

118TH CONGRESS
1ST SESSION

S. 2180

To amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a small farm EQIP subprogram under the environmental quality incentives program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mr. BENNET (for himself, Mr. LUJÁN, Mr. BROWN, Mr. HEINRICH, Mrs. GILLIBRAND, Mr. WELCH, Mr. WYDEN, Mr. KING, Mr. SANDERS, Mr. REED, and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a small farm EQIP subprogram under the environmental quality incentives program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Farm Conserva-
5 tion Act”.

1 **SEC. 2. SMALL FARM EQUIP SUBPROGRAM.**

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

4 (1) in subsection (d)—

5 (A) by striking paragraph (1) and insert-
6 ing the following:

7 “(1) AVAILABILITY; MINIMUM AMOUNT.—

8 “(A) AVAILABILITY.—A payment provided
9 to a producer under the program shall be used
10 to implement 1 or more practices under the
11 program.

12 “(B) MINIMUM AMOUNT.—The amount of
13 a payment provided to a producer under the
14 program shall be not less than \$2,500.”;

15 (B) in paragraph (2), in the matter pre-
16 ceding subparagraph (A), by striking “A pay-
17 ment” and inserting “Subject to paragraph
18 (1)(B), a payment”; and

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

20 “(8) SOIL HEALTH MANAGEMENT SYSTEM PAY-
21 MENTS.—

22 “(A) IN GENERAL.—Notwithstanding para-
23 graph (2), the Secretary shall increase the
24 amount that would otherwise be provided for
25 practices comprising a soil health management
26 system on a farm by 50 percent for any appli-

1 cation for a soil health management system on
 2 an operation of not more than 50 acres.

3 “(B) RAPID AND STREAMLINED APPLICA-
 4 TION AND CONTRACT APPROVAL.—The Sec-
 5 retary shall provide payments under this para-
 6 graph on a continuous enrollment basis, using
 7 a rapid and streamlined application and con-
 8 tract approval process.”;

9 (2) in subsection (f), by adding at the end the
 10 following:

11 “(3) SMALL FARM EQIP SUBPROGRAM.—

12 “(A) TOTAL FUNDING.—For each of fiscal
 13 years 2024 through 2028, not less than
 14 \$100,000,000 of the funds made available for
 15 payments under the program shall be used to
 16 carry out the subprogram established under
 17 subsection (k).

18 “(B) TECHNICAL AND FINANCIAL ASSIST-
 19 ANCE.—Of the amounts made available under
 20 subparagraph (A)—

21 “(i) 35 percent shall be used to ensure
 22 the provision of tailored technical assist-
 23 ance for small-scale agricultural producers
 24 by—

1 “(I) hiring new Natural Re-
2 sources Conservation Service staff
3 who are familiar with the unique con-
4 servation challenges faced by small-
5 scale agricultural producers;

6 “(II) training current Natural
7 Resources Conservation Service field
8 staff regarding the challenges de-
9 scribed in subclause (I); and

10 “(III) ensuring sufficient Natural
11 Resources Conservation Service staff-
12 ing levels to deliver a streamlined and
13 expedited application and contracting
14 experience to small-scale agricultural
15 producers; and

16 “(ii) 65 percent shall be used to pro-
17 vide financial assistance directly to small-
18 scale agricultural producers.”; and

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

20 “(k) SMALL FARM EQIP SUBPROGRAM.—

21 “(1) IN GENERAL.—In each State, the Sec-
22 retary shall establish under the program a subpro-
23 gram, under which the Secretary shall—

24 “(A) provide financial and technical assist-
25 ance to small-scale agricultural producers that

1 enter into contracts with the Secretary under
2 the subprogram;

3 “(B) conduct outreach to small-scale agri-
4 cultural producers to increase participation in
5 the subprogram; and

6 “(C) provide to field staff of the Natural
7 Resources Conservation Service training and
8 education regarding the specific conservation
9 needs of small-scale agricultural producers.

10 “(2) PAYMENTS.—

11 “(A) IN GENERAL.—The Secretary shall
12 determine whether a small-scale agricultural
13 producer is eligible to receive payments under
14 this subsection—

15 “(i) on a State-by-State basis, subject
16 to subparagraph (C);

17 “(ii) in consultation with the technical
18 committee established under section
19 1261(a) of the State in which the small-
20 scale agricultural producer is located; and

21 “(iii) based on—

22 “(I) the operations of a small-
23 scale agricultural producer, including
24 with respect to farm size and gross
25 sales;

1 “(II) demographic data compiled
2 by the National Agricultural Statistics
3 Service relating to small-scale agricul-
4 tural producers, including—
5 “(aa) historically under-
6 served farmers, ranchers, and
7 forest owners, including—
8 “(AA) veteran farmers
9 and ranchers;
10 “(BB) limited-resource
11 farmers, ranchers, and for-
12 est owners;
13 “(CC) beginning farm-
14 ers and ranchers; and
15 “(DD) socially dis-
16 advantaged farmers; and
17 “(bb) farmers, ranchers, and
18 forest owners operating in high-
19 poverty areas;
20 “(III) the applicable advanced
21 payment requirements under sub-
22 section (d)(4); and
23 “(IV) other relevant information,
24 as determined by the Secretary.

1 “(B) AMOUNT.—The Secretary shall pro-
2 vide payments under this subsection to a pro-
3 ducer that is eligible for the payments under
4 subparagraph (A) in such amount as the Sec-
5 retary determines—

6 “(i) achieves the purposes described in
7 subparagraphs (A) and (B) of paragraph
8 (1);

9 “(ii) addresses natural resource con-
10 cerns relating to production on small-scale
11 agricultural operations; and

12 “(iii) is in accordance with any appli-
13 cable increased payment requirements
14 under subsection (d)(4).

15 “(C) SIZE REQUIREMENTS.—

16 “(i) IN GENERAL.—To be eligible to
17 receive a payment under subparagraph (A)
18 (other than a payment described in clause
19 (ii)), the farm size of an agricultural pro-
20 ducer may not exceed the median farm size
21 of the State in which the producer is lo-
22 cated, based on aggregate data published
23 by the National Agricultural Statistics
24 Service.

1 “(ii) LIVESTOCK AND PASTURE MAN-
2 AGEMENT PAYMENTS.—To be eligible to
3 receive a livestock or pasture management
4 payment under subparagraph (A), the herd
5 size of an agricultural producer may not
6 exceed the median herd size of the State in
7 which the producer is located, based on ag-
8 gregate data published by the National Ag-
9 ricultural Statistics Service.

10 “(3) APPLICATIONS.—

11 “(A) IN GENERAL.—To be eligible to re-
12 ceive financial and technical assistance under
13 this subsection, a producer that is eligible for
14 the assistance under paragraph (2)(A) shall
15 submit to the Secretary an application at such
16 time, in such manner, and containing such in-
17 formation as the Secretary may require.

18 “(B) ADMINISTRATION.—To the maximum
19 extent practicable, the Secretary shall limit the
20 administrative burdens, and the regulatory bar-
21 riers that contribute to administrative burdens,
22 on producers applying for payments under this
23 subsection.

24 “(C) RAPID AND STREAMLINED APPLICA-
25 TION AND CONTRACT APPROVAL.—The Sec-

1 retary shall provide payments under this para-
2 graph on a continuous enrollment basis, using
3 a rapid and streamlined application and con-
4 tract approval process.

5 “(4) SUBPROGRAM COORDINATORS.—

6 “(A) IN GENERAL.—Subject to subpara-
7 graph (B), the Secretary shall designate—

8 “(i) a national subprogram coordi-
9 nator; and

10 “(ii) a subprogram coordinator in
11 each State.

12 “(B) REQUIREMENTS.—At the time of des-
13 ignation under subparagraph (A), a national or
14 State subprogram coordinator shall be—

15 “(i) an employee of the Natural Re-
16 sources Conservation Service; and

17 “(ii) responsible for, on a national or
18 statewide basis, respectively—

19 “(I) public outreach relating to
20 the subprogram;

21 “(II) assisting producers in the
22 submission of applications under the
23 subprogram;

1 “(III) distributing financial and
2 technical assistance under this sub-
3 section; and

4 “(IV) submitting to the Secretary
5 annual recommendations with respect
6 to additional conservation practice
7 standards and activities required to
8 better serve small-scale agricultural
9 producers.

10 “(5) LANGUAGE REQUIREMENTS.—The Sec-
11 retary shall publish any outreach materials for
12 small-scale agricultural producers relating to the
13 subprogram under this subsection simultaneously
14 in—

15 “(A) English; and

16 “(B) such additional languages as the Sec-
17 retary determines to be appropriate for each ap-
18 plicable State.

19 “(6) REPORT.—Not later than May 1, 2027,
20 the Secretary shall submit to the Committee on Ag-
21 riculture, Nutrition, and Forestry of the Senate and
22 the Committee on Agriculture of the House of Rep-
23 resentatives a report describing the results of the
24 subprogram under this subsection, including—

1 “(A) activities carried out under paragraph
2 (3)(B) to limit administrative burdens and reg-
3 ulatory barriers; and

4 “(B) to the maximum extent practicable,
5 demographic information relating to each small-
6 scale agricultural producer participating in the
7 subprogram, as the Secretary determines to be
8 appropriate.”.

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