RICULTURAL BIOSECURITY PLANNING, PREP-**
3 **ARATION, AND RESPONSE.**

4 *Section 14113 of the Food, Conservation, and Energy*
5 *Act of 2008 (7 U.S.C. 8913) is amended—*

6 *(1) in subsection (a)(2)(B), by striking “2018”*
7 *and inserting “2023”; and*

8 *(2) in subsection (b)(2)(B), by striking “2018”*
9 *and inserting “2023”.*

10 **SEC. 7503. RESEARCH AND DEVELOPMENT OF AGRICUL-**
11 **TURAL COUNTERMEASURES.**

12 *Section 14121(b)(2) of the Food, Conservation, and*
13 *Energy Act of 2008 (7 U.S.C. 8921(b)(2)) is amended by*
14 *striking “2018” and inserting “2023”.*

15 **SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.**

16 *Section 14122(e)(2) of the Food, Conservation, and*
17 *Energy Act of 2008 (7 U.S.C. 8922(e)(2)) is amended by*
18 *striking “2018” and inserting “2023”.*

19 **PART II—MISCELLANEOUS PROVISIONS**

20 **SEC. 7511. FARM AND RANCH STRESS ASSISTANCE NET-**
21 **WORK.**

22 *Section 7522 of the Food, Conservation, and Energy*
23 *Act of 2008 (7 U.S.C. 5936) is amended—*

24 *(1) in subsection (a), by striking “to support co-*
25 *operative programs between State cooperative exten-*

1 *sion services and nonprofit organizations” and insert-*
2 *ing “to eligible entities described in subsection (c)”;*

3 *(2) in subsection (b)—*

4 *(A) by striking paragraph (5);*

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

9 *(C) by striking subparagraph (B) (as so re-*
10 *designated) and inserting the following:*

11 *“(B) training, including training programs*
12 *and workshops, for—*

13 *“(i) advocates for individuals who are*
14 *engaged in farming, ranching, and other oc-*
15 *cupations relating to agriculture; and*

16 *“(ii) other individuals and entities*
17 *that may assist individuals who—*

18 *“(I) are engaged in farming,*
19 *ranching, and other occupations relat-*
20 *ing to agriculture; and*

21 *“(II) are in crisis;”;*

22 *(D) in subparagraph (C) (as so redesign-*
23 *ated), by adding “and” after the semicolon at*
24 *the end;*

1 (E) in subparagraph (D) (as so redesignated), by striking “activities; and” and inserting “activities, including the dissemination of information and materials; or”;

2 (F) in the matter preceding subparagraph (A) (as so redesignated), by striking “be used to initiate” and inserting the following: “be used—
3 “(1) to initiate”; and

4 (G) by adding at the end the following:
5 “(2) to enter into contracts, on a multiyear basis, with community-based, direct-service organizations to initiate, expand, or sustain programs described in paragraph (1) and subsection (a).”;

6 (3) by striking subsections (c) and (d) and inserting the following:

7 “(c) *ELIGIBLE RECIPIENTS.*—The Secretary may award a grant under this section to—

8 “(1) a State department of agriculture;

9 “(2) a State cooperative extension service;

10 “(3) a qualified nonprofit organization, as determined by the Secretary;

11 “(4) an entity providing appropriate services, as determined by the Secretary, in 1 or more States; or

12 “(5) a partnership carried out by 2 or more entities described in paragraphs (1) through (4).

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
2 *authorized to be appropriated to the Secretary to carry out*
3 *this section \$10,000,000 for each of fiscal years 2019*
4 *through 2023.*

5 “(e) *REPORT TO CONGRESS.*—

6 “(1) *IN GENERAL.*—*Not later than 1 year after*
7 *the date of enactment of this subsection, the Secretary,*
8 *in coordination with the Secretary of Health and*
9 *Human Services, shall submit to Congress and any*
10 *other relevant Federal department or agency, and*
11 *make publicly available, a report describing the state*
12 *of behavioral and mental health of individuals who*
13 *are engaged in farming, ranching, and other occupa-*
14 *tions relating to agriculture.*

15 “(2) *CONTENTS.*—*The report under paragraph*
16 *(1) shall include—*

17 “(A) *an inventory and assessment of efforts*
18 *to support the behavioral and mental health of*
19 *individuals who are engaged in farming, ranch-*
20 *ing, and other occupations relating to agri-*
21 *culture by—*

22 “(i) *the Federal Government, States,*
23 *and units of local government;*

24 “(ii) *communities comprised of those*
25 *individuals;*

1 “(iii) healthcare providers;

2 “(iv) State cooperative extension serv-
3 ices; and

4 “(v) other appropriate entities, as de-
5 termined by the Secretary;

6 “(B) a description of the challenges faced by
7 individuals who are engaged in farming, ranch-
8 ing, and other occupations relating to agri-
9 culture that may impact the behavioral and
10 mental health of farmers and ranchers;

11 “(C) a description of how the Department of
12 Agriculture can improve coordination and co-
13 operation with Federal health departments and
14 agencies, including the Department of Health
15 and Human Services, the Substance Abuse and
16 Mental Health Services Administration, the
17 Health Resources and Services Administration,
18 the Centers for Disease Control and Prevention,
19 and the National Institutes of Health, to best ad-
20 dress the behavioral and mental health of indi-
21 viduals who are engaged in farming, ranching,
22 and other occupations relating to agriculture;

23 “(D) a long-term strategy for responding to
24 the challenges described under subparagraph (B)
25 and recommendations based on best practices for

1 *further action to be carried out by appropriate*
2 *Federal departments or agencies to improve Fed-*
3 *eral Government response and seek to prevent*
4 *suicide among individuals who are engaged in*
5 *farming, ranching, and other occupations relat-*
6 *ing to agriculture; and*

7 *“(E) an evaluation of the impact of suicide*
8 *among individuals who are engaged in farming,*
9 *ranching, and other occupations relating to agri-*
10 *culture on—*

11 *“(i) the agricultural workforce;*

12 *“(ii) agricultural production;*

13 *“(iii) rural families and communities;*

14 *and*

15 *“(iv) succession planning.”.*

16 **SEC. 7512. NATURAL PRODUCTS RESEARCH PROGRAM.**

17 *Section 7525(e) of the Food, Conservation, and Energy*
18 *Act of 2008 (7 U.S.C. 5937(e)) is amended by striking*
19 *“2018” and inserting “2023”.*

20 **SEC. 7513. SUN GRANT PROGRAM.**

21 *Section 7526(g) of the Food, Conservation, and Energy*
22 *Act of 2008 (7 U.S.C. 8114(g)) is amended by striking*
23 *“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 (a)
8 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 imple-
19 ment a strategy to accelerate the development and use of
20 automation and mechanization in the production or proc-
21 essing 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 ADVI-*
12 *SORY 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 Agricul-*
22 *tural Research, Extension, and Teaching Policy*
23 *Act of 1977 (7 U.S.C. 3151(a)) is amended—*

24 (i) *by striking “The Secretary” and*
25 *inserting the following:*

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

2 (ii) *by adding at the end the following:*

3 “(2) *MATCHING REQUIREMENT.*—*A State receiv-*
4 *ing a grant under paragraph (1) shall provide State*
5 *matching funds equal to not less than the amount of*
6 *the grant.*”.

7 (C) *AQUACULTURE ASSISTANCE GRANT PRO-*
8 *GRAM.*—*Section 1475(b) of the National Agricul-*
9 *tural Research, Extension, and Teaching Policy*
10 *Act of 1977 (7 U.S.C. 3322(b)) is amended by*
11 *striking “The Secretary” and all that follows*
12 *through the period at the end and inserting the*
13 *following:*

14 “(1) *IN GENERAL.*—*Subject to paragraph (3), the*
15 *Secretary may make competitive grants to entities eli-*
16 *gible for grants under paragraph (2) for research and*
17 *extension to facilitate or expand promising advances*
18 *in the production and marketing of aquacultural food*
19 *species and products and to enhance the safety and*
20 *wholesomeness of those species and products, includ-*
21 *ing the development of reliable supplies of seed stock*
22 *and therapeutic compounds.*

23 “(2) *ELIGIBLE ENTITIES.*—*The Secretary may*
24 *make a competitive grant under paragraph (1) to—*

1 “(A) a land-grant or seagrant college or
2 university;

3 “(B) a State agricultural experiment sta-
4 tion;

5 “(C) a college, university, or Federal lab-
6 oratory having a demonstrable capacity to con-
7 duct aquacultural research, as determined by the
8 Secretary; or

9 “(D) a nonprofit private research institu-
10 tion.

11 “(3) *MATCHING STATE GRANTS.*—

12 “(A) *IN GENERAL.*—*Except as provided in*
13 *subparagraph (B), the Secretary shall not make*
14 *a grant under paragraph (1) unless the State in*
15 *which the grant recipient is located makes a*
16 *grant to that recipient in an amount equal to*
17 *not less than the amount of the grant under*
18 *paragraph (1) (of which State amount an in-*
19 *kind contribution shall not exceed 50 percent).*

20 “(B) *FEDERAL LABORATORIES.*—*Subpara-*
21 *graph (A) shall not apply to a grant to a Fed-*
22 *eral laboratory.”.*

23 “(2) *FOOD, AGRICULTURE, CONSERVATION, AND*
24 *TRADE ACT OF 1990.*—

1 (A) *FEDERAL-STATE MATCHING GRANT PRO-*
2 *GRAM.—Section 1623(d)(2) of the Food, Agri-*
3 *culture, Conservation, and Trade Act of 1990 (7*
4 *U.S.C. 5813(d)(2)) is amended by striking the*
5 *second sentence.*

6 (B) *AGRICULTURAL GENOME INITIATIVE.—*
7 *Section 1671 of the Food, Agriculture, Conserva-*
8 *tion, and Trade Act of 1990 (7 U.S.C. 5924) (as*
9 *amended by section 7208) is amended—*

10 (i) *by redesignating subsection (f) as*
11 *subsection (g); and*

12 (ii) *by inserting after subsection (e) the*
13 *following:*

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 shall*
20 *provide non-Federal matching funds (including funds*
21 *from a generic agricultural commodity promotion, re-*
22 *search, and information program) equal to not less*
23 *than the amount provided under the grant or cooper-*
24 *ative agreement.*

1 “(2) *IN-KIND SUPPORT.*—*Non-Federal matching*
2 *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 de-*
7 *termines 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 applica-*
11 *ble 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 EXTEN-*
19 *SION INITIATIVES.*—*Section 1672(a) of the Food,*
20 *Agriculture, Conservation, and Trade Act of*
21 *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 striking
3 “The Secretary shall” and inserting the fol-
4 lowing:

5 “(3) CONSULTATION.—The Secretary shall”; and

6 (iii) by inserting after paragraph (1)
7 the following:

8 “(2) MATCHING FUNDS REQUIREMENT.—

9 “(A) IN GENERAL.—Subject to subpara-
10 graph (C), an entity receiving a grant under
11 paragraph (1) shall provide non-Federal match-
12 ing funds (including funds from a generic agri-
13 cultural commodity promotion, research, and in-
14 formation program) equal to not less than the
15 amount of the grant.

16 “(B) IN-KIND SUPPORT.—Non-Federal
17 matching funds described in subparagraph (A)
18 may include in-kind support.

19 “(C) WAIVER.—The Secretary may waive
20 the matching funds requirement under subpara-
21 graph (A) with respect to a research project if
22 the Secretary determines that—

23 “(i) the results of the project are of a
24 particular benefit to a specific agricultural
25 commodity, but those results are likely to be

1 applicable to agricultural commodities gen-
2 erally; or

3 “(ii)(I) the project—

4 “(aa) involves a minor com-
5 modity; and

6 “(bb) deals with scientifically im-
7 portant research; and

8 “(II) the recipient is unable to satisfy
9 the matching funds requirement.”.

10 (D) ORGANIC AGRICULTURE RESEARCH AND
11 EXTENSION INITIATIVE.—Section 1672B of the
12 Food, Agriculture, Conservation, and Trade Act
13 of 1990 (7 U.S.C. 5925b) (as amended by section
14 7210) is amended—

15 (i) by redesignating subsections (c),
16 (d), and (e) as subsections (d), (e), and (f),
17 respectively; and

18 (ii) by inserting after subsection (b)
19 the following:

20 “(c) MATCHING REQUIREMENT.—

21 “(1) IN GENERAL.—Subject to paragraph (3), an
22 entity receiving a grant under subsection (a) shall
23 provide non-Federal matching funds (including funds
24 from a generic agricultural commodity promotion, re-

1 *search, and information program) equal to not less*
2 *than the amount of the grant.*

3 “(2) *IN-KIND SUPPORT.*—*Non-Federal matching*
4 *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 de-*
9 *termines 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 applica-*
13 *ble 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, AND*
21 *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 of*
2 *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) the*
7 *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 matching*
18 *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 de-*
23 *termines 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 applica-*
2 *ble 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 of*
12 *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, and*
7 *Energy Act of 2008 (7 U.S.C. 8114(c)(1)(C)(iv))*
8 *is amended by striking subclause (IV).*

9 (B) *AGRICULTURE AND FOOD RESEARCH*
10 *INITIATIVE*.—*Subsection (b)(9) of the Competi-*
11 *tive, Special, and Facilities Research Grant Act*
12 *(7 U.S.C. 3157(b)(9)) is amended—*

13 (i) *in subparagraph (A), by striking*
14 *clause (iii);*

15 (ii) *in subparagraph (B)—*

16 (I) *in clause (i), by striking*
17 *“clauses (ii) and (iii),” and inserting*
18 *“clause (i),”; and*

19 (II) *by striking clause (iii); and*

20 (iii) *by adding at the end the fol-*
21 *lowing:*

22 “(C) *APPLIED RESEARCH*.—*An entity re-*
23 *ceiving a grant under paragraph (5)(B) for ap-*
24 *plied research that is commodity-specific and not*
25 *of national scope shall provide non-Federal*

1 *matching funds equal to not less than the*
2 *amount of the grant.”.*

3 (c) *APPLICATION OF AMENDMENTS.—*

4 (1) *GRANTS AWARDED AFTER OCTOBER 1, 2018.—*
5 *The amendments made by subsections (a) and (b)*
6 *shall apply with respect to grants described in sub-*
7 *section (b) that are awarded after October 1, 2018.*

8 (2) *GRANTS AWARDED ON OR BEFORE OCTOBER*
9 *1, 2018.—Notwithstanding the amendments made by*
10 *subsections (a) and (b), a matching funds require-*
11 *ment in effect on the day before the date of enactment*
12 *of this Act under a provision of law amended by sub-*
13 *section (a) or (b) shall continue to apply to a grant*
14 *described in subsection (b) that is awarded on or be-*
15 *fore October 1, 2018.*

16 **SEC. 7602. EXTENSION AND AGRICULTURAL RESEARCH AT**
17 **1890 LAND-GRANT COLLEGES, INCLUDING**
18 **TUSKEGEE UNIVERSITY.**

19 (a) *EXTENSION.—Section 1444 of the National Agri-*
20 *cultural Research, Extension, and Teaching Policy Act of*
21 *1977 (7 U.S.C. 3221) is amended—*

22 (1) *in subsection (a), by adding at the end the*
23 *following:*

24 “(5) *FISCAL YEAR 2019, 2020, 2021, OR 2022.—In*
25 *addition to other amounts authorized to be appro-*

1 *priated to carry out this section, there are authorized*
2 *to be appropriated for 1 of fiscal year 2019, 2020,*
3 *2021, or 2022 such sums as are necessary to ensure*
4 *that an eligible institution receiving a distribution of*
5 *funds under this section for that fiscal year receives*
6 *not less than the amount of funds received by that eli-*
7 *gible institution under this section for the preceding*
8 *fiscal year.”; and*

9 *(2) in subsection (b)—*

10 *(A) in the undesignated matter following*
11 *paragraph (2)(B)—*

12 *(i) by striking “paragraph (2) of this*
13 *subsection” and inserting “this paragraph”;*
14 *and*

15 *(ii) by striking “In computing” and*
16 *inserting the following:*

17 *“(C) In computing”;*

18 *(B) in paragraph (2)—*

19 *(i) in subparagraph (B), by striking*
20 *“Of the remainder” and inserting “Except*
21 *as provided in paragraph (4), of the re-*
22 *mainder”;* and

23 *(ii) by striking “(2) any funds” and*
24 *inserting the following:*

25 *“(3) ADDITIONAL AMOUNT.—Any funds”;*

1 (C) in paragraph (1)—

2 (i) by striking “are allocated” and in-
3 serting “were allocated”; and

4 (ii) by striking “; and” and inserting
5 “, as so designated as of that date.”;

6 (D) by striking “(b) Beginning” in the mat-
7 ter preceding paragraph (1) and all that follows
8 through “any funds” in paragraph (1) and in-
9 serting the following:

10 “(b) DISTRIBUTION OF FUNDS.—

11 “(1) IN GENERAL.—Funds made available under
12 this section shall be distributed among eligible institu-
13 tions in accordance with this subsection.

14 “(2) BASE AMOUNT.—Any funds”; and

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

16 “(4) SPECIAL AMOUNT FOR FISCAL YEAR 2019,
17 2020, 2021, OR 2022.—

18 “(A) IN GENERAL.—Subject to subpara-
19 graph (B), for 1 of fiscal year 2019, 2020, 2021,
20 or 2022, if the calculation under paragraph
21 (3)(B) would result in a distribution of less than
22 \$3,000,000 to an eligible institution that first re-
23 ceived funds under this section after the date of
24 enactment of the Agricultural Act of 2014 (Pub-
25 lic Law 113–79; 128 Stat. 649) for a fiscal year,

1 *that institution shall receive a distribution of*
2 *\$3,000,000 for that fiscal year.*

3 “(B) *LIMITATION.*—*Subparagraph (A) shall*
4 *apply only if amounts are appropriated under*
5 *subsection (a)(5) to ensure that an eligible insti-*
6 *tution receiving a distribution of funds under*
7 *this section for fiscal year 2019, 2020, 2021, or*
8 *2022, as applicable, receives not less than the*
9 *amount of funds received by that eligible institu-*
10 *tion under this section for the preceding fiscal*
11 *year.”.*

12 (b) *RESEARCH.*—*Section 1445 of the National Agricul-*
13 *tural Research, Extension, and Teaching Policy Act of 1977*
14 *(7 U.S.C. 3222) is amended—*

15 (1) *in subsection (a), by adding at the end the*
16 *following:*

17 “(6) *FISCAL YEAR 2019, 2020, 2021, OR 2022.*—*In*
18 *addition to other amounts authorized to be appro-*
19 *priated to carry out this section, there are authorized*
20 *to be appropriated for 1 of fiscal year 2019, 2020,*
21 *2021, or 2022 such sums as are necessary to ensure*
22 *that an eligible institution receiving a distribution of*
23 *funds under this section for that fiscal year receives*
24 *not less than the amount of funds received by that eli-*

1 *gible institution under this section for the preceding*
2 *fiscal year.”; and*

3 *(2) in subsection (b)—*

4 *(A) in paragraph (2)—*

5 *(i) by adding at the end the following:*

6 *“(D) SPECIAL AMOUNT FOR FISCAL YEAR*
7 *2019, 2020, 2021, OR 2022.—*

8 *“(i) IN GENERAL.—Subject to clause*
9 *(ii), for 1 of fiscal year 2019, 2020, 2021,*
10 *or 2022, if the calculation under subpara-*
11 *graph (C) would result in a distribution of*
12 *less than \$3,000,000 to an eligible institu-*
13 *tion that first received funds under this sec-*
14 *tion after the date of enactment of the Agri-*
15 *cultural Act of 2014 (Public Law 113–79;*
16 *128 Stat. 649), that institution shall receive*
17 *a distribution of \$3,000,000 for that fiscal*
18 *year.*

19 *“(ii) LIMITATION.—Clause (i) shall*
20 *apply only if amounts are appropriated*
21 *under subsection (a)(6) to ensure that an el-*
22 *igible institution receiving a distribution of*
23 *funds under this section for fiscal year*
24 *2019, 2020, 2021, or 2022, as applicable,*
25 *receives not less than the amount of funds*

1 *received by that eligible institution under*
2 *this section for the preceding fiscal year.”;*

3 (ii) *in subparagraph (B), by striking*
4 *“(B) Of funds” and inserting the following:*

5 *“(C) ADDITIONAL AMOUNT.—Except as pro-*
6 *vided in subparagraph (D), of funds”;*

7 (iii) *in subparagraph (A)—*

8 (I) *by striking “are allocated”*
9 *and inserting “were allocated”;*

10 (II) *by inserting “, as so des-*
11 *ignated as of that date” before the pe-*
12 *riod at the end; and*

13 (III) *by striking “(A) Funds” and*
14 *inserting the following:*

15 *“(B) BASE AMOUNT.—Funds”; and*

16 (iv) *in the matter preceding subpara-*
17 *graph (B) (as so designated), by striking*
18 *“(2) The” and all that follows through “fol-*
19 *lows:” and inserting the following:*

20 (3) *DISTRIBUTIONS.—*

21 (A) *IN GENERAL.—After allocating*
22 *amounts under paragraph (2), the remainder*
23 *shall be allotted among the eligible institutions*
24 *in accordance with this paragraph.”;*

1 (B) in paragraph (1), by striking “(1)
2 Three per centum” and inserting the following:

3 “(2) ADMINISTRATION.—3 percent”; and

4 (C) in the matter preceding paragraph (2)
5 (as so designated), by striking “(b) Beginning”
6 and all that follows through “follows:” and in-
7 serting the following:

8 “(b) DISTRIBUTION OF FUNDS.—

9 “(1) IN GENERAL.—Funds made available under
10 this section shall be distributed among eligible institu-
11 tions in accordance with this subsection.”.

12 **TITLE VIII—FORESTRY**

13 **Subtitle A—Cooperative Forestry**

14 **Assistance Act of 1978**

15 **SEC. 8101. STATE AND PRIVATE FOREST LANDSCAPE-SCALE** 16 **RESTORATION PROGRAM.**

17 (a) IN GENERAL.—Section 13A of the Cooperative For-
18 estry Assistance Act of 1978 (16 U.S.C. 2109a) is amended
19 to read as follows:

20 **“SEC. 13A. STATE AND PRIVATE FOREST LANDSCAPE-SCALE** 21 **RESTORATION PROGRAM.**

22 “(a) PURPOSE.—The purpose of this section is to en-
23 courage collaborative, science-based restoration of priority
24 forest landscapes.

25 “(b) DEFINITIONS.—In this section:

1 “(1) *INDIAN TRIBE*.—The term ‘Indian tribe’ has
2 the meaning given the term in section 4 of the Indian
3 *Self-Determination and Education Assistance Act* (25
4 *U.S.C. 5304*).

5 “(2) *NONINDUSTRIAL PRIVATE FOREST LAND*.—
6 The term ‘nonindustrial private forest land’ means
7 land that—

8 “(A) is rural, as determined by the Sec-
9 retary;

10 “(B) has existing tree cover or is suitable
11 for growing trees; and

12 “(C) is owned by any private individual,
13 group, association, corporation, Indian tribe, or
14 other private legal entity.

15 “(3) *STATE FOREST LAND*.—The term ‘State for-
16 est land’ means land that—

17 “(A) is rural, as determined by the Sec-
18 retary; and

19 “(B) is under State or local governmental
20 ownership and considered to be non-Federal for-
21 est land.

22 “(c) *ESTABLISHMENT*.—The Secretary, in consultation
23 with State foresters or appropriate State agencies, shall es-
24 tablish a competitive grant program to provide financial

1 *and technical assistance to encourage collaborative, science-*
2 *based restoration of priority forest landscapes.*

3 “(d) *ELIGIBILITY.—To be eligible to receive a grant*
4 *under this section, an applicant shall submit to the Sec-*
5 *retary, through the State forester or appropriate State agen-*
6 *cy, a State and private forest landscape-scale restoration*
7 *proposal based on a restoration strategy that—*

8 “(1) *is complete or substantially complete;*

9 “(2) *is for a multiyear period;*

10 “(3) *covers nonindustrial private forest land or*
11 *State forest land;*

12 “(4) *is accessible by wood-processing infrastruc-*
13 *ture; and*

14 “(5) *is based on the best available science.*

15 “(e) *PLAN CRITERIA.—A State and private forest*
16 *landscape-scale restoration proposal submitted under this*
17 *section shall include plans—*

18 “(1) *to reduce the risk of uncharacteristic*
19 *wildfires;*

20 “(2) *to improve fish and wildlife habitats, in-*
21 *cluding the habitats of threatened and endangered*
22 *species;*

23 “(3) *to maintain or improve water quality and*
24 *watershed function;*

1 “(4) to mitigate invasive species, insect infesta-
2 tion, and disease;

3 “(5) to improve important forest ecosystems;

4 “(6) to measure ecological and economic benefits,
5 including air quality and soil quality and produc-
6 tivity; and

7 “(7) to take other relevant actions, as determined
8 by the Secretary.

9 “(f) *PRIORITIES.*—In making grants under this sec-
10 tion, the Secretary shall give priority to plans that—

11 “(1) further a statewide forest assessment and re-
12 source strategy;

13 “(2) promote cross boundary landscape collabo-
14 ration; and

15 “(3) leverage public and private resources.

16 “(g) *COLLABORATION AND CONSULTATION.*—The Chief
17 of the Forest Service, the Chief of the Natural Resources
18 Conservation Service, and relevant stakeholders shall col-
19 laborate and consult on an ongoing basis regarding—

20 “(1) administration of the program established
21 under this section; and

22 “(2) identification of other applicable resources
23 for landscape-scale restoration.

24 “(h) *MATCHING FUNDS REQUIRED.*—As a condition
25 of receiving a grant under this section, the Secretary shall

1 *require the recipient of the grant to provide funds or in-*
2 *kind support from non-Federal sources in an amount that*
3 *is at least equal to the amount of Federal funds.*

4 “(i) *COORDINATION AND PROXIMITY ENCOURAGED.—*
5 *In making grants under this section, the Secretary may*
6 *consider coordination with and proximity to other land-*
7 *scape-scale projects on other land under the jurisdiction of*
8 *the Secretary, the Secretary of the Interior, or a Governor*
9 *of a State, including under—*

10 “(1) *the Collaborative Forest Landscape Restora-*
11 *tion Program established under section 4003 of the*
12 *Omnibus Public Land Management Act of 2009 (16*
13 *U.S.C. 7303);*

14 “(2) *landscape areas designated for insect and*
15 *disease treatments under section 602 of the Healthy*
16 *Forests Restoration Act of 2003 (16 U.S.C. 6591a);*

17 “(3) *good neighbor authority under section 19;*

18 “(4) *stewardship end result contracting projects*
19 *authorized under section 604 of the Healthy Forests*
20 *Restoration Act of 2003 (16 U.S.C. 6591c);*

21 “(5) *appropriate State-level programs; and*

22 “(6) *other relevant programs, as determined by*
23 *the Secretary.*

1 “(j) *REGULATIONS.*—*The Secretary shall promulgate*
2 *such regulations as the Secretary determines necessary to*
3 *carry out this section.*

4 “(k) *REPORT.*—*Not later than 3 years after the date*
5 *of enactment of this section, the Secretary shall submit to*
6 *the Committee on Agriculture of the House of Representa-*
7 *tives and the Committee on Agriculture, Nutrition, and*
8 *Forestry of the Senate a report on—*

9 “(1) *the status of development, execution, and*
10 *administration of selected projects;*

11 “(2) *the accounting of program funding expendi-*
12 *tures; and*

13 “(3) *specific accomplishments that have resulted*
14 *from landscape-scale projects.*

15 “(l) *FUND.*—

16 “(1) *IN GENERAL.*—*There is established in the*
17 *Treasury a fund, to be known as the ‘State and Pri-*
18 *ivate Forest Landscape-Scale Restoration Fund’ (re-*
19 *ferred to in this subsection as the ‘Fund’), to be used*
20 *by the Secretary to make grants under this section.*

21 “(2) *CONTENTS.*—*The Fund shall consist of such*
22 *amounts as are appropriated to the Fund under*
23 *paragraph (3).*

24 “(3) *AUTHORIZATION OF APPROPRIATIONS.*—
25 *There is authorized to be appropriated to the Fund*

1 \$20,000,000 for each fiscal year beginning with the
2 first full fiscal year after the date of enactment of this
3 subsection through fiscal year 2023, to remain avail-
4 able until expended.”.

5 (b) *CONFORMING AMENDMENTS.*—

6 (1) Section 13B of the Cooperative Forestry As-
7 sistance Act of 1978 (16 U.S.C. 2109b) is repealed.

8 (2) Section 19(a)(4)(C) of the Cooperative For-
9 estry Assistance Act of 1978 (16 U.S.C.
10 2113(a)(4)(C)) is amended by striking “sections 13A
11 and 13B” and inserting “section 13A”.

12 ***Subtitle B—Forest and Rangeland***
13 ***Renewable Resources Research***
14 ***Act of 1978***

15 ***SEC. 8201. REPEAL OF RECYCLING RESEARCH.***

16 Section 9 of the Forest and Rangeland Renewable Re-
17 sources Research Act of 1978 (16 U.S.C. 1648) is repealed.

18 ***SEC. 8202. REPEAL OF FORESTRY STUDENT GRANT PRO-***
19 ***GRAM.***

20 Section 10 of the Forest and Rangeland Renewable Re-
21 sources Research Act of 1978 (16 U.S.C. 1649) is repealed.

1 ***Subtitle C—Global Climate Change***
2 ***Prevention Act of 1990***

3 ***SEC. 8301. REPEALS.***

4 (a) *BIOMASS ENERGY DEMONSTRATION PROJECTS.*—
5 *Section 2410 of the Global Climate Change Prevention Act*
6 *of 1990 (7 U.S.C. 6708) is repealed.*

7 (b) *INTERAGENCY COOPERATION TO MAXIMIZE BIO-*
8 *MASS GROWTH.*—*Section 2411 of the Global Climate*
9 *Change Prevention Act of 1990 (7 U.S.C. 6709) is amended*
10 *in the matter preceding paragraph (1) by striking “to—*
11 *” and all that follows through “such forests and lands” in*
12 *paragraph (2) and inserting “to develop a program to man-*
13 *age forests and land on Department of Defense military in-*
14 *stallations”.*

15 ***Subtitle D—Healthy Forests***
16 ***Restoration Act of 2003***

17 ***SEC. 8401. PROMOTING CROSS-BOUNDARY WILDFIRE MITI-***
18 ***GATION.***

19 *Section 103 of the Healthy Forests Restoration Act of*
20 *2003 (16 U.S.C. 6513) is amended by adding at the end*
21 *the following:*

22 “(e) *CROSS-BOUNDARY HAZARDOUS FUEL REDUCTION*
23 *PROJECTS.*—

24 “(1) *DEFINITIONS.*—*In this subsection:*

1 “(A) *HAZARDOUS FUEL REDUCTION*
2 *PROJECT.*—*The term ‘hazardous fuel reduction*
3 *project’ means a hazardous fuel reduction project*
4 *described in paragraph (2).*

5 “(B) *NON-FEDERAL LAND.*—*The term ‘non-*
6 *Federal land’ includes—*

7 “(i) *State land;*

8 “(ii) *county land;*

9 “(iii) *Tribal land;*

10 “(iv) *private land; and*

11 “(v) *other non-Federal land.*

12 “(2) *GRANTS.*—*The Secretary may make grants*
13 *to State foresters to support hazardous fuel reduction*
14 *projects that incorporate treatments in landscapes*
15 *across ownership boundaries on Federal and non-Fed-*
16 *eral land, particularly in areas identified as prior-*
17 *ities in applicable State-wide forest resource assess-*
18 *ments or strategies under section 2A(a) of the Cooper-*
19 *ative Forestry Assistance Act of 1978 (16 U.S.C.*
20 *2101a(a)), as mutually agreed to by the State forester*
21 *and the Regional Forester.*

22 “(3) *LAND TREATMENTS.*—*To conduct and fund*
23 *treatments for hazardous fuel reduction projects car-*
24 *ried out by State foresters using grants under para-*
25 *graph (2), the Secretary may use the authorities of*

1 *the Secretary relating to cooperation and technical*
2 *and financial assistance, including the good neighbor*
3 *authority under—*

4 *“(A) section 8206 of the Agricultural Act of*
5 *2014 (16 U.S.C. 2113a); and*

6 *“(B) section 331 of the Department of the*
7 *Interior and Related Agencies Appropriations*
8 *Act, 2001 (16 U.S.C. 1011 note; Public Law*
9 *106–291).*

10 *“(4) COOPERATION.—In carrying out a haz-*
11 *ardous fuel reduction project using a grant under*
12 *paragraph (2) on non-Federal land, the State forester,*
13 *in consultation with the Secretary—*

14 *“(A) shall consult with any applicable own-*
15 *ers of the non-Federal land; and*

16 *“(B) shall not implement the hazardous fuel*
17 *reduction project on non-Federal land without*
18 *the consent of the owner of the non-Federal land.*

19 *“(5) AUTHORIZATION OF APPROPRIATIONS.—*
20 *There is authorized to be appropriated to carry out*
21 *this subsection \$20,000,000 for each of fiscal years*
22 *2019 through 2023.”.*

1 **SEC. 8402. AUTHORIZATION OF APPROPRIATIONS FOR HAZ-**
2 **ARDOUS FUEL REDUCTION ON FEDERAL**
3 **LAND.**

4 *Section 108 of the Healthy Forests Restoration Act of*
5 *2003 (16 U.S.C. 6518) is amended by striking*
6 *“\$760,000,000 for each fiscal year” and inserting*
7 *“\$660,000,000 for each of fiscal years 2019 through 2023”.*

8 **SEC. 8403. REPEAL OF BIOMASS COMMERCIAL UTILIZATION**
9 **GRANT PROGRAM.**

10 *(a) IN GENERAL.—Section 203 of the Healthy Forests*
11 *Restoration Act of 2003 (16 U.S.C. 6531) is repealed.*

12 *(b) CONFORMING AMENDMENT.—The table of contents*
13 *for the Healthy Forests Restoration Act of 2003 (16 U.S.C.*
14 *6501 note; Public Law 108–148) is amended by striking*
15 *the item relating to section 203.*

16 **SEC. 8404. WATER SOURCE PROTECTION PROGRAM.**

17 *(a) IN GENERAL.—Title III of the Healthy Forests*
18 *Restoration Act of 2003 (16 U.S.C. 6541 et seq.) is amended*
19 *by adding at the end the following:*

20 **“SEC. 303. WATER SOURCE PROTECTION PROGRAM.**

21 *“(a) DEFINITIONS.—In this section:*

22 *“(1) END WATER USER.—The term ‘end water*
23 *user’ means a non-Federal entity, including—*

24 *“(A) a State;*

25 *“(B) a political subdivision of a State;*

26 *“(C) an Indian tribe;*

- 1 “(D) a utility;
2 “(E) a municipal water system;
3 “(F) an irrigation district;
4 “(G) a nonprofit organization; and
5 “(H) a corporation.

6 “(2) *FOREST MANAGEMENT ACTIVITY*.—The term
7 ‘forest management activity’ means a project carried
8 out by the Secretary on National Forest System land.

9 “(3) *FOREST PLAN*.—The term ‘forest plan’
10 means a land management plan prepared by the For-
11 est Service for a unit of the National Forest System
12 pursuant to section 6 of the Forest and Rangeland
13 Renewable Resources Planning Act of 1974 (16
14 U.S.C. 1604).

15 “(4) *NON-FEDERAL PARTNER*.—The term ‘non-
16 Federal partner’ means an end water user with whom
17 the Secretary has entered into a partnership agree-
18 ment under subsection (c)(1).

19 “(5) *PROGRAM*.—The term ‘Program’ means the
20 Water Source Protection Program established under
21 subsection (b).

22 “(6) *SECRETARY*.—The term ‘Secretary’ means
23 the Secretary of Agriculture, acting through the Chief
24 of the Forest Service.

1 “(7) *WATER SOURCE MANAGEMENT PLAN.*—*The*
2 *term ‘water source management plan’ means the*
3 *water source management plan developed under sub-*
4 *section (d)(1).*

5 “(b) *ESTABLISHMENT.*—*The Secretary shall establish*
6 *and maintain a program, to be known as the ‘Water Source*
7 *Protection Program’, to carry out watershed protection and*
8 *restoration projects on National Forest System land.*

9 “(c) *WATER SOURCE INVESTMENT PARTNERSHIPS.*—

10 “(1) *IN GENERAL.*—*In carrying out the Pro-*
11 *gram, the Secretary may enter into water source in-*
12 *vestment partnership agreements with end water*
13 *users to protect and restore the condition of National*
14 *Forest watersheds that provide water to the end water*
15 *users.*

16 “(2) *FORM.*—*A partnership agreement described*
17 *in paragraph (1) may take the form of—*

18 “(A) *a memorandum of understanding;*

19 “(B) *a cost-share or collection agreement;*

20 “(C) *a long-term funding matching commit-*
21 *ment; or*

22 “(D) *another appropriate instrument, as*
23 *determined by the Secretary.*

24 “(d) *WATER SOURCE MANAGEMENT PLAN.*—

1 “(1) *IN GENERAL.*—*In carrying out the Pro-*
2 *gram, the Secretary, in cooperation with the non-Fed-*
3 *eral partners and applicable State, local, and Tribal*
4 *governments, may develop a water source manage-*
5 *ment plan that describes the proposed implementation*
6 *of watershed protection and restoration projects under*
7 *the Program.*

8 “(2) *REQUIREMENT.*—*A water source manage-*
9 *ment plan shall be conducted in a manner consistent*
10 *with the forest plan applicable to the National Forest*
11 *System land on which the watershed protection and*
12 *restoration project is carried out.*

13 “(3) *ENVIRONMENTAL ANALYSIS.*—*The Secretary*
14 *may conduct a single environmental impact state-*
15 *ment or similar analysis required under the National*
16 *Environmental Policy Act of 1969 (42 U.S.C. 4321 et*
17 *seq.)—*

18 “(A) *for each watershed protection and res-*
19 *toration project included in the water source*
20 *management plan; or*

21 “(B) *as part of the development of, or after*
22 *the finalization of, the water source management*
23 *plan.*

24 “(e) *FOREST MANAGEMENT ACTIVITIES.*—

1 “(1) *IN GENERAL.*—*To the extent that forest*
2 *management activities are necessary to protect, main-*
3 *tain, or enhance water quality, and in accordance*
4 *with paragraph (2), the Secretary shall carry out for-*
5 *est management activities as part of watershed pro-*
6 *tection and restoration projects carried out on Na-*
7 *tional Forest System land, with the primary purpose*
8 *of—*

9 “(A) *protecting a municipal water supply*
10 *system;*

11 “(B) *restoring forest health from insect in-*
12 *festations and disease; or*

13 “(C) *any combination of the purposes de-*
14 *scribed in subparagraphs (A) and (B).*

15 “(2) *COMPLIANCE.*—*The Secretary shall carry*
16 *out forest management activities under paragraph (1)*
17 *in accordance with—*

18 “(A) *this Act;*

19 “(B) *the applicable water source manage-*
20 *ment plan;*

21 “(C) *the applicable forest plan; and*

22 “(D) *other applicable laws.*

23 “(f) *ENDANGERED SPECIES ACT OF 1973.*—*In car-*
24 *rying out the Program, the Secretary may use the Manual*
25 *on Adaptive Management of the Department of the Interior,*

1 *including any associated guidance, to comply with the En-*
2 *dangered Species Act of 1973 (16 U.S.C. 1531 et seq.).*

3 “(g) *FUNDS AND SERVICES.*—

4 “(1) *IN GENERAL.*—*In carrying out the Pro-*
5 *gram, the Secretary may accept and use funding,*
6 *services, and other forms of investment and assistance*
7 *from non-Federal partners to implement the water*
8 *source management plan.*

9 “(2) *MATCHING FUNDS REQUIRED.*—*The Sec-*
10 *retary shall require the contribution of funds or in-*
11 *kind support from non-Federal partners to be in an*
12 *amount that is at least equal to the amount of Fed-*
13 *eral funds.*

14 “(3) *MANNER OF USE.*—*The Secretary may ac-*
15 *cept and use investments described in paragraph (1)*
16 *directly or indirectly through the National Forest*
17 *Foundation.*

18 “(4) *WATER SOURCE PROTECTION FUND.*—

19 “(A) *IN GENERAL.*—*Subject to the avail-*
20 *ability of appropriations, the Secretary may es-*
21 *tablish a Water Source Protection Fund to*
22 *match funds or in-kind support contributed by*
23 *non-Federal partners under paragraph (1).*

24 “(B) *USE OF APPROPRIATED FUNDS.*—

25 *There is authorized to be appropriated to carry*

1 *out this section \$10,000,000 for each of fiscal*
 2 *years 2019 through 2023.*

3 *“(C) PARTNERSHIP AGREEMENTS.—The*
 4 *Secretary may make multiyear commitments, if*
 5 *necessary, to implement 1 or more partnership*
 6 *agreements under subsection (c).”.*

7 *(b) CONFORMING AMENDMENT.—The table of contents*
 8 *for the Healthy Forests Restoration Act of 2003 (16 U.S.C.*
 9 *6501 note; Public Law 108–148) is amended by striking*
 10 *the item relating to section 303 and inserting the following:*
 “Sec. 303. Water Source Protection Program.”.

11 **SEC. 8405. WATERSHED CONDITION FRAMEWORK.**

12 *(a) IN GENERAL.—Title III of the Healthy Forests*
 13 *Restoration Act of 2003 (16 U.S.C. 6541 et seq.) (as amend-*
 14 *ed by section 8404(a)) is amended by adding at the end*
 15 *the following:*

16 **“SEC. 304. WATERSHED CONDITION FRAMEWORK.**

17 *“(a) IN GENERAL.—The Secretary of Agriculture, act-*
 18 *ing through the Chief of the Forest Service (referred to in*
 19 *this section as the ‘Secretary’), shall establish and maintain*
 20 *a Watershed Condition Framework for National Forest Sys-*
 21 *tem land—*

22 *“(1) to evaluate and classify the condition of wa-*
 23 *tersheds, taking into consideration—*

24 *“(A) water quality and quantity;*

25 *“(B) aquatic habitat and biota;*

1 “(C) riparian and wetland vegetation;

2 “(D) the presence of roads and trails;

3 “(E) soil type and condition;

4 “(F) groundwater-dependent ecosystems;

5 “(G) relevant terrestrial indicators, such as
6 *fire regime, risk of catastrophic fire, forest and*
7 *rangeland vegetation, invasive species, and in-*
8 *sects and disease; and*

9 “(H) other significant factors, as deter-
10 *mined by the Secretary;*

11 “(2) to identify for protection and restoration up
12 *to 5 priority watersheds in each National Forest, and*
13 *up to 2 priority watersheds in each national grass-*
14 *land, taking into consideration the impact of the con-*
15 *dition of the watershed condition on—*

16 “(A) wildfire behavior;

17 “(B) flood risk;

18 “(C) fish and wildlife;

19 “(D) drinking water supplies;

20 “(E) irrigation water supplies;

21 “(F) forest-dependent communities; and

22 “(G) other significant impacts, as deter-
23 *mined by the Secretary;*

1 “(3) to develop a watershed protection and res-
2 toration action plan for each priority watershed
3 that—

4 “(A) takes into account existing restoration
5 activities being implemented in the watershed;
6 and

7 “(B) includes, at a minimum—

8 “(i) the major stressors responsible for
9 the impaired condition of the watershed;

10 “(ii) a set of essential projects that,
11 once completed, will address the identified
12 stressors and improve watershed conditions;

13 “(iii) a proposed implementation
14 schedule;

15 “(iv) potential partners and funding
16 sources; and

17 “(v) a monitoring and evaluation pro-
18 gram;

19 “(4) to prioritize protection and restoration ac-
20 tivities for each watershed restoration action plan;

21 “(5) to implement each watershed protection and
22 restoration action plan; and

23 “(6) to monitor the effectiveness of protection
24 and restoration actions and indicators of watershed
25 health.

1 “(b) *COORDINATION.*—*In carrying out subsection (a),*
2 *the Secretary shall—*

3 “(1) *coordinate with interested non-Federal*
4 *landowners and State, Tribal, and local governments*
5 *within the relevant watershed; and*

6 “(2) *provide for an active and ongoing public*
7 *engagement process.*

8 “(c) *EMERGENCY DESIGNATION.*—*Notwithstanding*
9 *paragraph (2) of subsection (a), the Secretary may identify*
10 *a watershed as a priority for rehabilitation in the Water-*
11 *shed Condition Framework without using the process de-*
12 *scribed in that subsection if a Forest Supervisor determines*
13 *that—*

14 “(1) *a wildfire has significantly diminished the*
15 *condition of the watershed; and*

16 “(2) *the emergency stabilization activities of the*
17 *Burned Area Emergency Response Team are insuffi-*
18 *cient to return the watershed to proper function.”.*

19 “(b) *CONFORMING AMENDMENT.*—*The table of contents*
20 *for the Healthy Forests Restoration Act of 2003 (16 U.S.C.*
21 *6501 note; Public Law 108–148) (as amended by section*
22 *8404(b)) is amended by inserting after the item relating*
23 *to section 303 the following:*

“*Sec. 304. Watershed Condition Framework.*”.

1 **SEC. 8406. AUTHORIZATION OF APPROPRIATIONS TO COM-**
2 **BAT INSECT INFESTATIONS AND RELATED**
3 **DISEASES.**

4 (a) *IN GENERAL.*—Section 406 of the Healthy Forests
5 Restoration Act of 2003 (16 U.S.C. 6556) is amended to
6 read as follows:

7 **“SEC. 406. TERMINATION OF EFFECTIVENESS.**

8 “The authority provided by this title terminates effec-
9 tive October 1, 2023.”.

10 (b) *CONFORMING AMENDMENT.*—The table of contents
11 for the Healthy Forests Restoration Act of 2003 (16 U.S.C.
12 6501 note; Public Law 108–148) is amended by striking
13 the item relating to section 406 and inserting the following:

“Sec. 406. Termination of effectiveness.”.

14 **SEC. 8407. HEALTHY FORESTS RESERVE PROGRAM REAU-**
15 **THORIZATION.**

16 Section 508(b) of the Healthy Forests Restoration Act
17 of 2003 (16 U.S.C. 6578(b)) is amended—

18 (1) in the subsection heading, by striking “2018”
19 and inserting “2023”; and

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

21 **SEC. 8408. AUTHORIZATION OF APPROPRIATIONS FOR DES-**
22 **IGNATION OF TREATMENT AREAS.**

23 Section 602 of the Healthy Forests Restoration Act of
24 2003 (16 U.S.C. 6591a) is amended by striking subsection
25 (f).

1 **SEC. 8409. ADMINISTRATIVE REVIEW OF COLLABORATIVE**
2 **RESTORATION PROJECTS.**

3 *Section 603(c) of the Healthy Forests Restoration Act*
4 *of 2003 (16 U.S.C. 6591b(c)) is amended by adding at the*
5 *end the following:*

6 “(4) *EXTRAORDINARY CIRCUMSTANCES.—The*
7 *Secretary shall apply the extraordinary circumstances*
8 *procedures under section 220.6 of title 36, Code of*
9 *Federal Regulations (or successor regulations), when*
10 *using the categorical exclusion under this section.”.*

11 **Subtitle E—Repeal or Reauthoriza-**
12 **tion of Miscellaneous Forestry**
13 **Programs**

14 **SEC. 8501. REPEAL OF REVISION OF STRATEGIC PLAN FOR**
15 **FOREST INVENTORY AND ANALYSIS.**

16 *Section 8301 of the Agricultural Act of 2014 (16*
17 *U.S.C. 1642 note; Public Law 113–79) is repealed.*

18 **SEC. 8502. SEMIARID AGROFORESTRY RESEARCH CENTER.**

19 *Section 1243(d) of the Food, Agriculture, Conserva-*
20 *tion, and Trade Act of 1990 (16 U.S.C. 1642 note; Public*
21 *Law 101–624) is amended by striking “annually” and in-*
22 *serting “for each of fiscal years 2019 through 2023”.*

23 **SEC. 8503. NATIONAL FOREST FOUNDATION ACT.**

24 (a) *MATCHING FUNDS.—Section 405(b) of the Na-*
25 *tional Forest Foundation Act (16 U.S.C. 583j–3(b)) is*
26 *amended by striking “2018” and inserting “2023”.*

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
2 410(b) of the National Forest Foundation Act (16 U.S.C.
3 583j–8(b)) is amended by striking “2018” and inserting
4 “2023”.

5 **SEC. 8504. CONVEYANCE OF FOREST SERVICE ADMINISTRA-**
6 **TIVE SITES.**

7 Section 503(f) of the Forest Service Facility Realign-
8 ment and Enhancement Act of 2005 (16 U.S.C. 580d note;
9 Public Law 109–54) is amended by striking “2016” and
10 inserting “2023”.

11 ***Subtitle F—Forest Management***

12 **SEC. 8601. DEFINITIONS.**

13 *In this subtitle:*

14 (1) *NATIONAL FOREST SYSTEM.*—The term “*Na-*
15 *tional Forest System*” has the meaning given the term
16 *in section 11(a) of the Forest and Rangeland Renew-*
17 *able Resources Planning Act of 1974 (16 U.S.C.*
18 *1609(a)).*

19 (2) *PUBLIC LAND.*—The term “*public land*” has
20 *the meaning given the term “public lands” in section*
21 *103 of the Federal Land Policy and Management Act*
22 *of 1976 (43 U.S.C. 1702).*

1 **PART I—EXPEDITED ENVIRONMENTAL ANALYSIS**
2 **AND AVAILABILITY OF CATEGORICAL EXCLU-**
3 **SIONS TO EXPEDITE FOREST MANAGEMENT**
4 **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 Res-*
8 *toration Act of 2003 (16 U.S.C. 6591 et seq.) is amended*
9 *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 ACTIV-*
14 *ITY.*—

15 “(A) *IN GENERAL.*—*The term ‘covered vege-*
16 *tation management activity’ means any activity*
17 *described in subparagraph (B) that—*

18 “(i) *(I) is carried out on National For-*
19 *est System land administered by the Forest*
20 *Service; or*

21 “(ii) *(I) is carried out on public land ad-*
22 *ministered by the Bureau of Land Manage-*
23 *ment;*

24 “(ii) *with respect to public land, meets*
25 *the objectives of the order of the Secretary of*

1 *the Interior numbered 3336 and dated Jan-*
2 *uary 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 ‘Res-*
11 *toration Handbook for Sagebrush*
12 *Steppe Ecosystems with Emphasis on*
13 *Greater Sage-Grouse Habitat—Part 1.*
14 *Concepts for Understanding and Ap-*
15 *plying Restoration’ (2015); or*

16 *“(II) the habitat guidelines for*
17 *mule deer published by the Mule Deer*
18 *Working Group of the Western Associa-*
19 *tion of Fish and Wildlife Agencies;*

20 *“(v) will not permanently impair—*

21 *“(I) the natural state of the treat-*
22 *ed area;*

23 *“(II) outstanding opportunities*
24 *for solitude;*

1 “(III) outstanding opportunities
2 for primitive, unconfined recreation;

3 “(IV) economic opportunities con-
4 sistent with multiple-use management;
5 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 greater
19 sage-grouse or mule deer habitat from wild-
20 fire or any other natural disturbance; or

21 “(IV) provides emergency stabilization
22 of soil resources after a natural disturbance;
23 and

24 “(vii) provides for the conduct of res-
25 toration treatments that—

1 “(I) maximize the retention of
2 old-growth and large trees, as appro-
3 priate for the forest type;

4 “(II) consider the best available
5 scientific information to maintain or
6 restore the ecological integrity, includ-
7 ing maintaining or restoring structure,
8 function, composition, and
9 connectivity;

10 “(III) are developed and imple-
11 mented through a collaborative process
12 that—

13 “(aa) includes multiple in-
14 terested persons representing di-
15 verse interests; and

16 “(bb)(AA) is transparent and
17 nonexclusive; or

18 “(BB) meets the require-
19 ments for a resource advisory
20 committee under subsections (e)
21 through (f) of section 205 of the
22 Secure Rural Schools and Com-
23 munity Self-Determination Act of
24 2000 (16 U.S.C. 7125); and

1 “(IV) may include the implemen-
2 tation of a proposal that complies with
3 the eligibility requirements of the Col-
4 laborative Forest Landscape Restora-
5 tion Program under section 4003(b) of
6 the Omnibus Public Land Management
7 Act of 2009 (16 U.S.C. 7303(b)).

8 “(B) DESCRIPTION OF ACTIVITIES.—An ac-
9 tivity referred to in subparagraph (A) is—

10 “(i) manual cutting and removal of ju-
11 niper trees, pinyon pine trees, other associ-
12 ated conifers, or other nonnative or invasive
13 vegetation;

14 “(ii) mechanical mastication, cutting,
15 or mowing, mechanical piling and burning,
16 chaining, broadcast burning, or yarding;

17 “(iii) removal of cheat grass, medusa
18 head rye, or other nonnative, invasive vege-
19 tation;

20 “(iv) collection and seeding or planting
21 of native vegetation using a manual, me-
22 chanical, or aerial method;

23 “(v) seeding of nonnative, noninvasive,
24 ruderal vegetation only for the purpose of
25 emergency stabilization;

1 “(vi) targeted use of an herbicide, sub-
2 ject to the condition that the use shall be in
3 accordance with applicable legal require-
4 ments, Federal agency procedures, and land
5 use plans;

6 “(vii) targeted livestock grazing to
7 mitigate hazardous fuels and control nox-
8 ious and invasive weeds;

9 “(viii) temporary removal of wild
10 horses or burros in the area in which the
11 activity is being carried out to ensure treat-
12 ment objectives are met;

13 “(ix) in coordination with the affected
14 permit holder, modification or adjustment
15 of permissible usage under an annual plan
16 of use of a grazing permit issued by the Sec-
17 retary concerned to achieve restoration
18 treatment objectives;

19 “(x) installation of new, or modifica-
20 tion of existing, fencing or water sources in-
21 tended to control use or improve wildlife
22 habitat; or

23 “(xi) necessary maintenance of, repairs
24 to, rehabilitation of, or reconstruction of an
25 existing permanent road or construction of

1 *temporary roads to accomplish the activities*
2 *described in this subparagraph.*

3 “(C) *EXCLUSIONS.*—*The term ‘covered vege-*
4 *tation management activity’ does not include—*

5 “(i) *any activity conducted in a wil-*
6 *derness area or wilderness study area;*

7 “(ii) *any activity for the construction*
8 *of a permanent road or permanent trail;*

9 “(iii) *any activity conducted on Fed-*
10 *eral land on which, by Act of Congress or*
11 *Presidential proclamation, the removal of*
12 *vegetation is restricted or prohibited;*

13 “(iv) *any activity conducted in an*
14 *area in which activities under subpara-*
15 *graph (B) would be inconsistent with the*
16 *applicable land and resource management*
17 *plan; or*

18 “(v) *any activity conducted in an*
19 *inventoried roadless area.*

20 “(2) *SECRETARY CONCERNED.*—*The term ‘Sec-*
21 *retary concerned’ means—*

22 “(A) *the Secretary of Agriculture, with re-*
23 *spect to National Forest System land; and*

24 “(B) *the Secretary of the Interior, with re-*
25 *spect to public land.*

1 “(3) *TEMPORARY ROAD*.—*The term ‘temporary*
2 *road’ means a road that is—*

3 “(A) *authorized—*

4 “(i) *by a contract, permit, lease, other*
5 *written authorization; or*

6 “(ii) *pursuant to an emergency oper-*
7 *ation;*

8 “(B) *not intended to be part of the perma-*
9 *nent transportation system of a Federal depart-*
10 *ment or agency;*

11 “(C) *not necessary for long-term resource*
12 *management;*

13 “(D) *designed in accordance with standards*
14 *appropriate for the intended use of the road, tak-*
15 *ing into consideration—*

16 “(i) *safety;*

17 “(ii) *the cost of transportation; and*

18 “(iii) *impacts to land and resources;*

19 *and*

20 “(E) *managed to minimize—*

21 “(i) *erosion; and*

22 “(ii) *the introduction or spread of*
23 *invasive species.*

24 “(b) *CATEGORICAL EXCLUSION*.—

1 “(1) *IN GENERAL.*—Not later than 1 year after
2 the date of enactment of this section, the Secretary
3 concerned shall develop a categorical exclusion (as de-
4 fined in section 1508.4 of title 40, Code of Federal
5 Regulations (or a successor regulation)) for covered
6 vegetation management activities carried out to pro-
7 tect, restore, or improve habitat for greater sage-
8 grouse or mule deer.

9 “(2) *ADMINISTRATION.*—In developing and ad-
10 ministering the categorical exclusion under para-
11 graph (1), the Secretary concerned shall—

12 “(A) comply with the National Environ-
13 mental Policy Act of 1969 (42 U.S.C. 4321 et
14 seq.);

15 “(B) with respect to National Forest System
16 land, apply the extraordinary circumstances
17 procedures under section 220.6 of title 36, Code
18 of Federal Regulations (or successor regulations),
19 in determining whether to use the categorical ex-
20 clusion;

21 “(C) with respect to public land, apply the
22 extraordinary circumstances procedures under
23 section 46.215 of title 43, Code of Federal Regu-
24 lations (or successor regulations), in determining
25 whether to use the categorical exclusion; and

1 “(D) consider—

2 “(i) the relative efficacy of landscape-
3 scale habitat projects;

4 “(ii) the likelihood of continued de-
5 clines in the populations of greater sage-
6 grouse and mule deer in the absence of
7 landscape-scale vegetation management; and

8 “(iii) the need for habitat restoration
9 activities after wildfire or other natural dis-
10 turbances.

11 “(c) *IMPLEMENTATION OF COVERED VEGETATIVE*
12 *MANAGEMENT ACTIVITIES WITHIN THE RANGE OF GREAT-*
13 *ER SAGE-GROUSE AND MULE DEER.*—If the categorical ex-
14 *clusion developed under subsection (b) is used to implement*
15 *a covered vegetative management activity in an area within*
16 *the range of both greater sage-grouse and mule deer, the cov-*
17 *ered vegetative management activity shall protect, restore,*
18 *or improve habitat concurrently for both greater sage-grouse*
19 *and mule deer.*

20 “(d) *LONG-TERM MONITORING AND MAINTENANCE.*—
21 *Before commencing any covered vegetation management ac-*
22 *tivity that is covered by the categorical exclusion under sub-*
23 *section (b), the Secretary concerned shall develop a long-*
24 *term monitoring and maintenance plan, covering at least*
25 *the 20-year period beginning on the date of commencement,*

1 *to ensure that management of the treated area does not de-*
2 *grade the habitat gains secured by the covered vegetation*
3 *management activity.*

4 “(e) *DISPOSAL OF VEGETATIVE MATERIAL.—Subject*
5 *to applicable local restrictions, any vegetative material re-*
6 *sulting from a covered vegetation management activity that*
7 *is covered by the categorical exclusion under subsection (b)*
8 *may be—*

9 “(1) *used for—*

10 “(A) *fuel wood; or*

11 “(B) *other products; or*

12 “(2) *piled or burned, or both.*

13 “(f) *TREATMENT FOR TEMPORARY ROADS.—*

14 “(1) *IN GENERAL.—Notwithstanding subsection*
15 *(a)(1)(B)(xi), any temporary road constructed in car-*
16 *rying out a covered vegetation management activity*
17 *that is covered by the categorical exclusion under sub-*
18 *section (b)—*

19 “(A) *shall be used by the Secretary con-*
20 *cerned for the covered vegetation management ac-*
21 *tivity for not more than 2 years; and*

22 “(B) *shall be decommissioned by the Sec-*
23 *retary concerned not later than 3 years after the*
24 *earlier of the date on which—*

1 “(i) the temporary road is no longer
2 needed; and

3 “(ii) the project is completed.

4 “(2) *REQUIREMENT.*—A treatment under para-
5 graph (1) shall include reestablishing native vegeta-
6 tive cover—

7 “(A) as soon as practicable; but

8 “(B) not later than 10 years after the date
9 of completion of the applicable covered vegetation
10 management activity.

11 “(g) *LIMITATIONS.*—

12 “(1) *PROJECT SIZE.*—A covered vegetation man-
13 agement activity that is covered by the categorical ex-
14 clusion under subsection (b) may not exceed 3,000
15 acres.

16 “(2) *LOCATION.*—A covered vegetation manage-
17 ment activity carried out on National Forest System
18 land that is covered by the categorical exclusion under
19 subsection (b) shall be limited to areas designated
20 under section 602(b), as of the date of enactment of
21 this section.”.

22 “(b) *CONFORMING AMENDMENTS.*—The table of contents
23 for the *Healthy Forests Restoration Act of 2003* (16 U.S.C.
24 6501 note; Public Law 108–148) is amended by adding at
25 the end of the items relating to title VI the following:

“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 habitat.”.

1 **PART II—MISCELLANEOUS FOREST**
 2 **MANAGEMENT ACTIVITIES**
 3 **SEC. 8621. ADDITIONAL AUTHORITY FOR SALE OR EX-**
 4 **CHANGE OF SMALL PARCELS OF NATIONAL**
 5 **FOREST SYSTEM LAND.**

6 (a) *INCREASE IN MAXIMUM VALUE OF SMALL PAR-*
 7 *CELS.—Section 3 of Public Law 97–465 (commonly known*
 8 *as the “Small Tract Act of 1983”) (16 U.S.C. 521e) is*
 9 *amended in the matter preceding paragraph (1) by striking*
 10 *“\$150,000” and inserting “\$500,000”.*

11 (b) *ADDITIONAL CONVEYANCE PURPOSES.—Section 3*
 12 *of Public Law 97–465 (16 U.S.C. 521e) (as amended by*
 13 *subsection (a)) is amended—*

14 (1) *in paragraph (2), by striking “; or” and in-*
 15 *serting a semicolon;*

16 (2) *in paragraph (3), by striking the period at*
 17 *the end and inserting a semicolon; and*

18 (3) *by adding at the end the following:*

19 *“(4) parcels of 40 acres or less that are deter-*
 20 *mined by the Secretary—*

21 *“(A) to be physically isolated from other*
 22 *Federal land;*

23 *“(B) to be inaccessible; or*

1 “(C) to have lost National Forest character;

2 “(5) parcels of 10 acres or less that are not eligi-
3 ble for conveyance under paragraph (2) but are en-
4 croached on by a permanent habitable improvement
5 for which there is no evidence that the encroachment
6 was intentional or negligent; or

7 “(6) parcels used as a cemetery (including a
8 parcel of not more than 1 acre adjacent to the parcel
9 used as a cemetery), a landfill, or a sewage treatment
10 plant under a special use authorization issued or oth-
11 erwise authorized by the Secretary.”.

12 (c) *DISPOSITION OF PROCEEDS.*—Section 2 of Public
13 Law 97–465 (16 U.S.C. 521d) is amended—

14 (1) in the matter preceding paragraph (1), by
15 striking “The Secretary is authorized” and inserting
16 the following:

17 “(a) *CONVEYANCE AUTHORITY; CONSIDERATION.*—The
18 Secretary is authorized”;

19 (2) in paragraph (2), in the second sentence, by
20 striking “The Secretary shall insert” and inserting
21 the following:

22 “(b) *INCLUSION OF TERMS, COVENANTS, CONDITIONS,*
23 *AND RESERVATIONS.*—

24 “(1) *IN GENERAL.*—The Secretary shall insert”;

25 (3) in subsection (b) (as so designated)—

1 (A) by striking “covenants” and inserting
2 “covenants”; and

3 (B) in the second sentence by striking “The
4 preceding sentence shall not” and inserting the
5 following:

6 “(2) *LIMITATION.*—Paragraph (1) shall not”;
7 and

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

9 “(c) *DISPOSITION OF PROCEEDS.*—

10 “(1) *DEPOSIT IN SISK FUND.*—The net proceeds
11 derived from any sale or exchange conducted under
12 paragraph (4), (5), or (6) of section 3 shall be depos-
13 ited in the fund established under Public Law 90–171
14 (commonly known as the ‘Sisk Act’) (16 U.S.C.
15 484a).

16 “(2) *USE.*—Amounts deposited under paragraph
17 (1) shall be available to the Secretary until expended
18 for—

19 “(A) the acquisition of land or interests in
20 land for administrative sites for the National
21 Forest System in the State from which the
22 amounts were derived;

23 “(B) the acquisition of land or interests in
24 land for inclusion in the National Forest System
25 in that State, including land or interests in land

1 *that enhance opportunities for recreational ac-*
 2 *cess; or*

3 “(C) *the reimbursement of the Secretary for*
 4 *costs incurred in preparing a sale conducted*
 5 *under the authority of section 3 if the sale is a*
 6 *competitive sale.”.*

7 **SEC. 8622. FOREST SERVICE PARTICIPATION IN ACES PRO-**
 8 **GRAM.**

9 *Section 8302 of the Agricultural Act of 2014 (16*
 10 *U.S.C. 3851a) is amended—*

11 (1) *by striking “The Secretary” and inserting*
 12 *the following:*

13 “(a) *IN GENERAL.—The Secretary*”; and

14 (2) *by adding at the end the following:*

15 “(b) *TERMINATION OF EFFECTIVENESS.—The author-*
 16 *ity provided to the Secretary to carry out this section termi-*
 17 *nates effective October 1, 2023.”.*

18 **SEC. 8623. AUTHORIZATION FOR LEASE OF FOREST SERV-**
 19 **ICE SITES.**

20 (a) *DEFINITIONS.—In this section:*

21 (1) *ADMINISTRATIVE SITE.—*

22 (A) *IN GENERAL.—The term “administra-*
 23 *tive site” means—*

24 (i) *any facility or improvement, in-*
 25 *cluding curtilage, that was acquired or is*

1 *used specifically for purposes of administra-*
2 *tion of the National Forest System;*

3 *(ii) any Federal land that—*

4 *(I) is associated with a facility or*
5 *improvement described in clause (i)*
6 *that was acquired or is used specifi-*
7 *cally for purposes of administration of*
8 *Forest Service activities; and*

9 *(II) underlies or abuts the facility*
10 *or improvement; and*

11 *(iii) for each fiscal year, not more than*
12 *10 isolated, undeveloped parcels of not more*
13 *than 40 acres each.*

14 *(B) EXCLUSIONS.—The term “administra-*
15 *tive site” does not include—*

16 *(i) any land within a unit of the Na-*
17 *tional Forest System that is exclusively des-*
18 *ignated for natural area or recreational*
19 *purposes;*

20 *(ii) any land within—*

21 *(I) a component of the National*
22 *Wilderness Preservation System;*

23 *(II) a component of the National*
24 *Wild and Scenic Rivers System; or*

25 *(III) a National Monument; or*

1 (iii) any Federal land that the Sec-
2 retary determines—

3 (I) is needed for resource manage-
4 ment purposes or to provide access to
5 other land or water; or

6 (II) would be in the public inter-
7 est not to lease.

8 (2) *FACILITY OR IMPROVEMENT.*—The term “fa-
9 cility or improvement” includes—

10 (A) a forest headquarters;

11 (B) a ranger station;

12 (C) a research station or laboratory;

13 (D) a dwelling;

14 (E) a warehouse;

15 (F) a scaling station;

16 (G) a fire-retardant mixing station;

17 (H) a fire-lookout station;

18 (I) a guard station;

19 (J) a storage facility;

20 (K) a telecommunication facility; and

21 (L) any other administrative installation
22 for conducting Forest Service activities.

23 (3) *MARKET ANALYSIS.*—The term “market anal-
24 ysis” means the identification and study of the mar-
25 ket for a particular economic good or service.

1 **(b) AUTHORIZATION.**—*The Secretary may lease an ad-*
 2 *ministrative site that is under the jurisdiction of the Sec-*
 3 *retary in accordance with this section.*

4 **(c) IDENTIFICATION OF ELIGIBLE SITES.**—*A regional*
 5 *forester, in consultation with forest supervisors in the re-*
 6 *gion, may submit to the Secretary a recommendation for*
 7 *administrative sites in the region that the regional forester*
 8 *considers eligible for leasing under this section.*

9 **(d) CONSULTATION WITH LOCAL GOVERNMENT AND**
 10 **PUBLIC NOTICE.**—*Before making an administrative site*
 11 *available for lease under this section, the Secretary shall—*

12 **(1)** *consult with government officials of the com-*
 13 *munity and of the State in which the administrative*
 14 *site is located; and*

15 **(2)** *provide public notice of the proposed lease.*

16 **(e) LEASE REQUIREMENTS.**—

17 **(1) SIZE.**—*An administrative site or compound*
 18 *of administrative sites under a single lease under this*
 19 *section may not exceed 40 acres.*

20 **(2) CONFIGURATION OF ADMINISTRATIVE**
 21 **SITES.**—

22 **(A) IN GENERAL.**—*To facilitate the lease of*
 23 *an administrative site under this section, the*
 24 *Secretary may configure the administrative*
 25 *site—*

1 (i) to maximize the marketability of
2 the administrative site; and

3 (ii) to achieve management objectives.

4 (B) *SEPARATE TREATMENT OF FACILITY OR*
5 *IMPROVEMENT.*—A facility or improvement on
6 an administrative site to be leased under this
7 section may be severed from the land and leased
8 under a separate lease under this section.

9 (3) *CONSIDERATION.*—

10 (A) *IN GENERAL.*—A person to which a
11 lease of an administrative site is made under
12 this section shall provide to the Secretary consid-
13 eration described in subparagraph (B) in an
14 amount that is not less than the market value of
15 the administrative site, as determined in accord-
16 ance with subparagraph (C).

17 (B) *FORM OF CONSIDERATION.*—The consid-
18 eration referred to in subparagraph (A) may
19 be—

20 (i) cash;

21 (ii) in-kind, including—

22 (I) the construction of new facili-
23 ties or improvements, the title to which
24 shall be transferred by the lessee to the
25 Secretary;

1 (II) *the maintenance, repair, im-*
2 *provement, or restoration of existing*
3 *facilities or improvements; and*

4 (III) *other services relating to ac-*
5 *tivities that occur on the administra-*
6 *tive site, as determined by the Sec-*
7 *retary; or*

8 (iii) *any combination of the consider-*
9 *ation described in clauses (i) and (ii).*

10 (C) *DETERMINATION OF MARKET VALUE.—*

11 (i) *IN GENERAL.—The Secretary shall*
12 *determine the market value of an adminis-*
13 *trative site to be leased under this section—*

14 (I) *by conducting an appraisal in*
15 *accordance with—*

16 (aa) *the Uniform Appraisal*
17 *Standards for Federal Land Ac-*
18 *quisitions established in accord-*
19 *ance with the Uniform Relocation*
20 *Assistance and Real Property Ac-*
21 *quisition Policies Act of 1970 (42*
22 *U.S.C. 4601 et seq.); and*

23 (bb) *the Uniform Standards*
24 *of Professional Appraisal Prac-*
25 *tice; or*

1 (II) by competitive lease.

2 (ii) *IN-KIND CONSIDERATION.*—The
3 Secretary shall determine the market value
4 of any in-kind consideration under sub-
5 paragraph (B)(ii).

6 (4) *CONDITIONS.*—The lease of an administrative
7 site under this section shall be subject to such condi-
8 tions, including bonding, as the Secretary determines
9 to be appropriate.

10 (5) *RIGHT OF FIRST REFUSAL.*—Subject to terms
11 and conditions that the Secretary determines to be
12 necessary, the Secretary shall offer to lease an admin-
13 istrative site to the municipality or county in which
14 the administrative site is located before seeking to
15 lease the administrative site to any other person.

16 (f) *RELATION TO OTHER LAWS.*—

17 (1) *FEDERAL PROPERTY DISPOSAL.*—Chapter 5
18 of title 40, United States Code, shall not apply to the
19 lease of an administrative site under this section.

20 (2) *LEAD-BASED PAINT AND ASBESTOS ABATE-*
21 *MENT.*—

22 (A) *IN GENERAL.*—Notwithstanding any
23 provision of law relating to the mitigation or
24 abatement of lead-based paint or asbestos-con-
25 taining building materials, the Secretary shall

1 *not be required to mitigate or abate lead-based*
2 *paint or asbestos-containing building materials*
3 *with respect to an administrative site to be*
4 *leased under this section.*

5 *(B) PROCEDURES.—With respect to an ad-*
6 *ministrative site to be leased under this section*
7 *that has lead-based paint or asbestos-containing*
8 *building materials, the Secretary shall—*

9 *(i) provide notice to the person to*
10 *which the administrative site will be leased*
11 *of the presence of the lead-based paint or as-*
12 *bestos-containing building material; and*

13 *(ii) obtain written assurance from that*
14 *person that the person will comply with ap-*
15 *plicable Federal, State, and local laws relat-*
16 *ing to the management of lead-based paint*
17 *and asbestos-containing building materials.*

18 *(3) ENVIRONMENTAL REVIEW.—The National*
19 *Environmental Policy Act of 1969 (42 U.S.C. 4321 et*
20 *seq.) shall apply to the lease of an administrative site*
21 *under this section, except that, in any environmental*
22 *review or analysis required under that Act for the*
23 *lease of an administrative site under this section, the*
24 *Secretary shall be required only—*

1 (A) to analyze the most reasonably foresee-
2 able use of the administrative site, as determined
3 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 leasing
7 the administrative site in accordance with the
8 National Environmental Policy Act of 1969 (42
9 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 for
14 any construction activities that occur on the adminis-
15 trative site.

16 (g) USE OF CONSIDERATION.—Cash consideration for
17 a lease of an administrative site under this section shall
18 be available to the Secretary, until expended and without
19 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 brokerage
4 services obtained in connection with the lease, subject
5 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 part
13 of the annual budget justification documents provided
14 to the Committee on Appropriations of the House of
15 Representatives and the Committee on Appropriations
16 of the Senate, the Secretary shall include—

17 (A) a list of the anticipated leases to be
18 made, including the anticipated revenue that
19 may be obtained, under this section;

20 (B) a description of the intended use of any
21 revenue obtained under a lease under this sec-
22 tion, including a list of any projects that cost
23 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 the
13 Committee on Agriculture, the Committee on Appro-
14 priations, and the Committee on Natural Resources of
15 the House of Representatives and the Committee on
16 Agriculture, Nutrition, and Forestry, the Committee
17 on Appropriations, and the Committee on Energy
18 and Natural Resources of the Senate a report describ-
19 ing each lease made by the Secretary under this sec-
20 tion during the period covered by the report.

21 (i) *EXPIRATION OF AUTHORITY.*—

22 (1) *IN GENERAL.*—The authority of the Secretary
23 to make a lease of an administrative site under this
24 section expires on October 1, 2023.

1 (2) *EFFECT ON LEASE AGREEMENT.*—Paragraph
2 (1) shall not affect the authority of the Secretary to
3 carry out this section in the case of any lease agree-
4 ment that was entered into by the Secretary before
5 October 1, 2023.

6 **SEC. 8624. GOOD NEIGHBOR AUTHORITY.**

7 (a) *INCLUSION OF INDIAN TRIBES.*—Section 8206(a)
8 of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is
9 amended—

10 (1) in paragraph (1)(A), by striking “land and
11 non-Federal land” and inserting “land, non-Federal
12 land, and land owned by an Indian tribe”;

13 (2) in paragraph (5), by inserting “or Indian
14 tribe” after “affected State”;

15 (3) by redesignating paragraphs (6) and (7) as
16 paragraphs (7) and (8), respectively; and

17 (4) by inserting after paragraph (5) (as so redesi-
18 gnated) the following:

19 “(6) *INDIAN TRIBE.*—The term ‘Indian tribe’ has
20 the meaning given the term in section 4 of the Indian
21 Self-Determination and Education Assistance Act (25
22 U.S.C. 5304).”.

23 (b) *INCLUSION OF COUNTIES.*—Section 8206 of the Ag-
24 ricultural Act of 2014 (16 U.S.C. 2113a) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (1)(B), by inserting “or
2 county, as applicable,” after “Governor”;

3 (B) by redesignating paragraphs (2)
4 through (9) (as amended by subsection (a)) as
5 paragraphs (3) through (10), respectively;

6 (C) by inserting after paragraph (1) the fol-
7 lowing:

8 “(2) COUNTY.—The term ‘county’ means—

9 “(A) the appropriate executive official of an
10 affected county; or

11 “(B) in any case in which multiple counties
12 are affected, the appropriate executive official of
13 a compact of the affected counties.”; and

14 (D) in paragraph (5) (as so redesignated),
15 by inserting “or county, as applicable,” after
16 “Governor”; and
17 (2) in subsection (b)—

18 (A) in paragraph (1)(A), by inserting “or
19 county” after “Governor”;

20 (B) in paragraph (2)(A), by striking “coop-
21 erative agreement or contract entered into under
22 subsection (a)” and inserting “good neighbor
23 agreement”;

24 (C) in paragraph (3), by inserting “or
25 county” after “Governor”; and

1 *best by the Forest Service to purchase land for Na-*
2 *tional Forest purposes in the State of Georgia.*

3 *(b) LAND CONVEYANCE AUTHORITY.—*

4 *(1) IN GENERAL.—Under such terms and condi-*
5 *tions as the Secretary may prescribe, the Secretary*
6 *may sell or exchange any or all rights, title, and in-*
7 *terest of the United States in and to the National*
8 *Forest System land described in paragraph (2)(A).*

9 *(2) LAND AUTHORIZED FOR DISPOSAL.—*

10 *(A) IN GENERAL.—The National Forest*
11 *System land referred to in paragraph (1) is the*
12 *30 tracts of land totaling approximately 3,841*
13 *acres that are generally depicted on the 2 maps*
14 *entitled “Priority Land Adjustments, State of*
15 *Georgia, U.S. Forest Service—Southern Region,*
16 *Oconee and Chattahoochee National Forests, U.S.*
17 *Congressional Districts—8, 9, 10 & 14” and*
18 *dated September 24, 2013.*

19 *(B) MAPS.—The maps described in sub-*
20 *paragraph (A) shall be on file and available for*
21 *public inspection in the Office of the Forest Su-*
22 *pervisor, Chattahoochee-Oconee National Forest,*
23 *until such time as the land is sold or exchanged.*

24 *(C) MODIFICATION OF BOUNDARIES.—The*
25 *Secretary may modify the boundaries of the Na-*

1 *tional Forest System land described in subpara-*
2 *graph (A) based on land management consider-*
3 *ations.*

4 (3) *FORM OF CONVEYANCE.—*

5 (A) *QUITCLAIM DEED.—The Secretary shall*
6 *convey National Forest System land sold or ex-*
7 *changed under paragraph (1) by quitclaim deed.*

8 (B) *RESERVATIONS.—The Secretary may*
9 *reserve any rights-of-way or other rights or in-*
10 *terests in National Forest System land sold or*
11 *exchanged under paragraph (1) that the Sec-*
12 *retary considers necessary for management pur-*
13 *poses or to protect the public interest.*

14 (4) *VALUATION.—*

15 (A) *MARKET VALUE.—The Secretary may*
16 *not sell or exchange National Forest System land*
17 *under paragraph (1) for less than market value,*
18 *as determined by appraisal or through competi-*
19 *tive bid.*

20 (B) *APPRAISAL REQUIREMENTS.—Any ap-*
21 *praisal under subparagraph (A) shall be—*

22 (i) *consistent with the Uniform Ap-*
23 *praisal Standards for Federal Land Acqui-*
24 *sitions or the Uniform Standards of Profes-*
25 *sional Appraisal Practice; and*

1 (ii) subject to the approval of the Sec-
2 retary.

3 (5) *CONSIDERATION.*—

4 (A) *CASH.*—Consideration for a sale of Na-
5 tional Forest System land or equalization of an
6 exchange under paragraph (1) shall be paid in
7 cash.

8 (B) *EXCHANGE.*—Notwithstanding section
9 206(b) of the Federal Land Policy and Manage-
10 ment Act of 1976 (43 U.S.C. 1716(b)), the Sec-
11 retary may accept a cash equalization payment
12 in excess of 25 percent of the value of any Na-
13 tional Forest System land exchanged under
14 paragraph (1).

15 (6) *METHOD OF SALE.*—

16 (A) *OPTIONS.*—The Secretary may sell Na-
17 tional Forest System land under paragraph (1)
18 at public or private sale, including competitive
19 sale by auction, bid, or otherwise, in accordance
20 with such terms, conditions, and procedures as
21 the Secretary determines are in the best interest
22 of the United States.

23 (B) *SOLICITATIONS.*—The Secretary may—

1 (i) *make public or private solicitations*
2 *for the sale or exchange of National Forest*
3 *System land under paragraph (1); and*

4 (ii) *reject any offer that the Secretary*
5 *determines is not adequate or not in the*
6 *public interest.*

7 (7) *BROKERS.—The Secretary may—*

8 (A) *use brokers or other third parties in the*
9 *sale or exchange of National Forest System land*
10 *under paragraph (1); and*

11 (B) *from the proceeds of a sale, pay reason-*
12 *able commissions or fees.*

13 (c) *TREATMENT OF PROCEEDS.—*

14 (1) *DEPOSIT.—Subject to subsection (b)(7)(B),*
15 *the Secretary shall deposit the proceeds of a sale or*
16 *a cash equalization payment received from the sale or*
17 *exchange of National Forest System land under sub-*
18 *section (b)(1) in the fund established under Public*
19 *Law 90–171 (commonly known as the “Sisk Act”)*
20 *(16 U.S.C. 484a).*

21 (2) *AVAILABILITY.—Subject to paragraph (3),*
22 *amounts deposited under paragraph (1) shall be*
23 *available to the Secretary until expended, without*
24 *further appropriation, for the acquisition of land for*
25 *National Forest purposes in the State of Georgia.*

1 (3) *PRIVATE PROPERTY PROTECTION.*—*Nothing*
2 *in this section authorizes the use of funds deposited*
3 *under paragraph (1) to be used to acquire land with-*
4 *out the written consent of the owner of the land.*

5 **SEC. 8627. TENNESSEE WILDERNESS.**

6 (a) *DEFINITIONS.*—*In this section:*

7 (1) *MAP.*—*The term “Map” means the map enti-*
8 *tled “Proposed Wilderness Areas and Additions-Cher-*
9 *okee National Forest” and dated January 20, 2010.*

10 (2) *STATE.*—*The term “State” means the State*
11 *of Tennessee.*

12 (b) *ADDITIONS TO CHEROKEE NATIONAL FOREST.*—

13 (1) *DESIGNATION OF WILDERNESS.*—*In accord-*
14 *ance with the Wilderness Act (16 U.S.C. 1131 et seq.),*
15 *the following parcels of Federal land in the Cherokee*
16 *National Forest in the State are designated as wilder-*
17 *ness and as additions to the National Wilderness*
18 *Preservation System:*

19 (A) *Certain land comprising approximately*
20 *9,038 acres, as generally depicted as the “Upper*
21 *Bald River Wilderness” on the Map and which*
22 *shall be known as the “Upper Bald River Wil-*
23 *derness”.*

24 (B) *Certain land comprising approximately*
25 *348 acres, as generally depicted as the “Big Frog*

1 *Addition” on the Map and which shall be incor-*
2 *porated in, and shall be considered to be a part*
3 *of, the Big Frog Wilderness.*

4 *(C) Certain land comprising approximately*
5 *630 acres, as generally depicted as the “Little*
6 *Frog Mountain Addition NW” on the Map and*
7 *which shall be incorporated in, and shall be con-*
8 *sidered to be a part of, the Little Frog Mountain*
9 *Wilderness.*

10 *(D) Certain land comprising approximately*
11 *336 acres, as generally depicted as the “Little*
12 *Frog Mountain Addition NE” on the Map and*
13 *which shall be incorporated in, and shall be con-*
14 *sidered to be a part of, the Little Frog Mountain*
15 *Wilderness.*

16 *(E) Certain land comprising approximately*
17 *2,922 acres, as generally depicted as the “Samp-*
18 *son Mountain Addition” on the Map and which*
19 *shall be incorporated in, and shall be considered*
20 *to be a part of, the Sampson Mountain Wilder-*
21 *ness.*

22 *(F) Certain land comprising approximately*
23 *4,446 acres, as generally depicted as the “Big*
24 *Laurel Branch Addition” on the Map and which*
25 *shall be incorporated in, and shall be considered*

1 to be a part of, the Big Laurel Branch Wilder-
2 ness.

3 (G) Certain land comprising approximately
4 1,836 acres, as generally depicted as the “Joyce
5 Kilmer-Slickrock Addition” on the Map and
6 which shall be incorporated in, and shall be con-
7 sidered to be a part of, the Joyce Kilmer-
8 Slickrock Wilderness.

9 (2) MAPS AND LEGAL DESCRIPTIONS.—

10 (A) IN GENERAL.—As soon as practicable
11 after the date of enactment of this Act, the Sec-
12 retary shall file maps and legal descriptions of
13 the wilderness areas designated by paragraph (1)
14 with the appropriate committees of Congress.

15 (B) PUBLIC AVAILABILITY.—The maps and
16 legal descriptions filed under subparagraph (A)
17 shall be on file and available for public inspec-
18 tion in the office of the Chief of the Forest Serv-
19 ice and the office of the Supervisor of the Cher-
20 okee National Forest.

21 (C) FORCE OF LAW.—The maps and legal
22 descriptions filed under subparagraph (A) shall
23 have the same force and effect as if included in
24 this Act, except that the Secretary may correct

1 *typographical errors in the maps and descrip-*
2 *tions.*

3 (3) *ADMINISTRATION.*—

4 (A) *IN GENERAL.*—*Subject to valid existing*
5 *rights, the Federal land designated as wilderness*
6 *by paragraph (1) shall be administered by the*
7 *Secretary in accordance with the Wilderness Act*
8 *(16 U.S.C. 1131 et seq.), except that any ref-*
9 *erence in that Act to the effective date of that Act*
10 *shall be deemed to be a reference to the date of*
11 *enactment of this Act.*

12 (B) *FISH AND WILDLIFE MANAGEMENT.*—*In*
13 *accordance with section 4(d)(7) of the Wilderness*
14 *Act (16 U.S.C. 1133(d)(7)), nothing in this sec-*
15 *tion affects the jurisdiction of the State with re-*
16 *spect to fish and wildlife management, including*
17 *the regulation of hunting, fishing, and trapping,*
18 *in the wilderness areas designated by paragraph*
19 (1).

20 **SEC. 8628. ADDITIONS TO ROUGH MOUNTAIN AND RICH**
21 **HOLE WILDERNESSES.**

22 (a) *ROUGH MOUNTAIN ADDITION.*—*Section 1 of Public*
23 *Law 100–326 (16 U.S.C. 1132 note; 102 Stat. 584; 114*
24 *Stat. 2057; 123 Stat. 1002) is amended by adding at the*
25 *end the following:*

1 “(21) *ROUGH MOUNTAIN ADDITION.*—*Certain*
2 *land in the George Washington National Forest com-*
3 *prising approximately 1,000 acres, as generally de-*
4 *scribed as the ‘Rough Mountain Addition’ on the map*
5 *entitled ‘GEORGE WASHINGTON NATIONAL*
6 *FOREST – South half – Alternative I – Selected Al-*
7 *ternative Management Prescriptions – Land and Re-*
8 *sources Management Plan Final Environmental Im-*
9 *port Statement’ and dated March 4, 2014, which is*
10 *incorporated in the Rough Mountain Wilderness Area*
11 *designated by paragraph (1).”.*

12 **(b) *RICH HOLE ADDITION.***—

13 **(1) *POTENTIAL WILDERNESS DESIGNATION.***—*In*
14 *furtherance of the purposes of the Wilderness Act (16*
15 *U.S.C. 1131 et seq.), certain land in the George*
16 *Washington National Forest comprising approxi-*
17 *mately 4,600 acres, as generally depicted as the “Rich*
18 *Hole Addition” on the map entitled “GEORGE*
19 *WASHINGTON NATIONAL FOREST – South half*
20 *– Alternative I – Selected Alternative Management*
21 *Prescriptions – Land and Resources Management*
22 *Plan Final Environmental Impact Statement” and*
23 *dated March 4, 2014, is designated as a potential wil-*
24 *derness area for incorporation in the Rich Hole Wil-*
25 *derness Area designated by section 1(2) of Public Law*

1 100–326 (16 U.S.C. 1132 note; 102 Stat. 584; 114
2 Stat. 2057; 123 Stat. 1002).

3 (2) *WILDERNESS DESIGNATION.*—*The potential*
4 *wilderness area designated by paragraph (1) shall be*
5 *designated as wilderness and incorporated in the Rich*
6 *Hole Wilderness Area designated by section 1(2) of*
7 *Public Law 100–326 (16 U.S.C. 1132 note; 102 Stat.*
8 *584; 114 Stat. 2057; 123 Stat. 1002) on the earlier*
9 *of—*

10 (A) *the date on which the Secretary pub-*
11 *lishes in the Federal Register notice that the ac-*
12 *tivities permitted under paragraph (4) have been*
13 *completed; or*

14 (B) *the date that is 5 years after the date*
15 *of enactment of this Act.*

16 (3) *MANAGEMENT.*—*Except as provided in para-*
17 *graph (4), the Secretary shall manage the potential*
18 *wilderness area designated by paragraph (1) in ac-*
19 *cordance with the Wilderness Act (16 U.S.C. 1131 et*
20 *seq.).*

21 (4) *WATER QUALITY IMPROVEMENT ACTIVI-*
22 *TIES.*—

23 (A) *IN GENERAL.*—*To enhance natural eco-*
24 *systems within the potential wilderness area des-*
25 *ignated by paragraph (1) by implementing cer-*

1 *tain activities to improve water quality and*
2 *aquatic passage, as set forth in the Forest Serv-*
3 *ice document entitled “Decision Notice for the*
4 *Lower Cowpasture Restoration and Management*
5 *Project” and dated December 2015, the Secretary*
6 *may use motorized equipment and mechanized*
7 *transport in the potential wilderness area until*
8 *the date on which the potential wilderness area*
9 *is incorporated into the Rich Hole Wilderness*
10 *Area under paragraph (2).*

11 *(B) REQUIREMENT.—In carrying out sub-*
12 *paragraph (A), the Secretary, to the maximum*
13 *extent practicable, shall use the minimum tool or*
14 *administrative practice necessary to carry out*
15 *that subparagraph with the least amount of ad-*
16 *verse impact on wilderness character and re-*
17 *sources.*

18 **SEC. 8629. KISATCHIE NATIONAL FOREST LAND CONVEY-**
19 **ANCE.**

20 *(a) FINDING.—Congress finds that it is in the public*
21 *interest to authorize the conveyance of certain Federal land*
22 *in the Kisatchie National Forest in the State of Louisiana*
23 *for market value consideration.*

24 *(b) DEFINITIONS.—In this section:*

1 (1) *COLLINS CAMP PROPERTIES.*—*The term*
2 *“Collins Camp Properties” means Collins Camp*
3 *Properties, Inc., a corporation incorporated under the*
4 *laws of the State.*

5 (2) *STATE.*—*The term “State” means the State*
6 *of Louisiana.*

7 (c) *AUTHORIZATION OF CONVEYANCES, KISATCHIE*
8 *NATIONAL FOREST, LOUISIANA.*—

9 (1) *AUTHORIZATION.*—

10 (A) *IN GENERAL.*—*Subject to valid existing*
11 *rights and paragraph (2), the Secretary may*
12 *convey the Federal land described in subpara-*
13 *graph (B) by quitclaim deed at public or private*
14 *sale, including competitive sale by auction, bid,*
15 *or other methods.*

16 (B) *DESCRIPTION OF LAND.*—*The Federal*
17 *land referred to in subparagraph (A) consists*
18 *of—*

19 (i) *all Federal land within sec. 9, T.*
20 *10 N., R. 5 W., Winn Parish, Louisiana;*
21 *and*

22 (ii) *a 2.16-acre parcel of Federal land*
23 *located in the SW¹/₄ of sec. 4, T. 10 N., R.*
24 *5 W., Winn Parish, Louisiana, as depicted*

1 *on a certificate of survey dated March 7,*
2 *2007, by Glen L. Cannon, P.L.S. 4436.*

3 (2) *FIRST RIGHT OF PURCHASE.*—*Subject to*
4 *valid existing rights and subsection (e), during the 1-*
5 *year period beginning on the date of enactment of this*
6 *Act, on the provision of consideration by the Collins*
7 *Camp Properties to the Secretary, the Secretary shall*
8 *convey, by quitclaim deed, to Collins Camp Properties*
9 *all right, title, and interest of the United States in*
10 *and to—*

11 (A) *the not more than 47.92 acres of Fed-*
12 *eral land comprising the Collins Campsites with-*
13 *in sec. 9, T. 10 N., R. 5 W., in Winn Parish,*
14 *Louisiana, as generally depicted on a certificate*
15 *of survey dated February 28, 2007, by Glen L.*
16 *Cannon, P.L.S. 4436; and*

17 (B) *the parcel of Federal land described in*
18 *paragraph (1)(B)(ii).*

19 (3) *TERMS AND CONDITIONS.*—*The Secretary*
20 *may—*

21 (A) *configure the Federal land to be con-*
22 *veyed under this section—*

23 (i) *to maximize the marketability of*
24 *the conveyance; or*

1 (ii) to achieve management objectives;

2 and

3 (B) establish any terms and conditions for
4 the conveyances under this section that the Sec-
5 retary determines to be in the public interest.

6 (4) *CONSIDERATION.*—Consideration for a con-
7 veyance of Federal land under this section shall be—

8 (A) in the form of cash; and

9 (B) in an amount equal to the market value
10 of the Federal land being conveyed, as deter-
11 mined under paragraph (5).

12 (5) *MARKET VALUE.*—The market value of the
13 Federal land conveyed under this section shall be de-
14 termined—

15 (A) in the case of Federal land conveyed
16 under paragraph (2), by an appraisal that is—

17 (i) conducted in accordance with the
18 Uniform Appraisal Standards for Federal
19 Land Acquisitions; and

20 (ii) approved by the Secretary; or

21 (B) if conveyed by a method other than the
22 methods described in paragraph (2), by competi-
23 tive sale.

24 (6) *HAZARDOUS SUBSTANCES.*—

1 (A) *IN GENERAL.*—*In any conveyance of*
2 *Federal land under this section, the Secretary*
3 *shall meet disclosure requirements for hazardous*
4 *substances, but shall otherwise not be required to*
5 *remediate or abate the substances.*

6 (B) *EFFECT.*—*Except as provided in sub-*
7 *paragraph (A), nothing in this subsection affects*
8 *the application of the Comprehensive Environ-*
9 *mental Response, Compensation, and Liability*
10 *Act of 1980 (42 U.S.C. 9601 et seq.) to the con-*
11 *veyances of Federal land.*

12 (d) *PROCEEDS FROM THE SALE OF LAND.*—*The Sec-*
13 *retary shall deposit the proceeds of a conveyance of Federal*
14 *land under subsection (c) in the fund established under*
15 *Public Law 90–171 (commonly known as the “Sisk Act”)*
16 *(16 U.S.C. 484a).*

17 (e) *ADMINISTRATION.*—

18 (1) *COSTS.*—*As a condition of a conveyance of*
19 *Federal land to Collins Camp Properties under sub-*
20 *section (c), the Secretary shall require Collins Camp*
21 *Properties to pay at closing—*

22 (A) *reasonable appraisal costs; and*

23 (B) *the cost of any administrative and en-*
24 *vironmental analyses required by law (including*
25 *regulations).*

1 (2) *PERMITS.*—

2 (A) *IN GENERAL.*—*An offer by Collins*
3 *Camp Properties for the acquisition of the Fed-*
4 *eral land under subsection (c) shall be accom-*
5 *panied by a written statement from each holder*
6 *of a Forest Service special use authorization*
7 *with respect to the Federal land that specifies*
8 *that the holder agrees to relinquish the special*
9 *use authorization on the conveyance of the Fed-*
10 *eral land to Collins Camp Properties.*

11 (B) *SPECIAL USE AUTHORIZATIONS.*—*If*
12 *any holder of a special use authorization de-*
13 *scribed in subparagraph (A) fails to provide a*
14 *written authorization in accordance with that*
15 *subparagraph, the Secretary shall require, as a*
16 *condition of the conveyance, that Collins Camp*
17 *Properties administer the special use authoriza-*
18 *tion according to the terms of the special use au-*
19 *thorization until the date on which the special*
20 *use authorization expires.*

21 **SEC. 8630. PURCHASE OF NATURAL RESOURCES CONSERVA-**
22 **TION SERVICE PROPERTY, RIVERSIDE COUN-**
23 **TY, CALIFORNIA.**

24 (a) *FINDINGS.*—*Congress finds as follows:*

1 (1) *Since 1935, the United States has owned a*
2 *parcel of land in Riverside, California, consisting of*
3 *approximately 8.75 acres, more specifically described*
4 *in subsection (b)(1) (in this section referred to as the*
5 *“property”).*

6 (2) *The property is under the jurisdiction of the*
7 *Department of Agriculture and has been variously*
8 *used for research and plant materials purposes.*

9 (3) *Since 1998, the property has been adminis-*
10 *tered by the Natural Resources Conservation Service*
11 *of the Department of Agriculture.*

12 (4) *Since 2002, the property has been co-man-*
13 *aged under a cooperative agreement between the Nat-*
14 *ural Resources Conservation Service and the River-*
15 *side Corona Resource Conservation District, which is*
16 *a legal subdivision of the State of California under*
17 *section 9003 of the California Public Resources Code.*

18 (5) *The Conservation District wishes to purchase*
19 *the property and use it for conservation, environ-*
20 *mental, and related educational purposes.*

21 (6) *As provided in subsection (b), the purchase*
22 *of the property by the Conservation District would*
23 *promote the conservation education and related ac-*
24 *tivities of the Conservation District and result in sav-*
25 *ings to the Federal Government.*

1 (b) *LAND PURCHASE, NATURAL RESOURCES CON-*
2 *SERVATION SERVICE PROPERTY, RIVERSIDE COUNTY, CALI-*
3 *FORNIA.*—

4 (1) *PURCHASE AUTHORIZED.*—*The Secretary*
5 *shall sell and quitclaim to the Riverside Corona Re-*
6 *source Conservation District (in this section referred*
7 *to as the “Conservation District”) all right, title, and*
8 *interest of the United States in and to a parcel of real*
9 *property, including improvements thereon, that is lo-*
10 *cated at 4500 Glenwood Drive in Riverside, Cali-*
11 *fornia, consists of approximately 8.75 acres, and is*
12 *administered by the Natural Resources Conservation*
13 *Service of the Department of Agriculture. As nec-*
14 *essary or desirable to facilitate the purchase of the*
15 *property under this subsection, the Secretary or the*
16 *Conservation District may survey all or portions of*
17 *the property.*

18 (2) *CONSIDERATION.*—*As consideration for the*
19 *purchase of the property under this subsection, the*
20 *Conservation District shall pay to the Secretary an*
21 *amount equal to the appraised value of the property.*

22 (3) *PROHIBITION ON RESERVATION OF INTER-*
23 *EST.*—*The Secretary shall not reserve any future in-*
24 *terest in the property to be conveyed under this sub-*

1 *section, except such interest as may be acceptable to*
2 *the Conservation District.*

3 (4) *HAZARDOUS SUBSTANCES.—Notwithstanding*
4 *section 120(h) of the Comprehensive Environmental*
5 *Response, Compensation, and Liability Act of 1980*
6 *(42 U.S.C. 9620(h)) or the Solid Waste Disposal Act*
7 *(42 U.S.C. 6901 et seq.), in the case of the property*
8 *purchased by the Conservation District under this*
9 *subsection, the Secretary shall be only required to*
10 *meet the disclosure requirements for hazardous sub-*
11 *stances, pollutants, or contaminants, but shall other-*
12 *wise not be required to remediate or abate any such*
13 *releases of hazardous substances, pollutants, or con-*
14 *taminants, including petroleum and petroleum de-*
15 *rivatives.*

16 (5) *COOPERATIVE AUTHORITY.—*

17 (A) *LEASES, CONTRACTS, AND COOPERATIVE*
18 *AGREEMENTS AUTHORIZED.—In conjunction*
19 *with, or in addition to, the purchase of the prop-*
20 *erty by the Conservation District under this sub-*
21 *section, the Secretary may enter into leases, con-*
22 *tracts and cooperative agreements with the Con-*
23 *servation District.*

24 (B) *SOLE SOURCE.—Notwithstanding sec-*
25 *tions 3105, 3301, and 3303 to 3305 of title 41,*

1 *United States Code, or any other provision of*
2 *law, the Secretary may lease real property from*
3 *the Conservation District on a noncompetitive*
4 *basis.*

5 (C) *NON-EXCLUSIVE AUTHORITY.—The au-*
6 *thority provided by this subsection is in addition*
7 *to any other authority of the Secretary.*

8 **SEC. 8631. COLLABORATIVE FOREST LANDSCAPE RESTORA-**
9 **TION PROGRAM.**

10 (a) *REAUTHORIZATION.—Section 4003(f)(6) of the*
11 *Omnibus Public Land Management Act of 2009 (16 U.S.C.*
12 *7303(f)(6)) is amended by striking “\$40,000,000 for each*
13 *of fiscal years 2009 through 2019” and inserting*
14 *“\$80,000,000 for each of fiscal years 2019 through 2023”.*

15 (b) *REPORTING REQUIREMENTS.—Section 4003(h) of*
16 *the Omnibus Public Land Management Act of 2009 (16*
17 *U.S.C. 7303(h)) is amended—*

18 (1) *in paragraph (3), by striking “and” after the*
19 *semicolon;*

20 (2) *in paragraph (4), by striking the period at*
21 *the end and inserting “; and”;*

22 (3) *by redesignating paragraphs (3) and (4) as*
23 *paragraphs (4) and (5), respectively;*

24 (4) *by inserting after paragraph (2) the fol-*
25 *lowing:*

1 “(3) the Committee on Agriculture, Nutrition,
2 and Forestry of the Senate;” and

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

4 “(6) the Committee on Agriculture of the House
5 of Representatives.”.

6 **SEC. 8632. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY**
7 **VEGETATION MANAGEMENT PILOT PROGRAM.**

8 (a) *DEFINITIONS.*—*In this section:*

9 (1) *NATIONAL FOREST SYSTEM LAND.*—

10 (A) *IN GENERAL.*—*The term “National For-*
11 *est System land” means land within the Na-*
12 *tional Forest System, as defined in section 11(a)*
13 *of the Forest and Rangeland Renewable Re-*
14 *sources Planning Act of 1974 (16 U.S.C.*
15 *1609(a)).*

16 (B) *EXCLUSIONS.*—*The term “National*
17 *Forest System land” does not include—*

18 (i) *a National Grassland; or*

19 (ii) *a land utilization project on land*
20 *designated as a National Grassland and ad-*
21 *ministered pursuant to sections 31, 32, and*
22 *33 of the Bankhead-Jones Farm Tenant Act*
23 *(7 U.S.C. 1010, 1011, 1012).*

1 (2) *PASSING WILDFIRE.*—The term “passing
2 wildfire” means a wildfire that originates outside of
3 a right-of-way.

4 (3) *PILOT PROGRAM.*—The term “pilot program”
5 means the pilot program established by the Secretary
6 under subsection (b).

7 (4) *RIGHT-OF-WAY.*—The term “right-of-way”
8 means a special use authorization issued by the For-
9 est Service allowing the placement of utility infra-
10 structure.

11 (5) *UTILITY INFRASTRUCTURE.*—The term “util-
12 ity infrastructure” means electric transmission lines,
13 natural gas infrastructure, or related structures.

14 (b) *ESTABLISHMENT.*—To encourage owners or opera-
15 tors of rights-of-way on National Forest System land to
16 partner with the Forest Service to voluntarily conduct vege-
17 tation management projects on a proactive basis to better
18 protect utility infrastructure from potential passing
19 wildfires, the Secretary may establish a limited, voluntary
20 pilot program, in the manner described in this section, to
21 conduct vegetation management projects on National Forest
22 System land adjacent to or near those rights-of-way.

23 (c) *ELIGIBLE PARTICIPANTS.*—

1 (1) *IN GENERAL.*—A participant in the pilot
2 program shall be the owner or operator of a right-of-
3 way on National Forest System land.

4 (2) *SELECTION PRIORITY.*—In selecting partici-
5 pants for the pilot program, the Secretary shall give
6 priority to an owner or operator of a right-of-way
7 that has worked with Forest Service fire scientists
8 and used technologies, such as light detection and
9 ranging surveys, to improve utility infrastructure
10 protection prescriptions.

11 (d) *VEGETATION MANAGEMENT PROJECTS.*—

12 (1) *IN GENERAL.*—A vegetation management
13 project conducted under the pilot program shall in-
14 volve only limited and selective vegetation manage-
15 ment activities that—

16 (A) shall create the least disturbance reason-
17 ably necessary to protect utility infrastructure
18 from passing wildfires based on applicable mod-
19 els, including Forest Service fuel models;

20 (B) may include thinning, fuel reduction,
21 creation and treatment of shaded fuel breaks,
22 and other appropriate measures;

23 (C) shall only be conducted on National
24 Forest System land—

1 (i) adjacent to the right-of-way of a
2 participant; or

3 (ii) within 75 feet of the right-of-way
4 of a participant; and

5 (D) shall not be conducted on—

6 (i) a component of the National Wil-
7 derness Preservation System;

8 (ii) a designated wilderness study area;

9 or

10 (iii) an inventoried roadless area.

11 (2) *APPROVAL.*—Each vegetation management
12 project described in paragraph (1) (including each
13 vegetation management activity described in subpara-
14 graphs (A) through (D) of that paragraph) shall be
15 subject to approval by the Forest Service in accord-
16 ance with this section.

17 (e) *PROJECT COSTS.*—

18 (1) *IN GENERAL.*—Except as provided in para-
19 graph (2), a participant in the pilot program shall
20 be responsible for all costs, as determined by the Sec-
21 retary, incurred in participating in the pilot pro-
22 gram.

23 (2) *FEDERAL FUNDING.*—The Secretary may
24 contribute funds for a vegetation management project
25 conducted under the pilot program if the Secretary

1 *determines that the contribution is in the public in-*
2 *terest.*

3 *(f) LIABILITY.—*

4 *(1) IN GENERAL.—Participation in the pilot*
5 *program shall not affect any legal obligations or li-*
6 *ability standards that—*

7 *(A) arise under the right-of-way for activi-*
8 *ties in the right-of-way; or*

9 *(B) apply to fires resulting from causes*
10 *other than activities conducted pursuant to an*
11 *approved vegetation management project con-*
12 *ducted under the pilot program.*

13 *(2) PROJECT WORK.—If the Secretary approves*
14 *a supplement to an approved plan under subsection*
15 *(c) of section 512 of the Federal Land Policy and*
16 *Management Act of 1976 (43 U.S.C. 1772) or an*
17 *agreement entered into under subsection (d)(1) of that*
18 *section that covers a vegetation management project*
19 *under the pilot program, the liability provisions of*
20 *subsection (g) of that section shall apply to the vegeta-*
21 *tion management project.*

22 *(g) IMPLEMENTATION.—*

23 *(1) IN GENERAL.—Except as provided in para-*
24 *graph (2), the Secretary shall use the authority of the*

1 *Secretary under other laws (including regulations) to*
2 *carry out the pilot program.*

3 (2) *MODIFICATION OF REGULATIONS.—In order*
4 *to implement the pilot program in an efficient and*
5 *expeditious manner, the Secretary may waive or mod-*
6 *ify specific provisions of the Federal Acquisition Reg-*
7 *ulation, including waivers or modifications to allow*
8 *for the formation of contracts or agreements on a non-*
9 *competitive basis.*

10 (h) *TREATMENT OF PROCEEDS.—Notwithstanding*
11 *any other provision of law, the Secretary may—*

12 (1) *retain any funds provided to the Forest Serv-*
13 *ice by a participant in the pilot program; and*

14 (2) *use funds retained under paragraph (1), in*
15 *such amounts as may be appropriated, to carry out*
16 *the pilot program.*

17 (i) *REPORT TO CONGRESS.—Not later than December*
18 *31, 2020, and 2 years thereafter, the Secretary shall submit*
19 *a report describing the status of the pilot program and vege-*
20 *tation management projects conducted under the pilot pro-*
21 *gram to—*

22 (1) *the Committee on Agriculture, Nutrition, and*
23 *Forestry of the Senate; and*

24 (2) *the Committee on Agriculture of the House of*
25 *Representatives.*

1 (j) *DURATION.*—*The authority to carry out the pilot*
2 *program, including any vegetation management project*
3 *conducted under the pilot program, expires on October 1,*
4 *2023.*

5 **SEC. 8633. OKHISSA LAKE RURAL ECONOMIC DEVELOP-**
6 **MENT LAND CONVEYANCE.**

7 (a) *DEFINITION OF ALLIANCE.*—*In this section, the*
8 *term “Alliance” means the Scenic Rivers Development Alli-*
9 *ance.*

10 (b) *REQUEST.*—*Subject to the requirements of this sec-*
11 *tion, if the Alliance submits a written request for convey-*
12 *ance by not later than 180 days after the date of enactment*
13 *of this Act and the Secretary determines that it is in the*
14 *public interest to convey the National Forest System Land*
15 *described in subsection (c), the Secretary shall convey to*
16 *the Alliance all right, title, and interest of the United States*
17 *in and to the National Forest System land described in sub-*
18 *section (c) by quitclaim deed through a public or private*
19 *sale, including a competitive sale by auction or bid.*

20 (c) *DESCRIPTION OF NATIONAL FOREST SYSTEM*
21 *LAND.*—

22 (1) *IN GENERAL.*—*Subject to paragraph (2), the*
23 *National Forest System land referred to in subsection*

24 (b) *is the approximately 150 acres of real property lo-*

1 *cated in sec. 6, T. 5 N. R. 4 E., Franklin County,*
2 *Mississippi, and further described as—*

3 *(A) the portion of the NW^{1/4} NW^{1/4} lying*
4 *south of the south boundary of Berrytown Road;*

5 *(B) the portion of the W^{1/2} NE^{1/4} NW^{1/4}*
6 *lying south of the south boundary of Berrytown*
7 *Road;*

8 *(C) the portion of the SW^{1/4} NW^{1/4} lying*
9 *east of the east boundary of U.S. Highway 98;*

10 *(D) the W^{1/2} SE^{1/4} NW^{1/4};*

11 *(E) the portion of the NW^{1/4} SW^{1/4} lying*
12 *east of the east boundary of U.S. Highway 98;*

13 *(F) the portion of the NE^{1/4} SW^{1/4} com-*
14 *mencing at the southwest corner of the NE^{1/4}*
15 *SW^{1/4}, said point being the point of beginning,*
16 *thence running east 330 feet along the south*
17 *boundary of the NE^{1/4} SW^{1/4} to a point in Lake*
18 *Okhissa, thence running northeasterly to a point*
19 *in Lake Okhissa on the east boundary of the*
20 *NE^{1/4} SW^{1/4} 330 feet south of the northeast cor-*
21 *ner thereof, thence running north 330 feet along*
22 *the east boundary of the NE^{1/4} SW^{1/4} to the*
23 *northeast corner thereof, thence running west*
24 *along the north boundary of the NE^{1/4} SW^{1/4} to*
25 *the NW corner thereof; thence running south*

1 along the west boundary of the $NE^{1/4}$ $SW^{1/4}$ to
2 the point of beginning; and

3 (G) the portion of the $SE^{1/4}$ $SE^{1/4}$ $NW^{1/4}$
4 commencing at the southeast corner of the $SE^{1/4}$
5 $NW^{1/4}$, said point being the point of beginning,
6 and running northwesterly to the northwest cor-
7 ner of the $SE^{1/4}$ $SE^{1/4}$ $NW^{1/4}$, thence running
8 south along the west boundary of the $SE^{1/4}$ $SE^{1/4}$
9 $NW^{1/4}$ to the southwest corner thereof, thence
10 running east along the south boundary of the
11 $SE^{1/4}$ $SE^{1/4}$ $NW^{1/4}$ to the point of beginning.

12 (2) *SURVEY.*—The exact acreage and legal de-
13 scription of the National Forest System land to be
14 conveyed under this section shall be determined by a
15 survey satisfactory to the Secretary.

16 (d) *CONSIDERATION.*—

17 (1) *IN GENERAL.*—The consideration for the con-
18 veyance of any National Forest System land under
19 this section shall be—

20 (A) provided in the form of cash; and

21 (B) in an amount equal to the fair market
22 value of the National Forest System land being
23 conveyed, as determined under paragraph (2).

1 (2) *FAIR MARKET VALUE DETERMINATION.*—*The*
2 *fair market value of the National Forest System land*
3 *conveyed under this section shall be determined—*

4 (A) *in the case of a method of conveyance*
5 *described in subsection (b), by an appraisal that*
6 *is—*

7 (i) *conducted in accordance with the*
8 *Uniform Appraisal Standards for Federal*
9 *Land Acquisitions; and*

10 (ii) *approved by the Secretary; or*

11 (B) *in the case of a conveyance by a method*
12 *other than a method described in subsection (b),*
13 *by competitive sale.*

14 (e) *TERMS AND CONDITIONS.*—*The conveyance under*
15 *this section shall be subject to—*

16 (1) *valid existing rights; and*

17 (2) *such other terms and conditions as the Sec-*
18 *retary considers to be appropriate to protect the inter-*
19 *ests of the United States.*

20 (f) *PROCEEDS FROM SALE.*—*The Secretary shall de-*
21 *posit the proceeds of the conveyance of any National Forest*
22 *System land under this section in the fund established*
23 *under Public Law 90–171 (commonly known as the “Sisk*
24 *Act”)* (16 U.S.C. 484a).

1 (g) *COSTS.*—As a condition for the conveyance under
2 this section, the Secretary shall require the Alliance to pay
3 at closing—

4 (1) any reasonable appraisal costs; and

5 (2) the costs of any administrative or environ-
6 mental analysis required by applicable law (includ-
7 ing regulations).

8 **SEC. 8634. PRAIRIE DOGS.**

9 (a) *IN GENERAL.*—With respect to the grasslands plan
10 guidance of the Forest Service relating to prairie dogs, the
11 Chief of the Forest Service shall base policies of the Forest
12 Service on sound ecological and livestock management prin-
13 ciples.

14 (b) *GRAZING ALLOTMENTS.*—

15 (1) *IN GENERAL.*—Subject to paragraph (3), not
16 later than 180 days after the date of enactment of this
17 Act, the Chief of the Forest Service shall complete a
18 report on the percentage of prairie dogs occupying
19 each total grazing allotment acreage.

20 (2) *ACTION REQUIRED.*—Not later than 1 year
21 after the date on which the report under paragraph
22 (1) is completed and subject to paragraph (3), the
23 Chief of the Forest Service shall take appropriate ac-
24 tion based on the results of that report.

1 (3) *REQUIREMENT.*—*This section, including any*
2 *actions taken under paragraph (2), shall apply only*
3 *to grazing allotments where prairie dogs are present*
4 *as of the date of enactment of this Act.*

5 **PART III—TIMBER INNOVATION**

6 **SEC. 8641. DEFINITIONS.**

7 *In this part:*

8 (1) *INNOVATIVE WOOD PRODUCT.*—*The term “in-*
9 *novative wood product” means a type of building*
10 *component or system that uses large panelized wood*
11 *construction, including mass timber.*

12 (2) *MASS TIMBER.*—*The term “mass timber” in-*
13 *cludes—*

14 (A) *cross-laminated timber;*

15 (B) *nail laminated timber;*

16 (C) *glue laminated timber;*

17 (D) *laminated strand lumber; and*

18 (E) *laminated veneer lumber.*

19 (3) *SECRETARY.*—*The term “Secretary” means*
20 *the Secretary, acting through the Research and Devel-*
21 *opment deputy area and the State and Private For-*
22 *estry deputy area of the Forest Service.*

23 (4) *TALL WOOD BUILDING.*—*The term “tall wood*
24 *building” means a building designed to be—*

25 (A) *constructed with mass timber; and*

1 (B) more than 85 feet in height.

2 **SEC. 8642. CLARIFICATION OF RESEARCH AND DEVELOP-**
3 **MENT PROGRAM FOR WOOD BUILDING CON-**
4 **STRUCTION.**

5 (a) *IN GENERAL.*—*The Secretary shall conduct per-*
6 *formance-driven research and development, education, and*
7 *technical assistance for the purpose of facilitating the use*
8 *of innovative wood products in wood building construction*
9 *in the United States.*

10 (b) *ACTIVITIES.*—*In carrying out subsection (a), the*
11 *Secretary shall—*

12 (1) *after receipt of input and guidance from,*
13 *and collaboration with, the wood products industry,*
14 *conservation organizations, and institutions of higher*
15 *education, conduct research and development, edu-*
16 *cation, and technical assistance at the Forest Prod-*
17 *ucts Laboratory or through the State and Private*
18 *Forestry deputy area that meets measurable perform-*
19 *ance goals for the achievement of the priorities de-*
20 *scribed in subsection (c); and*

21 (2) *after coordination and collaboration with the*
22 *wood products industry and conservation organiza-*
23 *tions, make competitive grants to institutions of high-*
24 *er education to conduct research and development,*
25 *education, and technical assistance that meets meas-*

1 urable performance goals for the achievement of the
2 priorities described in subsection (c).

3 (c) *PRIORITIES.*—*The research and development, edu-*
4 *cation, and technical assistance conducted under subsection*
5 *(a) shall give priority to—*

6 (1) *ways to improve the commercialization of in-*
7 *novative wood products;*

8 (2) *analyzing the safety of tall wood building*
9 *materials;*

10 (3) *calculations by the Forest Products Labora-*
11 *tory of the lifecycle environmental footprint, from ex-*
12 *traction of raw materials through the manufacturing*
13 *process, of tall wood building construction;*

14 (4) *analyzing methods to reduce the lifecycle en-*
15 *vironmental footprint of tall wood building construc-*
16 *tion;*

17 (5) *analyzing the potential implications of the*
18 *use of innovative wood products in building construc-*
19 *tion on wildlife; and*

20 (6) *1 or more other research areas identified by*
21 *the Secretary, in consultation with conservation orga-*
22 *nizations, institutions of higher education, and the*
23 *wood products industry.*

24 (d) *TIMEFRAME.*—*To the maximum extent practicable,*
25 *the measurable performance goals for the research and de-*

1 *velopment, education, and technical assistance conducted*
2 *under subsection (a) shall be achievable within a 5-year*
3 *timeframe.*

4 **SEC. 8643. WOOD INNOVATION GRANT PROGRAM.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *ELIGIBLE ENTITY.—The term “eligible enti-*
7 *ty” means—*

8 (A) *an individual;*

9 (B) *a public or private entity (including a*
10 *center of excellence that consists of 1 or more*
11 *partnerships between forestry, engineering, archi-*
12 *itecture, or business schools at 1 or more institu-*
13 *tions of higher education); or*

14 (C) *a State, local, or Tribal government.*

15 (2) *SECRETARY.—The term “Secretary” means*
16 *the Secretary, acting through the Chief of the Forest*
17 *Service.*

18 (b) *GRANT PROGRAM.—*

19 (1) *IN GENERAL.—The Secretary, in carrying*
20 *out the wood innovation grant program of the Sec-*
21 *retary described in the notice of the Secretary entitled*
22 *“Request for Proposals: 2016 Wood Innovations*
23 *Funding Opportunity” (80 Fed. Reg. 63498 (October*
24 *20, 2015)), may make a wood innovation grant to 1*

1 (1) in paragraph (4)(A), by striking “agricul-
2 tural materials” and inserting “agricultural mate-
3 rials, renewable chemicals,”;

4 (2) in paragraph (7)(A), by striking “into
5 biofuels and biobased products” and inserting the fol-
6 lowing: “or an intermediate ingredient or feedstock of
7 renewable biomass into any 1 or more, or a combina-
8 tion, of—

9 “(i) biofuels;

10 “(ii) renewable chemicals; or

11 “(iii) biobased products”; and

12 (3) in paragraph (16)—

13 (A) in subparagraph (A)—

14 (i) in the matter preceding clause (i),
15 by striking “(B)” and inserting “(C)”; and

16 (ii) by striking “that—” in the matter
17 preceding clause (i) and all that follows
18 through the period at the end of clause (ii)
19 and inserting “that produces usable energy
20 from a renewable energy source.”;

21 (B) by redesignating subparagraph (B) as
22 subparagraph (C); and

23 (C) by inserting after subparagraph (A) the
24 following:

1 “(B) *INCLUSIONS.*—*The term ‘renewable en-*
2 *ergy system’ includes—*

3 “(i) *distribution components necessary*
4 *to move energy produced by a system de-*
5 *scribed in subparagraph (A) to the initial*
6 *point of sale; and*

7 “(ii) *other components and ancillary*
8 *infrastructure of a system described in sub-*
9 *paragraph (A), such as a storage system.”.*

10 **SEC. 9102. BIOBASED MARKETS PROGRAM.**

11 *Section 9002 of the Farm Security and Rural Invest-*
12 *ment Act of 2002 (7 U.S.C. 8102) is amended—*

13 (1) *in subsection (a)(2)(A)(i)(III), by inserting*
14 *“; acting through the rural development mission area*
15 *(referred to in this section as the ‘Secretary’)” before*
16 *the period at the end;*

17 (2) *in subsection (b)(2)(A), by adding at the end*
18 *the following:*

19 “(iii) *RENEWABLE CHEMICALS.*—*Not*
20 *later than 90 days after the date of enact-*
21 *ment of this clause, the Secretary shall up-*
22 *date the criteria issued under clause (i) to*
23 *provide criteria for determining which re-*
24 *newable chemicals may qualify to receive*
25 *the label under paragraph (1).”;*

1 (3) *in subsection (f), by striking the subsection*
2 *designation and all that follows through “The Sec-*
3 *retary” and inserting the following:*

4 “*(f) MANUFACTURERS OF RENEWABLE CHEMICALS*
5 *AND BIOBASED PRODUCTS.—*

6 “*(1) NAICS CODES.—The Secretary and the Sec-*
7 *retary of Commerce shall jointly develop North Amer-*
8 *ican Industry Classification System codes for—*

9 “*(A) renewable chemicals manufacturers;*
10 *and*

11 “*(B) biobased products manufacturers.*

12 “*(2) NATIONAL TESTING CENTER REGISTRY.—*
13 *The Secretary”;*

14 “*(4) by redesignating subsections (h) through (j)*
15 *as subsections (k) through (m), respectively;*

16 “*(5) by inserting after subsection (g) the fol-*
17 *lowing:*

18 “*(h) EDUCATION AND OUTREACH.—The Secretary, in*
19 *consultation with the Administrator, shall provide to ap-*
20 *propriate stakeholders education and outreach relating to—*

21 “*(1) the Federal procurement of biobased prod-*
22 *ucts under subsection (a); and*

23 “*(2) the voluntary labeling program under sub-*
24 *section (b).*

25 “*(i) STREAMLINING.—*

1 “(1) *IN GENERAL.*—Not later than 1 year after
2 the date of enactment of this subsection, the Secretary
3 shall establish guidelines for an integrated process
4 under which biobased products may be, in 1 expedited
5 approval process—

6 “(A) determined to be eligible for a Federal
7 procurement preference under subsection (a); and

8 “(B) approved to use the ‘USDA Certified
9 Biobased Product’ label under subsection (b).

10 “(2) *INITIATION.*—The Secretary shall ensure
11 that a review of a biobased product under the inte-
12 grated qualification process established pursuant to
13 paragraph (1) may be initiated on receipt of a rec-
14 ommendation or petition from a manufacturer, ven-
15 dor, or other interested party.

16 “(3) *PRODUCT DESIGNATIONS.*—The Secretary
17 may issue a product designation pursuant to sub-
18 section (a)(3)(B), or approve the use of the ‘USDA
19 Certified Biobased Product’ label under subsection (b),
20 through streamlined procedures, which shall not be
21 subject to chapter 7 of title 5, United States Code.

22 “(j) *REQUIREMENT OF PROCURING AGENCIES.*—A
23 procuring agency (as defined in subsection (a)(1)) shall not
24 establish regulations, guidance, or criteria regarding the
25 procurement of biobased products, pursuant to this section

1 *or any other law, that impose limitations on that procure-*
2 *ment that are more restrictive than the limitations estab-*
3 *lished by the Secretary under the regulations to implement*
4 *this section.”; and*

5 *(6) in subsection (l) (as so redesignated)—*

6 *(A) in paragraph (1), by striking “2018”*
7 *and inserting “2023”; and*

8 *(B) in paragraph (2), by striking*
9 *“\$2,000,000 for each of fiscal years 2014 through*
10 *2018” and inserting “\$3,000,000 for each of fis-*
11 *cal years 2019 through 2023”.*

12 **SEC. 9103. BIOREFINERY ASSISTANCE.**

13 *Section 9003 of the Farm Security and Rural Invest-*
14 *ment Act of 2002 (7 U.S.C. 8103) is amended—*

15 *(1) in subsection (b)(3)—*

16 *(A) in subparagraph (A), by striking “pro-*
17 *duces an advanced biofuel; and” and inserting*
18 *the following: “produces any 1 or more, or a*
19 *combination, of—*

20 *“(i) an advanced biofuel;*

21 *“(ii) a renewable chemical; or*

22 *“(iii) a biobased product; and”;* and

23 *(B) in subparagraph (B), by striking “pro-*
24 *duces an advanced biofuel.” and inserting the*

1 following: “produces any 1 or more, or a com-
2 bination, of—

3 “(i) an advanced biofuel;

4 “(ii) a renewable chemical; or

5 “(iii) a biobased product.”; and

6 (2) in subsection (g)—

7 (A) in paragraph (1)(A)—

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

10 (ii) in clause (ii), by striking the pe-
11 riod at the end and inserting a semicolon;
12 and

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

15 “(iii) \$100,000,000 for fiscal year
16 2019; and

17 “(iv) \$50,000,000 for fiscal year
18 2020.”; and

19 (B) in paragraph (2), by striking “2018”
20 and inserting “2023”.

21 **SEC. 9104. REPOWERING ASSISTANCE PROGRAM.**

22 Section 9004 of the Farm Security and Rural Invest-
23 ment Act of 2002 (7 U.S.C. 8104) is repealed.

1 **SEC. 9105. BIOENERGY PROGRAM FOR ADVANCED BIOFUEL.**

2 *Section 9005(g) of the Farm Security and Rural In-*
3 *vestment Act of 2002 (7 U.S.C. 8105(g)) is amended—*

4 *(1) in paragraph (1)—*

5 *(A) in subparagraph (D), by striking “and”*
6 *at the end;*

7 *(B) in subparagraph (E), by striking the*
8 *period at the end and inserting “; and”; and*

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

10 *“(F) \$15,000,000 for each of fiscal years*
11 *2019 through 2023.”; and*

12 *(2) in paragraph (2), by striking “\$20,000,000*
13 *for each of fiscal years 2014 through 2018” and in-*
14 *serting “\$15,000,000 for each of fiscal years 2019*
15 *through 2023”.*

16 **SEC. 9106. BIODIESEL FUEL EDUCATION PROGRAM.**

17 *Section 9006(d)(2) of the Farm Security and Rural*
18 *Investment Act of 2002 (7 U.S.C. 8106(d)(2)) is amended*
19 *by striking “2018” and inserting “2023”.*

20 **SEC. 9107. RURAL ENERGY FOR AMERICA PROGRAM.**

21 *Section 9007 of the Farm Security and Rural Invest-*
22 *ment Act of 2002 (7 U.S.C. 8107) is amended—*

23 *(1) in subsection (c)(1)—*

24 *(A) in subparagraph (A), by striking “and”*
25 *at the end;*

1 **SEC. 9110. BIOMASS CROP ASSISTANCE PROGRAM.**

2 *Section 9011 of the Farm Security and Rural Invest-*
 3 *ment Act of 2002 (7 U.S.C. 8111) is amended—*

4 *(1) in subsection (a)(6)—*

5 *(A) in subparagraph (B)—*

6 *(i) in clause (ii)(II), by striking “and”*
 7 *at the end;*

8 *(ii) in clause (iii), by striking the pe-*
 9 *riod at the end and inserting “; and”; and*

10 *(iii) by adding at the end the fol-*
 11 *lowing:*

12 *“(iv) algae.”; and*

13 *(B) in subparagraph (C)—*

14 *(i) by striking clause (iv); and*

15 *(ii) by redesignating clauses (v)*
 16 *through (vii) as clauses (iv) through (vi),*
 17 *respectively;*

18 *(2) in subsection (b)(2), by inserting “(including*
 19 *eligible material harvested for the purpose of haz-*
 20 *ardous woody fuel reduction)” after “material”; and*

21 *(3) in subsection (f)—*

22 *(A) in paragraph (1)—*

23 *(i) by striking “Of the funds” and in-*
 24 *serting the following:*

25 *“(A) MANDATORY FUNDING.—Of the funds”;*

1 (ii) in subparagraph (A) (as so des-
2 ignated), by striking “2018” and inserting
3 “2023”; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(B) *AUTHORIZATION OF APPROPRIA-*
7 *TIONS.—There is authorized to be appropriated*
8 *to carry out this section \$20,000,000 for each of*
9 *fiscal years 2019 through 2023.”; and*

10 (B) in paragraph (3)—

11 (i) by striking the paragraph designa-
12 tion and heading and all that follows
13 through “Effective” in subparagraph (A)
14 and inserting the following:

15 “(3) *TECHNICAL ASSISTANCE.—Effective*”; and

16 (ii) by striking subparagraph (B).

17 **SEC. 9111. BIOGAS RESEARCH AND ADOPTION OF BIOGAS**
18 **SYSTEMS.**

19 *Title IX of the Farm Security and Rural Investment*
20 *Act of 2002 is amended by inserting after section 9011 (7*
21 *U.S.C. 8111) the following:*

22 **“SEC. 9012. BIOGAS RESEARCH AND ADOPTION OF BIOGAS**
23 **SYSTEMS.**

24 “(a) *DEFINITIONS.—In this section:*

1 “(1) *ANAEROBIC DIGESTION.*—The term ‘anaer-
2 *obic digestion*’ means a biological process or series of
3 *biological processes*—

4 “(A) *through which microorganisms break*
5 *down biodegradable material in the absence of*
6 *oxygen; and*

7 “(B) *the end products of which are biogas*
8 *and digested materials.*

9 “(2) *BIOGAS.*—The term ‘biogas’ means a mix-
10 *ture of primarily methane and carbon dioxide pro-*
11 *duced by the bacterial decomposition of organic mate-*
12 *rials in the absence of oxygen.*

13 “(3) *BIOGAS PROCESSING.*—The term ‘biogas
14 *processing*’ means the process by which water, carbon
15 *dioxide, and other trace compounds are removed from*
16 *biogas, as determined by the end user.*

17 “(4) *BIOGAS SYSTEM.*—The term ‘biogas system’
18 *means a system*—

19 “(A) *with the potential to capture and use*
20 *biogas, including biogas from organic waste, in-*
21 *cluding animal manure, food waste, waste from*
22 *landfills, and wastewater; and*

23 “(B) *that includes*—

1 “(i) the infrastructure necessary to
2 manage the organic waste referred to in
3 subparagraph (A);

4 “(ii) the equipment necessary to gen-
5 erate—

6 “(I) electricity, heat, or fuel; and

7 “(II) biogas system co-products;

8 and

9 “(iii) the equipment necessary for
10 biogas processing.

11 “(5) *BIOGAS SYSTEM CO-PRODUCT*.—The term
12 ‘biogas system co-product’ means a nonenergy biogas
13 system product produced from digested material, in-
14 cluding soil amendments, fertilizers, compost, animal
15 bedding, and feedstock for plastics and chemicals.

16 “(6) *DIGESTED MATERIAL*.—The term ‘digested
17 material’ means solid or liquid digested material—

18 “(A) produced by digesters; and

19 “(B) that contains nutrients and organic
20 carbon.

21 “(b) *INTERAGENCY BIOGAS OPPORTUNITIES TASK*
22 *FORCE*.—

23 “(1) *ESTABLISHMENT*.—Not later than 180 days
24 after the date of enactment of the Agriculture Im-
25 provement Act of 2018, the Secretary, acting jointly

1 *with the Secretary of Energy and the Administrator,*
2 *shall establish an Interagency Biogas Opportunities*
3 *Task Force (referred to in this subsection as the ‘Task*
4 *Force’) that shall coordinate policies, programs, and*
5 *research to accelerate—*

6 *“(A) biogas research; and*

7 *“(B) investment in cost-effective biogas sys-*
8 *tems.*

9 *“(2) MEMBERSHIP.—The Task Force shall be*
10 *composed of—*

11 *“(A) the head of each Federal office respon-*
12 *sible for biogas research or biogas system financ-*
13 *ing (or a designee), including a representative*
14 *from the Department of Agriculture, the Depart-*
15 *ment of Energy, and the Environmental Protec-*
16 *tion Agency;*

17 *“(B) 1 or more representatives of State or*
18 *local governments, as determined by the Sec-*
19 *retary, the Secretary of Energy, and the Admin-*
20 *istrator;*

21 *“(C) 1 or more nongovernmental or indus-*
22 *try stakeholders, including 1 or more stake-*
23 *holders from relevant industries, as determined*
24 *by the Secretary, the Secretary of Energy, and*
25 *the Administrator; and*

1 “(D) 1 or more community stakeholders.

2 “(3) DUTIES OF THE TASK FORCE.—In carrying
3 out paragraph (1), the Task Force shall—

4 “(A) evaluate and improve the coordination
5 of loan and grant programs of the Federal agen-
6 cies represented on the Task Force—

7 “(i) to broaden the financing options
8 available for biogas systems; and

9 “(ii) to enhance opportunities for pri-
10 vate financing of biogas systems;

11 “(B) review Federal procurement guidelines
12 to ensure that products of biogas systems are eli-
13 gible for and promoted by applicable procure-
14 ment programs of the Federal Government;

15 “(C) in coordination with the Secretary of
16 Commerce, evaluate the development of North
17 American Industry Classification System and
18 North American Product Classification System
19 codes for biogas and biogas system products;

20 “(D) review opportunities and develop
21 strategies to overcome barriers to integrating
22 biogas into electricity and renewable natural gas
23 markets;

1 “(E) develop tools to broaden the market for
2 nonenergy biogas system products, including by
3 developing best management practices for—

4 “(i) the use and land application of
5 digestate to maximize recovery of waste re-
6 sources and minimize environmental and
7 public health risks; and

8 “(ii) the use of carbon dioxide from
9 biogas processing;

10 “(F) provide information on the ability of
11 biogas system products to participate in markets
12 that provide environmental benefits;

13 “(G) identify and investigate research gaps
14 in biogas and anaerobic digestion technology, in-
15 cluding research gaps in environmental benefits,
16 market assessment, and performance standards;

17 “(H) assess the most cost-effective voluntary
18 investments in biogas to reduce waste and meth-
19 ane emissions; and

20 “(I) identify and advance additional prior-
21 ities, as determined by the Task Force.

22 “(4) REPORT.—Not later than 18 months after
23 the date of the establishment of the Task Force, the
24 Task Force shall submit to Congress a report that—

1 “(A) describes the steps taken by the Task
2 Force to carry out the duties of the Task Force
3 under paragraph (3); and

4 “(B) identifies and prioritizes policies and
5 technology opportunities—

6 “(i) to expand the biogas industry;

7 “(ii) to eliminate barriers to invest-
8 ment in biogas systems in the landfill, live-
9 stock, wastewater, and other relevant sec-
10 tors; and

11 “(iii) to enhance opportunities for pri-
12 vate and public sector partnerships to fi-
13 nance biogas systems.

14 “(c) *ADVANCEMENT OF BIOGAS RESEARCH.*—

15 “(1) *STUDY ON BIOGAS.*—

16 “(A) *IN GENERAL.*—The Secretary, in co-
17 ordination with the Secretary of Energy and the
18 Administrator, shall enter into an agreement
19 with the National Renewable Energy Laboratory
20 to conduct a study relating to biogas.

21 “(B) *STUDY.*—Under the agreement de-
22 scribed in subparagraph (A), the study con-
23 ducted by the National Renewable Energy Lab-
24 oratory shall include an analysis of—

1 “(i) barriers to injecting biogas into
2 existing natural gas pipelines;

3 “(ii) methods for optimizing biogas
4 systems, including methods to obtain the
5 highest energy output from biogas, includ-
6 ing through the use of co-digestion;

7 “(iii) opportunities for, and barriers
8 to, the productive use of biogas system co-
9 products, carbon dioxide from biogas proc-
10 essing, and recovered nutrients;

11 “(iv) the optimal configuration of
12 local, State, or regional infrastructure for
13 the production of electricity, heat, or fuel
14 from biogas, including infrastructure for the
15 aggregation, cleaning, and pipeline injec-
16 tion of biogas; and

17 “(v) any other subject relating to
18 biogas, as determined by the Interagency
19 Biogas Opportunities Task Force established
20 under subsection (b)(1).

21 “(C) REPORT.—Not later than 2 years after
22 the date of enactment of the Agriculture Im-
23 provement Act of 2018, the Secretary shall sub-
24 mit to Congress a report on the study conducted
25 under this paragraph.

1 “(2) *COLLECTION OF DATA FOR BIOGAS MAR-*
2 *KETS.—The Secretary, in coordination with the Sec-*
3 *retary of Energy and the Administrator, shall iden-*
4 *tify, collect, and analyze environmental, technical,*
5 *and economic performance data relating to biogas*
6 *systems, including the production of energy of biogas*
7 *systems, co-products, greenhouse gas and other emis-*
8 *sions, water quality benefits, and other data necessary*
9 *to develop markets for biogas and biogas system co-*
10 *products.”.*

11 **SEC. 9112. COMMUNITY WOOD ENERGY PROGRAM.**

12 *Section 9013(e) of the Farm Security and Rural In-*
13 *vestment Act of 2002 (7 U.S.C. 8113(e)) is amended by*
14 *striking “2018” and inserting “2023”.*

15 **SEC. 9113. CARBON UTILIZATION EDUCATION PROGRAM.**

16 *Title IX of the Farm Security and Rural Investment*
17 *Act of 2002 (7 U.S.C. 8101 et seq.) is amended by adding*
18 *at the end the following:*

19 **“SEC. 9014. CARBON UTILIZATION EDUCATION PROGRAM.**

20 “(a) *DEFINITIONS.—In this section:*

21 “(1) *CARBON DIOXIDE.—The term ‘carbon diox-*
22 *ide’ means carbon dioxide that is produced as a by-*
23 *product of the production of a biobased product.*

24 “(2) *ELIGIBLE ENTITY.—The term ‘eligible enti-*
25 *ty’ means an entity that—*

1 “(A) is—

2 “(i) an organization described in sec-
3 tion 501(c)(3) of the Internal Revenue Code
4 of 1986 and exempt from taxation under
5 501(a) of that Code; or

6 “(ii) an institution of higher education
7 (as defined in section 101(a) of the Higher
8 Education Act of 1965 (20 U.S.C.
9 1001(a));

10 “(B) has demonstrated knowledge about—

11 “(i) sequestration and utilization of
12 carbon dioxide; or

13 “(ii) aggregation of organic waste from
14 multiple sources into a single biogas system;
15 and

16 “(C) has a demonstrated ability to conduct
17 educational and technical support programs.

18 “(b) *ESTABLISHMENT.*—The Secretary, in consulta-
19 tion with the Secretary of Energy, shall make competitive
20 grants to eligible entities—

21 “(1) to provide education to the public about the
22 economic and emissions benefits of permanent seques-
23 tration or utilization of carbon dioxide; or

1 “(2) to provide education to biogas producers
2 about opportunities for aggregation of organic waste
3 from multiple sources into a single biogas system.

4 “(c) FUNDING.—

5 “(1) MANDATORY FUNDING.—Of the funds of the
6 Commodity Credit Corporation, the Secretary shall
7 use for each of fiscal years 2019 through 2023—

8 “(A) \$1,000,000 to carry out subsection
9 (b)(1); and

10 “(B) \$1,000,000 to carry out subsection
11 (b)(2).

12 “(2) DISCRETIONARY FUNDING.—There are au-
13 thorized to be appropriated for each of fiscal years
14 2019 through 2023—

15 “(A) \$1,000,000 to carry out subsection
16 (b)(1); and

17 “(B) \$1,000,000 to carry out subsection
18 (b)(2).”.

19 **TITLE X—HORTICULTURE**

20 **SEC. 10101. SPECIALTY CROPS MARKET NEWS ALLOCATION.**

21 Section 10107(b) of the Food, Conservation, and En-
22 ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by striking
23 “2018” and inserting “2023”.

1 **SEC. 10102. LOCAL AGRICULTURE MARKET PROGRAM.**

2 (a) *PURPOSE.*—*The purpose of this section is to com-*
3 *bine the purposes and coordinate the functions, as in effect*
4 *on the day before the date of enactment of this Act, of—*

5 (1) *the Farmers’ Market and Local Food Pro-*
6 *motion Program established under section 6 of the*
7 *Farmer-to-Consumer Direct Marketing Act of 1976 (7*
8 *U.S.C. 3005); and*

9 (2) *the value-added agricultural product market*
10 *development grants under section 231(b) of the Agri-*
11 *cultural Risk Protection Act of 2000 (7 U.S.C.*
12 *1632a(b)).*

13 (b) *LOCAL AGRICULTURE MARKET PROGRAM.*—*Sub-*
14 *title A of the Agricultural Marketing Act of 1946 (7 U.S.C.*
15 *1621 et seq.) is amended by adding at the end the following:*

16 **“SEC. 210A. LOCAL AGRICULTURE MARKET PROGRAM.**

17 *“(a) DEFINITIONS.—In this section:*

18 (1) *BEGINNING FARMER OR RANCHER.*—*The*
19 *term ‘beginning farmer or rancher’ has the meaning*
20 *given the term in section 343(a) of the Consolidated*
21 *Farm and Rural Development Act (7 U.S.C.*
22 *1991(a)).*

23 (2) *DIRECT PRODUCER-TO-CONSUMER MAR-*
24 *KETING.*—*The term ‘direct producer-to-consumer mar-*
25 *keting’ has the meaning given the term ‘direct mar-*
26 *keting from farmers to consumers’ in section 3 of the*

1 *Farmer-to-Consumer Direct Marketing Act of 1976 (7*
2 *U.S.C. 3002).*

3 “(3) *ELIGIBLE ACTIVITY.*—*The term ‘eligible ac-*
4 *tivity’ means an activity described in subsection*
5 *(d)(2) that is carried out using a grant provided*
6 *under subsection (d)(1).*

7 “(4) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
8 *ty’ means—*

9 “(A) *a producer;*

10 “(B) *a producer network or association;*

11 “(C) *a farmer or rancher cooperative;*

12 “(D) *an agricultural business entity or ma-*
13 *ajority-controlled producer-based business venture;*

14 “(E) *a food council;*

15 “(F) *a local or Tribal government;*

16 “(G) *a nonprofit corporation;*

17 “(H) *an economic development corporation;*

18 “(I) *a public benefit corporation;*

19 “(J) *a community supported agriculture*
20 *network or association; and*

21 “(K) *a regional farmers’ market authority.*

22 “(5) *ELIGIBLE PARTNER.*—*The term ‘eligible*
23 *partner’ means—*

24 “(A) *a State agency or regional authority;*

25 “(B) *a philanthropic organization;*

1 “(C) a private corporation;

2 “(D) an institution of higher education;

3 “(E) a commercial, Federal, or Farm Cred-
4 it System lending institution; and

5 “(F) another entity, as determined by the
6 Secretary.

7 “(6) FAMILY FARM.—The term ‘family farm’ has
8 the meaning given the term in section 231(a) of the
9 Agricultural Risk Protection Act of 2000 (7 U.S.C.
10 1632a(a)).

11 “(7) FOOD COUNCIL.—The term ‘food council’
12 means a food policy council or food and farm system
13 network, as determined by the Secretary, that—

14 “(A) represents—

15 “(i) multiple organizations involved in
16 the production, processing, and consump-
17 tion of food; and

18 “(ii) local, Tribal, and State govern-
19 ments; and

20 “(B) addresses food and farm-related issues
21 and needs within city, county, State, Tribal re-
22 gion, multicounty region, or other region des-
23 ignated by the food council or food system net-
24 work.

1 “(8) *MAJORITY-CONTROLLED PRODUCER-BASED*
2 *BUSINESS VENTURE.*—

3 “(A) *IN GENERAL.*—*The term ‘majority-*
4 *controlled producer-based business venture’*
5 *means a venture greater than 50 percent of the*
6 *ownership and control of which is held by—*

7 “(i) *1 or more producers; or*

8 “(ii) *1 or more entities, 100 percent of*
9 *the ownership and control of which is held*
10 *by 1 or more producers.*

11 “(B) *ENTITY DESCRIBED.*—*For purposes of*
12 *subparagraph (A), the term ‘entity’ means—*

13 “(i) *a partnership;*

14 “(ii) *a limited liability corporation;*

15 “(iii) *a limited liability partnership;*

16 *and*

17 “(iv) *a corporation.*

18 “(9) *MID-TIER VALUE CHAIN.*—*The term ‘mid-*
19 *tier value chain’ means a local or regional supply*
20 *network that links independent producers with busi-*
21 *nesses and cooperatives that market value-added agri-*
22 *cultural products in a manner that—*

23 “(A) *targets and strengthens the profit-*
24 *ability and competitiveness of small and me-*

1 *dium-sized farms and ranches that are struc-*
2 *tured as a family farm; and*

3 *“(B) obtains agreement from an eligible ag-*
4 *ricultural producer group, farmer or rancher co-*
5 *operative, or majority-controlled producer-based*
6 *business venture that is engaged in the value*
7 *chain on a marketing strategy.*

8 *“(10) PARTNERSHIP.—The term ‘partnership’*
9 *means a partnership entered into under an agreement*
10 *between—*

11 *“(A) 1 or more eligible partners; and*

12 *“(B) 1 or more eligible entities.*

13 *“(11) PROGRAM.—The term ‘Program’ means the*
14 *Local Agriculture Market Program established under*
15 *subsection (b).*

16 *“(12) REGIONAL FOOD CHAIN COORDINATION.—*
17 *The term ‘regional food chain coordination’ means co-*
18 *ordination and collaboration along the supply chain*
19 *to increase connections between producers and mar-*
20 *kets.*

21 *“(13) SECRETARY.—The term ‘Secretary’ means*
22 *the Secretary of Agriculture.*

23 *“(14) SOCIALLY DISADVANTAGED FARMER OR*
24 *RANCHER.—The term ‘socially disadvantaged farmer*
25 *or rancher’ has the meaning given the term in section*

1 *355(e) of the Consolidated Farm and Rural Develop-*
2 *ment Act (7 U.S.C. 2003(e)).*

3 “(15) *VALUE-ADDED AGRICULTURAL PRODUCT.—*
4 *The term ‘value-added agricultural product’ means*
5 *any agricultural commodity or product that—*

6 “(A)(i) *has undergone a change in physical*
7 *state;*

8 “(ii) *was produced in a manner that en-*
9 *hances the value of the agricultural commodity*
10 *or product, as demonstrated through a business*
11 *plan that shows the enhanced value, as deter-*
12 *mined by the Secretary;*

13 “(iii) *is physically segregated in a manner*
14 *that results in the enhancement of the value of*
15 *the agricultural commodity or product;*

16 “(iv) *is a source of farm- or ranch-based re-*
17 *newable energy, including E-85 fuel; or*

18 “(v) *is aggregated and marketed as a locally*
19 *produced agricultural food product; and*

20 “(B) *as a result of the change in physical*
21 *state or the manner in which the agricultural*
22 *commodity or product was produced, marketed,*
23 *or segregated—*

1 “(i) the customer base for the agricul-
2 tural commodity or product is expanded;
3 and

4 “(ii) a greater portion of the revenue
5 derived from the marketing, processing, or
6 physical segregation of the agricultural
7 commodity or product is available to the
8 producer of the commodity or product.

9 “(16) VETERAN FARMER OR RANCHER.—The
10 term ‘veteran farmer or rancher’ has the meaning
11 given the term in section 2501(a) of the Food, Agri-
12 culture, Conservation, and Trade Act of 1990 (7
13 U.S.C. 2279(a)).

14 “(b) ESTABLISHMENT AND PURPOSE.—The Secretary
15 shall establish a program, to be known as the ‘Local Agri-
16 culture Market Program’, that—

17 “(1) supports the development, coordination, and
18 expansion of—

19 “(A) direct producer-to-consumer mar-
20 keting;

21 “(B) local and regional food markets and
22 enterprises; and

23 “(C) value-added agricultural products;

24 “(2) connects and cultivates regional food econo-
25 mies through public-private partnerships;

1 “(3) supports the development of business plans,
2 feasibility studies, and strategies for local and re-
3 gional marketing opportunities;

4 “(4) strengthens capacity and regional food sys-
5 tem development through community collaboration
6 and expansion of mid-tier value chains;

7 “(5) improves income and economic opportuni-
8 ties for producers and food businesses through job cre-
9 ation and improved regional food system infrastruc-
10 ture; and

11 “(6) simplifies the application processes and the
12 reporting processes for the Program.

13 “(c) *REGIONAL PARTNERSHIPS.*—

14 “(1) *GRANTS TO SUPPORT PARTNERSHIPS.*—

15 “(A) *IN GENERAL.*—The Secretary, acting
16 through the Administrator of the Agricultural
17 Marketing Service, in accordance with the pur-
18 poses of the Program described in subsection (b),
19 shall provide grants to support partnerships to
20 plan and develop a local or regional food system.

21 “(B) *GEOGRAPHICAL DIVERSITY.*—To the
22 maximum extent practicable, the Secretary shall
23 ensure geographical diversity in selecting part-
24 nerships to receive grants under subparagraph
25 (A).

1 “(2) *AUTHORITIES OF PARTNERSHIPS.*—A part-
2 *nership receiving a grant under paragraph (1)*
3 *may—*

4 “(A) *determine the scope of the regional*
5 *food system to be developed, including goals, out-*
6 *reach objectives, and eligible activities to be car-*
7 *ried out;*

8 “(B) *determine the local, regional, State,*
9 *multi-State, or other geographic area covered;*

10 “(C) *create and conduct a feasibility study,*
11 *implementation plan, and assessment of eligible*
12 *activities under the partnership agreement;*

13 “(D) *conduct outreach and education to*
14 *other eligible entities and eligible partners for*
15 *potential participation in the partnership agree-*
16 *ment and eligible activities;*

17 “(E) *describe measures to be taken through*
18 *the partnership agreement to obtain funding for*
19 *the eligible activities to be carried out under the*
20 *partnership agreement;*

21 “(F) *at the request of a producer or eligible*
22 *entity desiring to participate in eligible activi-*
23 *ties under the partnership agreement, act on be-*
24 *half of the producer or eligible entity in apply-*
25 *ing for a grant under subsection (d);*

1 “(G) monitor, evaluate, and periodically re-
2 port to the Secretary on progress made toward
3 achieving the objectives of eligible activities
4 under the partnership agreement; or

5 “(H) at the conclusion of the partnership
6 agreement, submit to the Secretary a report de-
7 scribing—

8 “(i) the results and effects of the part-
9 nership agreement; and

10 “(ii) funds provided under paragraph
11 (3).

12 “(3) CONTRIBUTION.—A partnership receiving a
13 grant under paragraph (1) shall provide funding in
14 an amount equal to not less than 25 percent of the
15 total amount of the Federal portion of the grant.

16 “(4) APPLICATIONS.—

17 “(A) IN GENERAL.—To be eligible to receive
18 a grant under paragraph (1), a partnership
19 shall submit to the Secretary an application at
20 such time, in such manner, and containing such
21 information as the Secretary considers necessary
22 to evaluate and select applications.

23 “(B) COMPETITIVE PROCESS.—The Sec-
24 retary—

1 “(i) shall conduct a competitive process
2 to select applications submitted under sub-
3 paragraph (A);

4 “(ii) may assess and rank applications
5 with similar purposes as a group; and

6 “(iii) shall make public the criteria to
7 be used in evaluating applications prior to
8 accepting applications.

9 “(C) *PRIORITY TO CERTAIN APPLICA-*
10 *TIONS.—The Secretary may give priority to ap-*
11 *lications submitted under subparagraph (A)*
12 *that—*

13 “(i)(I) leverage significant non-Federal
14 financial and technical resources; and

15 “(II) coordinate with other local, State,
16 Tribal, or national efforts; and

17 “(ii) cover an area that includes dis-
18 tressed low-income rural or urban commu-
19 nities, including areas with persistent pov-
20 erty.

21 “(D) *PRODUCER OR FOOD BUSINESS BENE-*
22 *FITS.—*

23 “(i) *IN GENERAL.—Except as provided*
24 *in clause (ii), an application submitted*
25 *under subparagraph (A) shall include a de-*

1 *scription of the direct or indirect producer*
2 *or food business benefits intended by the eli-*
3 *gible entity to result from the proposed*
4 *project within a reasonable period of time*
5 *after the receipt of a grant.*

6 “(ii) *EXCEPTION.*—*Clause (i) shall not*
7 *apply to a planning or feasibility project.*

8 “(5) *TECHNICAL ASSISTANCE.*—*On request of an*
9 *eligible entity, an eligible partner, or a partnership,*
10 *the Secretary may provide technical assistance in*
11 *carrying out a partnership agreement.*

12 “(d) *DEVELOPMENT GRANTS.*—

13 “(1) *IN GENERAL.*—*Under the Program, the Sec-*
14 *retary may provide grants to eligible entities to carry*
15 *out, in accordance with purposes of the Program de-*
16 *scribed in subsection (b), activities described in para-*
17 *graph (2).*

18 “(2) *ELIGIBLE ACTIVITIES.*—*An eligible entity*
19 *may use a grant provided under paragraph (1)—*

20 “(A) *to support and promote—*

21 “(i) *domestic direct producer-to-con-*
22 *sumer marketing;*

23 “(ii) *farmers’ markets;*

24 “(iii) *roadside stands;*

25 “(iv) *agritourism activities,*

1 “(v) *community-supported agriculture*
2 *programs; or*

3 “(vi) *online sales;*

4 “(B) *to support local and regional food*
5 *business enterprises that engage as inter-*
6 *mediaries in indirect producer-to-consumer mar-*
7 *keting;*

8 “(C) *to support the processing, aggregation,*
9 *distribution, and storage of local and regional*
10 *food products that are marketed locally or re-*
11 *gionally;*

12 “(D) *to encourage the development of new*
13 *food products and value-added agricultural prod-*
14 *ucts;*

15 “(E) *to assist with business development*
16 *and feasibility studies;*

17 “(F) *to develop marketing strategies for pro-*
18 *ducers of local food products and value-added ag-*
19 *ricultural products in new and existing markets;*

20 “(G) *to facilitate regional food chain coordi-*
21 *nation and mid-tier value chain development;*

22 “(H) *to promote new business opportunities*
23 *and marketing strategies to reduce on-farm food*
24 *waste;*

1 “(I) to respond to changing technology
2 needs in direct producer-to-consumer marketing;
3 or

4 “(J) to cover expenses relating to costs in-
5 curred in—

6 “(i) obtaining food safety certification;
7 and

8 “(ii) making changes and upgrades to
9 practices and equipment to improve food
10 safety.

11 “(3) *CRITERIA AND GUIDELINES.*—

12 “(A) *IN GENERAL.*—*The Secretary shall es-*
13 *tablish criteria and guidelines for the submis-*
14 *sion, evaluation, and funding of proposed*
15 *projects under paragraph (1) as the Secretary*
16 *determines are appropriate.*

17 “(B) *PRODUCER OR FOOD BUSINESS BENE-*
18 *FITS.*—

19 “(i) *IN GENERAL.*—*Except as provided*
20 *in clause (ii), an application submitted for*
21 *a grant under paragraph (1) shall include*
22 *a description of the direct or indirect pro-*
23 *ducer or food business benefits intended by*
24 *the eligible entity to result from the pro-*

1 *posed project within a reasonable period of*
2 *time after the receipt of the grant.*

3 *“(ii) EXCEPTION.—Clause (i) shall not*
4 *apply to a planning or feasibility project.*

5 *“(4) AMOUNT.—Unless otherwise determined by*
6 *the Secretary, the amount of a grant under this sub-*
7 *section shall be not more than \$500,000.*

8 *“(5) DEVELOPMENT GRANTS AVAILABLE TO PRO-*
9 *DUCERS.—In the case of a grant provided under*
10 *paragraph (1) to an eligible entity described in any*
11 *of subparagraphs (A) through (D) of subsection*
12 *(a)(4), the following shall apply:*

13 *“(A) ADMINISTRATION.—The Secretary*
14 *shall carry out this subsection through the Ad-*
15 *ministrator of the Rural Business-Cooperative*
16 *Service, in coordination with the Administrator*
17 *of the Agricultural Marketing Service.*

18 *“(B) PRIORITIES.—The Secretary shall give*
19 *priority to applications—*

20 *“(i) in the case of an application sub-*
21 *mitted by a producer, that are submitted*
22 *by, or serve—*

23 *“(I) beginning farmers or ranch-*
24 *ers;*

1 “(II) *socially disadvantaged farm-*
2 *ers or ranchers;*

3 “(III) *operators of small or me-*
4 *dium sized farms or ranches that are*
5 *structured as family farms; or*

6 “(IV) *veteran farmers or ranchers;*
7 *and*

8 “(ii) *in the case of an application sub-*
9 *mitted by an eligible entity described in*
10 *any of subparagraphs (B) through (D) of*
11 *subsection (a)(4), that provide the greatest*
12 *contribution to creating or increasing mar-*
13 *keting opportunities for producers described*
14 *in subclauses (I) through (IV) of clause (i).*

15 “(C) *LIMITATION ON USE OF FUNDS.—*

16 “(i) *IN GENERAL.—Except as provided*
17 *in clause (ii), an eligible entity may not use*
18 *a grant for the purchase or construction of*
19 *a building, general purpose equipment, or*
20 *structure.*

21 “(ii) *EXCEPTION.—An eligible entity*
22 *may use not more than \$6,500 of the*
23 *amount of a grant for an eligible activity*
24 *described in paragraph (2)(J) to purchase*

1 or upgrade equipment to improve food safe-
2 ty.

3 “(D) *MATCHING FUNDS.*—An eligible entity
4 receiving a grant shall provide matching funds
5 in the form of cash or an in-kind contribution
6 in an amount that is equal to 50 percent of the
7 total amount of the grant.

8 “(6) *DEVELOPMENT GRANTS FOR OTHER ELIGI-*
9 *BLE ENTITIES.*—In the case of a grant provided
10 under paragraph (1) to an eligible entity described in
11 any of subparagraphs (E) through (K) of subsection
12 (a)(4), the following shall apply:

13 “(A) *ADMINISTRATION.*—The Secretary
14 shall carry out this subsection through the Ad-
15 ministrators of the Agricultural Marketing Serv-
16 ice, in coordination with the Administrator of
17 the Rural Business-Cooperative Service.

18 “(B) *PRIORITIES.*—The Secretary shall give
19 priority to applications that—

20 “(i) benefit underserved communities,
21 including communities that are located in
22 areas of concentrated poverty with limited
23 access to fresh locally or regionally grown
24 food; or

1 “(ii) are used to carry out eligible ac-
2 tivities under a partnership agreement
3 under subsection (c).

4 “(C) *LIMITATION ON USE OF FUNDS.*—

5 “(i) *IN GENERAL.*—*Except as provided*
6 *in clause (ii), an eligible entity may not use*
7 *a grant for the purchase or construction of*
8 *a building, general purpose equipment, or*
9 *structure.*

10 “(ii) *EXCEPTION.*—*An eligible entity*
11 *may use not more than \$6,500 of the*
12 *amount of a grant for an eligible activity*
13 *described in paragraph (2)(J) to purchase*
14 *or upgrade equipment to improve food safe-*
15 *ty.*

16 “(D) *MATCHING FUNDS.*—*An eligible entity*
17 *receiving a grant shall provide matching funds*
18 *in the form of cash or an in-kind contribution*
19 *in an amount that is equal to 25 percent of the*
20 *total amount of the Federal portion of the grant.*

21 “(e) *SIMPLIFICATION OF APPLICATION AND REPORT-*
22 *ING PROCESSES.*—

23 “(1) *APPLICATIONS.*—*The Secretary shall estab-*
24 *lish a simplified application form for eligible entities*
25 *that—*

1 “(A) request less than \$50,000 under sub-
2 section (d); or

3 “(B) apply for grants under subsection (d)
4 through partnership agreements under subsection
5 (c).

6 “(2) *REPORTING.*—The Secretary shall—

7 “(A) streamline and simplify the reporting
8 process for eligible entities; and

9 “(B) obtain from eligible entities and main-
10 tain such information as the Secretary deter-
11 mines is necessary to administer and evaluate
12 the Program.

13 “(f) *COOPERATIVE EXTENSION SERVICE.*—In carrying
14 out the Program, the Secretary, acting through the Admin-
15 istrator of the Agricultural Marketing Service or the Ad-
16 ministrators of the Rural Business Cooperative Service, may
17 coordinate with a cooperative extension service to provide
18 Program technical assistance and outreach to eligible enti-
19 ties and eligible partners.

20 “(g) *INTERDEPARTMENTAL COORDINATION.*—In car-
21 rying out the Program, to the maximum extent practicable,
22 the Secretary shall ensure coordination among Federal
23 agencies.

24 “(h) *EVALUATION.*—

1 “(1) *IN GENERAL.*—Using amounts made avail-
2 able under subsection (i)(3)(E), the Secretary shall
3 conduct an evaluation of the Program that—

4 “(A) measures the economic impact of the
5 Program on new and existing market outcomes;

6 “(B) measures the effectiveness of the Pro-
7 gram in improving and expanding—

8 “(i) the regional food economy through
9 public and private partnerships;

10 “(ii) the production of value-added ag-
11 ricultural products;

12 “(iii) producer-to-consumer marketing,
13 including direct producer-to-consumer mar-
14 keting;

15 “(iv) local and regional food systems,
16 including regional food chain coordination
17 and business development;

18 “(v) new business opportunities and
19 marketing strategies to reduce on-farm food
20 waste;

21 “(vi) the use of new technologies in
22 producer-to-consumer marketing, including
23 direct producer-to-consumer marketing; and

24 “(vii) the workforce and capacity of re-
25 gional food systems; and

1 “(C) provides a description of—

2 “(i) each partnership agreement; and

3 “(ii) each grant provided under sub-
4 section (d).

5 “(2) *REPORT.*—Not later than 3 years after the
6 date of enactment of this section, the Secretary shall
7 submit to the Committee on Agriculture of the House
8 of Representatives and the Committee on Agriculture,
9 Nutrition, and Forestry of the Senate a report de-
10 scribing the evaluation conducted under paragraph
11 (1), including a thorough analysis of the outcomes of
12 the evaluation.

13 “(i) *FUNDING.*—

14 “(1) *MANDATORY FUNDING.*—Of the funds of the
15 Commodity Credit Corporation, the Secretary shall
16 use to carry out this section \$60,000,000 for fiscal
17 year 2019 and each fiscal year thereafter, to remain
18 available until expended.

19 “(2) *AUTHORIZATION OF APPROPRIATIONS.*—
20 There is authorized to be appropriated to carry out
21 this section \$20,000,000 for fiscal year 2019 and each
22 fiscal year thereafter, to remain available until ex-
23 pended.

24 “(3) *ALLOCATION OF FUNDS.*—

1 “(A) *REGIONAL PARTNERSHIPS.*—Of the
2 *funds made available to carry out this section for*
3 *a fiscal year, 10 percent shall be used to provide*
4 *grants to support partnerships under subsection*
5 *(c).*

6 “(B) *DEVELOPMENT GRANTS FOR PRO-*
7 *DUCERS.*—

8 “(i) *IN GENERAL.*—Subject to clause
9 *(ii), of the funds made available to carry*
10 *out this section for a fiscal year, 35 percent*
11 *shall be used for grants under subsection*
12 *(d)(5).*

13 “(ii) *RESERVATION OF FUNDS.*—

14 “(I) *MAJORITY-CONTROLLED PRO-*
15 *DUCER-BASED BUSINESS VENTURES.*—
16 *The total amount of grants under sub-*
17 *section (d)(5) provided to majority-*
18 *controlled producer-based business ven-*
19 *tures for a fiscal year shall not exceed*
20 *10 percent of the amount allocated*
21 *under clause (i).*

22 “(II) *BEGINNING, VETERAN, AND*
23 *SOCIALLY DISADVANTAGED FARMERS*
24 *AND RANCHERS.*—Of the funds made
25 *available for grants under subsection*

1 (d)(5), 10 percent shall be reserved for
2 grants provided to beginning, veteran,
3 and socially disadvantaged farmers or
4 ranchers.

5 “(III) MID-TIER VALUE
6 CHAINS.—Of the funds made available
7 for grants under subsection (d)(5), 10
8 percent shall be reserved for grants to
9 develop mid-tier value chains.

10 “(IV) FOOD SAFETY ASSIST-
11 ANCE.—Of the funds made available
12 for grants under subsection (d)(5), not
13 more than 25 percent shall be reserved
14 for grants for eligible activities de-
15 scribed in subsection (d)(2)(J).

16 “(C) DEVELOPMENT GRANTS FOR OTHER
17 ELIGIBLE ENTITIES.—Of the funds made avail-
18 able to carry out this section for a fiscal year,
19 47 percent shall be used for grants under sub-
20 section (d)(6).

21 “(D) UNOBLIGATED FUNDS.—Any funds
22 under subparagraph (A), (B), or (C) that are not
23 obligated for the uses described in that subpara-
24 graph, as applicable, by September 30 of the fis-

1 *cal year for which the funds were made avail-*
2 *able—*

3 “(i) shall be available to the agency
4 *carrying out the Program with the unobli-*
5 *gated funds to carry out any function of the*
6 *Program, as determined by the Secretary;*
7 *and*

8 “(ii) may carry over to the next fiscal
9 *year.*

10 “(E) *ADMINISTRATIVE EXPENSES.—Not*
11 *greater than 8 percent of amounts made avail-*
12 *able to provide grants under subsections (c) and*
13 *(d)(6) for a fiscal year may be used for adminis-*
14 *trative expenses.”.*

15 (c) *CONFORMING AMENDMENTS.—*

16 (1) *AGRICULTURAL MARKETING RESOURCE CEN-*
17 *TER PILOT PROJECT.—Section 231 of the Agricultural*
18 *Risk Protection Act of 2000 (7 U.S.C. 1632a) is*
19 *amended—*

20 (A) *by striking the section heading and in-*
21 *serting “**AGRICULTURAL MARKETING RE-***
22 ***SOURCE CENTER PILOT PROJECT.**”;*

23 (B) *by striking subsections (a), (b), (d), and*
24 (i);

25 (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 redesignated)—

7 (i) in the matter preceding subpara-
8 graph (A), by striking “Notwithstanding”
9 and all that follows through “paragraph
10 (2)” and inserting the following: “The Sec-
11 retary shall not use more than 2.5 percent
12 of the funds made available to carry out the
13 Local Agriculture Market Program estab-
14 lished under section 210A of the Agricul-
15 tural Marketing Act of 1946 to establish a
16 pilot project (to be known as the ‘Agricul-
17 tural Marketing Resource Center’) at an eli-
18 gible institution described in subsection
19 (b)”;

20 (ii) by redesignating subparagraphs
21 (A) and (B) as paragraphs (1) and (2), re-
22 spectively, and indenting appropriately;
23 and

24 (E) in subsection (b) (as so redesignated)—

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

5 (ii) in paragraph (1) (as so redesign-
6 ated), by striking “paragraph (1)(A)” and
7 inserting “subsection (a)(1)”.

8 (2) *AGRICULTURE INNOVATION CENTER DEM-*
9 *ONSTRATION PROGRAM.*—Section 6402(f) of the *Farm*
10 *Security and Rural Investment Act of 2002* (7 U.S.C.
11 1632b(f)) is amended in the matter preceding para-
12 graph (1) by striking “section 231(d) of the *Agricultural*
13 *Risk Protection Act of 2000* (7 U.S.C. 1621
14 note; Public Law 106–224))” and inserting “section
15 210A(d)(2) of the *Agricultural Marketing Act of*
16 1946”.

17 (3) *LOCAL FOOD PRODUCTION AND PROGRAM*
18 *EVALUATION.*—Section 10016(b)(3)(B) of the *Agricultural*
19 *Act of 2014* (7 U.S.C. 2204h(b)(2)(B)) is
20 amended by striking “Farmers’ Market and Local
21 Food Promotion Program established under section 6
22 of the *Farmer-to-Consumer Direct Marketing Act of*
23 1976 (7 U.S.C. 3005)” and inserting “Local *Agri-*
24 *culture Market Program* established under section
25 210A of the *Agricultural Marketing Act of 1946*”.

1 (4) *PROGRAM METRICS*.—Section 6209(a) of the
2 *Agricultural Act of 2014* (7 U.S.C. 2207b(a)) is
3 amended by striking paragraph (1) and inserting the
4 following:

5 “(1) section 210A of the *Agricultural Marketing*
6 *Act of 1946*”.

7 (5) *FARMER-TO-CONSUMER DIRECT MARKETING*
8 *ACT OF 1976*.—

9 (A) Section 4 of the *Farmer-to-Consumer*
10 *Direct Marketing Act of 1976* (7 U.S.C. 3003) is
11 amended—

12 (i) by striking “The Secretary” and
13 inserting the following:

14 “(a) *IN GENERAL*.—The Secretary”; and

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

16 “(b) *AUTHORIZATION OF APPROPRIATIONS*.—There
17 are authorized to be appropriated such sums as are nec-
18 essary to carry out this section.”.

19 (B) Sections 6, 7, and 8 of the *Farmer-to-*
20 *Consumer Direct Marketing Act of 1976* (7
21 U.S.C. 3005, 3006; 90 Stat. 1983) are repealed.

22 **SEC. 10103. ORGANIC PRODUCTION AND MARKET DATA INI-**
23 **TIATIVES.**

24 Section 7407(d) of the *Farm Security and Rural In-*
25 *vestment Act of 2002* (7 U.S.C. 5925c(d)) is amended—

1 (1) *in paragraph (1)*—

2 (A) *in the paragraph heading, by striking*

3 “*THROUGH FISCAL YEAR 2012*”; and

4 (B) *by striking “\$5,000,000, to remain*

5 *available until expended.” and inserting the fol-*

6 *lowing: “, to remain available until expended—*

7 “*(A) \$5,000,000 for each of the periods of*

8 *fiscal years 2008 through 2012 and 2014 through*

9 *2018; and*

10 “*(B) \$5,000,000 for the period of fiscal*

11 *years 2019 through 2023.*”;

12 (2) *by striking paragraph (2);*

13 (3) *by redesignating paragraph (3) as para-*

14 *graph (2); and*

15 (4) *in paragraph (2) (as so redesignated)*—

16 (A) *by striking “paragraphs (1) and (2)”*

17 *and inserting “paragraph (1)”;* and

18 (B) *by striking “2018” and inserting*

19 “*2023*”.

20 **SEC. 10104. ORGANIC CERTIFICATION.**

21 (a) *EXCLUSIONS FROM CERTIFICATION.*—*Not later*

22 *than 1 year after the date of enactment of this Act, the Sec-*

23 *retary shall issue regulations to limit the type of organic*

24 *operations that are excluded from certification under sec-*

25 *tion 205.101 of title 7, Code of Federal Regulations, and*

1 *from certification under any other related sections under*
2 *part 205 of title 7, Code of Federal Regulations.*

3 (b) *DEFINITIONS.—Section 2103 of the Organic Foods*
4 *Production Act of 1990 (7 U.S.C. 6502) is amended—*

5 (1) *in paragraph (3)—*

6 (A) *by striking “The term” and inserting*
7 *the following:*

8 “(A) *IN GENERAL.—The term*”; *and*

9 (B) *by adding at the end the following:*

10 “(B) *FOREIGN OPERATIONS.—When used in*
11 *the context of a certifying agent operating in a*
12 *foreign country, the term ‘certifying agent’ in-*
13 *cludes a certifying agent—*

14 “(i) *accredited in accordance with sec-*
15 *tion 2106(b)(1); or*

16 “(ii) *accredited by a foreign govern-*
17 *ment that acted under an equivalency ar-*
18 *rangement negotiated between the United*
19 *States and the foreign government.”;*

20 (2) *by redesignating paragraphs (13) through*
21 *(21) as paragraphs (14) through (22), respectively;*
22 *and*

23 (3) *by inserting after paragraph (12) the fol-*
24 *lowing:*

1 “(13) NATIONAL ORGANIC PROGRAM IMPORT
2 CERTIFICATE.—The term ‘national organic program
3 import certificate’ means a form developed for pur-
4 poses of the program under this title—

5 “(A) to provide documentation sufficient to
6 verify that an agricultural product imported for
7 sale in the United States satisfies the require-
8 ment under section 2106(b)(1); and

9 “(B) which shall include, at a minimum,
10 information sufficient to indicate, with respect to
11 the agricultural product—

12 “(i) the origin;

13 “(ii) the destination;

14 “(iii) the certifying agent issuing the
15 national organic program import certifi-
16 cate;

17 “(iv) the harmonized tariff code, if a
18 harmonized tariff code exists for the agricul-
19 tural product;

20 “(v) the total weight; and

21 “(vi) the organic standard to which the
22 agricultural product is certified.”.

23 (c) DOCUMENTATION AND TRACEABILITY ENHANCE-
24 MENT; DATA COLLECTION.—Section 2106(b) of the Organic

1 *Foods Production Act of 1990 (7 U.S.C. 6505(b)) is amend-*
2 *ed—*

3 (1) *by striking “Imported” and inserting the fol-*
4 *lowing:*

5 “*(1) ACCREDITATION OF FOREIGN ORGANIC CER-*
6 *TIFICATION PROGRAM.—Imported*”; *and*

7 (2) *by adding at the end the following:*

8 “*(2) IMPORT CERTIFICATION.—*

9 “*(A) IMPORT CERTIFICATES.—For an agri-*
10 *cultural product being imported into the United*
11 *States to be represented as organically produced,*
12 *the Secretary shall require the agricultural prod-*
13 *uct to be accompanied by a complete and valid*
14 *national organic program import certificate,*
15 *which shall be available as an electronic record.*

16 “*(B) TRACKING SYSTEM.—*

17 “*(i) IN GENERAL.—The Secretary shall*
18 *establish a system to track national organic*
19 *program import certificates.*

20 “*(ii) INTEGRATION.—In establishing*
21 *the system under clause (i), the Secretary*
22 *may integrate the system into any existing*
23 *information tracking systems for imports of*
24 *agricultural products.*

1 “(3) *MODERNIZATION OF TRADE TRACKING AND*
2 *DATA COLLECTION SYSTEMS.*—

3 “(A) *IN GENERAL.*—*The Secretary shall*
4 *modernize international trade tracking and data*
5 *collection systems of the national organic pro-*
6 *gram established under this title.*

7 “(B) *ACTIVITIES.*—*In carrying out sub-*
8 *paragraph (A), the Secretary shall modernize*
9 *trade and transaction certificates to ensure full*
10 *traceability to the port of entry without unduly*
11 *hindering trade, such as through an electronic*
12 *trade document exchange system.*

13 “(4) *REPORTS.*—

14 “(A) *IN GENERAL.*—*On an annual basis,*
15 *the Secretary shall submit to Congress and make*
16 *publically available on the website of the Depart-*
17 *ment of Agriculture a report providing detailed*
18 *quantitative data on imports of organically pro-*
19 *duced agricultural products accepted into the*
20 *United States during the year covered by the re-*
21 *port.*

22 “(B) *REQUIREMENTS.*—*The data described*
23 *in subparagraph (A) shall be broken down by ag-*
24 *ricultural product type, quantity, value, and*
25 *month.*

1 “(C) *EXCEPTION.*—Any data that is specific
2 enough to be protected as confidential business
3 information shall not be provided in the report
4 under subparagraph (A).”.

5 (d) *ACCREDITATION PROGRAM.*—Section 2115 of the
6 *Organic Foods Production Act of 1990 (7 U.S.C. 6514)* is
7 amended—

8 (1) by redesignating subsection (c) as subsection
9 (d);

10 (2) by inserting after subsection (b) the fol-
11 lowing:

12 “(c) *OVERSIGHT OF SATELLITE OFFICES AND FOR-*
13 *EIGN OPERATIONS.*—As part of the accreditation of certi-
14 *fying agents under this section, the Secretary shall oversee*
15 *any certifying agent operating in a foreign country.”; and*

16 (3) in subsection (d) (as so redesignated)—

17 (A) by striking “section shall” and insert-
18 ing the following: “section—

19 “(1) subject to paragraph (2), shall”; and

20 (B) in paragraph (1) (as so designated)—

21 (i) by striking “of”; and

22 (ii) by striking “Secretary, and may”
23 and inserting the following: “Secretary;

24 “(2) in the case of a certifying agent operating
25 in a foreign country, shall be for a period of time that

1 *is consistent with the certification of a domestic certi-*
2 *fying agent, as determined appropriate by the Sec-*
3 *retary; and*
4 *“(3) may”.*

5 *(e) NATIONAL ORGANIC STANDARDS BOARD.—Section*
6 *2119(i) of the Organic Foods Production Act of 1990 (7*
7 *U.S.C. 6518(i)) is amended—*

8 *(1) by striking “Two-thirds” and inserting the*
9 *following:*

10 *“(1) IN GENERAL.— $\frac{2}{3}$ ”; and*

11 *(2) by adding at the end the following:*

12 *“(2) NATIONAL LIST.—Any vote on a motion*
13 *proposing to amend the national list shall be consid-*
14 *ered to be a decisive vote that requires $\frac{2}{3}$ of the votes*
15 *cast at a meeting of the Board at which a quorum is*
16 *present to prevail.”.*

17 *(f) INVESTIGATIONS.—Section 2120(b) of the Organic*
18 *Foods Production Act (7 U.S.C. 6519(b)) is amended by*
19 *adding at the end the following:*

20 *“(3) INFORMATION SHARING DURING ACTIVE IN-*
21 *VESTIGATION.—In carrying out this title, all parties*
22 *conducting an active investigation under this sub-*
23 *section (including certifying agents, State organic*
24 *certification programs, and the national organic pro-*
25 *gram) shall share confidential business information*

1 *with Federal and State government officers and em-*
2 *ployees and certifying agents involved in the inves-*
3 *tigation as necessary to fully investigate and enforce*
4 *potential violations of this title.*

5 “(4) *EXPEDITED PROCEDURES FOR FOREIGN OP-*
6 *ERATIONS.*—

7 “(A) *ESTABLISHMENT.*—*The Secretary shall*
8 *establish expedited investigative procedures*
9 *under this subsection to review the accreditation*
10 *of a certifying agent operating in a foreign coun-*
11 *try under any of the circumstances described in*
12 *subparagraph (B).*

13 “(B) *EXPEDITED PROCEDURES.*—*The Sec-*
14 *retary shall promptly carry out expedited inves-*
15 *tigative procedures established under subpara-*
16 *graph (A) to review the accreditation of a certi-*
17 *fying agent operating in a foreign country if—*

18 “(i) *the accreditation of the certifying*
19 *agent is revoked by a foreign government—*

20 “(I) *operating an organic certifi-*
21 *cation program described in section*
22 *2106(b)(1); or*

23 “(II) *that acted under an equiva-*
24 *lency arrangement negotiated between*

1 *the United States and the foreign gov-*
2 *ernment; or*

3 “(ii) *the Secretary determines that*
4 *there is a sudden and substantial increase*
5 *in the rate and quantity of imports of an*
6 *individual organically produced agricul-*
7 *tural product from the foreign country, in*
8 *which case the expedited investigative proce-*
9 *dures shall be carried out with respect to*
10 *each certifying agent of that agricultural*
11 *product in that foreign country.”.*

12 *(g) DATA ORGANIZATION AND ACCESS.—Section 2122*
13 *of the Organic Foods Production Act of 1990 (7 U.S.C.*
14 *6521) is amended by adding at the end the following:*

15 “(c) *DATA RELATING TO IMPORTS OF ORGANICALLY*
16 *PRODUCED AGRICULTURAL PRODUCTS.—*

17 “(1) *ACCESS TO DATA DOCUMENTATION SYS-*
18 *TEMS.—The head of each Federal agency that admin-*
19 *isters a cross-border documentation system shall pro-*
20 *vide to the head of each other Federal agency that ad-*
21 *ministers such a system access to available data from*
22 *the system, including—*

23 “(A) *the Automated Commercial Environ-*
24 *ment system of U.S. Customs and Border Protec-*
25 *tion; and*

1 “(B) *the Phytosanitary Certificate Issuance*
2 *and Tracking System of the Animal and Plant*
3 *Health Inspection Service.*

4 “(2) *DATA COLLECTION AND ORGANIZATION SYS-*
5 *TEM.—*

6 “(A) *IN GENERAL.—The Secretary shall es-*
7 *tablish a new system or modify an existing data*
8 *collection and organization system to collect and*
9 *organize in a single system quantitative data on*
10 *imports of each organically produced agricul-*
11 *tural product accepted into the United States.*

12 “(B) *ACCESS.—The single system under*
13 *subparagraph (A) shall be accessible by any*
14 *agency with the authority to engage in—*

15 “(i) *inspection of imports of agricul-*
16 *tural products;*

17 “(ii) *trade data collection and organi-*
18 *zation; or*

19 “(iii) *enforcement of trade require-*
20 *ments for organically produced agricultural*
21 *products.”.*

22 “(h) *ORGANIC AGRICULTURAL PRODUCT IMPORTS*
23 *INTERAGENCY WORKING GROUP.—The Organic Foods Pro-*
24 *duction Act of 1990 is amended by inserting after section*
25 *2122 (7 U.S.C. 6521) the following:*

1 **“SEC. 2122A. ORGANIC AGRICULTURAL PRODUCT IMPORTS**
2 **INTERAGENCY WORKING GROUP.**

3 “(a) *ESTABLISHMENT.*—

4 “(1) *IN GENERAL.*—*The Secretary and the Sec-*
5 *retary of Homeland Security shall jointly establish a*
6 *working group to facilitate coordination and informa-*
7 *tion sharing between the Department of Agriculture*
8 *and U.S. Customs and Border Protection relating to*
9 *imports of organically produced agricultural products*
10 *(referred to in this section as the ‘working group’).*

11 “(2) *MEMBERS.*—*The working group—*

12 “(A) *shall include—*

13 “(i) *the Secretary (or a designee); and*

14 “(ii) *the Secretary of Homeland Secu-*
15 *rity (or a designee); and*

16 “(B) *shall not include any non-Federal offi-*
17 *cer or employee.*

18 “(3) *DUTIES.*—*The working group shall facili-*
19 *tate coordination and information sharing between*
20 *the Department of Agriculture and U.S. Customs and*
21 *Border Protection for the purposes of—*

22 “(A) *identifying imports of organically pro-*
23 *duced agricultural products;*

24 “(B) *verifying the authenticity of organi-*
25 *cally produced agricultural product import docu-*

1 *mentation, such as national organic program*
2 *import certificates;*

3 “(C) *ensuring imported agricultural prod-*
4 *ucts represented as organically produced meet*
5 *the requirements under this title;*

6 “(D) *collecting and organizing quantitative*
7 *data on imports of organically produced agricul-*
8 *tural products; and*

9 “(E) *reporting to Congress on—*

10 “(i) *enforcement activity carried out*
11 *by the Department of Agriculture or U.S.*
12 *Customs and Border Protection in the*
13 *United States or abroad; and*

14 “(ii) *barriers to preventing agricul-*
15 *tural products fraudulently represented as*
16 *organically produced from entry into the*
17 *United States.*

18 “(4) *DESIGNATED EMPLOYEES AND OFFICIALS.—*
19 *An employee or official designated to carry out the*
20 *duties of the Secretary or the Secretary of Homeland*
21 *Security on the working group under subparagraph*
22 *(A) or (B) of paragraph (2) shall be an employee or*
23 *official compensated at a rate of pay not less than the*
24 *minimum annual rate of basic pay for GS–12 under*
25 *section 5332 of title 5, United States Code.*

1 “(b) *REPORTS.*—On an annual basis, the working
2 group shall submit to Congress and make publically avail-
3 able on the websites of the Department of Agriculture and
4 U.S. Customs and Border Protection the following reports:

5 “(1) *ORGANIC TRADE ENFORCEMENT INTER-*
6 *AGENCY COORDINATION REPORT.*—A report—

7 “(A) *identifying existing barriers to co-*
8 *operation between the agencies involved in agri-*
9 *cultural product import inspection, trade data*
10 *collection and organization, and organically pro-*
11 *duced agricultural product trade enforcement,*
12 *including—*

13 “(i) *U.S. Customs and Border Protec-*
14 *tion;*

15 “(ii) *the Agricultural Marketing Serv-*
16 *ice; and*

17 “(iii) *the Animal and Plant Health*
18 *Inspection Service;*

19 “(B) *assessing progress toward integrating*
20 *organic trade enforcement into import inspection*
21 *procedures of U.S. Customs and Border Protec-*
22 *tion and the Animal and Plant Health Inspec-*
23 *tion Service, including an assessment of—*

24 “(i) *the status of the development of*
25 *systems for—*

1 “(I) tracking the fumigation of
2 imports of organically produced agri-
3 cultural products into the United
4 States; and

5 “(II) electronically verifying na-
6 tional organic program import certifi-
7 cate authenticity; and

8 “(ii) training of U.S. Customs and
9 Border Protection personnel on—

10 “(I) the use of the systems de-
11 scribed in clause (i); and

12 “(II) requirements and protocols
13 under this title;

14 “(C) establishing outcome-based goals for
15 ensuring imports of agricultural products rep-
16 resented as organically produced meet the re-
17 quirements under this title;

18 “(D) recommending steps to improve the
19 documentation and traceability of imported or-
20 ganically produced agricultural products;

21 “(E) recommending and describing steps to-
22 ward the goals of—

23 “(i) achieving complete compliance
24 with the requirements of this title for all ag-
25 ricultural products imported into the

1 *United States and represented as organi-*
2 *cally produced; and*

3 *“(ii) ensuring accurate labeling and*
4 *marketing of imported agricultural products*
5 *represented as organically produced by the*
6 *exporter;*

7 *“(F) providing a timeline for implementing*
8 *the steps described in subparagraph (E);*

9 *“(G) identifying additional resources needed*
10 *to achieve any unmet goals; and*

11 *“(H) describing staffing needs at U.S. Cus-*
12 *toms and Border Protection and the Department*
13 *of Agriculture to achieve the goals for ensuring*
14 *organic integrity described in the report.*

15 *“(2) REPORT ON ENFORCEMENT ACTIONS TAKEN*
16 *ON ORGANIC IMPORTS.—A report—*

17 *“(A) providing detailed quantitative data*
18 *(broken down by commodity type, quantity,*
19 *value, month, and origin) on imports of agricul-*
20 *tural products represented as organically pro-*
21 *duced found to be fraudulent or lacking any doc-*
22 *umentation required under this title at the port*
23 *of entry during the report year;*

24 *“(B) providing data on domestic enforce-*
25 *ment actions taken on imported agricultural*

1 *products represented as organically produced, in-*
2 *cluding—*

3 *“(i) the number and type of actions*
4 *taken by United States officials at ports of*
5 *entry in response to violations of this title;*
6 *and*

7 *“(ii) the total quantity and value of*
8 *the agricultural products that were the sub-*
9 *ject of the actions, broken down by product*
10 *variety and country of origin;*

11 *“(C) providing data on fumigation of agri-*
12 *cultural products represented as organically pro-*
13 *duced at ports of entry and notifications of fu-*
14 *migation actions to shipment owners, broken*
15 *down by product variety and country of origin;*
16 *and*

17 *“(D) providing information on enforcement*
18 *activities under this title involving overseas in-*
19 *vestigations and compliance actions taken within*
20 *that year, including—*

21 *“(i) the number of investigations by*
22 *country; and*

23 *“(ii) a descriptive summary of compli-*
24 *ance actions taken by certifying agents in*
25 *each country.”.*

1 (i) *AUTHORIZATION OF APPROPRIATIONS.—Section*
2 *2123 of the Organic Foods Production Act of 1990 (7 U.S.C.*
3 *6522) is amended—*

4 (1) *by striking the section heading and inserting*
5 *“**FUNDING**”;*

6 (2) *in subsection (b), by striking paragraphs (1)*
7 *through (7) and inserting the following:*

8 “*(1) \$15,000,000 for fiscal year 2018;*

9 “*(2) \$16,500,000 for fiscal year 2019;*

10 “*(3) \$18,000,000 for fiscal year 2020;*

11 “*(4) \$20,000,000 for fiscal year 2021;*

12 “*(5) \$22,000,000 for fiscal year 2022; and*

13 “*(6) \$24,000,000 for fiscal year 2023.”; and*

14 (3) *by adding at the end the following:*

15 “*(d) MODERNIZATION OF TRADE TRACKING AND DATA*
16 *COLLECTION SYSTEMS.—*

17 “*(1) IN GENERAL.—Of the funds of the Com-*
18 *modity Credit Corporation, the Secretary shall use to*
19 *carry out section 2106(b)(3) \$5,000,000 for fiscal year*
20 *2019, to remain available until expended.*

21 “*(2) ADDITIONAL AMOUNT.—The amount made*
22 *available under paragraph (1) shall be in addition to*
23 *any other amounts made available to carry out sec-*
24 *tion 2106(b)(3).”.*

1 (j) *TRADE SAVINGS PROVISION.*—*The amendments*
2 *made by subsections (c), (d), and (f) shall be carried out*
3 *in a manner consistent with United States obligations*
4 *under international agreements.*

5 **SEC. 10105. NATIONAL ORGANIC CERTIFICATION COST-**
6 **SHARE PROGRAM.**

7 (a) *ELIMINATION OF DIRECTED DELEGATION.*—*Sec-*
8 *tion 10606(a) of the Farm Security and Rural Investment*
9 *Act of 2002 (7 U.S.C. 6523(a)) is amended by striking*
10 *“(acting through the Agricultural Marketing Service)”.*

11 (b) *FUNDING.*—*Section 10606 of the Farm Security*
12 *and Rural Investment Act of 2002 (7 U.S.C. 6523) is*
13 *amended by striking subsection (d) and inserting the fol-*
14 *lowing:*

15 “(d) *MANDATORY FUNDING.*—*Of the funds of the Com-*
16 *modity Credit Corporation, the Secretary shall make avail-*
17 *able to carry out this section \$11,500,000 for each of fiscal*
18 *years 2019 through 2023, to remain available until ex-*
19 *pended.”.*

20 **SEC. 10106. FOOD SAFETY EDUCATION INITIATIVES.**

21 *Section 10105(c) of the Food, Conservation, and En-*
22 *ergy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking*
23 *“2018” and inserting “2023”.*

1 **SEC. 10107. SPECIALTY CROP BLOCK GRANTS.**

2 *Section 101 of the Specialty Crops Competitiveness Act*
3 *of 2004 (7 U.S.C. 1621 note; Public Law 108–465) is*
4 *amended—*

5 *(1) in subsection (a), by striking “2018” and in-*
6 *serting “2023”;*

7 *(2) in subsection (e)—*

8 *(A) by striking “shall identify” and insert-*
9 *ing the following: “shall—*

10 *“(1) identify”;*

11 *(B) in paragraph (1) (as so designated), by*
12 *striking “plan and indicate” and inserting the*
13 *following: “plan;*

14 *“(2) indicate”;*

15 *(C) in paragraph (2) (as so designated), by*
16 *striking “crops.” and inserting “crops at the na-*
17 *tional, regional, and local levels;”; and*

18 *(D) by adding at the end the following:*

19 *“(3) include performance measures developed by*
20 *the State department of agriculture, in consultation*
21 *with specialty crop stakeholders, to be used as the pri-*
22 *mary means for performing an evaluation; and*

23 *“(4) provide best practices for methods used to*
24 *enhance the competitiveness of specialty crops across*
25 *multiple commodities, types of production, and geo-*
26 *graphic locations.”;*

1 (3) *in subsection (f)*—

2 (A) *in the second sentence, by striking “The*
3 *Secretary” and inserting the following:*

4 “(2) *ACCEPTANCE OR REJECTION.—The Sec-*
5 *retary”;*

6 (B) *in the matter preceding paragraph (2)*
7 *(as so designated), by striking “In reviewing”*
8 *and inserting the following:*

9 “(1) *IN GENERAL.—In reviewing”;* and

10 (C) *in paragraph (1) (as so designated)*—

11 (i) *by striking “would carry” and in-*
12 *serting the following: “would—*

13 *“(A) carry”;* and

14 (ii) *in subparagraph (A) (as so des-*
15 *ignated), by striking “(a).” and inserting*
16 *the following: “(a); and*

17 *“(B) meet the requirements described in*
18 *subsection (e).”;*

19 (4) *in subsection (h)*—

20 (A) *in the paragraph heading, by inserting*
21 *“AND EVALUATION” after “AUDIT”;*

22 (B) *in the second sentence, by striking “Not*
23 *later than 30 days after the completion of the*
24 *audit,” and inserting the following:*

1 “(2) *SUBMISSION OF AUDIT.*—Not later than 30
2 days after the completion of the audit under para-
3 graph (1)(A),”;

4 (C) in the matter preceding paragraph (2)
5 (as so designated), by striking “For each” and
6 inserting the following:

7 “(1) *IN GENERAL.*—For each”; and

8 (D) in paragraph (1) (as so designated)—

9 (i) by striking “conduct an audit” and
10 inserting the following: “conduct—

11 “(A) an audit”; and

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

15 “(B) an evaluation of performance measures
16 developed under subsection (e)(3).”;

17 (5) in subsection (k)—

18 (A) in paragraph (1), by striking “3” and
19 inserting “4”;

20 (B) in paragraph (2), by striking “8” and
21 inserting “9”; and

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

23 “(3) *GUIDANCE.*—

24 (A) *IN GENERAL.*—Each year, prior to the
25 submission of State plans under subsection (d),

1 *the Secretary shall provide guidance to States re-*
2 *garding best practices and national and regional*
3 *priorities.*

4 “(B) *NATIONAL AND REGIONAL PRIOR-*
5 *ITIES.—National and regional priorities de-*
6 *scribed in subparagraph (A) shall be—*

7 *“(i) based on formal stakeholder input;*
8 *and*

9 *“(ii) considered by the Secretary as*
10 *States develop State plans under subsection*
11 *(d).*

12 “(4) *MULTISTATE PROJECTS.—Notwithstanding*
13 *subsection (a) and paragraph (1), the Administrator*
14 *of the Agricultural Marketing Service shall admin-*
15 *ister the funds of approved multistate projects under*
16 *subsection (j).”;* and

17 *(6) in subsection (l)(2)(E), by inserting “and*
18 *each fiscal year thereafter” before the period at the*
19 *end.*

20 **SEC. 10108. PLANT VARIETY PROTECTION.**

21 *Section 42(a) of the Plant Variety Protection Act (7*
22 *U.S.C. 2402(a)) is amended in the matter preceding para-*
23 *graph (1) by striking “or tuber propagated” and inserting*
24 *“tuber propagated or asexually propagated”.*

1 **SEC. 10109. MULTIPLE CROP AND PESTICIDE USE SURVEY.**

2 (a) *IN GENERAL.*—*The Secretary, acting through the*
3 *Director of the Office of Pest Management Policy, shall con-*
4 *duct a multiple crop and pesticide use survey of farmers*
5 *to collect data for risk assessment modeling and mitigation*
6 *for an active ingredient.*

7 (b) *SUBMISSION.*—*The Secretary shall submit to the*
8 *Administrator of the Environmental Protection Agency and*
9 *make publically available the survey described in subsection*
10 *(a).*

11 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
12 *authorized to be appropriated to carry out this section*
13 *\$2,500,000, to remain available until expended.*

14 (d) *CONFIDENTIALITY OF INFORMATION.*—*Section*
15 *1770 of the Food Security Act of 1985 (7 U.S.C. 2276) is*
16 *amended—*

17 (1) *in subsection (a)—*

18 (A) *by striking “(a) In the case” and in-*
19 *serting the following:*

20 *“(a) IN GENERAL.—In the case”; and*

21 (B) *in paragraph (3), by striking “sub-*
22 *section (d)(12)” and inserting “paragraph (12)*
23 *or (13) of subsection (d)”;* and

24 (2) *in subsection (d)—*

25 (A) *by striking “(d) For purposes” and in-*
26 *serting the following:*

1 “(d) *PROVISIONS OF LAW REFERENCES.*—For pur-
2 poses”;

3 (B) in paragraph (11), by striking “or” at
4 the end;

5 (C) in paragraph (12), by striking the pe-
6 riod at the end and inserting “; or”; and

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

8 “(13) section 10109 of the Agriculture Improve-
9 ment Act of 2018.”.

10 **SEC. 10110. CLARIFICATION OF USE OF FUNDS FOR TECH-**
11 **NICAL ASSISTANCE.**

12 Section 11 of the Commodity Credit Corporation
13 Charter Act (15 U.S.C. 714i) is amended in the last sen-
14 tence by inserting after “activities” the following: “but ex-
15 cluding any amounts used to provide technical assistance
16 under title X of the Agriculture Improvement Act of 2018
17 or an amendment made by that title.”.

18 **SEC. 10111. HEMP PRODUCTION.**

19 The Agricultural Marketing Act of 1946 (7 U.S.C.
20 1621 et seq.) is amended by adding at the end the following:

21 **“Subtitle G—Hemp Production**

22 **“SEC. 297A. DEFINITIONS.**

23 *“In this subtitle:*

24 (1) *HEMP.*—The term ‘hemp’ means the plant
25 *Cannabis sativa L.* and any part of that plant, in-

1 *cluding the seeds thereof and all derivatives, extracts,*
2 *cannabinoids, isomers, acids, salts, and salts of iso-*
3 *mers, whether growing or not, with a delta-9*
4 *tetrahydrocannabinol concentration of not more than*
5 *0.3 percent on a dry weight basis.*

6 “(2) *INDIAN TRIBE.*—*The term ‘Indian tribe’ has*
7 *the meaning given the term in section 4 of the Indian*
8 *Self-Determination and Education Assistance Act (25*
9 *U.S.C. 5304).*

10 “(3) *SECRETARY.*—*The term ‘Secretary’ means*
11 *the Secretary of Agriculture.*

12 “(4) *STATE.*—*The term ‘State’ means—*

13 “(A) *a State;*

14 “(B) *the District of Columbia;*

15 “(C) *the Commonwealth of Puerto Rico; and*

16 “(D) *any other territory or possession of the*
17 *United States.*

18 “(5) *STATE DEPARTMENT OF AGRICULTURE.*—
19 *The term ‘State department of agriculture’ means the*
20 *agency, commission, or department of a State govern-*
21 *ment 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 In-
6 dian tribe shall submit to the Secretary, through the
7 State department of agriculture (in consultation with
8 the Governor and chief law enforcement officer of the
9 State) or the Tribal government, as applicable, a plan
10 under which the State or Indian tribe monitors and
11 regulates that production as described in paragraph
12 (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
17 information regarding land on which hemp
18 is 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 3
21 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 the
26 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;

4 “(iv) a procedure to comply with the
5 enforcement procedures under subsection
6 (d);

7 “(v) a procedure for conducting annual
8 inspections of a random sample of hemp
9 producers—

10 “(I) to verify that hemp is not
11 produced in violation of this subtitle;
12 and

13 “(II) in a manner that ensures
14 that a hemp producer is subject to not
15 more than 1 inspection each year; and

16 “(vi) a certification that the State or
17 Indian tribe has the resources and personnel
18 to carry out the practices and procedures
19 described in clauses (i) through (v); and

20 “(B) may include any other practice or
21 procedure established by a State or Indian tribe,
22 as applicable, to the extent that the practice or
23 procedure is consistent with this subtitle.

24 “(3) *RELATION TO STATE AND TRIBAL LAW.*—

1 “(A) *NO PREEMPTION.*—*Nothing in this*
2 *subsection preempts or limits any law of a State*
3 *or Indian tribe regulating the production of*
4 *hemp, to the extent that law is consistent with*
5 *this subtitle.*

6 “(B) *REFERENCES IN PLANS.*—*A State or*
7 *Tribal plan referred to in paragraph (1) may*
8 *include a reference to a law of the State or In-*
9 *dian tribe regulating the production of hemp, to*
10 *the extent that law is consistent with this sub-*
11 *title.*

12 “(b) *APPROVAL.*—

13 “(1) *IN GENERAL.*—*Not later than 60 days after*
14 *receipt of a State or Tribal plan under subsection (a),*
15 *the Secretary shall—*

16 “(A) *approve the State or Tribal plan if the*
17 *State or Tribal plan complies with subsection*
18 *(a); or*

19 “(B) *disapprove the State or Tribal plan*
20 *only if the State or Tribal plan does not comply*
21 *with subsection (a).*

22 “(2) *AMENDED PLANS.*—*If the Secretary dis-*
23 *approves a State or Tribal plan under paragraph*
24 *(1)(B), the State, through the State department of ag-*
25 *riculture (in consultation with the Governor and chief*

1 *law enforcement officer of the State) or the Tribal*
2 *government, as applicable, may submit to the Sec-*
3 *retary an amended State or Tribal plan that complies*
4 *with subsection (a).*

5 “(3) *CONSULTATION.*—*The Secretary may con-*
6 *sult with the Attorney General in carrying out this*
7 *subsection.*

8 “(c) *TECHNICAL ASSISTANCE.*—*The Secretary may*
9 *provide technical assistance to a State or Indian tribe in*
10 *the development of a State or Tribal plan under subsection*
11 *(a).*

12 “(d) *VIOLATIONS.*—

13 “(1) *IN GENERAL.*—*A violation of a State or*
14 *Tribal plan approved under subsection (b) shall be*
15 *subject to enforcement solely in accordance with this*
16 *subsection.*

17 “(2) *NEGLIGENT VIOLATIONS.*—

18 “(A) *IN GENERAL.*—*A hemp producer in a*
19 *State or the territory of an Indian tribe for*
20 *which a State or Tribal plan is approved under*
21 *subsection (b) shall be subject to subparagraph*
22 *(B) of this paragraph if the State department of*
23 *agriculture or Tribal government, as applicable,*
24 *determines that the hemp producer has neg-*

1 *ligently violated the State or Tribal plan, in-*
2 *cluding by negligently—*

3 *“(i) failing to provide a legal descrip-*
4 *tion of land on which the producer produces*
5 *hemp;*

6 *“(ii) failing to obtain a license or other*
7 *required authorization from the State de-*
8 *partment of agriculture or Tribal govern-*
9 *ment, as applicable; or*

10 *“(iii) producing *Cannabis sativa* L.*
11 *with a delta-9 tetrahydrocannabinol con-*
12 *centration of more than 0.3 percent on a*
13 *dry weight basis.*

14 *“(B) CORRECTIVE ACTION PLAN.—A hemp*
15 *producer described in subparagraph (A) shall*
16 *comply with a plan established by the State de-*
17 *partment of agriculture or Tribal government, as*
18 *applicable, to correct the negligent violation, in-*
19 *cluding—*

20 *“(i) a reasonable date by which the*
21 *hemp producer shall correct the negligent*
22 *violation; and*

23 *“(ii) a requirement that the hemp pro-*
24 *ducer shall periodically report to the State*
25 *department of agriculture or Tribal govern-*

1 *ment, as applicable, on the compliance of*
2 *the hemp producer with the State or Tribal*
3 *plan for a period of not less than the next*
4 *2 calendar years.*

5 “(C) *RESULT OF NEGLIGENT VIOLATION.*—
6 *Except as provided in subparagraph (D), a*
7 *hemp producer that negligently violates a State*
8 *or Tribal plan under subparagraph (A) shall not*
9 *as a result of that violation be subject to any*
10 *criminal or civil enforcement action by the Fed-*
11 *eral Government or any State government, Trib-*
12 *al government, or local government other than*
13 *the enforcement action authorized under sub-*
14 *paragraph (B).*

15 “(D) *REPEAT VIOLATIONS.*—*A hemp pro-*
16 *ducer that negligently violates a State or Tribal*
17 *plan under subparagraph (A) 3 times in a 5-*
18 *year period shall be ineligible to produce hemp*
19 *for a period of 5 years beginning on the date of*
20 *the third violation.*

21 “(3) *OTHER VIOLATIONS.*—

22 “(A) *IN GENERAL.*—*If the State department*
23 *of agriculture or Tribal government in a State*
24 *or the territory of an Indian tribe for which a*
25 *State or Tribal plan is approved under sub-*

1 *section (b), as applicable, determines that a*
2 *hemp producer in the State or territory has vio-*
3 *lated the State or Tribal plan with a culpable*
4 *mental state greater than negligence—*

5 *“(i) the State department of agri-*
6 *culture or Tribal government, as applicable,*
7 *shall immediately report the hemp producer*
8 *to—*

9 *“(I) the Attorney General; and*

10 *“(II) in the case of a State de-*
11 *partment of agriculture, the chief law*
12 *enforcement officer of the State; and*

13 *“(ii) paragraph (1) of this subsection*
14 *shall not apply to the violation.*

15 *“(B) FELONY.—Any person convicted of a*
16 *felony relating to a controlled substance under*
17 *State or Federal law shall be ineligible—*

18 *“(i) to participate in the program es-*
19 *tablished under this section; and*

20 *“(ii) to produce hemp under any regu-*
21 *lations or guidelines issued under section*
22 *297D(a).*

23 *“(C) FALSE STATEMENT.—Any person who*
24 *materially falsifies any information contained in*
25 *an application to participate in the program es-*

1 *tablished under this section shall be ineligible to*
2 *participate in that program.*

3 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There are*
4 *authorized to be appropriated such sums as are necessary*
5 *to carry out this section.*

6 “(f) *EFFECT.—Nothing in this section prohibits the*
7 *production of hemp in a State or the territory of an Indian*
8 *tribe for which a State or Tribal plan is not approved*
9 *under this section in accordance with section 297C or other*
10 *Federal laws (including regulations).*

11 **“SEC. 297C. DEPARTMENT OF AGRICULTURE.**

12 “(a) *DEPARTMENT OF AGRICULTURE PLAN.—*

13 “(1) *IN GENERAL.—In the case of a State or In-*
14 *Indian tribe for which a State or Tribal plan is not ap-*
15 *proved under section 297B, the production of hemp in*
16 *that State or the territory of that Indian tribe shall*
17 *be subject to a plan established by the Secretary to*
18 *monitor and regulate that production in accordance*
19 *with paragraph (2).*

20 “(2) *CONTENT.—A plan established by the Sec-*
21 *retary under paragraph (1) shall include—*

22 “(A) *a practice to maintain relevant infor-*
23 *mation regarding land on which hemp is pro-*
24 *duced in the State or territory of the Indian*

1 *tribe, including a legal description of the land,*
2 *for a period of not less than 3 calendar years;*

3 “(B) *a procedure for testing, using post-*
4 *decarboxylation or other similarly reliable meth-*
5 *ods, delta-9 tetrahydrocannabinol concentration*
6 *levels of hemp produced in the State or territory*
7 *of the Indian tribe;*

8 “(C) *a procedure for the effective disposal of*
9 *products that are produced in violation of this*
10 *subtitle;*

11 “(D) *a procedure to comply with the en-*
12 *forcement procedures under subsection (c)(2);*

13 “(E) *a procedure for conducting annual in-*
14 *spections of a random sample of hemp pro-*
15 *ducers—*

16 “(i) *to verify that hemp is not pro-*
17 *duced in violation of this subtitle; and*

18 “(ii) *in a manner that ensures that a*
19 *hemp producer is subject to not more than*
20 *1 inspection each year; and*

21 “(F) *such other practices or procedures as*
22 *the Secretary considers to be appropriate, to the*
23 *extent that the practice or procedure is consistent*
24 *with this subtitle.*

1 “(b) *LICENSING.*—*The Secretary shall establish a pro-*
2 *cedure to issue licenses to hemp producers in accordance*
3 *with a plan established under subsection (a).*

4 “(c) *VIOLATIONS.*—

5 “(1) *IN GENERAL.*—*In the case of a State or In-*
6 *dian tribe for which a State or Tribal plan is not ap-*
7 *proved under section 297B, it shall be unlawful to*
8 *produce hemp in that State or the territory of that*
9 *Indian tribe without a license issued by the Secretary*
10 *under subsection (b).*

11 “(2) *NEGLIGENT AND OTHER VIOLATIONS.*—*A*
12 *violation of a plan established under subsection (a)*
13 *shall be subject to enforcement in accordance with*
14 *paragraphs (2) and (3) of section 297B(d), except*
15 *that the Secretary shall carry out that enforcement*
16 *instead of a State department of agriculture or Tribal*
17 *government.*

18 “(3) *REPORTING TO ATTORNEY GENERAL.*—*In*
19 *the case of a State or Indian tribe covered by para-*
20 *graph (1), the Secretary shall report the production*
21 *of hemp without a license issued by the Secretary*
22 *under subsection (b) to the Attorney General.*

23 **“SEC. 297D. AUTHORITY TO ISSUE REGULATIONS AND**
24 **GUIDELINES; EFFECT ON OTHER LAW.**

25 “(a) *AUTHORITY.*—

1 “(1) *IN GENERAL.*—*The Secretary shall have sole*
2 *authority to issue Federal regulations and guidelines*
3 *that relate to the production of hemp, including Fed-*
4 *eral regulations and guidelines that relate to the im-*
5 *plementation of sections 297B and 279C.*

6 “(2) *CONSULTATION WITH ATTORNEY GEN-*
7 *ERAL.*—*The Secretary may consult with the Attorney*
8 *General before issuing regulations and guidelines*
9 *under paragraph (1).*

10 “(b) *EFFECT ON OTHER LAW.*—*Nothing in this sub-*
11 *title shall affect or modify—*

12 “(1) *the Federal Food, Drug, and Cosmetic Act*
13 *(21 U.S.C. 301 et seq.); or*

14 “(2) *the authority of the Commissioner of Food*
15 *and Drugs and the Secretary of Health and Human*
16 *Services under that Act.”.*

17 **SEC. 10112. RULE OF CONSTRUCTION.**

18 *Nothing in this title authorizes interference with the*
19 *interstate commerce of hemp (as defined in section 297A*
20 *of the Agricultural Marketing Act of 1946, as added by sec-*
21 *tion 10111).*

22 **TITLE XI—CROP INSURANCE**

23 **SEC. 11101. DEFINITIONS.**

24 *Section 502(b) of the Federal Crop Insurance Act (7*
25 *U.S.C. 1502(b)) is amended—*

1 (1) by redesignating paragraphs (6), (7), (8),
2 (9), (10), and (11) as paragraphs (7), (8), (10), (11),
3 (12), and (13) respectively;

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

6 “(6) *COVER CROP TERMINATION*.—The term
7 ‘cover crop termination’ means a practice that his-
8 torically and under reasonable circumstances results
9 in the termination of the growth of a cover crop.”;
10 and

11 (3) by inserting after paragraph (8) (as so redesi-
12 gnated) the following:

13 “(9) *HEMP*.—The term ‘hemp’ has the meaning
14 given the term in section 297A of the Agricultural
15 Marketing Act of 1946.”.

16 **SEC. 11102. DATA COLLECTION.**

17 Section 506(h)(2) of the Federal Crop Insurance Act
18 (7 U.S.C. 1506(h)(2)) is amended—

19 (1) by striking “The Corporation” and inserting
20 the following:

21 “(A) *IN GENERAL*.—The Corporation”; and

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

23 “(B) *NATIONAL AGRICULTURAL STATISTICS*
24 *SERVICE*.—Data collected by the National Agri-

1 *cultural Statistics Service, whether published or*
2 *unpublished, shall be—*

3 *“(i) provided in an aggregate form to*
4 *the Corporation for the purpose of pro-*
5 *viding insurance under this subtitle; and*

6 *“(ii) kept confidential by the Corpora-*
7 *tion in the same manner and to the same*
8 *extent as is required under—*

9 *“(I) section 1770 of the Food Se-*
10 *curity Act of 1985 (7 U.S.C. 2276);*
11 *and*

12 *“(II) the Confidential Information*
13 *Protection and Statistical Efficiency*
14 *Act of 2002 (44 U.S.C. 3501 note; Pub-*
15 *lic Law 107–347).*

16 *“(C) NONINSURED CROP DISASTER ASSIST-*
17 *ANCE PROGRAM.—In collecting data under this*
18 *subsection, the Secretary shall ensure that—*

19 *“(i) appropriate data are collected*
20 *through the noninsured crop disaster assist-*
21 *ance program established by section 196 of*
22 *the Federal Agriculture Improvement and*
23 *Reform Act of 1996 (7 U.S.C. 7333); and*

24 *“(ii) not less frequently than annually,*
25 *the Farm Service Agency shares, and the*

1 *Corporation considers, the data described in*
2 *clause (i).”.*

3 **SEC. 11103. SHARING OF RECORDS.**

4 *Section 506(h)(3) of the Federal Crop Insurance Act*
5 *(7 U.S.C. 1506(h)(3)) is amended by inserting “applicants*
6 *who have received payment under section 522(b)(2)(E),”*
7 *after “divisions,”.*

8 **SEC. 11104. USE OF RESOURCES.**

9 *Section 507(f) of the Federal Crop Insurance Act (7*
10 *U.S.C. 1507(f)) is amended—*

11 *(1) by striking paragraphs (3) and (4) and in-*
12 *serting the following:*

13 *“(3) the Farm Service Agency, in assisting the*
14 *Board in—*

15 *“(A) the determination of individual pro-*
16 *ducer yields;*

17 *“(B) sharing information on beginning*
18 *farmers and ranchers and veteran farmers and*
19 *ranchers;*

20 *“(C) investigating potential waste, fraud, or*
21 *abuse;*

22 *“(D) sharing information to support the*
23 *transition of crops and counties from the non-*
24 *insured crop disaster assistance program estab-*
25 *lished by section 196 of the Federal Agriculture*

1 *Improvement and Reform Act of 1996 (7 U.S.C.*
2 *7333) to insurance under this subtitle; and*

3 *“(E) serving as a local point of contact for*
4 *the dissemination of information on risk man-*
5 *agement options available to farmers and ranch-*
6 *ers; and*

7 *“(4) other Federal agencies, in assisting the*
8 *Board in any way the Board determines is necessary*
9 *in carrying out this subtitle.”;*

10 *(2) in paragraph (2), by striking “(2) the” and*
11 *inserting the following:*

12 *“(2) the”; and*

13 *(3) by striking “(f) The Board” in the matter*
14 *preceding paragraph (1) and all that follows through*
15 *the semicolon at the end of paragraph (1) and insert-*
16 *ing the following:*

17 *“(f) USE OF RESOURCES, DATA, BOARDS, AND COM-*
18 *MITTEES OF FEDERAL AGENCIES.—The Board shall use, to*
19 *the maximum extent practicable, the resources, data,*
20 *boards, and the committees of—*

21 *“(1) the Natural Resources Conservation Service,*
22 *in assisting the board in—*

23 *“(A) the classification of land as to risk and*
24 *production capability;*

25 *“(B) the assessment of—*

1 “(i) long-term trends in, and impacts
2 from, weather variability; and

3 “(ii) opportunities to ameliorate the
4 impacts described in clause (i); and

5 “(C) the consideration of acceptable con-
6 servation practices, including good farming
7 practices with respect to conservation (such as
8 cover crop termination);”.

9 **SEC. 11105. SPECIALTY CROPS.**

10 (a) *SPECIALTY CROPS COORDINATOR.*—Section 507(g)
11 of the Federal Crop Insurance Act (7 U.S.C. 1507(g)) is
12 amended by adding at the end the following:

13 “(4) *SPECIALTY CROP LIAISONS.*—The Specialty
14 Crops Coordinator shall—

15 “(A) designate a Specialty Crops Liaison in
16 each regional field office; and

17 “(B) share the contact information of the
18 Specialty Crops Liaisons with specialty crop
19 producers.

20 “(5) *WEBSITE.*—

21 “(A) *IN GENERAL.*—The Specialty Crops
22 Coordinator shall establish a website focused on
23 the efforts of the Corporation to provide and ex-
24 pand crop insurance for specialty crop pro-
25 ducers.

1 “(B) *INCLUSIONS.*—*The website established*
2 *under subparagraph (A) shall include—*

3 “(i) *an online mechanism to provide*
4 *comments or feedback relating to specialty*
5 *crops;*

6 “(ii) *a calendar of opportunities to*
7 *provide comments or feedback at specialty*
8 *crop events or in other public forums; and*

9 “(iii) *a plan, with projected comple-*
10 *tion dates, for examining—*

11 “(I) *potential new crops to be*
12 *added to existing policies or plans of*
13 *insurance for specialty crops;*

14 “(II) *opportunities to expand ex-*
15 *isting policies or plans of insurance for*
16 *specialty crops to new areas; and*

17 “(III) *the potential for providing*
18 *additional policies or plans of insur-*
19 *ance for specialty crops, such as add-*
20 *ing a revenue option or endorsement.”.*

21 (b) *ADDITION OF SPECIALTY CROPS AND OTHER*
22 *VALUE-ADDED CROPS.*—*Section 508(a)(6) of the Federal*
23 *Crop Insurance Act (7 U.S.C. 1508(a)(6)) is amended—*

1 (1) *in the paragraph heading, by adding at the*
2 *end the following: “(INCLUDING VALUE-ADDED*
3 *CROPS)”;*

4 (2) *by striking subparagraph (A) and inserting*
5 *the following:*

6 “*(A) ANNUAL REVIEW.—Not later than 1*
7 *year after the date of enactment of the Agri-*
8 *culture Improvement Act of 2018, and annually*
9 *thereafter, the manager of the Corporation shall*
10 *prepare, to the maximum extent practicable,*
11 *based on data shared from the noninsured crop*
12 *disaster assistance program established by sec-*
13 *tion 196 of the Federal Agriculture Improvement*
14 *and Reform Act of 1996 (7 U.S.C. 7333), written*
15 *agreements, or other data, and present to the*
16 *Board not less than 2 of each of the following:*

17 “*(i) Research and development for a*
18 *policy or plan of insurance for a new crop.*

19 “*(ii) Expansion of an existing policy*
20 *or plan of insurance to additional counties*
21 *or States, including malting barley endorse-*
22 *ments or contract options.*

23 “*(iii) Research and development for a*
24 *new policy or plan of insurance, or endorse-*

1 *ment, for crops with existing policies or*
 2 *plans of insurance, such as dollar plans.”;*

3 *(3) in subparagraph (B), in the subparagraph*
 4 *heading, by striking “ADDITION OF NEW CROPS” and*
 5 *inserting “REPORT”; and*

6 *(4) by striking subparagraphs (C) and (D).*

7 **SEC. 11106. INSURANCE PERIOD.**

8 *Section 508(a)(2) of the Federal Crop Insurance Act*
 9 *(7 U.S.C. 1508(a)(2)) is amended by striking “and sweet*
 10 *potatoes” and inserting “sweet potatoes, and hemp”.*

11 **SEC. 11107. COVER CROPS.**

12 *Section 508(a) of the Federal Crop Insurance Act (7*
 13 *U.S.C. 1508(a)) is amended—*

14 *(1) in paragraph (3)—*

15 *(A) in subparagraph (A)(iii), by striking*
 16 *“practices” the first place it appears and all that*
 17 *follows through the period at the end and insert-*
 18 *ing “practices.”;*

19 *(B) by redesignating subparagraphs (B)*
 20 *and (C) as subparagraphs (C) and (D), respec-*
 21 *tively;*

22 *(C) by inserting after subparagraph (A) the*
 23 *following:*

24 *“(B) VOLUNTARY GOOD FARMING PRAC-*
 25 *TICES.—*

1 “(i) *IN GENERAL.*—Subject to clause
2 (ii), the following voluntary practices shall
3 be considered good farming practices under
4 subparagraph (A)(iii):

5 “(I) *A scientifically sound, sus-*
6 *tainable, and organic farming prac-*
7 *tice, as determined by the Secretary.*

8 “(II) *A conservation activity or*
9 *enhancement (including cover crops)*
10 *that is approved by the Natural Re-*
11 *sources Conservation Service or an ag-*
12 *ricultural expert, as determined by the*
13 *Secretary.*

14 “(ii) *EXPECTED GROWTH.*—*A practice*
15 *described in subclause (I) or (II) of clause*
16 *(i) shall be considered a good farming prac-*
17 *tice only if under that practice the insured*
18 *crop may be expected to make normal*
19 *progress toward maturity under typical*
20 *growing conditions, as determined by the*
21 *Secretary.”; and*

22 (D) *in subparagraph (C) (as so redesign-*
23 *ated), in the subparagraph heading, by insert-*
24 *ing “DETERMINATION REVIEW” after “PRAC-*
25 *TICES”;* and

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

2 “(11) *COVER CROP TERMINATION.*—

3 “(A) *IN GENERAL.*—*Cover crop termination*
4 *shall not affect the insurability of a subsequently*
5 *planted insurable crop if the cover crop termi-*
6 *nation is carried out according to guidelines—*

7 “(i) *established by the Secretary; or*

8 “(ii) *approved by—*

9 “(I) *the Natural Resources Con-*
10 *servations Service; or*

11 “(II) *an agricultural expert, as*
12 *determined by the Corporation.*

13 “(B) *SUMMER FALLOW.*—*In a county in*
14 *which summer fallow is an insurable practice, a*
15 *cover crop in that county that is terminated ac-*
16 *cording to guidelines established by the Secretary*
17 *shall be considered as summer fallow for the pur-*
18 *pose of insurability.”.*

19 **SEC. 11108. UNDERSERVED PRODUCERS.**

20 *Section 508(a)(7) of the Federal Crop Insurance Act*
21 *(7 U.S.C. 1508(a)(7)) is amended—*

22 (1) *in the paragraph heading, by inserting “AND*
23 *UNDERSERVED PRODUCERS” after “STATES”;*

24 (2) *in subparagraph (A)—*

1 (A) by striking the designation and heading
2 and all that follows through “the term” and in-
3 serting the following:

4 “(A) *DEFINITIONS.*—*In this paragraph:*

5 “(i) *ADEQUATELY SERVED.*—*The*
6 *term*”;

7 (B) in clause (i) (as so designated), by
8 striking “participation rate” and inserting
9 “participation rate, by crop,”; and

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

11 “(ii) *UNDERSERVED PRODUCER.*—*The*
12 *term ‘underserved producer’ means a begin-*
13 *ning farmer or rancher, a veteran farmer or*
14 *rancher, or a socially disadvantaged farmer*
15 *or rancher.’”;*

16 (3) in subparagraph (B)—

17 (A) by striking “The Board” and inserting
18 the following:

19 “(i) *IN GENERAL.*—*The Board*”;

20 (B) in clause (i) (as so designated), by
21 striking “subtitle” and inserting “subtitle, in-
22 cluding policies and plans of insurance for un-
23 derserved producers,”; and

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

1 “(i) *TYPES OF PRODUCTION.*—*In con-*
2 *ducting the review under clause (i), the*
3 *Board shall examine the types of production*
4 *common among underserved producers, such*
5 *as diversified production for local mar-*
6 *kets.”; and*

7 (4) *by striking subparagraph (C) and inserting*
8 *the following:*

9 “(C) *REPORT.*—

10 “(i) *IN GENERAL.*—*Not later than 30*
11 *days after completion of the review under*
12 *subparagraph (B)(i), and not less frequently*
13 *than once every 3 years thereafter, the*
14 *Board shall make publically available and*
15 *submit to the Committee on Agriculture of*
16 *the House of Representatives and the Com-*
17 *mittee on Agriculture, Nutrition, and For-*
18 *estry of the Senate a report describing the*
19 *results of the review.*

20 “(ii) *RECOMMENDATIONS.*—*The report*
21 *under clause (i) shall include recommenda-*
22 *tions to increase participation in States*
23 *and among underserved producers that are*
24 *not adequately served by the policies and*
25 *plans of insurance, including any plans for*

1 *administrative action or recommendations*
2 *for Congressional action.”.*

3 **SEC. 11109. EXPANSION OF PERFORMANCE-BASED DIS-**
4 **COUNT.**

5 *Section 508(d)(3) of the Federal Crop Insurance Act*
6 *(7 U.S.C. 1508(d)(3)) is amended—*

7 (1) *by striking “The Corporation” and inserting*
8 *the following:*

9 “(A) *IN GENERAL.—The Corporation*”; and
10 (2) *by adding at the end the following:*

11 “(A) *RISK-REDUCING PRACTICE DIS-*
12 *COUNT.—*

13 “(i) *IN GENERAL.—Beginning with the*
14 *2020 reinsurance year, the Corporation*
15 *may offer discounts under subparagraph*
16 *(A) for practices that can be demonstrated*
17 *to reduce risk relative to other practices.*

18 “(ii) *REVIEW.—In determining prac-*
19 *tices for which to offer discounts under*
20 *clause (i), the Corporation shall—*

21 “(I) *for the 2020 reinsurance*
22 *year, consider precision irrigation or*
23 *fertilization, crop rotations, cover*
24 *crops, and any other practices deter-*

1 *mined appropriate by the Corporation;*
2 *and*
3 *“(II) on an annual basis, seek ex-*
4 *pert opinion and consider additional*
5 *practices based on new evidence.”.*

6 **SEC. 11110. ENTERPRISE UNITS.**

7 *Section 508(e)(5) of the Federal Crop Insurance Act*
8 *(7 U.S.C. 1508(e)(5)) is amended by adding at the end the*
9 *following:*

10 *“(E) ENTERPRISE UNITS ACROSS COUNTY*
11 *LINES.—The Corporation may allow a producer*
12 *to establish a single enterprise unit by com-*
13 *bining an enterprise unit with—*

14 *“(i) 1 or more other enterprise units in*
15 *1 or more other counties; or*

16 *“(ii) all basic units and all optional*
17 *units in 1 or more other counties.”.*

18 **SEC. 11111. PASTURE, RANGELAND, AND FORAGE POLICY**
19 **FOR MEMBERS OF INDIAN TRIBES.**

20 *Section 508(e)(7) of the Federal Crop Insurance Act*
21 *(7 U.S.C. 1508(e)(7)) is amended by adding at the end the*
22 *following:*

23 *“(D) PASTURE, RANGELAND, AND FORAGE*
24 *POLICY FOR MEMBERS OF INDIAN TRIBES.—With*
25 *respect to a policy or plan of insurance estab-*

1 (C) in clause (i)(I) (as so redesignated), by
2 inserting “subject to clause (ii),” before “will
3 likely”; and

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

5 “(ii) *WAIVER FOR HEMP.*—The Cor-
6 poration may waive the viability and mar-
7 ketability requirement under clause (i)(I) in
8 the case of a policy or pilot program relat-
9 ing to the production of hemp.”; and

10 (2) in paragraph (3)(C)—

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

13 (B) in clause (iii), by striking the period at
14 the end and inserting “; and”; and

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

16 “(iv) in the case of reviewing policies
17 and other materials relating to the produc-
18 tion of hemp, may waive the viability and
19 marketability requirement under subpara-
20 graph (A)(ii)(I).”.

21 **SEC. 11113. WHOLE FARM REVENUE AGENT INCENTIVES.**

22 Section 508(k)(4) of the Federal Crop Insurance Act
23 (7 U.S.C. 1508(k)(4)) is amended by adding at the end the
24 following:

1 “(G) *WHOLE FARM REVENUE AGENT INCEN-*
2 *TIVES.—*

3 “(i) *IN GENERAL.—Beginning with the*
4 *2019 reinsurance year, in the case of an*
5 *agent that sells a Whole Farm Revenue Pol-*
6 *icy, or a successor policy, the Corporation*
7 *shall provide to the approved insurance pro-*
8 *vider, to pay to the agent, an additional re-*
9 *imbursement, determined in accordance*
10 *with the following:*

11 “(I) *If the compensation of the*
12 *agent authorized under the Standard*
13 *Reinsurance Agreement for the policy*
14 *is less than \$1,000, the reimbursement*
15 *shall be an amount equal to the dif-*
16 *ference between—*

17 “(aa) *\$1,000; and*

18 “(bb) *the amount authorized*
19 *under the Standard Reinsurance*
20 *Agreement for the policy.*

21 “(II) *If the producer, or any enti-*
22 *ty in which the producer had an insur-*
23 *able interest, has never previously ob-*
24 *tained coverage under a Whole Farm*
25 *Revenue Policy, or a successor policy,*

1 *in addition to any amount authorized*
2 *under subclause (I), the reimbursement*
3 *shall be \$300 for each Whole Farm*
4 *Revenue Policy, or successor policy.*

5 “(i) *LIMITATION ON USE.—Any addi-*
6 *tional reimbursement authorized under*
7 *clause (i) shall not be included for the pur-*
8 *pose of establishing the limitation on the*
9 *compensation for agents under the Stand-*
10 *ard Reinsurance Agreement.”.*

11 **SEC. 11114. CROP PRODUCTION ON NATIVE SOD.**

12 *Section 508(o) of the Federal Crop Insurance Act (7*
13 *U.S.C. 1508(o)) is amended—*

14 (1) *in paragraph (2), by striking subparagraph*
15 *(A) and inserting the following:*

16 “(A) *IN GENERAL.—*

17 “(i) *AGRICULTURAL ACT OF 2014.—Na-*
18 *tive sod acreage that has been tilled for the*
19 *production of an insurable crop during the*
20 *period beginning on February 8, 2014, and*
21 *ending on the date of enactment of the Agri-*
22 *culture Improvement Act of 2018 shall be*
23 *subject to 4 cumulative years of a reduction*
24 *in benefits under this subtitle as described*
25 *in this paragraph.*

1 “(ii) *SUBSEQUENT YEARS.*—

2 “(I) *NON-HAY AND NON-FORAGE*
3 *CROPS.*—*As determined by the Sec-*
4 *retary, native sod acreage that has*
5 *been tilled for the production of an in-*
6 *surable crop other than a hay or forage*
7 *crop after the date of enactment of the*
8 *Agriculture Improvement Act of 2018*
9 *shall be subject to 4 cumulative years*
10 *of a reduction in benefits under this*
11 *subtitle as described in this paragraph.*

12 “(II) *HAY AND FORAGE CROPS.*—
13 *During each crop year of planting, as*
14 *determined by the Secretary, native*
15 *sod acreage that has been tilled for the*
16 *production of an insurable hay or for-*
17 *age crop after the date of enactment of*
18 *the Agriculture Improvement Act of*
19 *2018 shall be subject to 4 cumulative*
20 *years of a reduction in benefits under*
21 *this subtitle as described in this para-*
22 *graph.*”;

23 (2) *by redesignating paragraph (3) as para-*
24 *graph (4);*

1 (3) *by inserting after paragraph (2) the fol-*
2 *lowing:*

3 “(3) *NATIVE SOD CONVERSION CERTIFICATION.—*

4 “(A) *CERTIFICATION.—As a condition on*
5 *the receipt of benefits under this subtitle, a pro-*
6 *ducer that has tilled native sod acreage for the*
7 *production of an insurable crop as described in*
8 *paragraph (2)(A) shall certify to the Secretary*
9 *that acreage using—*

10 “(i) *an acreage report form of the*
11 *Farm Service Agency (FSA-578 or any*
12 *successor form); and*

13 “(ii) *1 or more maps.*

14 “(B) *CORRECTIONS.—Beginning on the*
15 *date on which a producer submits a certification*
16 *under subparagraph (A), as soon as practicable*
17 *after the producer discovers a change in tilled*
18 *native sod acreage described in that subpara-*
19 *graph, the producer shall submit to the Secretary*
20 *any appropriate corrections to a form or map*
21 *described in clause (i) or (ii) of that subpara-*
22 *graph.*

23 “(C) *ANNUAL REPORTS.—Not later than*
24 *January 1, 2019, and each January 1 thereafter*
25 *through January 1, 2023, the Secretary shall*

1 *submit to the Committee on Agriculture of the*
 2 *House of Representatives and the Committee on*
 3 *Agriculture, Nutrition, and Forestry of the Sen-*
 4 *ate a report that describes the tilled native sod*
 5 *acreage that has been certified under subpara-*
 6 *graph (A) in each county and State as of the*
 7 *date of submission of the report.”; and*

8 *(4) in paragraph (4) (as so redesignated)—*

9 *(A) by striking “This subsection” and in-*
 10 *serting the following:*

11 *“(A) IN GENERAL.—Subject to subpara-*
 12 *graph (B), this subsection”; and*

13 *(B) by adding at the end the following:*

14 *“(B) ELECTION.—A governor of a State*
 15 *other than a State described in subparagraph*
 16 *(A) may elect to have this paragraph apply to*
 17 *the State.”.*

18 **SEC. 11115. USE OF NATIONAL AGRICULTURAL STATISTICS**

19 **SERVICE DATA TO COMBAT WASTE, FRAUD,**
 20 **AND ABUSE.**

21 *Section 515 of the Federal Crop Insurance Act (7*
 22 *U.S.C. 1515) is amended—*

23 *(1) in subsection (d)(1)—*

24 *(A) in subparagraph (B), by striking “and”*
 25 *at the end;*

1 (B) in subparagraph (C), by striking the
2 period at the end and inserting “; and”; and

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

4 “(D) using published aggregate data from
5 the National Agricultural Statistics Service or
6 any other data source to—

7 “(i) detect yield disparities or other
8 data anomalies that indicate potential
9 fraud; and

10 “(ii) target the relevant counties, crops,
11 regions, companies, or agents associated
12 with that potential fraud for audits and
13 other enforcement actions.”; and

14 (2) in subsection (f)(2)(A), by striking “pursuant
15 to” each place it appears and inserting “under”.

16 **SEC. 11116. SUBMISSION OF INFORMATION TO CORPORA-**
17 **TION.**

18 Section 515(g) of the Federal Crop Insurance Act (7
19 U.S.C. 1515(g)) is amended—

20 (1) in paragraph (1), by adding at the end the
21 following:

22 “(D) The actual production history to be
23 used to establish insurable yields.”; and

24 (2) in paragraph (2)—

1 (A) by striking “The information required
2 by paragraph (1)” and inserting the following:

3 “(A) *IN GENERAL.*—The information re-
4 quired to be submitted under subparagraphs (A)
5 through (C) of paragraph (1)”; and

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

7 “(B) *ACTUAL PRODUCTION HISTORY.*—The
8 information required to be submitted under
9 paragraph (1)(D) with respect to an applicable
10 policy or plan of insurance shall be submitted so
11 as to ensure receipt by the Corporation not later
12 than the Saturday of the week containing the
13 calendar day that is 30 days after the applicable
14 production reporting date for the crop to be in-
15 sured.”.

16 **SEC. 11117. ACREAGE REPORT STREAMLINING INITIATIVE.**

17 Section 515(j)(1)(B)(ii) of the Federal Crop Insurance
18 Act (7 U.S.C. 1515(j)(1)(B)(ii)) is amended—

19 (1) by striking “As soon” and inserting the fol-
20 lowing:

21 “(I) *IN GENERAL.*—As soon”;

22 (2) in subclause (I) (as so designated), by strik-
23 ing “information” and inserting “information, elec-
24 tronically (including in the form of geospatial data)
25 or conventionally,” and

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

2 “(II) *METHOD FOR DETERMINING*
3 *COMMON INFORMATION REQUIRE-*
4 *MENTS.—Not later than September 30,*
5 *2020, the Administrator of the Risk*
6 *Management Agency and the Adminis-*
7 *trator of the Farm Service Agency*
8 *shall implement a consistent method*
9 *for determining crop acreage, acreage*
10 *yields, farm acreage, property descrip-*
11 *tions, and other common informational*
12 *requirements, including measures of*
13 *common land units.*

14 “(III) *ACCEPTANCE OF DATA.—*
15 *The Corporation shall require each ap-*
16 *proved insurance provider to accept*
17 *from a producer or an authorized*
18 *agent of a producer reports of crop*
19 *acreage, acreage yields, and other in-*
20 *formation electronically (including in*
21 *the form of geospatial data) or conven-*
22 *tionally, at the option of the producer*
23 *or the agent of the producer, as appli-*
24 *cable.”.*

1 **SEC. 11118. CONTINUING EDUCATION FOR LOSS ADJUST-**
2 **ERS AND AGENTS.**

3 *Section 515 of the Federal Crop Insurance Act (7*
4 *U.S.C. 1515) is amended—*

5 *(1) by redesignating subsection (k) as subsection*
6 *(l); and*

7 *(2) by inserting after subsection (j) the following:*

8 *“(k) CONTINUING EDUCATION FOR LOSS ADJUSTERS*
9 *AND AGENTS.—*

10 *“(1) IN GENERAL.—The Corporation shall estab-*
11 *lish requirements for continuing education for loss*
12 *adjusters and agents of approved insurance providers.*

13 *“(2) REQUIREMENTS.—The requirements for*
14 *continuing education described in paragraph (1) shall*
15 *ensure that loss adjusters and agents of approved in-*
16 *surance providers are familiar with appropriate con-*
17 *servation activities and agronomic practices that—*

18 *“(A) are common and appropriate to the*
19 *area in which the insured crop being inspected*
20 *is produced; and*

21 *“(B) include organic and sustainable prac-*
22 *tices.”.*

23 **SEC. 11119. FUNDING FOR INFORMATION TECHNOLOGY.**

24 *Section 515 of the Federal Crop Insurance Act (7*
25 *U.S.C. 1515) is amended in subsection (l)(1)(A) (as redesign-*
26 *ated by section 11118(1))—*

1 (1) *by striking clause (ii);*

2 (2) *in clause (i)—*

3 (A) *by striking “(i)(I) for” and inserting*
4 *the following:*

5 *“(i) for”;*

6 (B) *by striking “and” at the end; and*

7 (C) *by redesignating subclause (II) as*
8 *clause (ii);*

9 (3) *in clause (ii) (as so redesignated), by striking*
10 *“or” at the end and inserting “and”; and*

11 (4) *by inserting after clause (ii) (as so redesign-*
12 *ated) the following:*

13 *“(iii) for each of fiscal years 2019 and*
14 *2020, \$1,000,000.”.*

15 **SEC. 11120. AGRICULTURAL COMMODITY.**

16 *Section 518 of the Federal Crop Insurance Act (7*
17 *U.S.C. 1518) is amended by inserting “hemp,” before*
18 *“aquacultural species”.*

19 **SEC. 11121. REIMBURSEMENT OF RESEARCH, DEVELOP-**
20 **MENT, AND MAINTENANCE COSTS.**

21 *Section 522(b) of the Federal Crop Insurance Act (7*
22 *U.S.C. 1522(b)) is amended—*

23 (1) *in paragraph (2), by adding at the end the*
24 *following:*

1 “(K) *WAIVER FOR HEMP.*—*The Board may*
2 *waive the viability and marketability require-*
3 *ments under this paragraph in the case of re-*
4 *search and development relating to a policy to*
5 *insure the production of hemp.”; and*

6 *(2) in paragraph (3)—*

7 *(A) by striking “The Corporation” and in-*
8 *serting the following:*

9 “(A) *IN GENERAL.*—*Subject to subpara-*
10 *graph (B), the Corporation”;* and

11 *(B) by adding at the end the following:*

12 “(B) *WAIVER FOR HEMP.*—*The Corporation*
13 *may waive the marketability requirement under*
14 *subparagraph (A) in the case of research and de-*
15 *velopment relating to a policy to insure the pro-*
16 *duction of hemp.”.*

17 **SEC. 11122. RESEARCH AND DEVELOPMENT AUTHORITY.**

18 *Section 522(c) of the Federal Crop Insurance Act (7*
19 *U.S.C. 1522(c)) is amended—*

20 *(1) by striking paragraphs (7) through (18) and*
21 *(20) through (23);*

22 *(2) by redesignating paragraphs (19) and (24)*
23 *as paragraphs (7) and (8), respectively;*

1 (3) in paragraph (7) (as so redesignated) (enti-
2 tled “Whole farm diversified risk management insur-
3 ance plan”), by adding at the end the following:

4 “(E) REVIEW OF MODIFICATIONS TO IM-
5 PROVE EFFECTIVENESS.—

6 “(i) IN GENERAL.—Not later than 2
7 years after the date of enactment of the Ag-
8 riculture Improvement Act of 2018, the Cor-
9 poration shall—

10 “(I) hold stakeholder meetings to
11 solicit producer and agent feedback;

12 “(II) review procedures and pa-
13 perwork requirements on agents and
14 producers; and

15 “(III) modify procedures and re-
16 quirements, as appropriate, to decrease
17 burdens and increase flexibility and ef-
18 fectiveness.

19 “(ii) FACTORS.—In carrying out sub-
20 clauses (II) and (III) of clause (i), the Cor-
21 poration shall consider—

22 “(I) removing caps on nursery
23 and livestock production;

1 “(II) allowing a waiver to expand
2 operations, especially for small and be-
3 ginning farmers;

4 “(III) minimizing paperwork for
5 producers and agents;

6 “(IV) implementing an option for
7 producers with less than \$1,000,000 in
8 gross revenue that requires signifi-
9 cantly less paperwork and record-
10 keeping;

11 “(V) developing and using alter-
12 native records such as time-stamped
13 photographs or technology applications
14 to document planting and production
15 history;

16 “(VI) treating the different growth
17 stages of aquaculture species as sepa-
18 rate crops to recognize the difference in
19 perils at different phases of growth;

20 “(VII) moderating the impacts of
21 disaster years on historic revenue, such
22 as—

23 “(aa) using an average of the
24 historic and projected revenue;

1 “(bb) counting indemnities
2 as historic revenue for loss years;
3 or

4 “(cc) using an assigned yield
5 floor similar to a T-yield, as de-
6 termined by the Secretary; and

7 “(VIII) improving agent training
8 and outreach to underserved regions
9 and sectors such as small dairy
10 farms.”; and

11 (4) by inserting after paragraph (8) (as so reded-
12 ignated) the following:

13 “(9) *IRRIGATED GRAIN SORGHUM CROP INSUR-*
14 *ANCE POLICY.*—

15 “(A) *IN GENERAL.*—*The Corporation shall*
16 *carry out research and development, or offer to*
17 *enter into 1 or more contracts with 1 or more*
18 *qualified persons to carry out research and devel-*
19 *opment—*

20 “(i) regarding improvements to 1 or
21 more policies to insure irrigated grain sor-
22 ghum; and

23 “(ii) regarding alternative methods for
24 producers with not more than 4 years of

1 *production history to insure irrigated grain*
2 *sorghum.*

3 “(B) *REPORT.*—*Not later than 1 year after*
4 *the date of enactment of the Agriculture Im-*
5 *provement Act of 2018, the Corporation shall*
6 *submit to the Committee on Agriculture of the*
7 *House of Representatives and the Committee on*
8 *Agriculture, Nutrition, and Forestry of the Sen-*
9 *ate a report that describes—*

10 “(i) *the results of the research and de-*
11 *velopment conducted under subparagraph*
12 *(A); and*

13 “(ii) *any recommendations with re-*
14 *spect to those results.*

15 “(10) *LIMITED IRRIGATION PRACTICES.*—

16 “(A) *AUTHORITY.*—*The Corporation shall—*

17 “(i) *expand the availability of the lim-*
18 *ited irrigation insurance program to not*
19 *fewer than 2 neighboring and similarly sit-*
20 *uated States (such as the States of Colorado*
21 *and Nebraska), as determined by the Sec-*
22 *retary;*

23 “(ii) *carry out research, or offer to*
24 *enter into 1 or more contracts with 1 or*
25 *more qualified persons to carry out re-*

1 *search, on the marketability of the existing*
2 *limited irrigation insurance program; and*

3 “(iii) *make recommendations on how*
4 *to improve participation in that program.*

5 “(B) *RESEARCH.—In carrying out research*
6 *under subparagraph (A), a qualified person*
7 *shall—*

8 “(i) *collaborate with researchers on the*
9 *subjects of—*

10 “(I) *reduced irrigation practices*
11 *or limited irrigation practices; and*

12 “(II) *expected yield reductions fol-*
13 *lowing the application of reduced irri-*
14 *gation;*

15 “(ii) *collaborate with State and Fed-*
16 *eral officials responsible for the collection of*
17 *water and the regulation of water use for*
18 *the purpose of irrigation;*

19 “(iii) *provide recommendations to en-*
20 *courage producers to carry out limited irri-*
21 *gation practices or reduced irrigation and*
22 *water conservation practices; and*

23 “(iv) *develop web-based applications*
24 *that will streamline access to coverage for*

1 *producers electing to conserve water use on*
2 *irrigated crops.*

3 *“(C) REPORT.—Not later than 18 months*
4 *after the date of enactment of the Agriculture*
5 *Improvement Act of 2018, the Corporation shall*
6 *submit to the Committee on Agriculture of the*
7 *House of Representatives and the Committee on*
8 *Agriculture, Nutrition, and Forestry of the Sen-*
9 *ate a report that describes—*

10 *“(i) the results of the research carried*
11 *out under subparagraphs (A) and (B);*

12 *“(ii) any recommendations to encour-*
13 *age producers to carry out limited irriga-*
14 *tion practices or reduced irrigation and*
15 *water conservation practices; and*

16 *“(iii) the actions taken by the Corpora-*
17 *tion to carry out the recommendations de-*
18 *scribed in clause (i).*

19 *“(11) QUALITY LOSS.—*

20 *“(A) IN GENERAL.—The Corporation shall*
21 *carry out research and development, or offer to*
22 *enter into 1 or more contracts with 1 or more*
23 *qualified persons to carry out research and devel-*
24 *opment, regarding the establishment of each of*

1 *the following alternative methods of adjusting for*
2 *quality losses:*

3 “(i) *A method that does not impact the*
4 *average production history of a producer.*

5 “(ii) *A method that is optional for a*
6 *producer to elect to use.*

7 “(iii) *A method that provides that, in*
8 *circumstances in which a producer has suf-*
9 *fered a quality loss to the insured crop of*
10 *the producer that is insufficient to trigger*
11 *an indemnity payment, the producer may*
12 *elect to exclude that quality loss from the*
13 *actual production history of the producer.*

14 “(iv) *1 or more methods that combine*
15 *2 or more of the methods described in*
16 *clauses (i) through (iii).*

17 “(B) *REQUIREMENTS.—Notwithstanding*
18 *subsections (g) and (m) of section 508, any meth-*
19 *od developed under subparagraph (A) that is*
20 *used by the Corporation shall be—*

21 “(i) *optional for a producer to use; and*

22 “(ii) *offered at an actuarially sound*
23 *premium rate.*

24 “(C) *REPORT.—Not later than 1 year after*
25 *the date of enactment of the Agriculture Im-*

1 *provement Act of 2018, the Corporation shall*
2 *submit to the Committee on Agriculture of the*
3 *House of Representatives and the Committee on*
4 *Agriculture, Nutrition, and Forestry of the Sen-*
5 *ate a report that describes the results of the re-*
6 *search and development carried out under sub-*
7 *paragraph (A).*

8 “(12) CITRUS.—

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 devel-*
13 *opment, regarding the insurance of citrus fruit*
14 *commodities and commodity types, including re-*
15 *search and development of—*

16 “(i) *improvements to 1 or more exist-*
17 *ing policies, including the whole-farm rev-*
18 *enue protection pilot policy;*

19 “(ii) *alternative methods of insuring*
20 *revenue for citrus fruit commodities and*
21 *commodity types; and*

22 “(iii) *the development of new, or ex-*
23 *pansion of existing, revenue policies for cit-*
24 *rus fruit commodities and commodity types.*

1 “(B) *REPORT.*—Not later than 1 year after
2 the date of enactment of the Agriculture Im-
3 provement Act of 2018, the Corporation shall
4 submit to the Committee on Agriculture of the
5 House of Representatives and the Committee on
6 Agriculture, Nutrition, and Forestry of the Sen-
7 ate a report that describes—

8 “(i) the results of the research and de-
9 velopment carried out under subparagraph
10 (A); and

11 “(ii) any recommendations with re-
12 spect to those results.

13 “(13) *GREENHOUSE POLICY.*—

14 “(A) *IN GENERAL.*—

15 “(i) *RESEARCH AND DEVELOPMENT.*—
16 The Corporation shall carry out research
17 and development, or offer to enter into 1 or
18 more contracts with 1 or more qualified
19 persons to carry out research and develop-
20 ment, regarding a policy to insure in a con-
21 trolled environment such as a greenhouse—

22 “(I) the production of floriculture,
23 nursery, and bedding plants;

1 “(II) *the establishment of cuttings*
2 *or tissue culture in a growing medium;*
3 *or*

4 “(III) *other similar production,*
5 *as determined by the Secretary.*

6 “(ii) *AVAILABILITY OF POLICY OR PLAN*
7 *OF INSURANCE.—Notwithstanding the last*
8 *sentence of section 508(a)(1), and section*
9 *508(a)(2), the Corporation shall make a*
10 *policy or plan of insurance described in*
11 *clause (i) available if the requirements of*
12 *section 508(h) are met.*

13 “(B) *RESEARCH AND DEVELOPMENT DE-*
14 *SCRIBED.—Research and development described*
15 *in subparagraph (A)(i) shall evaluate the effec-*
16 *tiveness of policies and plans of insurance for the*
17 *production of plants in a controlled environ-*
18 *ment, including policies and plans of insurance*
19 *that—*

20 “(i) *are based on the risk of—*

21 “(I) *plant diseases introduced*
22 *from the environment;*

23 “(II) *contaminated cuttings, seed-*
24 *lings, or tissue culture; or*

1 “(III) Federal or State quar-
2 antine or destruction orders associated
3 with the contaminated items described
4 in subclause (II);

5 “(ii) consider other causes of loss ap-
6 plicable to a controlled environment, such
7 as a loss of electricity due to weather;

8 “(iii) consider appropriate best prac-
9 tices to minimize the risk of loss;

10 “(iv) consider whether to provide cov-
11 erage for various types of plants under 1
12 policy or plan of insurance or to provide
13 coverage for 1 species or type of plant per
14 policy or plan of insurance;

15 “(v) have streamlined reporting and
16 paperwork requirements that take into ac-
17 count short propagation schedules, variable
18 crop years, and the variety of plants that
19 may be produced in a single facility; and

20 “(vi) provide protection for revenue
21 losses.

22 “(C) REPORT.—Not later than 1 year after
23 the date of enactment of the Agriculture Im-
24 provement Act of 2018, the Corporation shall
25 submit to the Committee on Agriculture of the

1 *House of Representatives and the Committee on*
2 *Agriculture, Nutrition, and Forestry of the Sen-*
3 *ate a report that—*

4 *“(i) describes the results of the research*
5 *and development conducted under subpara-*
6 *graphs (A)(i) and (B); and*

7 *“(ii) any recommendations with re-*
8 *spect to those results.*

9 *“(14) HOPS.—*

10 *“(A) IN GENERAL.—The Corporation shall*
11 *carry out research and development, or offer to*
12 *enter into 1 or more contracts with 1 or more*
13 *qualified persons to carry out research and devel-*
14 *opment, regarding a policy to insure the produc-*
15 *tion of hops or revenue derived from the produc-*
16 *tion of hops.*

17 *“(B) REPORT.—Not later than 1 year after*
18 *the date of enactment of the Agriculture Im-*
19 *provement Act of 2018, the Corporation shall*
20 *submit to the Committee on Agriculture of the*
21 *House of Representatives and the Committee on*
22 *Agriculture, Nutrition, and Forestry of the Sen-*
23 *ate a report that describes—*

1 “(i) *the results of the research and de-*
2 *velopment conducted under subparagraph*
3 *(A); and*

4 “(ii) *any recommendations with re-*
5 *spect to those results.*

6 “(15) *LOCAL FOODS.—*

7 “(A) *IN GENERAL.—*

8 “(i) *RESEARCH AND DEVELOPMENT.—*

9 *The Corporation shall carry out research*
10 *and development, or offer to enter into 1 or*
11 *more contracts with 1 or more qualified*
12 *persons to carry out research and develop-*
13 *ment, regarding a policy to insure produc-*
14 *tion—*

15 “(I) *of floriculture, fruits, vegeta-*
16 *bles, poultry, livestock, or the products*
17 *of floriculture, fruits, vegetables, poul-*
18 *try, or livestock; and*

19 “(II) *that is targeted toward local*
20 *consumers and markets.*

21 “(ii) *AVAILABILITY OF POLICY OR PLAN*
22 *OF INSURANCE.—Notwithstanding the last*
23 *sentence of section 508(a)(1), and section*
24 *508(a)(2), the Corporation shall make a*
25 *policy or plan of insurance described in*

1 *clause (i) available if the requirements of*
2 *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 *production targeted toward local consumers and*
8 *markets, including policies and plans of insur-*
9 *ance that—*

10 “(i) *consider small-scale production in*
11 *various areas, including urban, suburban,*
12 *and rural areas;*

13 “(ii) *consider a variety of marketing*
14 *strategies, including—*

15 “(I) *direct-to-consumer marketing;*

16 “(II) *farmers markets;*

17 “(III) *farm-to-institution mar-*
18 *keting; and*

19 “(IV) *marketing through commu-*
20 *nity-supported agriculture;*

21 “(iii) *allow for production in soil and*
22 *in alternative systems such as vertical sys-*
23 *tems, greenhouses, rooftops, or hydroponic*
24 *systems;*

1 “(iv) consider the price premium when
2 accounting for production or revenue losses;

3 “(v) consider whether to provide cov-
4 erage—

5 “(I) for various types of produc-
6 tion under 1 policy or plan of insur-
7 ance; and

8 “(II) for 1 species or type of plant
9 per policy or plan of insurance; and

10 “(vi) have streamlined reporting and
11 paperwork requirements.

12 “(C) *REPORT.*—Not later than 1 year after
13 the date of enactment of the Agriculture Im-
14 provement Act of 2018, the Corporation shall
15 submit to the Committee on Agriculture of the
16 House of Representatives and the Committee on
17 Agriculture, Nutrition, and Forestry of the Sen-
18 ate a report that—

19 “(i) examines whether a version of ex-
20 isting policies such as the whole-farm rev-
21 enue protection insurance plan may be tai-
22 lored to provide improved coverage for pro-
23 ducers of local foods;

1 “(ii) describes the results of the re-
2 search and development conducted under
3 subparagraphs (A) and (B); and

4 “(iii) includes any recommendations
5 with respect to those results.

6 “(16) INSURABLE IRRIGATION PRACTICES FOR
7 RICE.—

8 “(A) IN GENERAL.—The Corporation shall
9 carry out research and development, or offer to
10 enter into 1 or more contracts with 1 or more
11 qualified persons to carry out research and devel-
12 opment, to include new and innovative irriga-
13 tion practices under the current rice policy or
14 the development of a distinct plan of insurance
15 or policy endorsement rated for rice produced
16 using—

17 “(i) alternate wetting and drying
18 practices (also referred to as ‘intermittent
19 flooding’); and

20 “(ii) furrow irrigation practices.

21 “(B) REPORT.—Not later than 1 year after
22 the date of enactment of the Agriculture Im-
23 provement Act of 2018, the Corporation shall
24 submit to the Committee on Agriculture of the
25 House of Representatives and the Committee on

1 *Agriculture, Nutrition, and Forestry of the Sen-*
2 *ate a report that describes—*

3 “(i) *the results of the research and de-*
4 *velopment carried out under paragraph (1);*
5 *and*

6 “(ii) *any recommendations with re-*
7 *spect to those results.*

8 “(17) *HIGH-RISK, HIGHLY PRODUCTIVE*
9 *BATTURE LAND POLICY.—*

10 “(A) *IN GENERAL.—*

11 “(i) *RESEARCH AND DEVELOPMENT.—*
12 *The Corporation shall carry out research*
13 *and development, or offer to enter into 1 or*
14 *more contracts with 1 or more qualified*
15 *persons to carry out research and develop-*
16 *ment, regarding a policy to insure pro-*
17 *ducers of corn, cotton, and soybeans—*

18 “(I) *with operations on highly*
19 *productive batture land within the*
20 *Lower Mississippi River Valley below*
21 *Mississippi River mile 368.44;*

22 “(II) *that have a history of pro-*
23 *duction of not less than 5 years; and*

24 “(III) *that have been impacted by*
25 *more frequent flooding over the past 10*

1 *years due to sedimentation and feder-*
2 *ally constructed engineering improve-*
3 *ments.*

4 “(i) *AVAILABILITY OF POLICY OR PLAN*
5 *OF INSURANCE.—Notwithstanding the last*
6 *sentence of section 508(a)(1), and section*
7 *508(a)(2), the Corporation shall make a*
8 *policy or plan of insurance described in*
9 *clause (i) available if the requirements of*
10 *section 508(h) are met.*

11 “(B) *RESEARCH AND DEVELOPMENT DE-*
12 *SCRIBED.—Research and development described*
13 *in subparagraph (A)(i) shall evaluate the feasi-*
14 *bility of less cost-prohibitive policies and plans*
15 *of insurance for batture-land producers in high*
16 *risk areas, including policies and plans of insur-*
17 *ance that—*

18 “(i) *consider premium rate adjust-*
19 *ments;*

20 “(ii) *consider automatic yield exclu-*
21 *sion for consecutive-year losses; and*

22 “(iii) *allow for flexibility of final plant*
23 *dates and prevent plant regulations.*

24 “(C) *REPORT.—Not later than 1 year after*
25 *the date of enactment of the Agriculture Im-*

1 *provement Act of 2018, the Corporation shall*
2 *submit to the Committee on Agriculture of the*
3 *House of Representatives and the Committee on*
4 *Agriculture, Nutrition, and Forestry of the Sen-*
5 *ate a report that—*

6 *“(i) examines whether a version of ex-*
7 *isting policies may be tailored to provide*
8 *improved coverage for batture-land pro-*
9 *ducers;*

10 *“(ii) describes the results of the re-*
11 *search and development conducted under*
12 *subparagraphs (A) and (B); and*

13 *“(iii) includes any recommendations*
14 *with respect to those results.”.*

15 **SEC. 11123. EDUCATION ASSISTANCE.**

16 *Section 524(a)(3)(A) of the Federal Crop Insurance*
17 *Act (7 U.S.C. 1524(a)(3)(A)) is amended by inserting “con-*
18 *servation activities,” after “benchmarking,”.*

19 **SEC. 11124. CROPLAND REPORT ANNUAL UPDATES.**

20 *Section 11014(c)(2) of the Agricultural Act of 2014*
21 *(Public Law 113–79; 128 Stat. 963) is amended in the mat-*
22 *ter preceding subparagraph (A) by striking “2018” and in-*
23 *serting “2023”.*

TITLE XII—MISCELLANEOUS**Subtitle A—Livestock****SEC. 12101. SHEEP PRODUCTION AND MARKETING GRANT
PROGRAM.**

Section 209 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627a) is amended by striking subsection (c) and inserting the following:

“(c) *AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$1,500,000 for each of fiscal years 2019 through 2023.*”.

**SEC. 12102. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.
WORK.**

Section 10409A(d) of the Animal Health Protection Act (7 U.S.C. 8308a(d)) is amended by striking “\$15,000,000 for each of fiscal years 2014 through 2018” and inserting “\$30,000,000 for each of fiscal years 2019 through 2023”.

**SEC. 12103. NATIONAL ANIMAL DISEASE PREPAREDNESS,
RESPONSE, AND RECOVERY PROGRAM; NA-
TIONAL ANIMAL VACCINE AND VETERINARY
COUNTERMEASURES BANK.**

The Animal Health Protection Act is amended by inserting after section 10409A (7 U.S.C. 8308a) the following:

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, RE-
6 SPONSE, 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 economic
10 interests of the livestock and related industries of the
11 United States (including the maintenance and expansion
12 of export market potential), the Secretary shall
13 establish a program to be known as the ‘National
14 Animal Disease Preparedness, Response, and Recov-
15 ery Program’ (referred to in this subsection as the
16 ‘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 and
20 diseases, including—

21 “(A) enhancing animal pest and disease
22 analysis and surveillance;

23 “(B) expanding education and outreach;

24 “(C) targeting domestic inspection activities
25 at vulnerable points in the safeguarding con-
26 tinuum;

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 data
9 for risk analysis between State and Federal ani-
10 mal 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 instruments

1 *with entities described in subparagraph (B) to*
2 *carry out activities described in paragraph (2).*

3 “(B) *ELIGIBLE ENTITIES.—The Secretary*
4 *may enter into a cooperative agreement or other*
5 *legal instrument under subparagraph (A) with 1*
6 *or more of the following entities:*

7 “(i) *A State department of agriculture.*

8 “(ii) *The State veterinarian or chief*
9 *animal health official of a State.*

10 “(iii) *A land-grant college or univer-*
11 *sity (as defined in section 1404 of the Na-*
12 *tional Agricultural Research, Extension,*
13 *and Teaching Policy Act of 1977 (7 U.S.C.*
14 *3103)).*

15 “(iv) *A NLGCA Institution (as defined*
16 *in section 1404 of the National Agricultural*
17 *Research, Extension, and Teaching Policy*
18 *Act of 1977 (7 U.S.C. 3103)).*

19 “(v) *A college of veterinary medicine.*

20 “(vi) *A State or national livestock pro-*
21 *ducer organization with a direct and sig-*
22 *nificant economic interest in livestock pro-*
23 *duction.*

24 “(vii) *A State, national, allied, or re-*
25 *gional veterinary organization or specialty*

1 *board recognized by the American Veteri-*
2 *nary Medical Association.*

3 “(viii) *An Indian tribe.*

4 “(ix) *A State emergency management*
5 *agency.*

6 “(x) *A Federal agency.*

7 “(C) *SPECIAL FUNDING CONSIDERATIONS.—*

8 *In entering into cooperative agreements or other*
9 *legal instruments under subparagraph (A), the*
10 *Secretary shall give priority to—*

11 “(i) *a State department of agriculture;*

12 “(ii) *the State veterinarian or chief*
13 *animal health official of a State; and*

14 “(iii) *an eligible entity that shall carry*
15 *out Program activities in a State or region*
16 *in which—*

17 “(I) *an animal disease or pest is*
18 *a Federal concern, as determined by*
19 *the Secretary; or*

20 “(II) *there is potential for the*
21 *spread of an animal disease or pest, as*
22 *determined by the Secretary, taking*
23 *into consideration—*

24 “(aa) *the agricultural indus-*
25 *tries in that State or region;*

1 “(bb) factors contributing to
2 animal disease or pests in that
3 State or region, such as climate,
4 natural resources, geography, na-
5 tive or exotic wildlife species, and
6 other disease vectors; and

7 “(cc) the movement of ani-
8 mals in that State or region.

9 “(D) APPLICATIONS.—

10 “(i) IN GENERAL.—An entity described
11 in subparagraph (B) desiring to enter into
12 a cooperative agreement or other legal in-
13 strument under subparagraph (A) shall sub-
14 mit to the Secretary an application at such
15 time and containing such information as
16 the Secretary may require.

17 “(ii) NOTIFICATION.—The Secretary
18 shall notify an entity that submits an ap-
19 plication under clause (i) of—

20 “(I) the requirements to be im-
21 posed on the entity for auditing of, and
22 reporting on, the use of any funds pro-
23 vided by the Secretary under the coop-
24 erative agreement or other legal instru-
25 ment; and

1 “(II) *the criteria to be used to en-*
2 *sure activities supported under the co-*
3 *operative agreement or other legal in-*
4 *strument are based on sound scientific*
5 *data or thorough risk assessments.*

6 “(E) *USE OF FUNDS.—*

7 “(i) *SUBAGREEMENTS.—Nothing in*
8 *this section prevents an entity from using*
9 *funds received under a cooperative agree-*
10 *ment or other legal instrument under sub-*
11 *paragraph (A) to enter into a subagreement*
12 *with another organization or a political*
13 *subdivision of a State that has legal respon-*
14 *sibilities relating to animal disease preven-*
15 *tion, surveillance, or rapid response.*

16 “(ii) *NON-FEDERAL SHARE.—In deter-*
17 *mining whether to enter into a cooperative*
18 *agreement or other legal instrument with an*
19 *entity under subparagraph (A), the Sec-*
20 *retary—*

21 “(I) *may consider the ability of*
22 *the entity to provide non-Federal funds*
23 *to carry out the cooperative agreement*
24 *or other legal instrument; but*

1 “(II) shall not require the provi-
2 sion of non-Federal funds by an entity
3 as a condition to enter into a coopera-
4 tive agreement or other legal instru-
5 ment.

6 “(iii) ADMINISTRATION.—Of amounts
7 made available to carry out the Program,
8 not more than 10 percent may be retained
9 by an entity that receives funds under a co-
10 operative agreement or other legal instru-
11 ment under subparagraph (A), including a
12 subagreement under clause (i), to pay ad-
13 ministrative costs incurred by the entity in
14 carrying out the cooperative agreement or
15 other legal instrument.

16 “(4) CONSULTATION.—The Secretary shall con-
17 sult with entities described in paragraph (3)(B) in es-
18 tablishing priorities under the Program.

19 “(5) FEDERAL ADVISORY COMMITTEE ACT.—The
20 Federal Advisory Committee Act (5 U.S.C. App.)
21 shall not apply to any consultation by the Secretary
22 with an entity described in paragraph (3)(B) under
23 the Program.

24 “(6) REPORTS.—Not later than 90 days after the
25 date on which an entity completes an activity pre-

1 *scribed and funded by a cooperative agreement or*
2 *other legal instrument under paragraph (3)(A), the*
3 *entity shall submit to the Secretary a report that de-*
4 *scribes the purposes and results of the activity.*

5 “(b) *NATIONAL ANIMAL VACCINE AND VETERINARY*
6 *COUNTERMEASURES BANK.*—

7 “(1) *IN GENERAL.*—*The Secretary shall establish*
8 *a National Animal Vaccine and Veterinary Counter-*
9 *measures Bank to benefit the domestic interests of the*
10 *United States.*

11 “(2) *REQUIREMENTS.*—*Under the National Ani-*
12 *mal Vaccine and Veterinary Countermeasures Bank,*
13 *the Secretary shall—*

14 “(A) *leverage, as appropriate, the mecha-*
15 *nisms and infrastructure that have been devel-*
16 *oped for the management, storage, and distribu-*
17 *tion of the National Veterinary Stockpile; and*

18 “(B) *maintain a sufficient quantity of ani-*
19 *mal vaccine, antiviral, therapeutic products, di-*
20 *agnostic products, and veterinary counter-*
21 *measures—*

22 “(i) *to appropriately respond to the*
23 *most damaging animal diseases affecting*
24 *human health or the economy; and*

1 “(i) that will be capable of rapid de-
2 ployment in the event of an outbreak of an
3 animal disease described in clause (i).

4 “(3) FOOT-AND-MOUTH DISEASE PRIORITY.—

5 “(A) IN GENERAL.—In carrying out para-
6 graph (2), the Secretary shall give priority to the
7 maintenance of a sufficient quantity of foot-and-
8 mouth disease vaccine, as determined by the Sec-
9 retary, and accompanying diagnostic products,
10 covering, to the maximum extent practicable, an
11 appropriate representation of foot-and-mouth
12 disease serotypes and strains for which appro-
13 priate vaccine products are available.

14 “(B) CONTRACTS.—The Secretary may offer
15 to enter into 1 or more contracts with 1 or more
16 entities that produce foot-and-mouth disease vac-
17 cine—

18 “(i) to maintain a bank of viral anti-
19 gen concentrate or vaccine products for, to
20 the maximum extent practicable, an appro-
21 priate representation of foot-and-mouth dis-
22 ease serotypes (as determined by the Sec-
23 retary) for which antigen concentrate is
24 available; and

1 “(ii) to maintain surge production ca-
2 pacity to produce, as quickly as practicable,
3 foot-and-mouth disease vaccine to address a
4 foot-and-mouth disease outbreak.

5 “(c) *USE OF FUNDS.*—

6 “(1) *FEDERAL ADMINISTRATION.*—Of amounts
7 made available to carry out this section, not greater
8 than 4 percent may be retained by the Secretary to
9 pay administrative costs incurred by the Secretary in
10 carrying out this section.

11 “(2) *BUILDINGS AND FACILITIES.*—None of the
12 amounts made available to carry out this section
13 shall be used for—

14 “(A) the construction of a new building or
15 facility;

16 “(B) the acquisition or expansion of an ex-
17 isting building or facility;

18 “(C) site grading and improvement; or

19 “(D) architect fees.

20 “(3) *PROCEEDS.*—The proceeds from the sale of
21 any vaccine or antigen by the National Animal Vac-
22 cine and Veterinary Countermeasures Bank shall—

23 “(A) be deposited in the Treasury;

1 “(B) be credited to an account for the oper-
2 ation of the National Animal Vaccine and Vet-
3 erinary Countermeasures Bank;

4 “(C) be available for expenditure without
5 further appropriation; and

6 “(D) remain available until expended.

7 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—There
8 are authorized to be appropriated such sums as are nec-
9 essary to carry out this section, to remain available until
10 expended.”.

11 **SEC. 12104. STUDY ON LIVESTOCK DEALER STATUTORY**
12 **TRUST.**

13 (a) *IN GENERAL.*—The Secretary shall conduct a
14 study to determine the feasibility of establishing a livestock
15 dealer statutory trust.

16 (b) *CONTENTS.*—The study conducted under subsection
17 (a) shall—

18 (1) analyze how the establishment of a livestock
19 dealer statutory trust would affect buyer and seller be-
20 havior in markets for livestock (as defined in section
21 2(a) of the Packers and Stockyards Act, 1921 (7
22 U.S.C. 182));

23 (2) consider what potential effects a livestock
24 dealer statutory trust would have on credit avail-

1 *ability, including impacts on lenders and lending be-*
2 *havior and other industry participants;*

3 *(3) examine unique circumstances common to*
4 *livestock dealers and how those circumstances could*
5 *impact the functionality of a livestock dealer statu-*
6 *tory trust;*

7 *(4) study the feasibility of the industry-wide*
8 *adoption of electronic funds transfer or another expe-*
9 *ditious method of payment to provide sellers of live-*
10 *stock protection from nonsufficient funds payments;*

11 *(5) assess the effectiveness of statutory trusts in*
12 *other segments of agriculture and whether similar ef-*
13 *fects could be experienced under a livestock dealer*
14 *statutory trust; and*

15 *(6) consider the effects of exempting dealers with*
16 *average annual purchases under a de minimis thresh-*
17 *old from being subject to the livestock dealer statutory*
18 *trust.*

19 *(c) REPORT.—Not later than 540 days after the date*
20 *of enactment of this Act, the Secretary shall submit to the*
21 *Committee on Agriculture of the House of Representatives*
22 *and the Committee on Agriculture, Nutrition, and Forestry*
23 *of the Senate a report describing the findings of the study*
24 *conducted under subsection (a).*

1 **SEC. 12105. DEFINITION OF LIVESTOCK.**

2 *Section 602(2) of the Emergency Livestock Feed Assist-*
3 *ance Act of 1988 (7 U.S.C. 1471(2)) is amended in the mat-*
4 *ter preceding subparagraph (A) by striking “fish” and all*
5 *that follows through “that—” and inserting “llamas, al-*
6 *pacas, live fish, crawfish, and other animals that—”.*

7 ***Subtitle B—Agriculture and Food***
8 ***Defense***

9 **SEC. 12201. REPEAL OF OFFICE OF HOMELAND SECURITY.**

10 *Section 14111 of the Food, Conservation, and Energy*
11 *Act of 2008 (7 U.S.C. 8911) is repealed.*

12 **SEC. 12202. OFFICE OF HOMELAND SECURITY.**

13 *Subtitle A of the Department of Agriculture Reorga-*
14 *nization Act of 1994 (7 U.S.C. 6911 et seq.) is amended*
15 *by adding at the end the following:*

16 **“SEC. 221. OFFICE OF HOMELAND SECURITY.**

17 **“(a) DEFINITION OF AGRICULTURE AND FOOD DE-**
18 **FENSE.—***In this section, the term ‘agriculture and food de-*
19 *fense’ means any action to prevent, protect against, miti-*
20 *gate the effects of, respond to, or recover from a naturally*
21 *occurring, unintentional, or intentional threat to the agri-*
22 *culture and food system.*

23 **“(b) AUTHORIZATION.—***The Secretary shall establish*
24 *in the Department the Office of Homeland Security.*

25 **“(c) EXECUTIVE DIRECTOR.—***The Office of Homeland*
26 *Security shall be headed by an Executive Director, who*

1 *shall be known as the ‘Executive Director of Homeland Se-*
2 *curity’.*

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 oversight*
10 *relating to homeland security, including emergency*
11 *management and agriculture and food defense;*

12 “(3) *act as the primary liaison on behalf of the*
13 *Department with other Federal departments and*
14 *agencies in activities relating to homeland security,*
15 *including emergency management and agriculture*
16 *and food defense, and provide for interagency coordi-*
17 *nation and data sharing;*

18 “(4)(A) *coordinate in the Department the gath-*
19 *ering of information relevant to early warning and*
20 *awareness of threats and risks to the food and agri-*
21 *culture critical infrastructure sector; and*

22 “(B) *share that information with, and provide*
23 *assistance with interpretation and risk characteriza-*
24 *tion of that information to, the intelligence commu-*
25 *nity (as defined in section 3 of the National Security*

1 *Act of 1947 (50 U.S.C 3003)), law enforcement agen-*
2 *cies, the Secretary of Defense, the Secretary of Home-*
3 *land Security, the Secretary of Health and Human*
4 *Services, and State fusion centers (as defined in sec-*
5 *tion 210A(j) of the Homeland Security Act of 2002 (6*
6 *U.S.C. 124h(j));*

7 *“(5) liaison with the Director of National Intel-*
8 *ligence to assist in the development of periodic assess-*
9 *ments and intelligence estimates, or other intelligence*
10 *products, that support the defense of the food and ag-*
11 *riculture 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 relat-*
18 *ing to homeland security, including emergency man-*
19 *agement and agriculture and food defense; and*

20 *“(8) carry out other appropriate duties, as deter-*
21 *mined 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 Secu-*
2 *rity Act of 1947 (50 U.S.C. 3003)) and fusion centers*
3 *(as defined in section 210A(j) of the Homeland Secu-*
4 *rity Act of 2002 (6 U.S.C. 124h(j)) that have analysis*
5 *and intelligence capabilities relating to the defense of*
6 *the food and agriculture critical infrastructure sector,*
7 *shall establish and carry out an interagency exchange*
8 *program of personnel and information to improve*
9 *communication and analysis for the defense of the*
10 *food and agriculture critical infrastructure sector.*

11 “(2) *COLLABORATION WITH FEDERAL, STATE,*
12 *AND LOCAL AUTHORITIES.—To carry out the program*
13 *established under paragraph (1), the Secretary may—*

14 “(A) *enter into 1 or more cooperative agree-*
15 *ments or contracts with Federal, State, or local*
16 *authorities that have analysis and intelligence*
17 *capabilities and expertise relating to the defense*
18 *of the food and agriculture critical infrastructure*
19 *sector; and*

20 “(B) *carry out any other activity under*
21 *any other authority of the Secretary that is ap-*
22 *propriate to engage the authorities described in*
23 *subparagraph (A) for the defense of the food and*
24 *agriculture critical infrastructure sector, as de-*
25 *termined by the Secretary.”*

1 **SEC. 12203. AGRICULTURE AND FOOD DEFENSE.**

2 (a) *DEFINITIONS.—In this section:*

3 (1) *ANIMAL.—The term “animal” has the mean-*
4 *ing given the term in section 10403 of the Animal*
5 *Health Protection Act (7 U.S.C. 8302).*

6 (2) *DISEASE OR PEST OF CONCERN.—The term*
7 *“disease or pest of concern” means a plant or animal*
8 *disease or pest that—*

9 (A) *is—*

10 (i) *a transboundary disease; or*

11 (ii) *an established disease; and*

12 (B) *is likely to pose a significant risk to the*
13 *food and agriculture critical infrastructure sector*
14 *that warrants efforts at prevention, protection,*
15 *mitigation, response, and recovery.*

16 (3) *ESTABLISHED DISEASE.—The term “estab-*
17 *lished disease” means a plant or animal disease or*
18 *pest that—*

19 (A)(i) *if it becomes established, poses an im-*
20 *minent threat to agriculture in the United*
21 *States; or*

22 (ii) *has become established, as defined by*
23 *the Secretary, within the United States; and*

24 (B) *requires management.*

25 (4) *HIGH-CONSEQUENCE PLANT TRANSBOUNDARY*
26 *DISEASE.—The term “high-consequence plant trans-*

1 *boundary disease” means a transboundary disease*
2 *that is—*

3 *(A)(i) a plant disease; or*

4 *(ii) a plant pest; and*

5 *(B) of high consequence, as determined by*
6 *the Secretary.*

7 (5) *PEST.—The term “pest”—*

8 *(A) with respect to a plant, has the mean-*
9 *ing given the term “plant pest” in section 403*
10 *of the Plant Protection Act (7 U.S.C. 7702); and*

11 *(B) with respect to an animal, has the*
12 *meaning given the term in section 10403 of the*
13 *Animal Health Protection Act (7 U.S.C. 8302).*

14 (6) *PLANT.—The term “plant” has the meaning*
15 *given the term in section 403 of the Plant Protection*
16 *Act (7 U.S.C. 7702).*

17 (7) *PLANT HEALTH MANAGEMENT STRATEGY.—*
18 *The term “plant health management strategy” means*
19 *a strategy to timely control and eradicate a plant dis-*
20 *ease or plant pest outbreak, including through mitiga-*
21 *tion (such as chemical control), surveillance, the use*
22 *of diagnostic products and procedures, and the use of*
23 *existing resistant seed stock.*

24 (8) *TRANSBOUNDARY DISEASE.—*

1 (A) *IN GENERAL.*—*The term “transbound-*
2 *ary disease” means a plant or animal disease or*
3 *pest that is within 1 or more countries outside*
4 *of the United States.*

5 (B) *INCLUSION.*—*The term “transboundary*
6 *disease” includes a plant or animal disease or*
7 *pest described in subparagraph (A) that—*

8 (i) *has emerged within the United*
9 *States; or*

10 (ii) *has been introduced within the*
11 *United States.*

12 (9) *VETERINARY COUNTERMEASURE.*—*The term*
13 *“veterinary countermeasure” means the use of any*
14 *animal vaccine, antiviral, therapeutic product, or di-*
15 *agnostic product to respond to the most damaging*
16 *animal diseases to animal and human health and the*
17 *economy.*

18 (b) *DISEASE OR PEST OF CONCERN RESPONSE PLAN-*
19 *NING.*—

20 (1) *IN GENERAL.*—*The Secretary shall—*

21 (A) *establish a list of diseases or pests of*
22 *concern by—*

23 (i) *developing a process to solicit and*
24 *receive expert opinion and evidence relating*

1 to the diseases and pests of concern entered
2 on the list; and

3 (ii) reviewing all available evidence re-
4 lating to the diseases and pests of concern
5 entered on the list, including classified in-
6 formation; and

7 (B) periodically update the list established
8 under subparagraph (A).

9 (2) *RESPONSE PLANS.*—

10 (A) *COMPREHENSIVE STRATEGIC RESPONSE*
11 *PLAN OR PLANS.*—The Secretary shall develop, in
12 collaboration with appropriate Federal, State,
13 regional, and local officials, a comprehensive
14 strategic response plan or plans, as appropriate,
15 for the diseases or pests of concern that are en-
16 tered on the list established under paragraph (1).

17 (B) *STATE OR REGION RESPONSE PLAN OR*
18 *PLANS.*—The Secretary shall provide informa-
19 tion to a State or regional authority to assist in
20 developing a comprehensive strategic response
21 plan or plans for that State or region that
22 shall—

23 (i) include—

24 (I) a concept of operations for
25 each disease or pest of concern; or

1 (ii) a platform concept of oper-
2 ations for responses to similar diseases
3 or pests, as determined by the Sec-
4 retary;

5 (iii) describe the appropriate inter-
6 actions among, and roles of—

7 (I) Federal, State, Tribal, and
8 units of local government; and

9 (II) plant or animal industry
10 partners;

11 (iv) include a decision matrix that
12 shall, as appropriate, include—

13 (I) information and timing re-
14 quirements necessary for the use of vet-
15 erinary countermeasures;

16 (II) plant health management
17 strategies;

18 (III) deployment of other key ma-
19 terials and resources; and

20 (IV) parameters for transitioning
21 from outbreak response to disease man-
22 agement;

23 (v) identify key response performance
24 metrics to establish—

25 (I) benchmarking;

1 (II) *progressive exercise evalua-*
2 *tion; and*

3 (III) *continuing improvement of a*
4 *response plan, including by providing*
5 *for—*

6 (aa) *ongoing exercise evalua-*
7 *tions to improve a response plan*
8 *over time; and*

9 (bb) *strategic information to*
10 *guide investment in any appro-*
11 *priate research to mitigate the*
12 *risk of a disease or pest of con-*
13 *cern; and*

14 (v) *be updated periodically, as deter-*
15 *mined to be appropriate by the Secretary,*
16 *including in response to—*

17 (I) *an exercise evaluation; or*

18 (II) *new risk information becom-*
19 *ing available regarding a disease or*
20 *pest of concern.*

21 (3) *COORDINATION OF PLANS.—Pursuant to sec-*
22 *tion 221(d)(6) of the Department of Agriculture Reor-*
23 *ganization Act of 1994, the Secretary shall, as appro-*
24 *priate, assist in coordinating with other appropriate*

1 *Federal, State, regional, or local officials in the exer-*
2 *cising of the plans developed under paragraph (2).*

3 *(c) NATIONAL PLANT DIAGNOSTIC NETWORK.—*

4 *(1) IN GENERAL.—The Secretary shall establish*
5 *in the Department of Agriculture a National Plant*
6 *Diagnostic Network to monitor and surveil through*
7 *diagnostics threats to plant health from diseases or*
8 *pests of concern in the United States.*

9 *(2) REQUIREMENTS.—The National Plant Diag-*
10 *nostic Network established under paragraph (1)*
11 *shall—*

12 *(A) provide for increased awareness, sur-*
13 *veillance, early identification, rapid communica-*
14 *tion, warning, and diagnosis of a threat to plant*
15 *health from a disease or pest of concern to pro-*
16 *tect natural and agricultural plant resources;*

17 *(B) coordinate and collaborate with agen-*
18 *cies of the Department of Agriculture and State*
19 *agencies and authorities involved in plant*
20 *health;*

21 *(C) establish diagnostic laboratory stand-*
22 *ards;*

23 *(D) establish regional hubs throughout the*
24 *United States that provide expertise, leadership,*
25 *and support to diagnostic labs relating to the ag-*

1 *ricultural crops and plants in the covered re-*
2 *gions of those hubs; and*

3 *(E) establish a national repository for*
4 *records of endemic or emergent diseases and pests*
5 *of concern.*

6 (3) *HEAD OF NETWORK.—*

7 *(A) IN GENERAL.—The Director of the Na-*
8 *tional Institute of Food and Agriculture shall*
9 *serve as the head of the National Plant Diag-*
10 *nostic Network.*

11 *(B) DUTIES.—The head of the National*
12 *Plant Diagnostic Network shall—*

13 *(i) coordinate and collaborate with*
14 *land-grant colleges and universities (as de-*
15 *finied in section 1404 of the National Agri-*
16 *cultural Research, Extension, and Teaching*
17 *Policy Act of 1977 (7 U.S.C. 3103)) in car-*
18 *rying out the requirements under para-*
19 *graph (2), including through cooperative*
20 *agreements described in paragraph (4);*

21 *(ii) partner with the Administrator of*
22 *the Animal and Plant Health Inspection*
23 *Service for assistance with plant health reg-*
24 *ulation and inspection; and*

1 (iii) *coordinate with other Federal*
2 *agencies, as appropriate, in carrying out*
3 *activities relating to the National Plant Di-*
4 *agnostic Network, including the sharing of*
5 *biosurveillance information.*

6 (4) *COLLABORATION WITH LAND-GRANT COL-*
7 *LEGES AND UNIVERSITIES.—The Secretary shall seek*
8 *to establish cooperative agreements with land-grant*
9 *colleges and universities (as defined in section 1404*
10 *of the National Agricultural Research, Extension, and*
11 *Teaching Policy Act of 1977 (7 U.S.C. 3103)) that*
12 *have the appropriate level of skill, experience, and*
13 *competence with plant diseases or pests of concern.*

14 (5) *AUTHORIZATION OF APPROPRIATIONS.—In*
15 *addition to the amount authorized to carry out this*
16 *subtitle under section 12205, there is authorized to be*
17 *appropriated to carry out this subsection \$15,000,000*
18 *for each of fiscal years 2019 through 2023.*

19 (d) *NATIONAL PLANT DISEASE RECOVERY SYSTEM.—*

20 (1) *RECOVERY SYSTEM.—The Secretary shall es-*
21 *tablish in the Department of Agriculture a National*
22 *Plant Disease Recovery System to engage in strategic*
23 *long-range planning to recover from high-consequence*
24 *plant transboundary diseases.*

1 (2) *REQUIREMENTS.*—*The National Plant Dis-*
2 *ease Recovery System established under paragraph*
3 *(1) shall—*

4 (A) *coordinate with disease or pest of con-*
5 *cern concept of operations response plans;*

6 (B) *make long-range plans for the initiation*
7 *of future research projects relating to high-con-*
8 *sequence plant transboundary diseases;*

9 (C) *establish research plans for long-term*
10 *recovery;*

11 (D) *plan for the identification and use of*
12 *specific genotypes, cultivars, breeding lines, and*
13 *other disease-resistant materials necessary for*
14 *crop stabilization or improvement; and*

15 (E) *establish a watch list of high-con-*
16 *sequence plant transboundary diseases for the*
17 *purpose of making long-range plans under sub-*
18 *paragraph (B).*

19 **SEC. 12204. BIOLOGICAL AGENTS AND TOXINS LIST.**

20 *Section 212(a)(1)(B)(i) of the Agricultural Bioter-*
21 *rorism Protection Act of 2002 (7 U.S.C. 8401(a)(1)(B)(i))*
22 *is amended—*

23 (1) *in subclause (III), by striking “and” at the*
24 *end;*

1 (2) by redesignating subclause (IV) as subclause
2 (V); and

3 (3) by inserting after subclause (III) the fol-
4 lowing:

5 “(IV)(aa) whether placing an
6 agent or toxin on the list under sub-
7 paragraph (A) would have a substan-
8 tial negative impact on the research
9 and development of solutions for the
10 animal or plant disease caused by the
11 agent or toxin; and

12 “(bb) whether that negative im-
13 pact would substantially outweigh the
14 risk posed by the agent or toxin to ani-
15 mal or plant health if it is not placed
16 on the list; and”.

17 **SEC. 12205. AUTHORIZATION OF APPROPRIATIONS.**

18 *In addition to other amounts made available under*
19 *this subtitle, there is authorized to be appropriated to carry*
20 *out this subtitle \$5,000,000 for each of fiscal years 2019*
21 *through 2023.*

1 ***Subtitle C—Historically***
2 ***Underserved Producers***

3 **SEC. 12301. FARMING OPPORTUNITIES TRAINING AND OUT-**
4 **REACH.**

5 (a) *REPEAL.*—

6 (1) *IN GENERAL.*—*Section 7405 of the Farm Se-*
7 *curity and Rural Investment Act of 2002 (7 U.S.C.*
8 *3319f) is repealed.*

9 (2) *CONFORMING AMENDMENTS.*—

10 (A) *Section 226B(e)(2)(B) of the Depart-*
11 *ment of Agriculture Reorganization Act of 1994*
12 *(7 U.S.C. 6934(e)(2)(B)) is amended by striking*
13 *“the beginning farmer and rancher development*
14 *program established under section 7405 of the*
15 *Farm Security and Rural Investment Act of*
16 *2002 (7 U.S.C. 3319f).” and inserting “the be-*
17 *ginning farmer and rancher development grant*
18 *program established under subsection (d) of sec-*
19 *tion 2501 of the Food, Agriculture, Conservation,*
20 *and Trade Act of 1990 (7 U.S.C. 2279).”.*

21 (B) *Section 251(f)(1)(D) of the Department*
22 *of Agriculture Reorganization Act of 1994 (7*
23 *U.S.C. 6971(f)(1)(D)) is amended by striking*
24 *clause (iv) and inserting the following:*

1 “(iv) *The beginning farmer and ranch-*
2 *er development grant program established*
3 *under subsection (d) of section 2501 of the*
4 *Food, Agriculture, Conservation, and Trade*
5 *Act of 1990 (7 U.S.C. 2279).”.*

6 (C) *Section 7506(e) of the Food, Conserva-*
7 *tion, and Energy Act of 2008 (7 U.S.C.*
8 *7614c(e)) is amended—*

9 (i) *in paragraph (2)(C)—*

10 (I) *by striking clause (v);*

11 (II) *by redesignating clauses (i)*
12 *through (iv) as clauses (ii) through (v),*
13 *respectively;*

14 (III) *by inserting before clause*

15 (ii) *(as so redesignated) the following:*

16 “(i) *each grant awarded under sub-*
17 *section (d) of section 2501 of the Food, Ag-*
18 *riculture, Conservation, and Trade Act of*
19 *1990 (7 U.S.C. 2279);”;*

20 (IV) *in clause (ii) (as so redesign-*
21 *ated), by striking “450i(b)(2);” and*
22 *inserting “3157(b)(2);”; and*

23 (V) *in clause (iv) (as so redesign-*
24 *ated), by adding “and” at the end;*

25 (ii) *in paragraph (4)—*

1 (I) by striking subparagraph (E);

2 (II) by redesignating subpara-
3 graphs (A) through (D) as subpara-
4 graphs (B) through (E), respectively;

5 (III) by inserting before subpara-
6 graph (B) (as so redesignated) the fol-
7 lowing:

8 “(A) subsection (d) of section 2501 of the
9 Food, Agriculture, Conservation, and Trade Act
10 of 1990 (7 U.S.C. 2279);”;

11 (IV) in subparagraph (B) (as so
12 redesignated), by striking “450i(b);”
13 and inserting “3157(b);”;

14 (V) in subparagraph (D) (as so
15 redesignated), by adding “or” at the
16 end; and

17 (VI) in subparagraph (E) (as so
18 redesignated), by striking “; or” and
19 inserting a period.

20 (b) *OUTREACH AND EDUCATION FOR SOCIALLY DIS-*
21 *ADVANTAGED FARMERS AND RANCHERS, VETERAN FARM-*
22 *ERS AND RANCHERS, AND BEGINNING FARMERS AND*
23 *RANCHERS.*—Section 2501 of the Food, Agriculture, Con-
24 *servation, and Trade Act of 1990 (7 U.S.C. 2279) is amend-*
25 *ed—*

1 (1) by striking the section heading and inserting
2 “**FARMING OPPORTUNITIES TRAINING AND**
3 **OUTREACH**”;

4 (2) by redesignating subsections (a), (b), (c), (d),
5 (e), (g), (h), and (i) as subsections (c), (j), (o), (k),
6 (a), (l), (m), and (n), respectively, and moving the
7 subsection so as to appear in alphabetical order;

8 (3) by moving paragraph (5) of subsection (a)
9 (as so redesignated) so as to appear at the end of sub-
10 section (c) (as so redesignated);

11 (4) in subsection (a) (as so redesignated)—

12 (A) by striking the subsection designation
13 and heading and inserting the following:

14 “(a) **DEFINITIONS.**—In this section:”;

15 (B) by redesignating paragraphs (1), (2),
16 (3), (4), and (6) as paragraphs (6), (5), (1), (3),
17 and (4), respectively, and moving the para-
18 graphs so as to appear in numerical order;

19 (C) in paragraphs (1), (5), and (6) (as so
20 redesignated), by striking “As used in this sec-
21 tion, the” each place it appears and inserting
22 “The”; and

23 (D) by inserting after paragraph (1) (as so
24 redesignated) the following:

1 “(2) *BEGINNING FARMER OR RANCHER.*—*The*
2 *term ‘beginning farmer or rancher’ means a person*
3 *that—*

4 “(A)(i) *has not operated a farm or ranch;*
5 *or*

6 “(ii) *has operated a farm or ranch for not*
7 *more than 10 years; and*

8 “(B) *meets such other criteria as the Sec-*
9 *retary may establish.”;*

10 (5) *by inserting after subsection (a) (as so redes-*
11 *ignated) the following:*

12 “(b) *FARMING OPPORTUNITIES TRAINING AND OUT-*
13 *REACH.*—*The Secretary shall carry out this section to en-*
14 *courage and assist socially disadvantaged farmers and*
15 *ranchers, veteran farmers and ranchers, and beginning*
16 *farmers and ranchers in the ownership and operation of*
17 *farms and ranches through—*

18 “(1) *education and training; and*

19 “(2) *equitable participation in all agricultural*
20 *programs of the Department.”;*

21 (6) *in subsection (c) (as so redesignated and as*
22 *amended by paragraph (3))—*

23 (A) *by striking paragraph (4);*

24 (B) *by redesignating paragraphs (1), (2),*

25 (3), *and (5) as paragraphs (2), (3), (4), and (1),*

1 *respectively, and moving the paragraphs so as to*
2 *appear in numerical order;*

3 *(C) in paragraph (1) (as so redesignated)—*

4 *(i) in the matter preceding subpara-*
5 *graph (A), by striking “The term” and in-*
6 *serting “In this subsection, the term”;*

7 *(ii) in subparagraph (A)(ii), by strik-*
8 *ing “subsection (a)” and inserting “this*
9 *subsection”;* and

10 *(iii) in subparagraph (F), by striking*
11 *“450b))” and inserting “5304))”;*

12 *(D) in subparagraph (B) of paragraph (2)*
13 *(as so redesignated), by striking “agricultural”*
14 *and inserting “agricultural, forestry, and re-*
15 *lated”;*

16 *(E) in paragraph (3) (as so redesignated),*
17 *by striking “(1)” in the matter preceding sub-*
18 *paragraph (A) and inserting “(2)”;* and

19 *(F) in paragraph (4) (as so redesignated)—*

20 *(i) in subparagraph (A)—*

21 *(I) by striking the subparagraph*
22 *heading and inserting “OUTREACH*
23 *AND TECHNICAL ASSISTANCE.—”;*

24 *(II) by striking “(2)” and insert-*
25 *ing “(3)”;* and

1 (III) by inserting “to socially dis-
2 advantaged farmers and ranchers and
3 veteran farmers and ranchers” after
4 “assistance”;

5 (ii) in subparagraph (C), by striking
6 “(1)” and inserting “(2)”;

7 (iii) in subparagraph (D), by adding
8 at the end the following:

9 “(v) The number of farms or ranches
10 started, maintained, or improved as a result
11 of funds made available under the program.

12 “(vi) Actions taken by the Secretary in
13 partnership with eligible entities to enhance
14 participation in agricultural programs by
15 veteran farmers or ranchers and socially
16 disadvantaged farmers or ranchers.

17 “(vii) The effectiveness of the actions
18 described in clause (vi).”; and

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

20 “(E) MAXIMUM TERM AND AMOUNT OF
21 GRANT, CONTRACT, OR AGREEMENT.—A grant,
22 contract, or agreement entered into under sub-
23 paragraph (A) shall be—

24 “(i) for a term of not longer than 3
25 years; and

1 “(i) in an amount that is not more
2 than \$250,000 for each year of the grant,
3 contract, or agreement.

4 “(F) *PRIORITY*.—In making grants and en-
5 tering into contracts and other agreements under
6 subparagraph (A), the Secretary shall give pri-
7 ority to nongovernmental and community-based
8 organizations with an expertise in working with
9 socially disadvantaged farmers and ranchers or
10 veteran farmers and ranchers.

11 “(G) *REGIONAL BALANCE*.—To the max-
12 imum extent practicable, the Secretary shall en-
13 sure the geographical diversity of eligible entities
14 to which grants are made and contracts and
15 other agreements are entered into under subpara-
16 graph (A).

17 “(H) *PROHIBITION*.—A grant, contract, or
18 other agreement under subparagraph (A) may
19 not be used for the planning, repair, rehabilita-
20 tion, acquisition, or construction of a building or
21 facility.

22 “(I) *PEER REVIEW*.—The Secretary shall es-
23 tablish a fair and efficient external peer review
24 process that—

1 “(i) the Secretary shall use in making
2 grants and entering into contracts and
3 other agreements under subparagraph (A);
4 and

5 “(ii) shall include a broad representa-
6 tion of peers of the eligible entity.

7 “(J) *INPUT FROM ELIGIBLE ENTITIES.*—The
8 Secretary shall seek input from eligible entities
9 providing technical assistance under this sub-
10 section not less than once each year to ensure
11 that the program is responsive to the eligible en-
12 tities providing that technical assistance.”;

13 (7) by inserting after subsection (c) (as so reded-
14 ignated) the following:

15 “(d) *BEGINNING FARMER AND RANCHER DEVELOP-*
16 *MENT GRANT PROGRAM.*—

17 “(1) *IN GENERAL.*—The Secretary, acting
18 through the Director of the National Institute of Food
19 and Agriculture, shall make competitive grants to
20 support new and established local and regional train-
21 ing, education, outreach, and technical assistance ini-
22 tiatives for beginning farmers and ranchers.

23 “(2) *INCLUDED PROGRAMS AND SERVICES.*—Ini-
24 tiatives described in paragraph (1) may include pro-
25 grams or services, as appropriate, relating to—

1 “(A) basic livestock, forest management,
2 and crop farming practices;

3 “(B) innovative farm, ranch, and private,
4 nonindustrial forest land transfer and succession
5 strategies;

6 “(C) entrepreneurship and business train-
7 ing;

8 “(D) financial and risk management train-
9 ing, including the acquisition and management
10 of agricultural credit;

11 “(E) natural resource management and
12 planning;

13 “(F) diversification and marketing strate-
14 gies;

15 “(G) curriculum development;

16 “(H) mentoring, apprenticeships, and in-
17 ternships;

18 “(I) resources and referral;

19 “(J) farm financial benchmarking;

20 “(K) assisting beginning farmers and
21 ranchers in acquiring land from retiring farmers
22 and ranchers;

23 “(L) agricultural rehabilitation and voca-
24 tional training for veteran farmers and ranchers;

25 “(M) farm safety and awareness;

1 “(N) *food safety and recordkeeping; and*

2 “(O) *other similar subject areas of use to be-*
3 *ginning farmers and ranchers.*

4 “(3) *ELIGIBILITY.—*

5 “(A) *IN GENERAL.—To be eligible to receive*
6 *a grant under this subsection, the recipient of the*
7 *grant shall be a collaborative State, Tribal, local,*
8 *or regionally-based network or partnership of*
9 *public or private entities.*

10 “(B) *INCLUSIONS.—A recipient of a grant*
11 *described in subparagraph (A) may include—*

12 “(i) *a State cooperative extension serv-*
13 *ice;*

14 “(ii) *a Federal, State, municipal, or*
15 *Tribal agency;*

16 “(iii) *a community-based or non-*
17 *governmental organization;*

18 “(iv) *a college or university (including*
19 *an institution awarding an associate’s de-*
20 *gree) or foundation maintained by a college*
21 *or university; or*

22 “(v) *any other appropriate partner, as*
23 *determined by the Secretary.*

24 “(4) *TERMS OF GRANTS.—A grant under this*
25 *subsection shall—*

1 “(A) be for a term of not longer than 3
2 years; and

3 “(B) provide not more than \$250,000 for
4 each year.

5 “(5) *EVALUATION CRITERIA.*—*In making grants*
6 *under this subsection, the Secretary shall evaluate,*
7 *with respect to applications for the grants—*

8 “(A) relevancy;

9 “(B) technical merit;

10 “(C) achievability;

11 “(D) the expertise and track record of 1 or
12 more applicants;

13 “(E) the consultation of beginning farmers
14 and ranchers in design, implementation, and de-
15 cisionmaking relating to an initiative described
16 in paragraph (1);

17 “(F) the adequacy of plans for—

18 “(i) a participatory evaluation process;

19 “(ii) outcome-based reporting; and

20 “(iii) the communication of findings
21 and results beyond the immediate target au-
22 dience; and

23 “(G) other appropriate factors, as deter-
24 mined by the Secretary.

1 “(6) *REGIONAL BALANCE.*—*To the maximum ex-*
2 *tent practicable, the Secretary shall ensure the geo-*
3 *graphical diversity of recipients of grants under this*
4 *subsection.*

5 “(7) *PRIORITY.*—*In making grants under this*
6 *subsection, the Secretary shall give priority to part-*
7 *nerships and collaborations that are led by or include*
8 *nongovernmental, community-based organizations*
9 *and school-based educational organizations with ex-*
10 *pertise in new agricultural producer training and*
11 *outreach.*

12 “(8) *PROHIBITION.*—*A grant made under this*
13 *subsection may not be used for the planning, repair,*
14 *rehabilitation, acquisition, or construction of a build-*
15 *ing or facility.*

16 “(9) *COORDINATION PERMITTED.*—*A recipient of*
17 *a grant under this subsection may coordinate with a*
18 *recipient of a grant under section 1680 in addressing*
19 *the needs of veteran farmers and ranchers with dis-*
20 *abilities.*

21 “(10) *CONSECUTIVE AWARDS.*—*A grant under*
22 *this subsection may be made to a recipient for con-*
23 *secutive years.*

24 “(11) *PEER REVIEW.*—

1 “(A) *IN GENERAL.*—*The Secretary shall es-*
2 *tablish a fair and efficient external peer review*
3 *process, which the Secretary shall use in making*
4 *grants under this subsection.*

5 “(B) *REQUIREMENT.*—*The peer review*
6 *process under subparagraph (A) shall include a*
7 *review panel composed of a broad representation*
8 *of peers of the applicant for the grant that are*
9 *not applying for a grant under this subsection.*

10 “(12) *PARTICIPATION BY OTHER FARMERS AND*
11 *RANCHERS.*—*Nothing in this subsection prohibits the*
12 *Secretary from allowing a farmer or rancher who is*
13 *not a beginning farmer or rancher (including an*
14 *owner or operator that has ended, or expects to end*
15 *within 5 years, active labor in a farming or ranching*
16 *operation as a producer) from participating in a pro-*
17 *gram or service under this subsection, to the extent*
18 *that the Secretary determines that such participa-*
19 *tion—*

20 “(A) *is appropriate; and*

21 “(B) *will not detract from the primary pur-*
22 *pose of increasing opportunities for beginning*
23 *farmers and ranchers.*

24 “(e) *APPLICATION REQUIREMENTS.*—*In making*
25 *grants and entering into contracts and other agreements,*

1 *as applicable, under subsections (c) and (d), the Secretary*
2 *shall make available a simplified application process for*
3 *an application for a grant that requests less than \$50,000.”;*

4 *(8) by inserting after subsection (f) the following:*

5 *“(g) EDUCATION TEAMS.—*

6 *“(1) IN GENERAL.—The Secretary shall establish*
7 *beginning farmer and rancher education teams to de-*
8 *velop curricula and conduct educational programs*
9 *and workshops for beginning farmers and ranchers in*
10 *diverse geographical areas of the United States.*

11 *“(2) CURRICULUM.—In promoting the develop-*
12 *ment of curricula under paragraph (1), the Secretary*
13 *shall, to the maximum extent practicable, include*
14 *modules tailored to specific audiences of beginning*
15 *farmers and ranchers, based on crop diversity or re-*
16 *gional diversity.*

17 *“(3) COMPOSITION.—In establishing an edu-*
18 *cation team under paragraph (1) for a specific pro-*
19 *gram or workshop, the Secretary shall, to the max-*
20 *imum extent practicable—*

21 *“(A) obtain the short-term services of spe-*
22 *cialists with knowledge and expertise in pro-*
23 *grams serving beginning farmers and ranchers;*
24 *and*

1 “(B) use officers and employees of the De-
2 partment with direct experience in programs of
3 the Department that may be taught as part of
4 the curriculum for the program or workshop.

5 “(4) COOPERATION.—

6 “(A) IN GENERAL.—In carrying out this
7 subsection, the Secretary shall cooperate, to the
8 maximum extent practicable, with—

9 “(i) State cooperative extension serv-
10 ices;

11 “(ii) Federal, State, and Tribal agen-
12 cies;

13 “(iii) community-based and non-
14 governmental organizations;

15 “(iv) colleges and universities (includ-
16 ing an institution awarding an associate’s
17 degree) or foundations maintained by a col-
18 lege or university; and

19 “(v) other appropriate partners, as de-
20 termined by the Secretary.

21 “(B) COOPERATIVE AGREEMENTS.—Not-
22 withstanding chapter 63 of title 31, United
23 States Code, the Secretary may enter into a co-
24 operative agreement to reflect the terms of any
25 cooperation under subparagraph (A).

1 “(h) *CURRICULUM AND TRAINING CLEARINGHOUSE.*—
2 *The Secretary shall establish an online clearinghouse that*
3 *makes available to beginning farmers and ranchers edu-*
4 *cation curricula and training materials and programs,*
5 *which may include online courses for direct use by begin-*
6 *ning farmers and ranchers.*

7 “(i) *STAKEHOLDER INPUT.*—*In carrying out this sec-*
8 *tion, the Secretary shall seek stakeholder input from—*

9 “(1) *beginning farmers and ranchers;*

10 “(2) *socially disadvantaged farmers and ranch-*
11 *ers;*

12 “(3) *veteran farmers and ranchers;*

13 “(4) *national, State, Tribal, and local organiza-*
14 *tions and other persons with expertise in operating*
15 *programs for—*

16 “(A) *beginning farmers and ranchers;*

17 “(B) *socially disadvantaged farmers and*
18 *ranchers; or*

19 “(C) *veteran farmers and ranchers;*

20 “(5) *the Advisory Committee on Beginning*
21 *Farmers and Ranchers established under section 5(b)*
22 *of the Agricultural Credit Improvement Act of 1992*
23 *(7 U.S.C. 1929 note; Public Law 102–554);*

24 “(6) *the Advisory Committee on Minority Farm-*
25 *ers established under section 14008 of the Food, Con-*

1 *ervation, and Energy Act of 2008 (7 U.S.C. 2279*
2 *note; Public Law 110–246); and*

3 *“(7) the Tribal Advisory Committee established*
4 *under subsection (b) of section 309 of the Department*
5 *of Agriculture Reorganization Act of 1994 (7 U.S.C.*
6 *6921).”;*

7 *(9) in paragraph (3) of subsection (k) (as so re-*
8 *designated), by inserting “and not later than March*
9 *1, 2020,” after “1991,”; and*

10 *(10) by adding at the end the following:*

11 *“(p) FUNDING.—*

12 *“(1) MANDATORY FUNDING.—Of the funds of the*
13 *Commodity Credit Corporation, the Secretary shall*
14 *use to carry out this section \$50,000,000 for fiscal*
15 *year 2018 and each fiscal year thereafter.*

16 *“(2) AUTHORIZATION OF APPROPRIATIONS.—*
17 *There is authorized to be appropriated to carry out*
18 *this section \$50,000,000 for each fiscal years 2018*
19 *through 2023.*

20 *“(3) RESERVATION OF FUNDS.—Of the amounts*
21 *made available to carry out this section—*

22 *“(A) 50 percent shall be used to carry out*
23 *subsection (c); and*

24 *“(B) 50 percent shall be used to carry out*
25 *subsection (d).*

1 “(4) *ALLOCATION OF FUNDS.*—

2 “(A) *IN GENERAL.*—*Not less than 5 percent*
3 *of the amounts made available to carry out sub-*
4 *sections (d) and (n) for a fiscal year shall be*
5 *used to support programs and services that ad-*
6 *dress the needs of—*

7 “(i) *limited resource beginning farmers*
8 *and ranchers, as defined by the Secretary;*

9 “(ii) *socially disadvantaged farmers*
10 *and ranchers that are beginning farmers*
11 *and ranchers; and*

12 “(iii) *farmworkers desiring to become*
13 *farmers or ranchers.*

14 “(B) *VETERAN FARMERS AND RANCHERS.*—
15 *Not less than 5 percent of the amounts made*
16 *available to carry out subsections (d), (g), and*
17 *(h) for a fiscal year shall be used to support pro-*
18 *grams and services that address the needs of vet-*
19 *eran farmers and ranchers.*

20 “(5) *INTERAGENCY FUNDING.*—*Any agency of the*
21 *Department may participate in any grant, contract,*
22 *or agreement entered into under this section by con-*
23 *tributing funds, if the contributing agency determines*
24 *that the objectives of the grant, contract, or agreement*

1 *will further the authorized programs of the contrib-*
2 *uting agency.*

3 “(6) *ADMINISTRATIVE EXPENSES.*—Not more
4 *than 5 percent of the amounts made available to*
5 *carry out this section for a fiscal year may be used*
6 *for expenses relating to the administration of this sec-*
7 *tion.*

8 “(7) *LIMITATION ON INDIRECT COSTS.*—A recipi-
9 *ent of a grant or a party to a contract or other agree-*
10 *ment under subsection (c) or (d) may not use more*
11 *than 10 percent of the funds received for the indirect*
12 *costs of carrying out a grant.”*

13 **SEC. 12302. URBAN AGRICULTURE.**

14 (a) *DEFINITION OF DIRECTOR.*—In this section, the
15 term “Director” means the Director of the Office of Urban
16 Agriculture and Innovative Production established under
17 section 222(a)(1) of the Department of Agriculture Reorga-
18 nization Act of 1994 (as added by subsection (b)).

19 (b) *OFFICE OF URBAN AGRICULTURE AND INNOVATIVE*
20 *PRODUCTION.*—Subtitle A of the Department of Agriculture
21 Reorganization Act of 1994 (7 U.S.C. 6911 et seq.) (as
22 amended by section 12202) is amended by adding at the
23 end the following:

1 **“SEC. 222. OFFICE OF URBAN AGRICULTURE AND INNOVA-**
2 **TIVE PRODUCTION.**

3 “(a) OFFICE.—

4 “(1) IN GENERAL.—*The Secretary shall establish*
5 *in the Department an Office of Urban Agriculture*
6 *and Innovative Production.*

7 “(2) DIRECTOR.—*The Secretary shall appoint a*
8 *senior official to serve as the Director of the Office of*
9 *Urban Agriculture and Innovative Production (re-*
10 *ferred to in this section as the ‘Director’).*

11 “(3) MISSION.—*The mission of the Office of*
12 *Urban Agriculture and Innovative Production shall*
13 *be to encourage and promote urban, indoor, and other*
14 *emerging agricultural practices, including—*

15 “(A) *community gardens and farms located*
16 *in urban areas, suburbs, and urban clusters;*

17 “(B) *rooftop farms, outdoor vertical produc-*
18 *tion, and green walls;*

19 “(C) *indoor farms, greenhouses, and high-*
20 *tech vertical technology farms;*

21 “(D) *hydroponic, aeroponic, and aquaponic*
22 *farm facilities; and*

23 “(E) *other innovations in agricultural pro-*
24 *duction, as determined by the Secretary.*

1 “(4) *RESPONSIBILITIES.*—*The Director shall be*
2 *responsible for engaging in activities to carry out the*
3 *mission described in paragraph (3), including by—*

4 “(A) *managing and facilitating programs,*
5 *including for community gardens, urban farms,*
6 *rooftop agriculture, and indoor vertical produc-*
7 *tion;*

8 “(B) *coordinating with the agencies and of-*
9 *ficials of the Department;*

10 “(C) *advising the Secretary on issues relat-*
11 *ing to the mission of the Office of Urban Agri-*
12 *culture and Innovative Production;*

13 “(D) *ensuring that the programs of the De-*
14 *partment are updated to address urban, indoor,*
15 *and other emerging agricultural production*
16 *practices, in coordination with the officials in*
17 *the Department responsible for those programs;*

18 “(E) *engaging in external relations with*
19 *stakeholders and coordinating external partner-*
20 *ships to share best practices, provide mentorship,*
21 *and offer technical assistance;*

22 “(F) *facilitating interagency program co-*
23 *ordination and developing interagency tools for*
24 *the promotion of existing programs and re-*
25 *sources;*

1 “(G) creating resources that identify com-
2 mon State and municipal best practices for
3 navigating local policies;

4 “(H) reviewing and improving farm enter-
5 prise development programs that provide infor-
6 mation about financial literacy, business plan-
7 ning, and food safety record keeping;

8 “(I) coordinating networks of community
9 gardens and facilitating connections to local food
10 banks, in partnership with the Food and Nutri-
11 tion Service; and

12 “(J) collaborating with other Federal agen-
13 cies that use agricultural practices on-site for
14 food production or infrastructure.

15 “(b) *URBAN AGRICULTURE AND INNOVATIVE PRODUC-*
16 *TION ADVISORY COMMITTEE.*—

17 “(1) *IN GENERAL.*—Not later than 180 days
18 after the date of enactment of this section, the Sec-
19 retary shall establish an Urban Agriculture and Inno-
20 vative Production Advisory Committee (referred to in
21 this subsection as the ‘Committee’) to advise the Sec-
22 retary on—

23 “(A) the development of policies relating to
24 urban, indoor, and other emerging agricultural
25 production practices; and

1 “(B) any other aspects of the implementa-
2 tion of this section.

3 “(2) MEMBERSHIP.—

4 “(A) IN GENERAL.—The Committee shall be
5 composed of 15 members, of whom—

6 “(i) 5 shall be individuals who are ag-
7 ricultural producers, of whom—

8 “(I) not fewer than 2 individuals
9 shall be agricultural producers located
10 in an urban area or urban cluster; and

11 “(II) not fewer than 2 individuals
12 shall be farmers that use innovative
13 technology, including indoor farming
14 and rooftop agriculture;

15 “(ii) 2 shall be representatives from an
16 institution of higher education or extension
17 program;

18 “(iii) 1 shall be an individual who
19 represents a nonprofit organization, which
20 may include a public health, environmental,
21 or community organization;

22 “(iv) 1 shall be an individual who rep-
23 resents business and economic development,
24 which may include a business development

1 *entity, a chamber of commerce, a city gov-*
2 *ernment, or a planning organization;*

3 “(v) 1 shall be an individual with sup-
4 *ply chain experience, which may include a*
5 *food aggregator, wholesale food distributor,*
6 *food hub, or an individual who has direct-*
7 *to-consumer market experience;*

8 “(vi) 1 shall be an individual from a
9 *financing entity; and*

10 “(vii) 4 shall be individuals with re-
11 *lated experience or expertise in urban, in-*
12 *door, and other emerging agriculture pro-*
13 *duction practices, as determined by the Sec-*
14 *retary.*

15 “(B) *INITIAL APPOINTMENTS.*—*The Sec-*
16 *retary shall appoint the members of the Com-*
17 *mittee not later than 180 days after the date of*
18 *enactment of this section.*

19 “(3) *PERIOD OF APPOINTMENT; VACANCIES.*—

20 “(A) *IN GENERAL.*—*Except as provided in*
21 *subparagraph (B), a member of the Committee*
22 *shall be appointed for a term of 3 years.*

23 “(B) *INITIAL APPOINTMENTS.*—*Of the mem-*
24 *bers first appointed to the Committee—*

1 “(i) 5 of the members, as determined
2 by the Secretary, shall be appointed for a
3 term of 3 years;

4 “(ii) 5 of the members, as determined
5 by the Secretary, shall be appointed for a
6 term of 2 years; and

7 “(iii) 5 of the members, as determined
8 by the Secretary, shall be appointed for a
9 term of 1 year.

10 “(C) VACANCIES.—Any vacancy in the
11 Committee—

12 “(i) shall not affect the powers of the
13 Committee; and

14 “(ii) shall be filled as soon as prac-
15 ticable in the same manner as the original
16 appointment.

17 “(D) CONSECUTIVE TERMS.—An initial ap-
18 pointee of the committee may serve an additional
19 consecutive term if the member is reappointed by
20 the Secretary.

21 “(4) MEETINGS.—

22 “(A) FREQUENCY.—The Committee shall
23 meet not fewer than 3 times per year.

24 “(B) INITIAL MEETING.—Not later than 60
25 days after the date on which the members are

1 *appointed under paragraph (2)(B), the Com-*
2 *mittee shall hold the first meeting of the Com-*
3 *mittee.*

4 “(5) *DUTIES.*—

5 “(A) *IN GENERAL.*—*The Committee shall—*

6 “(i) *develop recommendations—*

7 “(I) *to further the mission of the*
8 *Office of Urban Agriculture and Inno-*
9 *vative Production described in sub-*
10 *section (a)(3);*

11 “(II) *regarding the establishment*
12 *of urban agriculture policy priorities*
13 *and goals within the Department;*

14 “(ii) *advise the Director on policies*
15 *and initiatives administered by the Office of*
16 *Urban Agriculture and Innovative Produc-*
17 *tion;*

18 “(iii) *evaluate and review ongoing re-*
19 *search and extension activities relating to*
20 *urban, indoor, and other innovative agricul-*
21 *tural practices;*

22 “(iv) *identify new and existing bar-*
23 *riers to successful urban, indoor, and other*
24 *emerging agricultural production practices;*
25 *and*

1 “(v) provide additional assistance and
2 advice to the Director as appropriate.

3 “(B) *REPORTS.*—Not later than 1 year
4 after the date of enactment of this section, and
5 each year thereafter, the Committee shall submit
6 to the Secretary, the Committee on Agriculture of
7 the House of Representatives, and the Committee
8 on Agriculture, Nutrition, and Forestry of the
9 Senate a report describing the recommendations
10 developed under subparagraph (A)(i).

11 “(6) *PERSONNEL MATTERS.*—

12 “(A) *COMPENSATION.*—A member of the
13 Committee shall serve without compensation.

14 “(B) *TRAVEL EXPENSES.*—A member of the
15 Committee shall be allowed travel expenses, in-
16 cluding per diem in lieu of subsistence, in ac-
17 cordance with section 5703 of title 5, United
18 States Code.

19 “(7) *TERMINATION.*—

20 “(A) *IN GENERAL.*—Subject to subpara-
21 graph (B), the Committee shall terminate on the
22 date that is 5 years after the date on which the
23 members are appointed under paragraph (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 for*
4 *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 the*
8 *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 competi-*
20 *tive grants to eligible entities to support the develop-*
21 *ment of urban agriculture and innovative production.*

22 *(3) FUNDING PRIORITY.—In awarding grants*
23 *under this subsection, priority shall be given to an el-*
24 *igible entity that uses and provides an evaluation of*
25 *a grant received under this subsection—*

1 (A) to plan and construct gardens or non-
2 profit farms;

3 (B) to operate community gardens or non-
4 profit farms that—

5 (i) produce food for donation;

6 (ii) have a demonstrated environ-
7 mental benefit and educational component;
8 and

9 (iii) are part of community efforts to
10 address local food security needs;

11 (C) to educate a community on—

12 (i) issues relating to food systems, in-
13 cluding connections between rural farmers
14 and urban communities;

15 (ii) nutrition;

16 (iii) environmental impacts, including
17 pollinator health, soil fertility, composting,
18 heat islands, and storm water runoff; and

19 (iv) agricultural production, including
20 pest and disease management; and

21 (D) to provide multiple small dollar equity
22 investments to help offset start-up costs relating
23 to new production, land access, and equipment
24 for new and beginning farmers who—

25 (i) develop a 3-year business plan;

1 (ii) *live in the community in which*
2 *they plan to farm; and*

3 (iii) *provide a match to the start-up*
4 *investment in the form of cash or an in-*
5 *kind contribution.*

6 (e) *PILOT PROJECTS.—*

7 (1) *URBAN AND SUBURBAN COUNTY COMMIT-*
8 *TEES.—*

9 (A) *IN GENERAL.—Not later than 1 year*
10 *after the date of enactment of this Act, the Sec-*
11 *retary shall establish a pilot program for not*
12 *fewer than 5 years that establishes 10 county*
13 *committees in accordance with section*
14 *8(b)(5)(B)(ii)(II) of the Soil Conservation and*
15 *Domestic Allotment Act (16 U.S.C.*
16 *590h(b)(5)(B)) to operate in counties located in*
17 *urban or suburban areas with a high concentra-*
18 *tion of urban or suburban farms.*

19 (B) *EFFECT.—Nothing in this paragraph*
20 *requires or precludes the establishment of a*
21 *Farm Service Agency office in a county in which*
22 *a county committee is established under subpara-*
23 *graph (A).*

24 (C) *REPORT.—For fiscal year 2019 and*
25 *each fiscal year thereafter through fiscal year*

1 2023, the Secretary shall submit to the Com-
2 mittee on Agriculture of the House of Represent-
3 atives and the Committee on Agriculture, Nutri-
4 tion, and Forestry of the Senate a report describ-
5 ing a summary of—

6 (i) the status of the pilot program
7 under subparagraph (A);

8 (ii) meetings and other activities of the
9 committees established under that subpara-
10 graph; and

11 (iii) the types and volume of assistance
12 and services provided to farmers in counties
13 in which county committees are established
14 under that subparagraph.

15 (2) *INCREASING COMMUNITY COMPOST AND RE-*
16 *DUCING FOOD WASTE.—*

17 (A) *IN GENERAL.—*The Secretary, acting
18 through the Director (referred to in this para-
19 graph as the “Secretary”), shall carry out pilot
20 projects under which the Secretary shall offer to
21 enter into cooperative agreements with local or
22 municipal governments in not fewer than 10
23 States to develop and test strategies for planning
24 and implementing municipal compost plans and
25 food waste reduction plans.

1 (B) *ELIGIBLE ENTITIES AND PURPOSES OF*
2 *PILOT PROJECTS.*—*Under a cooperative agree-*
3 *ment entered into under this paragraph, the Sec-*
4 *retary shall provide assistance to municipalities,*
5 *counties, local governments, or city planners, as*
6 *appropriate, to carry out planning and imple-*
7 *menting activities that will—*

8 (i) *generate compost;*

9 (ii) *increase access to compost for agri-*
10 *cultural producers;*

11 (iii) *reduce reliance on, and limit the*
12 *use of, fertilizer;*

13 (iv) *improve soil quality;*

14 (v) *encourage waste management and*
15 *permaculture business development;*

16 (vi) *increase rainwater absorption;*

17 (vii) *reduce municipal food waste; and*

18 (viii) *divert food waste from landfills.*

19 (C) *EVALUATION AND RANKING OF APPLICA-*
20 *TIONS.*—

21 (i) *CRITERIA.*—*Not later than 180*
22 *days after the date of enactment of this Act,*
23 *the Secretary shall establish criteria for the*
24 *selection of pilot projects under this para-*
25 *graph.*

1 (ii) *PRIORITY.*—*In selecting a pilot*
2 *project under this paragraph, the Secretary*
3 *shall give priority to an application for a*
4 *pilot project that—*

5 (I) *anticipates or demonstrates*
6 *economic benefits;*

7 (II) *incorporates plans to make*
8 *compost easily accessible to agricul-*
9 *tural producers, including community*
10 *gardeners;*

11 (III) *integrates other food waste*
12 *strategies, including food recovery ef-*
13 *forts; and*

14 (IV) *provides for collaboration*
15 *with multiple partners.*

16 (D) *MATCHING REQUIREMENT.*—*The recipi-*
17 *ent of assistance for a pilot project under this*
18 *paragraph shall provide funds, in-kind contribu-*
19 *tions, or a combination of both from sources*
20 *other than funds provided through the grant in*
21 *an amount equal to not less than 25 percent of*
22 *the amount of the grant.*

23 (E) *EVALUATION.*—*The Secretary shall con-*
24 *duct an evaluation of the pilot projects funded*
25 *under this paragraph to assess different solutions*

1 *for increasing access to compost and reducing*
 2 *municipal food waste, including an evaluation*
 3 *of—*

4 *(i) the amount of Federal funds used*
 5 *for each project; and*

6 *(ii) a measurement of the outcomes of*
 7 *each project.*

8 *(f) AUTHORIZATION OF APPROPRIATIONS.—There is*
 9 *authorized to be appropriated to carry out this section and*
 10 *the amendments made by this section \$25,000,000 for fiscal*
 11 *year 2019 and each fiscal year thereafter.*

12 **SEC. 12303. OFFICE OF ADVOCACY AND OUTREACH.**

13 *Section 226B(f)(3)(B) of the Department of Agri-*
 14 *culture Reorganization Act of 1994 (7 U.S.C.*
 15 *6934(f)(3)(B)) is amended by striking “2018” and inserting*
 16 *“2023”.*

17 **SEC. 12304. TRIBAL ADVISORY COMMITTEE.**

18 *Section 309 of the Department of Agriculture Reorga-*
 19 *nization Act of 1994 (7 U.S.C. 6921) is amended—*

20 *(1) by striking “The Secretary” and inserting*
 21 *the following:*

22 *“(a) IN GENERAL.—The Secretary”; and*

23 *(2) by adding at the end the following:*

24 *“(b) TRIBAL ADVISORY COMMITTEE.—*

25 *“(1) DEFINITIONS.—In this subsection:*

1 “(A) *INDIAN TRIBE*.—*The term ‘Indian*
2 *tribe’ has the meaning given the term in section*
3 *4 of the Indian Self-Determination and Edu-*
4 *cation Assistance Act (25 U.S.C. 5304).*

5 “(B) *RELEVANT COMMITTEES OF CON-*
6 *GRESS*.—*The term ‘relevant Committees of Con-*
7 *gress’ means—*

8 “(i) *the Committee on Agriculture of*
9 *the House of Representatives;*

10 “(ii) *the Committee on Agriculture,*
11 *Nutrition, and Forestry of the Senate; and*

12 “(iii) *the Committee on Indian Affairs*
13 *of the Senate.*

14 “(C) *TRIBAL ORGANIZATION*.—*The term*
15 *‘tribal organization’ has the meaning given the*
16 *term in section 4 of the Indian Self-Determina-*
17 *tion and Education Assistance Act (25 U.S.C.*
18 *5304).*

19 “(2) *ESTABLISHMENT OF COMMITTEE*.—

20 “(A) *IN GENERAL*.—*The Secretary shall es-*
21 *tablish an advisory committee, to be known as*
22 *the ‘Tribal Advisory Committee’ (referred to in*
23 *this subsection as the ‘Committee’) to provide ad-*
24 *vice and guidance to the Secretary on matters*
25 *relating to Tribal and Indian affairs.*

1 “(B) *FACILITATION.*—*The Committee shall*
2 *facilitate, but not supplant, government-to-gov-*
3 *ernment consultation between the Department of*
4 *Agriculture (referred to in this subsection as the*
5 *‘Department’) and Indian tribes.*

6 “(3) *MEMBERSHIP.*—

7 “(A) *COMPOSITION.*—*The Council shall be*
8 *composed of 9 members, of whom—*

9 “(i) *7 shall be appointed by the Sec-*
10 *retary;*

11 “(ii) *1 shall be appointed by the chair-*
12 *person of the Committee on Indian Affairs*
13 *of the Senate; and*

14 “(iii) *1 shall be appointed by the rank-*
15 *ing Member of the Committee on Indian Af-*
16 *airs of the Senate.*

17 “(B) *NOMINATIONS.*—*The Secretary shall*
18 *accept nominations for members of the Council*
19 *from—*

20 “(i) *an Indian tribe;*

21 “(ii) *a tribal organization; and*

22 “(iii) *a national or regional organiza-*
23 *tion with expertise in issues relating to the*
24 *duties of the Committee described in para-*
25 *graph (4).*

1 “(C) *DIVERSITY.*—*To the maximum extent*
2 *feasible, the Secretary shall ensure that the mem-*
3 *bers of the Committee represent a diverse set of*
4 *expertise on issues relating to geographic regions,*
5 *Indian tribes, and the agricultural industry.*

6 “(D) *LIMITATION.*—*No member of the Com-*
7 *mittee shall be an officer or employee of the Fed-*
8 *eral government.*

9 “(E) *PERIOD OF APPOINTMENT; VACAN-*
10 *CIES.*—

11 “(i) *IN GENERAL.*—*Each member of*
12 *the Committee—*

13 “(I) *subject to clause (ii), shall be*
14 *appointed to a 3-year term; and*

15 “(II) *may be reappointed to not*
16 *more than 3 consecutive terms.*

17 “(ii) *INITIAL STAGGERING.*—*The first*
18 *7 appointments made by the Secretary*
19 *under paragraph (3)(A)(i) shall be for a 2-*
20 *year term.*

21 “(iii) *VACANCIES.*—*Any vacancy in*
22 *the Council shall be filled in the same man-*
23 *ner as the original appointment not more*
24 *than 90 days after the date on which the*
25 *position becomes vacant.*

1 “(F) *MEETINGS.*—

2 “(i) *IN GENERAL.*—*The Council shall*
3 *meet in person not less than twice each*
4 *year.*

5 “(ii) *OFFICE OF TRIBAL RELATIONS*
6 *REPRESENTATIVE.*—*Not fewer than 1 rep-*
7 *resentative from the Office of Tribal Rela-*
8 *tions of the Department shall be present at*
9 *each meeting of the Committee.*

10 “(iii) *DEPARTMENT OF INTERIOR REP-*
11 *RESENTATIVE.*—*The Assistant Secretary for*
12 *Indian Affairs of the Department of the In-*
13 *terior (or a designee) shall be present at*
14 *each meeting of the Committee.*

15 “(iv) *NONVOTING REPRESENTATIVES.*—
16 *The individuals described in clauses (ii)*
17 *and (iii) shall be nonvoting representatives.*

18 “(4) *DUTIES OF COMMITTEE.*—*The Committee*
19 *shall—*

20 “(A) *identify evolving issues of relevance to*
21 *Indian tribes relating to programs of the Depart-*
22 *ment;*

23 “(B) *communicate to the Secretary the*
24 *issues identified under subparagraph (A);*

1 “(C) submit to the Secretary recommenda-
2 tions for and solutions to—

3 “(i) the issues identified under sub-
4 paragraph (A);

5 “(ii) issues raised at the Tribal, re-
6 gional, or national level; and

7 “(iii) issues relating to any Tribal
8 consultation carried out by the Department;

9 “(D) discuss issues and proposals for
10 changes to the regulations, policies, and proce-
11 dures of the Department that impact Indian
12 tribes;

13 “(E) identify priorities and provide advice
14 on appropriate strategies for Tribal consultation
15 on issues at the Tribal, regional, or national
16 level regarding the Department;

17 “(F) ensure that pertinent issues of the De-
18 partment are brought to the attention of an In-
19 dian tribe in a timely manner so that timely
20 feedback from an Indian tribe can be obtained;
21 and

22 “(G) identify and propose solutions to any
23 interdepartmental barrier between the Depart-
24 ment and other Federal agencies.

25 “(5) REPORTS.—

1 “(A) *IN GENERAL.*—Not less frequently than
2 *once each year, the Committee shall submit to*
3 *the Secretary and the relevant Committees of*
4 *Congress a report that describes—*

5 “(i) *the activities of the Committee*
6 *during the previous year; and*

7 “(ii) *recommendations for legislative or*
8 *administrative action for the following year.*

9 “(B) *RESPONSE FROM SECRETARY.*—Not
10 *more than 45 days after the date on which the*
11 *Secretary receives a report under subparagraph*
12 *(A), the Secretary shall submit a written re-*
13 *sponse to that report to—*

14 “(i) *the Committee; and*

15 “(ii) *the relevant Committees of Con-*
16 *gress.*

17 “(6) *COMPENSATION OF MEMBERS.*—Members of
18 *the Committee shall be compensated at a rate equal*
19 *to the daily equivalent of the annual rate of basic pay*
20 *prescribed for level IV of the Executive Schedule*
21 *under section 5315 of title 5, United States Code, for*
22 *each day (including travel time) during which the*
23 *member is engaged in the performance of the duties*
24 *of the Committee.*

1 “(7) *FEDERAL ADVISORY COMMITTEE ACT EX-*
2 *EMPTION.—Section 14 of the Federal Advisory Com-*
3 *mittee Act (5 U.S.C. App.) shall not apply to the*
4 *Committee.*”.

5 **SEC. 12305. EXPERIENCED SERVICES PROGRAM.**

6 (a) *IN GENERAL.—Section 1252 of the Food Security*
7 *Act of 1985 (16 U.S.C. 3851) is amended—*

8 (1) *in the section heading, by striking “AGRI-*
9 ***CULTURE CONSERVATION*”**;

10 (2) *in subsection (a)—*

11 (A) *in the first sentence—*

12 (i) *by striking “a conservation” and*
13 *inserting “an”*;

14 (ii) *by striking “(in this section re-*
15 *ferred to as the ‘ACES Program’)” and in-*
16 *serting “(referred to in this section as the*
17 *‘program’)”*; and

18 (iii) *by striking “provide technical”*
19 *and inserting the following: “provide—*

20 *“(1) technical”*; and

21 (B) *in paragraph (1) (as so designated)—*

22 (i) *by striking “Secretary. Such tech-*
23 *nical services may include” and inserting*
24 *“Secretary, including”*;

1 (ii) by striking the period at the end
2 and inserting “; and”; and

3 (iii) by adding at the end the fol-
4 lowing:

5 “(2) technical, professional, and administrative
6 services to support the research, education, and eco-
7 nomics mission area of the Department of Agriculture
8 (including the Agricultural Research Service, the Eco-
9 nomic Research Service, the National Agricultural Li-
10 brary, the National Agricultural Statistics Service,
11 the Office of the Chief Scientist, and the National In-
12 stitute of Food and Agriculture), including—

13 “(A) supporting agricultural research and
14 information;

15 “(B) advancing scientific knowledge relat-
16 ing to agriculture;

17 “(C) enhancing access to agricultural infor-
18 mation;

19 “(D) providing statistical information and
20 research results to farmers, ranchers, agri-
21 business, and public officials; and

22 “(E) assisting research, education, and ex-
23 tension programs in land-grant colleges and uni-
24 versities (as defined in section 1404 of the Na-

1 *tional Agricultural Research, Extension, and*
 2 *Teaching Policy Act of 1977 (7 U.S.C. 3103)).”;*
 3 *(3) by striking “ACES” each place it appears;*
 4 *(4) by striking “technical services” each place it*
 5 *appears (other than in subsection (a)) and inserting*
 6 *“technical, professional, or administrative services, as*
 7 *applicable,”; and*

8 *(5) in subsection (c)(1)—*
 9 *(A) by striking the paragraph heading and*
 10 *inserting “CONSERVATION TECHNICAL SERV-*
 11 *ICES.—”; and*
 12 *(B) by inserting “with respect to subsection*
 13 *(a)(1),” before “the Secretary”.*

14 *(b) TECHNICAL AMENDMENT.—Title XII of the Food*
 15 *Security Act of 1985 is amended by moving section 1252*
 16 *(16 U.S.C. 3851) (as amended by subsection (a)) and sec-*
 17 *tion 1253 (as added by section 2409) to appear after section*
 18 *1251 (as added by section 2429).*

19 **SEC. 12306. YOUTH OUTREACH AND BEGINNING FARMER**
 20 **COORDINATION.**

21 *Subtitle D of title VII of the Farm Security and Rural*
 22 *Investment Act of 2002 (as amended by section*
 23 *12301(a)(1)) is amended by inserting after section 7404 (7*
 24 *U.S.C. 3101 note; Public Law 107–171) the following:*

1 **“SEC. 7405. YOUTH OUTREACH AND BEGINNING FARMER**
2 **COORDINATION.**

3 “(a) *DEFINITIONS.—In this section:*

4 “(1) *BEGINNING FARMER OR RANCHER.—The*
5 *term ‘beginning farmer or rancher’ means a person*
6 *that—*

7 “(A)(i) *has not operated a farm or ranch;*

8 *or*

9 “(ii) *has operated a farm or ranch for not*
10 *more than 10 years; and*

11 “(B) *meets such other criteria as the Sec-*
12 *retary may establish.*

13 “(2) *NATIONAL COORDINATOR.—The term ‘Na-*
14 *tional Coordinator’ means the National Beginning*
15 *Farmer and Rancher Coordinator established under*
16 *subsection (b)(1).*

17 “(3) *STATE COORDINATOR.—The term ‘State co-*
18 *ordinator’ means a State beginning farmer and*
19 *rancher coordinator designated under subsection*
20 *(c)(1)(A).*

21 “(4) *STATE OFFICE.—The term ‘State office’*
22 *means—*

23 “(A) *a State office of—*

24 “(i) *the Farm Service Agency;*

25 “(ii) *the Natural Resources Conserva-*
26 *tion Service;*

1 “(iii) *the Rural Business-Cooperative*
2 *Service; or*

3 “(iv) *the Rural Utilities Service; or*

4 “(B) *a regional office of the Risk Manage-*
5 *ment Agency.*

6 “(b) *NATIONAL BEGINNING FARMER AND RANCHER*
7 *COORDINATOR.—*

8 “(1) *ESTABLISHMENT.—The Secretary shall es-*
9 *tablish in the Department the position of National*
10 *Beginning Farmer and Rancher Coordinator.*

11 “(2) *DUTIES.—*

12 “(A) *IN GENERAL.—The National Coordi-*
13 *nator shall—*

14 “(i) *advise the Secretary and coordi-*
15 *nate activities of the Department on pro-*
16 *grams, policies, and issues relating to begin-*
17 *ning farmers and ranchers; and*

18 “(ii) *in consultation with the applica-*
19 *ble State food and agriculture council, de-*
20 *termine whether to approve a plan sub-*
21 *mitted by a State coordinator under sub-*
22 *section (c)(3)(B).*

23 “(B) *DISCRETIONARY DUTIES.—Additional*
24 *duties of the National Coordinator may in-*
25 *clude—*

1 “(i) *developing and implementing new*
2 *strategies—*

3 “(I) *for outreach to beginning*
4 *farmers and ranchers; and*

5 “(II) *to assist beginning farmers*
6 *and ranchers with connecting to own-*
7 *ers or operators that have ended, or ex-*
8 *pect to end within 5 years, actively*
9 *owning or operating a farm or ranch;*
10 *and*

11 “(ii) *facilitating interagency and*
12 *interdepartmental collaboration on issues*
13 *relating to beginning farmers and ranchers.*

14 “(3) *REPORTS.—Not less frequently than once*
15 *each year, the National Coordinator shall distribute*
16 *within the Department and make publicly available*
17 *a report describing the status of steps taken to carry*
18 *out the duties described in subparagraphs (A) and*
19 *(B) of paragraph (2).*

20 “(4) *CONTRACTS AND COOPERATIVE AGREE-*
21 *MENTS.—In carrying out the duties under paragraph*
22 *(2), the National Coordinator may enter into a con-*
23 *tract or cooperative agreement with an institution of*
24 *higher education (as defined in section 101 of the*
25 *Higher Education Act of 1965 (20 U.S.C. 1001)), co-*

1 *operative extension services (as defined in section*
2 *1404 of the National Agricultural Research, Extension,*
3 *and Teaching Policy Act of 1977 (7 U.S.C.*
4 *3103), or a nonprofit organization—*

5 *“(A) to conduct research on the profitability*
6 *of new farms in operation for not less than 5*
7 *years in a region;*

8 *“(B) to develop educational materials;*

9 *“(C) to conduct workshops, courses, train-*
10 *ing, or certified vocational training; or*

11 *“(D) to conduct mentoring activities.*

12 *“(c) STATE BEGINNING FARMER AND RANCHER COOR-*
13 *DINATORS.—*

14 *“(1) IN GENERAL.—*

15 *“(A) DESIGNATION.—The National Coordi-*
16 *nator, in consultation with State food and agri-*
17 *culture councils and directors of State offices,*
18 *shall designate in each State a State beginning*
19 *farmer and rancher coordinator from among em-*
20 *ployees of State offices.*

21 *“(B) REQUIREMENTS.—To be designated as*
22 *a State coordinator, an employee shall—*

23 *“(i) be familiar with issues relating to*
24 *beginning farmers and ranchers; and*

1 “(ii) have the ability to interface with
2 other Federal departments and agencies.

3 “(2) TRAINING.—The Secretary shall develop a
4 training plan to provide to each State coordinator
5 knowledge of programs and services available from the
6 Department for beginning farmers and ranchers, tak-
7 ing into consideration the needs of all production
8 types and sizes of agricultural operations.

9 “(3) DUTIES.—A State coordinator shall—

10 “(A) coordinate technical assistance at the
11 State level to assist beginning farmers and
12 ranchers in accessing programs of the Depart-
13 ment;

14 “(B) develop and submit to the National
15 Coordinator for approval under subsection
16 (b)(2)(A)(ii) a State plan to improve the coordi-
17 nation, delivery, and efficacy of programs of the
18 Department to beginning farmers and ranchers,
19 taking into consideration the needs of all types
20 of production methods and sizes of agricultural
21 operation, at each county and area office in the
22 State;

23 “(C) oversee implementation of an approved
24 State plan described in subparagraph (B);

1 “(D) work with outreach coordinators in the
2 State offices to ensure appropriate information
3 about technical assistance is available at out-
4 reach events and activities; and

5 “(E) coordinate partnerships and joint out-
6 reach efforts with other organizations and gov-
7 ernment agencies serving beginning farmers and
8 ranchers.

9 “(d) AGRICULTURAL YOUTH COORDINATOR.—

10 “(1) ESTABLISHMENT.—The Secretary shall es-
11 tablish in the Department the position of Agricultural
12 Youth Coordinator.

13 “(2) DUTIES.—The Agricultural Youth Coordi-
14 nator shall—

15 “(A) promote the role of school-based agri-
16 cultural education and youth-serving agricul-
17 tural organizations in motivating and preparing
18 young people to pursue careers in the agri-
19 culture, food, and natural resources systems;

20 “(B) coordinate outreach to programs and
21 agencies within the Department—

22 “(i) to work with schools and youth-
23 serving organizations to develop joint pro-
24 grams and initiatives, such as internships;
25 and

1 “(ii) to provide resources and input to
2 schools and youth-serving organizations re-
3 garding motivating and preparing young
4 people to pursue careers in the agriculture,
5 food, and natural resources systems;

6 “(C) raise awareness among youth about
7 the importance of agriculture in a diversity of
8 fields and disciplines;

9 “(D) provide information to persons in-
10 volved in youth, food, and agriculture organiza-
11 tions about the availability of, and eligibility re-
12 quirements for, agricultural programs, with par-
13 ticular emphasis on—

14 “(i) beginning farmer and rancher
15 programs;

16 “(ii) agriculture education;

17 “(iii) nutrition education;

18 “(iv) science, technology, engineering,
19 and mathematics education; and

20 “(v) other food and agriculture pro-
21 grams for youth;

22 “(E) serve as a resource for youth involved
23 in food and agriculture applying for participa-
24 tion in agricultural programs;

1 “(F) conduct outreach to youth agriculture
2 organizations; and

3 “(G) advocate on behalf of youth involved in
4 food and agriculture and youth organizations in
5 interactions with employees of the Department.

6 “(3) *CONTRACTS AND COOPERATIVE AGREE-*
7 *MENTS.—For purposes of carrying out the duties de-*
8 *scribed in paragraph (2), the Agricultural Youth Co-*
9 *ordinator—*

10 “(A) shall consult with land-grant colleges
11 and universities and cooperative extension serv-
12 ices (as those terms are defined in section 1404
13 of the National Agricultural Research, Exten-
14 sion, and Teaching Policy Act of 1977 (7 U.S.C.
15 3103)); and

16 “(B) may enter into contracts or coopera-
17 tive agreements with the research centers of the
18 Agricultural Research Service, institutions of
19 higher education (as defined in section 101 of the
20 Higher Education Act of 1965 (20 U.S.C.
21 1001)), or nonprofit organizations for—

22 “(i) the development of educational
23 materials;

24 “(ii) the conduct of workshops, courses,
25 and certified vocational training;

1 “(iii) the conduct of mentoring activi-
2 ties; or

3 “(iv) the provision of internship oppor-
4 tunities.”.

5 **SEC. 12307. AVAILABILITY OF DEPARTMENT OF AGRICULTURE PROGRAMS FOR VETERAN FARMERS AND RANCHERS.**

6 **(a) DEFINITION OF VETERAN FARMER OR RANCHER.**—Paragraph (7) of subsection (a) (as redesignated by
7 section 12301(b)(3)) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C.
8 2279) is amended—

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

11 (2) in subparagraph (B), by striking the period
12 at the end and inserting “; or”; and

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

14 “(C) is a veteran (as defined in section 101
15 of that title) who has first obtained status as a
16 veteran (as so defined) during the most recent
17 10-year period.”.

18 **(b) FEDERAL CROP INSURANCE.**—

19 (1) **DEFINITION OF VETERAN FARMER OR RANCHER.**—Section 502(b) of the Federal Crop Insurance
20 Act

1 *Act (7 U.S.C. 1502(b)) (as amended by section 11101)*
2 *is amended by adding at the end the following:*

3 “(14) *VETERAN FARMER OR RANCHER.*—*The*
4 *term ‘veteran farmer or rancher’ means a farmer or*
5 *rancher who—*

6 “(A) *has served in the Armed Forces (as de-*
7 *fined in section 101 of title 38, United States*
8 *Code); and*

9 “(B)(i) *has not operated a farm or ranch;*

10 “(ii) *has operated a farm or ranch for not*
11 *more than 5 years; or*

12 “(iii) *is a veteran (as defined in section 101*
13 *of that title) who has first obtained status as a*
14 *veteran (as so defined) during the most recent 5-*
15 *year period.”.*

16 (2) *CROP INSURANCE.*—*Section 508 of the Fed-*
17 *eral Crop Insurance Act (7 U.S.C. 1508) is amend-*
18 *ed—*

19 (A) *in subsection (b)(5)(E)—*

20 (i) *by striking “The Corporation” and*
21 *inserting the following:*

22 “(i) *IN GENERAL.*—*The Corporation”;*
23 *and*

24 (ii) *in clause (i) (as so designated), by*
25 *striking the period at the end and inserting*

1 *the following: “, and veteran farmers or*
2 *ranchers.*

3 “(ii) *COORDINATION.—The Corpora-*
4 *tion shall coordinate with other agencies of*
5 *the Department that provide programs or*
6 *services to farmers and ranchers described*
7 *in clause (i) to make available coverage*
8 *under the waiver under that clause and to*
9 *share eligibility information to reduce pa-*
10 *perwork and avoid duplication.”;*

11 *(B) in subsection (e)(8)—*

12 *(i) in the paragraph heading, by in-*
13 *serting “AND VETERAN” after “BEGINNING”;*
14 *and*

15 *(ii) by inserting “or veteran farmer or*
16 *rancher” after “beginning farmer or ranch-*
17 *er” each place it appears; and*

18 *(C) in subsection (g)—*

19 *(i) in paragraph (2)(B)(iii), in the*
20 *matter preceding subclause (I), by inserting*
21 *“or veteran farmer or rancher” after “be-*
22 *ginning farmer or rancher” each place it*
23 *appears; and*

1 (ii) in paragraph (4)(B)(ii)(II), by in-
2 serting “and veteran farmers or ranchers”
3 after “beginning farmers or ranchers”.

4 (3) *EDUCATION AND RISK MANAGEMENT ASSIST-*
5 *ANCE.—Section 524(a)(4) of the Federal Crop Insur-*
6 *ance Act (7 U.S.C. 1524(a)(4)) is amended—*

7 (A) in subparagraph (D)(ii), by striking
8 “and” at the end;

9 (B) in subparagraph (E), by striking the
10 period at the end and inserting “; and”; and

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

12 “(F) veteran farmers or ranchers.”.

13 (c) *DOWN PAYMENT LOAN PROGRAM.—Section 310E*
14 *of the Consolidated Farm and Rural Development Act (7*
15 *U.S.C. 1935) is amended—*

16 (1) in subsection (a)(1), by striking “qualified
17 beginning farmers or ranchers and socially disadvan-
18 taged farmers or ranchers” and inserting “eligible
19 farmers or ranchers”;

20 (2) in subsection (d)—

21 (A) in paragraph (2)(A), by striking “re-
22 cipients of the loans” and inserting “farmers or
23 ranchers”;

24 (B) by striking paragraph (3) and inserting
25 the following:

1 “(3) encourage retiring farmers and ranchers to
2 assist in the sale of their farms and ranches to eligible
3 farmers or ranchers by providing seller financing;”;
4 and

5 (C) in paragraph (4), by striking “for be-
6 ginning farmers or ranchers or socially dis-
7 advantaged farmers or ranchers” and inserting
8 the following: “for—

9 “(A) beginning farmers or ranchers;

10 “(B) socially disadvantaged farmers or
11 ranchers, as defined in section 355(e); or

12 “(C) veteran farmers or ranchers, as defined
13 in section 2501(a) of the Food, Agriculture, Con-
14 servation, and Trade Act of 1990 (7 U.S.C.
15 2279(a))”; and

16 (D) in paragraph (5), by striking “a quali-
17 fied beginning farmer or rancher or socially dis-
18 advantaged farmer or rancher” and inserting
19 “an eligible farmer or rancher”; and

20 (3) by striking subsection (e) and inserting the
21 following:

22 “(e) DEFINITION OF ELIGIBLE FARMER OR RANCH-
23 ER.—In this section, the term ‘eligible farmer or rancher’
24 means—

25 “(1) a qualified beginning farmer or rancher;

1 “(2) a socially disadvantaged farmer or rancher,
2 as defined in section 355(e); and

3 “(3) a veteran farmer or rancher, as defined in
4 section 2501(a) of the Food, Agriculture, Conserva-
5 tion, and Trade Act of 1990 (7 U.S.C. 2279(a)).”.

6 (d) *INTEREST RATE REDUCTION PROGRAM*.—Section
7 351(e)(2)(B) of the Consolidated Farm and Rural Develop-
8 ment Act (7 U.S.C. 1999(e)(2)(B)) is amended—

9 (1) in the subparagraph heading, by inserting
10 “AND VETERAN” after “BEGINNING”;

11 (2) in clause (i), by inserting “or veteran farm-
12 ers and ranchers (as defined in section 2501(a) of the
13 Food, Agriculture, Conservation, and Trade Act of
14 1990 (7 U.S.C. 2279(a)))” before the period at the
15 end; and

16 (3) in clause (ii), by striking “beginning”.

17 (e) *NATIONAL FOOD SAFETY TRAINING, EDUCATION,*
18 *EXTENSION, OUTREACH, AND TECHNICAL ASSISTANCE*
19 *PROGRAM*.—Section 405(c) of the Agricultural Research,
20 Extension, and Education Reform Act of 1998 (7 U.S.C.
21 7625(c)) is amended by inserting “veteran farmers or
22 ranchers (as defined in section 2501(a) of the Food, Agri-
23 culture, Conservation, and Trade Act of 1990 (7 U.S.C.
24 2279(a))),” after “socially disadvantaged farmers,”.

1 (f) *ADMINISTRATION AND OPERATION OF NONINSURED*
2 *CROP ASSISTANCE PROGRAM.*—Section 196 of the Federal
3 *Agriculture Improvement and Reform Act of 1996 (7 U.S.C.*
4 *7333) is amended—*

5 (1) *in subsection (k)(2), by inserting “, or a vet-*
6 *eran farmer or rancher (as defined in section 2501(a)*
7 *of the Food, Agriculture, Conservation, and Trade Act*
8 *of 1990 (7 U.S.C. 2279(a))” before the period at the*
9 *end; and*

10 (2) *in subsection (l), in paragraph (3) (as red-*
11 *esignated by section 1601(7)(C))—*

12 (A) *in the paragraph heading, by inserting*
13 *“VETERAN,” before “AND SOCIALLY”; and*

14 (B) *by inserting “and veteran farmers or*
15 *ranchers (as defined in section 2501(a) of the*
16 *Food, Agriculture, Conservation, and Trade Act*
17 *of 1990 (7 U.S.C. 2279(a))” before “in ex-*
18 *change”.*

19 (g) *FUNDING FOR TRANSITION OPTION FOR CERTAIN*
20 *FARMERS OR RANCHERS.*—Section 1241(a)(1)(B) of the
21 *Food Security Act of 1985 (16 U.S.C. 3841(a)(1)(B)) is*
22 *amended by striking “beginning farmers or ranchers and*
23 *socially disadvantaged farmers or ranchers” and inserting*
24 *“covered farmers or ranchers, as defined in section*
25 *1235(f)(1)”.*

1 (h) *SUPPLEMENTAL AGRICULTURAL DISASTER AS-*
 2 *SISTANCE.*—

3 (1) *DEFINITION OF COVERED PRODUCER.*—*Sec-*
 4 *tion 1501(a) of the Agricultural Act of 2014 (7 U.S.C.*
 5 *9081(a)) is amended—*

6 (A) *by redesignating paragraphs (1)*
 7 *through (4) as paragraphs (2) through (5), re-*
 8 *spectively; and*

9 (B) *by inserting before paragraph (2) (as so*
 10 *redesignated) the following:*

11 “(1) *COVERED PRODUCER.*—*The term ‘covered*
 12 *producer’ means an eligible producer on a farm that*
 13 *is—*

14 “(A) *as determined by the Secretary—*

15 “(i) *a beginning farmer or rancher;*

16 “(ii) *a socially disadvantaged farmer*
 17 *or rancher; or*

18 “(iii) *a limited resource farmer or*
 19 *rancher; or*

20 “(B) *a veteran farmer or rancher, as de-*
 21 *finied in section 2501(a) of the Food, Agriculture,*
 22 *Conservation, and Trade Act of 1990 (7 U.S.C.*
 23 *2279(a)).”.*

24 (2) *EMERGENCY ASSISTANCE FOR LIVESTOCK,*
 25 *HONEY BEES, AND FARM-RAISED FISH.*—*Section*

1 1501(d) of the Agricultural Act of 2014 (7 U.S.C.
2 9081(d)) is amended by adding at the end the fol-
3 lowing:

4 “(4) *PAYMENT RATE FOR COVERED PRO-*
5 *DUCERS.—In the case of a covered producer that is el-*
6 *igible to receive assistance under this subsection, the*
7 *Secretary shall provide reimbursement of 90 percent*
8 *of the cost of losses described in paragraph (1) or*
9 *(2).”.*

10 ***Subtitle D—Department of Agri-***
11 ***culture Reorganization Act of***
12 ***1994 Amendments***

13 ***SEC. 12401. OFFICE OF CONGRESSIONAL RELATIONS AND***
14 ***INTERGOVERNMENTAL AFFAIRS.***

15 (a) *ASSISTANT SECRETARIES OF AGRICULTURE.—Sec-*
16 *tion 218(a)(1) of the Department of Agriculture Reorga-*
17 *nization Act of 1994 (7 U.S.C. 6918(a)(1)) is amended by*
18 *striking “Relations” and inserting “Relations and Inter-*
19 *governmental Affairs”.*

20 (b) *SUCCESSION.—Any official who is serving as the*
21 *Assistant Secretary of Agriculture for Congressional Rela-*
22 *tions on the date of enactment of this Act and who was*
23 *appointed by the President, by and with the advice and*
24 *consent of the Senate, shall not be required to be re-*

1 *appointed as a result of the change made to the name of*
2 *that position under the amendment made by subsection (a).*

3 **SEC. 12402. MILITARY VETERANS AGRICULTURAL LIAISON.**

4 *Section 219 of the Department of Agriculture Reorga-*
5 *nization 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 period*
10 *at the end and inserting a semicolon; and*

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

12 *“(5) establish and periodically update the*
13 *website described in subsection (d); and*

14 *“(6) in carrying out the duties described in*
15 *paragraphs (1) through (5), consult with and provide*
16 *technical assistance to any Federal agency, including*
17 *the Department of Defense, the Department of Vet-*
18 *erans Affairs, the Small Business Administration,*
19 *and the Department of Labor.”; and*

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

21 *“(d) WEBSITE REQUIRED.—*

22 *“(1) IN GENERAL.—The website required under*
23 *subsection (b)(5) shall include the following:*

1 “(A) Positions identified within the Depart-
2 ment of Agriculture that are available to vet-
3 erans for apprenticeships.

4 “(B) Apprenticeships, programs of training
5 on the job, and programs of education that are
6 approved for purposes of chapter 36 of title 38,
7 United States Code.

8 “(C) Employment skills training programs
9 for members of the Armed Forces carried out
10 pursuant to section 1143(e) of title 10, United
11 States Code.

12 “(D) Information designed to assist busi-
13 nesses, nonprofit entities, educational institu-
14 tions, and farmers interested in developing ap-
15 prenticeships, on-the-job training, educational, or
16 entrepreneurial programs for veterans in navi-
17 gating the process of having a program approved
18 by a State approving agency for purposes of
19 chapter 36 of title 38, United States Code, in-
20 cluding—

21 “(i) contact information for relevant
22 offices in the Department of Defense, De-
23 partment of Veterans Affairs, Department of
24 Labor, and Small Business Administration;

1 “(ii) *basic requirements for approval*
2 *by each State approving agency;*

3 “(iii) *recommendations with respect to*
4 *training and coursework to be used during*
5 *apprenticeships or on-the-job training that*
6 *will enable a veteran to be eligible for agri-*
7 *cultural programs; and*

8 “(iv) *examples of successful programs*
9 *and curriculums that have been approved*
10 *for purposes of chapter 36 of title 38,*
11 *United States Code (with consent of the or-*
12 *ganization and without any personally*
13 *identifiable information).*

14 “(2) *REVIEW OF WEBSITE.—*

15 “(A) *IN GENERAL.—Not later than 5 years*
16 *after the date of enactment of this paragraph,*
17 *and once every 5 years thereafter, the Secretary*
18 *shall conduct a study to determine if the website*
19 *required under subsection (b)(5) is effective in*
20 *providing veterans the information required*
21 *under paragraph (1).*

22 “(B) *INEFFECTIVE WEBSITE.—If the Sec-*
23 *retary determines that the website is not effective*
24 *under subparagraph (A), the Secretary shall—*

1 “(i) *notify the agriculture and veterans*
2 *committees described in subparagraph (C)*
3 *of that determination; and*

4 “(ii) *not earlier than 180 days after*
5 *the date on which the Secretary provides*
6 *notice under clause (i), terminate the*
7 *website.*

8 “(C) *AGRICULTURE AND VETERANS COMMIT-*
9 *TEES.—The agriculture and veterans committees*
10 *referred to in subparagraph (B)(i) are—*

11 “(i) *the Committee on Agriculture of*
12 *the House of Representatives;*

13 “(ii) *the Committee on Agriculture,*
14 *Nutrition, and Forestry of the Senate;*

15 “(iii) *the Committee on Veterans’ Af-*
16 *fairs of the House of Representatives; and*

17 “(iv) *the Committee on Veterans’ Af-*
18 *fairs of the Senate.*

19 “(e) *CONSULTATION REQUIRED.—In carrying out this*
20 *section, the Secretary shall consult with organizations that*
21 *serve veterans.*

22 “(f) *REPORT.—*

23 “(1) *IN GENERAL.—Not later than 1 year after*
24 *the date of enactment of this subsection, and annually*
25 *thereafter, the Military Veterans Agricultural Liaison*

1 *shall submit a report on beginning farmer training*
2 *for veterans and agricultural vocational and rehabili-*
3 *tation programs for veterans to—*

4 *“(A) the Committee on Agriculture of the*
5 *House of Representatives;*

6 *“(B) the Committee on Veterans’ Affairs of*
7 *the House of Representatives;*

8 *“(C) the Committee on Agriculture, Nutri-*
9 *tion, and Forestry of the Senate; and*

10 *“(D) the Committee on Veterans’ Affairs of*
11 *the Senate.*

12 *“(2) CONTENTS OF REPORT.—The report sub-*
13 *mitted under paragraph (1) shall include—*

14 *“(A) a summary of the measures taken to*
15 *carry out subsections (b) and (c);*

16 *“(B) a description of the information pro-*
17 *vided to veterans under paragraphs (1) and (2)*
18 *of subsection (b);*

19 *“(C) recommendations for best informing*
20 *veterans of the programs described in paragraphs*
21 *(1) and (2) of subsection (b);*

22 *“(D) a summary of the contracts or cooper-*
23 *ative agreements entered into under subsection*
24 *(c);*

1 “(E) a description of the programs imple-
2 mented under subsection (c);

3 “(F) a summary of the employment out-
4 reach activities directed to veterans;

5 “(G) recommendations for how opportuni-
6 ties for veterans in agriculture should be devel-
7 oped or expanded;

8 “(H) a summary of veteran farm lending
9 data and a summary of shortfalls, if any, identi-
10 fied by the Military Veterans Agricultural Liai-
11 son in collecting data with respect to veterans
12 engaged in agriculture; and

13 “(I) recommendations, if any, on how to
14 improve activities under subsection (b).

15 “(g) *PUBLIC DISSEMINATION OF INFORMATION.*—

16 “(1) *IN GENERAL.*—Not later than 1 year after
17 the date of enactment of this subsection, and annually
18 thereafter, the Military Veterans Agricultural Liaison
19 shall make publicly available and share broadly, in-
20 cluding by posting on the website of the Depart-
21 ment—

22 “(A) the report of the Military Veterans Ag-
23 ricultural Liaison on beginning farmer training
24 for veterans and agricultural vocational and re-
25 habilitation programs; and

1 “(B) the information disseminated under
2 paragraphs (1) and (2) of subsection (b).

3 “(2) *FURTHER DISSEMINATION.*—Not later than
4 the day before the date on which the Military Vet-
5 erans Agricultural Liaison makes publicly available
6 the information under paragraph (1), the Military
7 Veterans Agricultural Liaison shall provide that in-
8 formation to the Department of Defense, the Depart-
9 ment of Veterans Affairs, the Small Business Admin-
10 istration, and the Department of Labor.”.

11 **SEC. 12403. CIVIL RIGHTS ANALYSES.**

12 (a) *IN GENERAL.*—Subtitle A of the Department of Ag-
13 riculture Reorganization Act of 1994 (7 U.S.C. 6911 *et seq.*)
14 (as amended by section 12302(b)) is amended by adding
15 at the end the following:

16 **“SEC. 223. CIVIL RIGHTS ANALYSES.**

17 “(a) *DEFINITION OF CIVIL RIGHTS ANALYSIS.*—In
18 this section, the term ‘civil rights analysis’ means a review
19 to analyze and identify actions, policies, and decisions
20 under documents described in subsection (b) that may have
21 an adverse or disproportionate impact on employees, con-
22 tractors, or beneficiaries (including participants) of any
23 program or activity of the Department based on the mem-
24 bership of the employees, contractors, or beneficiaries in a
25 group that is protected under Federal law from discrimina-

1 *tion in employment, contracting, or provision of a program*
2 *or activity, as applicable.*

3 “(b) *ACTIONS, POLICIES, AND DECISIONS.—Before im-*
4 *plementing any of the following action, policy, or decision*
5 *documents, the Secretary shall conduct a civil rights anal-*
6 *ysis of the action, policy, or decision that is the subject of*
7 *the document:*

8 “(1) *New, revised, or interim rules and notices*
9 *to be published in the Federal Register or the Code of*
10 *Federal Regulations.*

11 “(2) *Charters for advisory committees, councils,*
12 *or boards managed by any agency of the Department*
13 *on behalf of the Secretary.*

14 “(3) *Any regulations of the Department or new*
15 *or revised agency-specific instructions, procedures, or*
16 *other guidance published in an agency directives sys-*
17 *tem.*

18 “(4) *Reductions-in-force or transfer of function*
19 *proposals, including reorganization of the Depart-*
20 *ment.*

21 “(5) *At the discretion of the Secretary, any other*
22 *policy, program, or activity documents that have po-*
23 *tentially adverse civil rights impacts.*

24 “(c) *EXPEDITED REVIEW.—The Assistant Secretary*
25 *for Civil Rights may grant, on a case-by-case basis, an ex-*

1 *pedited civil rights analysis if the head of an agency within*
2 *the Department provides a written justification for the ex-*
3 *pedited civil rights analysis.*

4 “(d) *WAIVER.*—On petition by the head of any agency
5 *within the Department, the Assistant Secretary for Civil*
6 *Rights may grant, on a case-by-case basis, a waiver of the*
7 *civil rights analysis if the Assistant Secretary for Civil*
8 *Rights determines that there is no foreseeable adverse or dis-*
9 *proportionate impact described in subsection (a) of the pro-*
10 *posed action, policy, or decision document described in sub-*
11 *section (b).”.*

12 (b) *STUDY; REPORT.*—

13 (1) *STUDY.*—Not later than 2 years after the
14 *date of enactment of this Act, the Comptroller General*
15 *of the United States (referred to in this section as the*
16 *“Comptroller General”)* shall conduct a study describ-
17 *ing—*

18 (A) *the effectiveness of the Department of*
19 *Agriculture in processing and resolving civil*
20 *rights complaints;*

21 (B) *minority participation rates in farm*
22 *programs, including a comparison of overall*
23 *farmer and rancher participation with minority*
24 *farmer and rancher participation by considering*
25 *particular aspects of the programs of the Depart-*

1 *ment of Agriculture for producers, such as own-*
2 *ership status, program participation, usage of*
3 *permits, and waivers;*

4 *(C) the realignment the civil rights func-*
5 *tions of the Department of Agriculture, as out-*
6 *lined in Secretarial Memorandum 1076–023*
7 *(March 9, 2018), including an analysis of wheth-*
8 *er that realignment has any negative implica-*
9 *tions on the civil rights functions of the Depart-*
10 *ment;*

11 *(D) efforts of the Department of Agriculture*
12 *to identify actions, programs, or activities of the*
13 *Department of Agriculture that may adversely*
14 *affect employees, contractors, or beneficiaries (in-*
15 *cluding participants) of the action, program, or*
16 *activity based on the membership of the employ-*
17 *ees, contractors, or beneficiaries in a group that*
18 *is protected under Federal law from discrimina-*
19 *tion in employment, contracting, or provision of*
20 *an action, program, or activity, as applicable;*
21 *and*

22 *(E) efforts of the Department of Agriculture*
23 *to strategically plan actions to decrease discrimi-*
24 *nation and civil rights complaints within the*
25 *Department of Agriculture or in the carrying out*

1 of the programs and authorities of the Depart-
2 ment 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 describ-
6 ing 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) is
14 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 Agriculture
24 Reorganization Act of 1994 (7 U.S.C. 6962) is
25 amended—

1 (A) in subsection (c), by striking “Consoli-
2 dated Farm” each place it appears and inserting
3 “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 Agri-
8 culture 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 strik-
20 ing “Under Secretary of Agriculture for Farm and Foreign
21 Agricultural Services” and inserting “Under Secretary of
22 Agriculture for Farm Production and Conservation”.

23 (b) **MULTIAGENCY TASK FORCE.**—Section 242(b)(3) of
24 the Department of Agriculture Reorganization Act of 1994
25 (7 U.S.C. 6952(b)(3)) is amended by striking “Under Sec-

1 *retary for Farm and Foreign Agricultural Services” and*
 2 *inserting “Under Secretary of Agriculture for Farm Pro-*
 3 *duction and Conservation”.*

4 (c) *FOOD AID CONSULTATIVE GROUP.—Section*
 5 *205(b)(2) of the Food for Peace Act (7 U.S.C. 1725(b)(2))*
 6 *is amended by striking “Under Secretary of Agriculture for*
 7 *Farm and Foreign Agricultural Services” and inserting*
 8 *“Under Secretary of Agriculture for Trade and Foreign Ag-*
 9 *ricultural Affairs”.*

10 (d) *INTERAGENCY COMMITTEE ON MINORITY CAREERS*
 11 *IN INTERNATIONAL AFFAIRS.—Section 625(c)(1)(A) of the*
 12 *Higher Education Act of 1965 (20 U.S.C. 1131c(c)(1)(A))*
 13 *is amended by striking “Under Secretary” and all that fol-*
 14 *lows through “designee” and inserting “Under Secretary of*
 15 *Agriculture for Trade and Foreign Agricultural Affairs, or*
 16 *the designee of that Under Secretary”.*

17 **SEC. 12406. UNDER SECRETARY OF AGRICULTURE FOR**
 18 **RURAL DEVELOPMENT.**

19 *Section 231 of the Department of Agriculture Reorga-*
 20 *nization Act of 1994 (7 U.S.C. 6941) is amended—*

21 (1) *in subsection (a), by striking “is authorized*
 22 *to” and inserting “shall”;*

23 (2) *in subsection (b), by striking “If the Sec-*
 24 *retary” and all that follows through “the Under Sec-*

1 retary” and inserting “The Under Secretary of Agri-
2 culture for Rural Development”; and

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

4 “(g) *TERMINATION OF AUTHORITY.*—Section 296(b)(9)
5 shall not apply to this section.”.

6 **SEC. 12407. ADMINISTRATOR OF THE RURAL UTILITIES**
7 **SERVICE.**

8 (a) *IN GENERAL.*—

9 (1) *TECHNICAL CORRECTION.*—

10 (A) *IN GENERAL.*—Section 232(b) of the De-
11 partment of Agriculture Reorganization Act of
12 1994 (7 U.S.C. 6942(b)) (as in effect on the day
13 before the effective date of the amendments made
14 by section 2(a)(2) of the Presidential Appoint-
15 ment Efficiency and Streamlining Act of 2011
16 (Public Law 112–166; 126 Stat. 1283, 1295)) is
17 amended—

18 (i) by striking paragraph (2) (relating
19 to succession); and

20 (ii) by redesignating paragraph (3)
21 (relating to the Executive Schedule) as
22 paragraph (2).

23 (B) *EFFECTIVE DATE.*—The amendments
24 made by subparagraph (A) take effect on the ef-
25 fective date described in section 6(a) of the Presi-

1 *dential Appointment Efficiency and Stream-*
2 *lining Act of 2011 (Public Law 112–166; 126*
3 *Stat. 1295).*

4 (2) *COMPENSATION.—Section 232(b) of the De-*
5 *partment of Agriculture Reorganization Act of 1994*
6 *(7 U.S.C. 6942(b)) (as amended by paragraph (1)) is*
7 *amended by adding at the end the following:*

8 “*(3) COMPENSATION.—The Administrator of the*
9 *Rural Utilities Service shall receive basic pay at a*
10 *rate not to exceed the maximum amount of compensa-*
11 *tion payable to a member of the Senior Executive*
12 *Service under subsection (b) of section 5382 of title 5,*
13 *United States Code, except that the certification re-*
14 *quirement under that subsection shall not apply to*
15 *the compensation of the Director.*”.

16 **(b) CONFORMING AMENDMENTS.—**

17 (1) *Section 5315 of title 5, United States Code,*
18 *is amended by striking “Administrator, Rural Utili-*
19 *ties Service, Department of Agriculture.”.*

20 (2) *Section 748 of Public Law 107–76 (7 U.S.C.*
21 *918b) is amended by striking “the Administrator of*
22 *the Rural Utilities Service” and inserting “the Sec-*
23 *retary of Agriculture”.*

24 (3) *Section 379B(a) of the Consolidated Farm*
25 *and Rural Development Act (7 U.S.C. 2008p(a)) is*

1 *amended by striking “Secretary” and all that follows*
2 *through “may” and inserting “Secretary may”.*

3 *(4) Section 6407(b)(4) of the Farm Security and*
4 *Rural Investment Act of 2002 (7 U.S.C. 8107a(b)(4))*
5 *is amended by striking “Agriculture” and all that fol-*
6 *lows through “Service” and inserting “Agriculture”.*

7 *(5) Section 1004 of the Launching our Commu-*
8 *nities’ Access to Local Television Act of 2000 (47*
9 *U.S.C. 1103) is amended—*

10 *(A) in subsection (b)(1), by striking “The*
11 *Administrator (as defined in section 1005)” and*
12 *inserting “The Secretary of Agriculture”; and*

13 *(B) in subsection (h)(2)(D), by striking*
14 *“Administrator” each place it appears and in-*
15 *serting “Secretary of Agriculture”.*

16 *(6) Section 1005 of the Launching our Commu-*
17 *nities’ Access to Local Television Act of 2000 (47*
18 *U.S.C. 1104) is amended—*

19 *(A) in subsection (a), by striking “The Ad-*
20 *ministrator” and all that follows through “shall”*
21 *and inserting “The Secretary of Agriculture (re-*
22 *ferred to in this section as the ‘Secretary’) shall”;*
23 *and*

24 *(B) by striking “Administrator” each place*
25 *it appears and inserting “Secretary”.*

1 **SEC. 12408. RURAL HEALTH LIAISON.**

2 *Subtitle C of title II of the Department of Agriculture*
3 *Reorganization Act of 1994 (7 U.S.C. 6941 et seq.) is*
4 *amended by adding at the end the following:*

5 **“SEC. 236. RURAL HEALTH LIAISON.**

6 *“(a) AUTHORIZATION.—The Secretary shall establish*
7 *in the Department the position of Rural Health Liaison.*

8 *“(b) DUTIES.—The Rural Health Liaison shall—*

9 *“(1) in consultation with the Secretary of Health*
10 *and Human Services, coordinate the role of the De-*
11 *partment with respect to rural health;*

12 *“(2) integrate across the Department the stra-*
13 *tegic planning and activities relating to rural health;*

14 *“(3) improve communication relating to rural*
15 *health within the Department and between Federal*
16 *agencies;*

17 *“(4) advocate on behalf of the health care and*
18 *relevant infrastructure needs in rural areas;*

19 *“(5) provide to stakeholders, potential grant ap-*
20 *plicants, Federal agencies, State agencies, Indian*
21 *Tribes, private organizations, and academic institu-*
22 *tions relevant data and information, including the*
23 *eligibility requirements for, and availability and out-*
24 *comes of, Department programs applicable to the ad-*
25 *vancement of rural health;*

1 “(6) maintain communication with public
2 health, medical, occupational safety, and tele-
3 communication associations, research entities, and
4 other stakeholders to ensure that the Department is
5 aware of current and upcoming issues relating to
6 rural health;

7 “(7) consult on programs, pilot projects, re-
8 search, training, and other affairs relating to rural
9 health at the Department and other Federal agencies;

10 “(8) provide expertise on rural health to support
11 the activities of the Secretary as Chair of the Inter-
12 agency Task Force on Agriculture and Rural Pros-
13 perity; and

14 “(9) provide technical assistance and guidance
15 with respect to activities relating to rural health to
16 the outreach, extension, and county offices of the De-
17 partment.”.

18 **SEC. 12409. HEALTHY FOOD FINANCING INITIATIVE.**

19 Section 243 of the Department of Agriculture Reorga-
20 nization Act of 1994 (7 U.S.C. 6953) is amended—

21 (1) in subsection (a), by inserting “and enter-
22 prises” after “retailers”;

23 (2) in subsection (b)(3)(B)(iii), by inserting
24 “and enterprises” after “retailers”; and

1 (3) in subsection (c)(2)(B)(ii), by inserting “as
2 applicable,” before “to accept”.

3 **SEC. 12410. NATURAL RESOURCES CONSERVATION SERV-**
4 **ICE.**

5 (a) *FIELD OFFICES.*—Section 246 of the Department
6 of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962)
7 (as amended by section 12404(b)(1)) is amended by adding
8 at the end the following:

9 “(g) *FIELD OFFICES.*—

10 “(1) *IN GENERAL.*—The Secretary shall not close
11 any field office of the Natural Resources Conservation
12 Service unless, not later than 60 days before the date
13 of the closure, the Secretary submits to the Committee
14 on Agriculture of the House of Representatives and
15 the Committee on Agriculture, Nutrition, and For-
16 estry of the Senate a notification of the closure.

17 “(2) *EMPLOYEES.*—The Secretary shall not per-
18 manently relocate any field-based employees of the
19 Natural Resources Conservation Service or the rural
20 development mission area if doing so would result in
21 a field office of the Natural Resources Conservation
22 Service or the rural development mission area with 2
23 or fewer employees, unless, not later than 60 days be-
24 fore the date of the permanent relocation, the Sec-
25 retary submits to the Committee on Agriculture of the

1 *House of Representatives and the Committee on Agri-*
2 *culture, Nutrition, and Forestry of the Senate a noti-*
3 *fication of the permanent relocation.”.*

4 *(b) TECHNICAL CORRECTIONS.—Section 246 of the De-*
5 *partment of Agriculture Reorganization Act of 1994 (7*
6 *U.S.C. 6962) (as amended by subsection (a)) is amended—*

7 *(1) in subsection (b)—*

8 *(A) by striking paragraph (2);*

9 *(B) by redesignating paragraphs (3)*
10 *through (6) as paragraphs (2) through (5), re-*
11 *spectively;*

12 *(C) in paragraph (4) (as so redesignated),*
13 *by inserting “; Public Law 101–624” after*
14 *“note”; and*

15 *(D) in paragraph (5) (as so redesignated),*
16 *by striking “3831–3836” and inserting “3831 et*
17 *seq.”; and*

18 *(2) in subsection (c), in the matter preceding*
19 *paragraph (1), by striking “paragraphs (1), (2), and*
20 *(4) of subsection (b) and the program under sub-*
21 *chapter C of chapter 1 of subtitle D of title XII of the*
22 *Food Security Act of 1985 (16 U.S.C. 3837–3837f)”*
23 *and inserting “paragraphs (1) and (3) of subsection*
24 *(b)”.*

25 *(c) RELOCATION IN ACT.—*

1 (1) *IN GENERAL.*—Section 246 of the Department
2 of Agriculture Reorganization Act of 1994 (7
3 U.S.C. 6962) (as amended by subsection (b)) is—

4 (A) redesignated as section 228; and

5 (B) moved so as to appear at the end of
6 subtitle B of title II (7 U.S.C. 6931 et seq.).

7 (2) *CONFORMING AMENDMENTS.*—

8 (A) Section 226 of the Department of Agriculture
9 Reorganization Act of 1994 (7 U.S.C.
10 6932) (as amended by section 12404(a)) is
11 amended—

12 (i) in subsection (b)(5), by striking
13 “section 246(b)” and inserting “section
14 228(b)”; and

15 (ii) in subsection (g)(2), by striking
16 “section 246(b)” and inserting “section
17 228(b)”.

18 (B) Section 271(2)(F) of the Department of
19 Agriculture Reorganization Act of 1994 (7
20 U.S.C. 6991(2)(F)) is amended by striking “sec-
21 tion 246(b)” and inserting “section 228(b)”.

22 **SEC. 12411. OFFICE OF THE CHIEF SCIENTIST.**

23 (a) *IN GENERAL.*—Section 251(e) of the Department
24 of Agriculture Reorganization Act of 1994 (7 U.S.C.
25 6971(e)) is amended—

1 (1) *in the subsection heading, by striking “RE-*
2 *SEARCH, EDUCATION, AND EXTENSION OFFICE” and*
3 *inserting “OFFICE OF THE CHIEF SCIENTIST”;*

4 (2) *in paragraph (1), by striking “Research,*
5 *Education, and Extension Office” and inserting “Of-*
6 *fice of the Chief Scientist”;*

7 (3) *in paragraph (2), in the matter preceding*
8 *subparagraph (A), by striking “Research, Education,*
9 *and Extension Office” and inserting “Office of the*
10 *Chief Scientist”;*

11 (4) *in paragraph (3)(C), by striking “subpara-*
12 *graph (A) shall not exceed 4 years” and inserting*
13 *“clauses (i) and (iii) of subparagraph (A) shall be for*
14 *not less than 3 years”;*

15 (5) *by redesignating paragraphs (4) and (5) as*
16 *paragraphs (5) and (6), respectively;*

17 (6) *by inserting after paragraph (3) the fol-*
18 *lowing:*

19 “(4) *ADDITIONAL LEADERSHIP DUTIES.—In ad-*
20 *dition to selecting the Division Chiefs under para-*
21 *graph (3), using available personnel authority under*
22 *title 5, United States Code, the Under Secretary shall*
23 *select personnel—*

1 “(A) to oversee implementation, training,
2 and compliance with the scientific integrity pol-
3 icy of the Department;

4 “(B)(i) to integrate strategic program plan-
5 ning and evaluation functions across the pro-
6 grams of the Department; and

7 “(ii) to help prepare the annual report to
8 Congress on the relevance and adequacy of pro-
9 grams under the jurisdiction of the Under Sec-
10 retary;

11 “(C) to assist the Chief Scientist in coordi-
12 nating the international engagements of the De-
13 partment with the Department of State and
14 other international agencies and offices of the
15 Federal Government; and

16 “(D) to oversee other duties as may be re-
17 quired by law or Department policy.”;

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

19 (A) in subparagraph (A), by striking “Not-
20 withstanding” and inserting the following:

21 “(i) AUTHORIZATION OF APPROPRIA-
22 TIONS.—There are authorized to be appro-
23 priated such sums as are necessary to fund
24 the costs of Division personnel.

1 “(ii) *ADDITIONAL FUNDING.—In addi-*
2 *tion to amounts made available under*
3 *clause (i), notwithstanding*”; and
4 *(B) in subparagraph (C)—*

5 *(i) in clause (i), by striking “and” at*
6 *the end;*

7 *(ii) in clause (ii), by striking the pe-*
8 *riod at the end and inserting “; and”; and*

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

11 *“(iii) provides strong staff continuity*
12 *to the Office of the Chief Scientist.”; and*

13 *(8) in paragraph (6) (as so redesignated), by*
14 *striking “Research, Education and Extension Office”*
15 *and inserting “Office of the Chief Scientist”.*

16 *(b) CONFORMING AMENDMENTS.—*

17 *(1) Section 251(f)(5)(B) of the Department of*
18 *Agriculture Reorganization Act of 1994 (7 U.S.C.*
19 *6971(f)(5)(B)) is amended by striking “Research,*
20 *Education and Extension Office” and inserting “Of-*
21 *fice of the Chief Scientist”.*

22 *(2) Section 296(b)(6)(B) of the Department of*
23 *Agriculture Reorganization Act of 1994 (7 U.S.C.*
24 *7014(b)(6)(B)) is amended by striking “Research,*

1 *Education, and Extension Office” and inserting “Of-*
 2 *fice of the Chief Scientist”.*

3 **SEC. 12412. TRADE AND FOREIGN AGRICULTURAL AFFAIRS.**

4 *The Department of Agriculture Reorganization Act of*
 5 *1994 is amended—*

6 *(1) by redesignating subtitle J (7 U.S.C. 7011 et*
 7 *seq.) as subtitle K; and*

8 *(2) by inserting after subtitle I (7 U.S.C. 7005*
 9 *et seq.) the following:*

10 **“Subtitle J—Trade and Foreign**
 11 ***Agricultural Affairs***

12 **“SEC. 287. UNDER SECRETARY OF AGRICULTURE FOR**
 13 ***TRADE AND FOREIGN AGRICULTURAL AF-***
 14 ***FAIRS.***

15 *“(a) ESTABLISHMENT.—There is established in the De-*
 16 *partment the position of Under Secretary of Agriculture for*
 17 *Trade and Foreign Agricultural Affairs.*

18 *“(b) APPOINTMENT.—The Under Secretary of Agri-*
 19 *culture for Trade and Foreign Agricultural Affairs shall be*
 20 *appointed by the President, by and with the advice and*
 21 *consent of the Senate.*

22 *“(c) FUNCTIONS.—*

23 *“(1) PRINCIPAL FUNCTIONS.—The Secretary*
 24 *shall delegate to the Under Secretary of Agriculture*
 25 *for Trade and Foreign Agricultural Affairs those*

1 *functions and duties under the jurisdiction of the De-*
2 *partment that are related to trade and foreign agri-*
3 *cultural affairs.*

4 “(2) *ADDITIONAL FUNCTIONS.—The Under Sec-*
5 *retary of Agriculture for Trade and Foreign Agricul-*
6 *tural Affairs shall perform such other functions and*
7 *duties as may be—*

8 “(A) *required by law; or*

9 “(B) *prescribed by the Secretary.*”

10 **SEC. 12413. REPEALS.**

11 (a) *DEPARTMENT OF AGRICULTURE REORGANIZATION*
12 *ACT OF 1994.—The following provisions of the Department*
13 *of Agriculture Reorganization Act of 1994 are repealed:*

14 (1) *Section 211 (7 U.S.C. 6911).*

15 (2) *Section 213 (7 U.S.C. 6913).*

16 (3) *Section 214 (7 U.S.C. 6914).*

17 (4) *Section 217 (7 U.S.C. 6917).*

18 (5) *Section 247 (7 U.S.C. 6963).*

19 (6) *Section 252 (7 U.S.C. 6972).*

20 (7) *Section 295 (7 U.S.C. 7013).*

21 (b) *OTHER PROVISION.—Section 3208 of the Agricul-*
22 *tural Act of 2014 (7 U.S.C. 6935) is repealed.*

23 **SEC. 12414. TECHNICAL CORRECTIONS.**

24 (a) *OFFICE OF RISK MANAGEMENT.—Section 226A(a)*
25 *of the Department of Agriculture Reorganization Act of*

1 1994 (7 U.S.C. 6933(a)) is amended by striking “Subject
2 to subsection (e), the Secretary” and inserting “The Sec-
3 retary”.

4 (b) CORRECTION OF ERROR.—

5 (1) ASSISTANT SECRETARIES OF AGRI-
6 CULTURE.—Section 218 of the Department of Agri-
7 culture Reorganization Act of 1994 (7 U.S.C. 6918)
8 (as in effect on the day before the effective date of the
9 amendments made by section 2(a)(1) of the Presi-
10 dential Appointment Efficiency and Streamlining
11 Act of 2011 (Public Law 112–166; 126 Stat. 1283,
12 1295)) is amended by striking “Senate.” in subsection
13 (b) and all that follows through “responsibility for—
14 ” in the matter preceding paragraph (1) of subsection
15 (d) and inserting the following: “Senate.

16 “(c) DUTIES OF ASSISTANT SECRETARY OF AGRI-
17 CULTURE FOR CIVIL RIGHTS.—The Secretary may delegate
18 to the Assistant Secretary for Civil Rights responsibility
19 for—”.

20 (2) EFFECTIVE DATE.—The amendments made
21 by paragraph (1) take effect on the effective date de-
22 scribed in section 6(a) of the Presidential Appoint-
23 ment Efficiency and Streamlining Act of 2011 (Pub-
24 lic Law 112–166; 126 Stat. 1295).

1 **SEC. 12415. EFFECT OF SUBTITLE.**

2 (a) *EFFECTIVE DATE.*—*Except as provided in sections*
3 *12407(a)(1)(B) and 12414(b)(2), this subtitle and the*
4 *amendments made by this subtitle take effect on the date*
5 *of enactment of this Act.*

6 (b) *SAVINGS CLAUSE.*—*Nothing in this subtitle or an*
7 *amendment made by this subtitle affects—*

8 (1) *the authority of the Secretary to continue to*
9 *carry out a function vested in, and performed by, the*
10 *Secretary as of the date of enactment of this Act; or*

11 (2) *the authority of an agency, office, officer, or*
12 *employee of the Department of Agriculture to con-*
13 *tinue to perform all functions delegated or assigned to*
14 *the agency, office, officer, or employee as of the date*
15 *of enactment of this Act.*

16 **SEC. 12416. TERMINATION OF AUTHORITY.**

17 *Section 296(b) of the Department of Agriculture Reor-*
18 *ganization Act of 1994 (7 U.S.C. 7014(b)) is amended by*
19 *adding at the end the following:*

20 “(9) *The authority of the Secretary to carry out*
21 *the amendments made to this title by the Agriculture*
22 *Improvement Act of 2018.”.*

1 ***Subtitle E—Other Miscellaneous***
2 ***Provisions***

3 ***SEC. 12501. ACER ACCESS AND DEVELOPMENT PROGRAM.***

4 *Section 12306(f) of the Agricultural Act of 2014 (7*
5 *U.S.C. 1632c(f)) is amended by striking “2018” and insert-*
6 *ing “2023”.*

7 ***SEC. 12502. SOUTH CAROLINA INCLUSION IN VIRGINIA/***
8 ***CAROLINA PEANUT PRODUCING REGION.***

9 *Section 1308(c)(2)(B)(iii) of the Farm Security and*
10 *Rural Investment Act of 2002 (7 U.S.C. 7958(c)(2)(B)(iii))*
11 *is amended by striking “Virginia and North Carolina” and*
12 *inserting “Virginia, North Carolina, and South Carolina”.*

13 ***SEC. 12503. PET AND WOMEN SAFETY.***

14 *(a) PET INVOLVEMENT IN CRIMES RELATED TO DO-*
15 *MESTIC VIOLENCE AND STALKING.—*

16 *(1) INTERSTATE STALKING.—Section 2261A of*
17 *title 18, United States Code, is amended—*

18 *(A) in paragraph (1)(A)—*

19 *(i) in clause (ii), by striking “or” at*
20 *the end; and*

21 *(ii) by inserting after clause (iii) the*
22 *following:*

23 *“(iv) the pet of that person; or”; and*
24 *(B) in paragraph (2)(A)—*

1 (i) by inserting after “to a person” the
2 following: “or a pet”; and

3 (ii) by striking “or (iii)” and inserting
4 “(iii), or (iv)”.

5 (2) *INTERSTATE VIOLATION OF PROTECTION*
6 *ORDER.*—Section 2262 of title 18, United States Code,
7 is amended—

8 (A) in subsection (a)—

9 (i) in paragraph (1), by inserting after
10 “another person” the following: “or the pet
11 of that person”; and

12 (ii) in paragraph (2), by inserting
13 after “proximity to, another person” the fol-
14 lowing “or the pet of that person”; and

15 (B) in subsection (b)(5), by inserting after
16 “in any other case,” the following: “including
17 any case in which the offense is committed
18 against a pet,”.

19 (3) *RESTITUTION TO INCLUDE VETERINARY*
20 *SERVICES.*—Section 2264 of title 18, United States
21 Code, is amended in subsection (b)(3)—

22 (A) by redesignating subparagraph (F) as
23 subparagraph (G);

24 (B) in subparagraph (E), by striking “and”
25 at the end; and

1 (C) by inserting after subparagraph (E) the
2 following:

3 “(F) veterinary services relating to physical
4 care for the victim’s pet; and”.

5 (4) *PET DEFINED.*—Section 2266 of title 18,
6 United States Code, is amended by inserting after
7 paragraph (10) the following:

8 “(11) *PET.*—The term ‘pet’ means a domes-
9 ticated animal, such as a dog, cat, bird, rodent, fish,
10 turtle, horse, or other animal that is kept for pleasure
11 rather than for commercial purposes.”.

12 (b) *EMERGENCY AND TRANSITIONAL PET SHELTER*
13 *AND HOUSING ASSISTANCE GRANT PROGRAM.*—

14 (1) *IN GENERAL.*—The Secretary, acting in con-
15 sultation with the Office of the Violence Against
16 Women of the Department of Justice, the Secretary of
17 Housing and Urban Development, and the Secretary
18 of Health and Human Services, shall award grants
19 under this subsection to eligible entities to carry out
20 programs to provide the assistance described in para-
21 graph (3) with respect to victims of domestic violence,
22 dating violence, sexual assault, or stalking and the
23 pets of such victims.

24 (2) *APPLICATION.*—

1 (A) *IN GENERAL.*—*An eligible entity seek-*
2 *ing a grant under this subsection shall submit*
3 *an application to the Secretary at such time, in*
4 *such manner, and containing such information*
5 *as the Secretary may reasonably require, includ-*
6 *ing—*

7 (i) *a description of the activities for*
8 *which a grant under this subsection is*
9 *sought;*

10 (ii) *such assurances as the Secretary*
11 *determines to be necessary to ensure compli-*
12 *ance by the entity with the requirements of*
13 *this subsection; and*

14 (iii) *a certification that the entity, be-*
15 *fore engaging with any individual domestic*
16 *violence victim, will disclose to the victim*
17 *any mandatory duty of the entity to report*
18 *instances of abuse and neglect (including*
19 *instances of abuse and neglect of pets).*

20 (B) *ADDITIONAL REQUIREMENTS.*—*In addi-*
21 *tion to the requirements of subparagraph (A),*
22 *each application submitted by an eligible entity*
23 *under that subparagraph shall—*

1 (i) not include proposals for any ac-
2 tivities that may compromise the safety of
3 a domestic violence victim, including—

4 (I) background checks of domestic
5 violence victims; or

6 (II) clinical evaluations to deter-
7 mine the eligibility of such a victim for
8 support services;

9 (ii) not include proposals that would
10 require mandatory services for victims or
11 that a victim obtain a protective order in
12 order to receive proposed services; and

13 (iii) reflect the eligible entity's under-
14 standing of the dynamics of domestic vio-
15 lence, dating violence, sexual assault, or
16 stalking.

17 (C) *RULES OF CONSTRUCTION.*—Nothing in
18 this paragraph shall be construed to require—

19 (i) domestic violence victims to partici-
20 pate in the criminal justice system in order
21 to receive services; or

22 (ii) eligible entities receiving a grant
23 under this subsection to breach client con-
24 fidentiality.

1 (3) *USE OF FUNDS.*—*Grants awarded under this*
2 *subsection may only be used for programs that pro-*
3 *vide—*

4 (A) *emergency and transitional shelter and*
5 *housing assistance for domestic violence victims*
6 *with pets, including assistance with respect to*
7 *any construction or operating expenses of newly*
8 *developed or existing emergency and transitional*
9 *pet shelter and housing (regardless of whether*
10 *such shelter and housing is co-located at a victim*
11 *service provider or within the community);*

12 (B) *short-term shelter and housing assist-*
13 *ance for domestic violence victims with pets, in-*
14 *cluding assistance with respect to expenses in-*
15 *curring for the temporary shelter, housing, board-*
16 *ing, or fostering of the pets of domestic violence*
17 *victims and other expenses that are incidental to*
18 *securing the safety of such a pet during the shel-*
19 *tering, housing, or relocation of such victims;*

20 (C) *support services designed to enable a do-*
21 *mestic violence victim who is fleeing a situation*
22 *of domestic violence, dating violence, sexual as-*
23 *sault, or stalking to—*

24 (i) *locate and secure—*

1 (I) *safe housing with the victim's*
2 *pet; or*

3 (II) *safe accommodations for the*
4 *victim's pet; or*

5 (ii) *provide the victim with pet-related*
6 *services, such as pet transportation, pet care*
7 *services, and other assistance; or*

8 (D) *for the training of relevant stakeholders*
9 *on—*

10 (i) *the link between domestic violence,*
11 *dating violence, sexual assault, or stalking*
12 *and the abuse and neglect of pets;*

13 (ii) *the needs of domestic violence vic-*
14 *tims;*

15 (iii) *best practices for providing sup-*
16 *port services to such victims;*

17 (iv) *best practices for providing such*
18 *victims with referrals to victims' services;*
19 *and*

20 (v) *the importance of confidentiality.*

21 (4) *GRANT CONDITIONS.—An eligible entity that*
22 *receives a grant under this subsection shall, as a con-*
23 *dition of such receipt, agree—*

24 (A) *to be bound by the nondisclosure of con-*
25 *fidential information requirements of section*

1 40002(b)(2) of the Violence Against Women Act
2 of 1994 (34 U.S.C. 12291(b)(2)); and

3 (B) that the entity shall not condition the
4 receipt of support, housing, or other benefits pro-
5 vided pursuant to this subsection on the partici-
6 pation of domestic violence victims in any or all
7 of the support services offered to such victims
8 through a program carried out by the entity
9 using grant funds.

10 (5) *DURATION OF ASSISTANCE PROVIDED TO VIC-*
11 *TIMS.—*

12 (A) *IN GENERAL.—*Subject to subparagraph
13 (B), assistance provided with respect to a pet of
14 a domestic violence victim using grant funds
15 awarded under this subsection shall be provided
16 for a period of not more than 24 months.

17 (B) *EXTENSION.—*An eligible entity that re-
18 ceives a grant under this subsection may extend
19 the 24-month period referred to in subparagraph
20 (A) for a period of not more than 6 months in
21 the case of a domestic violence victim who—

22 (i) has made a good faith effort to ac-
23 quire permanent housing for the victim's
24 pet during that 24-month period; and

1 (ii) has been unable to acquire such
2 permanent housing within that period.

3 (6) *REPORT TO THE SECRETARY.*—Not later
4 than 1 year after the date on which an eligible entity
5 receives a grant under this subsection and each year
6 thereafter, the entity shall submit to the Secretary a
7 report that contains, with respect to assistance pro-
8 vided by the entity to domestic violence victims with
9 pets using grant funds received under this subsection,
10 information on—

11 (A) the number of domestic violence victims
12 with pets provided such assistance; and

13 (B) the purpose, amount, type of, and dura-
14 tion of such assistance.

15 (7) *REPORT TO CONGRESS.*—

16 (A) *REPORTING REQUIREMENT.*—Not later
17 than November 1 of each even-numbered fiscal
18 year, the Secretary shall submit to the Com-
19 mittee on Agriculture of the House of Represent-
20 atives and the Committee on Agriculture, Nutri-
21 tion, and Forestry of the Senate a report that
22 contains a compilation of the information con-
23 tained in the reports submitted under paragraph
24 (6).

1 (B) *AVAILABILITY OF REPORT.*—*The Sec-*
2 *retary shall transmit a copy of the report sub-*
3 *mitted under subparagraph (A) to—*

4 (i) *the Office on Violence Against*
5 *Women of the Department of Justice;*

6 (ii) *the Office of Community Planning*
7 *and Development of the Department of*
8 *Housing and Urban Development; and*

9 (iii) *the Administration for Children*
10 *and Families of the Department of Health*
11 *and Human Services.*

12 (8) *AUTHORIZATION OF APPROPRIATIONS.*—

13 (A) *IN GENERAL.*—*There are authorized to*
14 *be appropriated to carry out this subsection*
15 *\$3,000,000 for each of fiscal years 2019 through*
16 *2023.*

17 (B) *LIMITATION.*—*Of the amount made*
18 *available under subparagraph (A) in any fiscal*
19 *year, not more than 5 percent may be used for*
20 *evaluation, monitoring, salaries, and adminis-*
21 *trative expenses.*

22 (9) *DEFINITIONS.*—*In this subsection:*

23 (A) *DOMESTIC VIOLENCE VICTIM DE-*
24 *FINED.*—*The term “domestic violence victim”*

1 *means a victim of domestic violence, dating vio-*
2 *lence, sexual assault, or stalking.*

3 (B) *ELIGIBLE ENTITY.—The term “eligible*
4 *entity” means—*

5 (i) *a State;*

6 (ii) *a unit of local government;*

7 (iii) *an Indian tribe; or*

8 (iv) *any other organization that has a*
9 *documented history of effective work con-*
10 *cerning domestic violence, dating violence,*
11 *sexual assault, or stalking (as determined*
12 *by the Secretary), including—*

13 (I) *a domestic violence and sexual*
14 *assault victim service provider;*

15 (II) *a domestic violence and sex-*
16 *ual assault coalition;*

17 (III) *a community-based and cul-*
18 *turally specific organization;*

19 (IV) *any other nonprofit, non-*
20 *governmental organization; and*

21 (V) *any organization that works*
22 *directly with pets and collaborates*
23 *with any organization referred to in*
24 *clauses (i) through (iv), including—*

25 (aa) *an animal shelter; and*

1 (bb) *an animal welfare orga-*
2 *nization.*

3 (C) *PET.*—*The term “pet” means a domes-*
4 *ticated animal, such as a dog, cat, bird, rodent,*
5 *fish, turtle, horse, or other animal that is kept*
6 *for pleasure rather than for commercial pur-*
7 *poses.*

8 (D) *OTHER TERMS.*—*Except as otherwise*
9 *provided in this subsection, terms used in this*
10 *section shall have the meaning given such terms*
11 *in section 40002(a) of the Violence Against*
12 *Women Act of 1994 (34 U.S.C. 12291(a)).*

13 (c) *SENSE OF CONGRESS.*—*It is the sense of Congress*
14 *that States should encourage the inclusion of protections*
15 *against violent or threatening acts against the pet of a per-*
16 *son in domestic violence protection orders.*

17 **SEC. 12504. DATA ON CONSERVATION PRACTICES.**

18 *Subtitle E of title XII of the Food Security Act of 1985*
19 *(16 U.S.C. 3841 et seq.) is amended by adding at the end*
20 *the following:*

21 **“SEC. 1247. DATA ON CONSERVATION PRACTICES.**

22 *“(a) PURPOSE.*—*The purpose of this section is to in-*
23 *crease the knowledge of how covered conservation practices*
24 *or suites of covered conservation practices impact farm and*
25 *ranch profitability (such as crop yields, soil health, and*

1 *other risk-reducing factors) by using an appropriate collec-*
2 *tion, review, and analysis of data.*

3 “(b) *DEFINITIONS.—In this section:*

4 “(1) *COVERED CONSERVATION PRACTICE.—The*
5 *term ‘covered conservation practice’ means a con-*
6 *servaion practice—*

7 “(A) *that is approved and supported by the*
8 *Department; and*

9 “(B) *for which the Department has devel-*
10 *oped 1 or more practice standards.*

11 “(2) *DEPARTMENT.—The term ‘Department’*
12 *means the Department of Agriculture.*

13 “(3) *PRIVACY AND CONFIDENTIALITY REQUIRE-*
14 *MENTS.—*

15 “(A) *IN GENERAL.—The term ‘privacy and*
16 *confidentiality requirements’ means all laws ap-*
17 *licable to the Department and the agencies of*
18 *the Department that protect data provided to, or*
19 *collected by, the agencies of the Department from*
20 *being disclosed to the public in any manner ex-*
21 *cept as authorized by those laws.*

22 “(B) *INCLUSIONS.—The term ‘privacy and*
23 *confidentiality requirements’ includes—*

24 “(i) *sections 552 and 552a of title 5,*
25 *United States Code;*

1 “(ii) section 502(c) of the *Federal Crop*
2 *Insurance Act* (7 U.S.C. 1502(c));

3 “(iii) section 1770 of the *Food Security*
4 *Act of 1985* (7 U.S.C. 2276);

5 “(iv) section 1619 of the *Food, Con-*
6 *servation, and Energy Act of 2008* (7
7 U.S.C. 8791); and

8 “(v) the *Confidential Information Pro-*
9 *tection and Statistical Efficiency Act of*
10 2002 (44 U.S.C. 3501 note; *Public Law*
11 107–347).

12 “(c) *DATA COLLECTION, REVIEW, ANALYSIS, AND*
13 *TECHNICAL ASSISTANCE.*—

14 “(1) *IN GENERAL.*—*Subject to applicable privacy*
15 *and confidentiality requirements, the Secretary*
16 *shall—*

17 “(A) *not less frequently than annually, re-*
18 *view and publish a summary of existing research*
19 *of the Department, institutions of higher edu-*
20 *cation, and other organizations relating to the*
21 *impacts of covered conservation practices that re-*
22 *late to crop yields, soil health, risk, and farm*
23 *and ranch profitability;*

24 “(B) *identify current data pertaining to the*
25 *impacts of covered conservation practices that re-*

1 *late to crop yields, soil health, risk, and farm*
2 *and ranch profitability collected by the Depart-*
3 *ment, including—*

4 *“(i) the Farm Service Agency;*

5 *“(ii) the Risk Management Agency;*

6 *“(iii) the Natural Resources Conserva-*
7 *tion Service;*

8 *“(iv) the National Agricultural Statis-*
9 *tics Service;*

10 *“(v) the Economic Research Service;*

11 *and*

12 *“(vi) any other relevant agency, as de-*
13 *termined by the Secretary;*

14 *“(C) collect additional data specifically per-*
15 *taining to the impacts of covered conservation*
16 *practices that relate to crop yields, soil health,*
17 *risk, and farm and ranch profitability necessary*
18 *to achieve the purpose described in subsection*
19 *(a), on the condition that a producer shall not*
20 *be compelled or required to provide that data;*

21 *“(D) ensure that data identified or collected*
22 *under subparagraph (B) or (C), respectively, are*
23 *collected in a compatible format at the field- and*
24 *farm-level;*

1 “(E) improve the interoperability of the
2 data collected by the Department for the pur-
3 poses of this section;

4 “(F) in carrying out subparagraph (C), use
5 existing authorities and procedures of the Na-
6 tional Agricultural Statistics Service to allow
7 producers to voluntarily provide supplemental
8 data that may be useful in analyzing the im-
9 pacts of covered conservation practices relating
10 to crop yields, soil health, risk, and farm and
11 ranch profitability using the least burdensome
12 means to collect that data, such as through vol-
13 untary producer surveys;

14 “(G) integrate and analyze the data identi-
15 fied or collected under this subsection to consider
16 the impacts of covered conservation practices re-
17 lating to crop yields, soil health, risk, and farm
18 and ranch profitability;

19 “(H) acting through the Administrator of
20 the Risk Management Agency, in coordination
21 with the Administrator of the Farm Service
22 Agency and the Chief of the Natural Resources
23 Conservation Service—

1 “(i) research and analyze how yield
2 variability and risk are affected by different
3 soil types for major crops;

4 “(ii) research and analyze how yield
5 variability and risk for different soil types
6 are affected by individual, or combinations
7 of, agricultural management practices, in-
8 cluding cover crops, no-till farming, adapt-
9 ive nitrogen management, skip-row plant-
10 ing, and crop rotation for major crops; and

11 “(iii) not later than 2 years after the
12 date of enactment of this section, publish the
13 findings of the research under clauses (i)
14 and (ii);

15 “(I) to the extent practicable, integrate, col-
16 late, and link data identified under this sub-
17 section with other external data sources that in-
18 clude crop yields, soil health, and conservation
19 practices, ensuring that all privacy and con-
20 fidentiality requirements are implemented to
21 protect all data subject to the privacy and con-
22 fidentiality requirements;

23 “(J) not later than 2 years after the date of
24 enactment of this section—

1 “(i) establish a conservation and farm
2 productivity data warehouse that contains
3 the data identified or collected under sub-
4 paragraph (B) or (C), respectively, in a
5 form authorized under the privacy and con-
6 fidentiality requirements applicable to each
7 agency of the Department that contributes
8 data to the data warehouse; and

9 “(ii) allow access to the data ware-
10 house established under clause (i) by an
11 academic institution or researcher, if the
12 academic institution or researcher has com-
13 plied with all requirements of the National
14 Agricultural Statistics Service under section
15 1770 of the Food Security Act of 1985 (7
16 U.S.C. 2276) relating to the sharing of data
17 of the Natural Agricultural Statistics Serv-
18 ice; and

19 “(K) not less frequently than annually, and,
20 if practicable, more frequently than annually,
21 disseminate the results of the research and anal-
22 ysis obtained through carrying out this section
23 that demonstrate the impacts of covered con-
24 servation practices on crop yields, soil health,
25 risk, and farm and ranch profitability in an ag-

1 *gregate manner that protects individual pro-*
2 *ducer data and makes the results of the research*
3 *and analysis easily used and implemented by*
4 *producers and other stakeholders.*

5 “(2) *PROCEDURES TO PROTECT INTEGRITY AND*
6 *CONFIDENTIALITY.—*

7 “(A) *IN GENERAL.—Before providing access*
8 *to any data under paragraph (1), the Secretary*
9 *shall establish procedures to protect the integrity*
10 *and confidentiality of any data identified, col-*
11 *lected, or warehoused under this section.*

12 “(B) *REQUIREMENTS.—Procedures under*
13 *subparagraph (A) shall—*

14 “(i) *ensure that any research or anal-*
15 *ysis published or disseminated by any per-*
16 *son with access to the data identified, col-*
17 *lected, or warehoused under this section*
18 *complies with all applicable privacy and*
19 *confidentiality requirements relating to that*
20 *data; and*

21 “(ii) *limit access to data to only indi-*
22 *viduals specifically authorized to access the*
23 *data by the Secretary.*

24 “(3) *ADMINISTRATION.—The Secretary shall*
25 *carry out paragraph (1) using—*

1 “(A) authorities available to the Secretary
2 under other applicable laws; and

3 “(B) funds otherwise made available to the
4 Secretary.

5 “(4) EFFECT.—

6 “(A) COMBINATION OF DATA.—The com-
7 bination of data protected from disclosure under
8 the privacy and confidentiality requirements
9 with data covered by lesser protections or no pro-
10 tections in the data warehouse established under
11 paragraph (1)(J)(i) shall not modify or other-
12 wise affect the privacy and confidentiality re-
13 quirements that protect the data.

14 “(B) PROTECTIONS FROM RELEASE.—Data
15 provided by an agency of the Department under
16 this section shall continue to be covered by the
17 same protections from release as if that data
18 were in the possession of the agency.

19 “(d) PRODUCER TOOLS.—

20 “(1) IN GENERAL.—Not later than 3 years after
21 the date of enactment of this section, the Secretary
22 shall provide technical assistance, including through
23 internet-based tools, based on the analysis conducted
24 in carrying out this section and other sources of rel-
25 evant data, to assist producers in improving sustain-

1 *able production practices that increase yields and en-*
2 *hance environmental outcomes.*

3 “(2) *INTERNET-BASED TOOLS.*—*Internet-based*
4 *tools described in paragraph (1) shall provide to pro-*
5 *ducers, to the maximum extent practicable—*

6 “(A) *confidential data specific to each farm*
7 *or ranch of the producer; and*

8 “(B) *general data relating to the impacts of*
9 *covered conservation practices on crop yields,*
10 *soil health, risk, and farm and ranch profit-*
11 *ability.*

12 “(e) *LIMITATION.*—*Nothing in this section mandates*
13 *the submission of information by a producer that is not*
14 *already required for another purpose under a program of*
15 *the Department.*

16 “(f) *REPORTING.*—*Not later than 1 year after the date*
17 *of enactment of this section, and each year thereafter, the*
18 *Secretary shall submit to the Committee on Agriculture of*
19 *the House of Representatives and the Committee on Agri-*
20 *culture, Nutrition, and Forestry of the Senate a report that*
21 *includes—*

22 “(1) *a summary of the analysis conducted under*
23 *this section;*

1 “(2) the number and regions of producers that
2 voluntarily submitted information under subpara-
3 graphs (C) and (F) of subsection (c)(1);

4 “(3) a description of any additional or new ac-
5 tivities planned to be conducted under this section in
6 the next fiscal year, including—

7 “(A) research relating to any additional
8 conservation practices;

9 “(B) any new types of data to be collected;

10 “(C) any improved or streamlined data col-
11 lection efforts associated with this section; and

12 “(D) any new research projects; and

13 “(4) in the case of the first 2 reports submitted
14 under this subsection, a description of the current sta-
15 tus of the implementation of activities under sub-
16 section (c).”.

17 **SEC. 12505. MARKETING ORDERS.**

18 Section 8e(a) of the Agricultural Adjustment Act (7
19 U.S.C. 608e-1(a)), reenacted with amendments by the Agri-
20 cultural Marketing Agreement Act of 1937, is amended by
21 inserting “cherries, pecans,” after “walnuts,”.

22 **SEC. 12506. STUDY ON FOOD WASTE.**

23 (a) **DEFINITION OF FOOD WASTE.**—In this section, the
24 term “food waste” means food waste that occurs—

25 (1) on the farm and ranch production level; and

1 (2) *before and after the harvest period.*

2 (b) *STUDY.*—*The Secretary shall conduct a study to*
3 *evaluate and determine—*

4 (1) *methods of measuring food waste;*

5 (2) *standards for the volume of food waste;*

6 (3) *factors that create food waste;*

7 (4) *the cost and volume of food loss of—*

8 (A) *domestic fresh food products; and*

9 (B) *imported fresh food products that pass*
10 *import inspection but do not make it to market*
11 *in the United States, consistent with article III*
12 *of the GATT 1994 (as defined in section 2 of the*
13 *Uruguay Round Agreements Act (19 U.S.C.*
14 *3501));*

15 (5) *the reason for the waste described in sub-*
16 *paragraphs (A) and (B) of paragraph (4); and*

17 (6) *the potential economic value of the products*
18 *described in subparagraphs (A) and (B) of paragraph*
19 *(4) if the products were taken to market; and*

20 (7) *measures to ensure that programs con-*
21 *templated, undertaken, or funded by the Department*
22 *of Agriculture do not disrupt existing food waste re-*
23 *covery and disposal by commercial, marketing, or*
24 *business relationships.*

1 (c) *INITIAL REPORT.*—Not later than 1 year after the
2 date of enactment of this Act, the Secretary shall submit
3 a report that describes the results of the study conducted
4 under subsection (b) to the Committee on Agriculture of the
5 House of Representatives and the Committee on Agri-
6 culture, Nutrition, and Forestry of the Senate.

7 (d) *ANNUAL REPORT.*—Not later than 1 year after the
8 date of submission of the report under subsection (c), the
9 Secretary shall submit to the Committee on Agriculture of
10 the House of Representatives and the Committee on Agri-
11 culture, Nutrition, and Forestry of the Senate a report that
12 describes—

13 (1) an estimate of the quantity of food waste
14 during the 1-year period ending on the date of sub-
15 mission of the report under subsection (c); and

16 (2) the best practices or other recommendations
17 that the Secretary, producers, or other stakeholders
18 may consider to reduce food waste.

19 **SEC. 12507. REPORT ON BUSINESS CENTERS.**

20 (a) *IN GENERAL.*—Not later than 365 days after the
21 date of enactment of this Act, the Comptroller General of
22 the United States shall submit to the Committee on Agri-
23 culture of the House of Representatives and the Committee
24 on Agriculture, Nutrition, and Forestry of the Senate a re-

1 *port evaluating each business center established in the De-*
2 *partment of Agriculture.*

3 (b) *INCLUSIONS.—The report under subsection (a)*
4 *shall include—*

5 (1) *an examination of the effectiveness of each*
6 *business center in carrying out its mission, including*
7 *any recommendations to improve the operation of and*
8 *function of any of those business centers; and*

9 (2) *an evaluation of—*

10 (A) *the impact the business centers have on*
11 *customer service of the Department of Agri-*
12 *culture;*

13 (B) *the impact on the annual budget for*
14 *agencies the budget offices of which have been re-*
15 *located to the business center, and the effective-*
16 *ness of funds used to support the business cen-*
17 *ters, including an accounting of all discretionary*
18 *and mandatory funding provided to the business*
19 *center for conservation and farm services from—*

20 (i) *the Natural Resources Conservation*
21 *Service;*

22 (ii) *the Farm Service Agency; and*

23 (iii) *the Risk Management Agency;*

24 (C) *funding described in subparagraph (B)*
25 *spent on information technology modernizations;*

1 (D) the impact that the business centers
2 have had on the human resources of the Depart-
3 ment of Agriculture, including hiring;

4 (E) any concerns or problems with the busi-
5 ness centers; and

6 (F) any positive or negative impact that the
7 business centers have had on the functionality of
8 the Department of Agriculture.

9 **SEC. 12508. INFORMATION TECHNOLOGY MODERNIZATION.**

10 (a) *IN GENERAL.*—The Comptroller General of the
11 United States (referred to in this section as the “Comp-
12 troller General”) shall examine efforts of the Department
13 of Agriculture —

14 (1) relating to information technology for the
15 business center established by the Secretary for the
16 farm production and conservation activities of the
17 Department of Agriculture; and

18 (2) to modernize or otherwise improve informa-
19 tion technology for—

20 (A) the Centers of Excellence of the Depart-
21 ment of Agriculture; and

22 (B) other major information technology
23 projects of the Department of Agriculture that
24 have the potential to impact the ability of the

1 *Department of Agriculture to serve farmers,*
2 *ranchers, and families.*

3 **(b) REPORTS.—**

4 **(1) INITIAL REPORT.—***Not later than 180 days*
5 *after the date of enactment of this Act, the Comp-*
6 *troller General shall submit to the Committee on Ag-*
7 *riculture of the House of Representatives and the*
8 *Committee on Agriculture, Nutrition, and Forestry of*
9 *the Senate an initial report or a detailed briefing on*
10 *the efforts examined under subsection (a), including—*

11 **(A)** *a detailed description of each ongoing*
12 *or planned information technology moderniza-*
13 *tion project and investment in information tech-*
14 *nology at the Department of Agriculture de-*
15 *scribed in paragraph (1) or (2) of subsection (a)*
16 *(referred to in this subsection as a “project or in-*
17 *vestment”);*

18 **(B)** *the justification of the Secretary for*
19 *each project or investment;*

20 **(C)** *a description of whether a cost-benefit*
21 *analysis was completed for each project or in-*
22 *vestment identifying savings that will be*
23 *achieved through the completion of the project or*
24 *investment; and*

1 (D) a description of any concerns about the
2 projects or investments or recommendations for
3 improving the projects or investments.

4 (2) *UPDATES.*—In carrying out paragraph (1),
5 the Comptroller General shall provide to the Com-
6 mittee on Agriculture of the House of Representatives
7 and the Committee on Agriculture, Nutrition, and
8 Forestry of the Senate regular briefings to give status
9 updates.

10 (3) *COMPREHENSIVE REPORT.*—Not later than 2
11 years after the date of enactment of this Act, the
12 Comptroller General shall submit to the Committee on
13 Agriculture of the House of Representatives and the
14 Committee on Agriculture, Nutrition, and Forestry of
15 the Senate a comprehensive report that reviews each
16 project or investment, including—

17 (A) a review of any contract awards or con-
18 tracting activities;

19 (B) a description of any problems or inad-
20 equacies in the projects and investments; and

21 (C) any recommendations for improving the
22 projects and investments.

23 **SEC. 12509. REPORT ON PERSONNEL.**

24 For the period of fiscal years 2019 through 2023, the
25 Secretary shall submit to the Committee on Agriculture of

1 *the House of Representatives and the Committee on Agri-*
2 *culture, Nutrition, and Forestry of the Senate a biannual*
3 *report describing the number of staff years and employees*
4 *of each agency of the Department of Agriculture.*

5 **SEC. 12510. REPORT ON ABSENT LANDLORDS.**

6 (a) *IN GENERAL.*—*Not later than 1 year after the date*
7 *of enactment of this Act, the Secretary shall submit to Con-*
8 *gress a report describing the effects of absent landlords on*
9 *the long-term economic health of agricultural production,*
10 *including the effect of absent landlords on—*

11 (1) *land valuation;*

12 (2) *soil health; and*

13 (3) *the economic stability of rural communities.*

14 (b) *CONTENTS.*—*The report under subsection (a) shall*
15 *include—*

16 (1) *a description of the positive and negative ef-*
17 *fects of an absent landlord on the land owned by the*
18 *landlord, including—*

19 (A) *the effect of an absent landlord on the*
20 *long-term value of the land; and*

21 (B) *the environmental and economic impact*
22 *of an absent landlord on the surrounding com-*
23 *munity; and*

24 (2) *recommendations to policymakers concerning*
25 *how to mitigate those effects when necessary.*

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 ac-*
10 *cidental contact with sodium cyanide.*

11 (b) *PROHIBITION.*—*The Secretary shall use sodium cy-*
12 *anide in a predator control device described in subsection*
13 *(c) only in accordance with Wildlife Services Directive*
14 *Number 2.415 of the Animal and Plant Health Inspection*
15 *Service, dated February 27, 2018, and the implementation*
16 *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 **SEC. 12512. CENTURY FARMS PROGRAM.**

2 *The Secretary shall establish a program under which*
3 *the Secretary recognizes any farm that—*

4 *(1) a State department of agriculture or similar*
5 *statewide agricultural organization recognizes as a*
6 *Century Farm; or*

7 *(2)(A) is defined as a farm or ranch under sec-*
8 *tion 4284.902 of title 7, Code of Federal Regulations*
9 *(as in effect on the date of enactment of this Act);*

10 *(B) has been in continuous operation for at least*
11 *100 years; and*

12 *(C) has been owned by the same family for at*
13 *least 100 consecutive years, as verified through deeds,*
14 *wills, abstracts, tax statements, or other similar legal*
15 *documents considered appropriate by the Secretary.*

16 **SEC. 12513. REPORT ON THE IMPORTATION OF LIVE DOGS.**

17 *(a) IN GENERAL.—Not later than 180 days after the*
18 *date of enactment of this Act, the Secretary, in consultation*
19 *with the Secretary of Commerce, the Secretary of Health*
20 *and Human Services, and the Secretary of Homeland Secu-*
21 *rity, shall submit to the Committee on Agriculture of the*
22 *House of Representatives and the Committee on Agri-*
23 *culture, Nutrition, and Forestry of the Senate a report on*
24 *the importation of live dogs into the United States.*

25 *(b) CONTENTS.—The Secretaries described in sub-*
26 *section (a) shall provide relevant data to complete the report*

1 *submitted under subsection (a), which shall include, with*
2 *respect to the importation of live dogs into the United*
3 *States:*

4 (1) *An estimate of the number of live dogs im-*
5 *ported annually, excluding personal pets.*

6 (2) *An estimate of the number of live dogs im-*
7 *ported for resale annually.*

8 (3) *An estimate of the number of dogs during the*
9 *period covered by the report for which a request for*
10 *the importation of live dogs for resale was denied be-*
11 *cause the proposed importation failed to meet the re-*
12 *quirements of section 18 of the Animal Welfare Act (7*
13 *U.S.C. 2148).*

14 (4) *Any recommendations of the Secretary for*
15 *any modifications to Federal law relating to the im-*
16 *portation of live dogs for resale that the Secretary de-*
17 *termines to be necessary to meet the requirements of*
18 *section 18 of the Animal Welfare Act (7 U.S.C. 2148).*

19 **SEC. 12514. ESTABLISHMENT OF TECHNICAL ASSISTANCE**
20 **PROGRAM.**

21 (a) *DEFINITION.—In this section, the term “tribally*
22 *designated housing entity” has the meaning given the term*
23 *in section 4 of the Native American Housing Assistance and*
24 *Self-Determination Act of 1996 (25 U.S.C. 4103).*

1 (b) *IN GENERAL.*—*The Secretary shall establish a technical assistance program to improve access by Tribal entities to rural development programs funded by the Department of Agriculture through available cooperative agreement authorities of the Secretary.*

6 (c) *TECHNICAL ASSISTANCE PROGRAM.*—*The technical assistance program established under subsection (b) shall address the unique challenge of Tribal governments, Tribal producers, Tribal businesses, Tribal business entities, and tribally designated housing entities in accessing Department of Agriculture-supported rural infrastructure, rural cooperative development, rural business and industry, rural housing, and other rural development activities.*

14 **SEC. 12515. PROMISE ZONES.**

15 (a) *IN GENERAL.*—*In this section, the term “Tribal Promise Zone” means an area that—*

17 (1) *is nominated by 1 or more Indian tribes (as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13))) for designation as a Tribal Promise Zone (in this section referred to as a “nominated zone”);*

23 (2) *has a continuous boundary; and*

24 (3) *the Secretary designates as a Tribal Promise Zone, after consultation with the Secretary of Com-*

1 *merce, the Secretary of Education, the Attorney Gen-*
2 *eral, the Secretary of the Interior, the Secretary of*
3 *Housing and Urban Development, the Secretary of*
4 *Health and Human Services, the Secretary of Labor,*
5 *the Secretary of the Treasury, the Secretary of Trans-*
6 *portation, and other agencies as appropriate.*

7 *(b) AUTHORIZATION AND NUMBER OF DESIGNA-*
8 *TIONS.—Not later than 1 year after the date of enactment*
9 *of this Act, the Secretary shall nominate a minimum num-*
10 *ber of nominated zones, as determined by the Secretary in*
11 *consultation with Indian tribes, to be designated as Tribal*
12 *Promise Zones.*

13 *(c) PERIOD OF DESIGNATIONS.—*

14 *(1) IN GENERAL.—The Secretary shall designate*
15 *nominated zones as Tribal Promise Zones before Jan-*
16 *uary 1, 2020.*

17 *(2) EFFECTIVE DATES OF DESIGNATIONS.—The*
18 *designation of any Tribal Promise Zone shall take ef-*
19 *fect—*

20 *(A) for purposes of priority consideration*
21 *in Federal grant programs and initiatives (other*
22 *than this section), upon execution of the Tribal*
23 *Promise Zone agreement with the Secretary; and*

24 *(B) for purposes of this section, on January*
25 *1 of the first calendar year beginning after the*

1 *date of the execution of the Tribal Promise Zone*
2 *agreement.*

3 (3) *TERMINATION OF DESIGNATIONS.—The des-*
4 *ignation of any Tribal Promise Zone shall end on the*
5 *earlier of—*

6 (A)(i) *with respect to a Tribal Promise*
7 *Zone not described in paragraph (4), the end of*
8 *the 10-year period beginning on the date that*
9 *such designation takes effect; or*

10 (ii) *with respect to a Tribal Promise Zone*
11 *described in paragraph (4), the end of the 10-*
12 *year period beginning on the date the area was*
13 *designated as a Tribal Promise Zone before the*
14 *date of the enactment of this Act; or*

15 (B) *the date of the revocation of such des-*
16 *ignation.*

17 (4) *APPLICATION TO CERTAIN ZONES ALREADY*
18 *DESIGNATED.—In the case of any area designated as*
19 *a Tribal Promise Zone by the Secretary before the*
20 *date of the enactment of this Act, such area shall be*
21 *deemed a Tribal Promise Zone designated under this*
22 *section (notwithstanding whether any such designa-*
23 *tion has been revoked before the date of the enactment*
24 *of this Act) and shall reduce the number of Tribal*

1 *Promise Zones remaining to be designated under*
2 *paragraph (1).*

3 *(d) LIMITATIONS ON DESIGNATIONS.—No area may be*
4 *designated under this section unless—*

5 *(1) the entities nominating the area have the au-*
6 *thority to nominate the area of designation under this*
7 *section;*

8 *(2) such entities provide written assurances sat-*
9 *isfactory to the Secretary that the competitiveness*
10 *plan described in the application under subsection (e)*
11 *for such area will be implemented and that such enti-*
12 *ties will provide the Secretary with such data regard-*
13 *ing the economic conditions of the area (before, dur-*
14 *ing, and after the area's period of designation as a*
15 *Tribal Promise Zone) as such Secretary may require;*
16 *and*

17 *(3) the Secretary determines that any informa-*
18 *tion furnished is reasonably accurate.*

19 *(e) APPLICATION.—No area may be designated under*
20 *this section unless the application for such designation—*

21 *(1) demonstrates that the nominated zone satis-*
22 *fies the eligibility criteria described in subsection (a);*
23 *and*

24 *(2) includes a competitiveness plan that—*

1 (A) addresses the need of the nominated
2 zone to attract investment and jobs and improve
3 educational opportunities;

4 (B) leverages the nominated zone's economic
5 strengths and outlines targeted investments to de-
6 velop competitive advantages;

7 (C) demonstrates collaboration across a
8 wide range of stakeholders;

9 (D) outlines a strategy that connects the
10 nominated zone to drivers of regional economic
11 growth; and

12 (E) proposes a strategy for focusing on in-
13 creased access to high quality affordable housing
14 and improved public safety.

15 (f) *SELECTION CRITERIA.*—

16 (1) *IN GENERAL.*—From among the nominated
17 zones eligible for designation under this section, the
18 Secretary shall designate Tribal Promise Zones on the
19 basis of—

20 (A) the effectiveness of the competitiveness
21 plan submitted under subsection (e) and the as-
22 surances made under subsection (d);

23 (B) unemployment rates, poverty rates, va-
24 cancy rates, crime rates, and such other factors
25 as the Secretary may identify, including house-

1 *hold income, labor force participation, and edu-*
2 *cational attainment; and*

3 *(C) other criteria as determined by the Sec-*
4 *retary.*

5 (2) *MINIMAL STANDARDS.—The Secretary may*
6 *set minimal standards for the levels of unemployment*
7 *and poverty that must be satisfied for designation as*
8 *a Tribal Promise Zone.*

9 (g) *COMPETITIVE ENHANCEMENT IN FEDERAL*
10 *AWARDS TO TRIBAL PROMISE ZONES.—Notwithstanding*
11 *any other provision of law, each Federal grant program,*
12 *technical assistance, and capacity-building competitive*
13 *funding application opportunity, made available under*
14 *any appropriations law in effect for a year in which the*
15 *designation of a Tribal Promise Zones is in effect, shall*
16 *provide preference points or priority special consideration*
17 *to each application which advances the specific objectives*
18 *of a Tribal Promise Zones competitiveness plan described*
19 *in subsection (e) if the project or activity to be funded in-*
20 *cludes specific and definable services or benefits that will*
21 *be delivered to residents of a Tribal Economic Opportunity*
22 *Area.*

23 **SEC. 12516. PRECISION AGRICULTURE CONNECTIVITY.**

24 (a) *FINDINGS.—Congress finds the following:*

1 (1) *Precision agriculture technologies and prac-*
2 *tices allow farmers to significantly increase crop*
3 *yields, eliminate overlap in operations, and reduce*
4 *inputs such as seed, fertilizer, pesticides, water, and*
5 *fuel.*

6 (2) *These technologies allow farmers to collect*
7 *data in real time about their fields, automate field*
8 *management, and maximize resources.*

9 (3) *Studies estimate that precision agriculture*
10 *technologies can reduce agricultural operation costs*
11 *by up to 25 dollars per acre and increase farm yields*
12 *by up to 70 percent by 2050.*

13 (4) *The critical cost savings and productivity*
14 *benefits of precision agriculture cannot be realized*
15 *without the availability of reliable broadband Internet*
16 *access service delivered to the agricultural land of the*
17 *United States.*

18 (5) *The deployment of broadband Internet access*
19 *service to unserved agricultural land is critical to the*
20 *United States economy and to the continued leader-*
21 *ship of the United States in global food production.*

22 (6) *Despite the growing demand for broadband*
23 *Internet access service on agricultural land,*
24 *broadband Internet access service is not consistently*
25 *available where needed for agricultural operations.*

1 (7) *The Federal Communications Commission*
2 *has an important role to play in the deployment of*
3 *broadband Internet access service on unserved agricul-*
4 *tural land to promote precision agriculture.*

5 (b) *TASK FORCE.*—

6 (1) *DEFINITIONS.*—*In this subsection—*

7 (A) *the term “broadband Internet access*
8 *service” has the meaning given the term in sec-*
9 *tion 8.2 of title 47, Code of Federal Regulations,*
10 *or any successor regulation;*

11 (B) *the term “Commission” means the Fed-*
12 *eral Communications Commission;*

13 (C) *the term “Department” means the De-*
14 *partment of Agriculture; and*

15 (D) *the term “Task Force” means the Task*
16 *Force for Reviewing the Connectivity and Tech-*
17 *nology Needs of Precision Agriculture in the*
18 *United States established under paragraph (2).*

19 (2) *ESTABLISHMENT.*—*Not later than 1 year*
20 *after the date of enactment of this Act, the Commis-*
21 *sion shall establish the Task Force for Reviewing the*
22 *Connectivity and Technology Needs of Precision Agri-*
23 *culture in the United States.*

24 (3) *DUTIES.*—

1 (A) *IN GENERAL.*—*The Task Force shall*
2 *consult with the Secretary, or a designee of the*
3 *Secretary, and collaborate with public and pri-*
4 *vate stakeholders in the agriculture and tech-*
5 *nology fields to—*

6 (i) *identify and measure current gaps*
7 *in the availability of broadband Internet*
8 *access service on agricultural land;*

9 (ii) *develop policy recommendations to*
10 *promote the rapid, expanded deployment of*
11 *broadband Internet access service on*
12 *unserved agricultural land, with a goal of*
13 *achieving reliable capabilities on 95 percent*
14 *of agricultural land in the United States by*
15 *2025;*

16 (iii) *promote effective policy and regu-*
17 *latory solutions that encourage the adoption*
18 *of broadband Internet access service on*
19 *farms and ranches and promote precision*
20 *agriculture;*

21 (iv) *recommend specific new rules or*
22 *amendments to existing rules of the Com-*
23 *mission that the Commission should issue to*
24 *achieve the goals and purposes of the policy*
25 *recommendations described in clause (ii);*

1 (v) recommend specific steps that the
2 Commission should take to obtain reliable
3 and standardized data measurements of the
4 availability of broadband Internet access
5 service as may be necessary to target fund-
6 ing support, from future programs of the
7 Commission dedicated to the deployment of
8 broadband Internet access service, to
9 unserved agricultural land in need of
10 broadband Internet access service; and

11 (vi) recommend specific steps that the
12 Commission should consider to ensure that
13 the expertise of the Secretary and available
14 farm data are reflected in future programs
15 of the Commission dedicated to the infra-
16 structure deployment of broadband Internet
17 access service and to direct available fund-
18 ing to unserved agricultural land where
19 needed.

20 (B) *NO DUPLICATE DATA REPORTING.*—In
21 performing the duties of the Commission under
22 subparagraph (A), the Commission shall ensure
23 that no provider of broadband Internet access
24 service is required to report data to the Commis-
25 sion that is, on the day before the date of enact-

1 *ment of this Act, required to be reported by the*
2 *provider of broadband Internet access service.*

3 (C) *HOLD HARMLESS.—The Task Force and*
4 *the Commission shall not interpret the phrase*
5 *“future programs of the Commission”, as used in*
6 *clauses (v) and (vi) of subparagraph (A), to in-*
7 *clude the universal service programs of the Com-*
8 *mission established under section 254 of the*
9 *Communications Act of 1934 (47 U.S.C. 254).*

10 (D) *CONSULTATION.—The Secretary, or a*
11 *designee of the Secretary, shall explain and make*
12 *available to the Task Force the expertise, data*
13 *mapping information, and resources of the De-*
14 *partment that the Department uses to identify*
15 *cropland, rangeland, and other areas with agri-*
16 *cultural operations that may be helpful in devel-*
17 *oping the recommendations required under sub-*
18 *paragraph (A).*

19 (E) *LIST OF AVAILABLE FEDERAL PRO-*
20 *GRAMS AND RESOURCES.—Not later than 180*
21 *days after the date of enactment of this Act, the*
22 *Secretary and the Commission shall jointly sub-*
23 *mit to the Task Force a list of all Federal pro-*
24 *grams or resources available for the expansion of*
25 *broadband Internet access service on unserved*

1 *agricultural land to assist the Task Force in car-*
2 *rying out the duties of the Task Force.*

3 (4) *MEMBERSHIP.*—

4 (A) *IN GENERAL.*—*The Task Force shall*
5 *be—*

6 (i) *composed of not more than 15 vot-*
7 *ing members who shall—*

8 (I) *be selected by the Chairman of*
9 *the Commission; and*

10 (II) *include—*

11 (aa) *agricultural producers*
12 *representing diverse geographic*
13 *regions and farm sizes, including*
14 *owners and operators of farms of*
15 *less than 100 acres;*

16 (bb) *an agricultural producer*
17 *representing tribal agriculture;*

18 (cc) *Internet service pro-*
19 *viders, including regional or rural*
20 *fixed and mobile broadband Inter-*
21 *net access service providers and*
22 *telecommunications infrastructure*
23 *providers;*

24 (dd) *representatives from the*
25 *electric cooperative industry;*

1 (ee) representatives from the
2 satellite industry;

3 (ff) representatives from pre-
4 cision agriculture equipment
5 manufacturers, including drone
6 manufacturers, manufacturers of
7 autonomous agricultural machin-
8 ery, and manufacturers of farm-
9 ing robotics technologies; and

10 (gg) representatives from
11 State and local governments; and

12 (ii) fairly balanced in terms of tech-
13 nologies, points of view, and fields rep-
14 resented on the Task Force.

15 (B) PERIOD OF APPOINTMENT; VACAN-
16 CIES.—

17 (i) IN GENERAL.—A member of the
18 Committee appointed under subparagraph
19 (A)(i) shall serve for a single term of 2
20 years.

21 (ii) VACANCIES.—Any vacancy in the
22 Task Force—

23 (I) shall not affect the powers of
24 the Task Force; and

1 (II) shall be filled in the same
2 manner as the original appointment.

3 (C) *EX-OFFICIO MEMBER*.—The Secretary,
4 or a designee of the Secretary, shall serve as an
5 *ex-officio*, nonvoting member of the Task Force.

6 (5) *REPORTS*.—Not later than 1 year after the
7 date on which the Commission establishes the Task
8 Force, and annually thereafter, the Task Force shall
9 submit to the Chairman of the Commission a report,
10 which shall be made public not later than 30 days
11 after the date on which the Chairman receives the re-
12 port, that details—

13 (A) the status of fixed and mobile
14 broadband Internet access service coverage of ag-
15 ricultural land;

16 (B) the projected future connectivity needs
17 of agricultural operations, farmers, and ranch-
18 ers; and

19 (C) the steps being taken to accurately
20 measure the availability of broadband Internet
21 access service on agricultural land and the limi-
22 tations of current, as of the date of the report,
23 measurement processes.

1 (6) *TERMINATION.*—*The Commission shall renew*
2 *the Task Force every 2 years until the Task Force ter-*
3 *minates on January 1, 2025.*

4 **SEC. 12517. IMPROVED SOIL MOISTURE AND PRECIPITA-**
5 **TION MONITORING.**

6 (a) *IMPROVED SOIL MOISTURE MONITORING.*—

7 (1) *IN GENERAL.*—*Not later than 1 year after*
8 *the date of enactment of this Act, the Secretary shall*
9 *develop and implement a strategy to improve the ac-*
10 *curacy of the United States Drought Monitor through*
11 *increased geographic resolution of rural in-situ soil*
12 *moisture profile observation or other soil moisture*
13 *profile measuring devices, as the Secretary considers*
14 *appropriate.*

15 (2) *IMPLEMENTATION.*—

16 (A) *IN GENERAL.*—*In implementing the*
17 *strategy required by paragraph (1), the Sec-*
18 *retary shall prioritize adding soil moisture pro-*
19 *file stations in States described in subparagraph*
20 *(B) so that the number of drought monitoring*
21 *stations is increased to an average of 1 soil mois-*
22 *ture profile station per 1,250 square miles in*
23 *each State described in subparagraph (B) or by*
24 *50 stations in each State described in subpara-*
25 *graph (B), whichever is less.*

1 (B) *STATES DESCRIBED.*—*A State described*
2 *in this paragraph is a State that has experi-*
3 *enced D3 (extreme drought) or D4 (exceptional*
4 *drought) (as defined by the United States*
5 *Drought Monitor) within any 6 months during*
6 *the period beginning on January 1, 2016, and*
7 *ending on the date of the enactment of this Act.*

8 (3) *COORDINATION.*—*In carrying out this sub-*
9 *section, the Secretary may coordinate with other Fed-*
10 *eral agencies, State and local governments, and non-*
11 *Federal entities that collaborate with the United*
12 *States Drought Monitor.*

13 (4) *COST-EFFECTIVENESS.*—*In carrying out this*
14 *subsection, the Secretary shall consider cost-effective*
15 *solutions to maximize the efficiency and accuracy of*
16 *the United States Drought Monitor.*

17 (5) *AUTHORIZATION OF APPROPRIATIONS.*—
18 *There is authorized to be appropriated to the Sec-*
19 *retary \$5,000,000 for each of fiscal years 2019*
20 *through 2023 to carry out this subsection.*

21 (b) *STANDARDS FOR INTEGRATING CITIZEN SCIENCE*
22 *INTO DROUGHT MODELS.*—

23 (1) *IN GENERAL.*—*Not later than 1 year after*
24 *the date of enactment of this Act, the Secretary*
25 *shall—*

1 (A) develop a set of standards for integra-
2 tion of data derived from citizen science (as de-
3 fined in the Crowdsourcing and Citizen Science
4 Act (15 U.S.C. 3724)) into the United States
5 Drought Monitor models, including data relating
6 to—

7 (i) location and spacing of monitoring
8 stations;

9 (ii) data quality standards;

10 (iii) incorporation of data from com-
11 mercially available weather stations;

12 (iv) standardized procedures for auton-
13 omous integration of data;

14 (v) streamlining of data entry methods;

15 and

16 (vi) reasonable metadata fields; and

17 (B) develop a set of consistent standards for
18 soil moisture data collection based on equipment
19 that is readily available, including standards re-
20 lating to—

21 (i) acceptable error ranges;

22 (ii) sensor installation procedures;

23 (iii) manufacturers of soil moisture
24 probes;

25 (iv) calibration methodology;

1 (v) metadata fields; and

2 (vi) soil descriptions.

3 (2) *INCLUSION OF DATA FROM COOPERATIVE OB-*
4 *SERVER PROGRAM.—For purposes of paragraph*
5 *(1)(A), data derived from citizen science includes*
6 *data from the Cooperative Observer Program of the*
7 *National Weather Service.*

8 (c) *REQUIREMENT FOR ELEMENTS OF DEPARTMENT*
9 *OF AGRICULTURE TO USE THE SAME MONITORING*
10 *DATA.—*

11 (1) *IN GENERAL.—To be consistent with assist-*
12 *ance provided under the livestock forage disaster pro-*
13 *gram established under section 1501(c) of the Agricul-*
14 *tural Act of 2014 (7 U.S.C. 9081(c)) and a policy or*
15 *plan of insurance established under the Federal Crop*
16 *Insurance Act (7 U.S.C. 1501 et seq.) for producers*
17 *of livestock commodities the source of feedstock of*
18 *which is pasture, rangeland, and forage, and the an-*
19 *nuual establishment of grazing rates, as applicable, on*
20 *Forest Service grasslands and other applicable land,*
21 *the Secretary shall use the United States Drought*
22 *Monitor, in-situ soil moisture profile monitoring sta-*
23 *tions described in subsection (a), data from the Coop-*
24 *erative Observer Program described in subsection*
25 *(b)(2), and any other applicable data to determine*

1 *and establish grazing loss assistance and grazing*
2 *rates, as applicable.*

3 (2) *COORDINATION.*—*In carrying out this sub-*
4 *section, the Secretary may coordinate with—*

5 (A) *other Federal agencies, State and local*
6 *governments, and non-Federal entities that col-*
7 *laborate with the United States Drought Mon-*
8 *itor; and*

9 (B) *other Federal and non-Federal entities*
10 *involved in collecting data on precipitation and*
11 *soil monitoring.*

12 (3) *COST-EFFECTIVENESS.*—*In carrying out this*
13 *subsection, the Secretary shall consider cost-effective*
14 *solutions to maximize the efficiency and accuracy of*
15 *the data utilized to determine eligibility for assistance*
16 *under the programs specified in paragraph (1).*

17 **SEC. 12518. STUDY OF MARKETPLACE FRAUD OF TRADI-**
18 **TIONAL FOODS AND TRIBAL SEEDS.**

19 (a) *IN GENERAL.*—*Not later than 1 year after the date*
20 *of enactment of this Act, the Comptroller General of the*
21 *United States shall conduct a study on—*

22 (1) *the market impact of traditional foods, Trib-*
23 *ally produced products, and products that use tradi-*
24 *tional foods;*

1 (2) *fraudulent foods that mimic traditional foods*
2 *or Tribal seeds that are available in the commercial*
3 *marketplace as of the date of enactment of this Act;*

4 (3) *the means by which authentic traditional*
5 *foods and Tribally produced foods might be protected*
6 *against the impact of fraudulent foods in the market-*
7 *place; and*

8 (4) *the availability and long-term viability of*
9 *Tribal seeds, including an analysis of the storage, cul-*
10 *tivation, harvesting, and commercialization of Tribal*
11 *seeds.*

12 (b) *INCLUSIONS.*—*The study conducted under sub-*
13 *section (a) shall include—*

14 (1) *a consideration of the circumstances under*
15 *which fraudulent foods in the marketplace occur; and*

16 (2) *an analysis of Federal laws, including intel-*
17 *lectual property laws and trademark laws, that might*
18 *offer protections for Tribal seeds and traditional foods*
19 *and against fraudulent foods.*

20 (c) *REPORT.*—*Not later than 60 days after the date*
21 *of completion of the study, the Comptroller General of the*
22 *United States shall submit a report describing the results*
23 *of the study under this section to—*

24 (1) *the Committee on Agriculture of the House of*
25 *Representatives;*

1 (2) *the Committee on the Judiciary of the House*
2 *of Representatives;*

3 (3) *the Committee on Agriculture, Nutrition, and*
4 *Forestry of the Senate;*

5 (4) *the Committee on the Judiciary of the Sen-*
6 *ate; and*

7 (5) *the Committee on Indian Affairs of the Sen-*
8 *ate.*

9 (d) *PRIVACY OF INFORMATION.—Notwithstanding any*
10 *other provision of law, the Comptroller General of the*
11 *United States shall protect sensitive Tribal information*
12 *gained through the study conducted under subsection (a),*
13 *including information about Indian sacred places.*

14 **SEC. 12519. DAIRY BUSINESS INNOVATION INITIATIVES.**

15 (a) *DEFINITIONS.—In this section:*

16 (1) *DAIRY BUSINESS.—The term “dairy busi-*
17 *ness” means a business that develops, produces, mar-*
18 *kets, or distributes dairy products.*

19 (2) *INITIATIVE.—The term “initiative” means a*
20 *dairy product and business innovation initiative es-*
21 *tablished under subsection (b).*

22 (b) *ESTABLISHMENT.—The Secretary, acting through*
23 *the Administrator of the Agricultural Marketing Service,*
24 *shall establish not less than 3 regionally located dairy prod-*

1 *uct and business innovation initiatives for the purposes*
2 *of—*

3 (1) *encouraging the use of regional milk produc-*
4 *tion;*

5 (2) *creating higher-value uses for dairy products;*

6 (3) *promoting business development that diversi-*
7 *fies farmer income through processing and marketing*
8 *innovation;*

9 (4) *diversifying dairy product markets to reduce*
10 *risk; and*

11 (5) *leveraging Federal resources by encouraging*
12 *entities that host initiatives and partners of those en-*
13 *tities to provide matching funds.*

14 *(c) SELECTION OF INITIATIVES.—An initiative—*

15 (1) *shall be located in a region with a history of*
16 *dairy farming;*

17 (2) *shall be positioned to draw on existing dairy*
18 *industry resources, including research capacity, aca-*
19 *ademic and industry expertise, a density of dairy*
20 *farms or farmland suitable for dairying, and dairy*
21 *businesses;*

22 (3) *may serve a certain product niche, such as*
23 *artisanal cheese, or serve dairy businesses with dairy*
24 *products derived from a specific type of dairy animal,*

1 *including dairy products made from cow milk, sheep*
2 *milk, and goat milk; and*

3 *(4) shall serve dairy businesses in other regions.*

4 *(d) ENTITIES ELIGIBLE TO HOST INITIATIVE.—*

5 *(1) IN GENERAL.—Any of the following entities*
6 *may submit to the Secretary an application to host*
7 *an initiative:*

8 *(A) A State department of agriculture or*
9 *other State entity.*

10 *(B) A nonprofit entity with capacity to*
11 *provide consultation, expertise, and grant dis-*
12 *tribution and tracking.*

13 *(C) An institution of higher education.*

14 *(D) A cooperative extension service.*

15 *(2) PARTNERS.—An entity described in para-*
16 *graph (1) may establish partners prior to the submis-*
17 *sion of the application under that paragraph, or add*
18 *partners in consultation with the Secretary, which*
19 *may include organizations or entities with expertise*
20 *or experience in dairy, including the marketing, re-*
21 *search, education, or promotion of dairy.*

22 *(e) ACTIVITIES OF INITIATIVES.—*

23 *(1) DIRECT ASSISTANCE TO DAIRY BUSI-*
24 *NESSES.—An initiative shall provide nonmonetary*

1 *assistance to dairy businesses in accordance with the*
2 *following:*

3 (A) *PROVISION OF DIRECT ASSISTANCE.—*
4 *Assistance may be provided directly to dairy*
5 *businesses in a private consultation or through*
6 *widely available distribution, and may be pro-*
7 *vided—*

8 (i) *directly by the entity that hosts the*
9 *initiative under subsection (d)(1);*

10 (ii) *through contracting with industry*
11 *experts;*

12 (iii) *through the provision of technical*
13 *assistance, such as informational websites,*
14 *webinars, conferences, trainings, plant*
15 *tours, and field days; and*

16 (iv) *through research institutions, in-*
17 *cluding cooperative extension services.*

18 (B) *TYPES OF ASSISTANCE.—Eligible forms*
19 *of assistance include—*

20 (i) *business consulting, including busi-*
21 *ness plan development for processed dairy*
22 *products;*

23 (ii) *accounting and financial literacy*
24 *training;*

25 (iii) *market evaluation;*

- 1 (iv) *strategic planning assistance;*
2 (v) *product innovation, including re-*
3 *lating to value-added products;*
4 (vi) *marketing and branding assist-*
5 *ance, including market messaging, con-*
6 *sumer assessments, and evaluation of re-*
7 *gional, national, and international markets;*
8 (vii) *innovation in emerging market*
9 *opportunities, including agritourism, and*
10 *marketing communication methods;*
11 (viii) *packaging, distribution, and*
12 *supply chain innovation;*
13 (ix) *dairy product production train-*
14 *ing, including in new, rare, or innovative*
15 *techniques;*
16 (x) *innovation in byproduct reprocess-*
17 *ing and use maximization; and*
18 (xi) *other non-monetary assistance, as*
19 *determined by the Secretary.*

20 (2) *GRANTS TO DAIRY BUSINESSES.—*

21 (A) *IN GENERAL.—An initiative shall pro-*
22 *vide grants for new and existing dairy businesses*
23 *for the purposes of—*

- 24 (i) *modernization, specialization, and*
25 *grazing transition on dairy farms;*

1 (ii) *value chain and commodity inno-*
2 *vation and facility and process updates for*
3 *dairy processors; and*

4 (iii) *product development, packaging,*
5 *and marketing of dairy products.*

6 (B) *GRANTS.—An initiative shall provide*
7 *grants under subparagraph (A)—*

8 (i) *on a competitive basis, with oppor-*
9 *tunities to apply for funding available on a*
10 *rolling basis; and*

11 (ii) *to an entity that receives assist-*
12 *ance under paragraph (1) to advance the*
13 *business activities recommended as a result*
14 *of that assistance.*

15 (C) *CONSULTATION.—An entity that hosts*
16 *an initiative shall consult with the Secretary*
17 *and the Administrator of the Agricultural Mar-*
18 *keting Service in carrying out the initiative.*

19 (D) *CONFLICT OF INTEREST.—*

20 (i) *IN GENERAL.—The Secretary shall*
21 *establish guidelines and procedures to pre-*
22 *vent any conflict of interest or the appear-*
23 *ance of a conflict of interest by an initiative*
24 *(including a partner of the initiative) dur-*

1 *ing the grant selection process under sub-*
2 *paragraph (B)(i).*

3 *(ii) PENALTY.—The Secretary may*
4 *suspend or terminate an initiative if the*
5 *initiative or a partner of the initiative is*
6 *found to be in violation of the guidelines*
7 *and procedures established under clause (i).*

8 *(f) DISTRIBUTION OF FUNDS.—*

9 *(1) IN GENERAL.—Of the funds made available*
10 *to carry out this section, the Secretary shall provide*
11 *not less than 3 awards to eligible entities described in*
12 *subsection (d)(1) for the purposes of carrying out the*
13 *activities under subsection (e).*

14 *(2) MULTIYEAR FUNDING.—The Secretary is en-*
15 *couraged—*

16 *(A) to award funds under paragraph (1) in*
17 *multiyear funding allocations; and*

18 *(B) to require frequent reporting, as appro-*
19 *priate.*

20 *(3) USE OF FUNDS.—*

21 *(A) IN GENERAL.—The funds awarded to*
22 *an eligible entity under paragraph (1) may be*
23 *used—*

24 *(i) for program administration of an*
25 *initiative, including staff costs; and*

1 (ii) for workshops or other informa-
2 tional sessions that—

3 (I) directly benefit dairy busi-
4 nesses and entrepreneurs; or

5 (II) enhance the capacity of pro-
6 viders of technical assistance to dairy
7 businesses.

8 (B) *ALLOCATION*.—Not less than 50 percent
9 of the funds made available under subsection (h)
10 shall be allocated to grants under subsection
11 (e)(2).

12 (4) *PRIORITY*.—An entity hosting an initiative
13 shall give priority to the provision of direct assistance
14 under subsection (e)(1) and grants under subsection
15 (e)(2) to—

16 (A) dairy farms and dairy businesses with
17 limited access to other forms of assistance;

18 (B) employee-owned dairy businesses;

19 (C) cooperatives;

20 (D) dairy businesses that establish con-
21 tracting mechanisms that return profits to farm-
22 ers who supply their milk;

23 (E) dairy businesses that, in addition to
24 salary and wage compensation, return profits to
25 employees; and

1 (F) *dairy businesses that seek to create*
2 *dairy products that add substantial value in*
3 *processing or marketing, such as specialty*
4 *cheeses.*

5 (5) *REQUIREMENT.*—*In the case of direct assist-*
6 *ance under subsection (e)(1) or a grant under sub-*
7 *section (e)(2) that is provided to a specific dairy busi-*
8 *ness and does not benefit the general public, as deter-*
9 *mined by the Secretary, the assistance or grant shall*
10 *exclusively be available to dairy businesses owned in*
11 *the United States.*

12 (6) *SUPPLEMENTATION.*—*To the extent prac-*
13 *ticable, the Secretary shall ensure that funds provided*
14 *to an initiative supplement, and do not duplicate or*
15 *replace, existing dairy product research, development,*
16 *and promotion activities.*

17 (g) *REPORTING.*—

18 (1) *IN GENERAL.*—*Not later than 1 year after*
19 *the date of enactment of this Act, the Secretary shall*
20 *submit to Congress a report describing the implemen-*
21 *tation of this section.*

22 (2) *INNOVATION REPORTS.*—*The Secretary, in*
23 *coordination with the Chief Economist, shall publish*
24 *an annual report on the impact of initiatives carried*
25 *out under this section on—*

- 1 (A) *innovation in dairy products;*
2 (B) *product development under the program*
3 *under this section;*
4 (C) *growth areas for dairy product develop-*
5 *ment; and*
6 (D) *barriers inhibiting majority member-*
7 *owned domestic dairy firms from—*
8 (i) *updating capacity;*
9 (ii) *performing competitively in the*
10 *marketplace; and*
11 (iii) *returning gains to members or re-*
12 *investing the gains in ways that benefit the*
13 *long-term financial stability of the majority*
14 *member-owned domestic dairy firm and the*
15 *members of that firm.*

16 (h) *AUTHORIZATION OF APPROPRIATIONS.—There is*
17 *authorized to be appropriated to carry out this section*
18 *\$20,000,000 for each fiscal year.*

19 **SEC. 12520. REPORT ON FUNDING FOR THE NATIONAL IN-**
20 **STITUTE OF FOOD AND AGRICULTURE AND**
21 **OTHER EXTENSION PROGRAMS.**

22 (a) *IN GENERAL.—Not later than 2 years after the*
23 *date on which the census of agriculture required to be con-*
24 *ducted in calendar year 2017 under section 2 of the Census*
25 *of Agriculture Act of 1997 (7 U.S.C. 2204g) is released, the*

1 *Secretary shall submit to the Committee on Agriculture of*
2 *the House of Representatives and the Committee on Agri-*
3 *culture, Nutrition, and Forestry of the Senate a report that*
4 *describes the funding necessary to adequately address the*
5 *needs of the National Institute of Food and Agriculture, ac-*
6 *tivities carried out under the Smith-Lever Act (7 U.S.C.*
7 *341 et seq.), and research and extension programs carried*
8 *out at an 1890 Institution (as defined in section 2 of the*
9 *Agricultural Research, Extension, and Education Reform*
10 *Act of 1998 (7 U.S.C. 7601)) or an institution designated*
11 *under the Act of July 2, 1862 (commonly known as the*
12 *“First Morrill Act”) (12 Stat. 503, chapter 130; 7 U.S.C.*
13 *301 et seq.), to provide adequate services for the growth and*
14 *development of the economies of rural communities based*
15 *on the changing demographic in the rural and farming*
16 *communities in the various States.*

17 **(b) REQUIREMENTS.**—*In preparing the report under*
18 *subsection (a), the Secretary shall focus on the funding*
19 *needs of the programs described in subsection (a) with re-*
20 *spect to carrying out activities relating to small and diverse*
21 *farms and ranches, veteran farmers and ranchers, value-*
22 *added agriculture, direct-to-consumer sales, and specialty*
23 *crops.*

1 **SEC. 12521. PROHIBITION ON SLAUGHTER OF DOGS AND**
2 **CATS FOR HUMAN CONSUMPTION.**

3 (a) *IN GENERAL.*—*Except as provided in subsection*
4 *(c), no person may—*

5 (1) *knowingly slaughter a dog or cat for human*
6 *consumption; or*

7 (2) *knowingly ship, transport, move, deliver, re-*
8 *ceive, possess, purchase, sell, or donate—*

9 (A) *a dog or cat to be slaughtered for*
10 *human consumption; or*

11 (B) *a dog or cat part for human consump-*
12 *tion.*

13 (b) *SCOPE.*—*Subsection (a) shall apply only with re-*
14 *spect to conduct—*

15 (1) *in interstate commerce or foreign commerce;*
16 *or*

17 (2) *within the special maritime and territorial*
18 *jurisdiction of the United States.*

19 (c) *EXCEPTION FOR INDIAN TRIBES.*—*The prohibition*
20 *in subsection (a) shall not apply to an Indian (as defined*
21 *in section 4 of the Indian Self-Determination and Edu-*
22 *cation Assistance Act (25 U.S.C. 5304)) carrying out any*
23 *activity described in subsection (a) for the purpose of a reli-*
24 *gious ceremony.*

1 (d) *PENALTY.*—Any person who violates subsection (a)
2 shall be subject to a fine in an amount not greater than
3 \$5,000 for each violation.

4 (e) *EFFECT ON STATE LAW.*—Nothing in this sec-
5 tion—

6 (1) limits any State or local law or regulation
7 protecting the welfare of animals; or

8 (2) prevents a State or unit of local government
9 from adopting and enforcing an animal welfare law
10 or regulation that is more stringent than this section.

11 **Subtitle F—General Provisions**

12 **SEC. 12601. EXPEDITED EXPORTATION OF CERTAIN SPE-** 13 **CIES.**

14 (a) *IN GENERAL.*—Not later than 180 days after the
15 date of enactment of this Act, the Director of the United
16 States Fish and Wildlife Service (referred to in this section
17 as the “Director”) shall issue a proposed rule to amend sec-
18 tion 14.92 of title 50, Code of Federal Regulations, to estab-
19 lish expedited procedures relating to the export permission
20 requirements of section 9(d)(1) of the Endangered Species
21 Act of 1973 (16 U.S.C. 1538(d)(1)) for fish or wildlife de-
22 scribed in subsection (c).

23 (b) *EXEMPTIONS.*—

24 (1) *IN GENERAL.*—As part of the rulemaking
25 under subsection (a), subject to paragraph (2), the Di-

1 *rector may provide an exemption from the require-*
2 *ment to procure—*

3 *(A) permission under section 9(d)(1) of the*
4 *Endangered Species Act of 1973 (16 U.S.C.*
5 *1538(d)(1)); or*

6 *(B) an export license under subpart I of*
7 *part 14 of title 50, Code of Federal Regulations.*

8 (2) *LIMITATIONS.—The Director shall not pro-*
9 *vide an exemption under paragraph (1)—*

10 *(A) unless the Director determines that the*
11 *exemption will not have a negative impact on*
12 *the conservation of the species that is the subject*
13 *of the exemption; or*

14 *(B) to an entity that has been convicted of*
15 *a violation of a Federal law relating to the im-*
16 *portation, transportation, or exportation of wild-*
17 *life during a period of not less than 5 years end-*
18 *ing on the date on which the entity applies for*
19 *exemption under paragraph (1).*

20 (c) *COVERED FISH OR WILDLIFE.—The fish or wildlife*
21 *referred to in subsection (a) are the species commonly*
22 *known as sea urchins and sea cucumbers (including any*
23 *product of a sea urchin or sea cucumber) that—*

24 *(1) do not require a permit under part 16, 17,*
25 *or 23 of title 50, Code of Federal Regulations;*

1 (2) *are harvested in waters under the jurisdic-*
2 *tion of the United States; and*

3 (3) *are exported for purposes of human or ani-*
4 *mal consumption.*

5 **SEC. 12602. BAITING OF MIGRATORY GAME BIRDS.**

6 (a) *DEFINITIONS.—In this section:*

7 (1) *NORMAL AGRICULTURAL OPERATION.—The*
8 *term “normal agricultural operation” has the mean-*
9 *ing given the term in section 20.11 of title 50, Code*
10 *of Federal Regulations (as in effect on the date of en-*
11 *actment of this Act).*

12 (2) *POST-DISASTER FLOODING.—The term “post-*
13 *disaster flooding” means the destruction of a crop*
14 *through flooding in accordance with practices re-*
15 *quired by the Federal Crop Insurance Corporation for*
16 *agricultural producers to obtain crop insurance under*
17 *the Federal Crop Insurance Act (7 U.S.C. 1501 et*
18 *seq.) on land on which a crop was not harvestable due*
19 *to a natural disaster (including any hurricane,*
20 *storm, tornado, flood, high water, wind-driven water,*
21 *tidal wave, tsunami, earthquake, volcanic eruption,*
22 *landslide, mudslide, drought, fire, snowstorm, or other*
23 *catastrophe that is declared a major disaster by the*
24 *President in accordance with section 401 of the Rob-*

1 *ert T. Stafford Disaster Relief and Emergency Assist-*
2 *ance Act (42 U.S.C. 5170)) in the crop year—*

3 *(A) in which the natural disaster occurred;*
4 *or*

5 *(B) immediately preceding the crop year in*
6 *which the natural disaster occurred.*

7 *(3) RICE RATOONING.—The term “rice*
8 *ratooning” means the agricultural practice of har-*
9 *vesting rice by cutting the majority of the above-*
10 *ground portion of the rice plant but leaving the roots*
11 *and growing shoot apices intact to allow the plant to*
12 *recover and produce a second crop yield.*

13 *(b) REGULATIONS TO EXCLUDE RICE RATOONING AND*
14 *POST-DISASTER FLOODING.—Not later than 30 days after*
15 *the date of enactment of this Act, the Secretary of the Inte-*
16 *rior, in consultation with the Secretary of Agriculture, shall*
17 *revise part 20 of title 50, Code of Federal Regulations, to*
18 *clarify that rice ratooning and post-disaster flooding, when*
19 *carried out as part of a normal agricultural operation, do*
20 *not constitute baiting.*

21 *(c) REPORTS.—Not less frequently than once each*
22 *year, the Secretary of Agriculture shall—*

23 *(1) submit to the Secretary of the Interior a re-*
24 *port that describes any changes to normal agricul-*
25 *tural operations across the range of crops grown by*

1 *agricultural producers in each region of the United*
2 *States in which the official recommendations de-*
3 *scribed in section 20.11(h) of title 50, Code of Federal*
4 *Regulations (as in effect on the date of enactment of*
5 *this Act), are provided to agricultural producers; and*

6 *(2) in consultation with the Secretary of the In-*
7 *terior and after seeking input from the heads of State*
8 *departments of fish and wildlife or the Regional Mi-*
9 *gratory Bird Flyway Councils of the United States*
10 *Fish and Wildlife Service, publicly post a report on*
11 *the impact that rice ratooning and post-disaster*
12 *flooding have on the behavior of migratory game birds*
13 *that are hunted in the area in which rice ratooning*
14 *and post-disaster flooding, respectively, have occurred.*

15 **SEC. 12603. PIMA AGRICULTURE COTTON TRUST FUND.**

16 *Section 12314 of the Agricultural Act of 2014 (7*
17 *U.S.C. 2101 note; Public Law 113–79) is amended—*

18 *(1) by striking “2018” each place it appears and*
19 *inserting “2023”;*

20 *(2) by striking “calendar year 2013” each place*
21 *it appears and inserting “the prior calendar year”;*

22 *(3) in subsection (b)(2)—*

23 *(A) by redesignating subparagraphs (A)*
24 *and (B) as clauses (i) and (ii), respectively;*

1 (B) in the matter preceding clause (i) (as so
2 redesignated), by striking “(2) Twenty-five” and
3 inserting the following:

4 “(2)(A) Except as provided in subparagraph
5 (B), twenty-five”;

6 (C) in subparagraph (A)(ii) (as so des-
7 ignated), by striking “subparagraph (A)” and
8 inserting “clause (i)”; and

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

10 “(B)(i) A yarn spinner shall not receive an
11 amount under subparagraph (A) that exceeds the cost
12 of pima cotton that—

13 “(I) was purchased during the prior cal-
14 endar year; and

15 “(II) was used in spinning any cotton
16 yarns.

17 “(ii) The Secretary shall reallocate any amounts
18 reduced by reason of the limitation under clause (i)
19 to spinners using the ratio described in subparagraph
20 (A), disregarding production of any spinner subject to
21 that limitation.”;

22 (4) in subsection (c)—

23 (A) in the matter preceding paragraph (1),
24 by striking “(b)(2)(A)” and inserting
25 “(b)(2)(A)(i)”;

1 (B) in paragraph (2), by striking “and” at
2 the end;

3 (C) in paragraph (3), by striking the period
4 at the end and inserting “; and”; and

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

6 “(4) the dollar amount of pima cotton purchased
7 during the prior calendar year—

8 “(A) that was used in spinning any cotton
9 yarns; and

10 “(B) for which the producer maintains sup-
11 porting documentation.”;

12 (5) in subsection (e)—

13 (A) in the matter preceding paragraph (1),
14 by striking “by the Secretary—” and inserting
15 “by the Secretary not later than March 15 of the
16 applicable calendar year.”; and

17 (B) by striking paragraphs (1) and (2); and

18 (6) in subsection (f), by striking “subsection
19 (b)—” in the matter preceding paragraph (1) and all
20 that follows through “not later than” in paragraph
21 (2) and inserting “subsection (b) not later than”.

22 **SEC. 12604. AGRICULTURE WOOL APPAREL MANUFACTUR-**
23 **ERS TRUST FUND.**

24 Section 12315 of the Agricultural Act of 2014 (7
25 U.S.C. 7101 note; Public Law 113–79) is amended—

1 (1) by striking “2019” each place it appears and
2 inserting “2023”;

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (A)—

6 (I) in the matter preceding clause
7 (i), by striking “the payment—” and
8 inserting “the payment, payments in
9 amounts authorized under that para-
10 graph.”; and

11 (II) by striking clauses (i) and
12 (ii); and

13 (ii) in subparagraph (B)—

14 (I) in the matter preceding clause
15 (i), by striking “4002(c)—” and in-
16 serting “4002(c), payments in amounts
17 authorized under that paragraph.”;
18 and

19 (II) by striking clauses (i) and
20 (ii); and

21 (B) in paragraph (2), by striking “sub-
22 mitted—” in the matter preceding subparagraph
23 (A) and all that follows through “to the Sec-
24 retary” in subparagraph (B) and inserting “sub-
25 mitted to the Secretary”; and

1 (3) *in subsection (c)—*

2 (A) *in the matter preceding paragraph (1),*
3 *by striking “subsection (b)—” and inserting*
4 *“subsection (b) not later than April 15 of the*
5 *year of the payment.”; and*

6 (B) *by striking paragraphs (1) and (2).*

7 **SEC. 12605. WOOL RESEARCH AND PROMOTION.**

8 *Section 12316(a) of the Agricultural Act of 2014 (7*
9 *U.S.C. 7101 note; Public Law 113–79) is amended by strik-*
10 *ing “2015 through 2019” and inserting “2019 through*
11 *2023”.*

12 **SEC. 12606. EMERGENCY CITRUS DISEASE RESEARCH AND**
13 **DEVELOPMENT TRUST FUND.**

14 (a) *DEFINITION OF CITRUS.—In this section, the term*
15 *“citrus” means edible fruit of the family Rutaceae, includ-*
16 *ing any hybrid of that fruit and any product of that hybrid*
17 *that is produced for commercial purposes in the United*
18 *States.*

19 (b) *ESTABLISHMENT OF TRUST FUND.—There is es-*
20 *tablished in the Treasury of the United States a trust fund,*
21 *to be known as the “Emergency Citrus Disease Research*
22 *and Development Trust Fund” (referred to in this section*
23 *as the “Citrus Trust Fund”), consisting of such amounts*
24 *as shall be transferred to the Citrus Trust Fund pursuant*
25 *to subsection (d).*

1 (c) *DISTRIBUTION OF FUNDS.*—

2 (1) *IN GENERAL.*—*From amounts in the Citrus*
3 *Trust Fund, the Secretary shall make payments an-*
4 *nually beginning in fiscal year 2019 to—*

5 (A) *entities engaged in scientific research*
6 *and extension activities, technical assistance, or*
7 *development activities to combat domestic or*
8 *invasive citrus diseases and pests that pose im-*
9 *minent harm to the United States citrus produc-*
10 *tion and threaten the future viability of the cit-*
11 *rus industry, including huanglongbing and the*
12 *Asian Citrus Psyllid; and*

13 (B) *entities engaged in supporting the dis-*
14 *semination and commercialization of relevant*
15 *information, techniques, or technologies discov-*
16 *ered under research and extension activities*
17 *funded through—*

18 (i) *the Citrus Trust Fund; or*

19 (ii) *other research and extension*
20 *projects intended to solve problems caused*
21 *by citrus production diseases and invasive*
22 *pests.*

23 (2) *PRIORITY.*—*In making payments under*
24 *paragraph (1), the Secretary shall give priority to en-*
25 *tities that use the payments to address the research*

1 *and extension priorities established pursuant to sec-*
2 *tion 1408A(g)(4) of the National Agricultural Re-*
3 *search, Extension, and Teaching Policy Act of 1977*
4 *(7 U.S.C. 3123a(g)(4)).*

5 (3) *COORDINATION.*—*In determining how to dis-*
6 *tribute funds under paragraph (1), the Secretary*
7 *shall—*

8 (A) *seek input from Federal and State*
9 *agencies and other entities involved in citrus dis-*
10 *ease response; and*

11 (B) *take into account other public and pri-*
12 *vate citrus-related research and extension*
13 *projects and the funding for those projects.*

14 (4) *NONDUPLICATION.*—*The Secretary shall en-*
15 *sure that funds provided under paragraph (1) shall be*
16 *in addition to and not supplant funds made available*
17 *to carry out other citrus disease activities carried out*
18 *by the Department of Agriculture in consultation*
19 *with State agencies.*

20 (d) *FUNDING.*—*Of the funds of the Commodity Credit*
21 *Corporation, the Secretary shall transfer to the Citrus Trust*
22 *Fund \$25,000,000 for each of fiscal years 2019 through*
23 *2023, to remain available until expended.*

1 **SEC. 12607. EXTENSION OF MERCHANDISE PROCESSING**

2 **FEES.**

3 *Section 503 of the United States–Korea Free Trade*
4 *Agreement Implementation Act (Public Law 112–41; 19*
5 *U.S.C. 3805 note) is amended by striking “February 24,*
6 *2027” and inserting “May 26, 2027”.*

7 **SEC. 12608. CONFORMING CHANGES TO CONTROLLED SUB-**

8 **STANCES ACT.**

9 *(a) IN GENERAL.—Section 102(16) of the Controlled*
10 *Substances Act (21 U.S.C. 802(16)) is amended—*

11 *(1) by striking “(16) The” and inserting*

12 *“(16)(A) Subject to subparagraph (B), the”; and*

13 *(2) by striking “Such term does not include the”*
14 *and inserting the following:*

15 *“(B) The term ‘marihuana’ does not include—*

16 *“(i) hemp, as defined in section 297A of the Ag-*
17 *ricultural Marketing Act of 1946; or*

18 *“(ii) the”.*

19 *(b) TETRAHYDROCANNABINOL.—Schedule I, as set*
20 *forth in section 202(c) of the Controlled Substances Act (21*
21 *U.S.C. 812(c)), is amended in subsection (c)(17) by insert-*
22 *ing after “Tetrahydrocannabinols” the following: “, except*
23 *for tetrahydrocannabinols in hemp (as defined under sec-*
24 *tion 297A of the Agricultural Marketing Act of 1946)”.*

1 **SEC. 12609. NATIONAL FLOOD INSURANCE PROGRAM REAU-**
2 **THORIZATION.**

3 (a) *FINANCING.*—Section 1309(a) of the National
4 *Flood Insurance Act of 1968 (42 U.S.C. 4016(a))* is amend-
5 *ed by striking “September 30, 2017” and inserting “Janu-*
6 *ary 31, 2019”.*

7 (b) *PROGRAM EXPIRATION.*—Section 1319 of the Na-
8 *tional Flood Insurance Act of 1968 (42 U.S.C. 4026)* is
9 *amended by striking “September 30, 2017” and inserting*
10 *“January 31, 2019”.*

11 **SEC. 12610. EMERGENCY ASSISTANCE FOR LIVESTOCK,**
12 **HONEY BEES, AND FARM-RAISED FISH.**

13 *Section 1501(d)(2) of the Agricultural Act of 2014 (7*
14 *U.S.C. 9081(d)(2))* is amended by inserting “, including
15 *inspections of cattle tick fever” before the period at the end.*

16 **SEC. 12611. ADMINISTRATIVE UNITS.**

17 *Section 1117 of the Agricultural Act of 2014 (7 U.S.C.*
18 *9017) (as amended by section 1104(6))* is amended by add-
19 *ing at the end the following:*

20 “(i) *ADMINISTRATIVE UNITS.*—

21 “(1) *IN GENERAL.*—For purposes of agriculture
22 *risk coverage payments in the case of county coverage,*
23 *a county may be divided into not greater than 2 ad-*
24 *ministrative units in accordance with this subsection.*

1 “(2) *ELIGIBLE COUNTIES.*—A county that may
2 be divided into administrative units under this sub-
3 section is a county that—

4 “(A) is larger than 1,400 square miles;

5 “(B) is contained within a State that is
6 larger than 140,000 square miles; and

7 “(C) contains more than 190,000 base acres.

8 “(3) *ELECTIONS.*—Before making any agri-
9 culture risk coverage payments for the 2019 crop
10 year, the Farm Service Agency State committee, in
11 consultation with the Farm Service Agency county or
12 area committee of a county described in paragraph
13 (2), may make a 1-time election to divide the county
14 into administrative units under this subsection along
15 a boundary that better reflects differences in weather
16 patterns, soil types, or other factors.

17 “(4) *ADMINISTRATION.*—For purposes of pro-
18 viding agriculture risk coverage payments in the case
19 of county coverage, the Secretary shall consider an
20 administrative unit elected under paragraph (3) to be
21 a county for the 2019 through 2023 crop years.”.

1 **SEC. 12612. DROUGHT AND WATER CONSERVATION AGREE-**
2 **MENTS.**

3 *Section 1231A of the Food Security Act of 1985 (as*
4 *added by section 2105(a)) is amended by adding at the end*
5 *the following:*

6 *“(g) DROUGHT AND WATER CONSERVATION AGREE-*
7 *MENTS.—In the case of an agreement under subsection*
8 *(b)(1) to address regional drought concerns, in accordance*
9 *with the conservation purposes of the program, the Sec-*
10 *retary, in consultation with the applicable State technical*
11 *committee established under section 1261(a), may—*

12 *“(1) notwithstanding subsection (a)(1), enroll*
13 *other agricultural land on which the resource concerns*
14 *identified in the agreement can be addressed if the en-*
15 *rollment of the land is critical to the accomplishment*
16 *of the purposes of the agreement;*

17 *“(2) permit dryland agricultural uses with the*
18 *adoption of best management practices on enrolled*
19 *land if the agreement involves the significant long-*
20 *term reduction of consumptive water use and dryland*
21 *production is compatible with the agreement; and*

22 *“(3) calculate annual rental payments consistent*
23 *with existing administrative practice for similar*
24 *drought and water conservation agreements under*
25 *this subchapter and ensure regional consistency in*
26 *those rates.”.*

1 **SEC. 12613. ENCOURAGEMENT OF POLLINATOR HABITAT**
2 **DEVELOPMENT AND PROTECTION.**

3 *Section 1244(h) of the Food Security Act of 1985 (16*
4 *U.S.C. 3844(h)) is amended—*

5 *(1) in paragraph (1), by striking “and” at the*
6 *end;*

7 *(2) in paragraph (2), by striking the period at*
8 *the end and inserting a semicolon; and*

9 *(3) by adding at the end the following:*

10 *“(3) the development of a conservation and re-*
11 *covery plan for protection of pollinators through con-*
12 *servation biological control or practices and strategies*
13 *to integrate natural predators and parasites of crop*
14 *pests into agricultural systems for pest control; and*

15 *“(4) training for producers relating to back-*
16 *ground science, implementation, and promotion of*
17 *conservation biological control such that producers*
18 *base conservation activities on practices and tech-*
19 *niques that conserve or enhance natural habitat for*
20 *beneficial insects as a way of reducing pest problems*
21 *and pesticide applications on farms.”.*

22 **SEC. 12614. REPAIR OR REPLACEMENT OF FENCING; COST**
23 **SHARE PAYMENTS.**

24 *(a) REPAIR OR REPLACEMENT OF FENCING.—*

1 (1) *IN GENERAL.*—Section 401 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201) is amended—
2
3

4 (A) by inserting “wildfires,” after “hurricanes,”;
5

6 (B) by striking the section designation and
7 all that follows through “The Secretary of Agriculture”
8 and inserting the following:

9 **“SEC. 401. PAYMENTS TO PRODUCERS.**

10 “(a) *IN GENERAL.*—The Secretary of Agriculture (referred to in this title as the ‘Secretary’); and
11

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

13 “(b) *REPAIR OR REPLACEMENT OF FENCING.*—

14 “(1) *IN GENERAL.*—With respect to a payment to
15 an agricultural producer under subsection (a) for the
16 repair or replacement of fencing, the Secretary shall
17 give the agricultural producer the option of receiving
18 not more than 25 percent of the payment, determined
19 by the Secretary based on the applicable percentage of
20 the fair market value of the cost of the repair or replacement,
21 before the agricultural producer carries
22 out the repair or replacement.

23 “(2) *RETURN OF FUNDS.*—If the funds provided
24 under paragraph (1) are not expended by the end of
25 the 60-day period beginning on the date on which the

1 *agricultural producer receives those funds, the funds*
2 *shall be returned within a reasonable timeframe, as*
3 *determined by the Secretary.”.*

4 (2) *CONFORMING AMENDMENTS.—*

5 (A) *Sections 402, 403, 404, and 405 of the*
6 *Agricultural Credit Act of 1978 (16 U.S.C. 2202,*
7 *2203, 2204, 2205) are amended by striking “Sec-*
8 *retary of Agriculture” each place it appears and*
9 *inserting “Secretary”.*

10 (B) *Section 407(a) of the Agricultural Cred-*
11 *it Act of 1978 (16 U.S.C. 2206(a)) is amended*
12 *by striking paragraph (4).*

13 (b) *COST SHARE PAYMENTS.—Title IV of the Agricul-*
14 *tural Credit Act of 1978 (16 U.S.C. 2201 et seq.) is amended*
15 *by inserting after section 402 the following:*

16 **“SEC. 402A. COST-SHARE REQUIREMENT.**

17 “(a) *COST-SHARE RATE.—Subject to subsections (b)*
18 *and (c), the maximum cost-share payment under sections*
19 *401 and 402 shall not exceed, 75 percent of the total allow-*
20 *able cost, as determined by the Secretary.*

21 “(b) *EXCEPTION.—Notwithstanding subsection (a), a*
22 *payment to a limited resource farmer or rancher, a socially*
23 *disadvantaged farmer or rancher (as defined in 2501(a) of*
24 *the Food, Agriculture, Conservation, and Trade Act of 1990*
25 *(7 U.S.C. 2279(a)), or a beginning farmer or rancher under*

1 *section 401 or 402 shall not exceed 90 percent of the total*
 2 *allowable cost, as determined by the Secretary.*

3 “(c) *LIMITATION.*—*The total payment under sections*
 4 *401 and 402 for a single event may not exceed 50 percent*
 5 *of the agriculture value of the land, as determined by the*
 6 *Secretary.”.*

7 ***SEC. 12615. FOOD DONATION STANDARDS.***

8 *Section 203D of the Emergency Food Assistance Act*
 9 *of 1983 (7 U.S.C. 7507) (as amended by section 4115(c))*
 10 *is amended by adding at the end the following:*

11 “(f) *FOOD DONATION STANDARDS.*—

12 “(1) *DEFINITIONS.*—*In this subsection:*

13 “(A) *APPARENTLY WHOLESOME FOOD.*—*The*
 14 *term ‘apparently wholesome food’ has the mean-*
 15 *ing given the term in section 22(b) of the Child*
 16 *Nutrition Act of 1966 (42 U.S.C. 1791(b)).*

17 “(B) *INSTITUTION OF HIGHER EDU-*
 18 *CATION.*—*The term ‘institution of higher edu-*
 19 *cation’ has the meaning given the term in sec-*
 20 *tion 102 of the Higher Education Act of 1965*
 21 *(20 U.S.C. 1002).*

22 “(C) *QUALIFIED DIRECT DONOR.*—*The term*
 23 *‘qualified direct donor’ means a retail food store,*
 24 *wholesaler, agricultural producer, restaurant, ca-*

1 *terer, school food authority, or institution of*
2 *higher education.*

3 “(2) *GUIDANCE.*—

4 “(A) *IN GENERAL.*—*Not later than 180*
5 *days after the date of enactment of the Agri-*
6 *culture Improvement Act of 2018, the Secretary*
7 *shall issue guidance to promote awareness of do-*
8 *nations of apparently wholesome food protected*
9 *under section 22(c) of the Child Nutrition Act of*
10 *1966 (42 U.S.C. 1791(c)) by qualified direct do-*
11 *nors in compliance with applicable State and*
12 *local health, food safety, and food handling laws*
13 *(including regulations).*

14 “(B) *ISSUANCE.*—*The Secretary shall en-*
15 *courage State agencies and emergency feeding or-*
16 *ganizations to share the guidance issued under*
17 *subparagraph (A) with qualified direct donors.”.*

18 **SEC. 12616. MICRO-GRANTS FOR FOOD SECURITY.**

19 *The Food, Conservation, and Energy Act of 2008 is*
20 *amended by inserting after section 4405 (7 U.S.C. 7517)*
21 *the following:*

22 **“SEC. 4406. MICRO-GRANTS FOR FOOD SECURITY.**

23 “(a) *PURPOSE.*—*The purpose of this section is to in-*
24 *crease the quantity and quality of locally grown food*
25 *through small-scale gardening, herding, and livestock oper-*

1 *ations in food insecure communities in areas of the United*
2 *States that have significant levels of food insecurity and*
3 *import a significant quantity of food.*

4 “(b) *DEFINITIONS.—In this section:*

5 “(1) *ELIGIBLE ENTITY.—The term ‘eligible enti-*
6 *ty’ means an entity that—*

7 “(A) *is—*

8 “(i) *an individual;*

9 “(ii) *an Indian tribe (as defined in*
10 *section 4 of the Indian Self-Determination*
11 *and Education Assistance Act (25 U.S.C.*
12 *5304)) or a consortium of Indian tribes;*

13 “(iii) *a nonprofit organization engaged*
14 *in increasing food security, as determined*
15 *by the Secretary, including—*

16 “(I) *a religious organization;*

17 “(II) *a food bank; and*

18 “(III) *a food pantry;*

19 “(iv) *a federally funded educational fa-*
20 *cility, including—*

21 “(I) *a Head Start program or an*
22 *Early Head Start program carried out*
23 *under the Head Start Act (42 U.S.C.*
24 *9831 et seq.);*

1 “(II) a public elementary school
2 or public secondary school;

3 “(III) a public institution of
4 higher education (as defined in section
5 101 of the Higher Education Act of
6 1965 (20 U.S.C. 1001));

7 “(IV) a Tribal College or Univer-
8 sity (as defined in section 316(b) of the
9 Higher Education Act of 1965 (20
10 U.S.C. 1059c(b)); and

11 “(V) a job training program; or
12 “(v) a local or Tribal government that
13 may not levy local taxes under State or
14 Federal law; and

15 “(B) is located in an eligible State.

16 “(2) *ELIGIBLE STATE*.—The term ‘eligible State’
17 means—

18 “(A) the State of Alaska;

19 “(B) the State of Hawaii;

20 “(C) American Samoa;

21 “(D) the Commonwealth of the Northern
22 Mariana Islands;

23 “(E) the Commonwealth of Puerto Rico;

24 “(F) the Federated States of Micronesia;

25 “(G) Guam;

1 “(H) the Republic of the Marshall Islands;

2 “(I) the Republic of Palau; and

3 “(J) the United States Virgin Islands.

4 “(c) *ESTABLISHMENT.*—The Secretary shall distribute
5 funds to the agricultural department or agency of each eligi-
6 ble State for the competitive distribution of subgrants to
7 eligible entities to increase the quantity and quality of lo-
8 cally grown food in food insecure communities, including
9 through small-scale gardening, herding, and livestock oper-
10 ations.

11 “(d) *DISTRIBUTION OF FUNDS.*—

12 “(1) *IN GENERAL.*—Of the amount made avail-
13 able under subsection (g), the Secretary shall dis-
14 tribute—

15 “(A) 40 percent to the State of Alaska;

16 “(B) 40 percent to the State of Hawaii; and

17 “(C) 2.5 percent to each insular area de-
18 scribed in subparagraphs (C) through (J) of sub-
19 section (b)(2).

20 “(2) *CARRYOVER OF FUNDS.*—Funds distributed
21 under paragraph (1) shall remain available until ex-
22 pended.

23 “(3) *ADMINISTRATIVE FUNDS.*—An eligible State
24 that receives funds under paragraph (1) may use not
25 more than 3 percent of those funds—

1 “(A) to administer the competition for pro-
2 viding subgrants to eligible entities in that eligi-
3 ble State;

4 “(B) to provide oversight of the subgrant re-
5 cipients in that eligible State; and

6 “(C) to collect data and submit a report to
7 the Secretary under subsection (f)(2).

8 “(e) *SUBGRANTS TO ELIGIBLE ENTITIES.*—

9 “(1) *AMOUNT OF SUBGRANTS.*—

10 “(A) *IN GENERAL.*—The amount of a
11 subgrant to an eligible entity under this section
12 shall be—

13 “(i) in the case of an eligible entity
14 that is an individual, not greater than
15 \$5,000 per year; and

16 “(ii) in the case of an eligible entity
17 described in clauses (ii) through (v) of sub-
18 section (b)(1)(A), not greater than \$10,000
19 per year.

20 “(B) *MATCHING REQUIREMENT.*—As a con-
21 dition of receiving a subgrant under this section,
22 an eligible entity shall provide funds equal to 10
23 percent of the amount received by the eligible en-
24 tity under the subgrant, to be derived from non-
25 Federal sources.

1 “(C) *CARRYOVER OF FUNDS.*—*Funds re-*
2 *ceived by an eligible entity that is awarded a*
3 *subgrant under this section shall remain avail-*
4 *able until expended.*

5 “(2) *PRIORITY.*—*In carrying out the competitive*
6 *distribution of subgrants under subsection (c), an eli-*
7 *gible State may give priority to an eligible entity*
8 *that—*

9 “(A) *has not previously received a subgrant*
10 *under this section; or*

11 “(B) *is located in a community or region in*
12 *that eligible State with the highest degree of food*
13 *insecurity, as determined by the agricultural de-*
14 *partment or agency of the eligible State.*

15 “(3) *PROJECTS.*—*An eligible State may provide*
16 *subgrants to 2 or more eligible entities to carry out*
17 *the same project.*

18 “(4) *USE OF SUBGRANT FUNDS BY ELIGIBLE EN-*
19 *TITIES.*—*An eligible entity that receives a subgrant*
20 *under this section shall use the funds to engage in ac-*
21 *tivities that will increase the quantity and quality of*
22 *locally grown food, including by—*

23 “(A) *purchasing gardening tools or equip-*
24 *ment, soil, soil amendments, seeds, plants, ani-*

1 *mals, canning equipment, refrigeration, or other*
2 *items necessary to grow and store food;*

3 *“(B) purchasing or building composting*
4 *units;*

5 *“(C) purchasing or building towers designed*
6 *to grow leafy green vegetables;*

7 *“(D) expanding an area under cultivation*
8 *or engaging in other activities necessary to be el-*
9 *igible to receive funding under the environmental*
10 *quality incentives program established under*
11 *chapter 4 of subtitle D of title XII of the Food*
12 *Security Act of 1985 (16 U.S.C. 3839aa et seq.)*
13 *for a high tunnel;*

14 *“(E) engaging in an activity that extends*
15 *the growing season;*

16 *“(F) starting or expanding hydroponic and*
17 *aeroponic farming of any scale;*

18 *“(G) building, buying, erecting, or repair-*
19 *ing fencing for livestock, poultry, or reindeer;*

20 *“(H) purchasing and equipping a slaughter*
21 *and processing facility approved by the Sec-*
22 *retary;*

23 *“(I) travelling to participate in agricul-*
24 *tural education provided by—*

1 “(i) a State cooperative extension serv-
2 ice;

3 “(ii) a land-grant college or university
4 (as defined in section 1404 of the National
5 Agricultural Research, Extension, and
6 Teaching Policy Act of 1977 (7 U.S.C.
7 3103));

8 “(iii) a Tribal College or University
9 (as defined in section 316(b) of the Higher
10 Education Act of 1965 (20 U.S.C.
11 1059c(b)));

12 “(iv) an Alaska Native-serving institu-
13 tion or a Native Hawaiian-serving institu-
14 tion (as those terms are defined in section
15 317(b) of the Higher Education Act of 1965
16 (20 U.S.C. 1059d(b))); or

17 “(v) a Federal or State agency;

18 “(J) paying for shipping of purchased items
19 relating to increasing food security;

20 “(K) creating or expanding avenues for—

21 “(i) the sale of food commodities, spe-
22 cialty crops, and meats that are grown by
23 the eligible entity for sale in the local com-
24 munity; or

1 “(ii) the availability of fresh, locally
2 grown, and nutritious food; and

3 “(L) engaging in other activities relating to
4 increasing food security (including subsistence),
5 as determined by the Secretary.

6 “(5) *ELIGIBILITY FOR OTHER FINANCIAL ASSIST-*
7 *ANCE.—An eligible entity shall not be ineligible to re-*
8 *ceive financial assistance under another program ad-*
9 *ministered by the Secretary as a result of receiving a*
10 *subgrant under this section.*

11 “(f) *REPORTING REQUIREMENT.—*

12 “(1) *SUBGRANT RECIPIENTS.—As a condition of*
13 *receiving a subgrant under this section, an eligible*
14 *entity shall submit to the eligible State in which the*
15 *eligible entity is located a report—*

16 “(A) *as soon as practicable after the end of*
17 *the project; and*

18 “(B) *that describes the quantity of food*
19 *grown and the number of people fed as a result*
20 *of the subgrant.*

21 “(2) *REPORT TO THE SECRETARY.—Not later*
22 *than 120 days after the date on which an eligible*
23 *State receives a report from each eligible entity in*
24 *that State under paragraph (1), the eligible State*
25 *shall submit to the Secretary a report that describes,*

1 *in the aggregate, the information and data contained*
 2 *in the reports received from those eligible entities.*

3 “(g) *FUNDING.*—

4 “(1) *AUTHORIZATION OF APPROPRIATIONS.*—
 5 *There is authorized to be appropriated to the Sec-*
 6 *retary to carry out this section \$10,000,000 for fiscal*
 7 *year 2019 and each fiscal year thereafter, to remain*
 8 *available until expended.*

9 “(2) *APPROPRIATIONS IN ADVANCE.*—*Only funds*
 10 *appropriated under paragraph (1) in advance specifi-*
 11 *cally to carry out this section shall be available to*
 12 *carry out this section.*

13 “(h) *EFFECTIVE DATE.*—*This section takes effect on*
 14 *the date of enactment of the Agriculture Improvement Act*
 15 *of 2018.”.*

16 **SEC. 12617. USE OF ADDITIONAL COMMODITY CREDIT COR-**
 17 **PORATION FUNDS FOR DIRECT OPERATING**
 18 **MICROLOANS UNDER CERTAIN CONDITIONS.**

19 *Section 346(b) of the Consolidated Farm and Rural*
 20 *Development Act (7 U.S.C. 1994(b)) is amended by adding*
 21 *at the end the following:*

22 “(5) *USE OF ADDITIONAL COMMODITY CREDIT*
 23 *CORPORATION FUNDS FOR DIRECT OPERATING*
 24 *MICROLOANS UNDER CERTAIN CONDITIONS.*—

1 “(A) *IN GENERAL.*—*If the Secretary deter-*
2 *mines that the amount needed for a fiscal year*
3 *for direct operating loans (including microloans)*
4 *under subtitle B is greater than the aggregate*
5 *principal amount authorized for that fiscal year*
6 *by this Act, an appropriations Act, or any other*
7 *provision of law, the Secretary shall make addi-*
8 *tional microloans under subtitle B using*
9 *amounts made available under subparagraph*
10 *(B).*

11 “(B) *FUNDING.*—*Of the funds of the Com-*
12 *modity Credit Corporation, the Secretary shall*
13 *use to make microloans under subtitle B, under*
14 *the conditions described in subparagraph (A),*
15 *not more than \$5,000,000 for the period of fiscal*
16 *years 2019 through 2023.*

17 “(C) *NOTICE.*—*Not later than 15 days be-*
18 *fore the date on which the Secretary uses the au-*
19 *thority under subparagraphs (A) and (B), the*
20 *Secretary shall submit a notice of the use of that*
21 *authority to—*

22 “(i) *the Committee on Appropriations*
23 *of the House of Representatives;*

24 “(ii) *the Committee on Appropriations*
25 *of the Senate;*

1 “(iii) the Committee on Agriculture of
2 the House of Representatives; and

3 “(iv) the Committee on Agriculture,
4 Nutrition, and Forestry of the Senate.”.

5 **SEC. 12618. BUSINESS AND INNOVATION SERVICES ESSEN-**
6 **TIAL COMMUNITY FACILITIES.**

7 Section 306(a) of the Consolidated Farm and Rural
8 Development Act (7 U.S.C. 1926(a)) (as amended by section
9 6105) is amended by adding at the end the following:

10 “(28) BUSINESS AND INNOVATION SERVICES ES-

11 SENTIAL COMMUNITY FACILITIES.—The Secretary

12 may make loans and loan guarantees under this sub-

13 section and grants under paragraphs (19), (20), and

14 (21) for essential community facilities for business

15 and innovation services, such as incubators, co-work-

16 ing spaces, makerspaces, and residential entrepreneur

17 and innovation centers.”.

18 **SEC. 12619. RURAL INNOVATION STRONGER ECONOMY**
19 **GRANT PROGRAM.**

20 Subtitle D of the Consolidated Farm and Rural Devel-

21 opment Act (7 U.S.C. 1981 et seq.) is amended by adding

22 at the end the following:

23 **“SEC. 379I. RURAL INNOVATION STRONGER ECONOMY**
24 **GRANT PROGRAM.**

25 “(a) DEFINITIONS.—In this section:

1 “(1) *ELIGIBLE ENTITY*.—The term ‘eligible enti-
2 ty’ means a rural jobs accelerator partnership estab-
3 lished after the date of enactment of this section
4 that—

5 “(A) organizes key community and regional
6 stakeholders into a working group that—

7 “(i) focuses on the shared goals and
8 needs of the industry clusters that are objec-
9 tively identified as existing, emerging, or
10 declining;

11 “(ii) represents a region defined by the
12 partnership in accordance with subpara-
13 graph (B);

14 “(iii) includes 1 or more representa-
15 tives of—

16 “(I) an institution of higher edu-
17 cation (as defined in section 101 of the
18 Higher Education Act of 1965 (20
19 U.S.C. 1001));

20 “(II) a private entity; or

21 “(III) a government entity;

22 “(iv) may include 1 or more represent-
23 atives of—

1 “(I) *an economic development or*
2 *other community or labor organiza-*
3 *tion;*

4 “(II) *a financial institution, in-*
5 *cluding a community development fi-*
6 *ancial institution (as defined in sec-*
7 *tion 103 of the Community Develop-*
8 *ment Banking and Financial Institu-*
9 *tions Act of 1994 (12 U.S.C. 4702));*

10 “(III) *a philanthropic organiza-*
11 *tion; or*

12 “(IV) *a rural cooperative, if the*
13 *cooperative is organized as a nonprofit*
14 *organization; and*

15 “(v) *has, as a lead applicant—*

16 “(I) *a District Organization (as*
17 *defined in section 300.3 of title 13,*
18 *Code of Federal Regulations (or a suc-*
19 *cessor regulation));*

20 “(II) *an Indian tribe (as defined*
21 *in section 4 of the Indian Self-Deter-*
22 *mination and Education Assistance*
23 *Act (25 U.S.C. 5304)), or a consortium*
24 *of Indian tribes;*

1 “(III) a State or a political sub-
2 division of a State, including a special
3 purpose unit of a State or local govern-
4 ment engaged in economic development
5 activities, or a consortium of political
6 subdivisions;

7 “(IV) an institution of higher
8 education (as defined in section 101 of
9 the Higher Education Act of 1965 (20
10 U.S.C. 1001)) or a consortium of insti-
11 tutions of higher education; or

12 “(V) a public or private nonprofit
13 organization; and

14 “(B) subject to approval by the Secretary,
15 may—

16 “(i) serve a region that is—

17 “(I) a single jurisdiction; or

18 “(II) if the region is a rural area,
19 multijurisdictional; and

20 “(ii) define the region that the partner-
21 ship represents, if the region—

22 “(I) is large enough to contain
23 critical elements of the industry cluster
24 prioritized by the partnership;

1 “(II) is small enough to enable
2 close collaboration among members of
3 the partnership;

4 “(III) includes a majority of com-
5 munities that are located in—

6 “(aa) a nonmetropolitan
7 area that qualifies as a low-in-
8 come community (as defined in
9 section 45D(e) of the Internal
10 Revenue Code of 1986); and

11 “(bb) an area that has access
12 to or has a plan to achieve
13 broadband service (within the
14 meaning of title VI of the Rural
15 Electrification Act of 1936 (7
16 U.S.C. 950bb et seq.)); and

17 “(IV)(aa) has a population of
18 50,000 or fewer inhabitants; or

19 “(bb) for a region with a popu-
20 lation of more than 50,000 inhab-
21 itants, is the subject of a positive deter-
22 mination by the Secretary with respect
23 to a rural-in-character petition, in-
24 cluding such a petition submitted con-
25 currently with the application of the

1 *partnership for a grant under this sec-*
2 *tion.*

3 “(2) *INDUSTRY CLUSTER.*—*The term ‘industry*
4 *cluster’ means a broadly defined network of inter-*
5 *connected firms and supporting institutions in re-*
6 *lated industries that accelerate innovation, business*
7 *formation, and job creation by taking advantage of*
8 *assets and strengths of a region in the business envi-*
9 *ronment.*

10 “(3) *HIGH-WAGE JOB.*—*The term ‘high-wage job’*
11 *means a job that provides a wage that is greater than*
12 *the median wage for the applicable region, as deter-*
13 *mined by the Secretary.*

14 “(4) *JOBS ACCELERATOR.*—*The term ‘jobs accel-*
15 *erator’ means a jobs accelerator center or program lo-*
16 *cated in or serving a low-income rural community*
17 *that may provide co-working space, in-demand skills*
18 *training, entrepreneurship support, and any other*
19 *services described in subsection (d)(1)(B).*

20 “(5) *SMALL AND DISADVANTAGED BUSINESS.*—
21 *The term ‘small and disadvantaged business’ has the*
22 *meaning given the term ‘small business concern*
23 *owned and controlled by socially and economically*
24 *disadvantaged individuals’ in section 8(d)(3)(C) of*
25 *the Small Business Act (15 U.S.C. 637(d)(3)(C)).*

1 “(b) *ESTABLISHMENT.*—

2 “(1) *IN GENERAL.*—*The Secretary shall establish*
3 *a grant program under which the Secretary shall*
4 *award grants, on a competitive basis, to eligible enti-*
5 *ties to establish jobs accelerators, including related*
6 *programming, that—*

7 “(A) *improve the ability of distressed rural*
8 *communities to create high-wage jobs, accelerate*
9 *the formation of new businesses with high-growth*
10 *potential, and strengthen regional economies, in-*
11 *cluding by helping to build capacity in the ap-*
12 *licable region to achieve those goals; and*

13 “(B) *help rural communities identify and*
14 *maximize local assets and connect to regional op-*
15 *portunities, networks, and industry clusters that*
16 *demonstrate high growth potential.*

17 “(2) *COST-SHARING.*—

18 “(A) *IN GENERAL.*—*The Federal share of*
19 *the cost of any activity carried out using a grant*
20 *made under paragraph (1) shall be not greater*
21 *than 80 percent.*

22 “(B) *IN-KIND CONTRIBUTIONS.*—*The non-*
23 *Federal share of the total cost of any activity*
24 *carried out using a grant made under paragraph*

1 (1) *may be in the form of donations or in-kind*
2 *contributions of goods or services fairly valued.*

3 “(3) *SELECTION CRITERIA.—In selecting eligible*
4 *entities to receive grants under paragraph (1), the*
5 *Secretary shall consider—*

6 “(A) *the commitment of participating core*
7 *stakeholders in the jobs accelerator partnership,*
8 *including a demonstration that—*

9 “(i) *investment organizations, includ-*
10 *ing venture development organizations, ven-*
11 *ture capital firms, revolving loan funders,*
12 *angel investment groups, community lend-*
13 *ers, community development financial insti-*
14 *tutions, rural business investment compa-*
15 *nies, small business investment companies*
16 *(as defined in section 103 of the Small*
17 *Business Investment Act of 1958 (15 U.S.C.*
18 *662)), philanthropic organizations, and*
19 *other institutions focused on expanding ac-*
20 *cess to capital, are committed partners in*
21 *the jobs accelerator partnership and willing*
22 *to potentially invest in projects emerging*
23 *from the jobs accelerator; and*

24 “(ii) *institutions of higher education,*
25 *applied research institutions, workforce de-*

1 *velopment entities, and community-based*
2 *organizations are willing to partner with*
3 *the jobs accelerator to provide workers with*
4 *skills relevant to the industry cluster needs*
5 *of the region, with an emphasis on the use*
6 *of on-the-job training, registered apprentice-*
7 *ships, customized training, classroom occu-*
8 *pational training, or incumbent worker*
9 *training;*

10 *“(B) the ability of the eligible entity to pro-*
11 *vide the non-Federal share as required under*
12 *paragraph (2);*

13 *“(C) the speed of available broadband serv-*
14 *ice and how the jobs accelerator plans to improve*
15 *access to high-speed broadband service, if nec-*
16 *essary, and leverage that broadband service for*
17 *programs of the jobs accelerator;*

18 *“(D) the identification of a targeted indus-*
19 *try cluster, including a description of—*

20 *“(i) data showing the existence of*
21 *emergence of an industry cluster;*

22 *“(ii) the importance of the industry*
23 *cluster to economic growth in the region;*

24 *“(iii) the specific needs and opportuni-*
25 *ties for growth in the industry cluster;*

1 “(iv) the unique assets a region has to
2 support the industry cluster and to have a
3 competitive advantage in that industry
4 cluster;

5 “(v) evidence of a concentration of
6 firms or concentration of employees in the
7 industry cluster; and

8 “(vi) available industry-specific infra-
9 structure that supports the industry cluster;

10 “(E) the ability of the partnership to link
11 rural communities to markets, networks, indus-
12 try clusters, and other regional opportunities
13 and assets—

14 “(i) to improve the competitiveness of
15 the rural region;

16 “(ii) to repatriate United States jobs;

17 “(iii) to foster high-wage job creation;

18 “(iv) to support innovation and entre-
19 preneurship; and

20 “(v) to promote private investment in
21 the rural regional economy;

22 “(F) other grants or loans of the Secretary
23 and other Federal agencies that the jobs accel-
24 erator would be able to leverage; and

1 “(G) prospects for the proposed center and
2 related programming to have sustainability be-
3 yond the full maximum length of assistance
4 under this subsection, including the maximum
5 number of renewals.

6 “(4) GRANT TERM AND RENEWALS.—

7 “(A) TERM.—The initial term of a grant
8 under paragraph (1) shall be 4 years.

9 “(B) RENEWAL.—The Secretary may renew
10 a grant under paragraph (1) for an additional
11 period of not longer than 2 years if the Secretary
12 is satisfied, using the evaluation under sub-
13 section (e)(2), that the grant recipient has suc-
14 cessfully established a jobs accelerator and re-
15 lated programming.

16 “(5) GEOGRAPHIC DISTRIBUTION.—To the max-
17 imum extent practicable, the Secretary shall provide
18 grants under paragraph (1) for jobs accelerators and
19 related programming in not fewer than 25 States at
20 any time.

21 “(c) GRANT AMOUNT.—A grant awarded under sub-
22 section (b) may be in an amount equal to—

23 “(1) not less than \$500,000; and

24 “(2) not more than \$2,000,000.

25 “(d) USE OF FUNDS.—

1 “(1) *IN GENERAL.*—Subject to paragraph (2),
2 *fun*ds from a grant awarded under subsection (b)
3 *may be used—*

4 “(A) *to construct, purchase, or equip a*
5 *building to serve as an innovation center, which*
6 *may include—*

7 “(i) *housing for business owners or*
8 *workers;*

9 “(ii) *co-working space, which may in-*
10 *clude space for remote work;*

11 “(iii) *space for businesses to utilize*
12 *with a focus on entrepreneurs and small*
13 *and disadvantaged businesses but that may*
14 *include collaboration with companies of all*
15 *sizes;*

16 “(iv) *job training programs; and*

17 “(v) *efforts to utilize the innovation*
18 *center as part of the development of a com-*
19 *munity downtown; or*

20 “(B) *to support programs to be carried out*
21 *at, or in direct partnership with, the jobs accel-*
22 *erator that support the objectives of the jobs ac-*
23 *celerator, including—*

24 “(i) *linking rural communities to mar-*
25 *kets, networks, industry clusters, and other*

1 *regional opportunities to support high-wage*
2 *job creation, new business formation, and*
3 *economic growth;*

4 “*(ii) integrating small businesses into*
5 *a supply chain;*

6 “*(iii) creating or expanding commer-*
7 *cialization activities for new business for-*
8 *mation;*

9 “*(iv) identifying and building assets*
10 *in rural communities that are crucial to*
11 *supporting regional economies;*

12 “*(v) facilitating the repatriation of*
13 *high-wage jobs to the United States;*

14 “*(vi) supporting the deployment of in-*
15 *novative processes, technologies, and prod-*
16 *ucts;*

17 “*(vii) enhancing the capacity of small*
18 *businesses in regional industry clusters, in-*
19 *cluding small and disadvantaged businesses;*

20 “*(viii) increasing United States ex-*
21 *ports and business interaction with inter-*
22 *national buyers and suppliers;*

23 “*(ix) developing the skills and expertise*
24 *of local workforces, entrepreneurs, and insti-*
25 *tutional partners to support growing indus-*

1 *try clusters, including the upskilling of in-*
2 *cumbent workers;*

3 *“(x) ensuring rural communities have*
4 *the capacity and ability to carry out*
5 *projects relating to housing, community fa-*
6 *ilities, infrastructure, or community and*
7 *economic development to support regional*
8 *industry cluster growth;*

9 *“(xi) establishing training programs to*
10 *meet the needs of employers in a regional*
11 *industry cluster and prepare workers for*
12 *high-wage jobs; or*

13 *“(xii) any other activities that the Sec-*
14 *retary may determine to be appropriate.*

15 *“(2) REQUIREMENT.—*

16 *“(A) IN GENERAL.—Subject to subpara-*
17 *graph (B), not more than 10 percent of a grant*
18 *awarded under subsection (b) shall be used for*
19 *indirect costs associated with administering the*
20 *grant.*

21 *“(B) INCREASE.—The Secretary may in-*
22 *crease the percentage described in subparagraph*
23 *(A) on a case-by-case basis.*

24 *“(e) ANNUAL ACTIVITY REPORT AND EVALUATION.—*
25 *Not later than 1 year after receiving a grant under this*

1 *section, and annually thereafter for the duration of the*
2 *grant, an eligible entity shall—*

3 “(1) *report to the Secretary on the activities*
4 *funded with the grant; and*

5 “(2)(A) *evaluate the progress that the eligible en-*
6 *tity has made toward the strategic objectives identi-*
7 *fied in the application for the grant; and*

8 “(B) *measure that progress using performance*
9 *measures during the project period, which may in-*
10 *clude—*

11 “(i) *high-wage jobs created;*

12 “(ii) *high-wage jobs retained;*

13 “(iii) *private investment leveraged;*

14 “(iv) *businesses improved;*

15 “(v) *new business formations;*

16 “(vi) *new products or services commer-*
17 *cialized;*

18 “(vii) *improvement of the value of existing*
19 *products or services under development;*

20 “(viii) *regional collaboration, as measured*
21 *by such metrics as—*

22 “(I) *the number of organizations ac-*
23 *tively engaged in the industry cluster;*

24 “(II) *the number of symposia held by*
25 *the industry cluster, including organiza-*

1 *tions that are not located in the immediate*
2 *region defined by the partnership; and*

3 *“(III) the number of further coopera-*
4 *tive agreements;*

5 *“(ix) the number of education and training*
6 *activities relating to innovation;*

7 *“(x) the number of jobs relocated from out-*
8 *side of the United States to the region;*

9 *“(xi) the amount and number of new equity*
10 *investments in industry cluster firms;*

11 *“(xii) the amount and number of new loans*
12 *to industry cluster firms;*

13 *“(xiii) the dollar increase in exports result-*
14 *ing from the project activities;*

15 *“(xiv) the percentage of employees for which*
16 *training was provided;*

17 *“(xv) improvement in sales of participating*
18 *businesses;*

19 *“(xvi) improvement in wages paid at par-*
20 *ticipating businesses;*

21 *“(xvii) improvement in income of partici-*
22 *pating workers; or*

23 *“(xviii) any other measure the Secretary de-*
24 *termines to be appropriate.*

25 *“(f) INTERAGENCY TASK FORCE.—*

1 “(1) *IN GENERAL.*—*The Secretary shall establish*
2 *an interagency Federal task force to support the net-*
3 *work of jobs accelerators by—*

4 “(A) *providing successful applicants with*
5 *available information and technical assistance*
6 *on Federal resources relevant to the project and*
7 *region;*

8 “(B) *establishing a Federal support team*
9 *comprised of staff from participating agencies in*
10 *the task force that shall provide coordinated and*
11 *dedicated support services to jobs accelerators;*
12 *and*

13 “(C) *providing opportunities for the net-*
14 *work of jobs accelerators to share best practices*
15 *and further collaborate to achieve the purposes of*
16 *this section.*

17 “(2) *MEMBERSHIP.*—*The task force established*
18 *under paragraph (1) shall—*

19 “(A) *be co-chaired by—*

20 “(i) *the Secretary of Commerce (or a*
21 *designee); and*

22 “(ii) *the Secretary (or a designee); and*

23 “(B) *include—*

24 “(i) *the Secretary of Education (or a*
25 *designee);*

1 “(ii) *the Secretary of Energy (or a des-*
2 *ignee);*

3 “(iii) *the Secretary of Health and*
4 *Human Services (or a designee);*

5 “(iv) *the Secretary of Housing and*
6 *Urban Development (or a designee);*

7 “(v) *the Secretary of Labor (or a des-*
8 *ignee);*

9 “(vi) *the Secretary of Transportation*
10 *(or a designee);*

11 “(vii) *the Secretary of the Treasury (or*
12 *a designee);*

13 “(viii) *the Administrator of the Envi-*
14 *ronmental Protection Agency (or a des-*
15 *ignee);*

16 “(ix) *the Administrator of the Small*
17 *Business Administration (or a designee);*

18 “(x) *the Federal Co-Chair of the Appa-*
19 *lachian Regional Commission (or a des-*
20 *ignee);*

21 “(xi) *the Federal Co-Chairman of the*
22 *Board of the Delta Regional Authority (or*
23 *a designee);*

1 “(xii) the Federal Co-Chair of the
2 Northern Border Regional Commission (or
3 a designee);

4 “(xiii) national and local organiza-
5 tions that have relevant programs and in-
6 terests that could serve the needs of the jobs
7 accelerators;

8 “(xiv) representatives of State and
9 local governments or State and local eco-
10 nomic development agencies;

11 “(xv) representatives of institutions of
12 higher education, including land-grant uni-
13 versities; and

14 “(xvi) such other heads of Federal
15 agencies and non-Federal partners as deter-
16 mined appropriate by the co-chairs of the
17 task force.”.

18 **SEC. 12620. DRYLAND FARMING AGRICULTURAL SYSTEMS.**

19 Section 1672(d) of the Food, Agriculture, Conserva-
20 tion, and Trade Act of 1990 (7 U.S.C. 5925(d)) (as amend-
21 ed by section 7209(a)) is amended by adding at the end
22 the following:

23 “(15) **DRYLAND FARMING AGRICULTURAL SYS-**
24 **TEMS.**—Research and extension grants may be made
25 under this section for the purposes of carrying out or

1 *enhancing research on the utilization of big data for*
2 *more precise management of dryland farming agri-*
3 *cultural systems.*

4 “(16) *HOP PLANT HEALTH INITIATIVE.*—*Re-*
5 *search and extension grants may be made under this*
6 *section for the purposes of developing and dissemi-*
7 *nating science-based tools and treatments to combat*
8 *diseases of hops caused by the plant pathogens*
9 **Podospaera macularis* and *Pseudoperonospora**
10 **humuli.*”.*

11 **SEC. 12621. REMOTE SENSING TECHNOLOGIES.**

12 *The Chief of the Forest Service shall—*

13 *(1) continue to find efficiencies in the operations*
14 *of the forest inventory and analysis program under*
15 *section 3(e) of the Forest and Rangeland Renewable*
16 *Resources Research Act of 1978 (16 U.S.C. 1642(e))*
17 *through the improved use and integration of advanced*
18 *remote sensing technologies to provide estimates for*
19 *State- and national-level inventories, where appro-*
20 *priate; and*

21 *(2) partner with States and other interested*
22 *stakeholders to carry out the program described in*
23 *paragraph (1).*

1 **SEC. 12622. BUY AMERICAN REQUIREMENTS.**

2 *Not later than 180 days after the date of enactment*
3 *of this Act, the Secretary shall—*

4 *(1) fully enforce the Buy American provisions*
5 *applicable to domestic food assistance programs ad-*
6 *ministered by the Food and Nutrition Service, includ-*
7 *ing, for use in those domestic food assistance pro-*
8 *grams, the purchase of a fish or fish product that sub-*
9 *stantially contains—*

10 *(A) fish (including tuna) harvested with-*
11 *in—*

12 *(i) a State;*

13 *(ii) the District of Columbia; or*

14 *(iii) the Exclusive Economic Zone of*
15 *the United States, as described in Presi-*
16 *dential Proclamation 5030 (48 Fed. Reg.*
17 *10605; March 10, 1983); or*

18 *(B) tuna harvested by a United States*
19 *flagged vessel; and*

20 *(2) submit to Congress a report on the actions*
21 *the Secretary has taken and plans to take to comply*
22 *with paragraph (1).*

23 **SEC. 12623. ELIGIBILITY FOR OPERATORS ON HEIRS PROP-**
24 **ERTY LAND TO OBTAIN A FARM NUMBER.**

25 *(a) DEFINITIONS.—In this section:*

1 (1) *ELIGIBLE DOCUMENTATION.*—*The term “eli-*
2 *gible documentation”, with respect to land for which*
3 *a farm operator seeks assignment of a farm number*
4 *under subsection (b)(1), includes—*

5 (A) *in States that have adopted a statute*
6 *consisting of an enactment or adoption of the*
7 *Uniform Partition of Heirs Property Act, as ap-*
8 *proved and recommended for enactment in all*
9 *States by the National Conference of Commis-*
10 *sioners on Uniform State Laws in 2010—*

11 (i) *a court order verifying the land*
12 *meets the definition of heirs property (as*
13 *defined in that Act); or*

14 (ii) *a certification from the local re-*
15 *recorder of deeds that the recorded owner of*
16 *the land is deceased and not less than 1 heir*
17 *of the recorded owner of the land has initi-*
18 *ated a procedure to retitle the land in the*
19 *name of the rightful heir;*

20 (B) *a fully executed, unrecorded tenancy-in-*
21 *common agreement that sets out ownership rights*
22 *and responsibilities among all of the owners of*
23 *the land that—*

24 (i) *has been approved by a majority of*
25 *the ownership interests in that property;*

1 (ii) has given a particular owner the
2 right to manage and control any portion or
3 all of the land for purposes of operating a
4 farm or ranch; and

5 (iii) was validly entered into under the
6 authority of the jurisdiction in which the
7 land is located;

8 (C) the tax return of a farm operator farm-
9 ing a property with undivided interests for each
10 of the 5 years preceding the date on which the
11 farm operator submits the tax returns as eligible
12 documentation under subsection (b);

13 (D) self-certification that the farm operator
14 has control of the land for purposes of operating
15 a farm or ranch; and

16 (E) any other documentation identified by
17 the Secretary under subsection (c).

18 (2) *FARM NUMBER.*—The term “farm number”
19 has the meaning given the term in section 718.2 of
20 title 7, Code of Federal Regulations (as in effect on
21 the date of enactment of this Act).

22 (b) *FARM NUMBER.*—

23 (1) *IN GENERAL.*—The Secretary shall provide
24 for the assignment of a farm number to any farm op-
25 erator who provides any form of eligible documenta-

1 *tion for purposes of demonstrating that the farm op-*
2 *erator has control of the land for purposes of defining*
3 *that land as a farm.*

4 (2) *ELIGIBILITY.*—*Any farm number provided*
5 *under paragraph (1) shall be sufficient to satisfy any*
6 *requirement of the Secretary to have a farm number*
7 *to participate in a program of the Secretary.*

8 (c) *ELIGIBLE DOCUMENTATION.*—*The Secretary shall*
9 *identify alternative forms of eligible documentation that a*
10 *farm operator may provide in seeking the assignment of*
11 *a farm number under subsection (b)(1).*

12 **SEC. 12624. LOANS TO PURCHASERS OF LAND WITH UNDI-**
13 **VIDED INTEREST AND NO ADMINISTRATIVE**
14 **AUTHORITY.**

15 (a) *REAUTHORIZATION OF BEGINNING FARMER AND*
16 *RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT*
17 *PROGRAM.*—*Section 333B(h) of the Consolidated Farm and*
18 *Rural Development Act (7 U.S.C. 1983b(h)) (as amended*
19 *by section 5301) is amended by striking “2023” and insert-*
20 *ing “2024”.*

21 (b) *PILOT PROGRAM.*—*Subtitle D of the Consolidated*
22 *Farm and Rural Development Act (7 U.S.C. 1981 et seq.)*
23 *is amended by inserting after section 333D the following:*

1 **“SEC. 333E. FARMER LOAN PILOT PROJECTS.**

2 “(a) *IN GENERAL.*—*The Secretary may conduct pilot*
3 *projects of limited scope and duration that are consistent*
4 *with subtitles A, B, C, and this subtitle to evaluate processes*
5 *and techniques that may improve the efficiency and effec-*
6 *tiveness of the programs carried out under subtitles A, B,*
7 *C, and this subtitle.*

8 “(b) *NOTIFICATION.*—*The Secretary shall—*

9 “(1) *not less than 60 days before the date on*
10 *which the Secretary initiates a pilot project under*
11 *subsection (a), submit notice of the proposed pilot*
12 *project to the Committee on Agriculture of the House*
13 *of Representatives and the Committee on Agriculture,*
14 *Nutrition, and Forestry of the Senate; and*

15 “(2) *consider any recommendations or feedback*
16 *provided to the Secretary in response to the notice*
17 *provided under paragraph (1).”.*

18 “(c) *RELENDING PROGRAM.*—*Subtitle A of title III of*
19 *the Consolidated Farm and Rural Development Act (7*
20 *U.S.C. 1922 et seq.) is amended by adding at the end the*
21 *following:*

22 **“SEC. 310I. RELENDING PROGRAM TO RESOLVE OWNERSHIP**
23 **AND SUCCESSION ON FARMLAND.**

24 “(a) *IN GENERAL.*—*The Secretary may make or guar-*
25 *antee loans to eligible entities described in subsection (b)*
26 *using amounts made available for farm ownership loans*

1 *under this subtitle so that the eligible entities may relent*
2 *the funds to individuals and entities for the purposes de-*
3 *scribed in subsection (c).*

4 “(b) *ELIGIBLE ENTITIES.*—*Entities eligible for loans*
5 *and loan guarantees described in subsection (a) are co-*
6 *operatives, credit unions, and nonprofit organizations*
7 *with—*

8 “(1) *certification under section 1805.201 of title*
9 *12, Code of Federal Regulations (or successor regula-*
10 *tions) to operate as a lender;*

11 “(2) *experience assisting socially disadvantaged*
12 *farmers and ranchers (as defined in section 2501(a)*
13 *of the Food, Agriculture, Conservation, and Trade Act*
14 *of 1990 (7 U.S.C. 2279(a))) or limited resource or*
15 *new and beginning farmers and ranchers, rural busi-*
16 *nesses, cooperatives, or credit unions, including expe-*
17 *rience in making and servicing agricultural and com-*
18 *mercial loans; and*

19 “(3) *the ability to provide adequate assurance of*
20 *the repayment of a loan.*

21 “(c) *ELIGIBLE PURPOSES.*—*The proceeds from loans*
22 *made or guaranteed by the Secretary pursuant to subsection*
23 *(a) shall be relent by eligible entities for projects that assist*
24 *heirs with undivided ownership interests to resolve owner-*
25 *ship and succession on farmland that has multiple owners.*

1 “(d) *PREFERENCE.*—*In making loans under sub-*
2 *section (a), the Secretary shall give preference to eligible*
3 *entities—*

4 “(1) *with not less than 10 years of experience*
5 *servicing socially disadvantaged farmers and ranchers;*
6 *and*

7 “(2) *in States that have adopted a statute con-*
8 *sisting of an enactment or adoption of the Uniform*
9 *Partition of Heirs Property Act, as approved and rec-*
10 *ommended for enactment in all States by the Na-*
11 *tional Conference of Commissioners on Uniform State*
12 *Laws in 2010, that relend to owners of heirs property*
13 *(as defined in that Act).*

14 “(e) *LOAN TERMS AND CONDITIONS.*—*The following*
15 *terms and conditions shall apply to loans made or guaran-*
16 *teed under this section:*

17 “(1) *The interest rate at which intermediaries*
18 *may borrow funds under this section shall be equal to*
19 *the rate at which farm ownership loans under this*
20 *subtitle are made.*

21 “(2) *The rates, terms, and payment structure for*
22 *borrowers to which intermediaries lend shall be—*

23 “(A) *determined by the intermediary in an*
24 *amount sufficient to cover the cost of operating*
25 *and sustaining the revolving loan fund; and*

1 “(B) clearly and publicly disclosed to quali-
2 fied ultimate borrowers.

3 “(3) Borrowers to which intermediaries lend
4 shall be—

5 “(A) required to complete a succession plan
6 as a condition of the loan; and

7 “(B) be offered the opportunity to borrow
8 sufficient funds to cover costs associated with the
9 succession plan under subparagraph (A) and
10 other associated legal and closing costs.

11 “(f) REPORT.—Not later than 1 year after the date of
12 enactment of this section, the Secretary shall submit to the
13 Committee on Agriculture of the House of Representatives
14 and the Committee on Agriculture, Nutrition, and Forestry
15 of the Senate a report describing the operation and out-
16 comes of the program under this section, with recommenda-
17 tions on how to strengthen the program.

18 “(g) FUNDING.—The Secretary shall carry out this sec-
19 tion using funds otherwise made available to the Sec-
20 retary.”.

21 **SEC. 12625. FARMLAND OWNERSHIP DATA COLLECTION.**

22 “(a) IN GENERAL.—The Secretary shall collect and, not
23 less frequently than once every 5 years report, data and
24 analysis on farmland ownership, tenure, transition, and
25 entry of beginning farmers and ranchers (as defined in sec-

1 *tion 343(a) of the Consolidated Farm and Rural Develop-*
2 *ment Act (7 U.S.C. 1991(a)) and socially disadvantaged*
3 *farmers and ranchers (as defined in section 2501(a) of the*
4 *Food, Agriculture, Conservation, and Trade Act of 1990 (7*
5 *U.S.C. 2279(a)).*

6 (b) *REQUIREMENTS.—In carrying out subsection (a),*
7 *the Secretary shall, at a minimum—*

8 (1) *collect and distribute comprehensive report-*
9 *ing of trends in farmland ownership, tenure, transi-*
10 *tion, barriers to entry, profitability, and viability of*
11 *beginning farmers and ranchers and socially dis-*
12 *advantaged farmers and ranchers;*

13 (2) *develop surveys and report statistical and*
14 *economic analysis on farmland ownership, tenure,*
15 *transition, barriers to entry, profitability, and viabil-*
16 *ity of beginning farmers and ranchers, including a*
17 *regular follow-on survey to each Census of Agriculture*
18 *with results of the follow-on survey made public not*
19 *later than 3 years after the previous Census of Agri-*
20 *culture; and*

21 (3) *require the National Agricultural Statistics*
22 *Service—*

23 (A) *to include in the Tenure, Ownership,*
24 *and Transition of Agricultural Land survey*
25 *questions relating to—*

1 (i) *the extent to which non-farming*
2 *landowners are purchasing and holding*
3 *onto farmland for the sole purpose of real*
4 *estate investment;*

5 (ii) *the impact of these farmland own-*
6 *ership trends on the successful entry and vi-*
7 *ability of beginning farmers and ranchers*
8 *and socially disadvantaged farmers and*
9 *ranchers;*

10 (iii) *the extent to which farm and*
11 *ranch land with undivided interests and no*
12 *administrative authority identified have*
13 *farms or ranches operating on that land;*
14 *and*

15 (iv) *the impact of land tenure patterns,*
16 *categorized by—*

17 (I) *race, gender, and ethnicity;*

18 *and*

19 (II) *region; and*

20 (B) *to include in the report of each Tenure,*
21 *Ownership, and Transition of Agricultural Land*
22 *survey the results of the questions under sub-*
23 *paragraph (A).*

1 **SEC. 12626. RURAL BUSINESS INVESTMENT PROGRAM.**

2 (a) *DEFINITIONS.*—Section 384A of the Consolidated
3 Farm and Rural Development Act (7 U.S.C. 2009cc) is
4 amended—

5 (1) in paragraph (2)—

6 (A) in the paragraph heading, by striking
7 “VENTURE”; and

8 (B) by striking “venture”; and

9 (2) by striking paragraph (4) and inserting the
10 following:

11 “(4) *EQUITY CAPITAL.*—The term ‘equity cap-
12 ital’ means—

13 “(A) common or preferred stock or a similar
14 instrument, including subordinated debt with eq-
15 uity features; and

16 “(B) any other type of equity-like financing
17 that might be necessary to facilitate the purposes
18 of this Act, excluding financing such as senior
19 debt or other types of financing that competes
20 with routine loanmaking of commercial lend-
21 ers.”.

22 (b) *PURPOSES.*—Section 384B of the Consolidated
23 Farm and Rural Development Act (7 U.S.C. 2009cc–1) is
24 amended—

25 (1) in paragraph (1), by striking “venture”; and

26 (2) in paragraph (2)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “venture”; and
3 (B) in subparagraph (B), by striking “ven-
4 ture”.

5 (c) *SELECTION OF RURAL BUSINESS INVESTMENT*
6 *COMPANIES.*—Section 384D(b)(1) of the Consolidated Farm
7 and Rural Development Act (7 U.S.C. 2009cc–3(b)(1)) is
8 amended by striking “developmental venture” and inserting
9 “developmental”.

10 (d) *FEES.*—Section 384G of the Consolidated Farm
11 and Rural Development Act (7 U.S.C. 2009cc–6) is amend-
12 ed—

13 (1) in subsections (a) and (b), by striking “a fee
14 that does not exceed \$500” each place it appears and
15 inserting “such fees as the Secretary considers appro-
16 priate, so long as those fees are proportionally equal
17 for each rural business investment company,”; and

18 (2) in subsection (c)(2)—

19 (A) in subparagraph (B), by striking “sole-
20 ly to cover the costs of licensing examinations”
21 and inserting “as the Secretary considers appro-
22 priate”; and

23 (B) by striking subparagraph (C) and in-
24 serting the following:

1 “(C) shall be in such amounts as the Sec-
2 retary considers appropriate.”.

3 (e) *LIMITATION ON RURAL BUSINESS INVESTMENT*
4 *COMPANIES CONTROLLED BY FARM CREDIT SYSTEM INSTI-*
5 *TUTIONS.*—Section 384J(c) of the Consolidated Farm and
6 Rural Development Act (7 U.S.C. 2009cc–9(c)) is amended
7 by striking “25” and inserting “50”.

8 (f) *FLEXIBILITY ON SOURCES OF INVESTMENT OR CAP-*
9 *ITAL.*—Section 384J(a) of the Consolidated Farm and
10 Rural Development Act (7 U.S.C. 2009cc–9(a)) is amend-
11 ed—

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

15 (2) by striking the subsection designation and
16 heading and all that follows through “Except as” in
17 the matter preceding subparagraph (A) (as so redesign-
18 ated) and inserting the following:

19 “(a) *INVESTMENT.*—

20 “(1) *IN GENERAL.*—*Except as*”; and

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

22 “(2) *LIMITATION ON REQUIREMENTS.*—*The Sec-*
23 *retary may not require that an entity described in*
24 *paragraph (1) provide investment or capital that is*
25 *not required of other companies eligible to apply to*

1 *operate as a rural business investment company*
2 *under section 384D(a).”.*

3 **SEC. 12627. NATIONAL OILHEAT RESEARCH ALLIANCE.**

4 *(a) IN GENERAL.—Section 713 of the National Oilheat*
5 *Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public*
6 *Law 106–469) is repealed.*

7 *(b) LIMITATIONS ON OBLIGATIONS OF FUNDS.—The*
8 *National Oilheat Research Alliance Act of 2000 (42 U.S.C.*
9 *6201 note; Public Law 106–469) is amended by inserting*
10 *after section 707 the following:*

11 **“SEC. 708. LIMITATIONS ON OBLIGATION OF FUNDS.**

12 *“(a) IN GENERAL.—In each fiscal year of the covered*
13 *period, the Alliance may not obligate an amount greater*
14 *than the sum of—*

15 *“(1) 75 percent of the amount of assessments es-*
16 *timated to be collected under section 707 in that fiscal*
17 *year;*

18 *“(2) 75 percent of the amount of assessments ac-*
19 *tually collected under section 707 in the most recent*
20 *fiscal year for which an audit report has been sub-*
21 *mitted under section 706(f)(2)(B) as of the beginning*
22 *of the fiscal year for which the amount that may be*
23 *obligated is being determined, less the estimate made*
24 *pursuant to paragraph (1) for that most recent fiscal*
25 *year; and*

1 “(3) amounts permitted in preceding fiscal years
2 to be obligated pursuant to this subsection that have
3 not been obligated.

4 “(b) *EXCESS AMOUNTS DEPOSITED IN ESCROW AC-*
5 *COUNT.*—Assessments collected under section 707 in excess
6 of the amount permitted to be obligated under subsection
7 (a) in a fiscal year shall be deposited in an escrow account
8 for the duration of the covered period.

9 “(c) *TREATMENT OF AMOUNTS IN ESCROW AC-*
10 *COUNT.*—

11 “(1) *IN GENERAL.*—During the covered period,
12 the Alliance may not obligate, expend, or borrow
13 against amounts required under subsection (b) to be
14 deposited in the escrow account.

15 “(2) *INTEREST.*—Any interest earned on
16 amounts described in paragraph (1) shall be—

17 “(A) deposited in the escrow account; and

18 “(B) unavailable for obligation for the du-
19 ration of the covered period.

20 “(d) *RELEASE OF AMOUNTS IN ESCROW ACCOUNT.*—
21 After the expiration of the covered period, the Alliance may
22 withdraw and obligate in any fiscal year an amount in
23 the escrow account that does not exceed $\frac{1}{5}$ of the amount
24 in the escrow account on the last day of the covered period.

1 “(e) *SPECIAL RULE FOR ESTIMATES FOR PARTICULAR*
2 *FISCAL YEARS.*—

3 “(1) *RULE.*—*For purposes of subsection (a)(1),*
4 *the amount of assessments estimated to be collected*
5 *under section 707 in a fiscal year described in para-*
6 *graph (2) shall be equal to 62 percent of the amount*
7 *of assessments actually collected under that section in*
8 *the most recent fiscal year for which an audit report*
9 *has been submitted under section 706(f)(2)(B) as of*
10 *the beginning of the fiscal year for which the amount*
11 *that may be obligated is being determined.*

12 “(2) *FISCAL YEARS DESCRIBED.*—*The fiscal*
13 *years referred to in paragraph (1) are the 9th and*
14 *10th fiscal years that begin on or after the date of en-*
15 *actment of the Agriculture Improvement Act of 2018.*

16 “(f) *COVERED PERIOD DEFINED.*—*In this section, the*
17 *term ‘covered period’ means the period that begins on the*
18 *date of enactment of the Agriculture Improvement Act of*
19 *2018 and ends on the last day of the 11th fiscal year that*
20 *begins on or after that date of enactment.’.*

1 **SEC. 12628. REAUTHORIZATION OF RURAL EMERGENCY**
2 **MEDICAL SERVICES TRAINING AND EQUIP-**
3 **MENT ASSISTANCE PROGRAM.**

4 (a) *SHORT TITLE.*—*This section may be cited as the*
5 *“Supporting and Improving Rural EMS Needs Act of*
6 *2018” or the “SIREN Act of 2018”.*

7 (b) *AMENDMENTS.*—*Section 330J of the Public Health*
8 *Service Act (42 U.S.C. 254c–15) is amended—*

9 (1) *in subsection (a), by striking “in rural*
10 *areas” and inserting “in rural areas or to residents*
11 *of rural areas”;*

12 (2) *by striking subsections (b) through (f) and*
13 *inserting the following:*

14 “(b) *ELIGIBILITY; APPLICATION.*—*To be eligible to re-*
15 *ceive grant under this section, an entity shall—*

16 (1) *be—*

17 (A) *an emergency medical services agency*
18 *operated by a local or tribal government (includ-*
19 *ing fire-based and non-fire based); or*

20 (B) *an emergency medical services agency*
21 *that is described in section 501(c) of the Internal*
22 *Revenue Code of 1986 and exempt from tax*
23 *under section 501(a) of such Code; and*

24 (2) *submit an application to the Secretary at*
25 *such time, in such manner, and containing such in-*
26 *formation as the Secretary may require.*

1 “(c) *USE OF FUNDS.—An entity—*

2 “(1) *shall use amounts received through a grant*
3 *under subsection (a) to—*

4 “(A) *train emergency medical services per-*
5 *sonnel as appropriate to obtain and maintain li-*
6 *censes and certifications relevant to service in an*
7 *emergency medical services agency described in*
8 *subsection (b)(1);*

9 “(B) *conduct courses that qualify graduates*
10 *to serve in an emergency medical services agency*
11 *described in subsection (b)(1) in accordance with*
12 *State and local requirements;*

13 “(C) *fund specific training to meet Federal*
14 *or State licensing or certification requirements;*
15 *and*

16 “(D) *acquire emergency medical services*
17 *equipment; and*

18 “(2) *may use amounts received through a grant*
19 *under subsection (a) to—*

20 “(A) *recruit and retain emergency medical*
21 *services personnel, which may include volunteer*
22 *personnel;*

23 “(B) *develop new ways to educate emer-*
24 *gency health care providers through the use of*
25 *technology-enhanced educational methods; or*

1 “(C) acquire personal protective equipment
2 for emergency medical services personnel as re-
3 quired by the Occupational Safety and Health
4 Administration.

5 “(d) GRANT AMOUNTS.—Each grant awarded under
6 this section shall be in an amount not to exceed \$200,000.

7 “(e) DEFINITIONS.—In this section:

8 “(1) The term ‘emergency medical services’—

9 “(A) means resources used by a public or
10 private nonprofit licensed entity to deliver med-
11 ical care outside of a medical facility under
12 emergency conditions that occur as a result of
13 the condition of the patient; and

14 “(B) includes services delivered (either on a
15 compensated or volunteer basis) by an emergency
16 medical services provider or other provider that
17 is licensed or certified by the State involved as
18 an emergency medical technician, a paramedic,
19 or an equivalent professional (as determined by
20 the State).

21 “(2) The term ‘rural area’ means—

22 “(A) a nonmetropolitan statistical area;

23 “(B) an area designated as a rural area by
24 any law or regulation of a State; or

1 “(C) a rural census tract of a metropolitan
2 statistical area (as determined under the most
3 recent rural urban commuting area code as set
4 forth by the Office of Management and Budget).

5 “(f) *MATCHING REQUIREMENT.*—The Secretary may
6 not award a grant under this section to an entity unless
7 the entity agrees that the entity will make available (di-
8 rectly or through contributions from other public or private
9 entities) non-Federal contributions toward the activities to
10 be carried out under the grant in an amount equal to 25
11 percent of the amount received under the grant.”; and

12 (3) in subsection (g)(1), by striking “2002
13 through 2006” and inserting “2019 through 2023”.

Attest:

Secretary.

115TH CONGRESS
2^D SESSION

H.R. 2

AMENDMENT