

# Calendar No. 483

115TH CONGRESS  
2D SESSION

# H. R. 2

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IN THE SENATE OF THE UNITED STATES

JUNE 21, 2018

Received; read twice and placed on the calendar

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## 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.

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

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

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

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

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

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- Sec. 1113. Payment yields.
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- Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commodities.
- Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
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- Sec. 1207. Special marketing loan provisions for upland cotton.
- Sec. 1208. Special competitive provisions for extra long staple cotton.
- Sec. 1209. Availability of recourse loans.
- Sec. 1210. Adjustments of loans.

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- Sec. 1301. Sugar policy.

#### Subtitle D—Dairy Risk Management Program and Other Dairy Programs

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- Sec. 1402. Class I skim milk price.
- Sec. 1403. Extension of dairy forward pricing program.
- Sec. 1404. Extension of dairy indemnity program.
- Sec. 1405. Extension of dairy promotion and research program.
- Sec. 1406. Repeal of dairy product donation program.

#### Subtitle E—Supplemental Agricultural Disaster Assistance Programs

- Sec. 1501. Modification of supplemental agricultural disaster assistance.

#### Subtitle F—Administration

- Sec. 1601. Administration generally.
- Sec. 1602. Suspension of permanent price support authority.
- Sec. 1603. Payment limitations.
- Sec. 1604. Adjusted gross income limitation.
- Sec. 1605. Prevention of deceased individuals receiving payments under farm commodity programs.
- Sec. 1606. Assignment of payments.
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- Sec. 1612. One-time filing for ARC and PLC.

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- Sec. 2102. Minimal effect regulations.

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- Sec. 2202. Farmable wetland program.
- Sec. 2203. Duties of owners and operators.
- Sec. 2204. Duties of the Secretary.
- Sec. 2205. Payments.
- Sec. 2206. Contracts.

### Subtitle C—Environmental Quality Incentives Program

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- Sec. 2302. Establishment and administration.
- Sec. 2303. Limitation on payments.
- Sec. 2304. Conservation innovation grants and payments.

### Subtitle D—Other Conservation Programs

- Sec. 2401. Conservation of private grazing land.
- Sec. 2402. Grassroots source water protection program.
- Sec. 2403. Voluntary public access and habitat incentive program.
- Sec. 2404. Watershed protection and flood prevention.
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- Sec. 4202. Seniors farmers' market nutrition program.
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- Sec. 11603. Conference report requirement threshold.
- Sec. 11604. National agriculture imagery program.
- Sec. 11605. Report on inclusion of natural stone products in Commodity Promotion, Research, and Information Act of 1996.
- Sec. 11606. South Carolina inclusion in Virginia/Carolina peanut producing region.
- Sec. 11607. Establishment of Food Loss and Waste Reduction Liaison.
- Sec. 11608. Establishment of Food Access Liaison.
- Sec. 11609. Cotton classification services.
- Sec. 11610. Century farms program.
- Sec. 11611. Report on agricultural innovation.
- Sec. 11612. Report on dog importation.
- Sec. 11613. Prohibition on slaughter of dogs and cats for human consumption.
- Sec. 11614. Consideration of the totality of conservation measures.
- Sec. 11615. Depredation permits for black vultures.
- Sec. 11616. Extending prohibition on animal fighting to the territories.
- Sec. 11617. Waters of the United States rule.

Subtitle G—Protecting Interstate Commerce

- Sec. 11701. Prohibition against interference by State and local governments with production or manufacture of items in other States.
- Sec. 11702. Federal cause of action to challenge State regulation of interstate commerce.

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

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

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

3   **SEC. 1111. DEFINITIONS.**

4           In this subtitle and subtitle B:

5           (1) **ACTUAL CROP REVENUE.**—The term “ac-  
6           tual crop revenue”, with respect to a covered com-  
7           modity for a crop year, means the amount deter-  
8           mined by the Secretary under section 1117(b).

9           (2) **AGRICULTURE RISK COVERAGE.**—The term  
10          “agriculture risk coverage” means coverage provided  
11          under section 1117.

12          (3) **AGRICULTURE RISK COVERAGE GUAR-**  
13          **ANTEE.**—The term “agriculture risk coverage guar-  
14          antee”, with respect to a covered commodity for a  
15          crop year, means the amount determined by the Sec-  
16          retary under section 1117(c).

17          (4) **BASE ACRES.**—The term “base acres” has  
18          the meaning given the term in section 1111(4)(A) of  
19          the Agricultural Act of 2014 (7 U.S.C. 9011(4)(A)),  
20          subject to any reallocation, adjustment, or reduction  
21          under section 1112.

22          (5) **COVERED COMMODITY.**—The term “covered  
23          commodity” means wheat, oats, and barley (includ-  
24          ing wheat, oats, and barley used for haying and  
25          grazing), corn, grain sorghum, long grain rice, me-

1 dium grain rice, pulse crops, soybeans, other oil-  
2 seeds, seed cotton, and peanuts.

3 (6) EFFECTIVE PRICE.—The term “effective  
4 price”, with respect to a covered commodity for a  
5 crop year, means the price calculated by the Sec-  
6 retary under section 1116(b) to determine whether  
7 price loss coverage payments are required to be pro-  
8 vided for that crop year.

9 (7) EFFECTIVE REFERENCE PRICE.—The term  
10 “effective reference price”, with respect to a covered  
11 commodity for a crop year, means the lesser of the  
12 following:

13 (A) An amount equal to 115 percent of the  
14 reference price for such covered commodity.

15 (B) An amount equal to the greater of—

16 (i) the reference price for such cov-  
17 ered commodity; or

18 (ii) 85 percent of the average of the  
19 marketing year average price of the cov-  
20 ered commodity for the most recent 5 crop  
21 years, excluding each of the crop years  
22 with the highest and lowest marketing year  
23 average price.

24 (8) EXTRA LONG STAPLE COTTON.—The term  
25 “extra long staple cotton” means cotton that—



1           (A) is produced from pure strain varieties  
 2           of the *barbadense* species or any hybrid of the  
 3           species, or other similar types of extra long sta-  
 4           ple cotton, designated by the Secretary, having  
 5           characteristics needed for various end uses for  
 6           which United States upland cotton is not suit-  
 7           able and grown in irrigated cotton-growing re-  
 8           gions of the United States designated by the  
 9           Secretary or other areas designated by the Sec-  
 10          retary as suitable for the production of the vari-  
 11          eties or types; and

12           (B) is ginned on a roller-type gin or, if au-  
 13          thorized by the Secretary, ginned on another  
 14          type gin for experimental purposes.

15          (9) MARKETING YEAR AVERAGE PRICE.—The  
 16          term “marketing year average price” means the na-  
 17          tional average market price received by producers  
 18          during the 12-month marketing year for a covered  
 19          commodity, as determined by the Secretary.

20          (10) MEDIUM GRAIN RICE.—The term “medium  
 21          grain rice” includes short grain rice and temperate  
 22          japonica rice.

23          (11) OTHER OILSEED.—The term “other oil-  
 24          seed” means a crop of sunflower seed, rapeseed,  
 25          canola, safflower, flaxseed, mustard seed, crambe,

1 sesame seed, or any oilseed designated by the Sec-  
2 retary.

3 (12) PAYMENT ACRES.—The term “payment  
4 acres”, with respect to the provision of price loss  
5 coverage payments and agriculture risk coverage  
6 payments, means the number of acres determined  
7 for a farm under section 1114.

8 (13) PAYMENT YIELD.—The term “payment  
9 yield”, for a farm for a covered commodity—

10 (A) means the yield used to make pay-  
11 ments pursuant to section 1116 of the Agricul-  
12 tural Act of 2014 (7 U.S.C. 9016); or

13 (B) means the yield established under sec-  
14 tion 1113.

15 (14) PRICE LOSS COVERAGE.—The term “price  
16 loss coverage” means coverage provided under sec-  
17 tion 1116.

18 (15) PRODUCER.—

19 (A) IN GENERAL.—The term “producer”  
20 means an owner, operator, landlord, tenant, or  
21 sharecropper that shares in the risk of pro-  
22 ducing a crop and is entitled to share in the  
23 crop available for marketing from the farm, or  
24 would have shared had the crop been produced.

1 (B) HYBRID SEED.—In determining  
2 whether a grower of hybrid seed is a producer,  
3 the Secretary shall—

4 (i) not take into consideration the ex-  
5 istence of a hybrid seed contract; and

6 (ii) ensure that program requirements  
7 do not adversely affect the ability of the  
8 grower to receive a payment under this  
9 title.

10 (16) PULSE CROP.—The term “pulse crop”  
11 means dry peas, lentils, small chickpeas, and large  
12 chickpeas.

13 (17) REFERENCE PRICE.—The term “reference  
14 price”, with respect to a covered commodity for a  
15 crop year, means the following:

16 (A) For wheat, \$5.50 per bushel.

17 (B) For corn, \$3.70 per bushel.

18 (C) For grain sorghum, \$3.95 per bushel.

19 (D) For barley, \$4.95 per bushel.

20 (E) For oats, \$2.40 per bushel.

21 (F) For long grain rice, \$14.00 per hun-  
22 dredweight.

23 (G) For medium grain rice, \$14.00 per  
24 hundredweight.

25 (H) For soybeans, \$8.40 per bushel.

1 (I) For other oilseeds, \$20.15 per hundred-  
2 weight.

3 (J) For peanuts, \$535.00 per ton.

4 (K) For dry peas, \$11.00 per hundred-  
5 weight.

6 (L) For lentils, \$19.97 per hundredweight.

7 (M) For small chickpeas, \$19.04 per hun-  
8 dredweight.

9 (N) For large chickpeas, \$21.54 per hun-  
10 dredweight.

11 (O) For seed cotton, \$0.367 per pound.

12 (18) SECRETARY.—The term “Secretary”  
13 means the Secretary of Agriculture.

14 (19) SEED COTTON.—The term “seed cotton”  
15 means unginned upland cotton that includes both  
16 lint and seed.

17 (20) STATE.—The term “State” means—

18 (A) a State;

19 (B) the District of Columbia;

20 (C) the Commonwealth of Puerto Rico;  
21 and

22 (D) any other territory or possession of the  
23 United States.

24 (21) TEMPERATE JAPONICA RICE.—The term  
25 “temperate japonica rice” means rice that is grown

1 in high altitudes or temperate regions of high lati-  
2 tudes with cooler climate conditions, in the Western  
3 United States, as determined by the Secretary, for  
4 the purpose of—

5 (A) the establishment of a reference price  
6 (as required under section 1116(g)) and an ef-  
7 fective price pursuant to section 1116; and

8 (B) the determination of the actual crop  
9 revenue and agriculture risk coverage guarantee  
10 pursuant to section 1117.

11 (22) TRANSITIONAL YIELD.—The term “transi-  
12 tional yield” has the meaning given the term in sec-  
13 tion 502(b) of the Federal Crop Insurance Act (7  
14 U.S.C. 1502(b)).

15 (23) UNITED STATES.—The term “United  
16 States”, when used in a geographical sense, means  
17 all of the States.

18 (24) UNITED STATES PREMIUM FACTOR.—The  
19 term “United States Premium Factor” means the  
20 percentage by which the difference in the United  
21 States loan schedule premiums for Strict Middling  
22 (SM) 1<sup>1</sup>/<sub>8</sub>-inch upland cotton and for Middling (M)  
23 1<sup>3</sup>/<sub>32</sub>-inch upland cotton exceeds the difference in the  
24 applicable premiums for comparable international  
25 qualities.

1 **SEC. 1112. BASE ACRES.**

2 (a) ADJUSTMENT OF BASE ACRES.—

3 (1) IN GENERAL.—The Secretary shall provide  
4 for an adjustment, as appropriate, in the base acres  
5 for covered commodities for a farm whenever any of  
6 the following circumstances occur:

7 (A) A conservation reserve contract en-  
8 tered into under section 1231 of the Food Secu-  
9 rity Act of 1985 (16 U.S.C. 3831) with respect  
10 to the farm expires or is voluntarily terminated.

11 (B) Cropland is released from coverage  
12 under a conservation reserve contract by the  
13 Secretary.

14 (C) The producer has eligible oilseed acre-  
15 age as the result of the Secretary designating  
16 additional oilseeds, which shall be determined in  
17 the same manner as eligible oilseed acreage  
18 under section 1101(a)(1)(D) of the Food, Con-  
19 servation, and Energy Act of 2008 (7 U.S.C.  
20 8711(a)(1)(D)).

21 (2) SPECIAL CONSERVATION RESERVE ACREAGE  
22 PAYMENT RULES.—For the crop year in which a  
23 base acres adjustment under subparagraph (A) or  
24 (B) of paragraph (1) is first made, the owner of the  
25 farm shall elect to receive price loss coverage or ag-  
26 riculture risk coverage with respect to the acreage

1 added to the farm under this subsection or a pro-  
2 rated payment under the conservation reserve con-  
3 tract, but not both.

4 (b) PREVENTION OF EXCESS BASE ACRES.—

5 (1) REQUIRED REDUCTION.—If the sum of the  
6 base acres for a farm and the acreage described in  
7 paragraph (2) exceeds the actual cropland acreage of  
8 the farm, the Secretary shall reduce the base acres  
9 for 1 or more covered commodities for the farm so  
10 that the sum of the base acres and the acreage de-  
11 scribed in paragraph (2) does not exceed the actual  
12 cropland acreage of the farm.

13 (2) OTHER ACREAGE.—For purposes of para-  
14 graph (1), the Secretary shall include the following:

15 (A) Any acreage on the farm enrolled in  
16 the conservation reserve program or wetlands  
17 reserve program (or successor programs) under  
18 title XII of the Food Security Act of 1985 (16  
19 U.S.C. 3801 et seq.).

20 (B) Any other acreage on the farm en-  
21 rolled in a Federal conservation program for  
22 which payments are made in exchange for not  
23 producing an agricultural commodity on the  
24 acreage.

1 (C) If the Secretary designates additional  
2 oilseeds, any eligible oilseed acreage, which shall  
3 be determined in the same manner as eligible  
4 oilseed acreage under subsection (a)(1)(C).

5 (3) SELECTION OF ACRES.—The Secretary shall  
6 give the owner of the farm the opportunity to select  
7 the base acres for a covered commodity for the farm  
8 against which the reduction required by paragraph  
9 (1) will be made.

10 (4) EXCEPTION FOR DOUBLE-CROPPED ACRE-  
11 AGE.—In applying paragraph (1), the Secretary  
12 shall make an exception in the case of double crop-  
13 ping, as determined by the Secretary.

14 (c) REDUCTION IN BASE ACRES.—

15 (1) REDUCTION AT OPTION OF OWNER.—

16 (A) IN GENERAL.—The owner of a farm  
17 may reduce, at any time, the base acres for any  
18 covered commodity for the farm.

19 (B) EFFECT OF REDUCTION.—A reduction  
20 under subparagraph (A) shall be permanent  
21 and made in a manner prescribed by the Sec-  
22 retary.

23 (2) REQUIRED ACTION BY SECRETARY.—

24 (A) IN GENERAL.—The Secretary shall  
25 proportionately reduce base acres on a farm for



1 land that has been subdivided and developed for  
2 multiple residential units or other nonfarming  
3 uses if the size of the tracts and the density of  
4 the subdivision is such that the land is unlikely  
5 to return to the previous agricultural use, un-  
6 less the producers on the farm demonstrate  
7 that the land—

8 (i) remains devoted to commercial ag-  
9 ricultural production; or

10 (ii) is likely to be returned to the pre-  
11 vious agricultural use.

12 (B) REQUIREMENT.—The Secretary shall  
13 establish procedures to identify land described  
14 in subparagraph (A).

15 (3) TREATMENT OF UNPLANTED BASE.—In the  
16 case of a farm on which no covered commodities (in-  
17 cluding seed cotton) were planted or prevented from  
18 being planted during the period beginning on Janu-  
19 ary 1, 2009, and ending on December 31, 2017, the  
20 Secretary shall allocate all base acres on the farm to  
21 unassigned crop base for which no payment shall be  
22 made under section 1116 or 1117.

23 (4) PROHIBITION ON RECONSTITUTION OF  
24 FARM.—The Secretary shall ensure that producers  
25 on a farm do not reconstitute the farm to void or

1 change the treatment of base acres under this sec-  
2 tion.

3 **SEC. 1113. PAYMENT YIELDS.**

4 (a) TREATMENT OF DESIGNATED OILSEEDS.—

5 (1) IN GENERAL.—For the purpose of making  
6 price loss coverage payments under section 1116,  
7 the Secretary shall provide for the establishment of  
8 a yield for each farm for any designated oilseed for  
9 which a payment yield was not established under  
10 section 1113 of the Agricultural Act of 2014 (7  
11 U.S.C. 9013) in accordance with this section.

12 (2) PAYMENT YIELDS FOR DESIGNATED OIL-  
13 SEEDS.—In the case of designated oilseeds, the pay-  
14 ment yield shall be equal to 90 percent of the aver-  
15 age of the yield per planted acre for the most recent  
16 five crop years, as determined by the Secretary, ex-  
17 cluding any crop year in which the acreage planted  
18 to the covered commodity was zero.

19 (3) APPLICATION.—This subsection shall apply  
20 to oilseeds designated after the date of the enact-  
21 ment of this Act.

22 (b) EFFECT OF LACK OF PAYMENT YIELD.—

23 (1) ESTABLISHMENT BY SECRETARY.—In the  
24 case of a covered commodity on a farm for which  
25 base acres have been established, if no payment yield

1 is otherwise established for the covered commodity  
2 on the farm, the Secretary shall establish an appro-  
3 priate payment yield for the covered commodity on  
4 the farm under paragraph (2).

5 (2) USE OF SIMILARLY SITUATED FARMS.—To  
6 establish an appropriate payment yield for a covered  
7 commodity on a farm as required by paragraph (1),  
8 the Secretary shall take into consideration the farm  
9 program payment yields applicable to that covered  
10 commodity for similarly situated farms. The use of  
11 such data in an appeal, by the Secretary or by the  
12 producer, shall not be subject to any other provision  
13 of law.

14 (c) SINGLE OPPORTUNITY TO UPDATE YIELDS IN  
15 COUNTIES AFFECTED BY DROUGHT.—

16 (1) ELECTION TO UPDATE.—In the case of a  
17 farm that is physically located in a county in which  
18 any area of the county was rated by the U.S.  
19 Drought Monitor as having a D4 (exceptional  
20 drought) intensity for 20 or more consecutive weeks  
21 during the period beginning January 1, 2008, and  
22 ending December 31, 2012, at the sole discretion of  
23 the owner of such farm, the owner of a farm shall  
24 have a 1-time opportunity to update, on a covered-  
25 commodity-by-covered-commodity basis, the payment

1 yield that would otherwise be used in calculating any  
2 price loss coverage payment for each covered com-  
3 modity on the farm for which the election is made.

4 (2) METHOD OF UPDATING YIELDS FOR COV-  
5 ERED COMMODITIES.—If the owner of a farm elects  
6 to update yields under paragraph (1), the payment  
7 yield for covered commodities on the farm, for the  
8 purpose of calculating price loss coverage payments  
9 only, shall be equal to 90 percent of the average of  
10 the yield per planted acre for the crop of covered  
11 commodities on the farm for the 2013 through 2017  
12 crop years, as determined by the Secretary, exclud-  
13 ing any crop year in which the acreage planted to  
14 the covered commodity was zero.

15 (3) USE OF COUNTY AVERAGE YIELD.—For the  
16 purposes of determining the average yield under  
17 paragraph (2), if the yield per planted acre for a  
18 crop of a covered commodity for a farm for any of  
19 the crop years specified in paragraph (2) was less  
20 than 75 percent of the average of county yields for  
21 those same years for that commodity, the Secretary  
22 shall assign a yield for that crop year equal to 75  
23 percent of the average of the 2013 through 2017  
24 county yield for the covered commodity.

1           (4) UPLAND COTTON CONVERSION.—In the  
2       case of seed cotton, for purposes of determining the  
3       average of the yield per planted acre under para-  
4       graph (2), the average yield for seed cotton per  
5       planted acre shall be equal to 2.4 times the average  
6       yield for upland cotton per planted acre.

7           (5) TIME FOR ELECTION.—An election under  
8       this subsection shall be made at a time and manner  
9       so as to be in effect beginning with the 2019 crop  
10      year, as determined by the Secretary.

11 **SEC. 1114. PAYMENT ACRES.**

12       (a) DETERMINATION OF PAYMENT ACRES.—Subject  
13      to subsection (d), for the purpose of price loss coverage  
14      and agriculture risk coverage, the payment acres for each  
15      covered commodity on a farm shall be equal to 85 percent  
16      of the base acres for the covered commodity on the farm.

17       (b) EFFECT OF MINIMAL PAYMENT ACRES.—

18           (1) PROHIBITION ON PAYMENTS.—Notwith-  
19      standing any other provision of this title, a producer  
20      on a farm may not receive price loss coverage pay-  
21      ments or agriculture risk coverage payments if the  
22      sum of the base acres on the farm is 10 acres or  
23      less, as determined by the Secretary, unless the sum  
24      of the base acres on the farm, when combined with

1 the base acres of other farms in which the producer  
2 has an interest, is more than 10 acres.

3 (2) EXCEPTIONS.—Paragraph (1) does not  
4 apply to a producer that is—

5 (A) a socially disadvantaged farmer or  
6 rancher (as defined in section 355(e) of the  
7 Consolidated Farm and Rural Development Act  
8 (7 U.S.C. 2003(e))); or

9 (B) a limited resource farmer or rancher,  
10 as defined by the Secretary.

11 (c) EFFECT OF PLANTING FRUITS AND VEGETA-  
12 BLES.—

13 (1) REDUCTION REQUIRED.—In the manner  
14 provided in this subsection, payment acres on a farm  
15 shall be reduced in any crop year in which fruits,  
16 vegetables (other than mung beans and pulse crops),  
17 or wild rice have been planted on base acres on a  
18 farm.

19 (2) PRICE LOSS COVERAGE AND AGRICULTURAL  
20 RISK COVERAGE.—In the case of price loss coverage  
21 payments and agricultural risk coverage payments,  
22 the reduction under paragraph (1) shall be the  
23 amount equal to the base acres planted to crops re-  
24 ferred to in such paragraph in excess of 15 percent  
25 of base acres.

1           (3) REDUCTION EXCEPTIONS.—No reduction to  
2       payment acres shall be made under this subsection  
3       if—

4           (A) cover crops or crops referred to in  
5       paragraph (1) are grown solely for conservation  
6       purposes and not harvested for use or sale, as  
7       determined by the Secretary; or

8           (B) in any region in which there is a his-  
9       tory of double-cropping covered commodities  
10      with crops referred to in paragraph (1) and  
11      such crops were so double-cropped on the base  
12      acres, as determined by the Secretary.

13          (4) EFFECT OF REDUCTION.—For each crop  
14      year for which fruits, vegetables (other than mung  
15      beans and pulse crops), or wild rice are planted to  
16      base acres on a farm for which a reduction in pay-  
17      ment acres is made under this subsection, the Sec-  
18      retary shall consider such base acres to be planted,  
19      or prevented from planting, to a covered commodity  
20      for purposes of any adjustment or reduction of base  
21      acres for the farm under section 1112.

22          (d) UNASSIGNED CROP BASE.—The Secretary shall  
23      maintain information on base acres allocated as unas-  
24      signed crop base pursuant to—

25           (1) section 1112(c)(3); or

1           (2) section 1112(a) of the Agricultural Act of  
2           2014 (7 U.S.C. 9012(a)).

3 **SEC. 1115. PRODUCER ELECTION.**

4           (a) ELECTION REQUIRED.—For the 2019 through  
5 2023 crop years, all of the producers on a farm shall make  
6 a 1-time, irrevocable election to obtain on a covered-com-  
7 modity-by-covered-commodity basis—

8           (1) price loss coverage under section 1116; or

9           (2) agriculture risk coverage under section  
10          1117.

11          (b) EFFECT OF FAILURE TO MAKE UNANIMOUS  
12 ELECTION.—If all the producers on a farm fail to make  
13 a unanimous election under subsection (a) for the 2019  
14 crop year—

15           (1) the Secretary shall not make any payments  
16 with respect to the farm for the 2019 crop year  
17 under section 1116 or 1117; and

18           (2) the producers on the farm shall be deemed  
19 to have elected price loss coverage under section  
20 1116 for all covered commodities on the farm for the  
21 2020 through 2023 crop years.

22          (c) PROHIBITION ON RECONSTITUTION.—The Sec-  
23 retary shall ensure that producers on a farm do not recon-  
24 stitute the farm to void or change an election made under  
25 this section.



1 **SEC. 1116. PRICE LOSS COVERAGE.**

2 (a) PRICE LOSS COVERAGE PAYMENTS.—If all of the  
3 producers on a farm make the election under subsection  
4 (a) of section 1115 to obtain price loss coverage or, subject  
5 to subsection (b)(1) of such section, are deemed to have  
6 made such election under subsection (b)(2) of such sec-  
7 tion, the Secretary shall make price loss coverage pay-  
8 ments to producers on the farm on a covered-commodity-  
9 by-covered-commodity basis if the Secretary determines  
10 that, for any of the 2019 through 2023 crop years—

11 (1) the effective price for the covered com-  
12 modity for the crop year; is less than

13 (2) the effective reference price for the covered  
14 commodity for the crop year.

15 (b) EFFECTIVE PRICE.—The effective price for a cov-  
16 ered commodity for a crop year shall be the higher of—

17 (1) the marketing year average price; or

18 (2) the national average loan rate for a mar-  
19 keting assistance loan for the covered commodity in  
20 effect for such crop year under subtitle B.

21 (c) PAYMENT RATE.—The payment rate shall be  
22 equal to the difference between—

23 (1) the effective reference price for the covered  
24 commodity; and

25 (2) the effective price determined under sub-  
26 section (b) for the covered commodity.

1 (d) PAYMENT AMOUNT.—If price loss coverage pay-  
2 ments are required to be provided under this section for  
3 any of the 2019 through 2023 crop years for a covered  
4 commodity, the amount of the price loss coverage payment  
5 to be paid to the producers on a farm for the crop year  
6 shall be equal to the product obtained by multiplying—

7 (1) the payment rate for the covered commodity  
8 under subsection (c);

9 (2) the payment yield for the covered com-  
10 modity; and

11 (3) the payment acres for the covered com-  
12 modity determined under section 1114.

13 (e) TIME FOR PAYMENTS.—If the Secretary deter-  
14 mines under this section that price loss coverage payments  
15 are required to be provided for the covered commodity,  
16 the payments shall be made beginning October 1, or as  
17 soon as practicable thereafter, after the end of the applica-  
18 ble marketing year for the covered commodity.

19 (f) EFFECTIVE PRICE FOR BARLEY.—In determining  
20 the effective price for barley under subsection (b), the Sec-  
21 retary shall use the all-barley price.

22 (g) REFERENCE PRICE FOR TEMPERATE JAPONICA  
23 RICE.—In order to reflect price premiums, the Secretary  
24 shall provide a reference price with respect to temperate  
25 japonica rice in an amount equal to the amount estab-

1 lished under subparagraph (F) of section 1111(17), as ad-  
 2 justed by paragraph (7) of such section, multiplied by the  
 3 ratio obtained by dividing—

4 (1) the simple average of the marketing year  
 5 average price of medium grain rice from the 2012  
 6 through 2016 crop years; by

7 (2) the simple average of the marketing year  
 8 average price of all rice from the 2012 through 2016  
 9 crop years.

10 **SEC. 1117. AGRICULTURE RISK COVERAGE.**

11 (a) AGRICULTURE RISK COVERAGE PAYMENTS.—If  
 12 all of the producers on a farm make the election under  
 13 section 1115(a) to obtain agriculture risk coverage, the  
 14 Secretary shall make agriculture risk coverage payments  
 15 to producers on the farm if the Secretary determines that,  
 16 for any of the 2019 through 2023 crop years—

17 (1) the actual crop revenue determined under  
 18 subsection (b) for the crop year; is less than

19 (2) the agriculture risk coverage guarantee de-  
 20 termined under subsection (c) for the crop year.

21 (b) ACTUAL CROP REVENUE.—The amount of the  
 22 actual crop revenue for a county for a crop year of a cov-  
 23 ered commodity shall be equal to the product obtained by  
 24 multiplying—

1           (1) the actual average county yield per planted  
2       acre for the covered commodity, as determined by  
3       the Secretary; and

4           (2) the higher of—

5                 (A) the marketing year average price; or

6                 (B) the national average loan rate for a  
7       marketing assistance loan for the covered com-  
8       modity in effect for such crop year under sub-  
9       title B.

10       (c) AGRICULTURE RISK COVERAGE GUARANTEE.—

11           (1) IN GENERAL.—The agriculture risk cov-  
12       erage guarantee for a crop year for a covered com-  
13       modity shall equal 86 percent of the benchmark rev-  
14       enue.

15           (2) BENCHMARK REVENUE.—The benchmark  
16       revenue shall be equal to the product obtained by  
17       multiplying—

18                 (A) subject to paragraph (3), the average  
19       historical county yield as determined by the  
20       Secretary for the most recent 5 crop years, ex-  
21       cluding each of the crop years with the highest  
22       and lowest yields; and

23                 (B) subject to paragraph (4), the mar-  
24       keting year average price for the most recent 5

1 crop years, excluding each of the crop years  
 2 with the highest and lowest prices.

3 (3) YIELD CONDITIONS.—If the yield per plant-  
 4 ed acre for the covered commodity or historical  
 5 county yield per planted acre for the covered com-  
 6 modity for any of the 5 most recent crop years, as  
 7 determined by the Secretary, is less than 70 percent  
 8 of the transitional yield, as determined by the Sec-  
 9 retary, the amounts used for any of those years in  
 10 paragraph (2)(A) shall be 70 percent of the transi-  
 11 tional yield.

12 (4) REFERENCE PRICE.—If the marketing year  
 13 average price for any of the 5 most recent crop  
 14 years is lower than the reference price for the cov-  
 15 ered commodity, the Secretary shall use the ref-  
 16 erence price for any of those years for the amounts  
 17 in paragraph (2)(B).

18 (d) PAYMENT RATE.—The payment rate for a cov-  
 19 ered commodity in a county shall be equal to the lesser  
 20 of—

21 (1) the amount that—

22 (A) the agriculture risk coverage guarantee  
 23 for the crop year applicable under subsection  
 24 (c); exceeds

1 (B) the actual crop revenue for the crop  
2 year applicable under subsection (b); or

3 (2) 10 percent of the benchmark revenue for  
4 the crop year applicable under subsection (c).

5 (e) PAYMENT AMOUNT.—If agriculture risk coverage  
6 payments are required to be paid for any of the 2019  
7 through 2023 crop years, the amount of the agriculture  
8 risk coverage payment for the crop year shall be deter-  
9 mined by multiplying—

10 (1) the payment rate for the covered commodity  
11 determined under subsection (d); and

12 (2) the payment acres for the covered com-  
13 modity determined under section 1114.

14 (f) TIME FOR PAYMENTS.—If the Secretary deter-  
15 mines that agriculture risk coverage payments are re-  
16 quired to be provided for the covered commodity, pay-  
17 ments shall be made beginning October 1, or as soon as  
18 practicable thereafter, after the end of the applicable mar-  
19 keting year for the covered commodity.

20 (g) ADDITIONAL DUTIES OF THE SECRETARY.—In  
21 providing agriculture risk coverage, the Secretary shall—

22 (1) to the maximum extent practicable, use all  
23 available information and analysis, including data  
24 mining, to check for anomalies in the determination  
25 of agriculture risk coverage payments;

1           (2) calculate a separate actual crop revenue and  
 2           agriculture risk coverage guarantee for irrigated and  
 3           nonirrigated covered commodities;

4           (3) assign an actual or benchmark county yield  
 5           for each planted acre for the crop year for the cov-  
 6           ered commodity—

7                   (A) for a county for which county data col-  
 8                   lected by the Risk Management Agency is suffi-  
 9                   cient for the Secretary to offer a county-wide  
 10                  insurance product using the actual average  
 11                  county yield determined by the Risk Manage-  
 12                  ment Agency; or

13                  (B) for a county not described in subpara-  
 14                  graph (A) using—

15                           (i) other sources of yield information,  
 16                           as determined by the Secretary; or

17                           (ii) the yield history of representative  
 18                           farms in the State, region, or crop report-  
 19                           ing district, as determined by the Sec-  
 20                           retary; and

21           (4) make payments, as applicable, to producers  
 22           using the payment rate of the county of the physical  
 23           location of the base acres of a farm.

24 **SEC. 1118. PRODUCER AGREEMENTS.**

25           (a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

1           (1) REQUIREMENTS.—Before the producers on  
2       a farm may receive payments under this subtitle  
3       with respect to the farm, the producers shall agree,  
4       during the crop year for which the payments are  
5       made and in exchange for the payments—

6           (A) to comply with applicable conservation  
7       requirements under subtitle B of title XII of  
8       the Food Security Act of 1985 (16 U.S.C. 3811  
9       et seq.);

10          (B) to comply with applicable wetland pro-  
11       tection requirements under subtitle C of title  
12       XII of that Act (16 U.S.C. 3821 et seq.);

13          (C) to effectively control noxious weeds  
14       and otherwise maintain the land in accordance  
15       with sound agricultural practices, as determined  
16       by the Secretary; and

17          (D) to use the land on the farm, in a  
18       quantity equal to the attributable base acres for  
19       the farm and any base acres for an agricultural  
20       or conserving use, and not for a nonagricultural  
21       commercial, industrial, or residential use, as de-  
22       termined by the Secretary.

23          (2) COMPLIANCE.—The Secretary may issue  
24       such rules as the Secretary considers necessary to



1 ensure producer compliance with the requirements of  
2 paragraph (1).

3 (3) MODIFICATION.—At the request of the  
4 transferee or owner, the Secretary may modify the  
5 requirements of this subsection if the modifications  
6 are consistent with the objectives of this subsection,  
7 as determined by the Secretary.

8 (b) TRANSFER OR CHANGE OF INTEREST IN  
9 FARM.—

10 (1) TERMINATION.—

11 (A) IN GENERAL.—Except as provided in  
12 paragraph (2), a transfer of (or change in) the  
13 interest of the producers on a farm for which  
14 payments under this subtitle are provided shall  
15 result in the termination of the payments, un-  
16 less the transferee or owner of the acreage  
17 agrees to assume all obligations under sub-  
18 section (a).

19 (B) EFFECTIVE DATE.—The termination  
20 shall take effect on the date determined by the  
21 Secretary.

22 (2) EXCEPTION.—If a producer entitled to a  
23 payment under this subtitle dies, becomes incom-  
24 petent, or is otherwise unable to receive the pay-

1        ment, the Secretary shall make the payment in ac-  
2        cordance with rules issued by the Secretary.

3        (c) ACREAGE REPORTS.—As a condition on the re-  
4        ceipt of any benefits under this subtitle or subtitle B, the  
5        Secretary shall require producers on a farm to submit to  
6        the Secretary annual acreage reports with respect to all  
7        cropland on the farm.

8        (d) EFFECT OF INACCURATE REPORTS.—No penalty  
9        with respect to benefits under this subtitle or subtitle B  
10       shall be assessed against a producer on a farm for an inac-  
11       curate acreage report unless the Secretary determines that  
12       the producer on the farm knowingly and willfully falsified  
13       the acreage report.

14       (e) TENANTS AND SHARECROPPERS.—In carrying  
15       out this subtitle, the Secretary shall provide adequate safe-  
16       guards to protect the interests of tenants and share-  
17       croppers.

18       (f) SHARING OF PAYMENTS.—The Secretary shall  
19       provide for the sharing of payments made under this sub-  
20       title among the producers on a farm on a fair and equi-  
21       table basis.

1           **Subtitle B—Marketing Loans**

2   **SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING**  
3                   **ASSISTANCE LOANS FOR LOAN COMMOD-**  
4                   **ITIES.**

5           (a) DEFINITION OF LOAN COMMODITY.—In this sub-  
6 title, the term “loan commodity” means wheat, corn, grain  
7 sorghum, barley, oats, upland cotton, extra long staple  
8 cotton, long grain rice, medium grain rice, peanuts, soy-  
9 beans, other oilseeds, graded wool, nongraded wool, mo-  
10 hair, honey, dry peas, lentils, small chickpeas, and large  
11 chickpeas.

12          (b) NONRECOURSE LOANS AVAILABLE.—

13               (1) IN GENERAL.—For each of the 2019  
14 through 2023 crops of each loan commodity, the  
15 Secretary shall make available to producers on a  
16 farm nonrecourse marketing assistance loans for  
17 loan commodities produced on the farm.

18               (2) TERMS AND CONDITIONS.—The marketing  
19 assistance loans shall be made under terms and con-  
20 ditions that are prescribed by the Secretary and at  
21 the loan rate established under section 1202 for the  
22 loan commodity.

23           (c) ELIGIBLE PRODUCTION.—The producers on a  
24 farm shall be eligible for a marketing assistance loan

1 under subsection (b) for any quantity of a loan commodity  
2 produced on the farm.

3 (d) COMPLIANCE WITH CONSERVATION AND WET-  
4 LANDS REQUIREMENTS.—As a condition of the receipt of  
5 a marketing assistance loan under subsection (b), the pro-  
6 ducer shall comply with applicable conservation require-  
7 ments under subtitle B of title XII of the Food Security  
8 Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wet-  
9 land protection requirements under subtitle C of title XII  
10 of that Act (16 U.S.C. 3821 et seq.) during the term of  
11 the loan.

12 (e) SPECIAL RULES FOR PEANUTS.—

13 (1) IN GENERAL.—This subsection shall apply  
14 only to producers of peanuts.

15 (2) OPTIONS FOR OBTAINING LOAN.—A mar-  
16 keting assistance loan under this section, and loan  
17 deficiency payments under section 1205, may be ob-  
18 tained at the option of the producers on a farm  
19 through—

20 (A) a designated marketing association or  
21 marketing cooperative of producers that is ap-  
22 proved by the Secretary; or

23 (B) the Farm Service Agency.

24 (3) STORAGE OF LOAN PEANUTS.—As a condi-  
25 tion on the approval by the Secretary of an indi-

vidual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide the storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(4) STORAGE, HANDLING, AND ASSOCIATED COSTS.—

(A) IN GENERAL.—To ensure proper storage of peanuts for which a loan is made under this section, the Secretary shall pay handling and other associated costs (other than storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(B) REDEMPTION AND FORFEITURE.—The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as

1 collateral for a loan that is redeemed under  
2 this section; and

3 (ii) pay storage, handling, and other  
4 associated costs for all peanuts pledged as  
5 collateral that are forfeited under this sec-  
6 tion.

7 (5) **MARKETING.**—A marketing association or  
8 cooperative may market peanuts for which a loan is  
9 made under this section in any manner that con-  
10 forms to consumer needs, including the separation of  
11 peanuts by type and quality.

12 (6) **REIMBURSABLE AGREEMENTS AND PAY-**  
13 **MENT OF ADMINISTRATIVE EXPENSES.**—The Sec-  
14 retary may implement any reimbursable agreements  
15 or provide for the payment of administrative ex-  
16 penses under this subsection only in a manner that  
17 is consistent with those activities in regard to other  
18 loan commodities.

19 **SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING**  
20 **ASSISTANCE LOANS.**

21 (a) **IN GENERAL.**—For purposes of each of the 2019  
22 through 2023 crop years, the loan rate for a marketing  
23 assistance loan under section 1201 for a loan commodity  
24 shall be equal to the following:

25 (1) In the case of wheat, \$2.94 per bushel.

1           (2) In the case of corn, \$1.95 per bushel.

2           (3) In the case of grain sorghum, \$1.95 per  
3       bushel.

4           (4) In the case of barley, \$1.95 per bushel.

5           (5) In the case of oats, \$1.39 per bushel.

6           (6)(A) Subject to subparagraphs (B) and (C),  
7       in the case of base quality of upland cotton, the sim-  
8       ple average of the adjusted prevailing world price for  
9       the 2 immediately preceding marketing years, as de-  
10      termined by the Secretary and announced October 1  
11      preceding the next domestic planting.

12          (B) Except as provided in subparagraph (C),  
13      the loan rate determined under subparagraph (A)  
14      may not equal less than an amount equal to 98 per-  
15      cent of the loan rate for base quality of upland cot-  
16      ton for the preceding year.

17          (C) The loan rate determined under subpara-  
18      graph (A) may not be equal to an amount—

19              (i) less than \$0.45 per pound; or

20              (ii) more than \$0.52 per pound.

21          (7) In the case of extra long staple cotton,  
22      \$0.95 per pound.

23          (8) In the case of long grain rice, \$6.50 per  
24      hundredweight.

1           (9) In the case of medium grain rice, \$6.50 per  
2       hundredweight.

3           (10) In the case of soybeans, \$5.00 per bushel.

4           (11) In the case of other oilseeds, \$10.09 per  
5       hundredweight for each of the following kinds of oil-  
6       seeds:

7           (A) Sunflower seed.

8           (B) Rapeseed.

9           (C) Canola.

10          (D) Safflower.

11          (E) Flaxseed.

12          (F) Mustard seed.

13          (G) Crambe.

14          (H) Sesame seed.

15          (I) Other oilseeds designated by the Sec-  
16       retary.

17          (12) In the case of dry peas, \$5.40 per hun-  
18       dredweight.

19          (13) In the case of lentils, \$11.28 per hundred-  
20       weight.

21          (14) In the case of small chickpeas, \$7.43 per  
22       hundredweight.

23          (15) In the case of large chickpeas, \$11.28 per  
24       hundredweight.



1           (16) In the case of graded wool, \$1.15 per  
2       pound.

3           (17) In the case of nongraded wool, \$0.40 per  
4       pound.

5           (18) In the case of mohair, \$4.20 per pound.

6           (19) In the case of honey, \$0.69 per pound.

7           (20) In the case of peanuts, \$355 per ton.

8       (b) SINGLE COUNTY LOAN RATE FOR OTHER OIL-  
9       SEEDS.—The Secretary shall establish a single loan rate  
10      in each county for each kind of other oilseeds described  
11      in subsection (a)(11).

12       (c) RULE FOR SEED COTTON.—

13           (1) IN GENERAL.—For purposes of sections  
14      1116(b)(2) and 1117(b)(2)(B) only, seed cotton  
15      shall be deemed to have a loan rate equal to \$0.25  
16      per pound.

17           (2) RULE OF CONSTRUCTION.—Nothing in this  
18      subsection shall be construed to authorize non-  
19      recourse marketing assistance loans under this sub-  
20      title for seed cotton.

21   **SEC. 1203. TERM OF LOANS.**

22       (a) TERM OF LOAN.—In the case of each loan com-  
23      modity, a marketing assistance loan under section 1201  
24      shall have a term of 9 months beginning on the first day

1 of the first month after the month in which the loan is  
2 made.

3 (b) EXTENSIONS PROHIBITED.—The Secretary may  
4 not extend the term of a marketing assistance loan for  
5 any loan commodity.

6 **SEC. 1204. REPAYMENT OF LOANS.**

7 (a) GENERAL RULE.—The Secretary shall permit the  
8 producers on a farm to repay a marketing assistance loan  
9 under section 1201 for a loan commodity (other than up-  
10 land cotton, long grain rice, medium grain rice, extra long  
11 staple cotton, peanuts and confectionery and each other  
12 kind of sunflower seed (other than oil sunflower seed)) at  
13 a rate that is the lesser of—

14 (1) the loan rate established for the commodity  
15 under section 1202, plus interest (determined in ac-  
16 cordance with section 163 of the Federal Agriculture  
17 Improvement and Reform Act of 1996 (7 U.S.C.  
18 7283));

19 (2) a rate (as determined by the Secretary)  
20 that—

21 (A) is calculated based on average market  
22 prices for the loan commodity during the pre-  
23 ceding 30-day period; and

1 (B) will minimize discrepancies in mar-  
2 keting loan benefits across State boundaries  
3 and across county boundaries; or

4 (3) a rate that the Secretary may develop using  
5 alternative methods for calculating a repayment rate  
6 for a loan commodity that the Secretary determines  
7 will—

8 (A) minimize potential loan forfeitures;

9 (B) minimize the accumulation of stocks of  
10 the commodity by the Federal Government;

11 (C) minimize the cost incurred by the Fed-  
12 eral Government in storing the commodity;

13 (D) allow the commodity produced in the  
14 United States to be marketed freely and com-  
15 petitively, both domestically and internationally;  
16 and

17 (E) minimize discrepancies in marketing  
18 loan benefits across State boundaries and  
19 across county boundaries.

20 (b) REPAYMENT RATES FOR UPLAND COTTON, LONG  
21 GRAIN RICE, AND MEDIUM GRAIN RICE.—The Secretary  
22 shall permit producers to repay a marketing assistance  
23 loan under section 1201 for upland cotton, long grain rice,  
24 and medium grain rice at a rate that is the lesser of—

1           (1) the loan rate established for the commodity  
2           under section 1202, plus interest (determined in ac-  
3           cordance with section 163 of the Federal Agriculture  
4           Improvement and Reform Act of 1996 (7 U.S.C.  
5           7283)); or

6           (2) the prevailing world market price for the  
7           commodity, as determined and adjusted by the Sec-  
8           retary in accordance with this section.

9           (c) REPAYMENT RATES FOR EXTRA LONG STAPLE  
10          COTTON.—Repayment of a marketing assistance loan for  
11          extra long staple cotton shall be at the loan rate estab-  
12          lished for the commodity under section 1202, plus interest  
13          (determined in accordance with section 163 of the Federal  
14          Agriculture Improvement and Reform Act of 1996 (7  
15          U.S.C. 7283)).

16          (d) PREVAILING WORLD MARKET PRICE.—For pur-  
17          poses of this section and section 1207, the Secretary shall  
18          prescribe by regulation—

19                (1) a formula to determine the prevailing world  
20                market price for each of upland cotton, long grain  
21                rice and medium grain rice; and

22                (2) a mechanism by which the Secretary shall  
23                announce periodically those prevailing world market  
24                prices.

1 (e) ADJUSTMENT OF PREVAILING WORLD MARKET  
2 PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND  
3 MEDIUM GRAIN RICE.—

4 (1) RICE.—The prevailing world market price  
5 for long grain rice and medium grain rice deter-  
6 mined under subsection (d) shall be adjusted to  
7 United States quality and location.

8 (2) COTTON.—The prevailing world market  
9 price for upland cotton determined under subsection  
10 (d)—

11 (A) shall be adjusted to United States  
12 quality and location, with the adjustment to in-  
13 clude—

14 (i) a reduction equal to any United  
15 States Premium Factor for upland cotton  
16 of a quality higher than Middling (M)  
17  $1\frac{3}{32}$ -inch; and

18 (ii) the average costs to market the  
19 commodity, including average transpor-  
20 tation costs, as determined by the Sec-  
21 retary; and

22 (B) may be further adjusted, during the  
23 period beginning on the date of enactment of  
24 this Act and ending on July 31, 2024, if the

1 Secretary determines the adjustment is nec-  
2 essary—

3 (i) to minimize potential loan forfeit-  
4 ures;

5 (ii) to minimize the accumulation of  
6 stocks of upland cotton by the Federal  
7 Government;

8 (iii) to ensure that upland cotton pro-  
9 duced in the United States can be mar-  
10 keted freely and competitively, both domes-  
11 tically and internationally; and

12 (iv) to ensure an appropriate transi-  
13 tion between current-crop and forward-  
14 crop price quotations, except that the Sec-  
15 retary may use forward-crop price  
16 quotations prior to July 31 of a marketing  
17 year only if—

18 (I) there are insufficient current-  
19 crop price quotations; and

20 (II) the forward-crop price  
21 quotation is the lowest such quotation  
22 available.

23 (3) GUIDELINES FOR ADDITIONAL ADJUST-  
24 MENTS.—In making adjustments under this sub-  
25 section, the Secretary shall establish a mechanism

1       for determining and announcing the adjustments in  
2       order to avoid undue disruption in the United States  
3       market.

4       (f) REPAYMENT RATES FOR CONFECTIONERY AND  
5 OTHER KINDS OF SUNFLOWER SEEDS.—The Secretary  
6 shall permit the producers on a farm to repay a marketing  
7 assistance loan under section 1201 for confectionery and  
8 each other kind of sunflower seed (other than oil sunflower  
9 seed) at a rate that is the lesser of—

10           (1) the loan rate established for the commodity  
11       under section 1202, plus interest (determined in ac-  
12       cordance with section 163 of the Federal Agriculture  
13       Improvement and Reform Act of 1996 (7 U.S.C.  
14       7283)); or

15           (2) the repayment rate established for oil sun-  
16       flower seed.

17       (g) PAYMENT OF COTTON STORAGE COSTS.—Effec-  
18 tive for each of the 2019 through 2023 crop years, the  
19 Secretary shall make cotton storage payments available in  
20 the same manner, and at the same rates as the Secretary  
21 provided storage payments for the 2006 crop of cotton,  
22 except that the rates shall be reduced by 10 percent.

23       (h) REPAYMENT RATE FOR PEANUTS.—The Sec-  
24 retary shall permit producers on a farm to repay a mar-

1   keting assistance loan for peanuts under section 1201 at  
 2   a rate that is the lesser of—

3           (1) the loan rate established for peanuts under  
 4           section 1202(a)(20), plus interest (determined in ac-  
 5           cordance with section 163 of the Federal Agriculture  
 6           Improvement and Reform Act of 1996 (7 U.S.C.  
 7           7283)); or

8           (2) a rate that the Secretary determines will—

9                   (A) minimize potential loan forfeitures;

10                   (B) minimize the accumulation of stocks of  
 11           peanuts by the Federal Government;

12                   (C) minimize the cost incurred by the Fed-  
 13           eral Government in storing peanuts; and

14                   (D) allow peanuts produced in the United  
 15           States to be marketed freely and competitively,  
 16           both domestically and internationally.

17           (i) **AUTHORITY TO TEMPORARILY ADJUST REPAY-**  
 18   **MENT RATES.—**

19           (1) **ADJUSTMENT AUTHORITY.**—In the event of  
 20           a severe disruption to marketing, transportation, or  
 21           related infrastructure, the Secretary may modify the  
 22           repayment rate otherwise applicable under this sec-  
 23           tion for marketing assistance loans under section  
 24           1201 for a loan commodity.



1           (2) DURATION.—Any adjustment made under  
 2           paragraph (1) in the repayment rate for marketing  
 3           assistance loans for a loan commodity shall be in ef-  
 4           fect on a short-term and temporary basis, as deter-  
 5           mined by the Secretary.

6 **SEC. 1205. LOAN DEFICIENCY PAYMENTS.**

7           (a) AVAILABILITY OF LOAN DEFICIENCY PAY-  
 8           MENTS.—

9           (1) IN GENERAL.—Except as provided in sub-  
 10          section (d), the Secretary may make loan deficiency  
 11          payments available to producers on a farm that, al-  
 12          though eligible to obtain a marketing assistance loan  
 13          under section 1201 with respect to a loan com-  
 14          modity, agree to forgo obtaining the loan for the  
 15          commodity in return for loan deficiency payments  
 16          under this section.

17          (2) UNSHORN PELTS, HAY, AND SILAGE.—

18                (A) MARKETING ASSISTANCE LOANS.—

19          Subject to subparagraph (B), nongraded wool  
 20          in the form of unshorn pelts and hay and silage  
 21          derived from a loan commodity are not eligible  
 22          for a marketing assistance loan under section  
 23          1201.

24                (B) LOAN DEFICIENCY PAYMENT.—Effec-  
 25          tive for each of the 2019 through 2023 crop

1           years, the Secretary may make loan deficiency  
2           payments available under this section to pro-  
3           ducers on a farm that produce unshorn pelts or  
4           hay and silage derived from a loan commodity.

5           (b) COMPUTATION.—A loan deficiency payment for a  
6           loan commodity or commodity referred to in subsection  
7           (a)(2) shall be equal to the product obtained by multi-  
8           plying—

9                   (1) the payment rate determined under sub-  
10           section (c) for the commodity; by

11                   (2) the quantity of the commodity produced by  
12           the eligible producers, excluding any quantity for  
13           which the producers obtain a marketing assistance  
14           loan under section 1201.

15           (c) PAYMENT RATE.—

16                   (1) IN GENERAL.—In the case of a loan com-  
17           modity, the payment rate shall be the amount by  
18           which—

19                           (A) the loan rate established under section  
20           1202 for the loan commodity; exceeds

21                           (B) the rate at which a marketing assist-  
22           ance loan for the loan commodity may be repaid  
23           under section 1204.

1           (2) UNSHORN PELTS.—In the case of unshorn  
2       pelts, the payment rate shall be the amount by  
3       which—

4           (A) the loan rate established under section  
5       1202 for ungraded wool; exceeds

6           (B) the rate at which a marketing assist-  
7       ance loan for ungraded wool may be repaid  
8       under section 1204.

9           (3) HAY AND SILAGE.—In the case of hay or si-  
10      lage derived from a loan commodity, the payment  
11      rate shall be the amount by which—

12           (A) the loan rate established under section  
13      1202 for the loan commodity from which the  
14      hay or silage is derived; exceeds

15           (B) the rate at which a marketing assist-  
16      ance loan for the loan commodity may be repaid  
17      under section 1204.

18      (d) EXCEPTION FOR EXTRA LONG STAPLE COT-  
19      TON.—This section shall not apply with respect to extra  
20      long staple cotton.

21      (e) EFFECTIVE DATE FOR PAYMENT RATE DETER-  
22      MINATION.—The Secretary shall determine the amount of  
23      the loan deficiency payment to be made under this section  
24      to the producers on a farm with respect to a quantity of  
25      a loan commodity or commodity referred to in subsection

1 (a)(2) using the payment rate in effect under subsection  
2 (c) as of the date the producers request the payment.

3 **SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAY-**  
4 **MENTS FOR GRAZED ACREAGE.**

5 (a) ELIGIBLE PRODUCERS.—

6 (1) IN GENERAL.—Effective for each of the  
7 2019 through 2023 crop years, in the case of a pro-  
8 ducer that would be eligible for a loan deficiency  
9 payment under section 1205 for wheat, barley, or  
10 oats, but that elects to use acreage planted to the  
11 wheat, barley, or oats for the grazing of livestock,  
12 the Secretary shall make a payment to the producer  
13 under this section if the producer enters into an  
14 agreement with the Secretary to forgo any other  
15 harvesting of the wheat, barley, or oats on that acre-  
16 age.

17 (2) GRAZING OF TRITICALE ACREAGE.—Effec-  
18 tive for each of the 2019 through 2023 crop years,  
19 with respect to a producer on a farm that uses acre-  
20 age planted to triticale for the grazing of livestock,  
21 the Secretary shall make a payment to the producer  
22 under this section if the producer enters into an  
23 agreement with the Secretary to forgo any other  
24 harvesting of triticale on that acreage.

25 (b) PAYMENT AMOUNT.—

1           (1) IN GENERAL.—The amount of a payment  
2       made under this section to a producer on a farm de-  
3       scribed in subsection (a)(1) shall be equal to the  
4       amount determined by multiplying—

5           (A) the loan deficiency payment rate deter-  
6       mined under section 1205(c) in effect, as of the  
7       date of the agreement, for the county in which  
8       the farm is located; by

9           (B) the payment quantity determined by  
10      multiplying—

11           (i) the quantity of the grazed acreage  
12      on the farm with respect to which the pro-  
13      ducer elects to forgo harvesting of wheat,  
14      barley, or oats; and

15           (ii)(I) the payment yield in effect for  
16      the calculation of price loss coverage under  
17      section 1116 with respect to that loan com-  
18      modity on the farm;

19           (II) in the case of a farm for which  
20      agriculture risk coverage is elected under  
21      section 1117, the payment yield that would  
22      otherwise be in effect with respect to that  
23      loan commodity on the farm in the absence  
24      of such election; or

1                   (III) in the case of a farm for which  
2                   no payment yield is otherwise established  
3                   for that loan commodity on the farm, an  
4                   appropriate yield established by the Sec-  
5                   retary in a manner consistent with section  
6                   1113(b).

7                   (2) GRAZING OF TRITICALE ACREAGE.—The  
8                   amount of a payment made under this section to a  
9                   producer on a farm described in subsection (a)(2)  
10                  shall be equal to the amount determined by multi-  
11                  plying—

12                   (A) the loan deficiency payment rate deter-  
13                   mined under section 1205(c) in effect for  
14                   wheat, as of the date of the agreement, for the  
15                   county in which the farm is located; by

16                   (B) the payment quantity determined by  
17                   multiplying—

18                   (i) the quantity of the grazed acreage  
19                   on the farm with respect to which the pro-  
20                   ducer elects to forgo harvesting of triticale;  
21                   and

22                   (ii)(I) the payment yield in effect for  
23                   the calculation of price loss coverage under  
24                   subtitle A with respect to wheat on the  
25                   farm;

1 (II) in the case of a farm for which  
 2 agriculture risk coverage is elected under  
 3 section 1117, the payment yield that would  
 4 otherwise be in effect for wheat on the  
 5 farm in the absence of such election; or

6 (III) in the case of a farm for which  
 7 no payment yield is otherwise established  
 8 for wheat on the farm, an appropriate  
 9 yield established by the Secretary in a  
 10 manner consistent with section 1113(b).

11 (c) TIME, MANNER, AND AVAILABILITY OF PAY-  
 12 MENT.—

13 (1) TIME AND MANNER.—A payment under this  
 14 section shall be made at the same time and in the  
 15 same manner as loan deficiency payments are made  
 16 under section 1205.

17 (2) AVAILABILITY.—

18 (A) IN GENERAL.—The Secretary shall es-  
 19 tablish an availability period for the payments  
 20 authorized by this section.

21 (B) CERTAIN COMMODITIES.—In the case  
 22 of wheat, barley, and oats, the availability pe-  
 23 riod shall be consistent with the availability pe-  
 24 riod for the commodity established by the Sec-

1           retary for marketing assistance loans author-  
2           ized by this subtitle.

3           (d) PROHIBITION ON CROP INSURANCE INDEMNITY  
4 OR NONINSURED CROP ASSISTANCE.—A 2019 through  
5 2023 crop of wheat, barley, oats, or triticale planted on  
6 acreage that a producer elects, in the agreement required  
7 by subsection (a), to use for the grazing of livestock in  
8 lieu of any other harvesting of the crop shall not be eligible  
9 for an indemnity under a policy or plan of insurance au-  
10 thorized under the Federal Crop Insurance Act (7 U.S.C.  
11 1501 et seq.) or noninsured crop assistance under section  
12 196 of the Federal Agriculture Improvement and Reform  
13 Act of 1996 (7 U.S.C. 7333).

14 **SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR**  
15 **UPLAND COTTON.**

16           (a) SPECIAL IMPORT QUOTA.—

17           (1) DEFINITION OF SPECIAL IMPORT QUOTA.—

18           In this subsection, the term “special import quota”  
19           means a quantity of imports that is not subject to  
20           the over-quota tariff rate of a tariff-rate quota.

21           (2) ESTABLISHMENT.—

22           (A) IN GENERAL.—The President shall  
23           carry out an import quota program beginning  
24           on August 1, 2019, as provided in this sub-  
25           section.



1                   (B) PROGRAM REQUIREMENTS.—Whenever  
2                   the Secretary determines and announces that  
3                   for any consecutive 4-week period, the Friday  
4                   through Thursday average price quotation for  
5                   the lowest priced United States growth, as  
6                   quoted for Middling (M) 1<sup>3</sup>/<sub>32</sub>-inch upland cot-  
7                   ton, delivered to a definable and significant  
8                   international market, as determined by the Sec-  
9                   retary, exceeds the prevailing world market  
10                  price, there shall immediately be in effect a spe-  
11                  cial import quota.

12               (3) QUANTITY.—The quota shall be equal to  
13               the consumption during a 1-week period of cotton by  
14               domestic mills at the seasonally adjusted average  
15               rate of the most recent 3 months for which official  
16               data of the Department of Agriculture are available  
17               or, in the absence of sufficient data, as estimated by  
18               the Secretary.

19               (4) APPLICATION.—The quota shall apply to  
20               upland cotton purchased not later than 90 days  
21               after the date of the Secretary's announcement  
22               under paragraph (2) and entered into the United  
23               States not later than 180 days after that date.

24               (5) OVERLAP.—A special quota period may be  
25               established that overlaps any existing quota period if

1 required by paragraph (2), except that a special  
2 quota period may not be established under this sub-  
3 section if a quota period has been established under  
4 subsection (b).

5 (6) PREFERENTIAL TARIFF TREATMENT.—The  
6 quantity under a special import quota shall be con-  
7 sidered to be an in-quota quantity for purposes of—

8 (A) section 213(d) of the Caribbean Basin  
9 Economic Recovery Act (19 U.S.C. 2703(d));

10 (B) section 204 of the Andean Trade Pref-  
11 erence Act (19 U.S.C. 3203);

12 (C) section 503(d) of the Trade Act of  
13 1974 (19 U.S.C. 2463(d)); and

14 (D) General Note 3(a)(iv) to the Har-  
15 monized Tariff Schedule.

16 (7) LIMITATION.—The quantity of cotton en-  
17 tered into the United States during any marketing  
18 year under the special import quota established  
19 under this subsection may not exceed the equivalent  
20 of 10 weeks' consumption of upland cotton by do-  
21 mestic mills at the seasonally adjusted average rate  
22 of the 3 months immediately preceding the first spe-  
23 cial import quota established in any marketing year.

24 (b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND  
25 COTTON.—

1 (1) DEFINITIONS.—In this subsection:

2 (A) DEMAND.—The term “demand”  
3 means—

4 (i) the average seasonally adjusted an-  
5 nual rate of domestic mill consumption of  
6 cotton during the most recent 3 months  
7 for which official data of the Department  
8 of Agriculture are available or, in the ab-  
9 sence of sufficient data, as estimated by  
10 the Secretary; and

11 (ii) the larger of—

12 (I) average exports of upland cot-  
13 ton during the preceding 6 marketing  
14 years; or

15 (II) cumulative exports of upland  
16 cotton plus outstanding export sales  
17 for the marketing year in which the  
18 quota is established.

19 (B) LIMITED GLOBAL IMPORT QUOTA.—  
20 The term “limited global import quota” means  
21 a quantity of imports that is not subject to the  
22 over-quota tariff rate of a tariff-rate quota.

23 (C) SUPPLY.—The term “supply” means,  
24 using the latest official data of the Department  
25 of Agriculture—

1 (i) the carry-over of upland cotton at  
2 the beginning of the marketing year (ad-  
3 justed to 480-pound bales) in which the  
4 quota is established;

5 (ii) production of the current crop;  
6 and

7 (iii) imports to the latest date avail-  
8 able during the marketing year.

9 (2) PROGRAM.—The President shall carry out  
10 an import quota program that provides that when-  
11 ever the Secretary determines and announces that  
12 the average price of the base quality of upland cot-  
13 ton, as determined by the Secretary, in the des-  
14 ignated spot markets for a month exceeded 130 per-  
15 cent of the average price of the quality of cotton in  
16 the markets for the preceding 36 months, notwith-  
17 standing any other provision of law, there shall im-  
18 mediately be in effect a limited global import quota  
19 subject to the following conditions:

20 (A) QUANTITY.—The quantity of the quota  
21 shall be equal to 21 days of domestic mill con-  
22 sumption of upland cotton at the seasonally ad-  
23 justed average rate of the most recent 3 months  
24 for which official data of the Department of Ag-

1           riculture are available or, in the absence of suf-  
2           ficient data, as estimated by the Secretary.

3           (B) QUANTITY OF PRIOR QUOTA.—If a  
4           quota has been established under this sub-  
5           section during the preceding 12 months, the  
6           quantity of the quota next established under  
7           this subsection shall be the smaller of 21 days  
8           of domestic mill consumption calculated under  
9           subparagraph (A) or the quantity required to  
10          increase the supply to 130 percent of the de-  
11          mand.

12          (C) PREFERENTIAL TARIFF TREAT-  
13          MENT.—The quantity under a limited global  
14          import quota shall be considered to be an in-  
15          quota quantity for purposes of—

16               (i) section 213(d) of the Caribbean  
17               Basin Economic Recovery Act (19 U.S.C.  
18               2703(d));

19               (ii) section 204 of the Andean Trade  
20               Preference Act (19 U.S.C. 3203);

21               (iii) section 503(d) of the Trade Act  
22               of 1974 (19 U.S.C. 2463(d)); and

23               (iv) General Note 3(a)(iv) to the Har-  
24               monized Tariff Schedule.

1 (D) QUOTA ENTRY PERIOD.—When a  
2 quota is established under this subsection, cot-  
3 ton may be entered under the quota during the  
4 90-day period beginning on the date the quota  
5 is established by the Secretary.

6 (3) NO OVERLAP.—Notwithstanding paragraph  
7 (2), a quota period may not be established that over-  
8 laps an existing quota period or a special quota pe-  
9 riod established under subsection (a).

10 (c) ECONOMIC ADJUSTMENT ASSISTANCE FOR TEX-  
11 TILE MILLS.—

12 (1) IN GENERAL.—Subject to paragraph (2),  
13 the Secretary shall, on a monthly basis, make eco-  
14 nomic adjustment assistance available to domestic  
15 users of upland cotton in the form of payments for  
16 all documented use of that upland cotton during the  
17 previous monthly period regardless of the origin of  
18 the upland cotton.

19 (2) VALUE OF ASSISTANCE.—The value of the  
20 assistance provided under paragraph (1) shall be  
21 3.15 cents per pound.

22 (3) ALLOWABLE PURPOSES.—Economic adjust-  
23 ment assistance under this subsection shall be made  
24 available only to domestic users of upland cotton  
25 that certify that the assistance shall be used only to

1       acquire, construct, install, modernize, develop, con-  
2       vert, or expand land, plant, buildings, equipment, fa-  
3       cilities, or machinery.

4           (4) REVIEW OR AUDIT.—The Secretary may  
5       conduct such review or audit of the records of a do-  
6       mestic user under this subsection as the Secretary  
7       determines necessary to carry out this subsection.

8           (5) IMPROPER USE OF ASSISTANCE.—If the  
9       Secretary determines, after a review or audit of the  
10      records of the domestic user, that economic adjust-  
11      ment assistance under this subsection was not used  
12      for the purposes specified in paragraph (3), the do-  
13      mestic user shall be—

14           (A) liable for the repayment of the assist-  
15      ance to the Secretary, plus interest, as deter-  
16      mined by the Secretary; and

17           (B) ineligible to receive assistance under  
18      this subsection for a period of 1 year following  
19      the determination of the Secretary.

20   **SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA**  
21       **LONG STAPLE COTTON.**

22           (a) COMPETITIVENESS PROGRAM.—Notwithstanding  
23      any other provision of law, during the period beginning  
24      on the date of enactment of this Act through July 31,  
25      2024, the Secretary shall carry out a program—

1           (1) to maintain and expand the domestic use of  
2       extra long staple cotton produced in the United  
3       States;

4           (2) to increase exports of extra long staple cot-  
5       ton produced in the United States; and

6           (3) to ensure that extra long staple cotton pro-  
7       duced in the United States remains competitive in  
8       world markets.

9       (b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under  
10   the program, the Secretary shall make payments available  
11   under this section whenever—

12           (1) for a consecutive 4-week period, the world  
13       market price for the lowest priced competing growth  
14       of extra long staple cotton (adjusted to United  
15       States quality and location and for other factors af-  
16       fecting the competitiveness of such cotton), as deter-  
17       mined by the Secretary, is below the prevailing  
18       United States price for a competing growth of extra  
19       long staple cotton; and

20           (2) the lowest priced competing growth of extra  
21       long staple cotton (adjusted to United States quality  
22       and location and for other factors affecting the com-  
23       petitiveness of such cotton), as determined by the  
24       Secretary, is less than 113 percent of the loan rate  
25       for extra long staple cotton.



1       (c) ELIGIBLE RECIPIENTS.—The Secretary shall  
 2 make payments available under this section to domestic  
 3 users of extra long staple cotton produced in the United  
 4 States and exporters of extra long staple cotton produced  
 5 in the United States that enter into an agreement with  
 6 the Commodity Credit Corporation to participate in the  
 7 program under this section.

8       (d) PAYMENT AMOUNT.—Payments under this sec-  
 9 tion shall be based on the amount of the difference in the  
 10 prices referred to in subsection (b)(1) during the fourth  
 11 week of the consecutive 4-week period multiplied by the  
 12 amount of documented purchases by domestic users and  
 13 sales for export by exporters made in the week following  
 14 such a consecutive 4-week period.

15 **SEC. 1209. AVAILABILITY OF RECOURSE LOANS.**

16       (a) HIGH MOISTURE FEED GRAINS.—

17           (1) DEFINITION OF HIGH MOISTURE STATE.—

18       In this subsection, the term “high moisture state”  
 19 means corn or grain sorghum having a moisture con-  
 20 tent in excess of Commodity Credit Corporation  
 21 standards for marketing assistance loans made by  
 22 the Secretary under section 1201.

23           (2) RECOURSE LOANS AVAILABLE.—For each of  
 24 the 2019 through 2023 crops of corn and grain sor-  
 25 ghum, the Secretary shall make available recourse

1 loans, as determined by the Secretary, to producers  
2 on a farm that—

3 (A) normally harvest all or a portion of  
4 their crop of corn or grain sorghum in a high  
5 moisture state;

6 (B) present—

7 (i) certified scale tickets from an in-  
8 spected, certified commercial scale, includ-  
9 ing a licensed warehouse, feedlot, feed mill,  
10 distillery, or other similar entity approved  
11 by the Secretary, pursuant to regulations  
12 issued by the Secretary; or

13 (ii) field or other physical measure-  
14 ments of the standing or stored crop in re-  
15 gions of the United States, as determined  
16 by the Secretary, that do not have certified  
17 commercial scales from which certified  
18 scale tickets may be obtained within rea-  
19 sonable proximity of harvest operation;

20 (C) certify that the producers on the farm  
21 were the owners of the feed grain at the time  
22 of delivery to, and that the quantity to be  
23 placed under loan under this subsection was in  
24 fact harvested on the farm and delivered to, a  
25 feedlot, feed mill, or commercial or on-farm

1 high-moisture storage facility, or to a facility  
2 maintained by the users of corn and grain sor-  
3 ghum in a high moisture state; and

4 (D) comply with deadlines established by  
5 the Secretary for harvesting the corn or grain  
6 sorghum and submit applications for loans  
7 under this subsection within deadlines estab-  
8 lished by the Secretary.

9 (3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—

10 A loan under this subsection shall be made on a  
11 quantity of corn or grain sorghum of the same crop  
12 acquired by the producer equivalent to a quantity  
13 determined by multiplying—

14 (A) the acreage of the corn or grain sor-  
15 ghum in a high moisture state harvested on the  
16 farm of the producer; by

17 (B) the lower of—

18 (i) the payment yield in effect for the  
19 calculation of price loss coverage under  
20 section 1116, or the payment yield deemed  
21 to be in effect or established under sub-  
22 clause (II) or (III) of section  
23 1206(b)(1)(B)(ii), with respect to corn or  
24 grain sorghum on a field that is similar to  
25 the field from which the corn or grain sor-

1                   ghum referred to in subparagraph (A) was  
2                   obtained; or

3                   (ii) the actual yield of corn or grain  
4                   sorghum on a field, as determined by the  
5                   Secretary, that is similar to the field from  
6                   which the corn or grain sorghum referred  
7                   to in subparagraph (A) was obtained.

8           (b) RECOURSE LOANS AVAILABLE FOR SEED COT-  
9   TON.—For each of the 2019 through 2023 crops of upland  
10 cotton and extra long staple cotton, the Secretary shall  
11 make available recourse seed cotton loans, as determined  
12 by the Secretary, on any production.

13          (c) RECOURSE LOANS AVAILABLE FOR CONTAMI-  
14 NATED COMMODITIES.—In the case of a loan commodity  
15 that is ineligible for 100 percent of the nonrecourse mar-  
16 keting loan rate in the county due to a determination that  
17 the commodity is contaminated yet still merchantable, for  
18 each of the 2019 through 2023 crops of such loan com-  
19 modity, the Secretary shall make available recourse com-  
20 modity loans, at the rate provided under section 1202, on  
21 any production.

22          (d) REPAYMENT RATES.—Repayment of a recourse  
23 loan made under this section shall be at the loan rate es-  
24 tablished for the commodity by the Secretary, plus interest  
25 (determined in accordance with section 163 of the Federal

1 Agriculture Improvement and Reform Act of 1996 (7  
2 U.S.C. 7283)).

3 **SEC. 1210. ADJUSTMENTS OF LOANS.**

4 (a) ADJUSTMENT AUTHORITY.—Subject to sub-  
5 section (e), the Secretary may make appropriate adjust-  
6 ments in the loan rates for any loan commodity (other  
7 than cotton) for differences in grade, type, quality, loca-  
8 tion, and other factors.

9 (b) MANNER OF ADJUSTMENT.—The adjustments  
10 under subsection (a) shall, to the maximum extent prac-  
11 ticable, be made in such a manner that the average loan  
12 level for the commodity will, on the basis of the anticipated  
13 incidence of the factors, be equal to the level of support  
14 determined in accordance with this subtitle and subtitle  
15 C.

16 (c) COST SAVING OPTION.—In carrying out this title,  
17 the Secretary shall consider methods to enhance the sup-  
18 port, loan, or assistance provided under this title in a man-  
19 ner that further minimizes the potential for forfeitures.

20 (d) ADJUSTMENT ON COUNTY BASIS.—

21 (1) IN GENERAL.—The Secretary may establish  
22 loan rates for a crop for producers in individual  
23 counties in a manner that results in the lowest loan  
24 rate being 95 percent of the national average loan

1 rate, if those loan rates do not result in an increase  
2 in outlays.

3 (2) PROHIBITION.—Adjustments under this  
4 subsection shall not result in an increase in the na-  
5 tional average loan rate for any year.

6 (e) ADJUSTMENT IN LOAN RATE FOR COTTON.—

7 (1) IN GENERAL.—The Secretary may make  
8 appropriate adjustments in the loan rate for cotton  
9 for differences in quality factors.

10 (2) TYPES OF ADJUSTMENTS.—Loan rate ad-  
11 justments under paragraph (1) may include—

12 (A) the use of non-spot market price data,  
13 in addition to spot market price data, that  
14 would enhance the accuracy of the price infor-  
15 mation used in determining quality adjustments  
16 under this subsection;

17 (B) adjustments in the premiums or dis-  
18 counts associated with upland cotton with a sta-  
19 ple length of 33 or above due to micronaire  
20 with the goal of eliminating any unnecessary ar-  
21 tificial splits in the calculations of the pre-  
22 miums or discounts; and

23 (C) such other adjustments as the Sec-  
24 retary determines appropriate, after consulta-

1           tions conducted in accordance with paragraph  
2           (3).

3           (3) CONSULTATION WITH PRIVATE SECTOR.—

4                 (A) PRIOR TO REVISION.—In making ad-  
5           justments to the loan rate for cotton (including  
6           any review of the adjustments) as provided in  
7           this subsection, the Secretary shall consult with  
8           representatives of the United States cotton in-  
9           dustry.

10                (B) INAPPLICABILITY OF FEDERAL ADVI-  
11           sory Committee Act.—The Federal Advisory  
12           Committee Act (5 U.S.C. App.) shall not apply  
13           to consultations under this subsection.

14           (4) REVIEW OF ADJUSTMENTS.—The Secretary  
15           may review the operation of the upland cotton qual-  
16           ity adjustments implemented pursuant to this sub-  
17           section and may make further adjustments to the  
18           administration of the loan program for upland cot-  
19           ton, by revoking or revising any adjustment taken  
20           under paragraph (2).

21           (f) RICE.—The Secretary shall not make adjustments  
22           in the loan rates for long grain rice and medium grain  
23           rice, except for differences in grade and quality (including  
24           milling yields).

1 (g) CONTINUATION OF AUTHORITY.—Section 166 of  
 2 the Federal Agriculture Improvement and Reform Act of  
 3 1996 (7 U.S.C. 7286) is amended by striking “and Sub-  
 4 title B of title I of the Agricultural Act of 2014” each  
 5 place it appears and inserting “subtitle B of title I of the  
 6 Agricultural Act of 2014, and subtitle B of title I of the  
 7 Agriculture and Nutrition Act of 2018”.

## 8 **Subtitle C—Sugar**

### 9 **SEC. 1301. SUGAR POLICY.**

10 (a) CONTINUATION OF CURRENT PROGRAM AND  
 11 LOAN RATES.—

12 (1) SUGARCANE.—Section 156(a)(4) of the  
 13 Federal Agriculture Improvement and Reform Act of  
 14 1996 (7 U.S.C. 7272(a)(4)) is amended by striking  
 15 “2018” and inserting “2023”.

16 (2) SUGAR BEETS.—Section 156(b)(2) of the  
 17 Federal Agriculture Improvement and Reform Act of  
 18 1996 (7 U.S.C. 7272(b)(2)) is amended by striking  
 19 “2018” and inserting “2023”.

20 (3) EFFECTIVE PERIOD.—Section 156(i) of the  
 21 Federal Agriculture Improvement and Reform Act of  
 22 1996 (7 U.S.C. 7272(i)) is amended by striking  
 23 “2018” and inserting “2023”.

24 (b) FLEXIBLE MARKETING ALLOTMENTS FOR  
 25 SUGAR.—



1           (1) SUGAR ESTIMATES.—Section 359b(a)(1) of  
 2           the Agricultural Adjustment Act of 1938 (7 U.S.C.  
 3           1359bb(a)(1)) is amended by striking “2018” and  
 4           inserting “2023”.

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

9           **Subtitle D—Dairy Risk Manage-**  
 10           **ment Program and Other Dairy**  
 11           **Programs**

12           **SEC. 1401. DAIRY RISK MANAGEMENT PROGRAM FOR**  
 13           **DAIRY PRODUCERS.**

14           (a) REVIEW OF DATA USED IN CALCULATION OF AV-  
 15           ERAGE FEED COST.—Not later than 60 days after the  
 16           date of the enactment of this Act, the Secretary of Agri-  
 17           culture shall submit to the Committee on Agriculture of  
 18           the House of Representatives and the Committee on Agri-  
 19           culture, Nutrition, and Forestry of the Senate a report  
 20           evaluating the extent to which the average cost of feed  
 21           used by a dairy operation to produce a hundredweight of  
 22           milk calculated by the Secretary as required by section  
 23           1402(a) of the Agricultural Act of 2014 (7 U.S.C.  
 24           9052(a)) is representative of actual dairy feed costs.

1 (b) CORN SILAGE REPORT.—Not later than 1 year  
2 after the date of the enactment of this Act, the Secretary  
3 of Agriculture shall submit to the Committee on Agri-  
4 culture of the House of Representatives and the Com-  
5 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
6 ate a report detailing the costs incurred by dairy oper-  
7 ations in the use of corn silage as feed, and the difference  
8 between the feed cost of corn silage and the feed cost of  
9 corn.

10 (c) COLLECTION OF ALFALFA HAY DATA.—Not later  
11 than 120 days after the date of the enactment of this Act,  
12 the Secretary of Agriculture, acting through the National  
13 Agricultural Statistics Service, shall revise monthly price  
14 survey reports to include prices for high-quality alfalfa hay  
15 in the top five milk producing States, as measured by vol-  
16 ume of milk produced during the previous month.

17 (d) REGISTRATION OF MULTIPRODUCER DAIRY OP-  
18 ERATIONS.—Section 1404(b) of the Agricultural Act of  
19 2014 (7 U.S.C. 9054(b)) is amended—

20 (1) in paragraph (3), by striking “If” and in-  
21 serting “Subject to paragraph (5), if”; and

22 (2) by adding at the end the following new  
23 paragraph:

24 “(5) CERTAIN MULTIPRODUCER DAIRY OPER-  
25 ATION EXCLUSIONS.—

1           “(A) EXCLUSION OF LOW-PERCENTAGE  
2 OWNERS.—To promote administrative efficiency  
3 in the dairy risk management program, a multi-  
4 producer dairy operation covered by paragraph  
5 (3) may elect, at the option of the multipro-  
6 ducer dairy operation, to exclude information  
7 from the registration process regarding any in-  
8 dividual owner of the multiproducer dairy oper-  
9 ation that—

10           “(i) holds less than a five percent  
11 ownership interest in the multiproducer  
12 dairy operation; or

13           “(ii) is entitled to less than five per-  
14 cent of the income, revenue, profit, gain,  
15 loss, expenditure, deduction, or credit of  
16 the multiproducer dairy operation for any  
17 given year.

18           “(B) EFFECT OF EXCLUSION ON DAIRY  
19 RISK MANAGEMENT PAYMENTS.—To the extent  
20 that an individual owner of a multiproducer  
21 dairy operation is excluded under subparagraph  
22 (A) from the registration of the multiproducer  
23 dairy operation, any dairy risk management  
24 payment made to the multiproducer dairy oper-

1           ation shall be reduced by an amount equal to  
2           the greater of the following:

3                   “(i) The amount determined by multi-  
4                   plying the dairy risk management payment  
5                   otherwise determined under section 1406  
6                   by the total percentage of ownership inter-  
7                   ests represented by the excluded owners.

8                   “(ii) The amount determined by mul-  
9                   tiplying the dairy risk management pay-  
10                  ment otherwise determined under section  
11                  1406 by the total percentage of the in-  
12                  come, revenue, profit, gain, loss, expendi-  
13                  ture, deduction, or credit of the multipro-  
14                  ducer dairy operation represented by the  
15                  excluded owners.”.

16       (e) RELATION TO LIVESTOCK GROSS MARGIN FOR  
17 DAIRY PROGRAM.—Section 1404(d) of the Agricultural  
18 Act of 2014 (7 U.S.C. 9054(d)) is amended—

19           (1) by striking “but not both” and inserting  
20           “but not on the same production”;

21           (2) by striking “or the” and inserting “and  
22           the”; and

23           (3) by striking “margin protection program”  
24           and inserting “dairy risk management program”.

1 (f) PRODUCTION HISTORY OF PARTICIPATING DAIRY  
2 OPERATORS.—

3 (1) CONTINUED USE OF PRIOR DAIRY OPER-  
4 ATION PRODUCTION HISTORY.—Section 1405(a)(1)  
5 of the Agricultural Act of 2014 (7 U.S.C.  
6 9055(a)(1)) is amended by adding at the end the  
7 following new sentence: “The production history of  
8 a participating dairy operation shall continue to be  
9 based on annual milk marketings during the 2011,  
10 2012, or 2013 calendar year notwithstanding the op-  
11 eration of the dairy risk management program  
12 through 2023.”.

13 (2) ADJUSTMENT.—Section 1405(a) of the Ag-  
14 ricultural Act of 2014 (7 U.S.C. 9055(a)) is amend-  
15 ed—

16 (A) in paragraph (2), by striking “In sub-  
17 sequent years” and inserting “In the subse-  
18 quent calendar years ending before January 1,  
19 2019”; and

20 (B) in paragraph (3), by inserting “, as  
21 applicable” after “paragraph (2)”.

22 (3) LIMITATION ON CHANGES TO BUSINESS  
23 STRUCTURE.—Section 1405 of the Agricultural Act  
24 of 2014 (7 U.S.C. 9055) is amended by adding at  
25 the end the following new subsection:

1       “(d) LIMITATION ON CHANGES TO BUSINESS STRUC-  
 2       TURE.—The Secretary may not make dairy risk manage-  
 3       ment payments to a participating dairy operation if the  
 4       Secretary determines that the participating dairy oper-  
 5       ation has reorganized the structure of such operation sole-  
 6       ly for the purpose of qualifying as a new operation under  
 7       subsection (b).”.

8       (g) DAIRY RISK MANAGEMENT PAYMENTS.—

9               (1) ELECTION OF COVERAGE LEVEL THRESH-  
 10       OLD AND COVERAGE PERCENTAGE.—Section 1406 of  
 11       the Agricultural Act of 2014 (7 U.S.C. 9056) is  
 12       amended—

13                       (A) in subsection (a), by striking “annu-  
 14                       ally”; and

15                       (B) by adding at the end the following new  
 16       subsection:

17       “(d) DEADLINE FOR ELECTION; DURATION.—Not  
 18       later than 90 days after the date of the enactment of this  
 19       subsection, each participating dairy operation shall elect  
 20       a coverage level threshold under subsection (a)(1) and a  
 21       coverage percentage under subsection (a)(2) to be used to  
 22       determine dairy risk management payments. This election  
 23       shall remain in effect for the participating dairy operation  
 24       for the duration of the dairy risk management program,  
 25       as specified in section 1409.”.

1           (2) ADDITIONAL COVERAGE LEVEL THRESH-  
 2       OLDS       FOR       CERTAIN       PRODUCERS.—Section  
 3       1406(a)(1) of the Agricultural Act of 2014 (7  
 4       U.S.C. 9056(a)(1)) is amended by inserting after  
 5       “or \$8.00” the following: “(and in the case of pro-  
 6       duction subject to premiums under section 1407(b),  
 7       also \$8.50 or \$9.00)”.

8           (3) ELECTION OF PRODUCTION HISTORY COV-  
 9       ERAGE PERCENTAGE.—Section 1406(a)(2) of the  
 10      Agricultural Act of 2014 (7 U.S.C. 9056(a)(2)) is  
 11      amended by striking “beginning with 25 percent and  
 12      not exceeding” and inserting “but not to exceed”.

13      (h) PREMIUMS FOR PARTICIPATION IN DAIRY RISK  
 14      MANAGEMENT PROGRAM.—

15           (1) PREMIUM PER HUNDREDWEIGHT FOR FIRST  
 16      5   MILLION   POUNDS   OF   PRODUCTION.—Section  
 17      1407(b) of the Agricultural Act of 2014 (7 U.S.C.  
 18      9057(b)) is amended—

19           (A) by striking paragraph (2) and insert-  
 20      ing the following new paragraph:

21           “(2) PRODUCER PREMIUMS.—The following an-  
 22      nual premiums apply:

“Coverage Level	Premium per Cwt.
\$4.00	None
\$4.50	\$0.002
\$5.00	\$0.005
\$5.50	\$0.008
\$6.00	\$0.010

“Coverage Level	Premium per Cwt.
\$6.50	\$0.017
\$7.00	\$0.041
\$7.50	\$0.057
\$8.00	\$0.090
\$8.50	\$0.120
\$9.00	\$0.170”; and

1 (B) by striking paragraph (3).

2 (2) TECHNICAL CORRECTION.—Section 1407(d)  
3 of the Agricultural Act of 2014 (7 U.S.C. 9057(d))  
4 is amended in the subsection heading by striking  
5 “TIME FOR” and inserting “METHOD OF”.

6 (i) CONFORMING AMENDMENTS RELATED TO PRO-  
7 GRAM NAME.—

8 (1) HEADING.—The heading of part I of sub-  
9 title D of title I of the Agricultural Act of 2014  
10 (Public Law 113–79; 128 Stat. 688) is amended to  
11 read as follows:

12 **“PART I—DAIRY RISK MANAGEMENT PROGRAM**  
13 **FOR DAIRY PRODUCERS”.**

14 (2) DEFINITIONS.—Section 1401 of the Agri-  
15 cultural Act of 2014 (7 U.S.C. 9051) is amended—

16 (A) by striking paragraphs (5) and (6) and  
17 inserting the following new paragraphs:

18 “(5) DAIRY RISK MANAGEMENT PROGRAM.—  
19 The terms ‘dairy risk management program’ and  
20 ‘program’ mean the dairy risk management program  
21 required by section 1403.



1 “(6) DAIRY RISK MANAGEMENT PAYMENT.—

2 The term ‘dairy risk management payment’ means a  
3 payment made to a participating dairy operation  
4 under the program pursuant to section 1406.’; and

5 (B) in paragraphs (7) and (8), by striking  
6 “margin protection” both places it appears.

7 (3) CALCULATION OF ACTUAL DAIRY PRODUC-  
8 TION MARGIN.—Section 1402(b)(1) of the Agricul-  
9 tural Act of 2014 (7 U.S.C. 9052(b)(1)) is amended  
10 by striking “margin protection” and inserting “dairy  
11 risk management”.

12 (4) PROGRAM OPERATION.—Section 1403 of  
13 the Agricultural Act of 2014 (7 U.S.C. 9053) is  
14 amended—

15 (A) in the section heading, by striking  
16 “**ESTABLISHMENT OF MARGIN PROTEC-**  
17 **TION**” and inserting “**DAIRY RISK MANAGE-**  
18 **MENT**”;

19 (B) by striking “Not later than September  
20 1, 2014, the Secretary shall establish and ad-  
21 minister a margin protection program” and in-  
22 serting “The Secretary shall continue to admin-  
23 ister a dairy risk management program”; and

1 (C) by striking “margin protection pay-  
2 ment” both places it appears and inserting  
3 “dairy risk management payment”.

4 (5) PARTICIPATION.—Section 1404 of the Agri-  
5 cultural Act of 2014 (7 U.S.C. 9054) is amended—

6 (A) in the section heading, by striking  
7 “**MARGIN PROTECTION**”;

8 (B) in subsection (a), by striking “margin  
9 protection program to receive margin protection  
10 payments” and inserting “dairy risk manage-  
11 ment program to receive dairy risk management  
12 payments”; and

13 (C) in subsections (b) and (c), by striking  
14 “margin protection” each place it appears.

15 (6) PRODUCTION HISTORY.—Section 1405 of  
16 the Agricultural Act of 2014 (7 U.S.C. 9055) is  
17 amended—

18 (A) in subsection (a)(1)—

19 (i) by striking “margin protection pro-  
20 gram” the first place it appears and insert-  
21 ing “dairy risk management program”;  
22 and

23 (ii) by striking “margin protection”  
24 the second place it appears; and

1 (B) in subsection (c), by striking “margin  
2 protection”.

3 (7) PAYMENTS.—Section 1406 of the Agricul-  
4 tural Act of 2014 (7 U.S.C. 9056) is amended—

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

8 (B) by striking “margin protection” each  
9 place it appears and inserting “dairy risk man-  
10 agement”; and

11 (C) in the heading of subsection (c), by  
12 striking “MARGIN PROTECTION”.

13 (8) PREMIUMS.—Section 1407 of the Agricul-  
14 tural Act of 2014 (7 U.S.C. 9057) is amended—

15 (A) in the section heading, by striking  
16 “**MARGIN PROTECTION**” and inserting  
17 “**DAIRY RISK MANAGEMENT**”;

18 (B) in subsection (a), by striking “margin  
19 protection program” and inserting “dairy risk  
20 management program”; and

21 (C) in subsection (e), by striking “margin  
22 protection” both places it appears.

23 (9) PENALTIES.—Section 1408 of the Agricul-  
24 tural Act of 2014 (7 U.S.C. 9058) is amended by

1 striking “margin protection” both places it appears  
2 and inserting “dairy risk management”.

3 (10) ADMINISTRATION AND ENFORCEMENT.—  
4 Section 1410 of the Agricultural Act of 2014 (7  
5 U.S.C. 9060) is amended by striking “margin pro-  
6 tection” each place it appears and inserting “dairy  
7 risk management”.

8 (j) EFFECTIVE DATE.—The amendments made by  
9 this section shall take effect 60 days after the date of the  
10 enactment of this Act.

11 (k) DURATION.—Section 1409 of the Agricultural  
12 Act of 2014 (7 U.S.C. 9059) is amended—

13 (1) by striking “margin protection” and insert-  
14 ing “dairy risk management”; and

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

16 **SEC. 1402. CLASS I SKIM MILK PRICE.**

17 (a) CLASS I SKIM MILK PRICE.—Section 8c(5)(A) of  
18 the Agricultural Adjustment Act (7 U.S.C. 608c(5)(A)),  
19 reenacted with amendments by the Agricultural Marketing  
20 Agreement Act of 1937, is amended by striking “Through-  
21 out the 2-year period” and all that follows through “such  
22 handlers.” and inserting the following new sentence:  
23 “Throughout the 2-year period beginning on the effective  
24 date of this sentence (and subsequent to such 2-year pe-  
25 riod unless modified by amendment to the order involved),

1 for purposes of determining prices for milk of the highest  
 2 use classification, the Class I skim milk price per hundred-  
 3 weight specified in section 1000.50(b) of title 7, Code of  
 4 Federal Regulations (or successor regulation), shall be the  
 5 sum of the adjusted Class I differential specified in section  
 6 1000.52 of such title 7, plus the adjustment to Class I  
 7 prices specified in sections 1005.51(b), 1006.51(b), and  
 8 1007.51(b) of such title 7 (or successor regulation), plus  
 9 the simple average of the advanced pricing factors com-  
 10 puted in sections 1000.50(q)(1) and 1000.50(q)(2) of such  
 11 title 7 (or successor regulation), plus \$0.74.”.

12 (b) EFFECTIVE DATE AND IMPLEMENTATION.—

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

17 (2) IMPLEMENTATION.—Implementation of the  
 18 amendment made by subsection (a) is not subject to  
 19 any of the following:

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

22 (B) The notice and hearing requirements  
 23 of paragraphs (3) and (4) of section 8c of the  
 24 Agricultural Adjustment Act (7 U.S.C. 608c),

1 reenacted with amendments by the Agricultural  
2 Marketing Agreement Act of 1937.

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

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

7 **SEC. 1403. EXTENSION OF DAIRY FORWARD PRICING PRO-**  
8 **GRAM.**

9 Section 1502(e) of the Food, Conservation, and En-  
10 ergy Act of 2008 (7 U.S.C. 8772(e)) is amended—

11 (1) in paragraph (1), by striking “2018” and  
12 inserting “2023”; and

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

15 **SEC. 1404. EXTENSION OF DAIRY INDEMNITY PROGRAM.**

16 Section 3 of Public Law 90–484 (7 U.S.C. 450l) is  
17 amended by striking “2018” and inserting “2023”.

18 **SEC. 1405. EXTENSION OF DAIRY PROMOTION AND RE-**  
19 **SEARCH PROGRAM.**

20 Section 113(e)(2) of the Dairy Production Stabiliza-  
21 tion Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by  
22 striking “2018” and inserting “2023”.

1 **SEC. 1406. REPEAL OF DAIRY PRODUCT DONATION PRO-**  
2 **GRAM.**

3 Section 1431 of the Agricultural Act of 2014 (7  
4 U.S.C. 9071) is repealed.

5 **Subtitle E—Supplemental Agricultural**  
6 **Disaster Assistance Pro-**  
7 **grams**

8 **SEC. 1501. MODIFICATION OF SUPPLEMENTAL AGRICUL-**  
9 **TURAL DISASTER ASSISTANCE.**

10 (a) COVERED LIVESTOCK LOSSES FOR LIVESTOCK  
11 INDEMNITY PAYMENTS.—Section 1501(b) of the Agricul-  
12 tural Act of 2014 (7 U.S.C. 9081(b)) is amended—

13 (1) in paragraph (1)—

14 (A) by striking “or” at the end of subpara-  
15 graph (A);

16 (B) by striking the period at the end of  
17 subparagraph (B) and inserting “; or”; and

18 (C) by adding at the end the following new  
19 subparagraph:

20 “(C) disease that, as determined by the  
21 Secretary—

22 “(i) is caused or transmitted by a vec-  
23 tor; and

24 “(ii) is not susceptible to control by  
25 vaccination or acceptable management  
26 practices.”; and

1           (2) in paragraph (4), by striking “A payment”  
 2           and inserting “PAYMENT REDUCTIONS.—A pay-  
 3           ment”.

4           (b) PAYMENT LIMITATIONS AND EXCLUSION OF  
 5 GROSS INCOME LIMITATION.—Section 1501(f) of the Ag-  
 6 ricultural Act of 2014 (7 U.S.C. 9081(f)) is amended—

7           (1) in paragraph (2)—

8                   (A) by striking “this section (excluding  
 9           payments received under subsections (b) and  
 10           (e))” and inserting “subsection (c)”; and

11                   (B) by striking “joint venture or general  
 12           partnership” and inserting “qualified pass  
 13           through entity (as such term is defined in para-  
 14           graph (5) of section 1001(a) of the Food Secu-  
 15           rity Act of 1985 (7 U.S.C. 1308(a)))”; and

16           (2) by adding at the end the following new  
 17           paragraph:

18                   “(4) EXCLUSION OF GROSS INCOME LIMITA-  
 19           TION.—For purposes of this section only, subsection  
 20           (b) of section 1001D of the Food Security Act of  
 21           1985 (7 U.S.C. 1308–3a) shall not apply to a person  
 22           or legal entity if 75 percent or greater of the average  
 23           adjusted gross income (as such term is defined in  
 24           subsection (a) of such section) of such person or



1        legal entity derives from farming, ranching, or  
2        silviculture activities.”.

3        (c) APPLICATION OF AMENDMENTS.—Section 1501  
4 of the Agricultural Act of 2014 (7 U.S.C. 9081), as  
5 amended by this section, shall apply with respect to losses  
6 described in such section 1501 incurred on or after Janu-  
7 ary 1, 2017.

## 8                    **Subtitle F—Administration**

### 9        **SEC. 1601. ADMINISTRATION GENERALLY.**

10        (a) USE OF COMMODITY CREDIT CORPORATION.—  
11 The Secretary shall use the funds, facilities, and authori-  
12 ties of the Commodity Credit Corporation to carry out this  
13 title.

14        (b) DETERMINATIONS BY SECRETARY.—A deter-  
15 mination made by the Secretary under this title shall be  
16 final and conclusive.

17        (c) REGULATIONS.—

18                (1) IN GENERAL.—Except as otherwise pro-  
19 vided in this subsection, not later than 90 days after  
20 the date of enactment of this Act, the Secretary and  
21 the Commodity Credit Corporation, as appropriate,  
22 shall promulgate such regulations as are necessary  
23 to implement this title and the amendments made by  
24 this title.

1           (2) PROCEDURE.—The promulgation of the reg-  
2           ulations and administration of this title and the  
3           amendments made by this title shall be made with-  
4           out regard to—

5                     (A) the notice and comment provisions of  
6                     section 553 of title 5, United States Code; and

7                     (B) chapter 35 of title 44, United States  
8                     Code (commonly known as the “Paperwork Re-  
9                     duction Act”).

10           (3) CONGRESSIONAL REVIEW OF AGENCY RULE-  
11           MAKING.—In carrying out this subsection, the Sec-  
12           retary shall use the authority provided under section  
13           808 of title 5, United States Code.

14           (d) ADJUSTMENT AUTHORITY RELATED TO TRADE  
15           AGREEMENTS COMPLIANCE.—

16                     (1) REQUIRED DETERMINATION; ADJUST-  
17                     MENT.—If the Secretary determines that expendi-  
18                     tures under this title that are subject to the total al-  
19                     lowable domestic support levels under the Uruguay  
20                     Round Agreements (as defined in section 2 of the  
21                     Uruguay Round Agreements Act (19 U.S.C. 3501))  
22                     will exceed such allowable levels for any applicable  
23                     reporting period, the Secretary shall, to the max-  
24                     imum extent practicable, make adjustments in the  
25                     amount of such expenditures during that period to

1 ensure that such expenditures do not exceed the al-  
2 lowable levels.

3 (2) CONGRESSIONAL NOTIFICATION.—Before  
4 making any adjustment under paragraph (1), the  
5 Secretary shall submit to the Committee on Agri-  
6 culture of the House of Representatives and the  
7 Committee on Agriculture, Nutrition, and Forestry  
8 of the Senate a report describing the determination  
9 made under that paragraph and the extent of the  
10 adjustment to be made.

11 **SEC. 1602. SUSPENSION OF PERMANENT PRICE SUPPORT**  
12 **AUTHORITY.**

13 (a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—  
14 The following provisions of the Agricultural Adjustment  
15 Act of 1938 shall not be applicable to the 2019 through  
16 2023 crops of covered commodities (as defined in section  
17 1111), cotton, and sugar and shall not be applicable to  
18 milk during the period beginning on the date of enactment  
19 of this Act through December 31, 2023:

20 (1) Parts II through V of subtitle B of title III  
21 (7 U.S.C. 1326 et seq.).

22 (2) In the case of upland cotton, section 377 (7  
23 U.S.C. 1377).

24 (3) Subtitle D of title III (7 U.S.C. 1379a et  
25 seq.).

1 (4) Title IV (7 U.S.C. 1401 et seq.).

2 (b) AGRICULTURAL ACT OF 1949.—

3 (1) APPLICABILITY.—The following provisions  
4 of the Agricultural Act of 1949 shall not be applica-  
5 ble to the 2019 through 2023 crops of covered com-  
6 modities (as defined in section 1111), cotton, and  
7 sugar and shall not be applicable to milk during the  
8 period beginning on the date of enactment of this  
9 Act through December 31, 2023:

10 (A) Section 101 (7 U.S.C. 1441).

11 (B) Section 103(a) (7 U.S.C. 1444(a)).

12 (C) Section 105 (7 U.S.C. 1444b).

13 (D) Section 107 (7 U.S.C. 1445a).

14 (E) Section 110 (7 U.S.C. 1445e).

15 (F) Section 112 (7 U.S.C. 1445g).

16 (G) Section 115 (7 U.S.C. 1445k).

17 (H) Section 201 (7 U.S.C. 1446).

18 (I) Title III (7 U.S.C. 1447 et seq.).

19 (J) Title IV (7 U.S.C. 1421 et seq.), other  
20 than sections 404, 412, and 416 (7 U.S.C.  
21 1424, 1429, and 1431).

22 (K) Title V (7 U.S.C. 1461 et seq.).

23 (L) Title VI (7 U.S.C. 1471 et seq.).

1           (2) CLARIFYING AMENDMENTS.—Section  
2       201(a) of the Agricultural Act of 1949 (7 U.S.C.  
3       1446(a)) is amended—

4           (A) by inserting “, crambe, cottonseed, ses-  
5       ame seed” after “mustard seed”;

6           (B) by inserting “dry peas, lentils, small  
7       chickpeas, large chickpeas, graded wool, non-  
8       graded wool, mohair, peanuts,” after “honey,”;  
9       and

10          (C) by striking “in accordance with this  
11       title” and inserting “consistent with the per-  
12       centage levels of support provided under sub-  
13       section (c), except as otherwise provided for  
14       under subsection (b)”.

15       (c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—  
16       The joint resolution entitled “A joint resolution relating  
17       to corn and wheat marketing quotas under the Agricul-  
18       tural Adjustment Act of 1938, as amended”, approved  
19       May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be  
20       applicable to the crops of wheat planted for harvest in the  
21       calendar years 2019 through 2023.

22       **SEC. 1603. PAYMENT LIMITATIONS.**

23       (a) IN GENERAL.—Section 1001 of the Food Security  
24       Act of 1985 (7 U.S.C. 1308) is amended—

25           (1) in subsection (a)—

1 (A) in paragraph (1) by striking “section  
2 1001 of the Food, Conservation, and Energy  
3 Act of 2008” and inserting “section 1111 of  
4 the Agriculture and Nutrition Act of 2018”;

5 (B) in paragraph (2), by inserting “first  
6 cousin, niece, nephew,” after “sibling,”;

7 (C) by redesignating paragraph (5) as (6);  
8 and

9 (D) by inserting after paragraph (4) the  
10 following new paragraph:

11 “(5) QUALIFIED PASS THROUGH ENTITY.—The  
12 term ‘qualified pass through entity’ means a part-  
13 nership (within the meaning of subchapter K of  
14 chapter 1 of the Internal Revenue Code of 1986 and  
15 including a limited liability company that does not  
16 affirmatively elect to be treated as a corporation), an  
17 S corporation (as defined in section 1361 of such  
18 Code), or a joint venture.”;

19 (2) in subsections (b) and (c) by striking “enti-  
20 ty” through “Agricultural Act of 2014” in each  
21 place it appears and inserting “entity (except a  
22 qualified pass through entity) for any crop year  
23 under sections 1116 and 1117 of the Agriculture  
24 and Nutrition Act of 2018”;

1           (3) in subsection (d) by striking “associated”  
2           and all that follows through the end of the sentence  
3           and inserting “associated with subtitle B of title I  
4           of the Agriculture and Nutrition Act of 2018.”; and  
5           (4) in subsection (f), by adding the end the fol-  
6           lowing new paragraph:

7           “(9) ADMINISTRATION OF REDUCTION.—The  
8           Secretary shall apply any order described in section  
9           1614(d)(1) of the Agricultural Act of 2014 (7  
10          U.S.C. 9097(d)(1)) to payments under sections 1116  
11          and 1117 of the Agriculture and Nutrition Act of  
12          2018 prior to applying payment limitations under  
13          this section.”.

14          (b) TREATMENT OF QUALIFIED PASS THROUGH EN-  
15          TITIES.—Section 1001(e)(3)(B)(ii) of the Food Security  
16          Act of 1985 (7 U.S.C. 1308(e)(3)(B)(ii)) is amended—

17               (1) in the heading, by striking “JOINT VEN-  
18               TURES AND GENERAL PARTNERSHIPS” and inserting  
19               “QUALIFIED PASS THROUGH ENTITIES”;

20               (2) by striking “joint venture or a general part-  
21               nership” and inserting “qualified pass through enti-  
22               ty”;

23               (3) by striking “joint ventures and general  
24               partnerships” and inserting “qualified pass through  
25               entities”; and

1           (4) by striking “joint venture or general part-  
2           nership” and inserting “qualified pass through enti-  
3           ty”.

4           (c) CONFORMING AMENDMENTS.—

5           (1) TREATMENT OF FEDERAL AGENCIES AND  
6           STATE AND LOCAL GOVERNMENTS.—Section 1001(f)  
7           of the Food Security Act of 1985 (7 U.S.C. 1308(f))  
8           is amended—

9                   (A) in paragraph (5)(A), by striking “or  
10           title XII” and inserting “title I of the Agri-  
11           culture and Nutrition Act of 2018, or title  
12           XII”; and

13                   (B) in paragraph (6)(A), by striking “or  
14           title XII” and inserting “title I of the Agri-  
15           culture and Nutrition Act of 2018, or title  
16           XII”.

17           (2) FOREIGN PERSONS INELIGIBLE.—Section  
18           1001C(a) of the Food Security Act of 1985 (7  
19           U.S.C. 1308–3(a)) is amended by inserting “title I  
20           of the Agriculture and Nutrition Act of 2018,” after  
21           “2014,”.

22           (d) APPLICATION.—The amendments made by this  
23           section shall apply beginning with the 2019 crop year.



1 **SEC. 1604. ADJUSTED GROSS INCOME LIMITATION.**

2 (a) LIMITATIONS.—Section 1001D(b)(2) of the Food  
3 Security Act of 1985 (7 U.S.C. 1308–3a(b)(2)) is amend-  
4 ed—

5 (1) in subparagraph (A), by striking “title I of  
6 the Agricultural Act of 2014” and inserting “title I  
7 of the Agriculture and Nutrition Act of 2018”;

8 (2) by striking subparagraphs (B) and (D); and

9 (3) by redesignating subparagraphs (C) and (E)  
10 as subparagraphs (B) and (C), respectively.

11 (b) EXCEPTIONS.—

12 (1) IN GENERAL.—Section 1001D(b) of the  
13 Food Security Act of 1985 (7 U.S.C. 1308–3a(b)) is  
14 amended by adding at the end the following:

15 “(3) EXCEPTIONS.—

16 “(A) EXCEPTION FOR QUALIFIED PASS  
17 THROUGH ENTITIES.—Paragraph (1) shall not  
18 apply with respect to a qualified pass through  
19 entity (as such term is defined in section  
20 1001(a)(5)).

21 “(B) WAIVER.—The Secretary may waive  
22 the limitation established by paragraph (1) with  
23 respect to a payment pursuant to a covered  
24 benefit described in paragraph (2)(B), on a  
25 case-by-case basis, if the Secretary determines  
26 that environmentally sensitive land of special

1           significance would be protected as a result of  
2           such waiver.”.

3           (2) CONFORMING AMENDMENTS.—Section  
4           1001D of the Food Security Act of 1985 (7 U.S.C.  
5           1308–3a) is amended—

6                   (A) in subsection (b)(1), by inserting “sub-  
7           ject to paragraph (3),” after “of law,”; and

8                   (B) in subsection (d), by striking “, gen-  
9           eral partnership, or joint venture” both places  
10          it appears.

11          (c) TRANSITION.—Section 1001D of the Food Secu-  
12       rity Act of 1985 (7 U.S.C. 1308–3a), as in effect on the  
13       day before the date of the enactment of this Act, shall  
14       apply with respect to the 2018 crop, fiscal, or program  
15       year, as appropriate, for each program described in sub-  
16       section (b)(2) of that section (as so in effect on that day).

17       **SEC. 1605. PREVENTION OF DECEASED INDIVIDUALS RE-**  
18                       **CEIVING PAYMENTS UNDER FARM COM-**  
19                       **MODITY PROGRAMS.**

20          (a) RECONCILIATION.—At least twice each year, the  
21       Secretary shall reconcile Social Security numbers of all in-  
22       dividuals who receive payments under this title, whether  
23       directly or indirectly, with the Commissioner of Social Se-  
24       curity to determine if the individuals are alive.

1 (b) PRECLUSION.—The Secretary shall preclude the  
2 issuance of payments to, and on behalf of, deceased indi-  
3 viduals that were not eligible for payments.

4 **SEC. 1606. ASSIGNMENT OF PAYMENTS.**

5 (a) IN GENERAL.—The provisions of section 8(g) of  
6 the Soil Conservation and Domestic Allotment Act (16  
7 U.S.C. 590h(g)), relating to assignment of payments, shall  
8 apply to payments made under this title.

9 (b) NOTICE.—The producer making the assignment,  
10 or the assignee, shall provide the Secretary with notice,  
11 in such manner as the Secretary may require, of any as-  
12 signment made under this section.

13 **SEC. 1607. TRACKING OF BENEFITS.**

14 As soon as practicable after the date of enactment  
15 of this Act, the Secretary may track the benefits provided,  
16 directly or indirectly, to individuals and entities under ti-  
17 tles I and II and the amendments made by those titles.

18 **SEC. 1608. SIGNATURE AUTHORITY.**

19 (a) IN GENERAL.—In carrying out this title and title  
20 II and amendments made by those titles, if the Secretary  
21 approves a document, the Secretary shall not subsequently  
22 determine the document is inadequate or invalid because  
23 of the lack of authority of any person signing the docu-  
24 ment on behalf of the applicant or any other individual,  
25 entity, or qualified pass through entity (as such term is

1 defined in paragraph (5) of section 1001(a) of the Food  
 2 Security Act of 1985 (7 U.S.C. 1308(a))) or the docu-  
 3 ments relied upon were determined inadequate or invalid,  
 4 unless the person signing the program document know-  
 5 ingly and willfully falsified the evidence of signature au-  
 6 thority or a signature.

7 (b) AFFIRMATION.—

8 (1) IN GENERAL.—Nothing in this section pro-  
 9 hibits the Secretary from asking a proper party to  
 10 affirm any document that otherwise would be consid-  
 11 ered approved under subsection (a).

12 (2) NO RETROACTIVE EFFECT.—A denial of  
 13 benefits based on a lack of affirmation under para-  
 14 graph (1) shall not be retroactive with respect to  
 15 third-party producers who were not the subject of  
 16 the erroneous representation of authority, if the  
 17 third-party producers—

18 (A) relied on the prior approval by the Sec-  
 19 retary of the documents in good faith; and

20 (B) substantively complied with all pro-  
 21 gram requirements.

22 **SEC. 1609. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.**  
 23

24 Section 164(a) of the Federal Agriculture Improve-  
 25 ment and Reform Act of 1996 (7 U.S.C. 7284(a)) is

1 amended by striking “this title” and all that follows  
2 through “unless” and inserting “this title, title I of the  
3 Farm Security and Rural Investment Act of 2002, title  
4 I of the Food, Conservation, and Energy Act of 2008 (7  
5 U.S.C. 8702 et seq.), title I of the Agricultural Act of  
6 2014, or Agriculture and Nutrition Act of 2018”.

7 **SEC. 1610. IMPLEMENTATION.**

8 (a) MAINTENANCE OF BASE ACRES AND PAYMENT  
9 YIELDS.—The Secretary shall maintain, for each covered  
10 commodity, base acres and payment yields on a farm es-  
11 tablished under sections 1001 and 1301 of the Food, Con-  
12 servation, and Energy Act of 2008 (7 U.S.C. 8702, 8751),  
13 as adjusted pursuant to sections 1101, 1102, 1108, and  
14 1302 of such Act (7 U.S.C. 8711, 8712, 8718, 8752), as  
15 in effect on September 30, 2013, and as adjusted pursu-  
16 ant to sections 1112 and 1113 of the Agricultural Act of  
17 2014 (7 U.S.C. 9012, 9013).

18 (b) STREAMLINING.—In implementing this title and  
19 amendments made by this title, the Secretary shall—

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

1           (A) a producer (or an agent of a producer)  
2           may report information, electronically (includ-  
3           ing geospatial data) or conventionally, to the  
4           Department;

5           (B) upon the request of the producer (or  
6           agent thereof), the Department of Agriculture  
7           electronically shares with the producer (or  
8           agent) in real time and without cost to the pro-  
9           ducer (or agent) the common land unit data, re-  
10          lated farm level data, and other information of  
11          the producer; and

12          (C) no agent, approved insurance provider,  
13          or employee or contractor of an agency or ap-  
14          proved insurance provider, bears responsibility  
15          or liability under the Acreage Crop Reporting  
16          and Streamlining Initiative for the eligibility of  
17          a producer for programs administered by the  
18          Department of Agriculture that are not policies  
19          or plans of insurance offered under the Federal  
20          Crop Insurance Act (7 U.S.C. 1501 et. seq.) ex-  
21          cept in cases of misrepresentation, fraud, or  
22          scheme and device;

23          (2) continue to improve coordination, informa-  
24          tion sharing, and administrative work with the Farm

1 Service Agency, Risk Management Agency, and the  
2 Natural Resources Conservation Service;

3 (3) continue to take advantage of new tech-  
4 nologies to enhance efficiency and effectiveness of  
5 program delivery to producers; and

6 (4) reduce administrative burdens on producers  
7 by offering such producers an option to remotely  
8 and electronically sign annual contracts for partici-  
9 pation in coverage under sections 1116 and 1117.

10 (c) IMPLEMENTATION.—The Secretary shall make  
11 available to the Farm Service Agency to carry out this  
12 title and amendments made by this title, \$25,000,000.

13 (d) LOAN IMPLEMENTATION.—

14 (1) IN GENERAL.—Section 1614(d)(1) of the  
15 Agricultural Act of 2014 (7 U.S.C. 9097(d)(1)) is  
16 amended—

17 (A) by inserting “or subtitles B and C of  
18 the Agriculture and Nutrition Act of 2018”  
19 after “this title”;

20 (B) by striking “made by subtitles B or C”  
21 and inserting “made by such subtitles”; and

22 (C) by inserting “of this title, and sections  
23 1207(c) and 1208 of the Agriculture and Nutri-  
24 tion Act of 2018” after “1208”.

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

4           (A) by striking “of subtitles B or C” and  
5       inserting “of subtitle B or C of this title, or  
6       subtitle B or C of the Agriculture and Nutrition  
7       Act of 2018”; and

8           (B) by striking “under subtitles B or C”  
9       and inserting “of subtitle B or C of this title,  
10      or subtitle B or C of the Agriculture and Nutri-  
11      tion Act of 2018”.

12   **SEC. 1611. EXEMPTION FROM CERTAIN REPORTING RE-**  
13           **QUIREMENTS FOR CERTAIN PRODUCERS.**

14       (a) DEFINITION OF EXEMPTED PRODUCER.—In this  
15      section, the term “exempted producer” means a producer  
16      or landowner eligible to participate in any conservation or  
17      commodity program administered by the Secretary, or eli-  
18      gible for indemnity or compensation payments through  
19      programs administered by the Secretary.

20       (b) EXEMPTION.—Notwithstanding any other provi-  
21      sion of law, including the Federal Funding Accountability  
22      and Transparency Act of 2006 (Public Law 109–282; 31  
23      U.S.C. 6101 note), the requirements of parts 25 and 170  
24      of title 2, Code of Federal Regulations (and any successor  
25      regulations), shall not apply with respect to assistance re-



1 ceived by an exempted producer from the Secretary, acting  
2 through the Natural Resources Conservation Service, the  
3 Animal and Plant Health Inspection Service, or the Farm  
4 Service Agency.

5 **SEC. 1612. ONE-TIME FILING FOR ARC AND PLC.**

6 (a) ONE-TIME FILING.—Except as provided in sub-  
7 section (b), during the first enrollment period announced  
8 by the Farm Service Agency after the date of the enact-  
9 ment of this Act, producers on a farm may file a one-  
10 time program contract with the Secretary to enroll in agri-  
11 cultural risk coverage or price loss coverage through crop  
12 year 2023.

13 (b) UPDATED PROGRAM CONTRACT REQUIRED.—In  
14 the case of a change in a farming operation for which pro-  
15 ducers on a farm have filed a one-time program contract  
16 pursuant to subsection (a), such producers shall file an  
17 updated program contract with the Secretary not later  
18 than one year after such change in the farming operation  
19 occurs.

20 (c) NOTICE OF OTHER ANNUAL REPORTING.—The  
21 Secretary shall provide to each producer that files a one-  
22 time program contract pursuant to subsection (a) a notice  
23 that includes the annual and other periodic reporting re-  
24 quirements applicable to such producer, as determined by  
25 the Secretary.

1 (d) REGULATIONS REVISED.—The Secretary shall—

2 (1) issue such regulations as are necessary to  
3 carry out this section; and

4 (2) revise section 1412.41 of title 7, Code of  
5 Federal Regulations, in accordance with this section.

## 6 **TITLE II—CONSERVATION**

### 7 **Subtitle A—Wetland Conservation**

#### 8 **SEC. 2101. PROGRAM INELIGIBILITY.**

9 Section 1221(d) of the Food Security Act of 1985  
10 (16 U.S.C. 3821(d)) is amended—

11 (1) by striking “Except as provided” and in-  
12 serting the following:

13 “(A) IN GENERAL.—Except as provided”;

14 and

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

16 “(B) DUTY OF THE SECRETARY.—Before  
17 determining that a person is ineligible for pro-  
18 gram benefits under this subsection, the Sec-  
19 retary shall determine that no exemption under  
20 section 1222 applies.”.

#### 21 **SEC. 2102. MINIMAL EFFECT REGULATIONS.**

22 (a) IDENTIFICATION OF MINIMAL EFFECT EXEMP-  
23 TIONS.—Section 1222(d) of the Food Security Act of  
24 1985 (16 U.S.C. 3822(d)) is amended by inserting “not  
25 later than 180 days after the date of enactment of the

1 Agriculture and Nutrition Act of 2018,” before “the Sec-  
2 retary shall identify”.

3 (b) MITIGATION BANKING.—Section 1222(k)(1)(B)  
4 of the Food Security Act of 1985 (16 U.S.C.  
5 3822(k)(1)(B)) is amended to read as follows:

6 “(B) FUNDING.—

7 “(i) FUNDS OF COMMODITY CREDIT  
8 CORPORATION.—To carry out this para-  
9 graph, the Secretary shall use \$10,000,000  
10 of the funds of the Commodity Credit Cor-  
11 poration beginning in fiscal year 2019,  
12 which funds shall remain available until ex-  
13 pended.

14 “(ii) AUTHORIZATION OF APPROPRIA-  
15 TIONS.—In addition to amounts made  
16 available under clause (i), there are au-  
17 thorized to be appropriated to the Sec-  
18 retary to carry out this paragraph  
19 \$5,000,000 for each of fiscal years 2019  
20 through 2023.”.

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

3     **SEC. 2201. CONSERVATION RESERVE.**

4             (a) IN GENERAL.—Section 1231(a) of the Food Se-  
5     curity Act of 1985 (16 U.S.C. 3831(a)) is amended by  
6     striking “2018” and inserting “2023”.

7             (b) ENROLLMENT.—Section 1231(d) of the Food Se-  
8     curity Act of 1985 (16 U.S.C. 3831(d)) is amended—

9                 (1) in paragraph (1)—

10                     (A) in subparagraph (D), by striking “;  
11                     and” and inserting a semicolon;

12                     (B) in subparagraph (E), by striking the  
13                     period at the end and inserting a semicolon;  
14                     and

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

16                         “(F) fiscal year 2019, no more than  
17                     25,000,000 acres;

18                         “(G) fiscal year 2020, no more than  
19                     26,000,000 acres;

20                         “(H) fiscal year 2021, no more than  
21                     27,000,000 acres;

22                         “(I) fiscal year 2022, no more than  
23                     28,000,000 acres; and

24                         “(J) fiscal year 2023, no more than  
25                     29,000,000 acres.”;

1 (2) in paragraph (2)—

2 (A) by amending subparagraph (A) to read  
3 as follows:

4 “(A) LIMITATION.—For purposes of apply-  
5 ing the limitations in paragraph (1)—

6 “(i) no more than 2,000,000 acres of  
7 the land described in subsection (b)(3) may  
8 be enrolled in the program at any one time  
9 during the 2014 through 2018 fiscal years;

10 “(ii) the Secretary shall enroll and  
11 maintain in the conservation reserve not  
12 fewer than 3,000,000 acres of the land de-  
13 scribed in subsection (b)(3) by September  
14 30, 2023; and

15 “(iii) in carrying out clause (ii), to the  
16 maximum extent practicable, the Secretary  
17 shall maintain in the conservation reserve  
18 at any one time during—

19 “(I) fiscal year 2019, 1,000,000  
20 acres;

21 “(II) fiscal year 2020, 1,500,000  
22 acres;

23 “(III) fiscal year 2021,  
24 2,000,000 acres;

1 “(IV) fiscal year 2022, 2,500,000

2 acres; and

3 “(V) fiscal year 2023, 3,000,000

4 acres.”; and

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

6 “(D) RESERVATION OF UNENROLLED

7 ACRES.—If the Secretary is unable in a fiscal

8 year to enroll enough acres of land described in

9 subsection (b)(3) to meet the number of acres

10 described in clause (ii) or (iii) of subparagraph

11 (A) for the fiscal year, the Secretary shall re-

12 serve the remaining number of acres for that

13 fiscal year for the enrollment of land described

14 in subsection (b)(3), and that number of acres

15 shall not be available for the enrollment of any

16 other type of eligible land.”; and

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

18 “(3) STATE ENROLLMENT RATES.—During

19 each of fiscal years 2019 through 2023, to the max-

20 imum extent practicable, the Secretary shall carry

21 out this subchapter in such a manner as to enroll

22 and maintain acreage in the conservation reserve in

23 accordance with historical State enrollment rates,

24 considering—

1           “(A) the average number of acres of all  
2           lands enrolled in the conservation reserve in  
3           each State during each of fiscal years 2007  
4           through 2016;

5           “(B) the average number of acres of all  
6           lands enrolled in the conservation reserve na-  
7           tionally during each of fiscal years 2007  
8           through 2016; and

9           “(C) the acres available for enrollment  
10          during each of fiscal years 2019 through 2023,  
11          excluding acres described in paragraph (2).

12          “(4) FREQUENCY.—In carrying out this sub-  
13          chapter, for contracts that are not available on a  
14          continuous enrollment basis, the Secretary shall hold  
15          a signup not less often than once every other year.”.

16          (c) DURATION OF CONTRACT.—Section 1231(e) of  
17          the Food Security Act of 1985 (16 U.S.C. 3831(e)) is  
18          amended to read as follows:

19          “(e) DURATION OF CONTRACT.—

20                 “(1) IN GENERAL.—Except as provided in para-  
21                 graph (2), for the purpose of carrying out this sub-  
22                 chapter, the Secretary shall enter into contracts of  
23                 not less than 10, nor more than 15, years.

24                 “(2) CERTAIN CONTINUOUS CONTRACTS.—With  
25                 respect to contracts under this subchapter for the

1 enrollment of land described in paragraph (4) or (5)  
 2 of subsection (b), the Secretary shall enter into con-  
 3 tracts of a period of 15 or 30 years.”.

4 (d) ELIGIBILITY FOR CONSIDERATION.—Section  
 5 1231(h) of the Food Security Act of 1985 (16 U.S.C.  
 6 3831(h)) is amended—

7 (1) by striking “On the expiration” and insert-  
 8 ing the following:

9 “(1) IN GENERAL.—On the expiration”; and

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

11 “(2) REENROLLMENT LIMITATION FOR CER-  
 12 TAIN LAND.—Land subject to a contract entered  
 13 into under this subchapter shall be eligible for only  
 14 one reenrollment in the conservation reserve under  
 15 paragraph (1) if the land is devoted to hardwood  
 16 trees.”.

17 **SEC. 2202. FARMABLE WETLAND PROGRAM.**

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

21 (b) ELIGIBLE ACREAGE.—Section 1231B(b)(2) of  
 22 the Food Security Act of 1985 (16 U.S.C. 3831b(b)(2))  
 23 is amended to read as follows:

24 “(2) BUFFER ACREAGE.—Subject to sub-  
 25 sections (c) and (d), an owner or operator may en-



1 roll in the conservation reserve, pursuant to the pro-  
2 gram established under this section, buffer acreage  
3 that, with respect to land described in subparagraph  
4 (A), (B), or (C) of paragraph (1)—

5 “(A) is contiguous to such land;

6 “(B) is used to protect such land; and

7 “(C) is of such width as the Secretary de-  
8 termines is necessary to protect such land, tak-  
9 ing into consideration and accommodating the  
10 farming practices (including the straightening  
11 of boundaries to accommodate machinery) used  
12 with respect to the cropland that surrounds  
13 such land.”.

14 (c) PROGRAM LIMITATIONS.—Section 1231B(c) of  
15 the Food Security Act of 1985 (16 U.S.C. 3831b(c)) is  
16 amended—

17 (1) in paragraph (1)(B), by striking “750,000”  
18 and inserting “500,000”;

19 (2) in paragraph (2), by striking “Subject to  
20 paragraph (3), any acreage” and inserting “Any  
21 acreage”; and

22 (3) by striking paragraphs (3) and (4).

23 (d) DUTIES OF OWNERS AND OPERATORS.—Section  
24 1231B(e) of the Food Security Act of 1985 (16 U.S.C.  
25 3831b(e)) is amended—

1 (1) in paragraph (2), by striking the semicolon  
2 and inserting “; and”;

3 (2) by striking paragraph (3); and

4 (3) by redesignating paragraph (4) as para-  
5 graph (3).

6 (e) DUTIES OF THE SECRETARY.—Section 1231B(f)  
7 of the Food Security Act of 1985 (16 U.S.C. 3831b(f))  
8 is amended—

9 (1) in paragraph (1), by striking “paragraphs  
10 (2) and (3)” and inserting “paragraph (2)”;

11 (2) in paragraph (2), by striking “section  
12 1234(d)(2)(A)(ii)” and inserting “section  
13 1234(d)(2)(A)”;

14 (3) by striking paragraph (3).

15 **SEC. 2203. DUTIES OF OWNERS AND OPERATORS.**

16 (a) IN GENERAL.—Section 1232(a) of the Food Se-  
17 curity Act of 1985 (16 U.S.C. 3832(a)) is amended—

18 (1) in paragraph (5), by inserting “, which may  
19 include the use of grazing in accordance with para-  
20 graph (8),” after “management on the land”; and

21 (2) by redesignating paragraphs (10) and (11)  
22 as paragraphs (11) and (12), respectively, and in-  
23 serting after paragraph (9) the following:

24 “(10) on land devoted to hardwood or other  
25 trees, excluding windbreaks and shelterbelts, to

1       carry out proper thinning and other practices to im-  
 2       prove the condition of resources, promote forest  
 3       management, and enhance wildlife habitat on the  
 4       land;”.

5       (b) CONSERVATION PLANS.—Section 1232(b)(2) of  
 6       the Food Security Act of 1985 (16 U.S.C. 3832(b)(2))  
 7       is amended by striking “, if any,”.

8       **SEC. 2204. DUTIES OF THE SECRETARY.**

9       (a) COST-SHARE AND RENTAL PAYMENTS.—Section  
 10      1233(a)(2) of the Food Security Act of 1985 (16 U.S.C.  
 11      3833(a)(2)) is amended by striking “pay an annual rental  
 12      payment in an amount necessary to compensate for” and  
 13      inserting “pay an annual rental payment, in accordance  
 14      with section 1234(d), for”.

15      (b) SPECIFIED ACTIVITIES PERMITTED.—Section  
 16      1233(b) of the Food Security Act of 1985 (16 U.S.C.  
 17      3833(b)) is amended—

18               (1) in paragraph (2)—

19                       (A) in the matter preceding subparagraph

20                       (A)—

21                               (i) by striking “not less than 25 per-  
 22                               cent” and inserting “25 percent”; and

23                               (ii) by inserting “(except that vegeta-  
 24                               tive cover may not be harvested for seed)”  
 25                               after “managed harvesting”;

1 (B) in subparagraph (A), by striking “;  
2 and” and inserting a semicolon;

3 (C) in subparagraph (B), by striking “is at  
4 least every 5 but not more than once every 3  
5 years;” and inserting “contributes to the health  
6 and vigor of the established cover, and is not  
7 more than once every 3 years; and”; and

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

9 “(C) shall ensure that 25 percent of the  
10 acres covered by the contract are not harvested,  
11 in accordance with an approved plan that pro-  
12 vides for wildlife cover and shelter;”;

13 (2) in paragraph (3)—

14 (A) in the matter preceding subparagraph  
15 (A), by striking “not less than 25 percent” and  
16 inserting “25 percent”; and

17 (B) in subparagraph (B)—

18 (i) in the matter preceding clause (i),  
19 by striking “routine grazing, except that in  
20 permitting such routine grazing” and in-  
21 serting “grazing, except that in permitting  
22 such grazing”;

23 (ii) in clause (i), by striking “contin-  
24 ued routine grazing; and” and inserting  
25 “grazing;”;

1 (iii) in clause (ii)—

2 (I) in the matter preceding sub-  
3 clause (I), by striking “routine graz-  
4 ing may be conducted, such that the  
5 frequency is not more than once every  
6 2 years” and inserting “grazing may  
7 be conducted, such that the frequency  
8 contributes to the health and vigor of  
9 the established cover”;

10 (II) in subclause (II), by striking  
11 “the number of years that should be  
12 required between routine” and insert-  
13 ing “the appropriate frequency and  
14 duration of”; and

15 (III) in subclause (III), by strik-  
16 ing “routine” each place it appears;  
17 and

18 (iv) by adding at the end the fol-  
19 lowing:

20 “(iii) shall ensure that the grazing is  
21 conducted in accordance with an approved  
22 plan that does not restrict grazing during  
23 the primary nesting season and will reduce  
24 the stocking rate determined under clause  
25 (i) by 50 percent; and”;

1           (3) by redesignating paragraphs (4) and (5) as  
2 paragraphs (5) and (6), respectively;

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

5           “(4) grazing during the applicable normal graz-  
6 ing period determined under subclause (I) of section  
7 1501(c)(3)(D)(i) of the Agricultural Act of 2014 (7  
8 U.S.C. 9081(c)(3)(D)(i)), without any restriction on  
9 grazing during the primary nesting period, subject  
10 to the condition that the grazing shall be at 50 per-  
11 cent of the normal carrying capacity determined  
12 under that subclause.”;

13           (5) in paragraph (5), as so redesignated, by  
14 striking “; and” and inserting “and retains suitable  
15 vegetative structure for wildlife cover and shelter;”;

16           (6) in paragraph (6)(C), as so redesignated, by  
17 striking the period at the end and inserting “; and”;  
18 and

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

20           “(7) grazing pursuant to section 1232(a)(5),  
21 without any reduction in the rental rate, if the graz-  
22 ing is consistent with the conservation of soil, water  
23 quality, and wildlife habitat.”.

24           (c) NATURAL DISASTER OR ADVERSE WEATHER AS  
25 MID-CONTRACT MANAGEMENT.—Section 1233 of the

1 Food Security Act of 1985 (16 U.S.C. 3833) is amended  
2 by adding at the end the following:

3 “(e) NATURAL DISASTER OR ADVERSE WEATHER AS  
4 MID-CONTRACT MANAGEMENT.—In the case of a natural  
5 disaster or adverse weather event that has the effect of  
6 a management practice consistent with the conservation  
7 plan, the Secretary shall not require further management  
8 practices pursuant to section 1232(a)(5) that are intended  
9 to achieve the same effect.”.

10 **SEC. 2205. PAYMENTS.**

11 (a) COST SHARING PAYMENTS.—Section 1234(b) of  
12 the Food Security Act of 1985 (16 U.S.C. 3834(b)) is  
13 amended—

14 (1) in paragraph (1), by striking “50 percent”  
15 and inserting “not more than 40 percent”;

16 (2) by amending paragraph (2) to read as fol-  
17 lows:

18 “(2) LIMITATIONS.—

19 “(A) EXCEPTION FOR SEED COSTS.—In  
20 the case of seed costs related to the establish-  
21 ment of cover, cost share shall not exceed 25  
22 percent of the total cost of the seed mixture.

23 “(B) ADDITIONAL INCENTIVE PAY-  
24 MENTS.—Except as provided in subsection (c),  
25 the Secretary may not make additional incen-

1           tive payments beyond the actual cost of install-  
 2           ing measures and practices described in para-  
 3           graph (1).

4                   “(C) MID-CONTRACT MANAGEMENT GRAZ-  
 5           ING.—The Secretary may not make any cost  
 6           sharing payment to an owner or operator under  
 7           this subchapter pursuant to section  
 8           1232(a)(5).”; and

9           (3) by striking paragraphs (3) and (4) and re-  
 10          designating paragraph (5) as paragraph (3).

11          (b) INCENTIVE PAYMENTS.—Section 1234(c) of the  
 12          Food Security Act of 1985 (16 U.S.C. 3834(c)) is amend-  
 13          ed—

14               (1) in the subsection heading, by striking “IN-  
 15          CENTIVE” and inserting “FOREST MANAGEMENT  
 16          PAYMENT”;

17               (2) in paragraph (1), by striking “The Sec-  
 18          retary” and inserting “Using funds made available  
 19          under section 1241(a)(1)(A), the Secretary”; and

20               (3) in paragraph (2), by striking “150 percent”  
 21          and inserting “100 percent”.

22          (c) ANNUAL RENTAL PAYMENTS.—Section 1234(d)  
 23          of the Food Security Act of 1985 (16 U.S.C. 3834(d))  
 24          is amended—

25               (1) in paragraph (1)—



1 (A) by striking “less intensive use, the Sec-  
2 retary may consider” and inserting the fol-  
3 lowing: “less intensive use—

4 “(A) the Secretary may consider”;

5 (B) by striking the period at the end and  
6 inserting “; and”; and

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

8 “(B) the Secretary shall consider the im-  
9 pact on the local farmland rental market.”;

10 (2) in paragraph (2)—

11 (A) by amending subparagraph (A) to read  
12 as follows:

13 “(A) IN GENERAL.—

14 “(i) INITIAL ENROLLMENT.—The  
15 amounts payable to an owner or operator  
16 in the form of annual rental payments  
17 under a contract entered into under this  
18 subchapter with respect to land that has  
19 not previously been subject to such a con-  
20 tract shall be not more than 80 percent of  
21 the applicable estimated average county  
22 rental rate published pursuant to para-  
23 graph (4) for the year in which the con-  
24 tract is entered into.

1           “(ii) MULTIPLE ENROLLMENTS.—If  
2 land subject to a contract entered into  
3 under this subchapter is reenrolled in the  
4 conservation reserve under section  
5 1231(h)(1)—

6           “(I) for the first such reenroll-  
7 ment, the annual rental payment shall  
8 be in an amount that is not more  
9 than 65 percent of the applicable esti-  
10 mated average county rental rate pub-  
11 lished pursuant to paragraph (4) for  
12 the year in which the reenrollment oc-  
13 curs;

14           “(II) for the second such re-  
15 enrollment, the annual rental payment  
16 shall be in an amount that is not  
17 more than 55 percent of the applica-  
18 ble estimated average county rental  
19 rate published pursuant to paragraph  
20 (4) for the year in which the reenroll-  
21 ment occurs;

22           “(III) for the third such reenroll-  
23 ment, the annual rental payment shall  
24 be in an amount that is not more  
25 than 45 percent of the applicable esti-

1 mated average county rental rate pub-  
2 lished pursuant to paragraph (4) for  
3 the year in which the reenrollment oc-  
4 curs; and

5 “(IV) for the fourth such re-  
6 enrollment, the annual rental payment  
7 shall be in an amount that is not  
8 more than 35 percent of the applica-  
9 ble estimated average county rental  
10 rate published pursuant to paragraph  
11 (4) for the year in which the reenroll-  
12 ment occurs.”; and

13 (B) in subparagraph (B), by striking “In  
14 the case” and inserting “Notwithstanding sub-  
15 paragraph (A), in the case”;

16 (3) by striking paragraph (4) and redesignating  
17 paragraph (5) as paragraph (4); and

18 (4) in paragraph (4), as so redesignated—

19 (A) by striking “cash” each place it ap-  
20 pears;

21 (B) in subparagraph (A)—

22 (i) by striking “, not less frequently  
23 than once every other year,” and inserting  
24 “annually”; and

1 (ii) by inserting “, and shall publish  
 2 the estimates derived from such survey not  
 3 later than September 15 of each year” be-  
 4 fore the period at the end; and  
 5 (C) in subparagraph (C)—

6 (i) by striking “may” and inserting  
 7 “shall”; and

8 (ii) by striking “as a factor in deter-  
 9 mining” and inserting “to determine”.

10 (d) PAYMENT LIMITATION FOR RENTAL PAY-  
 11 MENTS.—Section 1234(g)(2) of the Food Security Act of  
 12 1985 (16 U.S.C. 3834(g)(2)) is amended by adding at the  
 13 end the following:

14 “(C) LIMITATION ON PAYMENTS.—Pay-  
 15 ments under subparagraph (B) shall not exceed  
 16 50 percent of the cost of activities carried out  
 17 under the applicable agreement entered into  
 18 under such subparagraph.”.

19 **SEC. 2206. CONTRACTS.**

20 (a) EARLY TERMINATION BY OWNER OR OPER-  
 21 ATOR.—Section 1235(e)(1)(A) of the Food Security Act  
 22 of 1985 (16 U.S.C. 3835(e)(1)(A)) is amended by striking  
 23 “2015” and inserting “2019”.

1 (b) TRANSITION OPTION FOR CERTAIN FARMERS OR  
2 RANCHERS.—Section 1235(f) of the Food Security Act of  
3 1985 (16 U.S.C. 3835(f)) is amended—

4 (1) in paragraph (1)—

5 (A) by amending subparagraph (A) to read  
6 as follows:

7 “(A) beginning on the date that is 1 year  
8 before the date of termination of the contract,  
9 allow the covered farmer or rancher, in conjunc-  
10 tion with the retired or retiring owner or oper-  
11 ator, to make conservation and land improve-  
12 ments, including preparing to plant an agricul-  
13 tural crop;”;

14 (B) by redesignating subparagraphs (B)  
15 through (E) as subparagraphs (C) through (F),  
16 respectively, and inserting after subparagraph  
17 (A) the following:

18 “(B) beginning on the date that is 3 years  
19 before the date of termination of the contract,  
20 allow the covered farmer or rancher to begin  
21 the certification process under the Organic  
22 Foods Production Act of 1990 (7 U.S.C. 6501  
23 et seq.);”;

24 (C) in subparagraph (D), as so redesign-  
25 ated, by inserting “, and provide to such farm-

1           er or rancher technical and financial assistance  
 2           to carry out the requirements of the plan, if  
 3           any” before the semicolon at the end; and

4           (D) in subparagraph (E), as so redesign-  
 5           nated, by striking “the conservation steward-  
 6           ship program or”; and

7           (2) in paragraph (2)—

8           (A) in the matter preceding subparagraph  
 9           (A), by striking “The Secretary” and inserting  
 10          “To the extent the maximum number of acres  
 11          permitted to be enrolled under the program has  
 12          not been met, the Secretary”; and

13          (B) in subparagraph (A), by striking “eli-  
 14          gible for enrollment under the continuous  
 15          signup option pursuant to section  
 16          1234(d)(2)(A)(ii)” and inserting “is carried out  
 17          on land described in paragraph (4) or (5) of  
 18          section 1231(b)”.

19          (c) END OF CONTRACT CONSIDERATIONS.—Section  
 20          1235(g) of the Food Security Act of 1985 (16 U.S.C.  
 21          3835(g)) is amended to read as follows:

22          “(g) END OF CONTRACT CONSIDERATIONS.—The  
 23          Secretary shall not consider an owner or operator to be  
 24          in violation of a term or condition of the conservation re-  
 25          serve contract if—

1 “(1) during the year prior to expiration of the  
2 contract, the owner or operator—

3 “(A) enters into an environmental quality  
4 incentives program contract; and

5 “(B) begins the establishment of an envi-  
6 ronmental quality incentives practice; or

7 “(2) during the three years prior to the expira-  
8 tion of the contract, the owner or operator begins  
9 the certification process under the Organic Foods  
10 Production Act of 1990.”.

## 11 **Subtitle C—Environmental Quality** 12 **Incentives Program**

### 13 **SEC. 2301. DEFINITIONS.**

14 (a) PRACTICE.—Section 1240A(4)(B) of the Food  
15 Security Act of 1985 (16 U.S.C. 3839aa–1(4)(B)) is  
16 amended—

17 (1) in clause (i), by striking “; and” and insert-  
18 ing a semicolon; and

19 (2) by redesignating clause (ii) as clause (iv)  
20 and inserting after clause (i) the following:

21 “(ii) precision conservation manage-  
22 ment planning;

23 “(iii) the use of cover crops and re-  
24 source conserving crop rotations; and”.

1 (b) PRIORITY RESOURCE CONCERN.—Section 1240A  
 2 of the Food Security Act of 1985 (16 U.S.C. 3839aa–1)  
 3 is amended by redesignating paragraph (5) as paragraph  
 4 (6) and inserting after paragraph (4) the following:

5 “(5) PRIORITY RESOURCE CONCERN.—The  
 6 term ‘priority resource concern’ means a natural re-  
 7 source concern or problem, as determined by the  
 8 Secretary, that—

9 “(A) is identified at the national, State, or  
 10 local level as a priority for a particular area of  
 11 a State; and

12 “(B) represents a significant concern in a  
 13 State or region.”.

14 (c) STEWARDSHIP PRACTICE.—Section 1240A of the  
 15 Food Security Act of 1985 (16 U.S.C. 3839aa–1) is  
 16 amended by adding at the end the following:

17 “(7) STEWARDSHIP PRACTICE.—The term  
 18 ‘stewardship practice’ means a practice or set of  
 19 practices approved by the Secretary that, when im-  
 20 plemented and maintained on eligible land, address  
 21 1 or more priority resource concerns.”.

22 **SEC. 2302. ESTABLISHMENT AND ADMINISTRATION.**

23 (a) ESTABLISHMENT.—Section 1240B(a) of the  
 24 Food Security Act of 1985 (16 U.S.C. 3839aa–2(a)) is  
 25 amended by striking “2019” and inserting “2023”.



1 (b) ALLOCATION OF FUNDING.—Section 1240B(f) of  
2 the Food Security Act of 1985 (16 U.S.C. 3839aa–2(f))  
3 is amended to read as follows:

4 “(f) ALLOCATION OF FUNDING.—For each of fiscal  
5 years 2014 through 2023, at least 5 percent of the funds  
6 made available for payments under the program shall be  
7 targeted at practices benefitting wildlife habitat under  
8 subsection (g).”.

9 (c) WATER CONSERVATION OR IRRIGATION EFFI-  
10 CIENCY PRACTICE.—Section 1240B(h) of the Food Secu-  
11 rity Act of 1985 (16 U.S.C. 3839aa–2(h)) is amended—

12 (1) by amending paragraph (1) to read as fol-  
13 lows:

14 “(1) AVAILABILITY OF PAYMENTS.—The Sec-  
15 retary may provide water conservation and system  
16 efficiency payments under this subsection to a pro-  
17 ducer for—

18 “(A) a water conservation scheduling tech-  
19 nology or water conservation scheduling man-  
20 agement;

21 “(B) irrigation-related structural practices;

22 “(C) the use of existing drainage systems,  
23 or to upgrade drainage systems, to provide irri-  
24 gation or water efficiency; or

1           “(D) a transition to water-conserving crops  
2           or water-conserving crop rotations.”;

3           (2) by redesignating paragraph (2) as para-  
4           graph (3) and inserting after paragraph (1) the fol-  
5           lowing:

6           “(2) LIMITED ELIGIBILITY OF IRRIGATION DIS-  
7           TRICTS, IRRIGATION ASSOCIATIONS, DRAINAGE DIS-  
8           TRICTS, AND ACEQUIAS.—

9           “(A) IN GENERAL.—Notwithstanding sec-  
10          tion 1001(f)(6), the Secretary may enter into a  
11          contract under this subsection with an irriga-  
12          tion district, irrigation association, drainage  
13          district, or acequia to implement water con-  
14          servation or irrigation practices pursuant to a  
15          watershed-wide project that will effectively con-  
16          serve water, as determined by the Secretary.

17          “(B) IMPLEMENTATION.—Water conserva-  
18          tion or irrigation practices that are the subject  
19          of a contract entered into under this paragraph  
20          shall be implemented on—

21                 “(i) eligible land of a producer; or

22                 “(ii) land that is under the control of  
23                 the irrigation district, irrigation associa-  
24                 tion, drainage district, or acequia, and ad-

1           jacent to such eligible land, as determined  
2           by the Secretary.

3           “(C) WAIVER AUTHORITY.—The Secretary  
4           may waive the applicability of the limitations in  
5           section 1001D(b)(2) or section 1240G of this  
6           Act for a payment made under a contract en-  
7           tered into under this paragraph if the Secretary  
8           determines that such a waiver is necessary to  
9           fulfill the objectives of the project.

10          “(D) CONTRACT LIMITATIONS.—If the  
11          Secretary grants a waiver under subparagraph  
12          (C), the Secretary may impose a separate pay-  
13          ment limitation for the contract with respect to  
14          which the waiver applies.”; and  
15          (3) in paragraph (3), as so redesignated—

16                (A) in the matter preceding subparagraph  
17                (A), by striking “to a producer” and inserting  
18                “under this subsection”;

19                (B) in subparagraph (A), by striking “the  
20                eligible land of the producer is located, there is  
21                a reduction in water use in the operation of the  
22                producer” and inserting “the land on which the  
23                practices will be implemented is located, there is  
24                a reduction in water use in the operation on  
25                such land”; and

1 (C) in subparagraph (B), by inserting  
2 “with respect to an application under para-  
3 graph (1),” before “the producer agrees”.

4 (d) STEWARDSHIP CONTRACTS.—Section 1240B of  
5 the Food Security Act of 1985 (16 U.S.C. 3839aa–2) is  
6 amended by adding at the end the following:

7 “(j) STEWARDSHIP CONTRACTS.—

8 “(1) IDENTIFICATION OF ELIGIBLE PRIORITY  
9 RESOURCE CONCERNS FOR STATES.—

10 “(A) IN GENERAL.—The Secretary, in con-  
11 sultation with the State technical committee,  
12 shall identify priority resource concerns within  
13 a State that are eligible to be the subject of a  
14 stewardship contract under this subsection.

15 “(B) LIMITATION.—The Secretary shall  
16 identify not more than 3 eligible priority re-  
17 source concerns under subparagraph (A) within  
18 each area of a State.

19 “(2) CONTRACTS.—

20 “(A) IN GENERAL.—The Secretary shall  
21 enter into contracts with producers under this  
22 subsection that—

23 “(i) provide incentives, through an-  
24 nual payments, to producers to attain in-

1           creased conservation stewardship on eligi-  
2           ble land;

3           “(ii) adopt and install a stewardship  
4           practice to effectively address a priority re-  
5           source concern identified as eligible under  
6           paragraph (1); and

7           “(iii) require management and main-  
8           tenance of such stewardship practice for  
9           the term of the contract.

10          “(B) TERM.—A contract under this sub-  
11          section shall have a term of not less than 5, nor  
12          more than 10, years.

13          “(C) PRIORITIZATION.—Section 1240C(b)  
14          shall not apply to applications for contracts  
15          under this subsection.

16          “(3) STEWARDSHIP PAYMENTS.—

17          “(A) IN GENERAL.—The Secretary shall  
18          provide payments to producers through con-  
19          tracts entered into under paragraph (2) for—

20                 “(i) adopting and installing steward-  
21                 ship practices; and

22                 “(ii) managing, maintaining, and im-  
23                 proving the stewardship practices for the  
24                 duration of the contract, as determined ap-  
25                 propriate by the Secretary.

1           “(B) PAYMENT AMOUNTS.—In determining  
2           the amount of payments under subparagraph  
3           (A), the Secretary shall consider, to the extent  
4           practicable—

5                   “(i) the level and extent of the stew-  
6                   ardship practice to be installed, adopted,  
7                   completed, maintained, managed, or im-  
8                   proved;

9                   “(ii) the cost of the installation, adop-  
10                  tion, completion, management, mainte-  
11                  nance, or improvement of the stewardship  
12                  practice;

13                  “(iii) income foregone by the pro-  
14                  ducer; and

15                  “(iv) the extent to which compensa-  
16                  tion would ensure long-term continued  
17                  maintenance, management, and improve-  
18                  ment of the stewardship practice.

19           “(C) LIMITATION.—The total amount of  
20           payments a person or legal entity receives pur-  
21           suant to subparagraph (A) shall not exceed  
22           \$50,000 for any fiscal year.

23           “(4) RESERVATION OF FUNDS.—The Secretary  
24           may use not more than 50 percent of the funds  
25           made available under section 1241 to carry out this

1 chapter for payments made pursuant to this sub-  
2 section.”.

3 **SEC. 2303. LIMITATION ON PAYMENTS.**

4 Section 1240G of the Food Security Act of 1985 (16  
5 U.S.C. 3839aa–7) is amended by inserting “or the period  
6 of fiscal years 2019 through 2023,” after “2018,”.

7 **SEC. 2304. CONSERVATION INNOVATION GRANTS AND PAY-**  
8 **MENTS.**

9 (a) COMPETITIVE GRANTS FOR INNOVATIVE CON-  
10 SERVATION APPROACHES.—Section 1240H(a) of the Food  
11 Security Act of 1985 (16 U.S.C. 3839aa–8(a)) is amend-  
12 ed—

13 (1) in paragraph (1), by inserting “use not  
14 more than \$25,000,000 in each of fiscal years 2019  
15 through 2023 to” after “the Secretary may”; and

16 (2) in paragraph (2)(A), by inserting “or per-  
17 sons participating in an educational activity through  
18 an institution of higher education, including by car-  
19 rying out demonstration projects on lands of the in-  
20 stitution” before the semicolon at the end.

21 (b) AIR QUALITY CONCERNS FROM AGRICULTURAL  
22 OPERATIONS.—Section 1240H(b)(2) of the Food Security  
23 Act of 1985 (16 U.S.C. 3839aa–8(b)(2)) is amended by  
24 inserting “, and \$37,500,000 for each of fiscal years 2019  
25 through 2023” after “2018”.

1       (c) ON-FARM CONSERVATION INNOVATION TRIALS;  
 2 REPORTING AND DATABASE.—Section 1240H of the Food  
 3 Security Act of 1985 (16 U.S.C. 3839aa–8) is amended  
 4 by striking subsection (c) and inserting the following:

5       “(c) ON-FARM CONSERVATION INNOVATION  
 6 TRIALS.—

7           “(1) IN GENERAL.—Using not more than  
 8 \$25,000,000 of the funds made available to carry  
 9 out this chapter in each of fiscal years 2019 through  
 10 2023, the Secretary shall carry out on-farm con-  
 11 servation innovation trials, on eligible land of pro-  
 12 ducers, to test new or innovative conservation ap-  
 13 proaches—

14           “(A) directly with producers; or

15           “(B) through eligible entities.

16       “(2) INCENTIVE PAYMENTS.—

17           “(A) AGREEMENTS.—In carrying out para-  
 18 graph (1), the Secretary shall enter into agree-  
 19 ments with producers on whose land an on-farm  
 20 conservation innovation trial is being carried  
 21 out to provide payments (including payments to  
 22 compensate for foregone income, as appropriate  
 23 to address the increased economic risk poten-  
 24 tially associated with new or innovative con-  
 25 servation approaches) to the producers to assist



1 with adopting and evaluating new or innovative  
2 conservation approaches.

3 “(B) LENGTH OF INCENTIVES.—An agree-  
4 ment entered into under subparagraph (A) shall  
5 be for a period determined by the Secretary  
6 that is—

7 “(i) not less than 3 years; and

8 “(ii) if appropriate, more than 3  
9 years, including if such a period is appro-  
10 priate to support—

11 “(I) adaptive management over  
12 multiple crop years; and

13 “(II) adequate data collection  
14 and analysis to report the natural re-  
15 source and agricultural production  
16 benefits of the new or innovative con-  
17 servation approaches.

18 “(3) FLEXIBLE ADOPTION.—A producer or eli-  
19 gible entity participating in an on-farm conservation  
20 innovation trial under paragraph (1) may determine  
21 the scale of adoption of the new or innovative con-  
22 servation approaches in the on-farm conservation in-  
23 novation trial, which may include multiple scales on  
24 an operation, including whole farm, field-level, or  
25 sub-field scales.

1           “(4) TECHNICAL ASSISTANCE.—The Secretary  
2       shall provide technical assistance—

3           “(A) to a producer or eligible entity par-  
4       ticipating in an on-farm conservation innovation  
5       trial under paragraph (1), with respect to the  
6       design, installation, and management of the  
7       new or innovative conservation approaches; and

8           “(B) to an eligible entity participating in  
9       an on-farm conservation innovation trial under  
10      paragraph (1), with respect to data analyses of  
11      the on-farm conservation innovation trial.

12       “(5) DEFINITIONS.—In this subsection:

13           “(A) ELIGIBLE ENTITY.—The term ‘eligi-  
14      ble entity’ means a third-party private entity  
15      the primary business of which is related to agri-  
16      culture.

17           “(B) NEW OR INNOVATIVE CONSERVATION  
18      APPROACHES.—The term ‘new or innovative  
19      conservation approaches’ means—

20           “(i) new or innovative—

21               “(I) precision agriculture tech-  
22              nologies;

23               “(II) enhanced nutrient manage-  
24              ment plans, nutrient recovery systems,  
25              and fertilization systems;

1 “(III) soil health management  
2 systems;

3 “(IV) water management sys-  
4 tems;

5 “(V) resource-conserving crop ro-  
6 tations;

7 “(VI) cover crops; and

8 “(VII) irrigation systems; and

9 “(ii) any other conservation approach  
10 approved by the Secretary as new or inno-  
11 vative.

12 “(d) REPORTING AND DATABASE.—

13 “(1) REPORT REQUIRED.—Not later than De-  
14 cember 31, 2014, and every two years thereafter, the  
15 Secretary shall submit to the Committee on Agri-  
16 culture, Nutrition, and Forestry of the Senate and  
17 the Committee on Agriculture of the House of Rep-  
18 resentatives a report on the status of activities fund-  
19 ed under this section, including—

20 “(A) funding awarded;

21 “(B) results of the activities; and

22 “(C) incorporation of findings from the ac-  
23 tivities, such as new technology and innovative  
24 approaches, into the conservation efforts imple-  
25 mented by the Secretary.

1 “(2) CONSERVATION PRACTICE DATABASE.—

2 “(A) IN GENERAL.—The Secretary shall  
3 use the data reported under paragraph (1) to  
4 establish and maintain a publicly available con-  
5 servation practice database that provides—

6 “(i) a compilation and analysis of ef-  
7 fective conservation practices for soil  
8 health, nutrient management, and source  
9 water protection in varying soil composi-  
10 tions, cropping systems, slopes, and land-  
11 scapes; and

12 “(ii) a list of recommended new and  
13 effective conservation practices.

14 “(B) PRIVACY.—Information provided  
15 under subparagraph (A) shall be transformed  
16 into a statistical or aggregate form so as to not  
17 include any identifiable or personal information  
18 of individual producers.”.

## 19 **Subtitle D—Other Conservation** 20 **Programs**

### 21 **SEC. 2401. CONSERVATION OF PRIVATE GRAZING LAND.**

22 Section 1240M(e) of the Food Security Act of 1985  
23 (16 U.S.C. 3839bb(e)) is amended by striking “2018” and  
24 inserting “2023”.

1 **SEC. 2402. GRASSROOTS SOURCE WATER PROTECTION**  
2 **PROGRAM.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 12400(b)(1) of the Food Security Act of 1985 (16 U.S.C.  
5 3839bb–2(b)(1)) is amended by striking “2018” and in-  
6 serting “2023”.

7 (b) AVAILABILITY OF FUNDS.—Section 12400(b) of  
8 the Food Security Act of 1985 (16 U.S.C. 3839bb–2(b))  
9 is amended by adding at the end the following:

10 “(3) ADDITIONAL FUNDING.—In addition to  
11 any other funds made available under this sub-  
12 section, of the funds of the Commodity Credit Cor-  
13 poration, the Secretary shall use \$5,000,000 begin-  
14 ning in fiscal year 2019, to remain available until  
15 expended.”.

16 **SEC. 2403. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**  
17 **CENTIVE PROGRAM.**

18 Section 1240R(f)(1) of the Food Security Act of  
19 1985 (16 U.S.C. 3839bb–5(f)(1)) is amended—

20 (1) by striking “2012 and” and inserting  
21 “2012,”; and

22 (2) by inserting “, and \$50,000,000 for the pe-  
23 riod of fiscal years 2019 through 2023” before the  
24 period at the end.

1 **SEC. 2404. WATERSHED PROTECTION AND FLOOD PREVEN-**  
2 **TION.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 14(h)(2)(E) of the Watershed Protection and Flood Pre-  
5 vention Act (16 U.S.C. 1012(h)(2)(E)) is amended by  
6 striking “2018” and inserting “2023”.

7 (b) FUNDS OF COMMODITY CREDIT CORPORATION.—  
8 The Watershed Protection and Flood Prevention Act (16  
9 U.S.C. 1001 et seq.) is amended by adding at the end  
10 the following:

11 **“SEC. 15. FUNDING.**

12 “In addition to any other funds made available by  
13 this Act, of the funds of the Commodity Credit Corpora-  
14 tion, the Secretary shall make available to carry out this  
15 Act \$100,000,000 for each of fiscal years 2019 through  
16 2023, to remain available until expended.”.

17 **SEC. 2405. FERAL SWINE ERADICATION AND CONTROL**  
18 **PILOT PROGRAM.**

19 (a) IN GENERAL.—The Secretary of Agriculture shall  
20 establish a feral swine eradication and control pilot pro-  
21 gram to respond to the threat feral swine pose to agri-  
22 culture, native ecosystems, and human and animal health.

23 (b) DUTIES OF THE SECRETARY.—In carrying out  
24 the pilot program, the Secretary shall—

25 (1) study and assess the nature and extent of  
26 damage to the pilot areas caused by feral swine;

1           (2) develop methods to eradicate or control  
2       feral swine in the pilot areas;

3           (3) develop methods to restore damage caused  
4       by feral swine; and

5           (4) provide financial assistance to agricultural  
6       producers in pilot areas.

7       (c) ASSISTANCE.—The Secretary may provide finan-  
8       cial assistance to agricultural producers under the pilot  
9       program to implement methods to—

10           (1) eradicate or control feral swine in the pilot  
11       areas; and

12           (2) restore damage caused by feral swine.

13       (d) COORDINATION.—The Secretary shall ensure that  
14       the Natural Resources Conservation Service and the Ani-  
15       mal and Plant Health Inspection Service coordinate for  
16       purposes of this section through State technical commit-  
17       tees established under section 1261 of the Food Security  
18       Act of 1985.

19       (e) PILOT AREAS.—The Secretary shall carry out the  
20       pilot program in areas of States in which feral swine have  
21       been identified as a threat to agriculture, native eco-  
22       systems, or human or animal health, as determined by the  
23       Secretary.

24       (f) COST SHARING.—

1           (1) FEDERAL SHARE.—The Federal share of  
2           the costs activities under the pilot program may not  
3           exceed 75 percent of the total costs of such activi-  
4           ties.

5           (2) IN-KIND CONTRIBUTIONS.—The non-Fed-  
6           eral share of the costs of activities under the pilot  
7           program may be provided in the form of in-kind con-  
8           tributions of materials or services.

9           (g) FUNDING.—

10          (1) MANDATORY FUNDING.—Of the funds of  
11          the Commodity Credit Corporation, the Secretary  
12          shall use to carry out this section \$100,000,000 for  
13          the period of fiscal years 2019 through 2023.

14          (2) DISTRIBUTION OF FUNDS.—Of the funds  
15          made available under paragraph (1)—

16                (A) 50 percent shall be allocated to the  
17                Natural Resources Conservation Service to  
18                carry out the pilot program, including the pro-  
19                vision of financial assistance to producers for  
20                on-farm trapping and technology related to cap-  
21                turing and confining feral swine; and

22                (B) 50 percent shall be allocated to the  
23                Animal and Plant Health Inspection Service to  
24                carry out the pilot program, including the use



1 of established, and testing of innovative, popu-  
 2 lation reduction methods.

3 (3) LIMITATION ON ADMINISTRATIVE EX-  
 4 PENSES.—Not more than 10 percent of funds made  
 5 available under this section may be used for admin-  
 6 istrative expenses of the pilot program.

7 **SEC. 2406. EMERGENCY CONSERVATION PROGRAM.**

8 (a) REPAIR OR REPLACEMENT OF FENCING.—

9 (1) IN GENERAL.—Section 401 of the Agricul-  
 10 tural Credit Act of 1978 (16 U.S.C. 2201) is  
 11 amended—

12 (A) by striking the section designation and  
 13 all that follows through “The Secretary of Agri-  
 14 culture” and inserting the following:

15 **“SEC. 401. PAYMENTS TO PRODUCERS.**

16 “(a) IN GENERAL.—The Secretary of Agriculture  
 17 (referred to in this title as the ‘Secretary’);”

18 (B) in subsection (a), as so designated, by  
 19 inserting “wildfires,” after “hurricanes,”; and

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

21 “(b) REPAIR OR REPLACEMENT OF FENCING.—With  
 22 respect to a payment to an agricultural producer under  
 23 subsection (a) for the repair or replacement of fencing,  
 24 the Secretary shall give the agricultural producer the op-  
 25 tion of receiving the payment, determined based on the

1 applicable percentage of the fair market value of the cost  
 2 of the repair or replacement, as determined by the Sec-  
 3 retary, before the agricultural producer carries out the re-  
 4 pair or replacement.”.

5 (2) CONFORMING AMENDMENTS.—

6 (A) Sections 402, 403, 404, and 405 of the  
 7 Agricultural Credit Act of 1978 (16 U.S.C.  
 8 2202, 2203, 2204, 2205) are amended by strik-  
 9 ing “Secretary of Agriculture” each place it ap-  
 10 pears and inserting “Secretary”.

11 (B) Section 407(a) of the Agricultural  
 12 Credit Act of 1978 (16 U.S.C. 2206(a)) is  
 13 amended by striking paragraph (4).

14 (b) COST SHARE PAYMENTS.—Title IV of the Agri-  
 15 cultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) is  
 16 amended by inserting after section 402 the following:

17 **“SEC. 402A. COST SHARE REQUIREMENT.**

18 “(a) COST-SHARE RATE.—The maximum cost-share  
 19 payment under section 401 and section 402 shall not ex-  
 20 ceed 75 percent of the total allowable cost, as determined  
 21 by the Secretary.

22 “(b) EXCEPTION.—Not withstanding subsection (a),  
 23 a qualified limited resource, socially disadvantaged, or be-  
 24 ginning farmer or rancher payment under section 401 and

1 402 shall not exceed 90 percent of the total allowable cost,  
2 as determined by the Secretary.

3 “(c) LIMITATION.—In no case shall the total payment  
4 under section 401 and 402 for a single event exceed 50  
5 percent of what the Secretary has determined to be the  
6 agriculture value of the land.”.

7 **SEC. 2407. SENSE OF CONGRESS ON INCREASED WATER-**  
8 **SHED-BASED COLLABORATION.**

9 It is the sense of Congress that the Federal Govern-  
10 ment should recognize and encourage partnerships at the  
11 watershed level between nonpoint sources and regulated  
12 point sources to advance the goals of the Federal Water  
13 Pollution Control Act and provide benefits to farmers,  
14 landowners, and the public.

15 **SEC. 2408. SOIL AND WATER RESOURCES CONSERVATION.**

16 The Soil and Water Resources Conservation Act of  
17 1977 (16 U.S.C. 2001 et seq.) is amended—

18 (1) in section 5(e), by striking “and December  
19 31, 2015” and inserting “December 31, 2015, and  
20 December 31, 2022”;

21 (2) in section 6(d), by striking “, respectively”  
22 and inserting “, and a program update shall be com-  
23 pleted by December 31, 2023”;

24 (3) in section 7—

1 (A) in subsection (a), by striking “and  
2 2016” and inserting “, 2016, and 2022”; and

3 (B) in subsection (b), in the matter pre-  
4 ceding paragraph (1), by striking “and 2017”  
5 and inserting “, 2017, and 2023”;

6 (4) in section 10, by striking “2018” and in-  
7 serting “2023”;

8 (5) by redesignating sections 8 through 10 as  
9 sections 9 through 11, respectively; and

10 (6) by inserting after section 7 the following:

11 **“SEC. 8. CONSERVATION PROGRAMS ASSESSMENT.**

12 “(a) IN GENERAL.—In coordination with the ap-  
13 praisal of soil, water, and related resources and with the  
14 national soil and water conservation program established  
15 under this Act, the Secretary may carry out a conservation  
16 effects assessment project to quantify the environmental  
17 and economic effects of conservation practices, develop the  
18 science base for managing the agricultural landscape for  
19 environmental quality and sustainable productive capacity,  
20 and improve the efficacy of conservation practices and pro-  
21 grams by evaluating conservation effects.

22 “(b) SCOPE.—The project under this subsection may  
23 be carried out at national, regional, and watershed scales,  
24 and may include cropland, grazing lands, wetlands, for-

1 ests, and such other lands as the Secretary may determine  
2 appropriate.

3 “(c) ACTIVITIES.—The project under this subsection  
4 may include research, literature reviews and bibliog-  
5 raphies, modeling, assessment, monitoring and data collec-  
6 tion, outreach, extension education, and such other activi-  
7 ties as the Secretary may determine appropriate.

8 **“SEC. 9. GOALS AND ASSESSMENT PROCESS FOR CON-**  
9 **SERVATION PROGRAMS.**

10 “(a) NATURAL RESOURCE AND ENVIRONMENTAL  
11 OBJECTIVES AND OUTCOMES.—

12 “(1) IN GENERAL.—In coordination with the  
13 appraisal of soil, water, and related resources, the  
14 soil and water conservation program, and the con-  
15 servation effects assessment project established by  
16 this Act, the Secretary shall identify, and periodi-  
17 cally revise, specific natural resource and environ-  
18 mental objectives and anticipated conservation out-  
19 comes and results, by resource concern, for the con-  
20 servation programs established under subtitles D  
21 and H of title XII of the Food Security Act of 1985  
22 and the landscape conservation initiatives developed  
23 by the Secretary.

24 “(2) ASSESSMENTS.—To help measure out-  
25 comes and results, the Secretary shall, to the max-

1       imum extent practicable, make assessments of  
2       changes in the status and conditions of natural re-  
3       sources and the environment that result from the  
4       application of conservation activities supported di-  
5       rectly by such conservation programs and initiatives.

6           “(3) MONITORING AND PROGRAM EVALUA-  
7       TION.—The Secretary shall establish a coordinated  
8       monitoring and evaluation process for programs and  
9       initiatives to assess progress toward the identified  
10      objectives, to gather information to improve program  
11      and initiative implementation in accordance with de-  
12      sired program and initiative outcomes and results,  
13      and to assess the need for modifications to program  
14      or initiative rules or statutes.

15      “(b) MONITORING AND PROGRAM EVALUATION.—

16           “(1) IN GENERAL.—The Secretary shall estab-  
17      lish a comprehensive monitoring and program eval-  
18      uation process to assess progress in reaching natural  
19      resource and environmental objectives identified in  
20      accordance with subsection (a) and the contribution  
21      of individual programs and initiatives, as well as the  
22      programs and initiatives collectively, to that  
23      progress.

24           “(2) IMPLEMENTATION.—In implementing the  
25      monitoring and program evaluation process under

1 paragraph (1), the Secretary may consider and in-  
2 corporate resource concern inventories, quality cri-  
3 teria, conservation practices and enhancements, and  
4 such other information as the Secretary determines  
5 relevant for applying the monitoring and program  
6 evaluation process across each of the major land  
7 uses identified by the Secretary.

8 “(3) MONITORING AND EVALUATION PROC-  
9 ESS.—

10 “(A) IN GENERAL.—Not later than two  
11 years after the date of enactment of this sec-  
12 tion, the Secretary shall issue a design for the  
13 comprehensive monitoring and evaluation proc-  
14 ess, a schedule for implementing the process,  
15 and a plan for coordinating the process with the  
16 national soil and water conservation program  
17 and conservation effects assessment project es-  
18 tablished under this Act.

19 “(B) METHODOLOGY.—The design for the  
20 monitoring and evaluation process shall—

21 “(i) include detailed information con-  
22 cerning the requisite frequency of the mon-  
23 itoring process at the field, water body,  
24 habitat, or other level and the manner in  
25 which the data will be aggregated at the

1 landscape or watershed level, county or  
2 local level, State level, national level, and  
3 any other level the Secretary determines  
4 necessary; and

5 “(ii) take into account the cumulative  
6 nature of conservation over time, the inter-  
7 actions and sequencing effects between  
8 conservation activities, the differing times  
9 for conservation effects to be realized, and  
10 other related measurement challenges.

11 “(C) PUBLIC RESEARCH.—Notwith-  
12 standing any other provision of law, in order to  
13 facilitate implementation of the monitoring and  
14 evaluation process, the Secretary shall make  
15 available conservation activity and program  
16 data to cooperators and researchers engaged in  
17 public research and evaluation activities to im-  
18 prove conservation outcomes under this sub-  
19 section, provided that—

20 “(i) adequate assurances are provided  
21 to the Secretary that any resulting re-  
22 search or information will be made publicly  
23 available and in a form that protects per-  
24 sonally identifiable information; and



1                   “(ii) the National Technical Com-  
2                   mittee finds that any such research is like-  
3                   ly to generate information that furthers  
4                   the purpose of this section.

5                   “(4) COOPERATIVE AGREEMENTS.—The Sec-  
6                   retary may implement the monitoring evaluation  
7                   process in part through cooperative or contribution  
8                   agreements with Federal, State, and local agencies,  
9                   universities and colleges, nongovernmental organiza-  
10                  tions with requisite expertise, as determined by the  
11                  Secretary in consultation with the National Tech-  
12                  nical Committee.

13                  “(5) NATIONAL TECHNICAL COMMITTEE.—

14                   “(A) COMPOSITION.—The monitoring and  
15                   evaluation process shall be administered by the  
16                   Natural Resources Conservation Service with  
17                   assistance from a national technical committee  
18                   appointed by the Secretary and composed of in-  
19                   dividuals with relevant technical and scientific  
20                   expertise representing—

21                   “(i) the Agricultural Research Service  
22                   of the Department of Agriculture;

23                   “(ii) the Economic Research Service  
24                   of the Department of Agriculture;

1 “(iii) the Farm Service Agency of the  
2 Department of Agriculture;

3 “(iv) the Forest Service;

4 “(v) the National Institute for Food  
5 and Agriculture;

6 “(vi) the United States Geological  
7 Survey;

8 “(vii) State and tribal agencies;

9 “(viii) land grant university natural  
10 resource research programs;

11 “(ix) nongovernmental organizations  
12 with expertise in the full array of conserva-  
13 tion issues and measurement and evalua-  
14 tion of conservation outcomes; and

15 “(x) such other agencies, institutions,  
16 or organizations as the Secretary may de-  
17 termine appropriate.

18 “(B) FACA EXEMPTION.—The national  
19 technical committee shall be exempt from the  
20 Federal Advisory Committee Act (5 U.S.C.  
21 App.).

22 “(C) TRANSPARENCY.—The Secretary  
23 shall ensure the proceedings and recommenda-  
24 tions of the national technical committee are  
25 available to the public.

1           “(6) VOLUNTARY PARTICIPATION.—In carrying  
2           out this subsection, the Secretary shall ensure that  
3           any on-farm monitoring activities that may be in-  
4           cluded as part of the monitoring and program eval-  
5           uation process are voluntary on the part of the pro-  
6           ducer, and may include appropriate compensation,  
7           as determined by the Secretary.

8           “(7) AUTHORIZATION OF APPROPRIATIONS.—  
9           There are authorized to be appropriated to carry out  
10          this subsection, for each fiscal year, the amount that  
11          is equal to one percent of the total annual funding  
12          from the funds of the Commodity Credit Corpora-  
13          tion made available in the preceding fiscal year for  
14          the conservation programs established under sub-  
15          titles D and H of title XII of the Food Security Act  
16          of 1985, excluding the conservation reserve program.

17          “(c) REPORTING.—

18                 “(1) REPORT ON OBJECTIVES AND METHODS.—  
19                 Beginning in the fiscal year that is 3 years after the  
20                 date of enactment of this subsection, and periodi-  
21                 cally thereafter, as determined by the Secretary, the  
22                 Secretary shall submit to Congress, and make pub-  
23                 licly available, a report that includes—

24                         “(A) a description of conservation outcome  
25                         objectives that are, to the maximum extent

1 practicable, quantitative, measurable, and time-  
2 bound for each program established under sub-  
3 title D or H of the Food Security Act of 1985  
4 and the landscape conservation initiatives devel-  
5 oped by the Secretary;

6 “(B) a description of the approaches, tools,  
7 and methods used to measure or model the con-  
8 servation outcomes and results and to estimate  
9 the cost-effectiveness of each such program; and

10 “(C) guidance to the conservation project  
11 partners working to implement conservation  
12 programs within a landscape-level project that  
13 provides a description of the approaches, tools,  
14 and methods the partners might consider using  
15 to measure and model the conservation out-  
16 comes and results of their projects.

17 “(2) REPORT ON OUTCOMES.—In conjunction  
18 with each of the reports to Congress pursuant to  
19 section 7, the Secretary shall submit to Congress,  
20 and make publicly available, a report that includes—

21 “(A) an assessment of progress made to-  
22 wards achieving conservation program objec-  
23 tives and anticipated outcomes and results for  
24 each conservation program established under  
25 subtitle D or H of title XII of the Food Secu-

1           rity Act of 1985, as well as for such programs  
2           collectively, and the landscape conservation ini-  
3           tiatives developed by the Secretary;

4           “(B) an evaluation of the cost-effectiveness  
5           of each such conservation program and initia-  
6           tive; and

7           “(C) recommendations, in light of the as-  
8           sessment and evaluation, to improve program  
9           implementation and improve the scientific and  
10          economic tools (including any new or revised  
11          conservation practices, conservation enhance-  
12          ments, or conservation planning tools) used to  
13          achieve stated natural resource conservation  
14          and environmental objectives.

15          “(3) COORDINATION.—The Secretary may co-  
16          ordinate the reports required under paragraphs (1)  
17          and (2) with any reports developed as part of the  
18          conservation effects assessment project authorized  
19          by section 8, whenever such coordination is feasible  
20          and warranted, as determined by the Secretary.”.

## 21                   **Subtitle E—Funding and** 22                   **Administration**

### 23   **SEC. 2501. COMMODITY CREDIT CORPORATION.**

24          (a) ANNUAL FUNDING.—Section 1241(a) of the Food  
25   Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

1           (1) in the matter preceding paragraph (1), by  
2           striking “2018 (and fiscal year 2019 in the case of  
3           the program specified in paragraph (5))” and insert-  
4           ing “2023”;

5           (2) in paragraph (1), by striking “2018” each  
6           place it appears and inserting “2023”;

7           (3) in paragraph (2)—

8                 (A) in subparagraph (D), by striking  
9                 “and” at the end;

10                (B) in subparagraph (E), by striking the  
11                period at the end and inserting “; and”; and

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

13                         “(F) \$500,000,000 for each of fiscal years  
14                         2019 through 2023.”;

15           (4) by striking paragraph (3) and redesignating  
16           paragraphs (4) and (5) as paragraphs (3) and (4),  
17           respectively;

18           (5) in paragraph (3) (as so redesignated), by  
19           inserting “, as in effect on the day before the date  
20           of enactment of the Agriculture and Nutrition Act of  
21           2018, using such sums as are necessary to admin-  
22           ister contracts entered into before the earlier of Sep-  
23           tember 30, 2018, or such date of enactment” before  
24           the period at the end; and

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

1 (A) in subparagraph (D), by striking  
2 “and” at the end;

3 (B) in subparagraph (E), by striking “each  
4 of fiscal years 2018 through 2019.” and insert-  
5 ing “fiscal year 2018;”; and

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

7 “(F) \$2,000,000,000 for fiscal year 2019;

8 “(G) \$2,500,000,000 for fiscal year 2020;

9 “(H) \$2,750,000,000 for fiscal year 2021;

10 “(I) \$2,935,000,000 for fiscal year 2022;

11 and

12 “(J) \$3,000,000,000 for fiscal year  
13 2023.”.

14 (b) AVAILABILITY OF FUNDS.—Section 1241(b) of  
15 the Food Security Act of 1985 (16 U.S.C. 3841(b)) is  
16 amended by striking “2018 (and fiscal year 2019 in the  
17 case of the program specified in subsection (a)(5))” and  
18 inserting “2023”.

19 (c) TECHNICAL ASSISTANCE.—Section 1241(c) of the  
20 Food Security Act of 1985 (16 U.S.C. 3841(c)) is amend-  
21 ed—

22 (1) by amending paragraph (2) to read as fol-  
23 lows:

24 “(2) PRIORITY.—In the delivery of technical as-  
25 sistance under the Soil Conservation and Domestic

1 Allotment Act (16 U.S.C. 590a et seq.), the Sec-  
2 retary shall give priority to producers who request  
3 technical assistance from the Secretary in order to  
4 comply for the first time with the requirements of  
5 subtitle B and subtitle C of this title as a result of  
6 the amendments made by section 2611 of the Agri-  
7 cultural Act of 2014.”; and

8 (2) by striking paragraph (3) and redesignating  
9 paragraph (4) as paragraph (3).

10 (d) REGIONAL EQUITY.—

11 (1) IN GENERAL.—Section 1241 of the Food  
12 Security Act of 1985 (16 U.S.C. 3841) is amended  
13 by striking subsection (e) and redesignating sub-  
14 sections (f) through (i) as subsections (e) through  
15 (h), respectively.

16 (2) CONFORMING AMENDMENTS.—Section  
17 1221(c) of the Food Security Act of 1985 (16  
18 U.S.C. 3821(c)) is amended by striking “1241(f)”  
19 and inserting “1241(e)” each place it appears.

20 (e) RESERVATION OF FUNDS TO PROVIDE ASSIST-  
21 ANCE TO CERTAIN FARMERS OR RANCHERS FOR CON-  
22 SERVATION ACCESS.—Section 1241(g) of the Food Secu-  
23 rity Act of 1985 (as redesignated by subsection (d) of this  
24 section) is amended—



1           (1) in paragraph (1), by striking “2018 to  
2       carry out the environmental quality incentives pro-  
3       gram and the acres made available for each of such  
4       fiscal years to carry out the conservation steward-  
5       ship program” and inserting “2023 to carry out the  
6       environmental quality incentives program”; and

7           (2) by striking paragraph (3) and redesignating  
8       paragraph (4) as paragraph (3).

9       (f) REPORT ON PROGRAM ENROLLMENTS AND AS-  
10   SISTANCE.—Section 1241(h) of the Food Security Act of  
11   1985 (as redesignated by subsection (d) of this section)  
12   is amended to read as follows:

13       “(h) REPORT ON PROGRAM ENROLLMENTS AND AS-  
14   SISTANCE.—Not later than December 15 of each of cal-  
15   endar years 2018 through 2023, the Secretary shall sub-  
16   mit to the Committee on Agriculture of the House of Rep-  
17   resentatives and the Committee on Agriculture, Nutrition,  
18   and Forestry of the Senate an annual report containing  
19   statistics by State related to enrollments in conservation  
20   programs under this subtitle, as follows:

21           “(1) The annual and current cumulative activ-  
22       ity reflecting active agreement and contract enroll-  
23       ment statistics.

24           “(2) Secretarial exceptions, waivers, and signifi-  
25       cant payments, including—

1           “(A) payments made under the agricul-  
2           tural conservation easement program for ease-  
3           ments valued at \$250,000 or greater;

4           “(B) payments made under the regional  
5           conservation partnership program subject to the  
6           waiver of adjusted gross income limitations pur-  
7           suant to section 1271C(c)(3);

8           “(C) waivers granted by the Secretary  
9           under section 1001D(b)(3) of this Act;

10           “(D) exceptions and activity associated  
11           with section 1240B(h)(2); and

12           “(E) exceptions provided by the Secretary  
13           under section 1265B(b)(2)(C).”.

14 **SEC. 2502. DELIVERY OF TECHNICAL ASSISTANCE.**

15           (a) DEFINITIONS.—Section 1242(a) of the Food Se-  
16           curity Act of 1985 (16 U.S.C. 3842(a)) is amended to  
17           read as follows:

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

19           “(1) ELIGIBLE PARTICIPANT.—The term ‘eligi-  
20           ble participant’ means a producer, landowner, or en-  
21           tity that is participating in, or seeking to participate  
22           in, programs in which the producer, landowner, or  
23           entity is otherwise eligible to participate under this  
24           title.

1           “(2) THIRD-PARTY PROVIDER.—The term  
2           ‘third-party provider’ means a commercial entity (in-  
3           cluding a farmer cooperative, agriculture retailer, or  
4           other commercial entity (as defined by the Sec-  
5           retary)), a nonprofit entity, a State or local govern-  
6           ment (including a conservation district), or a Fed-  
7           eral agency, that has expertise in the technical as-  
8           pect of conservation planning, including nutrient  
9           management planning, watershed planning, or envi-  
10          ronmental engineering.”.

11          (b) CERTIFICATION OF THIRD-PARTY PROVIDERS.—  
12          Section 1242(e) of the Food Security Act of 1985 (16  
13          U.S.C. 3842(e)) is amended by adding at the end the fol-  
14          lowing:

15               “(4) ALTERNATIVE CERTIFICATION.—

16                   “(A) IN GENERAL.—In carrying out this  
17                   subsection, the Secretary shall approve any  
18                   qualified certification that the Secretary deter-  
19                   mines meets or exceeds the national criteria  
20                   provided under paragraph (3)(B).

21                   “(B) QUALIFIED CERTIFICATION.—In this  
22                   paragraph, the term ‘qualified certification’  
23                   means a professional certification that is estab-  
24                   lished by the Secretary, an agriculture retailer,  
25                   a farmer cooperative, the American Society of

1 Agronomy, or the National Alliance of Inde-  
 2 pendent Crop Consultants, including certifi-  
 3 cation—

4 “(i) as a Certified Crop Advisor by  
 5 the American Society of Agronomy;

6 “(ii) as a Certified Professional  
 7 Agronomist by the American Society of  
 8 Agronomy; and

9 “(iii) as a Comprehensive Nutrient  
 10 Management Plan Specialist by the Sec-  
 11 retary.”.

12 **SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CON-**  
 13 **SERVATION PROGRAMS.**

14 Section 1244 of the Food Security Act of 1985 (16  
 15 U.S.C. 3844) is amended—

16 (1) by striking subsection (m);

17 (2) by redesignating subsections (i) through (l)  
 18 as subsections (j) through (m), respectively, and in-  
 19 serting after subsection (h) the following:

20 “(i) SOURCE WATER PROTECTION THROUGH TAR-  
 21 GETING OF AGRICULTURAL PRACTICES.—

22 “(1) IN GENERAL.—In carrying out any con-  
 23 servation program administered by the Secretary,  
 24 the Secretary shall encourage practices that relate to  
 25 water quality and water quantity that protect source

1 waters for drinking water (including protecting  
2 against public health threats) while also benefitting  
3 agricultural producers.

4 “(2) COLLABORATION WITH WATER SYSTEMS  
5 AND INCREASED INCENTIVES.—In encouraging prac-  
6 tices under paragraph (1), the Secretary shall—

7 “(A) work collaboratively with community  
8 water systems and State technical committees  
9 established under section 1261 to identify, in  
10 each State, local priority areas for the protec-  
11 tion of source waters for drinking water; and

12 “(B) offer to producers increased incen-  
13 tives and higher payment rates than are other-  
14 wise statutorily authorized through conservation  
15 programs administered by the Secretary for  
16 practices that result in significant environ-  
17 mental benefits that the Secretary determines—

18 “(i) relate to water quality or water  
19 quantity; and

20 “(ii) occur primarily outside of the  
21 land on which the practices are imple-  
22 mented.

23 “(3) RESERVATION OF FUNDS.—In each of fis-  
24 cal years 2019 through 2023, the Secretary shall  
25 use, to carry out this subsection, not less than 10

1 percent of any funds available with respect to each  
 2 conservation program administered by the Secretary  
 3 under this title except the conservation reserve pro-  
 4 gram.”; and

5 (3) in subsection (m), as so redesignated, by  
 6 striking “the conservation stewardship program  
 7 under subchapter B of chapter 2 of subtitle D and”.

8 **SEC. 2504. ESTABLISHMENT OF STATE TECHNICAL COM-**  
 9 **MITTEES.**

10 Section 1261(c) of the Food Security Act of 1985 (16  
 11 U.S.C. 3861(c)) is amended by adding at the end the fol-  
 12 lowing:

13 “(14) The State 1862 Institution (as defined in  
 14 section 2(1) of the Agricultural Research, Extension,  
 15 and Education Reform Act of 1998).”.

16 **Subtitle F—Agricultural**  
 17 **Conservation Easement Program**

18 **SEC. 2601. ESTABLISHMENT AND PURPOSES.**

19 Section 1265(b) of the Food Security Act of 1985  
 20 (16 U.S.C. 3865(b)) is amended—

21 (1) in paragraph (3), by inserting “that nega-  
 22 tively affect the agricultural uses and conservation  
 23 values” after “that land”; and

24 (2) in paragraph (4), by striking “restoring  
 25 and” and inserting “restoring or”.

1 **SEC. 2602. DEFINITIONS.**

2 (a) AGRICULTURAL LAND EASEMENT.—Section  
3 1265A(1)(B) of the Food Security Act of 1985 (16 U.S.C.  
4 3865a(1)(B)) is amended by striking “subject to an agri-  
5 cultural land easement plan, as approved by the Sec-  
6 retary”.

7 (b) ELIGIBLE LAND.—Section 1265A(3) of the Food  
8 Security Act of 1985 (16 U.S.C. 3865a(3)) is amended—

9 (1) by amending subparagraph (A)(iii)(VI) to  
10 read as follows:

11 “(VI) nonindustrial private forest  
12 land that contributes to the economic  
13 viability of an offered parcel, or serves  
14 as a buffer to protect such land from  
15 development, which may include up to  
16 100 percent of the parcel if the Sec-  
17 retary determines enrolling the land is  
18 important to protect a forest to pro-  
19 vide significant conservation bene-  
20 fits;” and

21 (2) in subparagraph (B)(i)(II), by striking “, as  
22 determined by the Secretary in consultation with the  
23 Secretary of the Interior at the local level”.

24 (c) MONITORING REPORT.—Section 1265A of the  
25 Food Security Act of 1985 (16 U.S.C. 3865a) is amended  
26 by redesignating paragraphs (4) and (5) as paragraphs

1 (5) and (6), respectively, and inserting after paragraph (3)  
 2 the following:

3 “(4) MONITORING REPORT.—The term ‘moni-  
 4 toring report’ means a report, the contents of which  
 5 are formulated and prepared by the holder of an ag-  
 6 ricultural land easement, that documents whether  
 7 the land subject to the agricultural land easement is  
 8 in compliance with the terms and conditions of the  
 9 agricultural land easement.”.

10 **SEC. 2603. AGRICULTURAL LAND EASEMENTS.**

11 (a) AVAILABILITY OF ASSISTANCE.—Section  
 12 1265B(a)(2) of the Food Security Act of 1985 (16 U.S.C.  
 13 3865b(a)(2)) is amended by striking “provide for the con-  
 14 servation of natural resources pursuant to an agricultural  
 15 land easement plan” and inserting “implement the pro-  
 16 gram”.

17 (b) COST-SHARE ASSISTANCE.—

18 (1) SCOPE OF ASSISTANCE AVAILABLE.—Sec-  
 19 tion 1265B(b)(2) of the Food Security Act of 1985  
 20 (16 U.S.C. 3865b(b)(2)) is amended by striking sub-  
 21 paragraphs (B) and (C) and inserting the following:

22 “(B) NON-FEDERAL SHARE.—An eligible  
 23 entity may use for any part of its share—

24 “(i) a cash contribution;



1 “(ii) a charitable donation or qualified  
2 conservation contribution (as defined by  
3 section 170(h) of the Internal Revenue  
4 Code of 1986) from the landowner from  
5 which the agricultural land easement will  
6 be purchased; or

7 “(iii) funding from a Federal source  
8 other than the Department of Agriculture.

9 “(C) GRASSLANDS EXCEPTION.—In the  
10 case of grassland of special environmental sig-  
11 nificance, as determined by the Secretary, the  
12 Secretary may provide an amount not to exceed  
13 75 percent of the fair market value of the agri-  
14 cultural land easement.”.

15 (2) EVALUATION AND RANKING OF APPLICA-  
16 TIONS.—Section 1265B(b)(3) of the Food Security  
17 Act of 1985 (16 U.S.C. 3865b(b)(3)) is amended by  
18 redesignating subparagraph (C) as subparagraph  
19 (D) and inserting after subparagraph (B) the fol-  
20 lowing:

21 “(C) ACCOUNTING FOR GEOGRAPHIC DIF-  
22 FERENCES.—The Secretary shall, in coordina-  
23 tion with State technical committees, adjust the  
24 criteria established under subparagraph (A) to

1 account for geographic differences among  
2 States, if such adjustments—

3 “(i) meet the purposes of the pro-  
4 gram; and

5 “(ii) continue to maximize the benefit  
6 of the Federal investment under the pro-  
7 gram.”.

8 (3) AGREEMENTS WITH ELIGIBLE ENTITIES.—  
9 Section 1265B(b)(4) of the Food Security Act of  
10 1985 (16 U.S.C. 3865b(b)(4)) is amended—

11 (A) in subparagraph (C)—

12 (i) in clause (i), by inserting “and the  
13 agricultural use of the land that is subject  
14 to the agricultural land easement” after  
15 “the program”; and

16 (ii) by striking clauses (iii) and (iv)  
17 and inserting the following:

18 “(iii) include a right of enforcement  
19 for the Secretary that—

20 “(I) may be used only if the  
21 terms and conditions of the easement  
22 are not enforced by the eligible entity;  
23 and

24 “(II) does not extend to a right  
25 of inspection unless the holder of the

1 easement fails to provide monitoring  
2 reports in a timely manner;

3 “(iv) include a conservation plan only  
4 for any portion of the land subject to the  
5 agricultural land easement that is highly  
6 erodible cropland; and”;

7 (B) in subparagraph (E)(ii), by inserting  
8 “in the case of fraud or gross negligence,” be-  
9 fore “the Secretary may require”; and

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

11 “(F) MINERAL DEVELOPMENT.—Upon re-  
12 quest by an eligible entity, the Secretary shall  
13 allow, under an agreement under this sub-  
14 section, mineral development on land subject to  
15 the agricultural land easement, if the Secretary  
16 determines that the mineral development—

17 “(i) has limited and localized effects;

18 “(ii) is not irremediably destructive of  
19 significant conservation interests; and

20 “(iii) would not alter or affect the to-  
21 pography or landscape.

22 “(G) ENVIRONMENTAL SERVICES MAR-  
23 KETS.—The Secretary may not prohibit,  
24 through an agreement under this subsection, an  
25 owner of land subject to the agricultural land

1           easement from participating in, and receiving  
2           compensation from, an environmental services  
3           market if a purpose of the market is the facili-  
4           tation of additional conservation benefits that  
5           are consistent with the purposes of the pro-  
6           gram.”.

7           (4) CERTIFICATION OF ELIGIBLE ENTITIES.—

8           Section 1265B(b)(5) of the Food Security Act of  
9           1985 (16 U.S.C. 3865b(b)(5)) is amended—

10           (A) in subparagraph (A)—

11               (i) in clause (ii), by striking “; and”  
12               and inserting a semicolon;

13               (ii) in clause (iii), by striking the pe-  
14               riod at the end and inserting “; and”; and

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

17               “(iv) allow a certified eligible entity to  
18               use its own terms and conditions, notwith-  
19               standing paragraph (4)(C), as long as the  
20               terms and conditions are consistent with  
21               the purposes of the program.”; and

22           (B) by amending subparagraph (B) to read  
23           as follows:

1           “(B) CERTIFICATION CRITERIA.—In order  
2           to be certified, an eligible entity shall dem-  
3           onstrate to the Secretary that the entity—

4                   “(i) is a land trust that has—

5                           “(I) been accredited by the Land  
6                           Trust Accreditation Commission, or  
7                           by an equivalent accrediting body (as  
8                           determined by the Secretary); and

9                           “(II) acquired not fewer than five  
10                          agricultural land easements under the  
11                          program; or

12                          “(ii) will maintain, at a minimum, for  
13                          the duration of the agreement—

14                                  “(I) a plan for administering  
15                                  easements that is consistent with the  
16                                  purpose of the program;

17                                  “(II) the capacity and resources  
18                                  to monitor and enforce agricultural  
19                                  land easements; and

20                                  “(III) policies and procedures to  
21                                  ensure—

22    “(aa) the long-term integrity  
23    of agricultural land easements on  
24    land subject to such easements;

1 “(bb) timely completion of  
2 acquisitions of such easements;  
3 and

4 “(cc) timely and complete  
5 evaluation and reporting to the  
6 Secretary on the use of funds  
7 provided under the program.”.

8 (c) TECHNICAL ASSISTANCE.—Section 1265B(d) of  
9 the Food Security Act of 1985 (16 U.S.C. 3865b(d)) is  
10 amended to read as follows:

11 “(d) TECHNICAL ASSISTANCE.—The Secretary may  
12 provide technical assistance, if requested, to assist in com-  
13 pliance with the terms and conditions of easements.”.

14 **SEC. 2604. WETLAND RESERVE EASEMENTS.**

15 Section 1265C(b)(5)(D)(i)(III) of the Food Security  
16 Act of 1985 (16 U.S.C. 3865c(b)(5)(D)(i)(III)) is amend-  
17 ed by inserting after “under subsection (f)” the following:  
18 “or a grazing management plan that is consistent with  
19 the wetland reserve easement plan and has been reviewed,  
20 and modified as necessary, at least every five years”.

21 **SEC. 2605. ADMINISTRATION.**

22 (a) INELIGIBLE LAND.—Section 1265D(a)(4) of the  
23 Food Security Act of 1985 (16 U.S.C. 3865d(a)(4)) is  
24 amended—

25 (1) by striking “or off-site”; and

1           (2) by striking “proposed or” and inserting  
2           “permitted or”.

3           (b) SUBORDINATION, EXCHANGE, MODIFICATION,  
4           AND TERMINATION.—

5           (1) SUBORDINATION AND EXCHANGE.—Section  
6           1265D(c)(1) of the Food Security Act of 1985 (16  
7           U.S.C. 3865d(c)(1)) is amended—

8                   (A) in the paragraph heading, by striking  
9                   “IN GENERAL” and inserting “SUBORDINATION  
10                  AND EXCHANGE”;

11                  (B) by striking “subordinate, exchange,  
12                  modify, or terminate” each place it appears and  
13                  inserting “subordinate or exchange”; and

14                  (C) by striking “subordination, exchange,  
15                  modification, or termination” each place it ap-  
16                  pears and inserting “subordination or ex-  
17                  change”.

18           (2) MODIFICATION; TERMINATION.—Section  
19           1265D(c) of the Food Security Act of 1985 (16  
20           U.S.C. 3865d(c)) is amended—

21                   (A) by redesignating paragraphs (2) and  
22                   (3) as paragraphs (4) and (5), respectively;

23                   (B) by inserting after paragraph (1) the  
24                   following:

25                   “(2) MODIFICATION.—

1           “(A) AUTHORITY.—The Secretary may  
2           modify any interest in land, or portion of such  
3           interest, administered by the Secretary, either  
4           directly or on behalf of the Commodity Credit  
5           Corporation under the program if the modifica-  
6           tion—

7                   “(i) has a neutral effect on, or in-  
8                   creases, the conservation values;

9                   “(ii) is consistent with the original in-  
10                  tent of the easement; and

11                  “(iii) is consistent with the purposes  
12                  of the program.

13           “(B) LIMITATION.—In modifying an inter-  
14           est in land, or portion of such interest, under  
15           this paragraph, the Secretary may not increase  
16           any payment to an eligible entity.

17           “(3) TERMINATION.—The Secretary may termi-  
18           nate any interest in land, or portion of such interest,  
19           administered by the Secretary, either directly or on  
20           behalf of the Commodity Credit Corporation under  
21           the program if—

22                   “(A) the current owner of the land that is  
23                   subject to the easement and the holder of the  
24                   easement agree to the termination; and



1           “(B) the Secretary determines that the ter-  
 2           mination would be in the public interest.”; and  
 3           (C) in paragraph (5) (as so redesignated),  
 4           by striking “paragraph (1)” and inserting  
 5           “paragraph (3)”.

6           (c) LANDOWNER ELIGIBILITY.—Section 1265D of  
 7           the Food Security Act of 1985 (16 U.S.C. 3865d) is  
 8           amended by adding at the end the following:  
 9           “(f) LANDOWNER ELIGIBILITY.—The limitation de-  
 10          scribed in paragraph (1) of section 1001D(b) shall not  
 11          apply to a landowner from which an easement under the  
 12          program is to be purchased with respect to any benefit  
 13          described in paragraph (2)(B) of such section related to  
 14          the purchase of such easement.”.

## 15   **Subtitle G—Regional Conservation** 16                   **Partnership Program**

### 17   **SEC. 2701. DEFINITIONS.**

18           (a) COVERED PROGRAM.—Section 1271A(1) of the  
 19           Food Security Act of 1985 (16 U.S.C. 3871a(1)) is  
 20           amended—

21                   (1) by striking subparagraph (C) and redesign-  
 22           nating subparagraph (D) as subparagraph (C); and  
 23                   (2) by adding at the end the following:

1           “(D) The conservation reserve program es-  
 2           tablished under subchapter B of chapter 1 of  
 3           subtitle D.

4           “(E) Programs provided for in the Water-  
 5           shed Protection and Flood Prevention Act (16  
 6           U.S.C. 1001 et seq.), other than section 14 of  
 7           such Act (16 U.S.C. 1012).”.

8           (b) ELIGIBLE ACTIVITY.—Section 1271A(2) of the  
 9           Food Security Act of 1985 (16 U.S.C. 3871a(2)) is  
 10          amended—

11           (1) in subparagraph (B), by inserting “re-  
 12           source-conserving crop rotations,” before “or  
 13           dryland farming”; and

14           (2) by redesignating subparagraphs (C) through  
 15           (J) as subparagraphs (D) through (K), respectively,  
 16           and inserting after subparagraph (B) the following:

17           “(C) Protection of source waters for drink-  
 18           ing water.”.

19   **SEC. 2702. REGIONAL CONSERVATION PARTNERSHIPS.**

20           (a) LENGTH.—Section 1271B(b) of the Food Secu-  
 21           rity Act of 1985 (16 U.S.C. 3871b(b)) is amended to read  
 22           as follows:

23           “(b) LENGTH.—A partnership agreement, including  
 24           a renewal of a partnership agreement under subsection  
 25           (d)(5), shall be—

1           “(1) for a period not to exceed 5 years, which  
2           period the Secretary may extend one time for up to  
3           12 months; or

4           “(2) for a period that is longer than 5 years,  
5           if such longer period is necessary to meet the objec-  
6           tives of the program, as determined by the Sec-  
7           retary.”.

8           (b) DUTIES OF PARTNERS.—Section 1271B(c)(1)(E)  
9           of the Food Security Act of 1985 (16 U.S.C.  
10          3871b(c)(1)(E)) is amended by inserting “, including  
11          quantification of the project’s environmental outcomes”  
12          before the semicolon.

13          (c) APPLICATIONS.—Section 1271B(d) of the Food  
14          Security Act of 1985 (16 U.S.C. 3871b(d)) is amended—

15                 (1) in paragraph (1), by inserting “simplified”  
16                 before “competitive process to select”; and

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

18                 “(5) RENEWALS.—If a project that is the sub-  
19                 ject of a partnership agreement has met or exceeded  
20                 the objectives of the project, as determined by the  
21                 Secretary, the eligible partners may submit, through  
22                 an expedited program application process, an appli-  
23                 cation to—

1                   “(A) continue to implement the project  
2                   under a renewal of the partnership agreement;  
3                   or  
4                   “(B) expand the scope of the project under  
5                   a renewal of the partnership agreement.”.

6 **SEC. 2703. ASSISTANCE TO PRODUCERS.**

7           Section 1271C(c) of the Food Security Act of 1985  
8 (16 U.S.C. 3871c(c)) is amended—

9                   (1) in paragraph (2), in the matter preceding  
10                  subparagraph (A), by striking “a period of 5 years”  
11                  and inserting “the applicable period under section  
12                  1271B(b)”; and

13                  (2) in paragraph (3), by striking “the Secretary  
14                  may waive the applicability of the limitation in sec-  
15                  tion 1001D(b)(2) of this Act for participating pro-  
16                  ducers” and inserting “notwithstanding the require-  
17                  ments of paragraph (3) of section 1001D(b), the  
18                  Secretary may waive the applicability of the limita-  
19                  tion in paragraph (2) of such section, and any limi-  
20                  tation on the maximum amount of payments related  
21                  to the covered programs, for participating pro-  
22                  ducers”.

23 **SEC. 2704. FUNDING.**

24           Section 1271D(a) of the Food Security Act of 1985  
25 (16 U.S.C. 3871d(a)) is amended to read as follows:

1       “(a) AVAILABILITY OF FUNDS.—Of the funds of the  
2 Commodity Credit Corporation, the Secretary shall use,  
3 to carry out the program—

4               “(1) \$100,000,000 for each of fiscal years 2014  
5 through 2018; and

6               “(2) \$250,000,000 for each of fiscal years 2019  
7 through 2023.”.

8 **SEC. 2705. ADMINISTRATION.**

9       Section 1271E of the Food Security Act of 1985 (16  
10 U.S.C. 3871e) is amended—

11               (1) by redesignating subsection (b) as sub-  
12 section (c) and inserting after subsection (a) the fol-  
13 lowing:

14       “(b) GUIDANCE.—The Secretary shall provide eligible  
15 partners and producers participating in the partnership  
16 agreements with guidance on how to quantify and report  
17 on environmental outcomes associated with the adoption  
18 of conservation practices under the program.”; and

19               (2) in subsection (c), as so redesignated—

20                       (A) in paragraph (3), by striking “; and”  
21 and inserting a semicolon;

22                       (B) in paragraph (4)(C), by striking the  
23 period and inserting “; and”; and

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

1 “(5) the progress that eligible partners and pro-  
 2 ducers participating in the partnership agreements  
 3 are making in quantifying and reporting on environ-  
 4 mental outcomes associated with the adoption of  
 5 conservation practices under the program.”.

6 **SEC. 2706. CRITICAL CONSERVATION AREAS.**

7 Section 1271F(c) of the Food Security Act of 1985  
 8 (16 U.S.C. 3871f(c)) is amended by striking paragraph  
 9 (3).

10 **Subtitle H—Repeals and Transi-**  
 11 **tional Provisions; Technical**  
 12 **Amendments**

13 **SEC. 2801. REPEAL OF CONSERVATION SECURITY AND CON-**  
 14 **SERVATION STEWARDSHIP PROGRAMS.**

15 (a) REPEAL.—Except as provided in subsection (b),  
 16 chapter 2 of subtitle D of title XII of the Food Security  
 17 Act of 1985 (16 U.S.C. 3838d et seq.) is repealed.

18 (b) TRANSITIONAL PROVISIONS FOR CONSERVATION  
 19 STEWARDSHIP PROGRAM.—

20 (1) EFFECT ON EXISTING CONTRACTS.—The  
 21 amendment made by this section shall not affect the  
 22 validity or terms of any contract entered into by the  
 23 Secretary of Agriculture under subchapter B of  
 24 chapter 2 of subtitle D of title XII of the Food Se-  
 25 curity Act of 1985 (16 U.S.C. 3838d et seq.) before

1 the date of enactment of this Act, or any payments  
2 required to be made in connection with the contract.

3 (2) NO RENEWALS.—Notwithstanding para-  
4 graph (1), the Secretary may not renew a contract  
5 described in such paragraph.

6 **SEC. 2802. REPEAL OF TERMINAL LAKES ASSISTANCE.**

7 Section 2507 of the Farm Security and Rural Invest-  
8 ment Act of 2002 (16 U.S.C. 3839bb–6) is repealed.

9 **SEC. 2803. TECHNICAL AMENDMENTS.**

10 (a) DELINEATION OF WETLANDS; EXEMPTIONS.—  
11 Section 1222(j) of the Food Security Act of 1985 (16  
12 U.S.C. 3822(j)) is amended by striking “National Re-  
13 sources Conservation Service” and inserting “Natural Re-  
14 sources Conservation Service”.

15 (b) DELIVERY OF TECHNICAL ASSISTANCE.—Section  
16 1242 of the Food Security Act of 1985 (16 U.S.C. 3842)  
17 is amended by striking “third party” each place it appears  
18 and inserting “third-party”.

19 (c) ADMINISTRATIVE REQUIREMENTS FOR CON-  
20 SERVATION PROGRAMS.—Section 1244(b)(4)(B) of the  
21 Food Security Act of 1985 (16 U.S.C. 3844(b)(4)(B)) is  
22 amended by striking “General Accounting Office” and in-  
23 serting “General Accountability Office”.

1 (d) WATERSHED PROTECTION AND FLOOD PREVEN-  
2 TION ACT.—Section 5(4) of the Watershed Protection and  
3 Flood Prevention Act (16 U.S.C. 1005(4)) is amended—

4 (1) by striking “goodwater” and inserting  
5 “floodwater”; and

6 (2) by striking “Secretary of Health, Edu-  
7 cation, and Welfare” each place it appears and in-  
8 serting “Secretary of Health and Human Services”.

## 9 **TITLE III—TRADE**

### 10 **Subtitle A—Food for Peace Act**

#### 11 **SEC. 3001. FINDINGS.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) The United States has long been the world’s  
14 largest donor of international food assistance.

15 (2) American farmers have been instrumental  
16 in the success of United States international food  
17 assistance programs by providing an affordable,  
18 safe, and reliable source of nutritious agricultural  
19 commodities.

20 (3) Through the efforts of the United States  
21 maritime industry and private voluntary organiza-  
22 tions, agricultural commodities grown in the United  
23 States have been delivered to millions of people in  
24 need around the globe.



1           (4) The United States should continue to use  
2           its abundant agricultural productivity to promote the  
3           foreign policy of the United States by enhancing the  
4           food security of the developing world through the  
5           timely provision of agricultural commodities.

6 **SEC. 3002. LABELING REQUIREMENTS.**

7           Subsection (g) of section 202 of the Food for Peace  
8           Act (7 U.S.C. 1722) is amended to read as follows:

9           “(g) LABELING OF ASSISTANCE.—Agricultural com-  
10          modities and other assistance provided under this title  
11          shall, to the extent practicable, be clearly identified with  
12          appropriate markings on the package or container of such  
13          commodities and food procured outside of the United  
14          States, or on printed material that accompanies other as-  
15          sistance, in the language of the locality in which such com-  
16          modities and other assistance are distributed, as being fur-  
17          nished by the people of the United States of America.”.

18 **SEC. 3003. FOOD AID QUALITY ASSURANCE.**

19          Section 202(h)(3) of the Food for Peace Act (7  
20          U.S.C. 1722(h)(3)) is amended by striking “2018” and  
21          inserting “2023”.

22 **SEC. 3004. LOCAL SALE AND BARTER OF COMMODITIES.**

23          Section 203 of the Food for Peace Act (7 U.S.C.  
24          1723) is amended—

1           (1) in subsection (a), by inserting “to generate  
2       proceeds to be used as provided in this section” be-  
3       fore the period at the end;

4           (2) by striking subsection (b); and

5           (3) by redesignating subsections (c) and (d) as  
6       subsections (b) and (c), respectively.

7       **SEC. 3005. MINIMUM LEVELS OF ASSISTANCE.**

8       Section 204(a) of the Food for Peace Act (7 U.S.C.  
9       1724(a)) is amended in paragraphs (1) and (2) by striking  
10      “2018” both places it appears and inserting “2023”.

11      **SEC. 3006. EXTENSION OF TERMINATION DATE OF FOOD**  
12                                   **AID CONSULTATIVE GROUP.**

13      Section 205(f) of the Food for Peace Act (7 U.S.C.  
14      1725(f)) is amended by striking “2018” and inserting  
15      “2023”.

16      **SEC. 3007. ISSUANCE OF REGULATIONS.**

17      Section 207(c)(1) of the Food for Peace Act (7  
18      U.S.C. 1726a(c)(1)) is amended by striking “the Agricul-  
19      tural Act of 2014” and inserting “the Agriculture and Nu-  
20      trition Act of 2018”.

21      **SEC. 3008. FUNDING FOR PROGRAM OVERSIGHT, MONI-**  
22                                   **TORING, AND EVALUATION.**

23      Section 207(f)(4) of the Food for Peace Act (7  
24      U.S.C. 1726a(f)(4)) is amended—

25           (1) in subparagraph (A)—

1 (A) by striking “\$17,000,000” and insert-  
 2 ing “1.5 percent”; and

3 (B) by striking “2014 through 2018” the  
 4 first place it appears and inserting “2019  
 5 through 2023”; and

6 (C) by striking “2018” the second place it  
 7 appears and inserting “2023”; and

8 (2) in subparagraph (B)—

9 (A) in clause (i), by striking “2018” and  
 10 inserting “2023”; and

11 (B) in clause (ii), by striking “chapter 1 of  
 12 part I of”.

13 **SEC. 3009. ASSISTANCE FOR STOCKPILING AND RAPID**  
 14 **TRANSPORTATION, DELIVERY, AND DIS-**  
 15 **TRIBUTION OF SHELF-STABLE PRE-**  
 16 **PACKAGED FOODS.**

17 Section 208 the Food for Peace Act (7 U.S.C. 1726b)  
 18 is amended—

19 (1) by amending the section heading to read as  
 20 follows: “**INTERNATIONAL FOOD RELIEF PART-**  
 21 **NERSHIP**”; and

22 (2) in subsection (f), by striking “2018” and  
 23 inserting “2023”.

1 **SEC. 3010. CONSIDERATION OF IMPACT OF PROVISION OF**  
2 **AGRICULTURAL COMMODITIES AND OTHER**  
3 **ASSISTANCE ON LOCAL FARMERS AND ECON-**  
4 **OMY.**

5 (a) INCLUSION OF ALL MODALITIES.—Section  
6 403(a) of the Food for Peace Act (7 U.S.C. 1733(a)) is  
7 amended—

8 (1) in the matter preceding paragraph (1), by  
9 inserting “, food procured outside of the United  
10 States, food voucher, or cash transfer for food,”  
11 after “agricultural commodity”;

12 (2) in paragraph (1), by inserting “in the case  
13 of the provision of an agricultural commodity,” be-  
14 fore “adequate”; and

15 (3) in paragraph (2), by striking “commodity”  
16 and inserting “agricultural commodity or use of the  
17 food procured outside of the United States, food  
18 vouchers, or cash transfers for food”.

19 (b) AVOIDANCE OF DISRUPTIVE IMPACT.—Section  
20 403(b) of the Food for Peace Act (7 U.S.C. 1733(b)) is  
21 amended—

22 (1) in the first sentence, by inserting “, food  
23 procured outside of the United States, food vouch-  
24 ers, and cash transfers for food” after “agricultural  
25 commodities”; and

1           (2) in the second sentence, by striking “of sales  
2           of agricultural commodities”.

3   **SEC. 3011. PREPOSITIONING OF AGRICULTURAL COMMOD-**  
4                           **ITIES.**

5           Section 407(c)(4)(A) of the Food for Peace Act (7  
6   U.S.C. 1736a(c)(4)(A)) is amended by striking “2018”  
7   each place it appears and inserting “2023”.

8   **SEC. 3012. ANNUAL REPORT REGARDING FOOD AID PRO-**  
9                           **GRAMS AND ACTIVITIES.**

10          (a) IN GENERAL.—Section 407(f) of the Food for  
11   Peace Act (7 U.S.C. 1736a(f)(1)) is amended to read as  
12   follows:

13          “(f) ANNUAL REPORT REGARDING FOOD AID PRO-  
14   GRAMS AND ACTIVITIES.—

15               “(1) IN GENERAL.—Not later than April 1 of  
16   each fiscal year, the Administrator and the Sec-  
17   retary shall prepare, either jointly or separately, a  
18   report regarding each program and activity carried  
19   out under this Act during the prior fiscal year. If  
20   the report for a fiscal year will not be submitted to  
21   the appropriate committees of Congress by the date  
22   specified in this subparagraph, the Administrator  
23   and the Secretary shall promptly notify such com-  
24   mittees about the delay, including the reasons for

1 the delay, the steps being taken to complete the re-  
2 port, and an estimated submission date.

3 “(2) CONTENTS.—An annual report described  
4 in paragraph (1) shall include, with respect to the  
5 prior fiscal year, the following:

6 “(A) A list that contains a description of  
7 each country and organization that receives  
8 food and other assistance under this Act (in-  
9 cluding the quantity of food and assistance pro-  
10 vided to each country and organization).

11 “(B) A general description of each project  
12 and activity implemented under this Act (in-  
13 cluding each activity funded through the use of  
14 local currencies) and the total number of bene-  
15 ficiaries of the project.

16 “(C) A statement describing the quantity  
17 of agricultural commodities made available to,  
18 and the total number of beneficiaries in, each  
19 country pursuant to—

20 “(i) this Act;

21 “(ii) section 416(b) of the Agricul-  
22 tural Act of 1949 (7 U.S.C. 1431(b));

23 “(iii) the Food for Progress Act of  
24 1985 (7 U.S.C. 1736o); and

1                   “(iv) the McGovern-Dole International  
2                   Food for Education and Child Nutrition  
3                   Program established by section 3107 of the  
4                   Farm Security and Rural Investment Act  
5                   of 2002 (7 U.S.C. 1736o–1).

6                   “(D) An assessment of the progress made  
7                   through programs under this Act towards re-  
8                   ducing food insecurity in the populations receiv-  
9                   ing food assistance from the United States.

10                  “(E) A description of efforts undertaken  
11                  by the Food Aid Consultative Group under sec-  
12                  tion 205 to achieve an integrated and effective  
13                  food assistance program.

14                  “(F) An assessment of—

15                         “(i) each program oversight, moni-  
16                         toring, and evaluation system implemented  
17                         under section 207(f); and

18                         “(ii) the impact of each program over-  
19                         sight, monitoring, and evaluation system  
20                         on the effectiveness and efficiency of as-  
21                         sistance provided under this title.

22                  “(G) An assessment of the progress made  
23                  by the Administrator in addressing issues relat-  
24                  ing to quality with respect to the provision of  
25                  food assistance.

1           “(H) A statement of the amount of funds  
2           (including funds for administrative costs, indi-  
3           rect cost recovery, internal transportation, stor-  
4           age and handling, and associated distribution  
5           costs) provided to each eligible organization  
6           that received assistance under this Act, that  
7           further describes the following:

8                   “(i) How such funds were used by the  
9                   eligible organization.

10                   “(ii) The actual rate of return for  
11                   each commodity made available under this  
12                   Act, including factors that influenced the  
13                   rate of return, and, for the commodity, the  
14                   costs of bagging or further processing,  
15                   ocean transportation, inland transportation  
16                   in the recipient country, storage costs, and  
17                   any other information that the Adminis-  
18                   trator and the Secretary determine to be  
19                   necessary.

20                   “(iii) For each instance in which a  
21                   commodity was made available under this  
22                   Act at a rate of return less than 70 per-  
23                   cent, the reasons for the rate of return re-  
24                   alized.



1           “(I) For funds expended for the purposes  
2           of section 202(e), 406(b)(6), and 407(c)(1)(B),  
3           a detailed accounting of the expenditures and  
4           purposes of such expenditures with respect to  
5           each section.

6           “(3) RATE OF RETURN DESCRIBED.—For pur-  
7           poses of applying subparagraph (H), the rate of re-  
8           turn for a commodity shall be equal to the propor-  
9           tion that—

10           “(A) the proceeds the implementing part-  
11           ners generate through monetization; bears to

12           “(B) the cost to the Federal Government  
13           to procure and ship the commodity to a recipi-  
14           ent country for monetization.”.

15           (b) CONFORMING REPEAL.—Subsection (m) of sec-  
16           tion 403 of the Food for Peace Act (7 U.S.C. 1733) is  
17           repealed.

18           **SEC. 3013. DEADLINE FOR AGREEMENTS TO FINANCE**  
19           **SALES OR TO PROVIDE OTHER ASSISTANCE.**

20           Section 408 of the Food for Peace Act (7 U.S.C.  
21           1736b) is amended by striking “2018” and inserting  
22           “2023”.

1 **SEC. 3014. MINIMUM LEVEL OF NONEMERGENCY FOOD AS-**  
2 **SISTANCE.**

3 Subsection (e) of section 412 of the Food for Peace  
4 Act (7 U.S.C. 1736f) is amended to read as follows:

5 “(e) MINIMUM LEVEL OF NONEMERGENCY FOOD AS-  
6 SISTANCE.—

7 “(1) IN GENERAL.—For each of fiscal years  
8 2019 through 2023, not less than \$365,000,000 of  
9 the amounts made available to carry out emergency  
10 and nonemergency food assistance programs under  
11 title II, nor more than 30 percent of such amounts,  
12 shall be expended for nonemergency food assistance  
13 programs under such title.

14 “(2) COMMUNITY DEVELOPMENT FUNDS.—  
15 Funds appropriated each year to carry out part I of  
16 the Foreign Assistance Act of 1961 (22 U.S.C. 2151  
17 et seq.) that are made available through grants or  
18 cooperative agreements to strengthen food security  
19 in developing countries and that are consistent with  
20 section 202(e)(1)(C) may be deemed to be expended  
21 on nonemergency food assistance programs for pur-  
22 poses of this section.”.

1 **SEC. 3015. TERMINATION DATE FOR MICRONUTRIENT FOR-**  
2 **TIFICATION PROGRAMS.**

3 Section 415(c) of the Food for Peace Act (7 U.S.C.  
4 1736g–2(c)) is amended by striking “2018” and inserting  
5 “2023”.

6 **SEC. 3016. JOHN OGONOWSKI AND DOUG BEREUTER FARM-**  
7 **ER-TO-FARMER PROGRAM.**

8 (a) STATEMENT OF POLICY.—

9 (1) IN GENERAL.—It is in the national interests  
10 of the United States to advance food security in de-  
11 veloping countries and open new markets for agricul-  
12 tural trade through programs that leverage the  
13 unique capabilities of Federal departments and  
14 agencies, and improve coordination between donors,  
15 beneficiaries, and the private sector.

16 (2) ROLE OF DEPARTMENT OF AGRICULTURE.—The Department of Agriculture plays an  
17 important role in establishing trade between the  
18 United States and other nations and should enhance  
19 its role in facilitating the transfer of the knowledge,  
20 skills, and experience of American farmers, land-  
21 grant universities, and extension services through  
22 the John Ogonowski and Doug Bereuter Farmer-To-  
23 Farmer Program under title V of the Food for  
24 Peace Act (7 U.S.C. 1737).  
25

1 (b) CLARIFICATION OF NATURE OF ASSISTANCE.—  
2 Section 501(b)(1) of the Food for Peace Act (7 U.S.C.  
3 1737(b) is amended—

4 (1) in paragraph (1) by inserting “technical”  
5 before “assistance”; and

6 (2) in paragraph (2)(A)—

7 (A) by striking “; and” at the end of  
8 clause (viii); and

9 (B) by striking clause (ix) and inserting  
10 the following:

11 “(ix) agricultural education and exten-  
12 sion;

13 “(x) selection of seed varieties and  
14 plant stocks;

15 “(xi) knowledge of insecticide and  
16 sanitation procedures to prevent crop de-  
17 struction;

18 “(xii) use and maintenance of agricul-  
19 tural equipment and irrigation systems;  
20 and

21 “(xiii) selection of fertilizers and  
22 methods of soils treatment; and”.

23 (c) ELIGIBLE PARTICIPANTS.—Section 501(b)(2) of  
24 the Food for Peace Act (7 U.S.C. 1737(b)(2)) is amended

1 by inserting “retired extension staff of the Department of  
2 Agriculture,” after “private corporations,”.

3 (d) ADDITIONAL PURPOSE.—Section 501(b) of the  
4 Food for Peace Act (7 U.S.C. 1737(b)) is amended—

5 (1) by striking “and” at the end of paragraph  
6 (5);

7 (2) by redesignating paragraph (6) as para-  
8 graph (7); and

9 (3) by inserting after paragraph (5) the fol-  
10 lowing new paragraph:

11 “(6) foster appropriate investments in institu-  
12 tional capacity-building and allow longer-term and  
13 sequenced assignments and partnerships to provide  
14 deeper engagement and greater continuity on such  
15 projects; and”.

16 (e) MINIMUM FUNDING.—Subsection (d) of section  
17 501 of the Food for Peace Act (7 U.S.C. 1737) is amend-  
18 ed to read as follows:

19 “(d) MINIMUM FUNDING.—

20 “(1) IN GENERAL.—Notwithstanding any other  
21 provision of law, in addition to any funds that may  
22 be specifically appropriated to carry out this section,  
23 not less than the greater of \$15,000,000 or 0.6 per-  
24 cent of the amounts made available for each of fiscal  
25 years 2014 through 2023, to carry out this Act shall

1 be used to carry out programs under this section, of  
2 which—

3 “(A) not less than 0.2 percent to be used  
4 for programs in developing countries; and

5 “(B) not less than 0.1 percent to be used  
6 for programs in sub-Saharan African and Car-  
7 ibbean Basin countries.

8 “(2) TREATMENT OF EXPENDITURES.—Funds  
9 used to carry out programs under this section shall  
10 be counted towards the minimum level of non-  
11 emergency food assistance specified in section  
12 412(e).”.

13 (f) AUTHORIZATION OF APPROPRIATIONS.—Section  
14 501(e)(1) of the Food for Peace Act (7 U.S.C. 1737(e)(1))  
15 is amended in by striking “2018” and inserting “2023”.

16 (g) CROP YIELDS AND INNOVATIVE PARTNER-  
17 SHIPS.—Section 501 of the Food for Peace Act (7 U.S.C.  
18 1737) is amended by adding at the end the following:

19 “(f) ESTABLISHMENT OF A GEOGRAPHICALLY DE-  
20 FIED CROP YIELD METRICS.—The Secretary of Agri-  
21 culture, in cooperation with the Administrator of the  
22 Agency for International Development, should—

23 “(1) establish a geographically defined crop  
24 yield metrics system to assess improvements in crop

1 yields in countries and areas receiving assistance  
2 under this title; and

3 “(2) store the data resulting from such geo-  
4 graphically defined crop yield metrics system in a  
5 publicly available Internet database system.

6 “(g) GRANT PROGRAM TO CREATE NEW PARTNERS  
7 AND INNOVATION.—

8 “(1) IN GENERAL.—The Administrator of the  
9 Agency for International Development shall develop  
10 a grant program for fiscal years 2019 through 2023  
11 to facilitate new and innovative partnerships and ac-  
12 tivities under this title.

13 “(2) USE OF FUNDS.—Grant recipients under  
14 this subsection shall use such funds—

15 “(A) to prioritize new implementing part-  
16 ners;

17 “(B) on innovative volunteer models;

18 “(C) on strategic partnerships with other  
19 United States development programs; and

20 “(D) on expanding the footprint and im-  
21 pact of the programs and activities under this  
22 title, and diversity among program participants,  
23 including land grant colleges or universities and  
24 extension services.

1       “(h) APPROPRIATIONS.—None of the amounts made  
2 available to carry out this title may be used to carry out  
3 subsections (f) and (g) of this section except to the extent  
4 that such subsections are carried out using authorities  
5 otherwise provided by this title.”.

6       **Subtitle B—Agricultural Trade Act**  
7                                   **of 1978**

8       **SEC. 3101. FINDINGS.**

9       Congress finds the following:

10           (1) United States export development programs  
11           significantly increase demand for United States agri-  
12           culture products within foreign markets, boosting  
13           agricultural export volume and overall farm income,  
14           and generating a net return of \$28 in added export  
15           revenue for each invested program dollar.

16           (2) Our global competitors provide substantially  
17           more public support for export promotion than is  
18           provided to United States agricultural exporters.  
19           The Market Access Program and Foreign Market  
20           Development Program receive combined annual  
21           funding of approximately \$234,500,000. In compari-  
22           son, the European Union allocates \$255,000,000 an-  
23           nually for the international promotion of wine alone.

24           (3) The preservation and streamlining of  
25           United States export market development programs



1 complements the recent reorganization within the  
2 Department of Agriculture by ensuring the newly es-  
3 tablished Under Secretary for Trade and Foreign  
4 Agricultural Affairs has the tools necessary to en-  
5 hance the competitiveness of the United States agri-  
6 cultural industry on the global stage.

7 **SEC. 3102. CONSOLIDATION OF CURRENT PROGRAMS AS**  
8 **NEW INTERNATIONAL MARKET DEVELOP-**  
9 **MENT PROGRAM.**

10 (a) INTERNATIONAL MARKET DEVELOPMENT PRO-  
11 GRAM.—Section 205 of the Agricultural Trade Act of  
12 1978 (7 U.S.C. 5625) is amended to read as follows:

13 **“SEC. 205. INTERNATIONAL MARKET DEVELOPMENT PRO-**  
14 **GRAM.**

15 “(a) PROGRAM REQUIRED.—The Secretary and the  
16 Commodity Credit Corporation shall establish and carry  
17 out a program, to be known as the ‘International Market  
18 Development Program’, to encourage the development,  
19 maintenance, and expansion of commercial export markets  
20 for United States agricultural commodities.

21 “(b) MARKET ACCESS PROGRAM COMPONENT.—

22 “(1) IN GENERAL.—As one of the components  
23 of the International Market Development Program,  
24 the Commodity Credit Corporation shall carry out a  
25 program to encourage the development, mainte-

1 nance, and expansion of commercial export markets  
2 for United States agricultural commodities through  
3 cost-share assistance to eligible trade organizations  
4 that implement a foreign market development pro-  
5 gram.

6 “(2) TYPES OF ASSISTANCE.—Assistance under  
7 this subsection may be provided in the form of funds  
8 of, or commodities owned by, the Commodity Credit  
9 Corporation, as determined appropriate by the Sec-  
10 retary.

11 “(3) PARTICIPATION REQUIREMENTS.—

12 “(A) MARKETING PLAN AND OTHER RE-  
13 QUIREMENTS.—To be eligible for cost-share as-  
14 sistance under this subsection, an eligible trade  
15 organization shall—

16 “(i) prepare and submit a marketing  
17 plan to the Secretary that meets the guide-  
18 lines governing such a marketing plan  
19 specified in this paragraph or otherwise es-  
20 tablished by the Secretary;

21 “(ii) meet any other requirements es-  
22 tablished by the Secretary; and

23 “(iii) enter into an agreement with the  
24 Secretary.

1           “(B) PURPOSE OF MARKETING PLAN.—A  
2           marketing plan submitted under this paragraph  
3           shall describe the advertising or other market  
4           oriented export promotion activities to be car-  
5           ried out by the eligible trade organization with  
6           respect to which assistance under this sub-  
7           section is being requested.

8           “(C) SPECIFIC ELEMENTS.—To be ap-  
9           proved by the Secretary, a marketing plan sub-  
10          mitted under this paragraph shall—

11               “(i) specifically describe the manner  
12               in which assistance received by the eligible  
13               trade organization, in conjunction with  
14               funds and services provided by the eligible  
15               trade organization, will be expended in im-  
16               plementing the marketing plan;

17               “(ii) establish specific market goals to  
18               be achieved under the marketing plan; and

19               “(iii) contain whatever additional re-  
20               quirements are determined by the Sec-  
21               retary to be necessary.

22          “(D) BRANDED PROMOTION.—A mar-  
23          keting plan approved by the Secretary may pro-  
24          vide for the use of branded advertising to pro-  
25          mote the sale of United States agricultural

1 commodities in a foreign country under such  
2 terms and conditions as may be established by  
3 the Secretary.

4 “(E) AMENDMENTS.—An approved mar-  
5 keting plan may be amended by the eligible  
6 trade organization at any time, subject to the  
7 approval by the Secretary of the amendments.

8 “(4) LEVEL OF ASSISTANCE AND COST-SHARE  
9 REQUIREMENTS.—

10 “(A) IN GENERAL.—The Secretary shall  
11 justify in writing the level of assistance to be  
12 provided to an eligible trade organization under  
13 this subsection and the level of cost sharing re-  
14 quired of the organization.

15 “(B) LIMITATION ON BRANDED PRO-  
16 MOTION.—Assistance provided under this sub-  
17 section for activities described in paragraph  
18 (3)(D) shall not exceed 50 percent of the cost  
19 of implementing the marketing plan, except  
20 that the Secretary may determine not to apply  
21 such limitation in the case of United States ag-  
22 ricultural commodities with respect to which  
23 there has been a favorable decision by the  
24 United States Trade Representative under sec-  
25 tion 301 of the Trade Act of 1974 (19 U.S.C.

2411). Criteria used by the Secretary for determining that the limitation shall not apply shall be consistent and documented.

“(5) OTHER TERMS AND CONDITIONS.—

“(A) MULTI-YEAR BASIS.—The Secretary may provide assistance under this subsection on a multi-year basis, subject to annual review by the Secretary for compliance with the approved marketing plan.

“(B) TERMINATION OF ASSISTANCE.—The Secretary may terminate any assistance made, or to be made, available under this subsection if the Secretary determines that—

“(i) the eligible trade organization is not adhering to the terms and conditions applicable to the provision of the assistance;

“(ii) the eligible trade organization is not implementing the approved marketing plan or is not adequately meeting the established goals of the plan;

“(iii) the eligible trade organization is not adequately contributing its own resources to the implementation of the plan;  
or

1           “(iv) the Secretary determines that  
2           termination of assistance in a particular  
3           instance is in the best interests of the pro-  
4           gram.

5           “(C) EVALUATIONS.—Beginning not later  
6           than 15 months after the initial provision of as-  
7           sistance under this subsection to an eligible  
8           trade organization, the Secretary shall monitor  
9           the expenditures by the eligible trade organiza-  
10          tion of such assistance, including the following:

11           “(i) An evaluation of the effectiveness  
12           of the marketing plan of the eligible trade  
13           organization in developing or maintaining  
14           markets for United States agricultural  
15           commodities.

16           “(ii) An evaluation of whether assist-  
17           ance provided under this subsection is nec-  
18           essary to maintain such markets.

19           “(iii) A thorough accounting of the  
20           expenditure by the eligible trade organiza-  
21           tion of the assistance provided under this  
22           subsection.

23           “(6) RESTRICTIONS ON USE OF FUNDS.—As-  
24           sistance provided under this subsection to an eligible  
25           trade organization shall not be used—

1           “(A) to provide direct assistance to any  
2           foreign for-profit corporation for the corpora-  
3           tion’s use in promoting foreign-produced prod-  
4           ucts; or

5           “(B) to provide direct assistance to any  
6           for-profit corporation that is not recognized as  
7           a small business concern, excluding a coopera-  
8           tive, an association described in the first section  
9           of the Act entitled ‘An Act To authorize asso-  
10          ciation of producers of agricultural products’,  
11          approved February 18, 1922 (7 U.S.C. 291), or  
12          a nonprofit trade association.

13          “(7) PERMISSIVE USE OF FUNDS.—Assistance  
14          provided under this subsection to a United States  
15          agricultural trade association, cooperative, or small  
16          business may be used for individual branded pro-  
17          motional activity related to a United States branded  
18          product, if the beneficiaries of the activity have pro-  
19          vided funds for the activity in an amount that is at  
20          least equivalent to the amount of assistance provided  
21          under this subsection.

22          “(8) PROGRAM CONSIDERATIONS AND PRIOR-  
23          ITIES.—In providing assistance under this sub-  
24          section, the Secretary, to the maximum extent prac-  
25          ticable, shall—

1 “(A) give equal consideration to—

2 “(i) proposals submitted by organiza-  
3 tions that were participating organizations  
4 in prior fiscal years; and

5 “(ii) proposals submitted by eligible  
6 trade organizations that have not pre-  
7 viously participated in the program estab-  
8 lished under this title;

9 “(B) give equal consideration to—

10 “(i) proposals submitted for activities  
11 in emerging markets; and

12 “(ii) proposals submitted for activities  
13 in markets other than emerging markets.

14 “(9) PRIORITY.—In providing assistance for  
15 branded promotion, the Secretary should give pri-  
16 ority to small-sized entities.

17 “(10) CONTRIBUTION LEVEL.—

18 “(A) IN GENERAL.—The Secretary should  
19 require a minimum contribution level of 10 per-  
20 cent from an eligible trade organization that re-  
21 ceives assistance for nonbranded promotion.

22 “(B) INCREASES IN CONTRIBUTION  
23 LEVEL.—The Secretary may increase the con-  
24 tribution level in any subsequent year that an



1 eligible trade organization receives assistance  
2 for nonbranded promotion.

3 “(11) ADDITIONALITY.—The Secretary should  
4 require each participant in the program to certify  
5 that any Federal funds received supplement, but do  
6 not supplant, private or third party participant  
7 funds or other contributions to program activities.

8 “(12) INDEPENDENT AUDITS.—If as a result of  
9 an evaluation or audit of activities of a participant  
10 under the program, the Secretary determines that a  
11 further review is justified in order to ensure compli-  
12 ance with the requirements of the program, the Sec-  
13 retary should require the participant to contract for  
14 an independent audit of the program activities, in-  
15 cluding activities of any subcontractor.

16 “(13) TOBACCO.—No funds made available  
17 under the market promotion program may be used  
18 for activities to develop, maintain, or expand foreign  
19 markets for tobacco.

20 “(c) FOREIGN MARKET DEVELOPMENT COOPERATOR  
21 COMPONENT.—

22 “(1) IN GENERAL.—As one of the components  
23 of the International Market Development Program,  
24 the Secretary shall carry out a foreign market devel-  
25 opment cooperator program to maintain and develop

1 foreign markets for United States agricultural com-  
2 modities.

3 “(2) COOPERATION.—The Secretary shall carry  
4 out the foreign market development cooperator pro-  
5 gram in cooperation with eligible trade organiza-  
6 tions.

7 “(3) ADMINISTRATION.—Funds made available  
8 to carry out the foreign market development coop-  
9 erator program shall be used only to provide—

10 “(A) cost-share assistance to an eligible  
11 trade organization under a contract or agree-  
12 ment with the organization; and

13 “(B) assistance for other costs that are  
14 necessary or appropriate to carry out the for-  
15 eign market development cooperator program,  
16 including contingent liabilities that are not oth-  
17 erwise funded.

18 “(4) PROGRAM CONSIDERATIONS.—In providing  
19 assistance under this subsection, the Secretary, to  
20 the maximum extent practicable, shall—

21 “(A) give equal consideration to—

22 “(i) proposals submitted by eligible  
23 trade organizations that were participating  
24 organizations in the foreign market devel-

1                   opment cooperator program in prior fiscal  
2                   years; and

3                   “(ii) proposals submitted by eligible  
4                   trade organizations that have not pre-  
5                   viously participated in the foreign market  
6                   development cooperator program; and

7                   “(B) give equal consideration to—

8                   “(i) proposals submitted for activities  
9                   in emerging markets; and

10                  “(ii) proposals submitted for activities  
11                  in markets other than emerging markets.

12                  “(d) TECHNICAL ASSISTANCE FOR SPECIALTY CROPS  
13                  COMPONENT.—

14                  “(1) IN GENERAL.—As one of the components  
15                  of the International Market Development Program,  
16                  the Secretary shall carry out an export assistance  
17                  program to address existing or potential barriers  
18                  that prohibit or threaten the export of United States  
19                  specialty crops.

20                  “(2) PURPOSE.—The export assistance program  
21                  required by this subsection shall provide direct as-  
22                  sistance through public and private sector projects  
23                  and technical assistance to remove, resolve, or miti-  
24                  gate existing or potential sanitary and phytosanitary  
25                  and technical barriers to trade.

1           “(3) PRIORITY.—The export assistance pro-  
2           gram required by this subsection shall address time  
3           sensitive and strategic market access projects based  
4           on—

5                   “(A) trade effect on market retention,  
6                   market access, and market expansion; and

7                   “(B) trade impact.

8           “(4) ANNUAL REPORT.—The Secretary shall  
9           submit to the appropriate committees of Congress  
10          an annual report that contains, for the period cov-  
11          ered by the report, a description of each factor that  
12          affects the export of specialty crops, including each  
13          factor relating to any significant sanitary or  
14          phytosanitary issue or trade barrier.

15          “(e) E. (KIKI) DE LA GARZA EMERGING MARKETS  
16          PROGRAM COMPONENT.—

17                   “(1) IN GENERAL.—

18                           “(A) ESTABLISHMENT OF PROGRAM.—The  
19                   Secretary, in order to develop, maintain, or ex-  
20                   pand export markets for United States agricul-  
21                   tural commodities, is directed—

22                                   “(i) to make available to emerging  
23                                   markets the expertise of the United States  
24                                   to make assessments of the food and rural

1 business systems needs of such emerging  
2 markets;

3 “(ii) to make recommendations on  
4 measures necessary to enhance the effec-  
5 tiveness of the systems, including potential  
6 reductions in trade barriers; and

7 “(iii) to identify and carry out specific  
8 opportunities and projects to enhance the  
9 effectiveness of those systems.

10 “(B) EXTENT OF PROGRAM.—The Sec-  
11 retary shall implement this paragraph with re-  
12 spect to at least 3 emerging markets in each  
13 fiscal year.

14 “(2) IMPLEMENTATION OF PROGRAM.—The  
15 Secretary may implement the requirements of para-  
16 graph (1)—

17 “(A) by providing assistance to teams con-  
18 sisting primarily of agricultural consultants,  
19 farmers, other persons from the private sector  
20 and government officials expert in assessing the  
21 food and rural business systems of other coun-  
22 tries to enable such teams to conduct the as-  
23 sessments, make the recommendations, and  
24 identify the opportunities and projects specified  
25 in such paragraph in emerging markets; and

1           “(B) by providing for necessary subsist-  
2           ence and transportation expenses of—

3                   “(i) United States food and rural  
4                   business system experts, including United  
5                   States agricultural producers and other  
6                   United States individuals knowledgeable in  
7                   agricultural and agribusiness matters, to  
8                   enable such United States food and rural  
9                   business system experts to assist in trans-  
10                  ferring knowledge and expertise to entities  
11                  in emerging markets; and

12                   “(ii) individuals designated by emerg-  
13                   ing markets to enable such designated in-  
14                   dividuals to consult with such United  
15                   States experts to enhance food and rural  
16                   business systems of such emerging markets  
17                   and to transfer knowledge and expertise to  
18                   such emerging markets.

19                  “(3) COST-SHARING.—The Secretary shall en-  
20                  courage the nongovernmental experts described in  
21                  paragraph (2) to share the costs of, and otherwise  
22                  assist in, the participation of such experts in the  
23                  program under this paragraph.

24                  “(4) TECHNICAL ASSISTANCE.—The Secretary  
25                  is authorized to provide, or pay the necessary costs

1 for, technical assistance (including the establishment  
2 of extension services) necessary to enhance the effec-  
3 tiveness of food and rural business systems needs of  
4 emerging markets, including potential reductions in  
5 trade barriers.

6 “(5) REPORTS TO SECRETARY.—A team that  
7 receives assistance under paragraph (2) shall pre-  
8 pare such reports with respect to the use of such as-  
9 sistance as the Secretary may require.

10 “(f) DEFINITIONS.—In this section:

11 “(1) ELIGIBLE TRADE ORGANIZATION.—

12 “(A) MARKET ACCESS PROGRAM COMPO-  
13 NENT.—In subsection (b), the term ‘eligible  
14 trade organization’ means—

15 “(i) a United States agricultural trade  
16 organization or regional State-related orga-  
17 nization that promotes the export and sale  
18 of United States agricultural commodities  
19 and that does not stand to profit directly  
20 from specific sales of United States agri-  
21 cultural commodities;

22 “(ii) a cooperative organization or  
23 State agency that promotes the sale of  
24 United States agricultural commodities; or

1                   “(iii) a private organization that pro-  
2                   motes the export and sale of United States  
3                   agricultural commodities if the Secretary  
4                   determines that such organization would  
5                   significantly contribute to United States  
6                   export market development.

7                   “(B) FOREIGN MARKET DEVELOPMENT  
8                   COOPERATOR COMPONENT.—In subsection (c),  
9                   the term ‘eligible trade organization’ means a  
10                  United States trade organization that—

11                   “(i) promotes the export of one or  
12                   more United States agricultural commod-  
13                   ities; and

14                   “(ii) does not have a business interest  
15                   in or receive remuneration from specific  
16                   sales of United States agricultural com-  
17                   modities.

18                   “(2) EMERGING MARKET.—The term ‘emerging  
19                   market’ means any country that the Secretary deter-  
20                   mines—

21                   “(A) is taking steps toward a market-ori-  
22                   ented economy through the food, agriculture, or  
23                   rural business sectors of the economy of the  
24                   country; and



1           “(B) has the potential to provide a viable  
2           and significant market for United States agri-  
3           cultural commodities.

4           “(3) SMALL-BUSINESS CONCERN.—The term  
5           ‘small-business concern’ has the meaning given that  
6           term in section 3(a) of the Small Business Act (15  
7           U.S.C. 632(a)).

8           “(4) UNITED STATES AGRICULTURAL COM-  
9           MODITY.—The term ‘United States agricultural com-  
10          modity’ has the meaning given the term in section  
11          102 of the Agriculture Trade Act of 1978 (7 U.S.C.  
12          5602) and includes commodities that are organically  
13          produced (as defined in section 2103 of the Organic  
14          Foods Production Act of 1990 (7 U.S.C. 6502)).”.

15          (b) FUNDING PROVISION.—Subsection (c) of section  
16          211 of the Agricultural Trade Act of 1978 (7 U.S.C.  
17          5641) is amended to read as follows:

18          “(c) INTERNATIONAL MARKET DEVELOPMENT PRO-  
19          GRAM.—

20                 “(1) IN GENERAL.—Of the funds of the Com-  
21          modity Credit Corporation, the Secretary shall make  
22          available for the International Market Development  
23          Program under section 205 \$255,000,000 for each  
24          of the fiscal years 2019 through 2023. Such  
25          amounts shall remain available until expended.

1 “(2) SET-ASIDES.—

2 “(A) MARKET ACCESS PROGRAM COMPO-  
3 NENT.—Of the funds made available under  
4 paragraph (1) for a fiscal year, not less than  
5 \$200,000,000 shall be used for the market ac-  
6 cess program component of the International  
7 Market Development Program under subsection  
8 (b) of section 205.

9 “(B) FOREIGN MARKET DEVELOPMENT  
10 COOPERATOR COMPONENT.—Of the funds made  
11 available under paragraph (1) for a fiscal year,  
12 not less than \$34,500,000 shall be used for the  
13 foreign market development cooperator compo-  
14 nent of the International Market Development  
15 Program under subsection (c) of section 205.

16 “(C) TECHNICAL ASSISTANCE FOR SPE-  
17 CIALTY CROPS COMPONENT.—Of the funds  
18 made available under paragraph (1) for a fiscal  
19 year, not more than \$9,000,000, shall be used  
20 for the specialty crops component of the Inter-  
21 national Market Development Program under  
22 subsection (d) of section 205.

23 “(D) AGRICULTURAL EXPORTS TO EMERG-  
24 ING MARKETS COMPONENT.—Of the funds  
25 made available under paragraph (1) for a fiscal

1           year, not more than \$10,000,000 shall be used  
2           to promote agricultural exports to emerging  
3           markets under the International Market Devel-  
4           opment Program under subsection (e) of section  
5           205.”.

6           (c) REPEAL OF SUPERSEDED PROGRAMS.—

7           (1) MARKET ACCESS PROGRAM.—Section 203 of  
8           the Agricultural Trade Act of 1978 (7 U.S.C. 5623)  
9           is repealed.

10          (2) PROMOTIONAL ASSISTANCE.—Section 1302  
11          of the Omnibus Budget Reconciliation Act of 1993  
12          is repealed.

13          (3) FOREIGN MARKET DEVELOPMENT COOP-  
14          ERATOR PROGRAM.—Title VII of the Agricultural  
15          Trade Act of 1978 (7 U.S.C. 5721–5723) is re-  
16          pealed.

17          (4) EXPORT ASSISTANCE PROGRAM FOR SPE-  
18          CIALTY CROPS.—Section 3205 of the Farm Security  
19          and Rural Investment Act of 2002 (7 U.S.C. 5680)  
20          is repealed.

21          (5) EMERGING MARKETS PROGRAM.—Section  
22          1542 of the Food, Agriculture, Conservation, and  
23          Trade Act of 1990 (7 U.S.C. 5622 note; Public Law  
24          101–624) is amended by striking subsection (d) and

1 by redesignating subsection (e) and (f) as sub-  
2 sections (d) and (e), respectively.

3 (d) CONFORMING AMENDMENTS.—

4 (1) AGRICULTURAL TRADE ACT OF 1978.—The  
5 Agricultural Trade Act of 1978 is amended—

6 (A) in section 202 (7 U.S.C. 5622), by  
7 adding at the end the following new subsection:

8 “(k) COMBINATION OF PROGRAMS.—The Commodity  
9 Credit Corporation may carry out a program under which  
10 commercial export credit guarantees available under this  
11 section are combined with direct credits from the Com-  
12 modity Credit Corporation under section 201 to reduce the  
13 effective rate of interest on export sales of United States  
14 agricultural commodities.”; and

15 (B) in section 402(a)(1) (7 U.S.C.  
16 5662(a)(1)), by striking “203” and inserting  
17 “205(b)”.

18 (2) AGRICULTURAL MARKETING ACT OF 1946.—  
19 Section 282(f)(2)(C) of the Agricultural Marketing  
20 Act of 1946 (7 U.S.C. 1638a(f)(2)(C)) is amended  
21 by striking “section 203 of the Agricultural Trade  
22 Act of 1978 (7 U.S.C. 5623)” and inserting “section  
23 205 of the Agricultural Trade Act of 1978”.

24 (3) FOOD, AGRICULTURE, CONSERVATION, AND  
25 TRADE ACT OF 1990.—Section 1543(b)(5) of the

1 Food, Agriculture, Conservation, and Trade Act of  
2 1990 (7 U.S.C. 3293(b)(5)) is amended by striking  
3 “1542(f)” and inserting “1542(e)”.

4 **Subtitle C—Other Agricultural**  
5 **Trade Laws**

6 **SEC. 3201. LOCAL AND REGIONAL FOOD AID PROCURE-**  
7 **MENT PROJECTS.**

8 Section 3206(e)(1) of the Food, Conservation, and  
9 Energy Act of 2008 (7 U.S.C. 1726c(e)(1)) is amended  
10 by striking “2018” and inserting “2023”.

11 **SEC. 3202. PROMOTION OF AGRICULTURAL EXPORTS TO**  
12 **EMERGING MARKETS.**

13 Section 1542(a) of the Food, Agriculture, Conserva-  
14 tion, and Trade Act of 1990 (7 U.S.C. 5622 note; Public  
15 Law 101–624) is amended by striking “2018” and insert-  
16 ing “2023”.

17 **SEC. 3203. BILL EMERSON HUMANITARIAN TRUST ACT.**

18 Section 302 of the Bill Emerson Humanitarian Trust  
19 Act (7 U.S.C. 1736f–1) is amended—

20 (1) in subsection (b)(2)(B)(i), by striking  
21 “2018” each place it appears and inserting “2023”;  
22 and

23 (2) in subsection (h), by striking “2018” each  
24 place it appears and inserting “2023”.

1 **SEC. 3204. FOOD FOR PROGRESS ACT OF 1985.**

2 (a) EXTENSION.—Section 1110 of the Food Security  
3 Act of 1985 (also known as the Food for Progress Act  
4 of 1985; 7 U.S.C. 1736o) is amended—

5 (1) in subsection (f)(3), by striking “2018” and  
6 inserting “2023”;

7 (2) in subsection (g), by striking “2018” and  
8 inserting “2023”;

9 (3) in subsection (k), by striking “2018” and  
10 inserting “2023”; and

11 (4) in subsection (l)(1), by striking “2018” and  
12 inserting “2023”.

13 (b) ELIGIBLE ENTITIES.—Section 1110(b)(5) of the  
14 Food Security Act of 1985 (also known as the Food for  
15 Progress Act of 1985; 7 U.S.C. 1736o(b)(5)) is amend-  
16 ed—

17 (1) by striking “and” at the end of subpara-  
18 graph (E);

19 (2) by redesignating subparagraph (F) as sub-  
20 paragraph (G); and

21 (3) by inserting after subparagraph (E) the fol-  
22 lowing new subparagraph:

23 “(F) a college or university (as such terms  
24 are defined in section 1404(4) of the Food and  
25 Agriculture Act of 1977 (7 U.S.C. 3103(4));  
26 and”.

1 (c) PRIVATE VOLUNTARY ORGANIZATIONS AND  
2 OTHER PRIVATE ENTITIES.—Section 1110(o) of the Food  
3 Security Act of 1985 is amended in paragraph (1) by  
4 striking “(F)” and inserting “(G)”.

5 **SEC. 3205. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**  
6 **EDUCATION AND CHILD NUTRITION PRO-**  
7 **GRAM.**

8 (a) CONSIDERATION OF PROPOSALS.—Section  
9 3107(f)(1)(B) of the Farm Security and Rural Investment  
10 Act of 2002 (7 U.S.C. 1736o–1(f)(1)(B)) is amended by  
11 inserting before the semicolon the following: “and, to the  
12 extent practicable, that assistance will be provided on a  
13 timely basis so as to coincide with the beginning of and  
14 when needed during the relevant school year”.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
16 3107(l)(2) of the Farm Security and Rural Investment  
17 Act of 2002 (7 U.S.C. 1736o–1(l)(2)) is amended by strik-  
18 ing “2018” and inserting “2023”.

19 **SEC. 3206. COCHRAN FELLOWSHIP PROGRAM.**

20 (a) AUTHORIZED LOCATIONS FOR TRAINING.—Sec-  
21 tion 1543(a) of the Food, Agriculture, Conservation, and  
22 Trade Act of 1990 (7 U.S.C. 3293(a)) is amended by  
23 striking “for study in the United States.” and inserting  
24 the following: “for study—

25 “(1) in the United States; or

1           “(2) at a college or university located in an eli-  
2           gible country that the Secretary determines—

3                   “(A) has sufficient scientific and technical  
4           facilities;

5                   “(B) has established a partnership with at  
6           least one college or university in the United  
7           States; and

8                   “(C) has substantial participation by fac-  
9           ulty members of the United States college or  
10          university in the design of the fellowship cur-  
11          riculum and classroom instruction under the  
12          fellowship.”.

13          (b) FELLOWSHIP PURPOSES.—Section 1543(c)(2) of  
14          the Food, Agriculture, Conservation, and Trade Act of  
15          1990 (7 U.S.C. 3293(c)(2)) is amended by inserting be-  
16          fore the period at the end the following: “, including trade  
17          linkages involving regulatory systems governing sanitary  
18          and phyto-sanitary standards for agricultural products”.

19          **SEC. 3207. BORLAUG FELLOWSHIP PROGRAM.**

20          Section 1473G of the National Agricultural Research,  
21          Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
22          3319j) is amended to read as follows:



1 **“SEC. 1473G. BORLAUG INTERNATIONAL AGRICULTURAL**  
2 **SCIENCE AND TECHNOLOGY FELLOWSHIP**  
3 **PROGRAM.**

4 “(a) FELLOWSHIP PROGRAM.—

5 “(1) ESTABLISHMENT.—The Secretary shall es-  
6 tablish a fellowship program, to be known as the  
7 ‘Borlaug International Agricultural Science and  
8 Technology Fellowship Program’.

9 “(2) FELLOWSHIPS TO INDIVIDUALS FROM ELI-  
10 GIBLE COUNTRIES.—As part of the fellowship pro-  
11 gram, the Secretary shall provide fellowships to indi-  
12 viduals from eligible countries as described in sub-  
13 section (b) who specialize in agricultural education,  
14 research, and extension for scientific training and  
15 study designed to assist individual fellowship recipi-  
16 ents, including the following 3 programs:

17 “(A) A graduate studies program in agri-  
18 culture to assist individuals who participate in  
19 graduate agricultural degree training at a  
20 United States institution.

21 “(B) An individual career improvement  
22 program to assist agricultural scientists from  
23 developing countries in upgrading skills and un-  
24 derstanding in agricultural science and tech-  
25 nology.

1           “(C) A Borlaug agricultural policy execu-  
2           tive leadership course to assist senior agricul-  
3           tural policy makers from eligible countries, with  
4           an initial focus on individuals from sub-Saharan  
5           Africa and the independent states of the former  
6           Soviet Union.

7           “(3) FELLOWSHIPS TO UNITED STATES CITI-  
8           ZENS.—As part of the fellowship program, the Sec-  
9           retary shall provide fellowships to citizens of the  
10          United States to assist eligible countries in devel-  
11          oping school-based agricultural education and youth  
12          extension programs.

13          “(b) ELIGIBLE COUNTRY DESCRIBED.—For pur-  
14          poses of this section, an eligible country is a developing  
15          country, as determined by the Secretary using a gross na-  
16          tional income per capita test selected by the Secretary.

17          “(c) PURPOSE OF FELLOWSHIPS.—

18                 “(1) FELLOWSHIPS TO INDIVIDUALS FROM ELI-  
19                 GIBLE COUNTRIES.—A fellowship provided under  
20                 subsection (a)(2) shall—

21                         “(A) promote food security and economic  
22                         growth in eligible countries by—

23                                 “(i) educating a new generation of ag-  
24                                 ricultural scientists;

1                   “(ii) increasing scientific knowledge  
2                   and collaborative research to improve agri-  
3                   cultural productivity; and

4                   “(iii) extending that knowledge to  
5                   users and intermediaries in the market-  
6                   place; and

7                   “(B) support—

8                   “(i) training and collaborative re-  
9                   search opportunities through exchanges for  
10                  entry level international agricultural re-  
11                  search scientists, faculty, and policymakers  
12                  from eligible countries;

13                  “(ii) collaborative research to improve  
14                  agricultural productivity;

15                  “(iii) the transfer of new science and  
16                  agricultural technologies to strengthen ag-  
17                  ricultural practice; and

18                  “(iv) the reduction of barriers to tech-  
19                  nology adoption.

20                  “(2) FELLOWSHIPS TO UNITED STATES CITI-  
21                  ZENS.—A fellowship provided under subsection  
22                  (a)(3) shall—

23                  “(A) develop globally minded United  
24                  States agriculturists with experience living  
25                  abroad;

1           “(B) focus on meeting the food and fiber  
2           needs of the domestic population of eligible  
3           countries; and

4           “(C) strengthen and enhance trade link-  
5           ages between eligible countries and the United  
6           States agricultural industry.

7           “(d) FELLOWSHIP RECIPIENTS.—

8           “(1) FELLOWSHIPS TO INDIVIDUALS FROM ELI-  
9           GIBLE COUNTRIES.—

10           “(A) ELIGIBLE CANDIDATES.—The Sec-  
11           retary may provide fellowships under subsection  
12           (a)(2) to individuals from eligible countries who  
13           specialize or have experience in agricultural  
14           education, research, extension, or related fields,  
15           including—

16           “(i) individuals from the public and  
17           private sectors; and

18           “(ii) private agricultural producers.

19           “(B) CANDIDATE IDENTIFICATION.—For  
20           fellowships under subsection (a)(2), the Sec-  
21           retary shall use the expertise of United States  
22           land-grant colleges and universities and similar  
23           universities, international organizations working  
24           in agricultural research and outreach, and na-  
25           tional agricultural research organizations to

1 help identify program candidates for fellowships  
2 from the public and private sectors of eligible  
3 countries.

4 “(C) LOCATION OF TRAINING.—The sci-  
5 entific training or study of fellowship recipients  
6 under subsection (a)(2) shall occur—

7 “(i) in the United States; or

8 “(ii) at a college or university located  
9 in an eligible country that the Secretary  
10 determines—

11 “(I) has sufficient scientific and  
12 technical facilities;

13 “(II) has established a partner-  
14 ship with at least one college or uni-  
15 versity in the United States; and

16 “(III) has substantial participa-  
17 tion by faculty members of the United  
18 States college or university in the de-  
19 sign of the fellowship curriculum and  
20 classroom instruction under the fel-  
21 lowship.

22 “(2) FELLOWSHIPS TO UNITED STATES CITI-  
23 ZENS.—

1           “(A) ELIGIBLE CANDIDATES.—The Sec-  
2           retary may provide fellowships under subsection  
3           (a)(3) to citizens of the United States who—

4                   “(i) hold at least a bachelor’s degree  
5                   in an agricultural related field of study;  
6                   and

7                   “(ii) have an understanding of United  
8                   States school-based agricultural education  
9                   and youth extension programs, as deter-  
10                  mined by the Secretary.

11           “(B) CANDIDATE IDENTIFICATION.—For  
12           fellowships under subsection (a)(3), the Sec-  
13           retary shall consult with the National FFA Or-  
14           ganization, the National 4-H Council, and  
15           other entities as the Secretary deems appro-  
16           priate to identify candidates for fellowships.

17           “(e) PROGRAM IMPLEMENTATION.—The Secretary  
18           shall provide for the management, coordination, evalua-  
19           tion, and monitoring of the Borlaug International Agricul-  
20           tural Science and Technology Fellowship Program and for  
21           the individual programs described in subsection (a), except  
22           that—

23                   “(1) the Secretary may contract out to 1 or  
24           more collaborating universities the management of 1

1 or more of the fellowship programs under subsection  
2 (a)(2); and

3 “(2) the Secretary may contract out the man-  
4 agement of the fellowship program under subsection  
5 (a)(3) to an outside organization with experience in  
6 implementing fellowship programs focused on build-  
7 ing capacity for school-based agricultural education  
8 and youth extension programs in developing coun-  
9 tries.

10 “(f) AUTHORIZATION OF APPROPRIATIONS.—

11 “(1) IN GENERAL.—There are authorized to be  
12 appropriated \$6,000,000 to carry out this section.

13 “(2) SET-ASIDES.—Of any funds made avail-  
14 able pursuant to paragraph (1), not less than  
15 \$2,800,000 shall be used to carry out the fellowship  
16 program for individuals from eligible countries under  
17 subsection (a)(2).

18 “(3) DURATION.—Any funds made available  
19 pursuant to paragraph (1) shall remain available  
20 until expended.”.

21 **SEC. 3208. GLOBAL CROP DIVERSITY TRUST.**

22 (a) UNITED STATES CONTRIBUTION LIMIT.—Section  
23 3202(b) of the Food, Conservation, and Energy Act of  
24 2008 (22 U.S.C. 2220a note; Public Law 110–246(b)) is

1 amended by striking “25 percent” and inserting “33 per-  
2 cent”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 3202(c) of the Food, Conservation, and Energy Act of  
5 2008 (Public Law 110–246; 22 U.S.C. 2220a note) is  
6 amended by striking “for the period of fiscal years 2014  
7 through 2018” and inserting “for the period of fiscal years  
8 2019 through 2023”.

9 **SEC. 3209. GROWING AMERICAN FOOD EXPORTS ACT OF**  
10 **2018.**

11 Section 1543A of the Food, Agriculture, Conserva-  
12 tion, and Trade Act of 1990 (7 U.S.C. 5679) is amended  
13 to read as follows:

14 **“SEC. 1543A. BIOTECHNOLOGY AND AGRICULTURAL TRADE**  
15 **PROGRAM.**

16 “(a) ESTABLISHMENT.—There is established in the  
17 Department of Agriculture a program to be known as the  
18 ‘Biotechnology and Agricultural Trade Program’.

19 “(b) PURPOSE.—The purpose of the program estab-  
20 lished under this section shall be to remove, resolve, or  
21 mitigate significant regulatory nontariff barriers to the ex-  
22 port of United States agricultural commodities into for-  
23 eign markets through policy advocacy and targeted  
24 projects that address—



1 “(1) issues relating to United States agricul-  
 2 tural commodities produced with the use of bio-  
 3 technology or new agricultural production tech-  
 4 nologies;

5 “(2) advocacy for science-based regulation in  
 6 foreign markets of biotechnology or new agricultural  
 7 production technologies; or

8 “(3) quick-response intervention regarding non-  
 9 tariff barriers to United States exports produced  
 10 through biotechnology or new agricultural produc-  
 11 tion technologies.

12 “(c) ELIGIBLE PROGRAMS.—Depending on need, as  
 13 determined by the Secretary, activities authorized under  
 14 this section may be carried out through—

15 “(1) this section;

16 “(2) the emerging markets program under sec-  
 17 tion 1542; or

18 “(3) the Cochran Fellowship Program under  
 19 section 1543.”.

20 **TITLE IV—NUTRITION**  
 21 **Subtitle A—Supplemental**  
 22 **Nutrition Assistance Program**

23 **SEC. 4001. DUPLICATIVE ENROLLMENT DATABASE.**

24 (a) EXPANSION OF THE DUPLICATIVE ENROLLMENT  
 25 DATABASE.—The Food and Nutrition Act of 2008 (7

1 U.S.C. 2011 et seq.) is amended by adding at the end  
2 the following:

3 **“SEC. 30. DUPLICATIVE ENROLLMENT DATABASE.**

4 “(a) IN GENERAL.—The Secretary shall establish an  
5 interstate database, or system of databases, of supple-  
6 mental nutrition assistance program information to be  
7 known as the Duplicative Enrollment Database that shall  
8 include the data submitted by each State pursuant to sec-  
9 tion 11(e)(26) and that shall meet security standards as  
10 determined by the Secretary.

11 “(b) PURPOSE.—Any database, or system of data-  
12 bases, established pursuant to subsection (a) shall be used  
13 by States when making eligibility determinations to pre-  
14 vent supplemental nutrition assistance program partici-  
15 pants from receiving duplicative benefits in multiple  
16 States.

17 “(c) IMPLEMENTATION.—

18 “(1) ISSUANCE OF INTERIM FINAL REGULA-  
19 TIONS.—Not later than 18 months after the effective  
20 date of this section, the Secretary shall issue interim  
21 final regulations to carry out this section that—

22 “(A) incorporate best practices and lessons  
23 learned from the regional pilot project ref-  
24 erenced in section 4032(c) of the Agricultural  
25 Act of 2014 (7 U.S.C. 2036c(c));

1 “(B) protect the privacy of supplemental  
2 nutrition assistance program participants and  
3 applicants consistent with section 11(e)(8); and

4 “(C) detail the process States will be re-  
5 quired to follow for—

6 “(i) conducting initial and ongoing  
7 matches of participant and applicant data;

8 “(ii) identifying and acting on all ap-  
9 parent instances of duplicative participa-  
10 tion by participants or applicants in mul-  
11 tiple States;

12 “(iii) disenrolling an individual who  
13 has applied to participate in another State  
14 in a manner sufficient to allow the State in  
15 which the individual is currently applying  
16 to comply with sections 11(e)(3) and (9);  
17 and

18 “(iv) complying with such other rules  
19 and standards the Secretary determines  
20 appropriate to carry out this section.

21 “(2) TIMING.—The initial match and cor-  
22 responding actions required by paragraph (1)(C)  
23 shall occur within 3 years after the date of the en-  
24 actment of the Agriculture and Nutrition Act of  
25 2018.

1       “(d) REPORTS.—Using the data submitted to the  
2 Duplicative Enrollment Database, the Secretary shall pub-  
3 lish an annual report analyzing supplemental nutrition as-  
4 sistance program participant characteristics, including  
5 participant tenure on the program. The report shall be  
6 made available to the public in a manner that prevents  
7 identification of participants that receive supplemental nu-  
8 trition assistance program benefits.”.

9       (b) STATE DATA COLLECTION AND SUBMISSION RE-  
10 QUIREMENTS.—Section 11(e) of the Food and Nutrition  
11 Act of 2008 (7 U.S.C. 2020(e)) is amended—

12           (1) in paragraph (24) by striking “and” at the  
13 end,

14           (2) in paragraph (25) by striking the period at  
15 the end and inserting “a semicolon”, and

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

17           “(26) that the State agency shall collect and  
18 submit supplemental nutrition assistance program  
19 data to the Duplicative Enrollment Database estab-  
20 lished in section 30, in accordance with guidance or  
21 rules issued by the Secretary establishing a uniform  
22 method and format for the collection and submission  
23 of data, including for each member of a partici-  
24 pating household—

1                   “(A) the social security number or the so-  
2                   cial security number substitute;

3                   “(B) the employment status of such mem-  
4                   ber;

5                   “(C) the amount of income and whether  
6                   that income is earned or unearned;

7                   “(D) that member’s portion of the house-  
8                   hold monthly allotment; and

9                   “(E) the portion of the aggregate value of  
10                  household assets attributed to that member;  
11                  and”.

12 **SEC. 4002. RETAILER-FUNDED INCENTIVES PILOT.**

13           The Food and Nutrition Act of 2008 (7 U.S.C. 2011  
14 et seq.), as amended by section 4001, is amended by add-  
15 ing at the end the following:

16 **“SEC. 31. RETAILER-FUNDED INCENTIVES PILOT.**

17           “(a) IN GENERAL.—The Secretary shall establish a  
18 pilot project in accordance with subsection (d) through  
19 which participating retail food stores provide bonuses to  
20 participating households based on household purchases of  
21 fruits, vegetables, and fluid milk.

22           “(b) DEFINITIONS.—For purposes of this section—

23                   “(1) The term ‘bonus’ means a financial incen-  
24                  tive provided at the point of sale to a participating

1 household that expends a portion of its allotment for  
2 the purchase of fruits, vegetables, or fluid milk.

3 “(2) The term ‘fluid milk’ means cow milk  
4 without flavoring or sweeteners and packaged in liq-  
5 uid form.

6 “(3) The term ‘fruits’ means minimally proc-  
7 essed fruits.

8 “(4) The term ‘retail food store’ means a retail  
9 food store as defined in section 3(o)(1) that is au-  
10 thorized to accept and redeem benefits under the  
11 supplemental nutrition assistance program.

12 “(5) The term ‘vegetables’ means minimally  
13 processed vegetables.

14 “(c) PROJECT PARTICIPANT PLANS.—To participate  
15 in the pilot project established under subsection (a), a re-  
16 tail food store shall submit to the Secretary for approval  
17 a plan that includes—

18 “(1) a method of quantifying the cost of fruits,  
19 vegetables, and fluid milk, that will earn households  
20 a bonus;

21 “(2) a method of providing bonuses to partici-  
22 pating households and adequately testing such meth-  
23 od;

24 “(3) a method of ensuring bonuses earned by  
25 households may be used only to purchase food eligi-

1 ble for purchase under the supplemental nutrition  
2 assistance program;

3 “(4) a method of educating participating house-  
4 holds about the availability and use of a bonus;

5 “(5) a method of providing data and reports, as  
6 requested by the Secretary, for purposes of ana-  
7 lyzing the impact of the pilot project established  
8 under subsection (a) on household access, ease of  
9 bonus use, and program integrity; and

10 “(6) such other criteria, including security cri-  
11 teria, as established by the Secretary.

12 “(d) PILOT PROJECT REQUIREMENTS.—Retail food  
13 stores with plans approved under subsection (c) to partici-  
14 pate in the pilot project established under subsection (a)  
15 shall—

16 “(1) provide a bonus in a dollar amount not to  
17 exceed 10 percent of the price of the purchased  
18 fruits, vegetables, and fluid milk;

19 “(2) fund the dollar amount of bonuses used by  
20 households, and pay for administrative costs, such  
21 as fees and system costs, associated with providing  
22 such bonuses;

23 “(3) ensure that bonuses earned by households  
24 may be used only to purchase food eligible for pur-

1 chase under the supplemental nutrition assistance  
2 program; and

3 “(4) provide data and reports as requested by  
4 the Secretary for purposes of analyzing the impact  
5 of the pilot project established under subsection (a)  
6 on household access, ease of bonus use, and program  
7 integrity.

8 “(e) LIMITATION.—A retail food store participating  
9 in a project under section 4405 of the Food, Conservation,  
10 and Energy Act of 2008 (7 U.S.C. 7517) shall not be eligi-  
11 ble to participate in the pilot project established under  
12 subsection (a).

13 “(f) IMPLEMENTATION.—Not later than 18 months  
14 after the date of the enactment of the Agriculture and Nu-  
15 trition Act of 2018, the Secretary shall solicit and approve  
16 plans submitted under subsection (c) that satisfy the re-  
17 quirements of such subsection.

18 “(g) REIMBURSEMENTS.—

19 “(1) RATE OF REIMBURSEMENT.—Subject to  
20 paragraphs (2) and (3), the Secretary shall reim-  
21 burse retail food stores with plans approved under  
22 subsection (f) in an amount not to exceed 25 percent  
23 of the dollar value of bonuses earned by households  
24 and used to purchase food eligible for purchase



1 under the supplemental nutrition assistance pro-  
2 gram.

3 “(2) AGGREGATE AMOUNT OF REIMBURSE-  
4 MENTS.—The aggregate amount of reimbursements  
5 paid in a fiscal year to all retail food stores that par-  
6 ticipate in the pilot project established under sub-  
7 section (a) in such fiscal year shall not exceed  
8 \$120,000,000.

9 “(3) REQUIREMENTS.—

10 “(A) TIMELINE.—Not later than 1 year  
11 after the date of the enactment of the Agri-  
12 culture and Nutrition Act of 2018, the Sec-  
13 retary shall establish requirements to imple-  
14 ment this section, including criteria for  
15 prioritizing reimbursements to such stores with-  
16 in the limit established in paragraph (2) and  
17 subject to subparagraph (B).

18 “(B) DISTRIBUTION OF REIMBURSE-  
19 MENTS.—

20 “(i) MONTHLY PAYMENTS.—Reim-  
21 bursements payable under this subsection  
22 shall be paid on a monthly basis.

23 “(ii) PRORATED PAYMENTS.—If funds  
24 made available under subsection (h) are in-  
25 sufficient to pay in full reimbursements

payable for a month because of the operation of paragraph (2), such reimbursements shall be paid on a pro rata basis to the extent funds remain available for payment.

“(h) FUNDING.—From funds made available under section 18(a)(1) for a fiscal year, the Secretary shall allocate not to exceed \$120,000,000 for reimbursements payable under this section for such fiscal year.”.

**SEC. 4003. GUS SCHUMACHER FOOD INSECURITY NUTRITION INCENTIVE PROGRAM.**

(a) AMENDMENTS.—Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended—

(1) by striking the heading and inserting “**GUS SCHUMACHER FOOD INSECURITY NUTRITION INCENTIVE PROGRAM**”,

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii)—

(I) in subclause (II) by inserting “financial” after “providing”,

(II) by amending subclause (III) to read as follows:

1 “(III) has adequate plans to col-  
2 lect data for reporting and agrees to  
3 participate in a program evaluation;  
4 and”.

5 (III) in subclause (IV) by strik-  
6 ing “; and” at the end and inserting  
7 a period, and

8 (IV) by striking subclause (V),  
9 and

10 (ii) by amending subparagraph (B) to  
11 read as follows:

12 “(B) PRIORITIES.—In awarding grants  
13 under this section—

14 “(i) the Secretary shall give priority  
15 to projects that—

16 “(I) maximize the share of funds  
17 used for direct incentives to partici-  
18 pants;

19 “(II) include coordination with  
20 multiple stakeholders, such as farm  
21 organizations, nutrition education pro-  
22 grams, cooperative extension service  
23 programs, public health departments,  
24 health providers, private and public  
25 health insurance agencies, cooperative

1           grocers, grocery associations, and  
2           community-based and non-govern-  
3           mental organizations; and

4                   “(III) have the capacity to gen-  
5           erate sufficient data and analysis to  
6           demonstrate effectiveness of program  
7           incentives; and

8                   “(ii) the Secretary may also give pri-  
9           ority to projects that—

10                   “(I) are located in underserved  
11           communities;

12                   “(II) use direct-to-consumer sales  
13           marketing;

14                   “(III) demonstrate a track record  
15           of designing and implementing suc-  
16           cessful nutrition incentive programs  
17           that connect low-income consumers  
18           and agricultural producers;

19                   “(IV) provide locally or regionally  
20           produced fruits and vegetables;

21                   “(V) offer supplemental services  
22           in high-need communities, including  
23           online ordering, transportation be-  
24           tween home and store, and delivery  
25           services;

1 “(VI) provide year-round access  
2 to program incentives; or

3 “(VII) address other criteria as  
4 established by the Secretary.”,

5 (B) by amending paragraph (4) to read as  
6 follows:

7 “(4) TRAINING, EVALUATION, AND INFORMA-  
8 TION CENTER.—

9 “(A) IN GENERAL.—The Secretary, in con-  
10 sultation with the Director of the National In-  
11 stitute of Food and Agriculture, shall establish  
12 a Food Insecurity Nutrition Incentive Program  
13 Training, Evaluation, and Information Center  
14 capable of providing services related to grants  
15 under subsection (b), including—

16 “(i) offering incentive program train-  
17 ing and technical assistance to applicants  
18 and grantees to the extent practicable;

19 “(ii) collecting, evaluating, and shar-  
20 ing information on best practices on com-  
21 mon incentive activities;

22 “(iii) assisting with collaboration  
23 among grantee projects, State agencies,  
24 and nutrition education programs;

1 “(iv) facilitating communication be-  
2 tween grantees and the Department of Ag-  
3 riculture; and

4 “(v) compiling program data from  
5 grantees and generating an annual report  
6 to Congress on grant outcomes.

7 “(B) COOPERATIVE AGREEMENT.—To  
8 carry out subparagraph (A), the Secretary may  
9 enter into a cooperative agreement with an or-  
10 ganization with expertise in the supplemental  
11 nutrition assistance program incentive pro-  
12 grams, including—

13 “(i) nongovernmental organizations;

14 “(ii) State cooperative extension serv-  
15 ices;

16 “(iii) regional food system centers;

17 “(iv) Federal and State agencies;

18 “(v) public, private, and land-grant  
19 colleges and universities; and

20 “(vi) other appropriate entities as de-  
21 termined by the Secretary.

22 “(C) FUNDING LIMITATION.—Of the funds  
23 made available under subsection (c), the Sec-  
24 retary may use to carry out this paragraph not  
25 more than—

1 “(i) \$2,000,000 for each of the fiscal  
2 years 2019 and 2020, and

3 “(ii) \$1,000,000 for each fiscal year  
4 thereafter.”, and

5 (3) in subsection (c)—

6 (A) in paragraph (1) by striking “2014  
7 through 2018” and inserting “2019 through  
8 2023”, and

9 (B) in paragraph (2)—

10 (i) in subparagraph (B) by striking  
11 “and” at the end;

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

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

17 “(D) \$45,000,000 for fiscal year 2019;

18 “(E) \$50,000,000 for fiscal year 2020;

19 “(F) \$55,000,000 for fiscal year 2021;

20 “(G) \$60,000,000 for fiscal year 2022; and

21 “(H) \$65,000,000 for fiscal year 2023 and

22 each fiscal year thereafter.”.

23 (b) CONFORMING AMENDMENT.—The table of con-  
24 tents of Food, Conservation, and Energy Act of 2008 is

1 amended by striking the item relating to section 4405 by  
 2 inserting the following:

“Sec. 4405. Gus Schumacher food insecurity nutrition incentive program.”.

3 **SEC. 4004. RE-EVALUATION OF THRIFTY FOOD PLAN.**

4 Section 3(u) of the Food and Nutrition Act of 2008  
 5 (7 U.S.C. 2012(u)) is amended by inserting after the 1st  
 6 sentence the following:

7 “By 2022 and at 5-year intervals thereafter, the Secretary  
 8 shall re-evaluate and publish the market baskets of the  
 9 thrifty food plan based on current food prices, food com-  
 10 position data, and consumption patterns.”.

11 **SEC. 4005. FOOD DISTRIBUTION PROGRAMS ON INDIAN**  
 12 **RESERVATIONS.**

13 Section 4(b) of the Food and Nutrition Act of 2008  
 14 (7 U.S.C. 2013(b)) is amended—

15 (1) in paragraph (6)—

16 (A) in the heading by striking “LOCALLY-  
 17 GROWN” and inserting “LOCALLY- AND REGION-  
 18 ALLY-GROWN”,

19 (B) in subparagraph (A) by striking “lo-  
 20 cally-grown” and inserting “locally- and region-  
 21 ally-grown”,

22 (C) in subparagraph (C)—

23 (i) by striking “LOCALLY GROWN” and  
 24 inserting “LOCALLY- AND REGIONALLY-  
 25 GROWN”, and



1 (ii) by striking “locally-grown” and  
2 inserting “locally- and regionally-grown”,  
3 (D) by amending subparagraph (D) to  
4 read as follows:

5 “(D) PURCHASE OF FOODS.—In carrying  
6 out this paragraph, the Secretary shall pur-  
7 chase or offer to purchase those traditional  
8 foods that may be procured cost-effectively.”;

9 (E) by striking subparagraph (E), and  
10 (F) in subparagraph (F)—

11 (i) by striking “(F)” and inserting  
12 “(E)”, and

13 (ii) by striking “2018” and inserting  
14 “2023”, and

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

16 “(7) FUNDS AVAILABILITY.—Funds made avail-  
17 able for a fiscal year to carry out this subsection  
18 shall remain available for obligation for a period of  
19 2 fiscal years.”.

20 **SEC. 4006. UPDATE TO CATEGORICAL ELIGIBILITY.**

21 Effective October 1, 2020, section 5 of the Food and  
22 Nutrition Act of 2008 (7 U.S.C. 2014) is amended—  
23 (1) in the 2d sentence of subsection (a)—

1 (A) by striking “receives benefits” and in-  
2 serting “(1) receives cash assistance or ongoing  
3 and substantial services”,

4 (B) by striking “, supplemental security”  
5 and inserting “with an income eligibility limit of  
6 not more than 130 percent of the poverty line  
7 as defined in section 5(c)(1), (2) is elderly or  
8 disabled and receives cash assistance or ongoing  
9 and substantial services under a State program  
10 funded under part A of title IV of the Social  
11 Security Act (42 U.S.C. 601 et seq.) with an  
12 income eligibility limit of not more than 200  
13 percent of the poverty line as defined in section  
14 5(c)(1), (3) receives supplemental security”,  
15 and

16 (C) by striking “or aid” and inserting “or  
17 (4) receives aid”, and  
18 (2) in subsection (j)—

19 (A) by striking “or who receives benefits”  
20 and inserting “cash assistance or ongoing and  
21 substantial services” and

22 (B) by striking “to have” and inserting  
23 “with an income eligibility limit of not more  
24 than 130 percent of the poverty line as defined  
25 in section 5(c)(1), or who is elderly or disabled

1           and receives cash assistance or ongoing and  
2           substantial services under a State program  
3           funded under part A of title IV of the Act (42  
4           U.S.C. 601 et seq.) with an income eligibility  
5           limit of not more than 200 percent of the pov-  
6           erty line as defined in section 5(c)(1), to have”.

7   **SEC. 4007. BASIC ALLOWANCE FOR HOUSING.**

8           (a) EXCLUSION OF BASIC ALLOWANCE FOR HOUS-  
9   ING.—Section 5(d) of the Food and Nutrition Act of 2008  
10   (7 U.S.C. 2014(d)) is amended—

11           (1) in paragraph (18) by striking “and” at the  
12           end,

13           (2) in paragraph (19)(B) by striking the period  
14           and inserting “; and”, and

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

16           “(20) the value of an allowance received under  
17           section 403 of title 37 of the United States Code  
18           that does not exceed \$500 monthly.”.

19           (b) UPDATE TO EXCESS SHELTER EXPENSE DEDUC-  
20   TION.—Section 5(e)(6)(A) of the Food and Nutrition Act  
21   of 2008 (7 U.S.C. 2014(e)(6)(A)) is amended by inserting  
22   before the period at the end the following:

23           “, except that for a household that receives the  
24           allowance under section 403 of title 37, United  
25           States Code, only the expenses in excess of that

1 allowance shall be counted towards a house-  
2 hold’s expenses for the calculation of the excess  
3 shelter deduction”.

4 **SEC. 4008. EARNED INCOME DEDUCTION.**

5 Section 5(e)(2)(B) of the Food and Nutrition Act of  
6 2008 (7 U.S.C. 2014(e)(2)(B)) is amended by striking  
7 “20” and inserting “22”.

8 **SEC. 4009. SIMPLIFIED HOMELESS HOUSING COSTS.**

9 Section 5(e)(6)(D) of the Food and Nutrition Act of  
10 2008 (7 U.S.C. 2014(e)(6)(D)) is amended—

11 (1) by redesignating clause (ii) as clause (iii),

12 and

13 (2) by striking clause (i) and inserting the fol-

14 lowing:

15 “(i) **ALTERNATIVE DEDUCTION.**—The  
16 State agency shall allow a deduction of  
17 \$143 a month for households—

18 “(I) in which all members are  
19 homeless individuals;

20 “(II) that are not receiving free  
21 shelter throughout the month; and

22 “(III) that do not opt to claim an  
23 excess shelter expense deduction  
24 under subparagraph (A).

1                   “(ii) ADJUSTMENT.—For fiscal year  
 2                   2019 and each subsequent fiscal year the  
 3                   amount of the homeless shelter deduction  
 4                   specified in clause (i) shall be adjusted to  
 5                   reflect changes for the 12-month period  
 6                   ending the preceding November 30 in the  
 7                   Consumer Price Index for All Urban Con-  
 8                   sumers published by the Bureau of Labor  
 9                   Statistics of the Department of Labor.”.

10 **SEC. 4010. AVAILABILITY OF STANDARD UTILITY ALLOW-**  
 11 **ANCES BASED ON RECEIPT OF ENERGY AS-**  
 12 **SISTANCE.**

13           (a) ALLOWANCE TO RECIPIENTS OF ENERGY ASSIST-  
 14 ANCE.—

15           (1) STANDARD UTILITY ALLOWANCE.—Section  
 16 5(e)(6)(C)(iv)(I) of the of the Food and Nutrition  
 17 Act of 2008 (7 U.S.C. 2014(e)(6)(C)(iv)(I)) is  
 18 amended by inserting “with an elderly or disabled  
 19 member” after “households”.

20           (2) CONFORMING AMENDMENTS.—Section  
 21 2605(f)(2)(A) of the Low-Income Home Energy As-  
 22 sistance Act is amended by inserting “received by a  
 23 household with an elderly or disabled member” be-  
 24 fore “, consistent with section 5(e)(6)(C)(iv)(I)”.

1 (b) THIRD-PARTY ENERGY ASSISTANCE PAY-  
 2 MENTS.—Section 5(k)(4) of the Food and Nutrition Act  
 3 of 2008 (7 U.S.C. 2014(k)(4)) is amended—

4 (1) in subparagraph (A) by inserting “without  
 5 an elderly or disabled member” after “household”  
 6 the 1st place it appears; and

7 (2) in subparagraph (B) by inserting “with an  
 8 elderly or disabled member” after “household” the  
 9 1st place it appears.

10 **SEC. 4011. CHILD SUPPORT; COOPERATION WITH CHILD**  
 11 **SUPPORT AGENCIES.**

12 (a) DEDUCTIONS FOR CHILD SUPPORT PAYMENTS.—

13 (1) AMENDMENTS.—Section 5(e) of the Food  
 14 and Nutrition Act of 2008 (7 U.S.C. 2014(e)) is  
 15 amended—

16 (A) by striking paragraph (4), and

17 (B) by redesignating paragraphs (5) and  
 18 (6) as paragraphs (4) and (5), respectively.

19 (2) CONFORMING AMENDMENT.—Section 5 of  
 20 the Food and Nutrition Act of 2008 (7 U.S.C.  
 21 2014) is amended—

22 (A) in subsection (k)(4)(B) by striking  
 23 “(e)(6)” and inserting “(e)(5)”, and

24 (B) in subsection (n) by striking “Regard-  
 25 less of whether a State agency elects to provide

1 a deduction under subsection (e)(4), the” and  
 2 inserting “The”.

3 (b) COOPERATION WITH CHILD SUPPORT AGEN-  
 4 CIES.—

5 (1) AMENDMENTS.—Section 6 of the Food and  
 6 Nutrition Act of 2008 (7 U.S.C. 2015) is amend-  
 7 ed—

8 (A) in subsection (l)(1) by striking “At the  
 9 option of a State agency, subject” and inserting  
 10 “Subject”,

11 (B) in subsection (m)(1) by striking “At  
 12 the option of a State agency, subject” and in-  
 13 serting “Subject”, and

14 (C) by striking subsection (n).

15 (2) CONFORMING AMENDMENT.—Section 5(a)  
 16 of the Food and Nutrition Act of 2008 (7 U.S.C.  
 17 2014(a)) is amended by striking “and (r)” and in-  
 18 serting “and (p)”.

19 **SEC. 4012. ADJUSTMENT TO ASSET LIMITATIONS.**

20 Section 5(g)(1) of the Food and Nutrition Act of  
 21 2008 (7 U.S.C. 2014(g)(1)) is amended—

22 (1) in subparagraph (A)—

23 (A) by striking “\$2,000” and inserting  
 24 “\$7,000”, and

1 (B) by striking “\$3,000” and inserting  
 2 “\$12,000”, and—

3 (2) in subparagraph (B) by striking “2008”  
 4 and inserting “2019”.

5 **SEC. 4013. UPDATED VEHICLE ALLOWANCE.**

6 Section 5(g) of the Food and Nutrition Act of 2008  
 7 (7 U.S.C. 2014(g)) is amended—

8 (1) in paragraph (1)(B)(i)—

9 (A) by striking “(i) IN GENERAL.—Begin-  
 10 ning” and inserting the following:

11 “(i) IN GENERAL.—

12 “(I) Beginning”, and

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

14 “(II) Beginning on October 1,  
 15 2019, and each October 1 thereafter,  
 16 the amount specified in paragraph  
 17 (2)(B)(iv) shall be adjusted in the  
 18 manner described in subclause (I).”,  
 19 and

20 (2) in paragraph (2)—

21 (A) by amending subparagraph (B)(iv) to  
 22 read as follows:

23 “(iv) subject to subparagraph (C),  
 24 with respect to any licensed vehicle that is



1                   used for household transportation or to ob-  
2                   tain or continue employment—

3                   “(I) 1 vehicle for each licensed  
4                   driver who is a member of such house-  
5                   hold to the extent that the fair market  
6                   value of the vehicle exceeds \$12,000;  
7                   and

8                   “(II) each additional vehicle;  
9                   and”, and

10                  (B) by striking subparagraph (D).

11 **SEC. 4014. SAVINGS EXCLUDED FROM ASSETS.**

12                  Section 5(g) of the Food and Nutrition Act of 2008  
13 (7 U.S.C. 2014(g)), as amended by section 4013, is  
14 amended—

15                  (1) in paragraph (1)(B)(i) by adding at the end  
16                  the following:

17                               “(III) Beginning on October 1,  
18                               2019, and each October 1 thereafter,  
19                               the amount specified in paragraph  
20                               (2)(B)(v) shall be adjusted in the  
21                               manner described in subclause (I).”,  
22                               and

23                  (2) in paragraph (2)(B)(v) by inserting “to the  
24                  extent that the value exceeds \$2,000” after “ac-  
25                  count”.

1 **SEC. 4015. WORKFORCE SOLUTIONS.**

2 (a) CONDITIONS OF PARTICIPATION.—Section 6(d)  
3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d))  
4 is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (A)—

7 (i) by striking “No” and inserting  
8 “Subject to subparagraph (C), no”,

9 (ii) by striking “over the age of 15  
10 and under the age of 60” and inserting “at  
11 least 18 years of age and less than 60  
12 years of age”,

13 (iii) by amending clause (i) to read as  
14 follows:

15 “(i) without good cause, fails to work  
16 (including volunteer work that is limited to  
17 6 months out of a 12-month period) or re-  
18 fuses to participate in either an employ-  
19 ment and training program established in  
20 paragraph (4), a work program, or any  
21 combination of work, an employment and  
22 training program, or work program—

23 “(I) a minimum of 20 hours per  
24 week, averaged monthly in fiscal years  
25 2021 through 2025; or

1 “(II) a minimum of 25 hours per  
2 week, averaged monthly in fiscal years  
3 2026 and each fiscal year there-  
4 after;”.

5 (iv) by striking clauses (ii) and (vi),  
6 (v) in clause (iv) by adding “or” at  
7 the end,

8 (vi) in clause (v)(II) by striking “30  
9 hours per week; or” and inserting “the  
10 hourly requirements applicable under para-  
11 graph (1)(B)(i).”, and

12 (vii) by redesignating clauses (iii),  
13 (iv), and (v) as clauses (ii), (iii), and (iv),  
14 respectively,

15 (B) by striking subparagraph (B),

16 (C) by amending subparagraph (C) to read  
17 as follows:

18 “(C) LIMITATION.—Subparagraph (B)  
19 shall not apply to an individual during the first  
20 month that individual would otherwise become  
21 subject to subparagraph (B) and be found in  
22 noncompliance with such subparagraph.”,

23 (D) in subparagraph (D)—

24 (i) in clause (iii)(I) by striking “(A)”  
25 each place it appears and inserting “(B)”,

1                   (ii) in clause (iv) by striking  
2                   “(A)(v)” and inserting “(B)(iv)”, and  
3                   (iii) by striking clauses (v) and (vi),  
4                   (E) by redesignating subparagraphs (A)  
5                   and (D) as subparagraphs (B) and (J), respec-  
6                   tively,  
7                   (F) by inserting before subparagraph (B),  
8                   as so redesignated, the following:

9                   “(A) DEFINITION OF WORK PROGRAM.—In  
10                  this subsection, the term ‘work program’  
11                  means—

12                   “(i) a program under title I of the  
13                   Workforce Innovation and Opportunity  
14                   Act;

15                   “(ii) a program under section 236 of  
16                   the Trade Act of 1974 (19 U.S.C. 2296);

17                   “(iii) a program of employment and  
18                   training operated or supervised by a State  
19                   or political subdivision of a State that  
20                   meets standards approved by the chief ex-  
21                   ecutive officer of the State and the Sec-  
22                   retary, other than a program under para-  
23                   graph (4);

24                   “(iv) a program of employment and  
25                   training for veterans operated by the De-

1           partment of Labor or the Department of  
2           Veterans Affairs, and approved by the Sec-  
3           retary.”, and

4           (G) by inserting after subparagraph (C)  
5           the following:

6           “(D) TRANSITION PERIOD.—During each  
7           of the fiscal years 2019 and 2020, States shall  
8           continue to implement and enforce the work  
9           and employment and training program require-  
10          ments consistent with this subsection, sub-  
11          section (e), subsection (o) excluding paragraphs  
12          (4) and (6)(F), section 7(i), section 11(e)(19),  
13          and section 16 (excluding subparagraphs (A),  
14          (B), (C), and (D) of subsection (h)(1)) as those  
15          provisions were in effect on the day before the  
16          effective date of this subparagraph.

17          “(E) INELIGIBILITY.—

18                 “(i) NOTIFICATION OF FAILURE TO  
19                 MEET WORK REQUIREMENTS.—The State  
20                 agency shall issue a notice of adverse ac-  
21                 tion to an individual not later than 10 days  
22                 after the State agency determines that the  
23                 individual has failed to meet the require-  
24                 ments applicable under subparagraph (B).

1           “(ii) FIRST VIOLATION.—The 1st time  
2           an individual receives a notice of adverse  
3           action issued under clause (i), the indi-  
4           vidual shall remain ineligible to participate  
5           in the supplemental nutrition assistance  
6           program until—

7                       “(I) the date that is 12 months  
8                       after the date the individual became  
9                       ineligible;

10                      “(II) the date the individual ob-  
11                      tains employment sufficient to meet  
12                      the hourly requirements applicable  
13                      under subparagraph (B)(i); or

14                      “(III) the date that the indi-  
15                      vidual is no longer subject to the re-  
16                      quirements of subparagraph (B);

17           whichever is earliest.

18           “(iii) SECOND OR SUBSEQUENT VIO-  
19           LATION.—The 2d or subsequent time an  
20           individual receives a notice of adverse ac-  
21           tion issued under clause (i), the individual  
22           shall remain ineligible to participate in the  
23           supplemental nutrition assistance program  
24           until—

1           “(I) the date that is 36 months  
2           after the date the individual became  
3           ineligible;

4           “(II) the date the individual ob-  
5           tains employment sufficient to meet  
6           the hourly requirements applicable  
7           under subparagraph (B)(i); or

8           “(III) the date the individual is  
9           no longer subject to the requirements  
10          of subparagraph (B);

11          whichever is earliest.

12          “(F) WAIVER.—

13               “(i) IN GENERAL.—On the request of  
14               a State agency and with the approval of  
15               the chief executive officer of the State, the  
16               Secretary may waive the applicability of  
17               subparagraph (B) to individuals in the  
18               State if the Secretary makes a determina-  
19               tion that the area in which the individuals  
20               reside—

21                       “(I) has an unemployment rate  
22                       of over 10 percent;

23                       “(II) is designated as a Labor  
24                       Surplus Area by the Employment and  
25                       Training Administration of the De-

1           partment of Labor for the current fis-  
2           cal year based on the criteria for ex-  
3           ceptional circumstances as described  
4           in section 654.5 of title 20 of the  
5           Code of Federal Regulations;

6                   “(III) has a 24-month average  
7           unemployment rate 20 percent or  
8           higher than the national average for  
9           the same 24-month period unless the  
10          24-month average unemployment rate  
11          of the area is less than 7 percent, ex-  
12          cept that the 24-month period shall  
13          begin no earlier than the most recent  
14          24-month period for which Depart-  
15          ment of Labor unemployment rates  
16          are available, nor earlier than the 24-  
17          month period the Employment and  
18          Training Administration of the De-  
19          partment of Labor uses to designate  
20          Labor Surplus Areas for the current  
21          fiscal year; or

22                   “(IV) is in a State—

23                           “(aa) that is in an extended  
24                   benefit period (within the mean-  
25                   ing of section 203 of the Federal-



1 State Extended Unemployment  
2 Compensation Act of 1970); or

3 “(bb) in which temporary or  
4 emergency unemployment com-  
5 pensation is being provided under  
6 any Federal law.

7 “(ii) JURISDICTIONS WITH LIMITED  
8 DATA.—In carrying out clause (i), in the  
9 case of a jurisdiction for which Bureau of  
10 Labor Statistics unemployment data is lim-  
11 ited or unavailable, such as an Indian Res-  
12 ervation or a territory of the United  
13 States, a State may support its request  
14 based on other economic indicators as de-  
15 termined by the Secretary.

16 “(iii) LIMIT ON COMBINING JURISDIC-  
17 TIONS.—In carrying out clause (i), the  
18 Secretary may waive the applicability of  
19 subparagraph (B) only to a State or indi-  
20 vidual jurisdictions within a State, except  
21 in the case of combined jurisdictions that  
22 are designated as Labor Market Areas by  
23 the Department of Labor.

24 “(iv) REPORT.—The Secretary shall  
25 submit to the Committee on Agriculture of

1 the House of Representatives and the  
2 Committee on Agriculture, Nutrition, and  
3 Forestry of the Senate, and shall make  
4 available to the public, an annual report on  
5 the basis for granting a waiver under  
6 clause (i).

7 “(G) PERCENTAGE EXEMPTION.—

8 “(i) DEFINITIONS.—In this subpara-  
9 graph:

10 “(I) CASELOAD.—The term  
11 ‘caseload’ means the average monthly  
12 number of individuals receiving sup-  
13 plemental nutrition assistance pro-  
14 gram benefits during the 12-month  
15 period ending the preceding June 30.

16 “(II) COVERED INDIVIDUAL.—  
17 The term ‘covered individual’ means a  
18 member of a household that receives  
19 supplemental nutrition assistance pro-  
20 gram benefits, or an individual denied  
21 eligibility for supplemental nutrition  
22 assistance program benefits solely due  
23 to the applicability of subparagraph  
24 (B), who—

1                   “(aa) is not eligible for an  
2                   exception under paragraph (2);

3                   “(bb) does not reside in an  
4                   area covered by a waiver granted  
5                   under subparagraph (F).

6                   “(ii) GENERAL RULE.—Subject to  
7                   clauses (iii) through (v), a State agency  
8                   may provide an exemption from the re-  
9                   quirements of subparagraph (B) for cov-  
10                  ered individuals.

11                  “(iii) FISCAL YEARS 2021 THROUGH  
12                  2025.—Subject to clauses (v) and (vi), for  
13                  each of the fiscal years 2021 through  
14                  2025, a State agency may provide a num-  
15                  ber of exemptions such that the average  
16                  monthly number of the exemptions in ef-  
17                  fect during the fiscal year does not exceed  
18                  15 percent of the number of covered indi-  
19                  viduals in the State in fiscal year 2019, as  
20                  estimated by the Secretary, based on the  
21                  survey conducted to carry out section 16(c)  
22                  for the most recent fiscal year and such  
23                  other factors as the Secretary considers  
24                  appropriate due to the timing and limita-  
25                  tions of the survey.

1           “(iv) FISCAL YEAR 2026 AND THERE-  
2           AFTER.—Subject to clauses (v) and (vi),  
3           for fiscal year 2026 and each fiscal year  
4           thereafter, a State agency may provide a  
5           number of exemptions such that the aver-  
6           age monthly number of the exemptions in  
7           effect during the fiscal year does not ex-  
8           ceed 12 percent of the number of covered  
9           individuals in the State in fiscal year 2019,  
10          as estimated by the Secretary, based on  
11          the survey conducted to carry out section  
12          16(c) for the most recent fiscal year and  
13          such other factors as the Secretary con-  
14          siders appropriate due to the timing and  
15          limitations of the survey.

16          “(v) CASELOAD ADJUSTMENTS.—The  
17          Secretary shall adjust the number of indi-  
18          viduals estimated for a State under clause  
19          (iii) during a fiscal year if the number of  
20          members of households that receive supple-  
21          mental nutrition assistance program bene-  
22          fits in the State varies from the State’s  
23          caseload by more than 10 percent, as de-  
24          termined by the Secretary.

25          “(vi) REPORTING REQUIREMENTS.—

1                   “(I) REPORTS BY STATE AGEN-  
2                   CIES.—A State agency shall submit  
3                   such reports to the Secretary as the  
4                   Secretary determines are necessary to  
5                   ensure compliance with this para-  
6                   graph.

7                   “(II) ANNUAL REPORT BY THE  
8                   SECRETARY.—The Secretary shall an-  
9                   nually compile and submit to the  
10                  Committee on Agriculture of the  
11                  House of Representatives and the  
12                  Committee on Agriculture, Nutrition,  
13                  and Forestry of the Senate, and shall  
14                  make available to the public, an an-  
15                  nual report that contains the reports  
16                  submitted under subclause (I) by  
17                  State agencies.

18                 “(H) OTHER PROGRAM RULES.—Nothing  
19                 in this subsection shall make an individual eligi-  
20                 ble for benefits under this Act if the individual  
21                 is not otherwise eligible for benefits under the  
22                 other provisions of this Act.

23                 “(I) HOUSEHOLD INELIGIBILITY.—If an in-  
24                 dividual becomes ineligible to participate in the  
25                 supplemental nutrition assistance program as a

1 household member due to failure to meet the  
2 requirements under subparagraph (B), the re-  
3 maining household members (including chil-  
4 dren), shall not become ineligible to apply to  
5 participate in the supplemental nutrition assist-  
6 ance program due to such individual's ineligi-  
7 bility.”.

8 (2) in paragraph (2)—

9 (A) in the 1st sentence—

10 (i) by striking “paragraph (1)” and  
11 inserting “paragraph (1)(B)”, and

12 (ii) by striking “(E)” and all that fol-  
13 lows through the period at the end, and in-  
14 serting the following:

15 “(E) receiving weekly earnings which equal the minimum  
16 hourly rate under section 6(a)(1) of the Fair Labor Stand-  
17 ards Act of 1938 (29 U.S.C. 206(a)(1)), multiplied by the  
18 hourly requirement as specified in subparagraph (B); (F)  
19 medically certified as mentally or physically unfit for em-  
20 ployment; or (G) a pregnant woman.”, and

21 (B) by striking the last sentence,

22 (3) in paragraph (3) by striking “registration  
23 requirements” and inserting “requirement”,

24 (4) in paragraph (4)—

25 (A) in subparagraph (A)—

1 (i) by redesignating clause (ii) as  
2 clause (iii), and

3 (ii) by inserting after clause (i) the  
4 following:

5 “(ii) MANDATORY MINIMUM SERV-  
6 ICES.—Each State agency shall offer em-  
7 ployment and training program services  
8 sufficient for all individuals subject to the  
9 requirements of paragraph (1)(B)(i) who  
10 are not currently ineligible pursuant to  
11 paragraph (1)(E), exempt pursuant to sub-  
12 paragraphs (F) and (G) or paragraph (2)  
13 of subsection (d), and for all individuals  
14 covered by paragraph (1)(C), to meet the  
15 hourly requirements specified in paragraph  
16 (1)(B)(i) to the extent that such require-  
17 ments will not be satisfied by hours of  
18 work or participation in a work program.”,  
19 and  
20 (B) in subparagraph (B)—

21 (i) by inserting after “contains” the  
22 following:

23 “case management services consisting of comprehensive  
24 intake assessments, individualized service plans, progress  
25 monitoring, and coordination with service providers, and”,

1                   (ii) by amending clause (i) to read as  
2 follows:

3           “(i) Supervised job search programs that occur  
4 at State-approved locations in which the activities of  
5 participants shall be directly supervised and the tim-  
6 ing and activities of participants tracked in accord-  
7 ance with guidelines set forth by the State.”,

8           (iii) in clause (ii) by striking “jobs  
9 skills assessments, job finding clubs, train-  
10 ing in techniques for” and inserting “em-  
11 ployability assessments, training in tech-  
12 niques to increase”,

13           (iv) in clause (iv) in the 1st sentence  
14 by inserting “, including subsidized em-  
15 ployment, apprenticeships, and other work  
16 experience” before the period at the end,

17           (v) in clause (v) by inserting “, in-  
18 cluding family literacy and financial lit-  
19 eracy,” after “literacy”, and

20           (vi) in clause (vii) by striking “not  
21 more than”,

22           (C) in subparagraph (F)—

23           (i) clause (ii) by striking “one hun-  
24 dred and twenty hours per month” and in-



1                   serting “the hours required under section  
2                   6(d)(1)(B)”, and

3                   (ii) by striking clause (iii),

4                   (D) by striking subparagraphs (D) and  
5                   (E), and inserting the following:

6           “(D) Each State agency shall establish requirements  
7 for participation by non-exempt individuals in the employ-  
8 ment and training program components listed in clauses  
9 (i) through (vii) of subparagraph (B). Such requirements  
10 may vary among participants.”,

11                   (E) in subparagraph (H) by striking  
12                   “(B)(v)” and inserting “(B)(iv)”, and

13                   (F) by redesignating subparagraphs (F)  
14 through (M) as subparagraphs (E) through (L),  
15 respectively.

16           (b) CONFORMING AMENDMENTS.—

17                   (1) AMENDMENTS TO THE FOOD AND NUTRI-  
18 TION ACT OF 2008.—The Food and Nutrition Act of  
19 2008 (7 U.S.C. 2011 et seq.) is amended—

20                   (A) in section 5(d)(14) by striking  
21                   “6(d)(4)(I)” and inserting “6(d)(4)(G)”, and

22                   (B) in section 17(b)(1)(B)(iv)(III)(dd) by  
23 striking “(4)(F)(i), or (4)(K)” and inserting  
24                   “(4)(A)(ii), (4)(E)(i), or (4)(J)”.

25                   (2) AMENDMENT TO OTHER LAWS.—

1 (A) INTERNAL REVENUE CODE OF 1986.—  
2 Section 51(d)(8)(A)(ii) of the Internal Revenue  
3 Code of 1986 (26 U.S.C. 51(d)(8)(A)(ii)) is  
4 amended—

5 (i) in subclause (I) by striking “, or”  
6 and inserting a period,

7 (ii) by striking “family—” and all  
8 that follows through “(I) receiving” and  
9 inserting “family receiving”, and

10 (iii) by striking subclause (II).

11 (B) WORKFORCE INNOVATION AND OPPOR-  
12 TUNITY ACT.—The Workforce Innovation and  
13 Opportunity Act (Public Law 113–128; 128  
14 Stat. 1425) is amended—

15 (i) in section 103(a)(2) by striking  
16 subparagraph (D), and

17 (ii) in section 121(b)(2)(B) by strik-  
18 ing clause (iv).

19 (c) RELATED REQUIREMENTS.—Section 6 of the  
20 Food and Nutrition Act of 2008 (7 U.S.C. 2015) is  
21 amended—

22 (1) by amending subsection (e)(5) to read as  
23 follows:

24 “(5) is—

1           “(A) a parent or other household member  
2           with responsibility for the care of a dependent  
3           child under age 6 or of an incapacitated person;  
4           or

5           “(B) a parent or other household member  
6           with responsibility for the care of a dependent  
7           child above the age of 5 and under the age of  
8           12 for whom adequate child care is not avail-  
9           able to enable the individual to attend class and  
10          satisfy the requirements of paragraph (4);  
11          and”.

12          (2) by striking subsection (o).

13          (d) CONFORMING AMENDMENTS.—The Food and  
14          Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amend-  
15          ed—

16               (1) in section 6, as amended by section 4011  
17               and subsection (c), by redesignating subsections (p)  
18               through (s) as subparagraphs (n) through (q), re-  
19               spectively, and

20               (2) in section 7(i)(1) by striking “6(o)(2)” and  
21               inserting “6(d)(1)(B)”.

22          (e) STATE PLAN.—Section 11(e)(19) of the Food and  
23          Nutrition Act of 2008 (7 U.S.C. 2020(e)(19)) is amended  
24          by striking “geographic areas and households to be cov-  
25          ered under such program, and the basis, including any

1 cost information,” and inserting “extent to which such  
 2 programs will be carried out in coordination with the ac-  
 3 tivities carried out under title I of the Workforce Innova-  
 4 tion and Opportunity Act, the plan for meeting the min-  
 5 imum services requirement under section 6(d)(4)(A)(ii) in-  
 6 cluding any cost information, and the basis”.

7 (f) FUNDING OF EMPLOYMENT AND TRAINING PRO-  
 8 GRAMS.—Section 16(h) of the Food and Nutrition Act of  
 9 2008 (7 U.S.C. 2025(h)) is amended—

10 (1) in paragraph (1)—

11 (A) in subparagraph (A) by striking  
 12 “\$90,000,000” and all that follows through the  
 13 period at the end and inserting the following:

14 “under section 18(a)(1)—

15 “(i) \$90,000,000 for fiscal year 2019;

16 “(ii) \$250,000,000 for fiscal year  
 17 2020; and

18 “(iii) \$1,000,000,000 for each fiscal  
 19 year thereafter.”,

20 (B) by amending subparagraph (B)(ii) to  
 21 read as follows:

22 “(ii) takes into account—

23 “(I) for fiscal years 2019 and  
 24 2020, the number of individuals who  
 25 are not exempt from the work require-

1                   ment under section 6(o) as that sec-  
2                   tion existed on the day before the date  
3                   of the enactment of the Agriculture  
4                   and Nutrition Act of 2018; and

5                   “(II) for fiscal years 2021 and  
6                   each fiscal year thereafter, the num-  
7                   ber of individuals who are not exempt  
8                   from the requirements under section  
9                   6(d)(1)(B).”,

10                  (C) by amending subparagraph (C) to read  
11                  as follows:

12                  “(C) RETURN OF UNUSED EMPLOYMENT  
13                  AND TRAINING FUNDS TO THE TREASURY.—If  
14                  a State agency will not expend all of the funds  
15                  allocated to the State agency for a fiscal year  
16                  under subparagraph (B), the Secretary shall de-  
17                  posit such unused funds in the general receipts  
18                  of the Treasury.”,

19                  (D) in subparagraph (D) by striking  
20                  “\$50,000” and inserting “\$100,000”, and

21                  (E) by amending subparagraph (E) to read  
22                  as follows:

23                  “(E) RESERVATION OF FUNDS.—Of the  
24                  funds made available under this paragraph for  
25                  fiscal year 2021 and for each fiscal year there-

1 after, not more than \$150,000,000 shall be re-  
2 served for allocation to States to provide train-  
3 ing services by eligible providers identified  
4 under section 122 of the Workforce Innovation  
5 and Opportunity Act for participants in the  
6 supplemental nutrition assistance program to  
7 meet the hourly requirements under section  
8 6(d)(1)(B) of this Act.”, and  
9 (2) in paragraph (5)(C)—

10 (A) in clause (ii) by adding “and” at the  
11 end,

12 (B) in clause (iii) by striking “; and” and  
13 inserting a period, and

14 (C) by striking clause (iv).

15 (g) WORKFARE.—

16 (1) AMENDMENTS.—Section 20(b) of the Food  
17 and Nutrition Act of 2008 (7 U.S.C. 3029(b) is  
18 amended—

19 (A) in paragraph (1)—

20 (i) by striking “6(d)(1)” and inserting  
21 “6(d)(1)(B)”, and

22 (ii) by striking “or (F)” and inserting  
23 “(F), or (G)”, and

24 (B) in paragraph (4) by striking “sixteen”  
25 and inserting “18”.

1           (2) CONFORMING AMENDMENTS.—The Food  
2           and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)  
3           is amended—

4                   (A) in section 16(h)—

5                           (i) in paragraph (1)(F)—

6                                   (I) in clause (i)—

7   (aa) in subclause (I) by in-  
8   serting “(as in effect on the day  
9   before the date of the enactment  
10    of the Agriculture and Nutrition  
11    Act of 2018)” after “this Act”,  
12    and

13    (bb) in subclause (II)(bb) by  
14    inserting “(as in effect on the  
15    day before the date of the enact-  
16    ment of the Agriculture and Nu-  
17    trition Act of 2018)” before the  
18    period at the end,

19                                   (II) in clause (ii)—

20   (aa) in subclause (II)(cc) by  
21   inserting “(as in effect on the  
22   day before the date of the enact-  
23   ment of the Agriculture and Nu-  
24   trition Act of 2018)” after “20”,  
25    and

1 (bb) in subclause  
 2 (III)(ee)(AA) by inserting “as in  
 3 effect on the day before the date  
 4 of the enactment of the Agri-  
 5 culture and Nutrition Act of  
 6 2018” after “6(o)”, and  
 7 (III) in clause (vi)(I) by inserting  
 8 “as in effect on the day before the  
 9 date of the enactment of the Agri-  
 10 culture and Nutrition Act of 2018”  
 11 after “6(d)”, and  
 12 (ii) in paragraph (3) by striking  
 13 “under section 6(d)(4)(I)(i)(II)” and in-  
 14 serting “for dependent care expenses under  
 15 section 6(d)(4)”, and  
 16 (B) in section 17(b) by striking paragraph  
 17 (2).

18 (h) EQUITABLE TREATMENT OF HOUSEHOLDS.—  
 19 Section 11(e) of the Food and Nutrition Act of 2008 (7  
 20 U.S.C. 2020(e)), as amended by section 4001, is amended  
 21 by adding at the end the following:

22 “(27) that the State agency may, for purposes  
 23 of ensuring equitable treatment among all house-  
 24 holds (including those containing a married couple),  
 25 request earned income data from the Internal Rev-



1        enue Service relevant to determining eligibility to re-  
2        ceive supplemental nutrition assistance program ben-  
3        efits and determining the correct amount of such  
4        benefits at the time of household certification.”.

5    **SEC. 4016. MODERNIZATION OF ELECTRONIC BENEFIT**  
6                            **TRANSFER REGULATIONS.**

7        Section 7(h)(2) of the Food and Nutrition Act of  
8    2008 (7 U.S.C. 2016(h)(2)) is amended—

9            (1) in the 1st sentence by inserting “and shall  
10        periodically review such regulations and modify such  
11        regulations to take into account evolving technology  
12        and comparable industry standards” before the pe-  
13        riod at the end, and

14            (2) in subparagraph (C)—

15                    (A) by striking “(C)(i)” and all that fol-  
16        lows through “abuse; and”, by inserting the fol-  
17        lowing:

18            “(C)(i) risk-based measures to maximize the se-  
19        curity of a system using the most effective tech-  
20        nology available that the State agency considers ap-  
21        propriate and cost effective including consideration  
22        of recipient access and ease of use and which may  
23        include personal identification numbers, photo-  
24        graphic identification on electronic benefit transfer  
25        cards, alternatives for securing transactions, and

1 other measures to protect against fraud and abuse;  
 2 and”, and

3 (B) by moving the left margin of clause (ii)  
 4 4 ems to the left.

5 **SEC. 4017. MOBILE TECHNOLOGIES.**

6 Section 7(h)(14) of the Food and Nutrition Act of  
 7 2008 (7 U.S.C. 2016(h)(14) is amended—

8 (1) by amending subparagraph (A) to read as  
 9 follows:

10 “(A) IN GENERAL.—Subject to subpara-  
 11 graph (B), the Secretary shall authorize the use  
 12 of mobile technologies for the purpose of access-  
 13 ing supplemental nutrition assistance program  
 14 benefits.”,

15 (2) in subparagraph (B)—

16 (A) by striking the heading and inserting  
 17 “DEMONSTRATION PROJECTS ON ACCESS OF  
 18 BENEFITS THROUGH MOBILE TECHNOLOGIES”,

19 (B) by amending clause (i) to read as fol-  
 20 lows:

21 “(i) DEMONSTRATION PROJECTS.—  
 22 Before authorizing implementation of sub-  
 23 paragraph (A) in all States, the Secretary  
 24 shall approve not more than 5 demonstra-  
 25 tion project proposals submitted by State

1 agencies that will pilot the use of mobile  
2 technologies for supplemental nutrition as-  
3 sistance program benefits access.”,

4 (C) in clause (ii)—

5 (i) in the heading by striking “DEM-  
6 ONSTRATION PROJECTS” and inserting  
7 “PROJECT REQUIREMENTS”,

8 (ii) by striking “retail food store” the  
9 first place it appears and inserting “State  
10 agency”,

11 (iii) by striking “includes”,

12 (iv) by striking subclauses (I), (II),  
13 (III), and (IV), and inserting the following:

14 “(I) provides recipient protec-  
15 tions regarding privacy, ease of use,  
16 household access to benefits, and sup-  
17 port similar to the protections pro-  
18 vided under existing methods;

19 “(II) ensures that all recipients,  
20 including those without access to mo-  
21 bile payment technology and those  
22 who shop across State borders, have a  
23 means of benefit access;

24 “(III) requires retail food stores,  
25 unless exempt under section

1 7(f)(2)(B), to bear the costs of acquir-  
2 ing and arranging for the implementa-  
3 tion of point-of-sale equipment and  
4 supplies for the redemption of benefits  
5 that are accessed through mobile tech-  
6 nologies;

7 “(IV) requires that foods pur-  
8 chased with benefits issued under this  
9 section through mobile technologies  
10 are purchased at a price not higher  
11 than the price of the same food pur-  
12 chased by other methods used by the  
13 retail food store, as determined by the  
14 Secretary;

15 “(V) ensures adequate docu-  
16 mentation for each authorized trans-  
17 action, adequate security measures to  
18 deter fraud, and adequate access to  
19 retail food stores that accept benefits  
20 accessed through mobile technologies,  
21 as determined by the Secretary;

22 “(VI) provides for an evaluation  
23 of the demonstration project, includ-  
24 ing, but not limited to, an evaluation  
25 of household access to benefits;

1 “(VII) requires that the State  
2 demonstration projects are voluntary  
3 for all retail food stores and that all  
4 recipients are able to use benefits in  
5 non-participating retail food stores;  
6 and

7 “(VIII) meets other criteria as  
8 established by the Secretary.”,

9 (D) by amending clause (iii) to read as fol-  
10 lows:

11 “(iv) DATE OF PROJECT APPROVAL.—  
12 The Secretary shall solicit and approve the  
13 qualifying demonstration projects required  
14 under subparagraph (B)(i) not later than  
15 January 1, 2020.”, and

16 (E) by inserting after clause (ii) the fol-  
17 lowing:

18 “(iii) PRIORITY.—The Secretary may  
19 prioritize demonstration project proposals  
20 that would—

21 “(I) reduce fraud;

22 “(II) encourage positive nutri-  
23 tional outcomes; and

24 “(III) meet such other criteria as  
25 determined by the Secretary.”, and

1 (3) in subparagraph (C)(i)—

2 (A) by striking “2017” and inserting  
3 “2022”, and

4 (B) by inserting “requires further study by  
5 way of an extended pilot period or” after  
6 “States” the 2d place it appears .

7 **SEC. 4018. PROHIBITED FEES.**

8 (a) LIMITATION.—Section 7(h)(13) of the Food and  
9 Nutrition Act of 2008 (7 U.S.C. 2016(h)(13)) is amended  
10 to read as follows:

11 “(13) FEES.—No interchange fees shall apply  
12 to electronic benefit transfer transactions under this  
13 subsection. Neither a State, nor any agent, con-  
14 tractor, or subcontractor of a State who facilitates  
15 the provision of supplemental nutrition assistance  
16 program benefits in such State may impose a fee for  
17 switching (as defined in subsection (j)(1)(H) or  
18 routing such benefits.”.

19 (b) CONFORMING AMENDMENT.—Section 7(j)(1)(H)  
20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014)  
21 is amended to read as follows:

22 “(H) SWITCHING.—The term “switching”  
23 means the routing of an intrastate or interstate  
24 transaction that consists of transmitting the de-  
25 tails of a transaction electronically recorded

1 through the use of an electronic benefit transfer  
2 card in one State to the issuer of the card that  
3 may be in the same or different State.”.

4 **SEC. 4019. REPLACEMENT OF EBT CARDS.**

5 Section 7(h)(8)(B)(ii) of the Food and Nutrition Act  
6 of 2008 (7 U.S.C. 2016(h)(8)(B)(ii)) is amended by strik-  
7 ing “an excessive number of lost cards” and inserting “2  
8 lost cards in a 12-month period”.

9 **SEC. 4020. BENEFIT RECOVERY.**

10 Section 7(h)(12) of the Food and Nutrition Act of  
11 2008 (7 U.S.C. 2016(h)(12)) is amended—

12 (1) in subparagraph (A) by inserting “, or due  
13 to the death of all members of the household” after  
14 “inactivity”,

15 (2) in subparagraph (B) by striking “6” and  
16 inserting “3”, and

17 (3) in subparagraph (C) by striking “12  
18 months” and inserting “6 months, or upon  
19 verification that all members of the household are  
20 deceased”.

21 **SEC. 4021. REQUIREMENTS FOR ONLINE ACCEPTANCE OF**  
22 **BENEFITS.**

23 (a) DEFINITION.—Section 3(o)(1) of the Food and  
24 Nutrition Act of 2008 (7 U.S.C. 2012(o)(1)) is amended

1 by striking “or house-to-house trade route” and inserting  
2 “, house-to-house trade route, or online entity”.

3 (b) ACCEPTANCE OF BENEFITS.—Section 7(k) of the  
4 Food and Nutrition Act of 2008 (7 U.S.C. 2016(k)) is  
5 amended—

6 (1) by striking the heading and inserting “AC-  
7 CEPTANCE OF PROGRAM BENEFITS THROUGH ON-  
8 LINE TRANSACTIONS”,

9 (2) in paragraph (4) by striking subparagraph  
10 (C), and

11 (3) by striking paragraph (5).

12 **SEC. 4022. NATIONAL GATEWAY.**

13 (a) ISSUANCE OF BENEFITS.—Section 7 of the Food  
14 and Nutrition Act of 2008 (7 U.S.C. 2016) is amended—

15 (1) in subsection (d) by striking “benefits by  
16 benefit issuers” and inserting “benefit issuers and  
17 other independent sales organizations, third-party  
18 processors, and web service providers that provide  
19 electronic benefit transfer services or equipment to  
20 retail food stores and wholesale food concerns,”, and

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

22 “(l) REQUIREMENT TO ROUTE ALL SUPPLEMENTAL  
23 NUTRITION ASSISTANCE PROGRAM BENEFIT TRANSFER  
24 TRANSACTIONS THROUGH A NATIONAL GATEWAY.—



1           “(1) DEFINITIONS.—For purposes of this sec-  
2       tion:

3                   “(A) The term ‘independent sales organi-  
4       zation’ means a person or entity that—

5                           “(i) is not a third-party processor;  
6                           and

7                                   “(ii) engages in sales or service to re-  
8       tail food stores with respect to point-of-sale  
9       equipment necessary for electronic benefit  
10      transfer transaction processing.

11                   “(B) The term ‘third-party processor’  
12      means an entity, including a retail food store  
13      operating its own point-of-sale terminals, that is  
14      capable of routing electronic transfer benefit  
15      transactions for authorization.

16                   “(C) The term ‘web service provider’  
17      means an entity that operates a generic online  
18      purchasing website that can be customized for  
19      online electronic benefit transfer transactions  
20      for authorized retail food stores.

21           “(2) IN GENERAL.—Subject to paragraph (5),  
22      the Secretary shall establish a national gateway for  
23      the purpose of routing all supplemental nutrition as-  
24      sistance program benefit transfer transactions (in  
25      this subsection referred to as ‘transactions’ unless

1 the context specifies otherwise) to the appropriate  
2 benefit issuers for purposes of transaction validation  
3 and settlement.

4 “(3) REQUIREMENTS TO ROUTE TRANS-  
5 ACTIONS.—The Secretary shall—

6 “(A) ensure that protections regarding pri-  
7 vacy, security, ease of use, and access relating  
8 to supplemental nutrition assistance benefits  
9 are maintained for benefit recipients and retail  
10 food stores;

11 “(B) ensure redundancy for processing of  
12 transactions;

13 “(C) ensure real-time monitoring of trans-  
14 actions;

15 “(D) ensure that all entities that connect  
16 to such gateway, and all others that connect to  
17 such entities, meet and follow transaction mes-  
18 saging standards, and other requirements, es-  
19 tablished by the Secretary;

20 “(E) ensure the security of transactions by  
21 using the most effective technology available  
22 that the Secretary considers to be appropriate  
23 and cost-effective; and

24 “(F) ensure that all transactions are rout-  
25 ed through such gateway.

1           “(4) STATE AGENCY ACTION.—Each State  
2           agency shall ensure that all of its benefit issuers  
3           connect to such gateway. A State agency may opt to  
4           require its benefit issuer to route cash transactions  
5           through such gateway, subject to terms established  
6           by the Secretary.

7           “(5) ROUTING OF TRANSACTIONS THROUGH A  
8           NATIONAL GATEWAY.—

9           “(A) IN GENERAL.—Before the Secretary  
10          implements in all the States a national gateway  
11          established under paragraph (2), the Secretary  
12          shall conduct a feasibility study to assess the  
13          feasibility of routing transactions through such  
14          gateway.

15          “(B) FEASIBILITY STUDY.—The feasibility  
16          study conducted under subparagraph (A) shall  
17          provide, at a minimum, all of the following:

18               “(i) A comprehensive analysis of op-  
19               portunities and challenges presented by im-  
20               plementation of such gateway.

21               “(ii) One or more options for carrying  
22               forward each of such opportunities and for  
23               mitigating each of such challenges.

1                   “(iii) Data for purposes of analyzing  
2                   the implementation of, and on-going cost  
3                   of managing, such gateway.

4                   “(iv) One or more models for cost-  
5                   neutral on-going operation of a national  
6                   gateway.

7                   “(v) Other criteria, including security  
8                   criteria, established by the Secretary.

9                   “(C) DATE OF COMPLETION OF STUDY.—  
10                  The Secretary shall complete the feasibility  
11                  study required by subparagraph (B) not later  
12                  than 1 year after the date of the enactment of  
13                  the Agriculture and Nutrition Act of 2018.

14                  “(D) IMPLEMENTATION OF A NATIONAL  
15                  GATEWAY.—Not later than 1 year after the  
16                  date of the completion of such study, the Sec-  
17                  retary shall complete the nationwide implemen-  
18                  tation of a national gateway established under  
19                  paragraph (2) unless the Secretary determines,  
20                  based on such study, that more time is needed  
21                  to implement such gateway nationwide or that  
22                  nationwide implementation of such gateway is  
23                  not in the best interest of the operation of the  
24                  supplemental nutrition assistance program.

1           “(E) REPORT TO CONGRESS.—If the Sec-  
2           retary makes a determination described in sub-  
3           paragraph (D), the Secretary shall submit to  
4           the Committee on Agriculture of the House of  
5           Representatives and the Committee on Agri-  
6           culture, Nutrition, and Forestry of the Senate  
7           a report that includes the basis of such deter-  
8           mination.

9           “(F) NONDISCLOSURE OF INFORMA-  
10          TION.—Any information collected through such  
11          gateway about a specific retail food store,  
12          wholesale food concern, person, or other entity,  
13          and any investigative methodology or criteria  
14          used for program integrity purposes that oper-  
15          ates at or in conjunction with such gateway,  
16          shall be exempt from the disclosure require-  
17          ments of section 552(a) of title 5 of the United  
18          States Code pursuant to section 552(b)(3)(B)  
19          of title 5 of the United States Code. The Sec-  
20          retary shall limit the use or disclosure of infor-  
21          mation obtained under this subsection in a  
22          manner consistent with section 9(c).

23          “(6) AUTHORIZATION OF APPROPRIATIONS.—

24          There are authorized to be appropriated  
25          \$10,500,000 for fiscal year 2019, and \$9,500,000

1 for each of the fiscal years 2020 through 2023, to  
2 carry out this subsection. Not more than \$1,000,000  
3 of the funds appropriated under this paragraph may  
4 be used for the feasibility study under paragraph  
5 (5)(B).

6 “(7) GATEWAY SUSTAINABILITY.—Benefit  
7 issuers and third-party processors shall pay fees to  
8 the gateway operator, in a manner prescribed by the  
9 Secretary, to directly access and route transactions  
10 through the national gateway.

11 “(A) PURPOSE.—The Secretary shall en-  
12 sure that fees are collected and used solely for  
13 the operation of the gateway.

14 “(B) AMOUNT.—Fees shall be established  
15 by the Secretary in amounts proportionate to  
16 the number of transactions routed through the  
17 gateway by each benefit issuer and third-party  
18 processor, and based on the cost of operating  
19 the gateway in a fiscal year.

20 “(C) ADJUSTMENT.—The Secretary shall  
21 evaluate annually the cost of operating such  
22 gateway and shall adjust the fee in effect for a  
23 fiscal year to reflect the cost of operating such  
24 gateway, except that an adjustment under this  
25 subparagraph for any fiscal year may not ex-

1           ceed 10 percent of the fee charged under this  
2           paragraph in the preceding fiscal year.”.

3           (b) APPROVAL OF RETAIL FOOD STORES AND  
4 WHOLESALE FOOD CONCERNS.—The 1st sentence of sec-  
5 tion 9(c) of the Food and Nutrition Act of 2008 (7 U.S.C.  
6 2018(c)) is amended by inserting “contracts for electronic  
7 benefit transfer services and equipment, records necessary  
8 to validate the FNS authorization number to accept and  
9 redeem benefits,” after “invoices,”.

10 **SEC. 4023. ACCESS TO STATE SYSTEMS.**

11           (a) RECORDS.—Section 11(a)(3)(B) of the Food and  
12 Nutrition Act of 2008 (7 U.S.C. 2020(a)(3)(B)) is amend-  
13 ed—

14                   (1) by striking “Records described” and insert-  
15           ing “All records, and the entire information systems  
16           in which records are contained, that are covered”,  
17           and

18                   (2) by amending clause (i) to read as follows:

19                           “(i) be made available for inspection  
20                           and audit by the Secretary, subject to data  
21                           and security protocols agreed to by the  
22                           State agency and Secretary;”.

23           (b) REPORTING REQUIREMENTS.—Section 16 of the  
24 Food and Nutrition Act of 2008 (7 U.S.C. 2025) is  
25 amended—

1           (1) in the last sentence of subsection (c)(4) by  
2       inserting “including providing access to applicable  
3       State records and the entire information systems in  
4       which the records are contained,” after “Secretary,”  
5       and

6           (2) in subsection (g)(1)—

7               (A) in subparagraph (E) by striking “and”  
8       at the end,

9               (B) in subparagraph (F) by striking the  
10      period at the end and inserting “; and”, and

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

12               “(G) would be accessible by the Secretary  
13      for the purposes of program oversight and  
14      would be used by the State agency to make  
15      available all records required by the Sec-  
16      retary.”.

17   **SEC. 4024. TRANSITIONAL BENEFITS.**

18       Section 11(s) of the Food and Nutrition Act of 2008  
19   (7 U.S.C. 2020(s)) is amended—

20           (1) by striking the heading and inserting  
21       “TRANSITIONAL BENEFITS”,

22           (2) in paragraph (1)—

23               (A) by striking “may” and inserting  
24       “shall”, and



1 (B) in subparagraph (B) by striking “at  
2 the option of the State,”, and  
3 (3) in paragraph (2)—  
4 (A) by striking “may” and inserting  
5 “shall”, and  
6 (B) by striking “not more than”.

7 **SEC. 4025. INCENTIVIZING TECHNOLOGY MODERNIZATION.**

8 Section 11(t) of the Food and Nutrition Act of 2008  
9 (7 U.S.C. 2020(t)) is amended—

10 (1) by striking the heading and inserting  
11 “GRANTS FOR SIMPLIFIED SUPPLEMENTAL NUTRI-  
12 TION ASSISTANCE PROGRAM APPLICATION AND ELI-  
13 GIBILITY DETERMINATION SYSTEMS”,

14 (2) in paragraph (1) by striking “implement—  
15 ” and all that follows through the period at the end,  
16 and inserting “implement simplified supplemental  
17 nutrition assistance program application and eligi-  
18 bility determination systems.”, and

19 (3) in paragraph (2)—

20 (A) by amending subparagraph (B) to read  
21 as follows:

22 “(B) establishing enhanced technological  
23 methods for applying for benefits and deter-  
24 mining eligibility that improve the administra-

1           tive infrastructure used in processing applica-  
2           tions and determining eligibility; or”,

3                   (B) by striking subparagraphs (C) and  
4           (D), and

5                   (C) by redesignating subparagraph (E) as  
6           subparagraph (C).

7   **SEC. 4026. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**  
8                   **GRAM BENEFIT TRANSFER TRANSACTION**  
9                   **DATA REPORT.**

10       Section 9 of the Food and Nutrition Act of 2008 (7  
11   U.S.C. 2018) is amended—

12           (1) in subsection (a)(2)—

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

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

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

18                   “(C) parameters for retail food store coopera-  
19           tion with the Secretary sufficient to carry out sub-  
20           section (i).”.

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

22           “(i) DATA COLLECTION FOR RETAIL FOOD STORE  
23   TRANSACTIONS.—

24                   “(1) COLLECTION OF DATA.—To assist in mak-  
25           ing improvements to supplemental nutrition assist-

1       ance program design, for each interval not greater  
2       than a 2-year period, the Secretary shall—

3               “(A) collect a statistically significant sam-  
4               ple of retail food store transaction data, includ-  
5               ing the cost and description of items purchased  
6               with supplemental nutrition assistance program  
7               benefits, to the extent practicable and without  
8               affecting retail food store document retention  
9               practices; and

10              “(B) make a summarized report of aggre-  
11              gated data collected under subparagraph (A)  
12              available to the public in a manner that pre-  
13              vents identification of individual retail food  
14              stores, individual retail food store chains, and  
15              individual members of households that use such  
16              benefits.

17              “(2) NONDISCLOSURE.—Any transaction data  
18              that contains information specific to a retail food  
19              store, a retail food store location, a person, or other  
20              entity shall be exempt from the disclosure require-  
21              ments of Section 552(a) of title 5 of the United  
22              States Code pursuant to section 552(b)(3)(B) of  
23              title 5 of the United States Code. The Secretary  
24              shall limit the use or disclosure of information ob-

1       tained under this subsection in a manner consistent  
2       with sections 9(c) and 11(e)(8).”.

3   **SEC. 4027. ADJUSTMENT TO PERCENTAGE OF RECOVERED**  
4                   **FUNDS RETAINED BY STATES.**

5       Section 16(a) of the Food and Nutrition Act of 2008  
6   (7 U.S.C. 2025(a) is amended—

7               (1) in the 1st sentence by striking “35 percent”  
8       and inserting “50 percent”, and

9               (2) by inserting after the 1st sentence the fol-  
10      lowing:

11     “A State agency may use such funds retained only to  
12     carry out the supplemental nutrition assistance program,  
13     including investments in technology, improvements in ad-  
14     ministration and distribution, and actions to prevent  
15     fraud.”.

16   **SEC. 4028. TOLERANCE LEVEL FOR PAYMENT ERRORS.**

17       Section 16(c)(1) of the Food and Nutrition Act of  
18   2008 (7 U.S.C. 2025(c)(1)) is amended—

19               (1) in subparagraph (A)(ii)—

20                   (A) in subclause (I) by striking “and” at  
21       the end,

22                   (B) in subclause (II)—

23                       (i) by striking “fiscal year thereafter”  
24                   and inserting “of the fiscal years 2015  
25                   through 2017”, and

1 (ii) by striking the period at the end  
2 and inserting “; and”, and

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

4 “(III) for each fiscal year there-  
5 after, \$0.”, and

6 (2) in subparagraph (C) by striking “fiscal year  
7 2004” and all that follows through “second”, and  
8 inserting “any of the fiscal years 2004 through 2018  
9 for which the Secretary determines that for the sec-  
10 ond or subsequent consecutive fiscal year, and with  
11 respect to fiscal year 2019 and any fiscal year there-  
12 after for which the Secretary determines that for the  
13 third”.

14 **SEC. 4029. STATE PERFORMANCE INDICATORS.**

15 Section 16(d) of the Food and Nutrition Act of 2008  
16 (7 U.S.C. 2025(d)) is amended—

17 (1) by striking the heading and inserting  
18 “STATE PERFORMANCE INDICATORS”,

19 (2) in paragraph (2)—

20 (A) in the heading by striking “AND  
21 THEREAFTER” and inserting “THROUGH 2017”,

22 (B) in subparagraph (A) by striking “and  
23 each fiscal year thereafter” and inserting  
24 “through fiscal year 2017”, and

1 (C) in subparagraph (B) by striking “and  
2 each fiscal year thereafter” and inserting  
3 “through fiscal year 2017”, and  
4 (3) by adding at the end the following:

5 “(6) FISCAL YEAR 2018 AND FISCAL YEARS  
6 THEREAFTER.—With respect to fiscal year 2018 and  
7 each fiscal year thereafter, the Secretary shall estab-  
8 lish, by regulation, performance criteria relating  
9 to—

10 “(A) actions taken to correct errors, re-  
11 duce rates of error, and improve eligibility de-  
12 terminations; and

13 “(B) other indicators of effective adminis-  
14 tration determined by the Secretary.”.

15 **SEC. 4030. PUBLIC-PRIVATE PARTNERSHIPS.**

16 Section 17 of the Food and Nutrition Act of 2008  
17 (7 U.S.C. 2026) is amended by adding at the end the fol-  
18 lowing:

19 “(m) PILOT PROJECTS TO ENCOURAGE THE USE OF  
20 PUBLIC-PRIVATE PARTNERSHIPS COMMITTED TO AD-  
21 DRESSING FOOD INSECURITY.—

22 “(1) IN GENERAL.—The Secretary may, on ap-  
23 plication, permit not more than 10 eligible entities  
24 to carry out pilot projects to support public-private

1 partnerships that address food insecurity and pov-  
2 erty.

3 “(2) DEFINITION.—For purposes of this sub-  
4 section, an ‘eligible entity’ means—

5 “(A) a State;

6 “(B) a unit of local government;

7 “(C) a nonprofit organization;

8 “(D) a community-based organization; and

9 “(E) an institution of higher education.

10 “(3) PROJECT REQUIREMENTS.—Projects ap-  
11 proved under this subsection shall be limited to 2  
12 years in length and evaluate the impact of the ability  
13 of eligible entities to—

14 “(A) improve the effectiveness and impact  
15 of the supplemental nutrition assistance pro-  
16 gram;

17 “(B) develop food security solutions that  
18 are contextualized to the needs of a community  
19 or region; and

20 “(C) strengthen the capacity of commu-  
21 nities to address food insecurity and poverty.

22 “(4) REPORTING.—Participating entities shall  
23 report annually to the Secretary who shall submit a  
24 final report to the Committee on Agriculture of the  
25 House of Representatives and the Committee on Ag-

1       riculture, Nutrition, and Forestry of the Senate.

2       Such report shall include—

3               “(A) a summary of the activities conducted  
4               under the pilot projects;

5               “(B) an assessment of the effectiveness of  
6               the pilot projects; and

7               “(C) best practices regarding the use of  
8               public-private partnerships to improve the effec-  
9               tiveness of public benefit programs to address  
10              food insecurity and poverty.

11             “(5) AUTHORIZATION AND ADVANCE AVAIL-  
12             ABILITY OF APPROPRIATIONS.—

13               “(A) AUTHORIZATION OF APPROPRIA-  
14               TIONS.—There is authorized to be appropriated  
15               to carry out this subsection \$5,000,000 to re-  
16               main available until expended.

17               “(B) APPROPRIATION IN ADVANCE.—Only  
18               funds appropriated under subparagraph (A) in  
19               advance specifically to carry out this subsection  
20               shall be available to carry out this subsection.”.

21   **SEC. 4031. AUTHORIZATION OF APPROPRIATIONS.**

22       The 1st sentence of section 18(a)(1) of the Food and  
23   Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended  
24   by striking “2018” and inserting “2023”.



1 **SEC. 4032. EMERGENCY FOOD ASSISTANCE.**

2 Section 27(a) of the Food and Nutrition Act of 2008  
3 (7 U.S.C. 2036(a)) is amended—

4 (1) in paragraph (1) by striking “2018” and in-  
5 serting “2023”,

6 (2) in paragraph (2)—

7 (A) in subparagraph (C) by striking  
8 “2018” and inserting “2023”,

9 (B) in subparagraph (D)—

10 (i) by striking “2018” the 1st place it  
11 appears and inserting “2019”,

12 (ii) in clause (iii) by striking “and” at  
13 the end, and

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

16 “(v) for fiscal year 2019,  
17 \$60,000,000; and”, and

18 (C) in subparagraph (E)—

19 (i) by striking “2019” and inserting  
20 “2020”,

21 (ii) by striking “(D)(iv)” and insert-  
22 ing “(D)(v)”, and

23 (iii) by striking “2017” and inserting  
24 “2018”, and

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

1           “(4) FARM-TO-FOOD-BANK FUND.—From  
 2           amounts made available under subparagraphs (D)  
 3           and (E) of paragraph (2), the Secretary shall dis-  
 4           tribute \$20,000,000 in accordance with section 214  
 5           of the Emergency Food Assistance Act of 1983 (7  
 6           U.S.C. 7515) that States shall use to procure or  
 7           enter into agreements with a food bank to procure  
 8           excess fresh fruits and vegetables grown in the  
 9           State, or surrounding regions in the United States,  
 10          to be provided to eligible recipient agencies as de-  
 11          fined in section 201A(3) of the Emergency Food As-  
 12          sistance Act of 1983 (7 U.S.C. 7501(3)).”.

13 **SEC. 4033. NUTRITION EDUCATION.**

14          (a) NUTRITION EDUCATION AND OBESITY PREVEN-  
 15          TION GRANT PROGRAM.—Section 28 of the Food and Nu-  
 16          trition Act of 2008 (7 U.S.C. 2036a) is amended—

17               (1) by amending subsection (a) to read as fol-  
 18          lows:

19          “(a) DEFINITIONS.—As used in this section:

20               “(1) ELIGIBLE INDIVIDUAL.—The term ‘eligible  
 21          individual’ means an individual who is eligible to re-  
 22          ceive benefits under a nutrition education and obe-  
 23          sity prevention program under this section as a re-  
 24          sult of being—

1           “(A) an individual eligible for benefits  
2           under—

3                   “(i) this Act;

4                   “(ii) sections 9(b)(1)(A) and 17(c)(4)  
5                   of the Richard B. Russell National School  
6                   Lunch Act (42 U.S.C. 1758(b)(1)(A),  
7                   1766(c)(4)); or

8                   “(iii) section 4(e)(1)(A) of the Child  
9                   Nutrition Act of 1966 (42 U.S.C.  
10                  1773(e)(1)(A));

11                  “(B) an individual who resides in a com-  
12                  munity with a significant low-income popu-  
13                  lation, as determined by the Secretary; or

14                  “(C) such other low-income individual as is  
15                  determined to be eligible by the Secretary.

16                  “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-  
17                  ble institution’ includes any ‘1862 Institution’ or  
18                  ‘1890 Institution’, as defined in section 2 of the Re-  
19                  search, Extension, and Education Reform Act of  
20                  1998 (7 U.S.C. 7601).”,

21                  (2) in subsection (b) by striking “Consistent  
22                  with the terms and conditions of grants awarded  
23                  under this section, State agencies may” and insert-  
24                  ing “The Secretary, acting through the Director of  
25                  the National Institute of Food and Agriculture, in

1 consultation with the Administrator of the Food and  
2 Nutrition Service, shall”,

3 (3) in subsection (c)—

4 (A) by amending paragraph (1) to read as  
5 follows:

6 “(1) IN GENERAL.—Consistent with the terms  
7 and conditions of grants awarded under this section,  
8 eligible institutions shall deliver nutrition education  
9 and obesity prevention services under a program de-  
10 scribed in subsection (b) that—

11 “(A) to the extent practicable, provide for  
12 the employment and training of professional  
13 and paraprofessional aides from the target pop-  
14 ulation to engage in direct nutrition education;  
15 and

16 “(B) partner with other public and private  
17 entities as appropriate to optimize program de-  
18 livery.”,

19 (B) in paragraph (2)—

20 (i) by amending subparagraph (A) to  
21 read as follows:

22 “(A) IN GENERAL.—A State agency, in  
23 consultation with eligible institutions that pro-  
24 vide nutrition education and obesity prevention  
25 services under this subsection, shall submit to

1 the Secretary for approval a nutrition education  
2 State plan.”,

3 (ii) in subparagraph (B) by striking  
4 “Except as provided in subparagraph (C),  
5 a” and inserting “A”, and

6 (iii) by striking subparagraph (C),  
7 (C) in paragraph (3)—

8 (i) in subparagraph (A)—

9 (I) by striking “A State agency”  
10 and inserting “An eligible institu-  
11 tion”, and

12 (II) by inserting “the Director of  
13 the National Institute of Food and  
14 Agriculture and” after “by”, and

15 (ii) in subparagraph (B) by inserting  
16 “the Director of the National Institute of  
17 Food and Agriculture and” after “edu-  
18 cation,”, and

19 (D) in paragraph (4) by inserting “and eli-  
20 gible institutions” after “agencies”, and

21 (E) in paragraph (5) by striking “State  
22 agency” and inserting “eligible institutions”,

23 (4) in subsection (d)—

24 (A) in paragraph (1)—

1 (i) in the heading by striking “IN  
2 GENERAL” and inserting “BASIC FUND-  
3 ING”,

4 (ii) by striking “to State agencies”,

5 (iii) in subparagraph (E) by striking  
6 “and” at the end,

7 (iv) in subparagraph (F)—

8 (I) by striking “year 2016 and  
9 each subsequent fiscal year” and in-  
10 serting “years 2016 through 2018”,  
11 and

12 (II) by striking the period at the  
13 end and inserting a semicolon, and

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

15 “(G) for fiscal year 2019, \$485,000,000;

16 and

17 “(H) for fiscal year 2020 and each subse-  
18 quent fiscal year, the applicable amount during  
19 the preceding fiscal year, as adjusted to reflect  
20 any increases for the 12-month period ending  
21 the preceding June 30 in the Consumer Price  
22 Index for All Urban Consumers published by  
23 the Bureau of Labor Statistics of the Depart-  
24 ment of Labor.”,

25 (B) in paragraph (2)—

1 (i) in subparagraph (A)—

2 (I) by inserting “and appropriated  
3 under the authority of paragraph (2)”  
4 after “paragraph (1)”, and

5 (II) in clause (ii)—

6 (aa) by inserting “(as that sec-  
7 tion existed on the day before the date  
8 of the enactment of the Agriculture  
9 and Nutrition Act of 2018)” after  
10 “(B)” and

11 (bb) in subclause (V) by striking  
12 “and each fiscal year thereafter”, and

13 (ii) by amending subparagraph (B) to read  
14 as follows:

15 “(C) REALLOCATION.—If the Secretary de-  
16 termines that an eligible institution will not ex-  
17 pend all of the funds allocated to the eligible in-  
18 stitution for a fiscal year under paragraph (1)  
19 or in the case of an eligible institution that  
20 elects not to receive the entire amount of funds  
21 allocated to the eligible institution for a fiscal  
22 year, the Secretary shall reallocate the unex-  
23 pended funds to other eligible institutions dur-  
24 ing the fiscal year or the subsequent fiscal year  
25 (as determined by the Secretary) that have ap-

1           proved State plans under which the eligible in-  
2           stitutions may expend the reallocated funds.”,  
3           and

4           (iii) by inserting after subparagraph (A)  
5           the following:

6           “(B) SUBSEQUENT ALLOCATION.—Of the  
7           funds set aside under paragraph (1) and appro-  
8           priated under the authority of paragraph (2)  
9           for fiscal year 2019 and each fiscal year there-  
10          after, 100 percent shall be allocated to eligible  
11          institutions pro rata based on the respective  
12          share of each State of the number of individuals  
13          participating in the supplemental nutrition as-  
14          sistance program during the 12-month period  
15          ending the preceding January 31, as deter-  
16          mined by the Secretary.”,

17          (C) in paragraph (3)(B) by inserting “, other  
18          than those incurred by State agencies in preparing  
19          State plans pursuant to subsection (c)(2) and noti-  
20          fying applicants, participants, and eligible individ-  
21          uals pursuant to subsection (c)(4),” after “this sec-  
22          tion”,

23          (D) by redesignating paragraphs (2) and  
24          (3) as paragraphs (3) and (4), respectively,



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

3 “(2) AUTHORIZATION AND ADVANCE AVAIL-  
4 ABILITY OF APPROPRIATIONS.—

5 “(A) AUTHORIZATION OF APPROPRIA-  
6 TIONS.—There is authorized to be appropriated  
7 to carry out this section \$65,000,000 for each  
8 of the fiscal years 2019 through 2023.

9 “(B) APPROPRIATION IN ADVANCE.—Ex-  
10 cept as provided in subparagraph (C), only  
11 funds appropriated under subparagraph (A) in  
12 advance specifically to carry out this section  
13 shall be available to carry out this section.

14 “(C) OTHER FUNDS.—Funds appropriated  
15 under this paragraph shall be in addition to  
16 funds made available under paragraph (1).

17 “(D) FUNDS AVAILABILITY.—Funds ap-  
18 propriated under this paragraph shall remain  
19 available for obligation for a period of 2 fiscal  
20 years.”, and

21 (F) by inserting after paragraph (4), as so  
22 redesignated, the following:

23 “(5) ADMINISTRATIVE COSTS.—Not more than  
24 10 percent of the funds allocated to eligible institu-

1        tions may be used by the eligible institutions for ad-  
 2        ministrative costs.”, and

3            (5) in subsection (e) by striking “January 1,  
 4        2012” and inserting “18 months after the date of  
 5        the enactment of the Agriculture and Nutrition Act  
 6        of 2018”.

7        (b) RELATED AMENDMENT.—Section 18(a)(3)(A)(ii)  
 8        of the Food and Nutrition Act of 2008 (7 U.S.C.  
 9        2027(a)(3)(A)(ii)) is amended by striking “, such as the  
 10        expanded food and nutrition education program”.

11    **SEC. 4034. RETAIL FOOD STORE AND RECIPIENT TRAF-**  
 12            **FICKING.**

13        Section 29(c)(1) of the Food and Nutrition Act of  
 14        2008 (7 U.S.C. 2036b(c)(1)) is amended by striking  
 15        “2018” and inserting “2023”.

16    **SEC. 4035. TECHNICAL CORRECTIONS.**

17        The Food and Nutrition Act of 2008 (7 U.S.C. 2011  
 18        et seq.) is amended—

19            (1) in section 3—

20                    (A) in subsections (d) and (i) by striking  
 21                    “7(i)” and inserting “7(h)”, and

22                    (B) in subsection (o)(1)(A) by striking  
 23                    “(r)(1)” and inserting “(q)(1)”,

24            (2) in section 5(a) by striking “and section”  
 25        each place it appears and all that follows through

1 “households” the respective next place it appears,  
2 and inserting “and section 3(m)(4), households”,

3 (3) in subsections (e)(1) and (f)(1)(A)(i) of sec-  
4 tion 8 by striking “3(n)(5)” and inserting  
5 “3(m)(5)”,

6 (4) in the 1st sentence of section 10—

7 (A) by striking “or the Federal Savings  
8 and Loan Insurance Corporation” each place it  
9 appears, and

10 (B) by striking “3(p)(4)” and inserting  
11 “3(o)(4)”,

12 (5) in section 11—

13 (A) in subsection (a)(2) by striking  
14 “3(t)(1)” and inserting “3(s)(1)”, and

15 (B) in subsection (d)—

16 (i) by striking “3(t)(1)” each place it  
17 appears and inserting “3(s)(1)”, and

18 (ii) by striking “3(t)(2)” each place it  
19 appears and inserting “3(s)(2)”,

20 (C) in subsection (e)—

21 (i) in paragraph (17) by striking  
22 “3(t)(1)” inserting “3(s)(1)”, and

23 (ii) in paragraph (23) by striking  
24 “Simplified Supplemental Nutrition Assist-  
25 ance Program” and inserting “simplified

1 supplemental nutrition assistance pro-  
 2 gram”,

3 (6) in section 15(e) by striking “exchange” and  
 4 all that follows through “anything”, and inserting  
 5 “exchange for benefits, or anything”,

6 (7) in section 17(b)(1)(B)(iv)(III)(aa) by strik-  
 7 ing “3(n)” and inserting “3(m)”,

8 (8) in section 25(a)(1)(B)(i)(I) by striking the  
 9 2d semicolon at the end, and

10 (9) in section 26(b) by striking “out” and all  
 11 that follows through “(referred”, and inserting “out  
 12 a simplified supplemental nutrition assistance pro-  
 13 gram (referred”.

14 **SEC. 4036. IMPLEMENTATION FUNDS.**

15 Out of any funds made available under section 18(a)  
 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a))  
 17 for fiscal year 2019, the Secretary shall use to carry out  
 18 the amendments made by this subtitle \$150,000,000, to  
 19 remain available until expended.

20 **SEC. 4037. MULTIVITAMIN-MINERAL DIETARY SUPPLE-**  
 21 **MENTS ELIGIBLE FOR PURCHASE WITH SUP-**  
 22 **PLEMENTAL NUTRITION ASSISTANCE BENE-**  
 23 **FITS.**

24 Section 3 of the Food and Nutrition Act of 2008 (7  
 25 U.S.C. 2012) is amended—

1 (1) in subsection (k) by—

2 (A) striking “and (9)” and inserting “(9)”,

3 and

4 (B) inserting before the period at the end

5 the following: “, and (10) a multivitamin-min-

6 eral dietary supplement for home consump-

7 tion”,

8 (2) by inserting after subsection (m) the fol-

9 lowing:

10 “(m–1) ‘Multivitamin-mineral dietary supplement’

11 means a substance that—

12 “(1) provides at least half of the vitamins and

13 minerals for which the National Academy of Medi-

14 cine establishes dietary reference intakes, at 50 per-

15 cent or more of the daily value for the intended life

16 stage per daily serving as determined by the Food

17 and Drug Administration; and

18 “(2) does not exceed the tolerable upper intake

19 levels for those nutrients for which an established

20 tolerable upper intake level is determined by the Na-

21 tional Academy of Medicine.”, and

22 (3) in subsection (q)(2) by striking “and

23 spices” and inserting “spices, and multivitamin-min-

24 eral dietary supplements”.

1 **SEC. 4038. REVIEW OF SUPPLEMENTAL NUTRITION ASSIST-**  
2 **ANCE PROGRAM OPERATIONS.**

3 Section 9 of the Food and Nutrition Act of 2008 (7  
4 U.S.C. 2018), as amended by section 4026, is amended  
5 by adding at the end the following:

6 “(j) REVIEW OF PROGRAM OPERATIONS.—

7 “(1) The Secretary—

8 “(A) shall review a representative sample  
9 of currently authorized retail food stores as de-  
10 fined in subsections (o)(2) and (k)(3) of section  
11 3 to determine whether benefits are properly  
12 used by or on behalf of participating households  
13 residing in such facilities and whether such fa-  
14 cilities are using more than one source of Fed-  
15 eral or State funding to meet the food needs of  
16 residents;

17 “(B) may carry out similar reviews for cur-  
18 rently participating residential drug and alcohol  
19 treatment and rehabilitation programs, and  
20 group living arrangements for the blind and  
21 disabled;

22 “(C) shall gather information and these  
23 entities shall be required to submit information  
24 deemed necessary for a full and thorough re-  
25 view; and

1           “(D) shall report the results of these re-  
2           views to the Committee on Agriculture of the  
3           House of Representatives and the Committee  
4           on Agriculture, Nutrition and Forestry of the  
5           Senate not later than 3 years after the date of  
6           the enactment of the Food and Nutrition Act of  
7           2018, along with recommendations as to any  
8           additional requirements or oversight that would  
9           be appropriate for such facilities and retailers,  
10          and whether these entities should continue to be  
11          authorized to participate in the supplemental  
12          nutrition assistance program.

13          “(2) Nothing in this section shall authorize the  
14          Secretary to deny any application for continued au-  
15          thorization, any application for authorization, or any  
16          request to withdraw the authorization of any facility  
17          or entity referenced in subsections (o)(2) and (k)(3)  
18          of section 3 based on a determination that residents  
19          of any such facility or entity are residents of an in-  
20          stitution prior to—

21                 “(A) the submission of the report de-  
22                 scribed in paragraph (1)(D); or

23                 “(B) 3 years after the date of enactment  
24                 of the Food and Nutrition Act of 2018;  
25          whichever is earlier.”.

1 **SEC. 4039. DISQUALIFICATION OF CERTAIN CONVICTED**  
2 **FELONS.**

3 Section 6 of the Food and Nutrition Act of 2008 (7  
4 U.S.C. 2015), as amended by section 4015, is amended  
5 in subsection (p)(1)—

6 (1) in subparagraph (A) by striking “: and” at  
7 the end and inserting a period, and

8 (2) by striking subparagraph (B).

9 **SEC. 4040. DETERMINATION OF AMOUNT OF BLOCK GRANT**  
10 **PAYABLE TO PUERTO RICO.**

11 (a) STUDY.—With funds appropriated to carry out  
12 this subsection, the Secretary of Agriculture shall conduct  
13 a study to determine the feasibility and impact of using  
14 a thrifty food plan developed exclusively to apply under  
15 section 19(a)(2)(A)(ii) of the Food and Nutrition Act of  
16 2008 (7 U.S.C. 2028(a)(2)(A)) to calculate the amount  
17 of the block grant payable to Puerto Rico.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated such sums as may be  
20 necessary to carry out subsection (a).

21 (c) APPROPRIATION IN ADVANCE.—Only funds ap-  
22 propriated under subsection (b) in advance specifically to  
23 carry out subsection (a) shall be available to carry out  
24 such subsection.



1 **SEC. 4041. SERVICE OF TRADITIONAL FOODS IN PUBLIC FA-**  
2 **CILITIES.**

3 Section 4033 of the Agricultural Act of 2014 (128  
4 STAT. 818) is amended—

5 (1) in subsection (c) —

6 (A) by inserting “, a State, a country  
7 equivalent, or a local education agency,” after  
8 “programs” the 1st place it appears,

9 (B) by striking “ and facilities operated by  
10 tribal organizations, that primarily serve Indi-  
11 ans” and inserting “and federally funded child  
12 nutrition and senior meal programs,” and

13 (2) in subsection (d)(1) —

14 (A) by striking “and” the 1st place it ap-  
15 pears, and

16 (B) by inserting “, a State, a county or  
17 county equivalent, a local educational agency,  
18 and an entity or person authorized to facilitate  
19 the donation, storage, preparation, or serving of  
20 traditional food by the operator of a food serv-  
21 ice program” after “organization”.

1 **SEC. 4042. EXTENSION OF STUDY ON COMPARABLE ACCESS**  
2 **TO SUPPLEMENTAL NUTRITION ASSISTANCE**  
3 **FOR PUERTO RICO.**

4 (a) AMENDMENTS.—Section 4142 of the Food, Con-  
5 servation, and Energy Act of 2008 (Public Law 110–246;  
6 122 STAT. 1881) is amended—

7 (1) in subsection (b) by striking “this Act” and  
8 inserting “Agriculture and Nutrition Act of 2018”,  
9 and

10 (2) in subsection (d)(1) by striking “2008” and  
11 inserting “2018”.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
13 are authorized to be appropriated such sums as may be  
14 necessary to carry out section 4142 of the Food, Conserva-  
15 tion, and Energy Act of 2008 (Public Law 110–246; 122  
16 STAT. 1881) as amended by subsection (a).

17 (c) APPROPRIATION IN ADVANCE.—Only funds ap-  
18 propriated under subsection (b) in advance specifically to  
19 carry out section 4142 of the Food, Conservation, and En-  
20 ergy Act of 2008 (Public Law 110–246; 122 STAT. 1881)  
21 as amended by subsection (a) shall be available to carry  
22 out such section as so amended.

23 **SEC. 4043. ADMINISTRATIVE FLEXIBILITY FOR STATES.**

24 Section 11(e)(6)(B) of the Food and Nutrition Act  
25 of 2008 (7 U.S.C. 2020(e)(6)(B)) is amended to read as  
26 follows:

1           “(B) personnel of the State agency or, at  
 2           the option of the State agency and by contract  
 3           with the State agency, personnel of an entity  
 4           that has no direct or indirect financial interest  
 5           in an approved retail food store, may undertake  
 6           such certification or carry out any other func-  
 7           tion of the State agency under the supplemental  
 8           nutrition assistance program and without re-  
 9           striction by the Secretary on the State agency’s  
 10          use of nongovernmental employees to perform  
 11          program eligibility or any other administrative  
 12          function to carry out such program;”.

## 13           **Subtitle B—Commodity** 14           **Distribution Programs**

### 15   **SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.**

16          The 1st sentence of section 4(a) of the Agriculture  
 17          and Consumer Protection Act of 1973 (7 U.S.C. 612c  
 18          note) is amended by striking “2018” and inserting  
 19          “2023”.

### 20   **SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

21          Section 5 of the Agriculture and Consumer Protec-  
 22          tion Act of 1973 (7 U.S.C. 612c note) is amended—

23                 (1) in subsection (a)—

24                         (A) in paragraph (1) by striking “2018”  
 25                         and inserting “2023”, and

1 (B) in paragraph (2) by striking “2018”  
2 and inserting “2023”, and  
3 (2) in subsection (d)(2) by striking “2018” and  
4 inserting “2023”.

5 **SEC. 4103. ELIGIBILITY FOR COMMODITY SUPPLEMENTAL**  
6 **FOOD PROGRAM.**

7 Section 5(g) of the Agriculture and Consumer Protec-  
8 tion Act of 1973 (7 U.S.C. 612c note) is amended—

9 (1) by striking “Except” and inserting the fol-  
10 lowing:

11 “(1) IN GENERAL.—Except”, and

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

13 “(2) CERTIFICATION.—

14 “(A) DEFINITION OF CERTIFICATION PE-  
15 RIOD.—In this paragraph, the term ‘certifi-  
16 cation period’ means the period that a partici-  
17 pant in the commodity supplemental food pro-  
18 gram may continue to receive benefits under  
19 that program without a formal review of the eli-  
20 gibility of the participant.

21 “(B) MINIMUM CERTIFICATION PERIOD.—

22 Subject to subparagraph (C), a State shall es-  
23 tablish a certification period of not less than 1  
24 year.

1           “(C) EXTENSIONS.—On the request of a  
2           State, the Secretary shall approve a State cer-  
3           tification period of more than 1 year on the  
4           condition that, on an annual basis, the local  
5           agency in the State administering the com-  
6           modity supplemental food program—

7                   “(i) verifies the address and continued  
8                   interest of each participant in receiving  
9                   program benefits; and

10                   “(ii) has sufficient reason to deter-  
11                   mine that the participant still meets the  
12                   income eligibility standards, which may in-  
13                   clude a determination that the participant  
14                   has a fixed income.”.

15 **SEC. 4104. DISTRIBUTION OF SURPLUS COMMODITIES TO**  
16 **SPECIAL NUTRITION PROJECTS.**

17           Section 1114(a)(2)(A) of the Agriculture and Food  
18 Act of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended by  
19 striking “2018” and inserting “2023”.

## **Subtitle C—Miscellaneous**

### **SEC. 4201. PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.**

Section 10603(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c-4(b)) is amended by striking “2018” and inserting “2023”.

### **SEC. 4202. SENIORS FARMERS’ MARKET NUTRITION PROGRAM.**

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended by striking “2018” and inserting “2023”.

### **SEC. 4203. HEALTHY FOOD FINANCING INITIATIVE.**

Section 243(d) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6953) is amended by striking “until expended” and inserting “until October 1, 2023”.

### **SEC. 4204. AMENDMENTS TO THE FRUIT AND VEGETABLE PROGRAM.**

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

(1) in the section heading, by striking “**FRESH**” ;

(2) in subsection (a), by inserting “, canned, dried, frozen, or pureed” after “fresh”;

1           (3) in subsection (b), by inserting “, canned,  
2       dried, frozen, or pureed” after “fresh”; and

3           (4) in subsection (e), by inserting “, canned,  
4       dried, frozen, or pureed” after “fresh”.

5   **SEC. 4205. REVIEW AND REVISION OF CERTAIN NUTRITION**  
6                   **REGULATIONS.**

7       (a) REVIEW OF EXISTING REGULATIONS.—Not later  
8   than 90 days after the date of the enactment of this Act  
9   and for the purposes described in subsection (b), the Sec-  
10   retary shall review—

11           (1) the final regulations on “National School  
12       Lunch Program and School Breakfast Program: Nu-  
13       trition Standards for All Foods Sold in School as  
14       Required by the Healthy, Hunger- Free Kids Act of  
15       2010” published by the Department of Agriculture  
16       in the Federal Register on July 29, 2016 (81 Fed.  
17       Reg. 50123 et seq.); and

18           (2) the final regulations on “Nutrition Stand-  
19       ards in the National School Lunch and School  
20       Breakfast Programs” published by the Department  
21       of Agriculture in the Federal Register on January  
22       26, 2012 (77 Fed. Reg. 4088 et seq.).

23       (b) FINALIZING NEW REGULATIONS.—Not later than  
24   1 year after the date of the enactment of this Act, the  
25   Secretary, in consultation with school nutrition personnel

1 and school leaders (including school administrators, school  
 2 boards, and parents), shall finalize new regulations that  
 3 revise the regulations described in subsection (a) based on  
 4 the review of such regulations under such subsection, in-  
 5 cluding any requirements for milk, to ensure that the re-  
 6 quirements of such regulations—

7           (1) are based on research based on school-age  
 8       children;

9           (2) do not add costs in addition to the reim-  
 10       bursements required to carry out the school lunch  
 11       program authorized under the Richard B. Russell  
 12       National School Lunch Act (42 U.S.C. 1751 et seq.)  
 13       or the school breakfast program established by sec-  
 14       tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.  
 15       1773); and

16           (3) maintain healthy meals for students.

## 17                           **TITLE V—CREDIT**

### 18       **Subtitle A—Farm Ownership Loans**

#### 19       **SEC. 5101. MODIFICATION OF THE 3-YEAR EXPERIENCE ELI-** 20                           **GIBILITY REQUIREMENT FOR FARM OWNER-** 21                           **SHIP LOANS.**

22       Section 302(b) of the Consolidated Farm and Rural  
 23       Development Act (7 U.S.C. 1922(b)) is amended by add-  
 24       ing at the end the following:



1           “(4) WAIVER AUTHORITY.—In the case of a  
2           qualified beginning farmer or rancher, the Secretary  
3           may—

4                   “(A) reduce the 3-year requirement in  
5           paragraph (1) to—

6                           “(i) 2 years, if the farmer or rancher  
7           has—

8                                   “(I) 16 credit hours of post-sec-  
9                                   ondary education in a field related to  
10                                  agriculture;

11                               “(II) at least 1 year of direct  
12                               substantive management experience in  
13                               a business;

14                               “(III) been honorably discharged  
15                               from the armed forces of the United  
16                               States;

17                               “(IV) successfully repaid a youth  
18                               loan made under section 311(b); or

19                               “(V) an established relationship  
20                               with an individual participating as a  
21                               counselor in a Service Corps of Re-  
22                               tired Executives program authorized  
23                               under section 8(b)(1)(B) of the Small  
24                               Business Act (15 U.S.C.  
25                               637(b)(1)(B)), or with a local farm or

1 ranch operator or organization, ap-  
 2 proved by the Secretary, that is com-  
 3 mitted to mentoring the farmer or  
 4 rancher; or

5 “(ii) 1 year, if the farmer or rancher  
 6 has military leadership or management ex-  
 7 perience from having completed an accept-  
 8 able military leadership course; or

9 “(B) waive the 3-year requirement in para-  
 10 graph (1) if the farmer or rancher—

11 “(i) meets a requirement of subpara-  
 12 graph (A)(i) (other than subclause (V)  
 13 thereof) and meets the requirement of sub-  
 14 paragraph (A)(ii); and

15 “(ii) meets the requirement of sub-  
 16 paragraph (A)(i)(V).”.

17 **SEC. 5102. CONSERVATION LOAN AND LOAN GUARANTEE**  
 18 **PROGRAM.**

19 Section 304(h) of the Consolidated Farm and Rural  
 20 Development Act (7 U.S.C. 1924(h)) is amended—

21 (1) by striking “\$150,000,000” and inserting  
 22 “\$75,000,000”; and

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

1 **SEC. 5103. FARM OWNERSHIP LOAN LIMITS.**

2 Section 305(a) of the Consolidated Farm and Rural  
3 Development Act (7 U.S.C. 1925(a)) is amended—

4 (1) by striking “\$700,000” and inserting  
5 “\$1,750,000”; and

6 (2) by striking “2000” and inserting “2019”.

7 **Subtitle B—Operating Loans**

8 **SEC. 5201. LIMITATIONS ON AMOUNT OF OPERATING**  
9 **LOANS.**

10 Section 313(a)(1) of the Consolidated Farm and  
11 Rural Development Act (7 U.S.C. 1943(a)(1)) is amend-  
12 ed—

13 (1) by striking “\$700,000” and inserting  
14 “\$1,750,000”; and

15 (2) by striking “2000” and inserting “2019”.

16 **SEC. 5202. MICROLOANS.**

17 Section 313(c)(2) of the Consolidated Farm and  
18 Rural Development Act (7 U.S.C. 1943(c)(2)) is amended  
19 by striking “title” and inserting “subsection”.

20 **Subtitle C—Administrative**  
21 **Provisions**

22 **SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL**  
23 **DEVELOPMENT ACCOUNTS PILOT PROGRAM.**

24 Section 333B(h) of the Consolidated Farm and Rural  
25 Development Act (7 U.S.C. 1983b(h)) is amended by  
26 striking “2018” and inserting “2023”.

1 **SEC. 5302. LOAN AUTHORIZATION LEVELS.**

2 Section 346(b)(1) of the Consolidated Farm and  
3 Rural Development Act (7 U.S.C. 1994(b)(1)) is amended  
4 in the matter preceding subparagraph (A) by striking  
5 “2018” and inserting “2023”.

6 **SEC. 5303. LOAN FUND SET-ASIDES.**

7 Section 346(b)(2)(A)(ii)(III) of the Consolidated  
8 Farm and Rural Development Act (7 U.S.C.  
9 1994(b)(2)(A)(ii)(III)) is amended by striking “2018”  
10 and inserting “2023”.

11 **Subtitle D—Technical Corrections**  
12 **to the Consolidated Farm and**  
13 **Rural Development Act**

14 **SEC. 5401. TECHNICAL CORRECTIONS TO THE CONSOLI-**  
15 **DATED FARM AND RURAL DEVELOPMENT**  
16 **ACT.**

17 (a)(1) Section 310E(d)(3) of the Consolidated Farm  
18 and Rural Development Act (7 U.S.C. 1935(d)(3)) is  
19 amended by inserting “and socially disadvantaged farmers  
20 or ranchers” after “ranchers” the second place it appears.

21 (2) The amendment made by this subsection shall  
22 take effect as if included in the enactment of section  
23 5004(4)(A)(i) of the Food, Conservation, and Energy Act  
24 of 2008 (Public Law 110–246) in lieu of the amendment  
25 made by such section.

1       (b)(1) Section 321(a) of the Consolidated Farm and  
2 Rural Development Act (7 U.S.C. 1961(a)) is amended  
3 in the second sentence by striking “and limited liability  
4 companies” and inserting “limited liability companies, and  
5 such other legal entities”.

6       (2) The amendment made by this subsection shall  
7 take effect as if included in the enactment of section 5201  
8 of the Agricultural Act of 2014 (Public Law 113–79) in  
9 lieu of the amendment made by such section.

10       (c)(1) Section 331D(e) of the Consolidated Farm and  
11 Rural Development Act (7 U.S.C. 1981d(e)) is amended  
12 by inserting after “within 60 days after receipt of the no-  
13 tice required in this section” the following: “or, in extraor-  
14 dinary circumstances as determined by the applicable  
15 State director, after the 60-day period”.

16       (2) The amendment made by this subsection shall  
17 take effect as if included in the enactment of section 10  
18 of the Agricultural Credit Improvement Act of 1992 (Pub-  
19 lic Law 102–554).

20       (d)(1) Section 333A(f)(1)(A) of the Consolidated  
21 Farm and Rural Development Act (7 U.S.C.  
22 1983a(f)(1)(A)) is amended by striking “114” and insert-  
23 ing “339”.

24       (2) The amendment made by this subsection shall  
25 take effect as if included in the enactment of section 14

1 of the Agricultural Credit Improvement Act of 1992 (Pub-  
2 lic Law 102–554).

3 (e) Section 339(d)(3) of the Consolidated Farm and  
4 Rural Development Act (7 U.S.C.1989(d)(3)) is amended  
5 by striking “preferred certified lender” and inserting  
6 “Preferred Certified Lender”.

7 (f)(1) Section 343(a)(11)(C) of the Consolidated  
8 Farm and Rural Development Act (7 U.S.C.  
9 1991(a)(11)(C)) is amended by striking “or joint opera-  
10 tors” and inserting “joint operator, or owners”.

11 (2) The amendment made by this subsection shall  
12 take effect as of the effective date of section 5303(a)(2)  
13 of the Agricultural Act of 2014.

14 (g)(1) Section 343(b) of the Consolidated Farm and  
15 Rural Development Act (7 U.S.C. 1991(b)) is amended  
16 by striking “307(e)” and inserting “307(d)”.

17 (2) The amendment made by paragraph (1) shall  
18 take effect as if included in the enactment of section 5004  
19 of the Agricultural Act of 2014 (Public Law 113–79).

20 (h) Section 346(a) of the Consolidated Farm and  
21 Rural Development Act (7 U.S.C.1994(a)) is amended by  
22 striking the last comma.

1       **Subtitle E—Amendments to the**  
2               **Farm Credit Act of 1971**

3       **SEC. 5501. ELIMINATION OF OBSOLETE REFERENCES.**

4           (a) Section 1.2(a) of the Farm Credit Act of 1971  
5       (12 U.S.C. 2002(a)) is amended to read as follows:

6           “(a) COMPOSITION.—The Farm Credit System shall  
7       include the Farm Credit Banks, banks for cooperatives,  
8       Agricultural Credit Banks, the Federal land bank associa-  
9       tions, the Federal land credit associations, the production  
10      credit associations, the Agricultural Credit Associations,  
11      the Federal Farm Credit Banks Funding Corporation, the  
12      Federal Agricultural Mortgage Corporation, service cor-  
13      porations established pursuant to section 4.25 of this Act,  
14      and such other institutions as may be made a part of the  
15      System, all of which shall be chartered by and subject to  
16      regulation by the Farm Credit Administration.”.

17          (b) Section 2.4 of such Act (12 U.S.C. 2075) is  
18      amended by striking subsection (d).

19          (c) Section 3.0 of such Act (12 U.S.C. 2121) is  
20      amended—

21              (1) in the 3rd sentence, by striking “and a Cen-  
22      tral Bank for Cooperatives”; and

23              (2) by striking the 5th sentence.

24          (d) Section 3.2(a)(1) of such Act (12 U.S.C.  
25      2123(a)(1)) is amended—

1           (1) by striking “not merged into the United  
2       Bank for Cooperatives or the National Bank for Co-  
3       operatives”; and

4           (2) by adding at the end the following: “Section  
5       7.12(c) shall apply to the board of directors of a  
6       merged bank for cooperatives.”.

7       (e) Section 3.2(a)(2)(A) of such Act (12 U.S.C.  
8       2123(a)(2)(A)) is amended by striking “(other than the  
9       National Bank for Cooperatives)”.

10       (f) Section 3.2 of such Act (12 U.S.C. 2123) is  
11       amended—

12           (1) by striking subsection (b);

13           (2) in subsection (a)(2)(B), by striking “para-  
14       graph” and inserting “subsection”;

15           (3) by striking “(a)(1)” and inserting “(a)”;

16           (4) by striking “(2)(A)” and inserting “(b)(1)”;

17           (5) by striking “(i)” and inserting “(A)”;

18           (6) by striking “(ii)” and inserting “(B)”;

19           (7) by striking “(B)” and inserting “(2)”.

20       (g) Section 3.5 of such Act (12 U.S.C. 2126) is  
21       amended by striking “district”.

22       (h) Section 3.7(a) of such Act (12 U.S.C. 2128(a))  
23       is amended by striking the second sentence.



1       (i) Section 3.8(b)(1)(A) of such Act (12 U.S.C.  
2 2129(b)(1)(A)) is amended by inserting “(or successor  
3 agency)” after “Rural Electrification Administration”.

4       (j) Section 3.9(a) of such Act (12 U.S.C. 2130(a))  
5 is amended by striking the 3rd sentence.

6       (k) Section 3.10(c) of such Act (12 U.S.C. 2131(c))  
7 is amended by striking the second sentence.

8       (l) Section 3.10(d) of such Act (12 U.S.C. 2131(d))  
9 is amended—

10           (1) by striking “district” each place it appears;

11       and

12           (2) by inserting “for cooperatives or successor  
13 bank” before “on account of such indebtedness”.

14       (m) Section 3.11 of such Act (12 U.S.C. 2132) is  
15 amended—

16           (1) in subsection (a), by striking “subsections  
17 (b) and (c)” and inserting “subsection (b)”;

18           (2) in subsection (b)—

19               (A) by striking “district”; and

20               (B) by striking “Except as provided in  
21 subsection (c) below, all” and inserting “All”;

22       and

23           (3) by striking subsection (c) and redesignating  
24 subsections (d) through (f) as subsections (c)  
25 through (e), respectively.

1       (n) The heading for part B of title III of such Act  
2 is amended by striking “UNITED AND”.

3       (o) Section 3.20(a) of such Act (12 U.S.C. 2141(a))  
4 is amended by striking “or the United Bank for Coopera-  
5 tives, as the case may be”.

6       (p) Section 3.20(b) of such Act (12 U.S.C. 2141(b))  
7 is amended by striking “the district banks for cooperatives  
8 and the Central Bank for Cooperatives” and inserting “all  
9 constituent banks referred to in section 413 of the Agricul-  
10 tural Credit Act of 1987”.

11       (q) Section 3.21 of such Act (12 U.S.C. 2142) is re-  
12 pealed.

13       (r) Section 3.28 of such Act (12 U.S.C. 2149) is  
14 amended by striking “a district bank for cooperatives and  
15 the Central Bank for Cooperatives” and inserting “its con-  
16 stituent banks referred to in section 413 of the Agricul-  
17 tural Credit Act of 1987”.

18       (s) Section 3.29 of such Act (12 U.S.C. 2150) is re-  
19 pealed.

20       (t)(1) Section 4.0 of such Act (12 U.S.C. 2151) is  
21 repealed.

22       (2) Section 5.60(b) of such Act (12 U.S.C. 2277a-  
23 9(b)) is amended to read as follows:

1       “(b) AMOUNTS IN FUND.—The Corporation shall de-  
2       posit in the Insurance Fund all premium payments re-  
3       ceived by the Corporation under this part.”.

4       (u)(1) Section 4.8 of such Act (12 U.S.C. 2159) is  
5       amended—

6               (A) by striking “(a)”;

7               (B) by striking subsection (b).

8       (2) Section 1.1(c) of such Act (12 U.S.C. 2001(c))  
9       is amended by striking “including any costs of defeasance  
10       under section 4.8(b),”.

11       (v) Section 4.9(d)(2) of such Act (12 U.S.C.  
12       2160(d)(2)) is amended to read as follows:

13               “(2) REPRESENTATION ON BOARD.—The Farm  
14       Credit System Insurance Corporation shall have no  
15       representation on the board of directors of the Cor-  
16       poration.”.

17       (w) Section 4.9 of such Act (12 U.S.C. 2160) is  
18       amended by striking subsection (e) and redesignating sub-  
19       section (f) as subsection (e).

20       (x) Section 4.9A(c) of such Act (12 U.S.C. 2162(c))  
21       is amended to read as follows:

22               “(c) INABILITY TO RETIRE STOCK AT PAR VALUE.—  
23       If an institution is unable to retire eligible borrower stock  
24       at par value due to the liquidation of the institution, the  
25       Farm Credit System Insurance Corporation, acting as re-

1 ceiver, shall retire such stock at par value as would have  
2 been retired in the ordinary course of business of the insti-  
3 tution. The Farm Credit System Insurance Corporation  
4 shall make use of sufficient funds from the Farm Credit  
5 Insurance Fund to carry out this section.”.

6 (y) Section 4.12A(a)(1) of such Act (12 U.S.C.  
7 2184(a)(1)) is amended to read as follows:

8 “(1) IN GENERAL.—Every Farm Credit System  
9 bank or association shall provide a current list of its  
10 stockholders, within 7 calendar days after receipt of  
11 a written request by a stockholder, to the requesting  
12 stockholder.”.

13 (z) Section 4.14A(a) of such Act (12 U.S.C.  
14 2202a(a)) is amended by inserting “and section 4.36”  
15 after “As used in this part”.

16 (aa)(1) Section 4.14A of such Act (12 U.S.C. 2202a)  
17 is amended—

18 (A) in subsection (l), by striking “production  
19 credit”; and

20 (B) by striking subsection (h) and redesign-  
21 ating subsections (i) through (l) as subsections (h)  
22 through (k), respectively.

23 (2)(A) Section 5.31 of such Act (12 U.S.C. 2267) is  
24 amended by striking “4.14A(i)” and inserting  
25 “4.14A(h)”.

1 (B) Section 5.32(h) of such Act (12 U.S.C. 2268(h))  
2 is amended by striking “4.14A(i)” and inserting  
3 “4.14A(h)”.

4 (bb)(1) Section 4.14C of such Act (12 U.S.C. 2202c)  
5 is repealed.

6 (2)(A) Section 4.14A(a)(5)(B)(ii)(I) of such Act (12  
7 U.S.C. 2202a(a)(5)(B)(ii)(I)) is amended by striking  
8 “4.14C,”.

9 (B) Section 8.9 of such Act (12 U.S.C. 2279aa–9)  
10 is amended by striking “4.14C,” each place it appears.

11 (cc) Section 4.17 of such Act (12 U.S.C. 2205) is  
12 amended by striking “Federal intermediate credit banks  
13 and”.

14 (dd) Section 4.19(a) of such Act (12 U.S.C. 2207(a))  
15 is amended—

16 (1) by striking “district”;

17 (2) by striking “Federal land bank association  
18 and production credit”; and

19 (3) by striking “units” and inserting “institu-  
20 tions”.

21 (ee) Section 4.38 of such Act (12 U.S.C. 2219e) is  
22 amended by striking “The Assistance Board established  
23 under section 6.0 and all” and inserting “All”.

1       (ff) Section 5.17(a)(2) of such Act (12 U.S.C.  
2 2252(a)(2)) is amended by striking the second and 3rd  
3 sentences.

4       (gg) Section 5.18 of such Act (12 U.S.C. 2253) is  
5 repealed.

6       (hh) Section 5.19(a) of such Act (12 U.S.C. 2254(a))  
7 is amended—

8           (1) by striking “Except for Federal land bank  
9 associations, each” and inserting “Each”; and

10          (2) by striking the second sentence.

11       (ii) Section 5.19(b) of such Act (12 U.S.C. 2254(b))  
12 is amended—

13           (1) in the second sentence of paragraph (1), by  
14 striking “except with respect to any actions taken by  
15 any banks of the System under section 4.8(b),”;

16           (2) by striking the third sentence of paragraph  
17 (1);

18           (3) by striking “(b)(1)” and inserting “(b)”;  
19 and

20           (4) by striking paragraphs (2) and (3).

21       (jj) Section 5.35(4) of such Act (12 U.S.C. 2271(4))  
22 is amended—

23           (1) in subparagraph (C)—

24                   (A) by striking “after December 31,  
25 1992,”; and

1 (B) by striking “by the Farm Credit Sys-  
2 tem Assistance Board under section 6.6 or”;  
3 and

4 (2) by striking subparagraph (B) and redesign-  
5 ating subparagraph (C) as subparagraph (B).

6 (kk) Section 5.38 of such Act (12 U.S.C. 2274) is  
7 amended by striking “a farm credit district board, bank  
8 board, or bank officer or employee shall not remove any  
9 director or officer of any production credit association or  
10 Federal land bank association” and inserting “a Farm  
11 Credit Bank board, officer, or employee shall not remove  
12 any director or officer of any association”.

13 (ll) Section 5.44 of such Act (12 U.S.C. 2275) is re-  
14 pealed.

15 (mm) Section 5.58(2) of such Act (12 U.S.C. 2277a-  
16 7) is amended by striking the second sentence.

17 (nn) Subtitle A of title VI of such Act (12 U.S.C.  
18 2278a-2278a-11) is repealed.

19 (oo) Title VI of such Act (12 U.S.C. 2278a-2278b-  
20 11) is amended by adding at the end the following:

21 **“SEC. 6.32. TERMINATION OF AUTHORITY.**

22 “The authority provided in this subtitle shall termi-  
23 nate on December 31, 2018.”.

24 (pp) Section 7.9 of such Act (12 U.S.C. 2279c-2)  
25 is amended by striking subsection (c).

1 (qq) Section 7.10(a)(4) of such Act (12 U.S.C.  
2 2279d(a)(4)) is amended to read as follows:

3 “(4) the institution pays to the Farm Credit In-  
4 surance Fund the amount by which the total capital  
5 of the institution exceeds 6 percent of the assets;”.

6 (rr) Section 8.0(2) of such Act (12 U.S.C.  
7 2279aa(2)) is amended to read as follows:

8 “(2) BOARD.—The term ‘Board’ means the  
9 board of directors established under section 8.2.”.

10 (ss)(1) Section 8.0 of such Act (12 U.S.C. 2279aa)  
11 is amended by striking paragraphs (6) and (8), and redes-  
12 ignating paragraphs (7), (9), and (10) as paragraphs (6)  
13 through (8), respectively.

14 (2)(A) Section 4.39 of such Act (12 U.S.C. 2219d)  
15 is amended by striking “8.0(7)” and inserting “8.0(6)”.

16 (B) Section 8.6(e)(2) of such Act (12 U.S.C. 2279aa–  
17 6(e)(2)) is amended by striking “8.0(9)” and inserting  
18 “8.0(7)”.

19 (C) Section 8.11(e) of such Act (12 U.S.C. 2279aa–  
20 11(e)) is amended by striking “8.0(7)” and inserting  
21 “8.0(6)”.

22 (D) Section 8.32(a)(1)(B) of such Act (12 U.S.C.  
23 2279bb–1(a)(1)(B)) is amended by striking “8.0(9)(C)”  
24 and inserting “8.0(7)(C)”.



1       (tt)(1) Section 8.2 of such Act (12 U.S.C. 2279aa-  
2 2) is amended—

3           (A) in subsection (b)—

4               (i) in the subsection heading, by striking  
5               “PERMANENT BOARD” and inserting “BOARD  
6               OF DIRECTORS”;

7               (ii) by striking paragraph (1) and inserting  
8               the following:

9               “(1) ESTABLISHMENT.—The Corporation shall  
10              be under the management of the Board of Direc-  
11              tors.”;

12              (iii) by striking paragraph (3) and redesignig-  
13              nating paragraphs (4) through (10) as para-  
14              graphs (3) through (9), respectively; and

15              (iv) by striking “permanent” each place it  
16              appears in paragraphs (2), and (3) through (9)  
17              (as so redesignated); and

18           (B) by striking subsection (a) and redesignating  
19           subsections (b) and (c) as subsections (a) and (b),  
20           respectively.

21       (2) Section 8.4(a)(1) of such Act (12 U.S.C. 2279aa-  
22 4) is amended—

23           (A) by striking the 3rd sentence;

24           (B) by inserting after the 1st sentence the fol-  
25           lowing: “Voting common stock shall be offered to

1 banks, other financial entities, insurance companies,  
 2 and System institutions under such terms and condi-  
 3 tions as the Board may adopt. The voting stock  
 4 shall be fairly and broadly offered to ensure that no  
 5 institution or institutions acquire a disproportionate  
 6 amount of the total amount of voting common stock  
 7 outstanding of a class and that capital contributions  
 8 and issuances of voting common stock for the con-  
 9 tributions are fairly distributed between entities eli-  
 10 gible to hold Class A and Class B stock, as provided  
 11 under this paragraph.”;

12 (C) by striking “8.2(b)(2)(A)” and inserting  
 13 “8.2(a)(2)(A)”;

14 (D) by striking “8.2(b)(2)(B)” and inserting  
 15 “8.2(a)(2)(B)”.

16 (uu)(1) Section 8.6 of such Act (12 U.S.C. 2279aa–  
 17 6) is amended by striking subsection (d) and redesignating  
 18 subsection (e) as subsection (d).

19 (2)(A) Paragraph (7)(B)(i) of section 8.0 of such Act  
 20 (12 U.S.C. 2279aa), as redesignated by subsection (ss)(1),  
 21 is amended by striking “through (d)” and inserting “and  
 22 (c)”.

23 (B) Section 8.33(b)(2)(A) of such Act (12 U.S.C.  
 24 2279bb–2(b)(2)(A)) is amended by striking “8.6(e)” and  
 25 inserting “8.6(d)”.

1 (vv) Section 8.32(a) of such Act (12 U.S.C. 2279bb–  
2 1(a)) is amended by striking “Not sooner than the expira-  
3 tion of the 3-year period beginning on the date of enact-  
4 ment of the Farm Credit System Reform Act of 1996,  
5 the” and inserting “The”.

6 (ww) Section 8.35 of such Act (12 U.S.C. 2279bb–  
7 4) is amended by striking subsection (e).

8 (xx) Section 8.38 of such Act (12 U.S.C. 2279bb–  
9 7) is repealed.

10 **SEC. 5502. CONFORMING REPEALS.**

11 (a) Sections 4, 5, 6, 7, 8, 14, and 15 of the Agricul-  
12 tural Marketing Act (12 U.S.C. 1141b, 1141c, 1141d,  
13 1141e, 1141f, 1141i, and 1141j) are repealed.

14 (b) The Act of June 22, 1939, (Chapter 239; 53 Stat.  
15 853; 12 U.S.C. 1141d–1) is repealed.

16 (c) Section 201 of the Emergency Relief and Con-  
17 struction Act of 1932 (12 U.S.C. 1148) is repealed.

18 (d) Section 2 of the Act of July 14, 1953, (Chapter  
19 192; 67 Stat. 150; 12 U.S.C. 1148a–4) is repealed.

20 (e) Sections 32 through 34 of the Farm Credit Act  
21 of 1937 (12 U.S.C. 1148b, 1148c, and 1148d) are re-  
22 pealed.

23 (f) Sections 1 through 4 of the Act of March 3, 1932,  
24 (12 U.S.C. 1401 through 1404) are repealed.

1 **SEC. 5503. FACILITY HEADQUARTERS.**

2 Section 5.16 of the Farm Credit Act of 1971 (12  
3 U.S.C. 2251) is amended by striking all that precedes “to  
4 the rental of quarters” and inserting the following:

5 **“SEC. 5.16. QUARTERS AND FACILITIES FOR THE FARM**  
6 **CREDIT ADMINISTRATION.**

7 “(a) The Farm Credit Administration shall maintain  
8 its principal office within the Washington D.C.-Maryland-  
9 Virginia standard metropolitan statistical area, and such  
10 other offices within the United States as in its judgment  
11 are necessary.

12 “(b) As an alternate”.

13 **SEC. 5504. SHARING PRIVILEGED AND CONFIDENTIAL IN-**  
14 **FORMATION.**

15 Section 5.19 of the Farm Credit Act of 1971 (12  
16 U.S.C. 2254) is amended by adding at the end the fol-  
17 lowing:

18 “(e) A System institution shall not be considered to  
19 have waived the confidentiality of a privileged communica-  
20 tion with an attorney or accountant if the institution pro-  
21 vides the content of the communication to the Farm Cred-  
22 it Administration pursuant to the supervisory or regu-  
23 latory authorities of the Farm Credit Administration.”.

1 **SEC. 5505. SCOPE OF JURISDICTION.**

2 Part C of title V of the Farm Credit Act of 1971  
3 (12 U.S.C. 2261–2274) is amended by inserting after sec-  
4 tion 5.31 the following:

5 **“SEC. 5.31A. SCOPE OF JURISDICTION.**

6 “(a) For purposes of sections 5.25, 5.26, and 5.33,  
7 the jurisdiction of the Farm Credit Administration over  
8 parties, and the authority of the Farm Credit Administra-  
9 tion to initiate actions, shall include enforcement authority  
10 over institution-affiliated parties.

11 “(b) The resignation, termination of employment or  
12 participation, or separation of an institution-affiliated  
13 party (including a separation caused by the merger, con-  
14 solidation, conservatorship, or receivership of a System in-  
15 stitution) shall not affect the jurisdiction and authority  
16 of the Farm Credit Administration to issue any notice or  
17 order and proceed under this part against any such party,  
18 if the notice or order is served before the end of the 6-  
19 year period beginning on the date the party ceased to be  
20 such a party with respect to the System institution  
21 (whether the date occurs before, on, or after the date of  
22 the enactment of this section).”.

23 **SEC. 5506. DEFINITION.**

24 Section 5.35 of the Farm Credit Act of 1971 (12  
25 U.S.C. 2271) is amended—

1           (1) by striking “and” at the end of paragraph  
2           (3); and

3           (2) by redesignating paragraph (4) as para-  
4           graph (5) and inserting after paragraph (3) the fol-  
5           lowing:

6           “(4) the term ‘institution-affiliated party’  
7           means—

8                   “(A) any director, officer, employee, share-  
9                   holder, or agent of a System institution;

10                   “(B) any independent contractor (includ-  
11                   ing any attorney, appraiser, or accountant) who  
12                   knowingly or recklessly participates in—

13                           “(i) any violation of law (including  
14                           regulations) that is associated with the op-  
15                           erations and activities of 1 or more institu-  
16                           tions;

17                           “(ii) any breach of fiduciary duty; or

18                           “(iii) any unsafe or unsound practice,  
19                           which caused or is likely to cause more  
20                           than a minimal financial loss to, or a sig-  
21                           nificant adverse effect on, a System insti-  
22                           tution; and

23                   “(C) any other person, as determined by  
24                   the Farm Credit Administration (by regulation  
25                   or on a case-by-case basis) who participates in

1 the conduct of the affairs of a System institu-  
2 tion; and”.

3 **SEC. 5507. EXPANSION OF ACREAGE EXCEPTION TO LOAN**  
4 **AMOUNT LIMITATION.**

5 (a) IN GENERAL.—Section 8.8(c)(2) of the Farm  
6 Credit Act of 1971 (12 U.S.C. 2279aa–8(c)(2)) is amend-  
7 ed by striking “1,000” and inserting “2,000”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) shall take effect 1 year after the date a re-  
10 port submitted in accordance with section 5602 of this Act  
11 indicates that it is feasible to increase the acreage limita-  
12 tion in section 8.8(c)(2) of the Farm Credit Act of 1971  
13 to 2,000 acres.

14 **SEC. 5508. COMPENSATION OF BANK DIRECTORS.**

15 Section 4.21 of the Farm Credit Act of 1971 (12  
16 U.S.C. 2209) is repealed.

17 **SEC. 5509. PROHIBITION ON USE OF FUNDS.**

18 Section 5.65 of the Farm Credit Act of 1971 (12  
19 U.S.C. 2277a–14) is amended by adding at the end the  
20 following:

21 “(e) PROHIBITION ON USES OF FUNDS RELATED TO  
22 FEDERAL AGRICULTURAL MORTGAGE CORPORATION.—  
23 No funds from administrative accounts or from the Farm  
24 Credit System Insurance Fund may be used by the Cor-  
25 poration to provide assistance to the Federal Agricultural

1 Mortgage Corporation or to support any activities related  
2 to the Federal Agricultural Mortgage Corporation.”.

### 3 **Subtitle F—Miscellaneous**

#### 4 **SEC. 5601. STATE AGRICULTURAL MEDIATION PROGRAMS.**

5 Section 506 of the Agricultural Credit Act of 1987  
6 (7 U.S.C. 5106) is amended by striking “2018” and insert-  
7 ing “2023”.

#### 8 **SEC. 5602. STUDY ON LOAN RISK.**

9 (a) STUDY.—The Farm Credit Administration shall  
10 conduct a study that—

11 (1) analyzes and compares the financial risks  
12 inherent in loans made, held, securitized, or pur-  
13 chased by Farm Credit banks, associations, and the  
14 Federal Agricultural Mortgage Corporation and how  
15 such risks are required to be capitalized under stat-  
16 ute and regulations in effect as of the date of the  
17 enactment of this Act; and

18 (2) assesses the feasibility of increasing the  
19 acreage exception provided in section 8.8(c)(2) of  
20 the Farm Credit Act of 1971 to 2,000 acres.

21 (b) TIMELINE.—The Farm Credit Administration  
22 shall provide the results of the study required by sub-  
23 section (a) to the Committee on Agriculture of the House  
24 of Representatives and the Committee on Agriculture, Nu-



1 trition, and Forestry of the Senate no later than 180 days  
2 after the date of the enactment of this Act.

3 **SEC. 5603. GAO REPORT ON ABILITY OF THE FARM CREDIT**  
4 **SYSTEM TO MEET THE AGRICULTURAL CRED-**  
5 **IT NEEDS OF INDIAN TRIBES AND THEIR**  
6 **MEMBERS.**

7 (a) IN GENERAL.—The Comptroller General of the  
8 United States shall—

9 (1) study the agricultural credit needs of farms,  
10 ranches, and related agricultural businesses that are  
11 owned or operated by—

12 (A) Indian tribes on tribal lands; or

13 (B) enrolled members of Indian tribes on  
14 Indian allotments; and

15 (2) determine whether the institutions of the  
16 Farm Credit System have sufficient authority and  
17 resources to meet the needs.

18 (b) DEFINITION OF INDIAN TRIBE.—In subsection  
19 (a), the term “Indian tribe” means an Indian tribal entity  
20 that is eligible for funding and services from the Bureau  
21 of Indian Affairs by virtue of the status of the entity as  
22 an Indian tribe.

23 (c) REPORT TO THE CONGRESS.—Within 90 days  
24 after the date of the enactment of this Act, the Comp-  
25 troller General of the United States shall prepare and sub-

1 mit to the Committees on Agriculture and on Natural Re-  
 2 sources of the House of Representatives a written report  
 3 that contains the findings of the study conducted under  
 4 subsection (a). If the Comptroller General finds that the  
 5 institutions of the Farm Credit System do not have suffi-  
 6 cient authority or resources to meet the needs referred to  
 7 in subsection (a), the report shall include such legislative  
 8 and other recommendations as the Comptroller General  
 9 determines would result in a system under which the needs  
 10 are met in an equitable and effective manner.

11 **TITLE VI—RURAL INFRASTRUC-**  
 12 **TURE AND ECONOMIC DEVEL-**  
 13 **OPMENT**

14 **Subtitle A—Improving Health**  
 15 **Outcomes in Rural Communities**

16 **SEC. 6001. PRIORITIZING PROJECTS TO MEET HEALTH CRI-**  
 17 **SES IN RURAL AMERICA.**

18 (a) TEMPORARY PRIORITIZATION OF RURAL HEALTH  
 19 ASSISTANCE.—Title VI of the Rural Development Act of  
 20 1972 (7 U.S.C. 2204a–2204b) is amended by adding at  
 21 the end the following:

22 **“SEC. 608. TEMPORARY PRIORITIZATION OF RURAL**  
 23 **HEALTH ASSISTANCE.**

24 **“(a) AUTHORITY TO PRIORITIZE CERTAIN RURAL**  
 25 **HEALTH APPLICATIONS.—**The Secretary, after consulta-

1 tion with such public health officials as may be necessary,  
2 may announce a temporary reprioritization for certain  
3 rural development loan and grant applications to assist  
4 rural communities in responding to a specific health emer-  
5 gency.

6 “(b) CONTENT OF ANNOUNCEMENT.—In the an-  
7 nouncement, the Secretary shall—

8 “(1) specify the nature of the emergency affect-  
9 ing the health of rural Americans;

10 “(2) describe the actual and potential effects of  
11 the emergency on the rural United States;

12 “(3) identify the services and treatments which  
13 can be used to reduce those effects; and

14 “(4) publish the specific temporary changes  
15 needed to assist rural communities in responding to  
16 the emergency.

17 “(c) NOTICE.—Not later than 48 hours after making  
18 or extending an announcement under this section, the Sec-  
19 retary shall submit to the Committee on Agriculture of  
20 the House of Representatives and the Committee on Agri-  
21 culture, Nutrition, and Forestry of the Senate, and trans-  
22 mit to the Secretary of Health and Human Services, a  
23 written notice of the declaration or extension.

24 “(d) EXTENSION.—The Secretary may extend an an-  
25 nouncement under subsection (a) if the Secretary deter-

1 mines that the emergency will continue after the declara-  
2 tion would otherwise expire.

3 “(e) EXPIRATION.—An announcement under sub-  
4 section (a) shall expire on the earlier of—

5 “(1) the date the Secretary determines that the  
6 emergency has ended; or

7 “(2) the end of the 360-day period beginning  
8 with the later of—

9 “(A) the date the announcement was  
10 made; or

11 “(B) the date the announcement was most  
12 recently extended.”.

13 (b) DISTANCE LEARNING AND TELEMEDICINE.—  
14 Section 2333(c) of the Food, Agriculture, Conservation,  
15 and Trade Act of 1990 (7 U.S.C. 950aaa–2(c)) is amend-  
16 ed by adding at the end the following:

17 “(5) PROCEDURE DURING TEMPORARY  
18 REPRIORITIZATIONS.—

19 “(A) IN GENERAL.—While a temporary  
20 reprioritization announced under section 608 of  
21 the Rural Development Act of 1972 is in effect,  
22 the Secretary shall make available not less than  
23 10 percent of the amounts made available  
24 under section 2335A for financial assistance  
25 under this chapter, for telemedicine services to

1 identify and treat individuals affected by the  
2 emergency, subject to subparagraph (B).

3 “(B) EXCEPTION.—In the case of a fiscal  
4 year for which the Secretary determines that  
5 there are not sufficient qualified applicants to  
6 receive financial assistance to reach the 10-per-  
7 cent requirement under subparagraph (A), the  
8 Secretary may make available less than 10 per-  
9 cent of the amounts made available under sec-  
10 tion 2335A for those services.”.

11 (c) COMMUNITY FACILITIES DIRECT LOANS AND  
12 GRANTS.—Section 306(a) of the Consolidated Farm and  
13 Rural Development Act (7 U.S.C. 1926(a)) is amended  
14 by adding at the end the following:

15 “(27) PROCEDURE DURING TEMPORARY  
16 REPRIORITIZATIONS.—

17 “(A) SELECTION PRIORITY.—While a tem-  
18 porary reprioritization announced under section  
19 608 of the Rural Development Act of 1972 is  
20 in effect, in selecting recipients of loans, loan  
21 guarantees, or grants for the development of es-  
22 sential community facilities under this section,  
23 the Secretary shall give priority to entities eligi-  
24 ble for those loans or grants—

1 “(i) to develop facilities to provide  
2 services related to reducing the effects of  
3 the health emergency, including—

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 affected by  
12 the emergency.

13 “(B) USE OF FUNDS.—An eligible entity  
14 described in subparagraph (A) that receives a  
15 loan or grant described in that subparagraph  
16 may use the loan or grant funds for the devel-  
17 opment of telehealth facilities and systems to  
18 provide for treatment directly related to the  
19 emergency involved.”.

20 (d) RURAL HEALTH AND SAFETY EDUCATION PRO-  
21 GRAMS.—

22 (1) IN GENERAL.—Section 502(i) of the Rural  
23 Development Act of 1972 (7 U.S.C. 2662(i)) is  
24 amended—

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

3 (B) by inserting after paragraph (4) the  
4 following:

5 “(5) PROCEDURE DURING TEMPORARY  
6 REPRIORITIZATIONS.—While a temporary  
7 reprioritization announced under section 608 of the  
8 Rural Development Act of 1972 is in effect, in mak-  
9 ing grants under this subsection, the Secretary shall  
10 give priority to an applicant that will use the grant  
11 to address the announced emergency.”.

12 (2) TECHNICAL AMENDMENTS.—Title V of the  
13 Rural Development Act of 1972 (7 U.S.C. 2661 et  
14 seq.), as amended by paragraph (1) of this sub-  
15 section, is amended—

16 (A) in section 502, in the matter preceding  
17 subsection (a), by inserting “(referred to in this  
18 title as the ‘Secretary’)” after “Agriculture”;  
19 and

20 (B) by striking “Secretary of Agriculture”  
21 each place it appears (other than in section 502  
22 in the matter preceding subsection (a)) and in-  
23 serting “Secretary”.

1 **SEC. 6002. DISTANCE LEARNING AND TELEMEDICINE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
3 2335A of the Food, Agriculture, Conservation, and Trade  
4 Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking  
5 “\$75,000,000 for each of fiscal years 2014 through 2018”  
6 and inserting “\$82,000,000 for each of fiscal years 2019  
7 through 2023”.

8 (b) CONFORMING AMENDMENT.—Section 1(b) of  
9 Public Law 102–551 (7 U.S.C. 950aaa note) is amended  
10 by striking “2018” and inserting “2023”.

11 **SEC. 6003. REAUTHORIZATION OF THE FARM AND RANCH**  
12 **STRESS ASSISTANCE NETWORK.**

13 Section 7522 of the Food, Conservation, and Energy  
14 Act of 2008 (7 U.S.C. 5936) is amended—

15 (1) in subsection (a), by striking “coordination  
16 with the Secretary of Health and Human Services,  
17 shall make competitive grants to support cooperative  
18 programs between State cooperative extension serv-  
19 ices and nonprofit organizations” and inserting  
20 “consultation with the Secretary of Health and  
21 Human Services, shall make competitive grants to  
22 State cooperative extension services and Indian  
23 Tribes to support programs with nonprofit organiza-  
24 tions in order”;

25 (2) in subsection (b)—



1 (A) in paragraph (1), by inserting “Inter-  
2 net” before “websites”;

3 (B) by striking paragraph (2) and insert-  
4 ing the following:

5 “(2) training for individuals who may assist  
6 farmers in crisis, including programs and work-  
7 shops;”; and

8 (C) in paragraph (4), by inserting “, in-  
9 cluding the dissemination of information and  
10 materials” before the semicolon at the end;

11 (3) in subsection (c), by striking “to enable the  
12 State cooperative extension services” and inserting  
13 “or Indian Tribes, as applicable,”;

14 (4) in subsection (d), by striking “fiscal years”  
15 and all that follows and inserting “fiscal years 2018  
16 through 2023”; and

17 (5) by redesignating subsection (d) as sub-  
18 section (e) and inserting after subsection (c) the fol-  
19 lowing:

20 “(d) OVERSIGHT AND EVALUATION.—The Secretary,  
21 in consultation with the Secretary of Health and Human  
22 Services, shall review and evaluate the stress assistance  
23 programs carried out pursuant to this section.

24 “(1) PROGRAM REVIEW.—Not later than 2  
25 years after the date on which a grant is first pro-

1 vided under this section, and annually thereafter, the  
2 Secretary shall—

3 “(A) review the programs funded under a  
4 grant made under this section to evaluate the  
5 effectiveness of the services offered through  
6 such a program, and suggest alternative serv-  
7 ices not offered by such a grant recipient that  
8 would be appropriate for behavioral health serv-  
9 ices; and

10 “(B) submit to the Congress, and make  
11 available on the public Internet website of the  
12 Department of Agriculture, a report containing  
13 the results of the review conducted under sub-  
14 paragraph (A) and a description of the services  
15 provided through programs funded under such  
16 a grant.

17 “(2) PUBLIC AVAILABILITY.—In making the re-  
18 port under paragraph (1) publicly available, the Sec-  
19 retary shall take such steps as may be necessary to  
20 ensure that the report does not contain any informa-  
21 tion that would identify any person who received  
22 services under a program funded under a grant  
23 made under this section.”.

1 **SEC. 6004. SUPPORTING AGRICULTURAL ASSOCIATION**  
2 **HEALTH PLANS.**

3 (a) IN GENERAL.—The Secretary of Agriculture may  
4 establish a loan program and a grant program to assist  
5 in the establishment of agricultural association health  
6 plans, in order to help bring new health options and lower  
7 priced health care coverage to rural Americans.

8 (b) LOANS.—

9 (1) IN GENERAL.—With respect to plan years  
10 2019 through 2022, the Secretary of Agriculture, in  
11 consultation with the Secretary of Labor, may make  
12 not more than 10 loans under this section, for pur-  
13 poses of establishing agricultural association health  
14 plans, to qualified agricultural associations that have  
15 not received a loan under this section.

16 (2) USE OF FUNDS.—The proceeds of a loan  
17 made under this section may only be used to finance  
18 costs associated with establishing and carrying out  
19 an agricultural association health plan.

20 (3) LOAN TERMS.—A loan made under this sec-  
21 tion shall—

22 (A) bear interest at an annual rate equiva-  
23 lent to the cost of borrowing to the Department  
24 of the Treasury for obligations of comparable  
25 maturities;

1 (B) have a term of such length, not ex-  
2 ceeding 20 years, as the borrower may request;

3 (C) be in an amount not to exceed  
4 \$15,000,000;

5 (D) require that the borrower submit an-  
6 nual audited financial statements to the Sec-  
7 retary; and

8 (E) include any other requirements or doc-  
9 umentation the Secretary deems necessary to  
10 carry out this section.

11 (c) GRANTS.—The Secretary may make grants to ag-  
12 ricultural trade associations or industry associations which  
13 have been in existence for at least three years prior to  
14 applying for such a grant to provide for technical assist-  
15 ance in establishing an agricultural association health  
16 plan.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There are authorized to be  
19 appropriated to carry out this section \$65,000,000  
20 for the period of fiscal years 2019 through 2022, to  
21 be available until expended.

22 (2) RESERVATION OF FUNDS.—Of the funds  
23 made available under paragraph (1), not more than  
24 15 percent of such funds shall be made available to  
25 make grants under subsection (c).

1 (e) DEFINITIONS.—In this section:

2 (1) AGRICULTURAL ASSOCIATION HEALTH  
3 PLAN.—The term “agricultural association health  
4 plan” means a group health plan within the meaning  
5 of section 733(a)(1) of the Employee Retirement In-  
6 come Security Act of 1974 (42 U.S.C. 1191b)—

7 (A) that is sponsored by a qualified agri-  
8 cultural association; and

9 (B) with respect to which the Secretary  
10 has received a letter from the relevant State in-  
11 surance commissioner certifying that such asso-  
12 ciation may offer such plan in such State.

13 (2) QUALIFIED AGRICULTURAL ASSOCIATION.—  
14 The term “qualified agricultural association” means  
15 an association—

16 (A) composed of members that operate a  
17 farm or ranch or operate an agribusiness;

18 (B) that qualifies as an association health  
19 plan within the meaning of guidance or regula-  
20 tion issued by the Department of Labor;

21 (C) that acts directly or indirectly in the  
22 interest of its members in relation to the plan;

23 (D) that is able to demonstrate an ability  
24 to implement and manage a group health plan;  
25 and

1 (E) that meets any other criteria the Sec-  
2 retary deems necessary to meet the intent of  
3 this section.

4 **SEC. 6005. REFINANCING OF CERTAIN RURAL HOSPITAL**  
5 **DEBT.**

6 Subtitle D of the Consolidated Farm and Rural De-  
7 velopment Act (7 U.S.C. 1981 et seq.) is amended by in-  
8 serting after section 341 the following:

9 **“SEC. 342. REFINANCING OF CERTAIN RURAL HOSPITAL**  
10 **DEBT.**

11 “Assistance under section 306(a) for a community fa-  
12 cility or under section 310B may include the refinancing  
13 of a debt obligation of a rural hospital as an eligible loan  
14 or loan guarantee purpose if the assistance would help pre-  
15 serve access to a health service in a rural community and  
16 meaningfully improve the financial position of the hos-  
17 pital.”.

18 **Subtitle B—Connecting Rural**  
19 **Americans to High Speed**  
20 **Broadband**

21 **SEC. 6101. ESTABLISHING FORWARD-LOOKING BROADBAND**  
22 **STANDARDS.**

23 (a) IN GENERAL.—Section 601 of the Rural Elec-  
24 trification Act of 1936 (7 U.S.C. 950bb) is amended—

1           (1) in subsection (d)(1)(A), by striking clause  
2           (i) and inserting the following:

3                       “(i) demonstrate the ability to furnish  
4                       or improve service in order to meet the  
5                       broadband service standards established  
6                       under subsection (e)(1) in all or part of an  
7                       unserved or underserved rural area;”;

8           (2) in subsection (e)—

9                       (A) by striking paragraphs (1) and (2) and  
10           inserting the following:

11                   “(1) IN GENERAL.—Subject to paragraph (2),  
12           for purposes of this section, the Secretary shall es-  
13           tablish broadband service standards for rural areas  
14           which provide for—

15                       “(A) a minimum acceptable standard of  
16                       service that requires the speed to be at least 25  
17                       megabits per second downstream transmission  
18                       capacity and 3 megabits per second upstream  
19                       transmission capacity; and

20                       “(B) projections of minimum acceptable  
21                       standards of service for 5, 10, 15, 20, and 30  
22                       years into the future.

23           “(2) ADJUSTMENTS.—

24                       “(A) IN GENERAL.—At least once every 2  
25           years, the Secretary shall review, and may ad-

1 just through notice published in the Federal  
2 Register, the broadband service standards in ef-  
3 fect under paragraph (1) to encourage the de-  
4 livery of high quality, cost-effective broadband  
5 service in rural areas.

6 “(B) CONSIDERATIONS.—In establishing  
7 and adjusting the broadband service standards  
8 in effect under paragraph (1), the Secretary  
9 shall consider—

10 “(i) the broadband service needs of  
11 rural families and businesses;

12 “(ii) broadband service available to  
13 urban and suburban areas;

14 “(iii) future technology needs of rural  
15 residents;

16 “(iv) advances in broadband tech-  
17 nology; and

18 “(v) other relevant factors as deter-  
19 mined by the Secretary.”; and

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

21 “(4) AGREEMENT.—The Secretary shall not  
22 provide a loan or loan guarantee under this section  
23 for a project unless the Secretary determines, at the  
24 time the agreement to provide the loan or loan guar-  
25 antee is entered into, that, at any time while the



1 loan or loan guarantee is outstanding, the project  
2 will be capable of providing broadband service at not  
3 less than the minimum acceptable standard of serv-  
4 ice established under paragraph (1)(B) for that  
5 time.

6 “(5) SUBSTITUTE SERVICE STANDARDS FOR  
7 UNIQUE SERVICE TERRITORIES.—If an applicant  
8 shows that it would be cost prohibitive to meet the  
9 minimum acceptable level of broadband service es-  
10 tablished under paragraph (1)(B) for the entirety of  
11 a proposed service territory due to the unique char-  
12 acteristics of the proposed service territory, the Sec-  
13 retary and the applicant may agree to utilize sub-  
14 stitute standards for any unserved portion of the  
15 project. Any substitute service standards should con-  
16 tinue to consider the matters described in paragraph  
17 (2)(B) and reflect the best technology available to  
18 meet the needs of the residents in the unserved  
19 area.”; and

20 (3) in subsection (g)—

21 (A) in paragraph (2)(A), by striking “level  
22 of broadband service established under sub-  
23 section (e)” and inserting “standard of service  
24 established under subsection (e)(1)(A)”; and

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

1           “(4) MINIMUM STANDARDS.—To the extent  
2           possible, the terms and conditions under which a  
3           loan or loan guarantee is provided to an applicant  
4           for a project shall require that, at any time while the  
5           loan or loan guarantee is outstanding, the  
6           broadband network provided by the project will meet  
7           the lower of—

8                   “(A) the minimum acceptable standard of  
9                   service projected under subsection (e)(1)(B) for  
10                  that time, as agreed to by the applicant at the  
11                  time the loan or loan guarantee is provided; or

12                   “(B) the minimum acceptable standard of  
13                   service in effect under subsection (e)(1)(A) for  
14                  that time.”.

15           (b) REPORT TO CONGRESS.—Within 12 months after  
16           the date of the enactment of this Act, the Administrator  
17           of the Rural Utilities Service (in this subsection referred  
18           to as the “RUS”) shall submit to the Committee on Agri-  
19           culture of the House of Representatives and the Com-  
20           mittee on Agriculture, Nutrition, and Forestry of the Sen-  
21           ate a written report on the effectiveness of RUS loan and  
22           loan guarantee programs for the purpose of expanding  
23           broadband to rural areas (as defined in RUS regulations),  
24           which shall—

1           (1) identify administrative and legislative op-  
2           tions for incentivizing private investment by utilizing  
3           RUS loan guarantee programs for the purpose of ex-  
4           panding broadband to rural areas;

5           (2) evaluate the existing borrower and lending  
6           guidelines for RUS loan and loan guarantee appli-  
7           cants to incentivize participation in both programs;

8           (3) evaluate the loan and loan guarantee appli-  
9           cation processes for lenders and borrowers by elimi-  
10          nating burdensome and unnecessary steps in the ap-  
11          plication process and providing a more streamlined  
12          process to decrease the complexity of the application  
13          and the timeline from application to approval or de-  
14          nial;

15          (4) identify opportunities to provide technical  
16          assistance and pre-development planning activities to  
17          assist rural counties and communities to assess cur-  
18          rent and future broadband needs; and

19          (5) identify and evaluate emerging technologies,  
20          including next-generation satellite technologies, and  
21          ways to leverage the technologies to provide high-  
22          speed, low-latency internet connectivity to rural  
23          areas.

1 **SEC. 6102. INCENTIVES FOR HARD TO REACH COMMU-**  
2 **NITIES.**

3 Title VI of the Rural Electrification Act of 1936 (7  
4 U.S.C. 950bb) is amended by adding at the end the fol-  
5 lowing:

6 **“SEC. 604. INCENTIVES FOR HARD TO REACH COMMU-**  
7 **NITIES.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ASSOCIATED LOAN.—The term ‘associated  
10 loan’ means a loan or loan guarantee to finance all  
11 or part of a project under title I or II or this title  
12 for which an application has been submitted under  
13 such title and for which an application has also been  
14 submitted for a grant under this section.

15 “(2) DENSITY.—

16 “(A) IN GENERAL.—The term ‘density’  
17 means service points per road-mile.

18 “(B) METHOD OF CALCULATION.—The  
19 Secretary shall further define, by rule, a meth-  
20 od for calculating service points per road-mile,  
21 where appropriate by geography, which—

22 “(i) divides the total number of serv-  
23 ice points by the total number of road-  
24 miles in a proposed service territory;

1 “(ii) requires an applicant to count all  
2 potential service points in a proposed serv-  
3 ice territory; and

4 “(iii) includes any other requirements  
5 the Secretary deems necessary to protect  
6 the integrity of the program.

7 “(3) ELIGIBLE PROJECT.—The term ‘eligible  
8 project’ means any project for which the applicant—

9 “(A) has submitted an application for an  
10 associated loan;

11 “(B) does not receive any other broadband  
12 grant administered by the Rural Utilities Serv-  
13 ice; and

14 “(C) proposes to—

15 “(i) offer retail broadband service to  
16 rural households;

17 “(ii) serve an area with a density of  
18 less than 12;

19 “(iii) provide service that meets the  
20 standard that would apply under section  
21 601(e)(4) if the associated loan had been  
22 applied for under section 601;

23 “(iv) provide service in an area where  
24 no incumbent provider delivers fixed ter-  
25 restrial broadband service at or above the

1 minimum broadband speed described in  
2 section 601(e)(1); and

3 “(v) provide service in an area where  
4 no eligible borrower, other than the appli-  
5 cant, has outstanding Rural Utilities Serv-  
6 ice telecommunications debt or is subject  
7 to a current Rural Utilities Service tele-  
8 communications grant agreement.

9 “(4) SERVICE POINT.—The term ‘service point’  
10 means a home, business, or institution in a proposed  
11 service area.

12 “(5) ROAD-MILE.—The term ‘road-mile’ means  
13 a mile of road in a proposed service area.

14 “(b) ESTABLISHMENT OF GRANT PROGRAM.—The  
15 Secretary shall establish a competitive grant program to  
16 provide applicants funds to carry out eligible projects for  
17 the purposes of construction, improvement, or acquisition  
18 of facilities for the provision of broadband service in rural  
19 areas.

20 “(c) APPLICATIONS.—The Secretary shall establish  
21 an application process for grants under this section that—

22 “(1) has 1 application window per year;

23 “(2) permits a single application for the grant  
24 and the associated loan; and

1           “(3) provides a single decision to award the  
2           grant and the associated loan.

3           “(d) PRIORITY.—In making grants under this sec-  
4           tion, the Secretary shall prioritize applications in which  
5           the applicant proposes to—

6           “(1) provide the highest quality of service as  
7           measured by—

8                   “(A) network speed;

9                   “(B) network latency; and

10                  “(C) data allowances;

11           “(2) serve the greatest number of service  
12           points; and

13           “(3) use the greatest proportion of non-Federal  
14           dollars.

15           “(e) AMOUNT.—The Secretary shall make each grant  
16           under this section in an amount that is—

17           “(1) not greater than 75 percent of the total  
18           project cost with respect to an area with a density  
19           of less than 4;

20           “(2) not greater than 50 percent of the total  
21           project cost with respect to an area with a density  
22           of 4 or more and not more than 9; and

23           “(3) not greater than 25 percent of the total  
24           project cost with respect to an area with a density  
25           of more than 9 and not more than 12.

1       “(f) TERMS AND CONDITIONS.—With respect to a  
2 grant provided under this section, the Secretary shall re-  
3 quire that—

4           “(1) the associated loan is secured by the assets  
5 purchased with funding from the grant and from the  
6 loan;

7           “(2) the agreement in which the terms of the  
8 grant are established is for a period equal to the du-  
9 ration of the associated loan; and

10          “(3) at any time at which the associated loan  
11 is outstanding, the broadband service provided by  
12 the project will meet the lower of the standards that  
13 would apply under section 601(g)(4) if the associ-  
14 ated loan had been made under section 601.

15       “(g) PAYMENT ASSISTANCE FOR CERTAIN APPLI-  
16 CANTS UNDER THIS TITLE.—

17           “(1) IN GENERAL.—As part of the grant pro-  
18 gram under this section, the Secretary, at the sole  
19 discretion of the Secretary, may provide to appli-  
20 cants who are eligible borrowers under this title and  
21 not eligible borrowers under title I or II all or a por-  
22 tion of the grant funds in the form of payment as-  
23 sistance.

24           “(2) PAYMENT ASSISTANCE.—The Secretary  
25 may provide payment assistance under paragraph



1       (1) by reducing a borrower’s interest rate or periodic  
2       principal payments or both.

3               “(3) AGREEMENT ON MILESTONES AND OBJEC-  
4       TIVES.—With respect to payment assistance pro-  
5       vided under paragraph (1), before entering into the  
6       agreement for the grant and associated loan under  
7       which the payment assistance will be provided, the  
8       applicant and the Secretary shall agree to milestones  
9       and objectives of the project.

10              “(4) CONDITION.—The Secretary shall condi-  
11       tion any payment assistance provided under para-  
12       graph (1) on—

13                      “(A) the applicant fulfilling the terms and  
14       conditions of the grant agreement under which  
15       the payment assistance will be provided; and

16                      “(B) completion of the milestones and ob-  
17       jectives agreed to under paragraph (3).

18               “(5) AMENDMENT OF MILESTONES AND OBJEC-  
19       TIVES.—The Secretary and the applicant may jointly  
20       agree to amend the milestones and objectives agreed  
21       to under paragraph (3).

22               “(h) EXISTING PROJECTS.—The Secretary may not  
23       provide a grant under this section to an applicant for a  
24       project that was commenced before the date of the enact-  
25       ment of this section.

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section  
3 \$350,000,000 for each of fiscal years 2019 to 2023.”.

4 **SEC. 6103. REQUIRING GUARANTEED BROADBAND LEND-**  
5 **ING.**

6 Section 601(c)(1) of the Rural Electrification Act of  
7 1936 (7 U.S.C. 950bb(c)(1)) is amended by striking “shall  
8 make or guarantee loans” and inserting “shall make loans  
9 and shall guarantee loans”.

10 **SEC. 6104. SMART UTILITY AUTHORITY FOR BROADBAND.**

11 (a) Section 331 of the Consolidated Farm and Rural  
12 Development Act (7 U.S.C. 1981) is amended by adding  
13 at the end the following:

14 “(e)(1) Except as provided in paragraph (2), the Sec-  
15 retary may allow a recipient of a grant, loan, or loan guar-  
16 antee provided by the Office of Rural Development under  
17 this title to use not more than 10 percent of the amount  
18 so provided—

19 “(A) for any activity for which assistance may  
20 be provided under section 601 of the Rural Elec-  
21 trification Act of 1936; or

22 “(B) to construct other broadband infrastruc-  
23 ture.

24 “(2) Paragraph (1) of this subsection shall not apply  
25 to a recipient who is seeking to provide retail broadband

1 service in any area where retail broadband service is avail-  
2 able at the minimum broadband speeds, as defined under  
3 section 601(e) of the Rural Electrification Act of 1936.”.

4 (b) Title I of the Rural Electrification Act of 1936  
5 (7 U.S.C. 901–918a) is amended by inserting after section  
6 7 the following:

7 **“SEC. 8. LIMITATIONS ON USE OF ASSISTANCE.**

8 “(a) Subject to subsections (b) and (c) of this section,  
9 the Secretary may allow a recipient of a grant, loan, or  
10 loan guarantee under this title to set aside not more than  
11 10 percent of the amount so received to provide retail  
12 broadband service.

13 “(b) A recipient who sets aside funds under sub-  
14 section (a) of this section may use the funds only in an  
15 area that is not being provided with the minimum accept-  
16 able level of broadband service established under section  
17 601(e), unless the recipient meets the requirements of sec-  
18 tion 601(d).

19 “(c) Nothing in this section shall be construed to  
20 limit the ability of any borrower to finance or deploy serv-  
21 ices authorized under this title.”.

22 **SEC. 6105. MODIFICATIONS TO THE RURAL GIGABIT PRO-**  
23 **GRAM.**

24 Section 603 of the Rural Electrification Act of 1936  
25 (7 U.S.C. 950bb–2) is amended—

1 (1) in the section heading, by striking “**RURAL**  
2 **GIGABIT NETWORK PILOT**” and inserting “**INNO-**  
3 **VATIVE BROADBAND ADVANCEMENT**”;

4 (2) in subsection (d), by striking “2014 through  
5 2018” and inserting “2019 through 2023”;

6 (3) by redesignating subsection (d) as sub-  
7 section (e); and

8 (4) by striking subsections (a) through (c) and  
9 inserting the following:

10 “(a) **IN GENERAL.**—The Secretary shall establish a  
11 program to be known as the ‘Innovative Broadband Ad-  
12 vancement Program’, under which the Secretary may pro-  
13 vide a grant, a loan, or both to an eligible entity for the  
14 purpose of demonstrating innovative broadband tech-  
15 nologies or methods of broadband deployment that signifi-  
16 cantly decrease the cost of broadband deployment, and  
17 provide substantially faster broadband speeds than are  
18 available, in a rural area.

19 “(b) **RURAL AREA.**—In this section, the term ‘rural  
20 area’ has the meaning provided in section 601(b)(3).

21 “(c) **ELIGIBILITY.**—To be eligible to obtain assist-  
22 ance under this section for a project, an entity shall—

23 “(1) submit to the Secretary an application—

24 “(A) that describes a project designed to  
25 decrease the cost of broadband deployment, and

1 substantially increase broadband speed to not  
2 less than the 20-year broadband speed estab-  
3 lished by the Rural Utilities Service under this  
4 title, in a rural area to be served by the project;  
5 and

6 “(B) at such time, in such manner, and  
7 containing such other information as the Sec-  
8 retary may require;

9 “(2) demonstrate that the entity is able to  
10 carry out the project; and

11 “(3) agree to complete the project build-out  
12 within 5 years after the date the assistance is first  
13 provided for the project.

14 “(d) PRIORITIZATION.—In awarding assistance  
15 under this section, the Secretary shall give priority to pro-  
16 posals for projects that—

17 “(1) involve partnerships between or among  
18 multiple entities;

19 “(2) would provide broadband service to the  
20 greatest number of rural residents at or above the  
21 minimum broadband speed referred to in subsection  
22 (c)(1)(A); and

23 “(3) the Secretary determines could be rep-  
24 licated in rural areas described in paragraph (2).”.

1 **SEC. 6106. UNIFIED BROADBAND REPORTING REQUIRE-**  
2 **MENTS.**

3 Section 601 of the Rural Electrification Act of 1936  
4 (7 U.S.C. 950bb) is amended—

5 (1) in subsection (j)—

6 (A) in the matter preceding paragraph (1),  
7 by striking “Not later than” and all that fol-  
8 lows through “section” and inserting “Each  
9 year, the Secretary shall submit to the Congress  
10 a report that describes the extent of partici-  
11 pation in the broadband loan, loan guarantee, and  
12 grant programs administered by the Secretary”;

13 (B) in paragraph (1), by striking “loans  
14 applied for and provided under this section”  
15 and inserting “loans, loan guarantees, and  
16 grants applied for and provided under the pro-  
17 grams”;

18 (C) in paragraph (2)—

19 (i) in subparagraph (A), by striking  
20 “loan”; and

21 (ii) in subparagraph (B), by striking  
22 “loans and loan guarantees provided under  
23 this section” and inserting “loans, loan  
24 guarantees, and grants provided under the  
25 programs”;

1 (D) in paragraph (3), by striking “loan ap-  
 2 plication under this section” and inserting “ap-  
 3 plication under the programs”;

4 (E) in each of paragraphs (4) and (6), by  
 5 striking “this section” and inserting “the pro-  
 6 grams”; and

7 (F) in paragraph (5)—

8 (i) by striking “service” and inserting  
 9 “technology”; and

10 (ii) by striking “(b)(1)” and inserting  
 11 “(e)(1)”; and

12 (2) in subsection (k)(2), in each of subpara-  
 13 graphs (A)(i) and (C), by striking “loans” and in-  
 14 serting “grants, loans,”.

15 **SEC. 6107. IMPROVING ACCESS BY PROVIDING CERTAINTY**  
 16 **TO BROADBAND BORROWERS.**

17 (a) TELEPHONE LOAN PROGRAM.—Title II of the  
 18 Rural Electrification Act of 1936 (7 U.S.C. 922–928) is  
 19 amended by adding at the end the following:

20 **“SEC. 208. AUTHORITY TO OBLIGATE, BUT NOT DISBURSE,**  
 21 **FUNDS BEFORE THE COMPLETION OF RE-**  
 22 **VIEWS.**

23 “(a) IN GENERAL.—The Secretary may obligate, but  
 24 shall not disburse, funds under this title for a project be-

1 fore the completion of any otherwise required environ-  
 2 mental, historical, or other review of the project.

3 “(b) **AUTHORITY TO DEOBLIGATE FUNDS.**—The Sec-  
 4 retary may deobligate funds under this title for a project  
 5 if any such review will not be completed within a reason-  
 6 able period of time.”.

7 (b) **RURAL BROADBAND PROGRAM.**—Section 601(d)  
 8 of the Rural Electrification Act of 1936 (7 U.S.C.  
 9 950bb(d)) is amended by adding at the end the following:

10 “(11) **AUTHORITY TO OBLIGATE, BUT NOT DIS-**  
 11 **BURSE, FUNDS BEFORE COMPLETION OF REVIEWS;**  
 12 **AUTHORITY TO DEOBLIGATE FUNDS.**—The Secretary  
 13 may obligate, but shall not disburse, funds under  
 14 this section for a project before the completion of  
 15 any otherwise required environmental, historical, or  
 16 other review of the project. The Secretary may  
 17 deobligate funds under this section for a project if  
 18 any such review will not be completed within a rea-  
 19 sonable period of time.”.

20 **SEC. 6108. SIMPLIFIED APPLICATION WINDOW.**

21 Section 601(c)(2)(A) of the Rural Electrification Act  
 22 of 1936 (7 U.S.C. 950bb(c)(2)(A)) is amended by striking  
 23 “not less than 2 evaluation periods” and inserting “1 eval-  
 24 uation period”.



1 **SEC. 6109. ELIMINATION OF REQUIREMENT TO GIVE PRI-**  
2 **ORITY TO CERTAIN APPLICANTS.**

3 Section 601(c)(2) of the Rural Electrification Act of  
4 1936 (7 U.S.C. 950bb(c)(2)) is amended—

5 (1) by striking “; and” at the end of subpara-  
6 graph (C) and inserting a period; and

7 (2) by striking subparagraph (D).

8 **SEC. 6110. MODIFICATION OF BUILDOUT REQUIREMENT.**

9 Section 601(d)(1)(A)(iii) of the Rural Electrification  
10 Act of 1936 (7 U.S.C. 950bb(d)(1)(A)(iii)) is amended—

11 (1) by striking “service” and inserting “infra-  
12 structure”; and

13 (2) by striking “3” and inserting “5”.

14 **SEC. 6111. IMPROVING BORROWER REFINANCING OPTIONS.**

15 (a) **REFINANCING OF BROADBAND LOANS.**—Section  
16 201 of the Rural Electrification Act of 1936 (7 U.S.C.  
17 922) is amended by inserting “including indebtedness on  
18 a loan made under section 601” after “furnishing tele-  
19 phone service in rural areas”.

20 (b) **REFINANCING OF OTHER LOANS.**—Section  
21 601(i) of such Act (7 U.S.C. 950bb(i)) is amended by in-  
22 serting “, or on any other loan if the purpose for which  
23 such other loan was made is a telecommunications purpose  
24 for which assistance may be provided under this Act,” be-  
25 fore “if the use of”.

1 **SEC. 6112. ELIMINATION OF UNNECESSARY REPORTING RE-**  
2 **QUIREMENTS.**

3 Section 601(d)(8)(A)(ii) of the Rural Electrification  
4 Act of 1936 (7 U.S.C. 950bb(d)(8)(A)(ii)) is amended—

5 (1) in subclause (I), by striking “and location”;  
6 and

7 (2) in subclause (IV), by striking “any changes  
8 in broadband service adoption rates, including”.

9 **SEC. 6113. ACCESS TO BROADBAND TELECOMMUNICATIONS**  
10 **SERVICES IN RURAL AREAS.**

11 Section 601 of the Rural Electrification Act of 1936  
12 (7 U.S.C. 950bb) is amended—

13 (1) in subsection (k), by striking paragraph (1)  
14 and inserting the following:

15 “(1) LIMITATIONS ON AUTHORIZATION OF AP-  
16 PROPRIATIONS.—For loans and loan guarantees  
17 under this section, there is authorized to be appro-  
18 priated to the Secretary \$150,000,000 for each of  
19 fiscal years 2019 through 2023, to remain available  
20 until expended.”; and

21 (2) in subsection (l), by striking “2018” and in-  
22 serting “2023”.

23 **SEC. 6114. MIDDLE MILE BROADBAND INFRASTRUCTURE.**

24 Section 601 of the Rural Electrification Act of 1936  
25 (7 U.S.C. 950bb) is amended—

1           (1) in subsection (a), by inserting “or middle  
2       mile infrastructure” before “in rural areas”;

3           (2) in subsection (b), by redesignating para-  
4       graphs (2) and (3) as paragraphs (3) and (4) and  
5       inserting after paragraph (1) the following:

6           “(2) MIDDLE MILE INFRASTRUCTURE.—The  
7       term ‘middle mile infrastructure’ means any  
8       broadband infrastructure that does not connect di-  
9       rectly to end user locations (including anchor insti-  
10      tutions) and may include interoffice transport,  
11      backhaul, Internet connectivity, data centers, or spe-  
12      cial access transport to rural areas.”;

13          (3) in subsection (c)—

14                (A) in paragraph (1), by inserting “and to  
15               construct, improve, or acquire middle mile in-  
16               frastructure” before “in rural areas”;

17                (B) in paragraph (2)(B), by inserting “, or  
18               in the case of middle mile infrastructure, offer  
19               the future ability to link,” before “the greatest  
20               proportion”; and

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

22               “(3) LIMITATION ON MIDDLE MILE INFRA-  
23               STRUCTURE PROJECTS.—The Secretary shall limit  
24               loans or loan guarantees for middle mile infrastruc-

ture projects to no more than 20 percent of the amounts made available to carry out this section.”;

(4) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in clause (i) (as amended by section 6101(1) of this Act), by inserting “or extend middle mile infrastructure” before “in all”; and

(ii) in clause (iii), by inserting “or middle mile infrastructure” before “described”;

(B) in paragraph (2)—

(i) in subparagraph (B), by inserting “or install middle mile infrastructure” before “in the proposed”;

(ii) in subparagraph (C), by striking clause (ii) and inserting the following:

“(ii) EXCEPTION.—Clause (i) shall not apply with respect to a project if the project is eligible for funding under another title of this Act.”; and

(iii) by adding at the end the following:

“(D) EXCEPTION FOR MIDDLE MILE INFRASTRUCTURE.—Portions of a middle mile in-

1           frastructure project that ultimately meet the  
2           rural service requirements of this section may  
3           traverse an area not described in subsection  
4           (b)(4) when necessary.”;

5           (C) in paragraph (4), by inserting “, or  
6           construct, improve, or acquire middle mile in-  
7           frastructure in,” before “a rural area”;

8           (D) in paragraph (5)(A)(v), by inserting  
9           “or, in the case of middle mile infrastructure,  
10          connect” before the semicolon; and

11          (E) in paragraph (8)(A)(ii)—

12           (i) in subclause (I), by inserting “or  
13           may” before “receive”;

14           (ii) in subclause (II), by inserting “or  
15           capability of middle mile infrastructure”  
16           before the semicolon; and

17           (iii) in subclause (III), by inserting “,  
18           if applicable” before the semicolon;

19          (5) in subsection (i)—

20           (A) in the subsection heading, by inserting  
21           “OR MIDDLE MILE INFRASTRUCTURE” after  
22           “SERVICE”; and

23           (B) by inserting “or middle mile infra-  
24           structure” before “in rural areas”; and

1 (6) in subsection (j)(6), by inserting “or middle  
2 mile infrastructure” after “service” the 1st and 3rd  
3 places it appears.

4 **SEC. 6115. OUTDATED BROADBAND SYSTEMS.**

5 Title VI of the Rural Electrification Act of 1936 (7  
6 U.S.C. 950bb et seq.) is amended by adding at the end  
7 the following:

8 **“SEC. 605. OUTDATED BROADBAND SYSTEMS.**

9 “Beginning October 1, 2020, the Secretary shall con-  
10 sider any portion of a service territory subject to an out-  
11 standing grant agreement between the Secretary and a  
12 broadband provider in which broadband service is not pro-  
13 vided at at least 10 megabits per second download and  
14 at least 1 megabit per second upload as unserved for the  
15 purposes of all broadband loan programs under this Act,  
16 unless the broadband provider has constructed or begun  
17 to construct broadband facilities in the service territory  
18 that meet the minimum acceptable standard of service es-  
19 tablished under section 601(e)(1) for the area in which  
20 the service territory is located.”.

21 **SEC. 6116. FEDERAL BROADBAND PROGRAM COORDINA-**  
22 **TION.**

23 (a) CONSULTATION BETWEEN USDA AND NTIA.—  
24 The Secretary shall consult with the Assistant Secretary  
25 to assist in the verification of eligibility of the broadband

1 loan and grant programs of the Department of Agri-  
2 culture. In providing assistance under the preceding sen-  
3 tence, the Assistant Secretary shall make available the  
4 broadband assessment and mapping capabilities of the  
5 National Telecommunications and Information Adminis-  
6 tration.

7 (b) CONSULTATION BETWEEN USDA AND FCC.—

8 (1) BY USDA.—The Secretary shall consult with  
9 the Commission before making a broadband loan or  
10 grant for a project to serve an area with respect to  
11 which another entity is receiving Connect America  
12 Fund or Mobility Fund support under the Federal  
13 universal service support mechanisms established  
14 under section 254 of the Communications Act of  
15 1934 (47 U.S.C. 254).

16 (2) BY FCC.—The Commission shall consult  
17 with the Secretary before offering or providing Con-  
18 nect America Fund or Mobility Fund support under  
19 the Federal universal service support mechanisms  
20 established under section 254 of the Communica-  
21 tions Act of 1934 (47 U.S.C. 254) to serve an area  
22 with respect to which another entity has received an  
23 award under a broadband loan or grant program of  
24 the Department of Agriculture.

1       (c) REPORT TO CONGRESS.—Not later than 1 year  
2 after the date of the enactment of this Act, the Secretary,  
3 the Commission, and the Assistant Secretary shall submit  
4 to the Committee on Agriculture and the Committee on  
5 Energy and Commerce of the House of Representatives  
6 and the Committee on Agriculture, Nutrition, and For-  
7 estry and the Committee on Commerce, Science, and  
8 Transportation of the Senate a report on how best to co-  
9 ordinate federally supported broadband programs and ac-  
10 tivities in order to achieve the following objectives:

11           (1) Promote high-quality broadband service  
12 that meets the long-term needs of rural residents  
13 and businesses, by evaluating the broadband service  
14 needs in rural areas for each decade through 2050.

15           (2) Support the long-term viability, sustain-  
16 ability, and utility of federally supported rural  
17 broadband infrastructure, by analyzing the technical  
18 capabilities of the technologies currently available  
19 and reasonably expected to be available by 2035 to  
20 meet the broadband service needs of rural residents  
21 identified under paragraph (1), including by ana-  
22 lyzing the following:

23           (A) The real-world performance of such  
24 technologies, including data rates, latency, data



1 usage restrictions, and other aspects of service  
2 quality, as defined by the Commission.

3 (B) The suitability of each such technology  
4 for residential, agricultural, educational,  
5 healthcare, commercial, and industrial purposes  
6 in rural areas.

7 (C) The cost to deploy and support such  
8 technologies in several rural geographies.

9 (D) The costs associated with online plat-  
10 forms, specifically the resulting constraints on  
11 rural network bandwidth.

12 (3) Identify and quantify the availability of  
13 broadband service and ongoing broadband deploy-  
14 ment in rural areas, including ways to do the fol-  
15 lowing:

16 (A) Harmonize broadband notification and  
17 reporting requirements and develop common  
18 verification procedures across all federally sup-  
19 ported broadband programs.

20 (B) Consolidate and utilize the existing  
21 broadband service data.

22 (C) Collect and share data on those  
23 projects in rural areas where Federal programs  
24 are currently supporting broadband deployment,

including areas with respect to which an entity  
is receiving—

(i) support under a broadband loan or  
grant program of the Department of Agri-  
culture; or

(ii) Connect America Fund or Mobil-  
ity Fund support under the Federal uni-  
versal service support mechanisms estab-  
lished under section 254 of the Commu-  
nications Act of 1934 (47 U.S.C. 254).

(D) Leverage support technologies and  
services from online platforms for providers of  
broadband service in rural areas.

(d) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term “Assist-  
ant Secretary” means the Assistant Secretary of  
Commerce for Communications and Information.

(2) COMMISSION.—The term “Commission”  
means the Federal Communications Commission.

(3) RURAL AREA.—The term “rural area” has  
the meaning given the term in section 601(b)(3) of  
the Rural Electrification Act of 1936.

**SEC. 6117. EFFECTIVE DATE.**

(a) IN GENERAL.—The amendments made by this  
subtitle shall not take effect until the Secretary of Agri-

1 culture has issued final regulations to implement the  
2 amendments.

3 (b) DEADLINE FOR ISSUING REGULATIONS.—Within  
4 90 days after the date of the enactment of this Act, the  
5 Secretary of Agriculture shall prescribe final regulations  
6 to implement the amendments made by sections 6101 and  
7 6102.

8 **Subtitle C—Consolidated Farm and**  
9 **Rural Development Act**

10 **SEC. 6201. STRENGTHENING REGIONAL ECONOMIC DEVEL-**  
11 **OPMENT INCENTIVES.**

12 Section 379H of the Consolidated Farm and Rural  
13 Development Act (7 U.S.C. 2008v) is amended to read  
14 as follows:

15 **“SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DE-**  
16 **VELOPMENT.**

17 “(a) IN GENERAL.—In the case of any program as  
18 determined by the Secretary, the Secretary shall give pri-  
19 ority to an application for a project that, as determined  
20 and approved by the Secretary—

21 “(1) meets the applicable eligibility require-  
22 ments of this title or other applicable authorizing  
23 law;

24 “(2) will be carried out in a rural area; and

1           “(3) supports the implementation of a strategic  
2       community investment plan described in subsection  
3       (d) on a multisectoral and multijurisdictional basis.

4       “(b) RESERVE.—

5           “(1) IN GENERAL.—Subject to paragraph (2),  
6       the Secretary shall reserve a portion of the funds  
7       made available for a fiscal year for programs as de-  
8       termined by the Secretary, for projects that support  
9       the implementation of a strategic community invest-  
10      ment plan described in subsection (d) on a multise-  
11      ctoral and multijurisdictional basis.

12          “(2) PERIOD.—The reservation of funds de-  
13      scribed in paragraph (1) may only extend through a  
14      date of the fiscal year in which the funds were first  
15      made available, as determined by the Secretary.

16      “(c) APPROVED APPLICATIONS.—

17          “(1) IN GENERAL.—Any applicant who sub-  
18      mitted a funding application that was approved be-  
19      fore the date of enactment of this section may  
20      amend the application to qualify for the funds re-  
21      served under subsection (b).

22          “(2) RURAL UTILITIES.—Any rural develop-  
23      ment application authorized under section 306(a)(2),  
24      306(a)(14), 306(a)(24), 306A, or 310B(b) and ap-  
25      proved by the Secretary before the date of enact-

1       ment of this section shall be eligible for the funds  
2       reserved under subsection (b) on the same basis as  
3       the applications submitted under this section, until  
4       September 30, 2019.

5       “(d) STRATEGIC COMMUNITY INVESTMENT PLANS.—

6               “(1) IN GENERAL.—The Secretary shall provide  
7       assistance to rural communities for developing stra-  
8       tegic community investment plans.

9               “(2) PLANS.—A strategic community invest-  
10      ment plan described in paragraph (1) shall include—

11               “(A) a variety of activities designed to fa-  
12      cilitate a rural community’s vision for its fu-  
13      ture;

14               “(B) participation by multiple stake-  
15      holders, including local and regional partners;

16               “(C) leverage of applicable regional re-  
17      sources;

18               “(D) investment from strategic partners,  
19      such as—

20                       “(i) private organizations;

21                       “(ii) cooperatives;

22                       “(iii) other government entities;

23                       “(iv) Tribes; and

24                       “(v) philanthropic organizations;

1 “(E) clear objectives with the ability to es-  
 2 tablish measurable performance metrics;

3 “(F) action steps for implementation; and

4 “(G) any other elements necessary to en-  
 5 sure that the plan results in a comprehensive  
 6 and strategic approach to rural economic devel-  
 7 opment, as determined by the Secretary.

8 “(3) COORDINATION.—The Secretary shall co-  
 9 ordinate with tribes and local, State, regional, and  
 10 Federal partners to develop strategic community in-  
 11 vestment plans under this subsection.

12 “(4) LIMITATIONS ON AUTHORIZATION OF AP-  
 13 PROPRIATIONS.—

14 “(A) IN GENERAL.—There is authorized to  
 15 be appropriated \$5,000,000 for fiscal years  
 16 2018 through 2023 to carry out this subsection.

17 “(B) AVAILABILITY.—The amounts made  
 18 available to carry out this subsection are au-  
 19 thorized to remain available until expended.”.

20 **SEC. 6202. EXPANDING ACCESS TO CREDIT FOR RURAL**  
 21 **COMMUNITIES.**

22 (a) CERTAIN PROGRAMS UNDER THE CONSOLI-  
 23 DATED FARM AND RURAL DEVELOPMENT ACT.—Section  
 24 343(a)(13) of the Consolidated Farm and Rural Develop-  
 25 ment Act (7 U.S.C. 1991(a)(13)) is amended—

1 (1) in subparagraph (B)—

2 (A) in the heading, by striking “AND  
3 GUARANTEED”; and

4 (B) in the text—

5 (i) by striking “and guaranteed”; and

6 (ii) by striking “(1), (2), and (24)”

7 and inserting “(1) and (2)”; and

8 (2) in subparagraph (C)—

9 (A) by striking “and guaranteed”; and

10 (B) by striking “(21), and (24)” and in-  
11 serting “and (21)”.

12 (b) RURAL BROADBAND PROGRAM.—Paragraph  
13 (4)(A)(ii) of section 601(b) of the Rural Electrification  
14 Act of 1936 (7 U.S.C. 950bb(b)), as redesignated by sec-  
15 tion 6114(2), is amended by inserting “in the case of a  
16 direct loan,” before “a city”.

17 **SEC. 6203. PROVIDING FOR ADDITIONAL FEES FOR GUAR-**  
18 **ANTEED LOANS.**

19 (a) CERTAIN PROGRAMS UNDER THE CONSOLI-  
20 DATED FARM AND RURAL DEVELOPMENT ACT.—Section  
21 333 of the Consolidated Farm and Rural Development Act  
22 (7 U.S.C. 1983) is amended—

23 (1) by striking “and” at the end of paragraph

24 (5);

1           (2) by striking the period at the end of para-  
2       graph (6) and inserting “; and”; and

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

4           “(7) in the case of an insured or guaranteed  
5       loan issued or modified under section 306(a), charge  
6       and collect from the recipient of the insured or guar-  
7       anteed loan fees in such amounts as are necessary  
8       so that the sum of the total amount of fees so  
9       charged in each fiscal year and the total of the  
10      amounts appropriated for all such insured or guar-  
11      anteed loans for the fiscal year equals the subsidy  
12      cost for the insured or guaranteed loans in the fiscal  
13      year.”.

14       (b) RURAL BROADBAND PROGRAM.—Section 601(c)  
15   of the Rural Electrification Act of 1936 (7 U.S.C.  
16   950bb(c)), as amended by section 6114, is further amend-  
17   ed by adding at the end the following:

18           “(4) FEES.—In the case of a loan guarantee  
19      issued or modified under this section, the Secretary  
20      shall charge and collect from the recipient of the  
21      guarantee fees in such amounts as are necessary so  
22      that the sum of the total amount of fees so charged  
23      in each fiscal year and the total of the amounts ap-  
24      propriated for all such loan guarantees for the fiscal



1 year equals the subsidy cost for the loan guarantees  
2 in the fiscal year.”.

3 **SEC. 6204. WATER, WASTE DISPOSAL, AND WASTEWATER**  
4 **FACILITY GRANTS.**

5 Section 306(a)(2)(B) of the Consolidated Farm and  
6 Rural Development Act (7 U.S.C. 1926(a)(2)(B)) is  
7 amended—

8 (1) in clause (iii), by striking “\$100,000” each  
9 place it appears and inserting “\$200,000”; and

10 (2) in clause (vii), by striking “\$30,000,000 for  
11 each of fiscal years 2008 through 2018” and insert-  
12 ing “\$15,000,000 for each of fiscal years 2019  
13 through 2023”.

14 **SEC. 6205. RURAL WATER AND WASTEWATER TECHNICAL**  
15 **ASSISTANCE AND TRAINING PROGRAMS.**

16 (a) Section 306(a)(14)(A) of the Consolidated Farm  
17 and Rural Development Act (7 U.S.C. 1926(a)(14)(A)) is  
18 amended—

19 (1) by striking “and” at the end of clause (ii);

20 (2) by striking the period at the end of clause

21 (iii) and inserting “; and”; and

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

23 “(iv) identify options to enhance long  
24 term sustainability of rural water and  
25 waste systems to include operational prac-

1                   tices, revenue enhancements, policy revi-  
2                   sions, partnerships, consolidation, regional-  
3                   ization, or contract services.”.

4           (b) Section 306(a)(14)(C) of such Act (7 U.S.C.  
5 1926(a)(14)(C)) is amended by striking “1 nor more than  
6 3” and inserting “3 nor more than 5”.

7 **SEC. 6206. RURAL WATER AND WASTEWATER CIRCUIT**  
8 **RIDER PROGRAM.**

9           Section 306(a)(22)(B) of the Consolidated Farm and  
10 Rural Development Act (7 U.S.C. 1926(a)(22)(B)) is  
11 amended by striking “\$20,000,000 for fiscal year 2014”  
12 and inserting “\$25,000,000 for fiscal year 2018”.

13 **SEC. 6207. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL**  
14 **COMMUNITY FACILITIES.**

15           Section 306(a)(25)(C) of the Consolidated Farm and  
16 Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is  
17 amended by striking “\$10,000,000 for each of fiscal years  
18 2008 through 2018” and inserting “\$5,000,000 for each  
19 of fiscal years 2019 through 2023”.

20 **SEC. 6208. EMERGENCY AND IMMINENT COMMUNITY**  
21 **WATER ASSISTANCE GRANT PROGRAM.**

22           Section 306A(i) of the Consolidated Farm and Rural  
23 Development Act (7 U.S.C. 1926a(i)) is amended—

24                   (1) in paragraph (1), by striking subparagraph  
25                   (B) and inserting the following:

1 “(B) RELEASE.—

2 “(i) IN GENERAL.—Except as pro-  
3 vided in clause (ii), funds reserved under  
4 subparagraph (A) for a fiscal year shall be  
5 reserved only until July 1 of the fiscal  
6 year.

7 “(ii) EXCEPTION.—In response to an  
8 eligible community where the drinking  
9 water supplies are inadequate due to a nat-  
10 ural disaster, as determined by the Sec-  
11 retary, including drought or severe weath-  
12 er, the Secretary may provide potable  
13 water under this section for an additional  
14 period not to exceed 120 days beyond the  
15 established period otherwise provided  
16 under this section, in order to protect pub-  
17 lic health.”; and

18 (2) in paragraph (2), by striking “\$35,000,000  
19 for each of fiscal years 2008 through 2018” and in-  
20 serting “\$27,000,000 for each of fiscal years 2019  
21 through 2023”.

1 **SEC. 6209. WATER SYSTEMS FOR RURAL AND NATIVE VIL-**  
2 **LAGES IN ALASKA.**

3 Section 306D(d)(1) of the Consolidated Farm and  
4 Rural Development Act (7 U.S.C. 1926d(d)(1)) is amend-  
5 ed by striking “2018” and inserting “2023”.

6 **SEC. 6210. HOUSEHOLD WATER WELL SYSTEMS.**

7 Section 306E(d) of the Consolidated Farm and Rural  
8 Development Act (7 U.S.C. 1926e(d)) is amended by  
9 striking “2018” and inserting “2023”.

10 **SEC. 6211. SOLID WASTE MANAGEMENT GRANTS.**

11 Section 310B(b)(2) of the Consolidated Farm and  
12 Rural Development Act (7 U.S.C. 1932(b)(2)) is amended  
13 by striking “2018” and inserting “2023”.

14 **SEC. 6212. RURAL BUSINESS DEVELOPMENT GRANTS.**

15 Section 310B(c)(4)(A) of the Consolidated Farm and  
16 Rural Development Act (7 U.S.C. 1932(c)(4)(A)) is  
17 amended by striking “2018” and inserting “2023”.

18 **SEC. 6213. RURAL COOPERATIVE DEVELOPMENT GRANTS.**

19 (a) IN GENERAL.—Section 310B(e)(13) of the Con-  
20 solidated Farm and Rural Development Act (7 U.S.C.  
21 1932(e)(13)) is amended by striking “2018” and inserting  
22 “2023”.

23 (b) TECHNICAL CORRECTION.—Section  
24 310B(e)(11)(B)(i) of the Consolidated Farm and Rural  
25 Development Act (7 U.S.C. 1932(e)(11)(B)(i)) is amended  
26 by striking “(12)” and inserting “(13)”.

1 **SEC. 6214. LOCALLY OR REGIONALLY PRODUCED AGRICUL-**  
2 **TURAL FOOD PRODUCTS.**

3 Section 310B(g)(9)(B)(iv)(I) of the Consolidated  
4 Farm and Rural Development Act (7 U.S.C.  
5 1932(g)(9)(B)(iv)(I)) is amended by striking “2018” and  
6 inserting “2023”.

7 **SEC. 6215. APPROPRIATE TECHNOLOGY TRANSFER FOR**  
8 **RURAL AREAS PROGRAM.**

9 Section 310B(i)(4) of the Consolidated Farm and  
10 Rural Development Act (7 U.S.C. 1932(i)(4)) is amended  
11 by striking “2018” and inserting “2023”.

12 **SEC. 6216. RURAL ECONOMIC AREA PARTNERSHIP ZONES.**

13 Section 310B(j) of the Consolidated Farm and Rural  
14 Development Act (7 U.S.C. 1932(j)) is amended by strik-  
15 ing “2018” and inserting “2023”.

16 **SEC. 6217. INTERMEDIARY RELENDING PROGRAM.**

17 Section 310H(e) of the Consolidated Farm and Rural  
18 Development Act (7 U.S.C. 1936b(e)) is amended by  
19 striking “\$25,000,000 for each of fiscal years 2014  
20 through 2018” and inserting “\$10,000,000 for each of fis-  
21 cal years 2019 through 2023”.

22 **SEC. 6218. EXCLUSION OF PRISON POPULATIONS FROM**  
23 **DEFINITION OF RURAL AREA.**

24 Section 343(a)(13) of the Consolidated Farm and  
25 Rural Development Act (7 U.S.C. 1991(a)(13)) is amend-  
26 ed—

1 (1) in subparagraph (A), by striking “(G)” and  
2 inserting “(H)”; and

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

4 “(H) EXCLUSION OF POPULATIONS INCAR-  
5 CERATED ON A LONG-TERM BASIS.—Popu-  
6 lations of individuals incarcerated on a long-  
7 term or regional basis shall not be included in  
8 determining whether an area is ‘rural’ or a  
9 ‘rural area.’”.

10 **SEC. 6219. NATIONAL RURAL DEVELOPMENT PARTNER-**  
11 **SHIP.**

12 Section 378 of the Consolidated Farm and Rural De-  
13 velopment Act (7 U.S.C. 2008m) is amended—

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

16 (2) in subsection (h), by striking “2018” and  
17 inserting “2023”.

18 **SEC. 6220. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-**  
19 **TERS.**

20 Section 379B(d) of the Consolidated Farm and Rural  
21 Development Act (7 U.S.C. 2008p(d)) is amended by  
22 striking “2018” and inserting “2023”.

1 **SEC. 6221. RURAL MICROENTREPRENEUR ASSISTANCE**  
2 **PROGRAM.**

3 Section 379E(d) of the Consolidated Farm and Rural  
4 Development Act (7 U.S.C. 2008s(d)) is amended to read  
5 as follows:

6 “(d) FUNDING.—There are authorized to be appro-  
7 priated to carry out this section \$4,000,000 for each of  
8 fiscal years 2019 through 2023.”.

9 **SEC. 6222. HEALTH CARE SERVICES.**

10 Section 379G(e) of the Consolidated Farm and Rural  
11 Development Act (7 U.S.C. 2008u(e)) is amended by  
12 striking “2018” and inserting “2023”.

13 **SEC. 6223. DELTA REGIONAL AUTHORITY.**

14 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
15 382M(a) of the Consolidated Farm and Rural Develop-  
16 ment Act (7 U.S.C. 2009aa–12(a)) is amended by striking  
17 “2008 through 2018” and inserting “2019 through  
18 2023”.

19 (b) TERMINATION OF AUTHORITY.—Section 382N of  
20 such Act (7 U.S.C. 2009aa–13) is amended by striking  
21 “2018” and inserting “2023”.

22 **SEC. 6224. NORTHERN GREAT PLAINS REGIONAL AUTHOR-**  
23 **ITY.**

24 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
25 383N(a) of the Consolidated Farm and Rural Develop-  
26 ment Act (7 U.S.C. 2009bb–12(a)) is amended by striking

1 “\$30,000,000 for each of fiscal years 2008 through 2018”  
2 and inserting “\$2,000,000 for each of fiscal years 2019  
3 through 2023”.

4 (b) TERMINATION OF AUTHORITY.—Section 383O of  
5 such Act (7 U.S.C. 2009bb–13) is amended by striking  
6 “2018” and inserting “2023”.

7 **SEC. 6225. RURAL BUSINESS INVESTMENT PROGRAM.**

8 Section 384S of the Consolidated Farm and Rural  
9 Development Act (7 U.S.C. 2009cc–18) is amended by  
10 striking “2018” and inserting “2023”.

11 **Subtitle D—Rural Electrification**  
12 **Act of 1936**

13 **SEC. 6301. GUARANTEES FOR BONDS AND NOTES ISSUED**  
14 **FOR ELECTRIFICATION OR TELEPHONE PUR-**  
15 **POSES.**

16 Section 313A(f) of the Rural Electrification Act of  
17 1936 (7 U.S.C. 940c–1(f)) is amended by striking “2018”  
18 and inserting “2023”.

19 **SEC. 6302. EXPANSION OF 911 ACCESS.**

20 Section 315(d) of the Rural Electrification Act of  
21 1936 (7 U.S.C. 940e(d)) is amended by striking “2018”  
22 and inserting “2023”.



1 **SEC. 6303. IMPROVEMENTS TO THE GUARANTEED UNDER-**  
2 **WRITER PROGRAM.**

3 (a) Section 313A of the Rural Electrification Act of  
4 1936 (7 U.S.C. 940c-1) is amended—

5 (1) by striking subsection (a) and inserting the  
6 following:

7 “(a) GUARANTEES.—

8 “(1) IN GENERAL.—Subject to subsection (b),  
9 the Secretary shall guarantee payments on bonds or  
10 notes issued by cooperative or other lenders orga-  
11 nized on a not-for-profit basis, if the proceeds of the  
12 bonds or notes are used to make utility infrastruc-  
13 ture loans, or refinance bonds or notes issued for  
14 such purposes, to a borrower that has at any time  
15 received, or is eligible to receive, a loan under this  
16 Act.

17 “(2) TERMS.—A bond or note guaranteed  
18 under this section shall—

19 “(A) have a term of 35 years; and

20 “(B) by agreement between the Secretary  
21 and the borrower, be repaid by the borrower  
22 by—

23 “(i) periodic installments of principal  
24 and interest;

25 “(ii) periodic installments of interest  
26 and, at the end of the term of the bond or

1                   note, by the repayment of the outstanding  
2                   principal; or

3                   “(iii) a combination of the methods  
4                   for repayment provided under clauses (i)  
5                   and (ii).”; and

6           (2) in subsection (b)—

7                   (A) in paragraph (1), by striking “for eli-  
8                   gible electrification or telephone purposes con-  
9                   sistent with this Act” and inserting “to bor-  
10                  rowers described in subsection (a)”; and

11                  (B) in paragraph (3)—

12                   (i) in subparagraph (A), by striking  
13                   “for electrification or telephone purposes”  
14                   and inserting “to borrowers under this  
15                   Act”; and

16                   (ii) in subparagraph (C), by striking  
17                   “for eligible purposes described in sub-  
18                   section (a)” and inserting “to borrowers  
19                   described in subsection (a)”.

20           (b)(1) The Secretary shall carry out section 313A of  
21   the Rural Electrification Act of 1936 (7 U.S.C. 940c–1),  
22   including the amendments made by this section, under a  
23   Notice of Solicitation of Applications until all regulations  
24   necessary to carry out the amendments made by this sec-  
25   tion are fully implemented.

1       (2) Paragraph (1) shall take effect on the date of the  
2 enactment of this Act.

3   **SEC. 6304. EXTENSION OF THE RURAL ECONOMIC DEVELOP-**  
4                   **OPMENT LOAN AND GRANT PROGRAM.**

5       (a) Section 12(b)(3)(D) of the Rural Electrification  
6 Act of 1936 (7 U.S.C. 912(b)(3)(D)) is amended by strik-  
7 ing “313(b)(2)(A)” and inserting “313(b)(2)”.

8       (b) Section 313(b)(2) of such Act (7 U.S.C.  
9 940c(b)(2)) is amended—

10           (1) by striking all that precedes “shall main-  
11 tain” and inserting the following:

12           “(2) RURAL ECONOMIC DEVELOPMENT SUB-  
13 ACCOUNT.—The Secretary”; and

14           (2) by striking subparagraphs (B) through (E).

15       (c) Title III of such Act (7 U.S.C. 931–940h) is  
16 amended by inserting after section 313A the following:

17   **“SEC. 313B. RURAL DEVELOPMENT LOANS AND GRANTS.**

18       “(a) IN GENERAL.—The Secretary shall provide  
19 grants or zero interest loans to borrowers under this Act  
20 for the purpose of promoting rural economic development  
21 and job creation projects, including funding for project  
22 feasibility studies, start-up costs, incubator projects, and  
23 other reasonable expenses for the purpose of fostering  
24 rural development.

1       “(b) REPAYMENTS.—In the case of zero interest  
2 loans, the Secretary shall establish such reasonable repay-  
3 ment terms as will encourage borrower participation.

4       “(c) PROCEEDS.—All proceeds from the repayment  
5 of such loans made under this section shall be returned  
6 to the subaccount that the Secretary shall maintain in ac-  
7 cordance with sections 313(b)(2) and 313B(f).

8       “(d) NUMBER OF GRANTS.—Loans and grants re-  
9 quired under this section shall be made during each fiscal  
10 year to the full extent of the amounts made available  
11 under subsection (e).

12       “(e) FUNDING.—

13               “(1) DISCRETIONARY FUNDING.—In addition to  
14 other funds that are available to carry out this sec-  
15 tion, there is authorized to be appropriated not more  
16 than \$10,000,000 for each of fiscal years 2019  
17 through 2023 to carry out this section, to remain  
18 available until expended.

19               “(2) OTHER FUNDS.—In addition to the funds  
20 described in paragraph (1), the Secretary shall use  
21 to provide grants and loans under this section—

22                       “(A) the interest differential sums credited  
23 to the subaccount described in subsection (c);  
24 and

1                   “(B) subject to section 313A(e)(2), the  
2                   fees described in subsection (c)(4) of such sec-  
3                   tion.

4                   “(f) MAINTENANCE OF ACCOUNT.—The Secretary  
5 shall maintain the subaccount described in section  
6 313(b)(2), as in effect in fiscal year 2017, for purposes  
7 of carrying out this section.”.

8                   (d) Section 313A of the Rural Electrification Act of  
9 1936 (7 U.S.C. 940c–1) is amended—

10                   (1) in subsection (c)(4)—

11                   (A) in subparagraph (A), by striking  
12                   “maintained under section 313(b)(2)(A)” and  
13                   inserting “that shall be maintained as required  
14                   by sections 313(b)(2) and 313B(f)”; and

15                   (B) in subparagraph (B), by striking  
16                   “313(b)(2)(B)” and inserting “313(b)(2)”; and

17                   (2) in subsection (e)(2), by striking “main-  
18                   tained under section 313(b)(2)(A)” and inserting  
19                   “required to be maintained by sections 313(b)(2)  
20                   and 313B(f)”.

21                   (e)(1) Subject to section 313B(e) of the Rural Elec-  
22                   trification Act of 1936 (as added by this section), the Sec-  
23                   retary of Agriculture shall carry out the loan and grant  
24                   program required under such section in the same manner  
25                   as the loan and grant program under section 313(b)(2)

1 of such Act is carried out on the day before the date of  
 2 the enactment of this Act, until such time as any regula-  
 3 tions necessary to carry out the amendments made by this  
 4 section are fully implemented.

5 (2) Paragraph (1) shall take effect on the date of the  
 6 enactment of this Act.

## 7 **Subtitle E—Farm Security and** 8 **Rural Investment Act of 2002**

### 9 **SEC. 6401. RURAL ENERGY SAVINGS PROGRAM.**

10 Section 6407 of the Farm Security and Rural Invest-  
 11 ment Act of 2002 (7 U.S.C. 8107a) is amended—

12 (1) in subsection (c)—

13 (A) by redesignating paragraphs (4)  
 14 through (7) as paragraphs (5) through (8), re-  
 15 spectively;

16 (B) by inserting after paragraph (3) the  
 17 following:

18 “(4) ELIGIBILITY FOR OTHER LOANS.—The  
 19 Secretary shall not include any debt incurred under  
 20 this section in the calculation of a borrower’s debt-  
 21 equity ratio for purposes of eligibility for loans made  
 22 pursuant to the Rural Electrification Act of 1936 (7  
 23 U.S.C. 901 et. seq.).”; and

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

1           “(9) ACCOUNTING.—The Secretary shall take  
2           appropriate steps to streamline the accounting re-  
3           quirements imposed on borrowers under this section  
4           while maintaining adequate assurances of repayment  
5           of the loan.”;

6           (2) in subsection (d)(1)(A), by striking “3 per-  
7           cent” and inserting “5 percent”;

8           (3) by redesignating subsection (h) as sub-  
9           section (i);

10          (4) by inserting after subsection (g) the fol-  
11          lowing:

12          “(h) REPORT TO CONGRESS.—Not later than 120  
13          days after the end of each fiscal year, the Secretary shall  
14          submit to the Committees on Agriculture and Appropria-  
15          tions of the House of Representatives and the Committees  
16          on Agriculture, Nutrition, and Forestry and Appropria-  
17          tions of the Senate a report that describes—

18               “(1) the number of applications received under  
19               this section in such fiscal year;

20               “(2) the number of loans made to eligible enti-  
21               ties under this section in such fiscal year; and

22               “(3) the recipients of such loans.”; and

23               (5) in subsection (i), as so redesignated, by  
24               striking “2018” and inserting “2023”.

1 **SEC. 6402. BIOBASED MARKETS PROGRAM.**

2 Section 9002 of the Farm Security and Rural Invest-  
3 ment Act of 2002 (7 U.S.C. 8102) is amended—

4 (1) by amending subsection (i) to read as fol-  
5 lows:

6 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is  
7 authorized to be appropriated to carry out this section  
8 \$2,000,000 for each of fiscal years 2014 through 2023.”;  
9 and

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

11 “(k) WOOD AND WOOD-BASED PRODUCTS.—Not-  
12 withstanding any other provision of law, a Federal agency  
13 may not place limitations on the procurement of wood and  
14 wood-based products that are more limiting than those in  
15 this section.”.

16 **SEC. 6403. BIOREFINERY, RENEWABLE, CHEMICAL, AND**  
17 **BIOBASED PRODUCT MANUFACTURING AS-**  
18 **SISTANCE.**

19 Section 9003 of the Farm Security and Rural Invest-  
20 ment Act of 2002 (7 U.S.C. 8103) is amended—

21 (1) in subsection (b)(3)(A), by striking “and”  
22 at the end and inserting “or”; and

23 (2) by amending subsection (g) to read as fol-  
24 lows:



1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to carry out this section  
3 \$75,000,000 for each of fiscal years 2014 through 2023.”.

4 **SEC. 6404. REPOWERING ASSISTANCE PROGRAM.**

5 Section 9004(d) of the Farm Security and Rural In-  
6 vestment Act of 2002 (7 U.S.C. 8104(d)) is amended to  
7 read as follows:

8 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
9 is authorized to be appropriated to carry out this section  
10 \$10,000,000 for each of fiscal years 2014 through 2023.”.

11 **SEC. 6405. BIOENERGY PROGRAM FOR ADVANCED**  
12 **BIOFUELS.**

13 Section 9005 of the Farm Security and Rural Invest-  
14 ment Act of 2002 (7 U.S.C. 8105) is amended—

15 (1) in subsection (e)—

16 (A) by striking “The Secretary may” and  
17 inserting the following new paragraph:

18 “(1) AMOUNT.—The Secretary shall”; and

19 (B) by adding at the end the following new  
20 paragraph:

21 “(2) FEEDSTOCK.—The total amount of pay-  
22 ments made in a fiscal year under this section to one  
23 or more eligible producers for the production of ad-  
24 vanced biofuels derived from a single eligible com-  
25 modity shall not exceed one-third of the total

1 amount of funds made available under subsection  
2 (g).”; and

3 (2) in subsection (g)—

4 (A) by striking paragraphs (1) and (2) and  
5 inserting the following new paragraph:

6 “(1) AUTHORIZATION OF APPROPRIATIONS.—

7 There is authorized to be appropriated to carry out  
8 this section \$50,000,000 for each of fiscal years  
9 2019 through 2023.”; and

10 (B) by redesignating paragraph (3) as  
11 paragraph (2).

12 **SEC. 6406. BIODIESEL FUEL EDUCATION PROGRAM.**

13 Section 9006(d) of the Farm Security and Rural In-  
14 vestment Act of 2002 (7 U.S.C. 8106(d)) is amended to  
15 read as follows:

16 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
17 is authorized to be appropriated to carry out this section  
18 \$2,000,000 for each of fiscal years 2019 through 2023.”.

19 **SEC. 6407. RURAL ENERGY FOR AMERICA PROGRAM.**

20 Section 9007(g) of the Farm Security and Rural In-  
21 vestment Act of 2002 (7 U.S.C. 8107(g)) is amended—

22 (1) in paragraph (1)(E), by striking “for fiscal  
23 year 2014 and each fiscal year thereafter” and in-  
24 serting “for each of the fiscal years 2014 through  
25 2018”; and

1           (2) in paragraph (3), by striking “2018” and  
2           inserting “2023”.

3   **SEC. 6408. CATEGORICAL EXCLUSION FOR GRANTS AND FI-**  
4                   **NANCIAL ASSISTANCE MADE UNDER THE**  
5                   **RURAL ENERGY FOR AMERICA PROGRAM.**

6           Section 9007 of the Farm Security and Rural Invest-  
7   ment Act of 2002 (7 U.S.C. 8107) is amended by adding  
8   at the end the following:

9           “(h) CATEGORICAL EXCLUSION.—The provision of a  
10   grant or financial assistance under this section to any elec-  
11   tric generating facility, including one fueled with wind,  
12   solar, or biomass, that has a rating of 10 average  
13   megawatts or less is a category of actions hereby des-  
14   ignated as being categorically excluded from any require-  
15   ment to prepare an environmental assessment or an envi-  
16   ronmental impact statement under section 102 of the Na-  
17   tional Environmental Policy Act of 1969 (42 U.S.C.  
18   4332).”.

19   **SEC. 6409. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.**

20           Section 9009 of the Farm Security and Rural Invest-  
21   ment Act of 2002 (7 U.S.C. 8109) is repealed.

22   **SEC. 6410. FEEDSTOCK FLEXIBILITY.**

23           Section 9010(b) of the Farm Security and Rural In-  
24   vestment Act of 2002 (7 U.S.C. 8110(b)) is amended—

1 (1) in paragraph (1)(A), by striking “2018”  
 2 and inserting “2023”; and

3 (2) in paragraph (2)(A), by striking “2018”  
 4 and inserting “2023”.

5 **SEC. 6411. BIOMASS CROP ASSISTANCE PROGRAM.**

6 Section 9011(f) of the Farm Security and Rural In-  
 7 vestment Act of 2002 (7 U.S.C. 8111(f)) is amended by  
 8 striking paragraph (1) and inserting the following new  
 9 paragraph:

10 “(1) AUTHORIZATION OF APPROPRIATIONS.—  
 11 There is authorized to be appropriated to carry out  
 12 this section \$25,000,000 for each of fiscal years  
 13 2019 through 2023.”.

14 **Subtitle F—Miscellaneous**

15 **SEC. 6501. VALUE-ADDED AGRICULTURAL PRODUCT MAR-**  
 16 **KET DEVELOPMENT GRANTS.**

17 Section 231(b)(7) of the Agricultural Risk Protection  
 18 Act of 2000 (7 U.S.C. 1632a(b)(7)) is amended—

19 (1) in subparagraph (B), by striking  
 20 “\$40,000,000 for each of fiscal years 2008 through  
 21 2018” and inserting “\$50,000,000 for each of fiscal  
 22 years 2019 through 2023”; and

23 (2) by striking subparagraph (A) and redesign-  
 24 ating subparagraphs (B) and (C) as subparagraphs  
 25 (A) and (B), respectively.

1 **SEC. 6502. AGRICULTURE INNOVATION CENTER DEM-**  
2 **ONSTRATION PROGRAM.**

3 Section 6402(i) of the Farm Security and Rural In-  
4 vestment Act of 2002 (7 U.S.C. 1632b(i)) is amended by  
5 striking “2018” and inserting “2023”.

6 **SEC. 6503. REGIONAL ECONOMIC AND INFRASTRUCTURE**  
7 **DEVELOPMENT COMMISSIONS.**

8 Section 15751(a) of title 40, United States Code, is  
9 amended by striking “2018” and inserting “2023”.

10 **SEC. 6504. DEFINITION OF RURAL AREA FOR PURPOSES OF**  
11 **THE HOUSING ACT OF 1949.**

12 The second sentence of section 520 of the Housing  
13 Act of 1949 (42 U.S.C. 1490) is amended—

14 (1) by striking “or 2010 decennial census” and  
15 inserting “2010, or 2020 decennial census”;

16 (2) by striking “December 31, 2010,” and in-  
17 serting “December 31, 2020,” ; and

18 (3) by striking “year 2020” and inserting “year  
19 2030”.

20 **SEC. 6505. LIMITED EXCLUSION OF MILITARY BASE RESI-**  
21 **DENTS FROM DEFINITION OF RURAL AREA.**

22 (a) PROGRAMS UNDER THE CONSOLIDATED FARM  
23 AND RURAL DEVELOPMENT ACT.—Section 343(a)(13) of  
24 the Consolidated Farm and Rural Development Act (7  
25 U.S.C. 1991(a)(13)), as amended by section 6218 of this  
26 Act, is amended—

1           (1) in subparagraph (A), by striking “(H)” and  
2       inserting “(I)”; and

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

4           “(I) LIMITED EXCLUSION OF MILITARY BASE  
5       POPULATIONS.—The first 1,500 individuals who re-  
6       side in housing located on a military base shall not  
7       be included in determining whether an area is ‘rural’  
8       or a ‘rural area’.”.

9       (b) RURAL BROADBAND LOANS AND GUARANTEE  
10   PROGRAM.—Section 601(b)(3) of the Rural Electrification  
11   Act of 1936 (7 U.S.C. 950bb(b)(3)) is amended by adding  
12   at the end the following:

13           “(C) EXCLUSION OF MILITARY BASE POPU-  
14       LATIONS.—The first 1,500 individuals who reside in  
15       housing located on a military base shall not be in-  
16       cluded in determining whether an area is a ‘rural  
17       area’.”.

18       (c) DISTANCE LEARNING AND TELEMEDICINE  
19   LOANS AND GRANTS.—Section 2332 of the Food Agri-  
20   culture, Conservation, and Trade Act of 1990 (7 U.S.C.  
21   950aaa–1) is amended by adding at the end the following:

22           “(4) RURAL AREA.—The term ‘rural area’ has  
23       the meaning given the term in section 601(b)(3) of  
24       the Rural Electrification Act of 1936.”.

## 1       **Subtitle G—Program Repeals**

### 2       **SEC. 6601. ELIMINATION OF UNFUNDED PROGRAMS.**

3       (a) CONSOLIDATED FARM AND RURAL DEVELOP-  
4       MENT ACT.—

5               (1) REPEALERS.—The following provisions of  
6       the Consolidated Farm and Rural Development Act  
7       are hereby repealed:

8               (A) Section 306(a)(23) (7 U.S.C.  
9       1926(a)(23)).

10              (B) Section 310B(f) (7 U.S.C. 1932(f)).

11              (C) Section 379 (7 U.S.C. 2008n).

12              (D) Section 379A (7 U.S.C. 2008o).

13              (E) Section 379C (7 U.S.C. 2008q).

14              (F) Section 379D (7 U.S.C. 2008r).

15              (G) Section 379F (7 U.S.C. 2008t).

16              (H) Subtitle I (7 U.S.C. 2009dd–2009dd–  
17       7).

18              (2) CONFORMING AMENDMENT.—Section  
19       333A(h) of such Act (7 U.S.C. 1983a(h)) is amend-  
20       ed by striking “310B(f),”.

21       (b) RURAL ELECTRIFICATION ACT OF 1936.—

22              (1) IN GENERAL.—The following provisions of  
23       the Rural Electrification Act of 1936 are hereby re-  
24       pealed:

25              (A) Section 314 (7 U.S.C. 940d).

1 (B) Section 602 (7 U.S.C. 950bb–1).

2 (2) CONFORMING AMENDMENT.—Sections 604  
3 and 605 of such Act, as added by sections 6102 and  
4 6115 of this Act, are redesignated as sections 602  
5 and 604, respectively, and section 602 (as so rededesignated)  
6 is transferred to just after section 601 of  
7 the Rural Electrification Act of 1936.

8 **SEC. 6602. REPEAL OF RURAL TELEPHONE BANK.**

9 (a) REPEAL.—Title IV of the Rural Electrification  
10 Act of 1936 (7 U.S.C. 941–950b) is repealed.

11 (b) CONFORMING AMENDMENTS.—

12 (1) Section 18 of such Act (7 U.S.C. 918) is  
13 amended in each of subsections (a) and (b) by striking  
14 “and the Governor of the telephone bank”.

15 (2) Section 204 of such Act (7 U.S.C. 925) is  
16 amended by striking “and the Governor of the telephone  
17 bank”.

18 (3) Section 205(a) of such Act (7 U.S.C. 926)  
19 is amended—

20 (A) in the matter preceding paragraph (1),  
21 by striking “and the Governor of the telephone  
22 bank”; and

23 (B) in paragraph (2), by striking “or the  
24 Governor of the telephone bank”.



1           (4) Section 206(a) of such Act (7 U.S.C.  
2   927(a)) is amended—

3           (A) in the matter preceding paragraph (1),  
4           by striking “and the Governor of the telephone  
5           bank”; and

6           (B) in paragraph (4), by striking “or  
7           408”.

8           (5) Section 206(b) of such Act (7 U.S.C.  
9   927(b)) is amended—

10          (A) in the matter preceding paragraph (1),  
11          by striking “and the Governor of the telephone  
12          bank”;

13          (B) in paragraph (1), by striking “, or a  
14          Rural Telephone Bank loan,”; and

15          (C) in paragraph (2), by striking “, the  
16          Rural Telephone Bank,”.

17          (6) Section 207(1) of such Act (7 U.S.C.  
18   928(1)) is amended—

19          (A) by striking “305,” and inserting “305  
20          or”; and

21          (B) by striking “, or a loan under section  
22          408,”.

23          (7) Section 301 of such Act (7 U.S.C. 931) is  
24          amended—

1 (A) in paragraph (3), by striking “except  
2 for net collection proceeds previously appro-  
3 priated for the purchase of class A stock in the  
4 Rural Telephone Bank,”;

5 (B) by adding “or” at the end of para-  
6 graph (4);

7 (C) by striking “; and” at the end of para-  
8 graph (5) and inserting a period; and

9 (D) by striking paragraph (6).

10 (8) Section 305(d)(2)(B) of such Act (7 U.S.C.  
11 935(d)(2)(B)) is amended—

12 (A) in clause (i), by striking “and a loan  
13 under section 408”; and

14 (B) in clause (ii), by striking “and under  
15 section 408” each place it appears.

16 (9) Section 305(d)(3)(C) of such Act (7 U.S.C.  
17 935(d)(3)(C)) is amended by striking “and section  
18 408(b)(4)(C), the Secretary and the Governor of the  
19 telephone bank” and inserting “the Secretary”.

20 (10) Section 306 of such Act (7 U.S.C. 936) is  
21 amended by striking “the Rural Telephone Bank,  
22 National Rural Utilities Cooperative Finance Cor-  
23 poration,” and inserting “the National Rural Utili-  
24 ties Cooperative Finance Corporation”.

1           (11) Section 309 of such Act (7 U.S.C. 739) is  
2 amended by striking the last sentence.

3           (12) Section 2352(b) of the Food, Agriculture,  
4 Conservation, and Trade Act of 1990 (7 U.S.C. 901  
5 note) is amended by striking “the Rural Telephone  
6 Bank and”.

7           (13) The first section of Public Law 92–12 (7  
8 U.S.C. 921a) is repealed.

9           (14) The first section of Public Law 92–324 (7  
10 U.S.C. 921b) is repealed.

11           (15) Section 1414 of the Omnibus Budget Rec-  
12 onciliation Act of 1987 (7 U.S.C. 944a) is repealed.

13           (16) Section 1411 of the Omnibus Budget Rec-  
14 onciliation Act of 1987 (7 U.S.C. 948 notes) is  
15 amended by striking subsections (a) and (b).

16           (17) Section 3.8(b)(1)(A) of the Farm Credit  
17 Act of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended  
18 by striking “or a loan or loan commitment from the  
19 Rural Telephone Bank,”.

20           (18) Section 105(d) of the National Consumer  
21 Cooperative Bank Act (12 U.S.C. 3015(d)) is  
22 amended by striking “the Rural Telephone Bank,”.

23           (19) Section 9101 of title 31, United States  
24 Code, is amended—

1 (A) in paragraph (2), by striking subpara-  
 2 graph (H) and redesignating subparagraphs (I),  
 3 (J), and (K) as subparagraphs (H), (I), and  
 4 (J), respectively; and

5 (B) in paragraph (3), by striking subpara-  
 6 graph (K) and redesignating subparagraphs (L)  
 7 through (R) as subparagraphs (K) through (P),  
 8 respectively.

9 (20) Section 9108(d)(2) of title 31, United  
 10 States Code, is amended by striking “the Rural  
 11 Telephone Bank (when the ownership, control, and  
 12 operation of the Bank are converted under section  
 13 410(a) of the Rural Electrification Act of 1936 (7  
 14 U.S.C. 950(a))),”.

15 **SEC. 6603. AMENDMENTS TO LOCAL TV ACT.**

16 The Launching Our Communities’ Access to Local  
 17 Television Act of 2000 (title X of H.R. 5548 of the 106th  
 18 Congress, as enacted by section 1(a)(2) of Public Law  
 19 106–553; 114 Stat. 2762A–128) is amended—

20 (1) by striking the title heading and inserting  
 21 the following:

22 **“TITLE X—SATELLITE CARRIER**  
 23 **RETRANSMISSION ELIGIBILITY”;**

24 (2) by striking sections 1001 through 1007 and  
 25 1009 through 1012; and

1           (3) by redesignating section 1008 as section  
2       1001.

### 3       **Subtitle H—Technical Corrections**

#### 4       **SEC. 6701. CORRECTIONS RELATING TO THE CONSOLI-** 5                       **DATED FARM AND RURAL DEVELOPMENT** 6                       **ACT.**

7           (a)(1) Section 306(a)(19)(A) of the Consolidated  
8       Farm and Rural Development Act (7 U.S.C.  
9       1926(a)(19)(A)) is amended by inserting after “nonprofit  
10      corporations” the following: “, Indian Tribes (as defined  
11      in section 4(e) of the Indian Self-Determination and Edu-  
12      cation Assistance Act)”.

13          (2) The amendment made by this subsection shall  
14      take effect as if included in section 773 of the Agriculture,  
15      Rural Development, Food and Drug Administration, and  
16      Related Agencies Appropriations Act, 2001 (H.R. 5426 of  
17      the 106th Congress, as enacted by Public Law 106–387  
18      (114 Stat. 1549A–45)) in lieu of the amendment made  
19      by such section.

20          (b)(1) Section 309A(b) of the Consolidated Farm and  
21      Rural Development Act (7 U.S.C. 1929a(b)) is amended  
22      by striking “and section 308”.

23          (2) The amendment made by this subsection shall  
24      take effect as if included in the enactment of section

1 661(c)(2) of the Federal Agricultural Improvement and  
2 Reform Act of 1996 (Public Law 104–127).

3 (c) Section 310B(c)(3)(A)(v) of the Consolidated  
4 Farm and Rural Development Act (7 U.S.C.  
5 1932(c)(3)(A)(v)) is amended by striking “and” after the  
6 semicolon and inserting “or”.

7 (d)(1) Section 310B(e)(5)(F) of the Consolidated  
8 Farm and Rural Development Act (7 U.S.C.  
9 1932(e)(5)(F)) is amended by inserting “, except that the  
10 Secretary shall not require non-Federal financial support  
11 in an amount that is greater than 5 percent in the case  
12 of a 1994 institution (as defined in section 532 of the Eq-  
13 uity in Educational Land-Grant Status Act of 1994 (7  
14 U.S.C. 301 note; Public Law 103–382))” before the pe-  
15 riod at the end.

16 (2) The amendment made by this subsection shall  
17 take effect as if included in the enactment of section 6015  
18 of the Farm Security and Rural Investment Act of 2002  
19 (Public Law 107–171).

20 (e)(1) Section 381E(d)(3) of the Consolidated Farm  
21 and Rural Development Act (7 U.S.C. 2009d(d)(3)) is  
22 amended by striking subparagraph (A) and redesignating  
23 subparagraphs (B) and (C) as subparagraphs (A) and  
24 (B), respectively.

1       (2) The amendment made by paragraph (1) shall  
2 take effect as if included in the enactment of section  
3 6012(b) of the Agricultural Act of 2014 (Public Law 113–  
4 79).

5       (f)(1) Section 382A of the Consolidated Farm and  
6 Rural Development Act (7 U.S.C. 2009aa) is amended by  
7 adding at the end the following:

8               “(4) Notwithstanding any other provision of  
9 law, the State of Alabama shall be a full member of  
10 the Delta Regional Authority and shall be entitled to  
11 all rights and privileges that said membership af-  
12 fords to all other participating States in the Delta  
13 Regional Authority.”.

14       (2) The amendment made by this subsection shall  
15 take effect as if included in the enactment of section  
16 153(b) of division B of H.R. 5666, as introduced in the  
17 106th Congress, and as enacted by section 1(4) of the  
18 Consolidated Appropriations Act, 2001 (Appendix D of  
19 Public Law 106–554; 114 Stat. 2763A–252).

20       (g) Section 382E(a)(1)(B) of the Consolidated Farm  
21 and Rural Development Act (7 U.S.C.2009aa-4(a)(1)(B))  
22 is amended by moving clause (iv) 2 ems to the right.

23       (h) Section 383G(c) of the Consolidated Farm and  
24 Rural Development Act (7 U.S.C. 2009bb-5(c)) is amend-  
25 ed—

1 (1) in the subsection heading by striking  
2 “TELECOMMUNICATION RENEWABLE ENERGY,”  
3 and inserting “TELECOMMUNICATION, RENEWABLE  
4 ENERGY,”; and  
5 (2) in the text, by striking “,” and inserting a  
6 comma.

7 **SEC. 6702. CORRECTIONS RELATING TO THE RURAL ELEC-**  
8 **TRIFICATION ACT OF 1936.**

9 (a) Section 201 of the Rural Electrification Act of  
10 1936 (7 U.S.C. 922) is amended in the 3rd sentence by  
11 striking “wildest” and inserting “widest”.

12 (b)(1) Section 601(d)(8)(A)(ii)(V) of such Act (7  
13 U.S.C. 950bb(d)(8)(A)(ii)(V)) is amended by striking the  
14 semicolon and inserting a period.

15 (2) The amendment made by paragraph (1) shall  
16 take effect as if included in the enactment of section  
17 6104(a)(2)(E) of the Agricultural Act of 2014 (Public  
18 Law 113–79).

19 **Subtitle I—Precision Agriculture**  
20 **Connectivity**

21 **SEC. 6801. FINDINGS.**

22 Congress finds the following:

23 (1) Precision agriculture technologies and prac-  
24 tices allow farmers to significantly increase crop  
25 yields, eliminate overlap in operations, and reduce



1 inputs such as seed, fertilizer, pesticides, water, and  
2 fuel.

3 (2) These technologies allow farmers to collect  
4 data in real time about their fields, automate field  
5 management, and maximize resources.

6 (3) Studies estimate that precision agriculture  
7 technologies can reduce agricultural operation costs  
8 by up to 25 dollars per acre and increase farm yields  
9 by up to 70 percent by 2050.

10 (4) The critical cost savings and productivity  
11 benefits of precision agriculture cannot be realized  
12 without the availability of reliable broadband Inter-  
13 net access service delivered to the agricultural land  
14 of the United States.

15 (5) The deployment of broadband Internet ac-  
16 cess service to unserved and underserved agricul-  
17 tural land is critical to the United States economy  
18 and to the continued leadership of the United States  
19 in global food production.

20 (6) Despite the growing demand for broadband  
21 Internet access service on agricultural land,  
22 broadband Internet access service is not consistently  
23 available where needed for agricultural operations.

24 (7) The Federal Communications Commission  
25 has an important role to play in the deployment of

1 broadband Internet access service on unserved and  
2 underserved agricultural land to promote precision  
3 agriculture.

4 **SEC. 6802. TASK FORCE FOR REVIEWING THE**  
5 **CONNECTIVITY AND TECHNOLOGY NEEDS OF**  
6 **PRECISION AGRICULTURE.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “broadband Internet access serv-  
9 ice” has the meaning given the term in section 8.2  
10 of title 47, Code of Federal Regulations, or any suc-  
11 cessor regulation;

12 (2) the term “Commission” means the Federal  
13 Communications Commission;

14 (3) the term “Department” means the Depart-  
15 ment of Agriculture; and

16 (4) the term “Task Force” means the Task  
17 Force for Reviewing the Connectivity and Tech-  
18 nology Needs of Precision Agriculture in the United  
19 States established under subsection (b).

20 (b) ESTABLISHMENT.—Not later than 1 year after  
21 the date of enactment of this Act, the Commission shall  
22 establish the Task Force for Reviewing the Connectivity  
23 and Technology Needs of Precision Agriculture in the  
24 United States.

25 (c) DUTIES.—

1           (1) IN GENERAL.—The Task Force shall con-  
2       sult with the Secretary, or a designee of the Sec-  
3       retary, and collaborate with public and private  
4       stakeholders in the agriculture and technology fields  
5       to—

6           (A) identify and measure current gaps in  
7       the availability of broadband Internet access  
8       service on agricultural land;

9           (B) develop policy recommendations to  
10      promote the rapid, expanded deployment of  
11      broadband Internet access service on unserved  
12      agricultural land, with a goal of achieving reli-  
13      able capabilities on 95 percent of agricultural  
14      land in the United States by 2025;

15          (C) promote effective policy and regulatory  
16      solutions that encourage the adoption of  
17      broadband Internet access service on farms and  
18      ranches and promote precision agriculture;

19          (D) recommend specific new rules or  
20      amendments to existing rules of the Commis-  
21      sion that the Commission should issue to  
22      achieve the goals and purposes of the policy rec-  
23      ommendations described in subparagraph (B);

24          (E) recommend specific steps that the  
25      Commission should take to obtain reliable and

1 standardized data measurements of the avail-  
2 ability of broadband Internet access service as  
3 may be necessary to target funding support,  
4 from existing or future programs of the Com-  
5 mission dedicated to the deployment of  
6 broadband Internet access service, to unserved  
7 agricultural land in need of broadband Internet  
8 access service; and

9 (F) recommend specific steps that the  
10 Commission should consider to ensure that the  
11 expertise of the Secretary and available farm  
12 data are reflected in existing or future pro-  
13 grams of the Commission dedicated to the in-  
14 frastructure deployment of broadband Internet  
15 access service and to direct available funding to  
16 unserved agricultural land where needed.

17 (2) CONSULTATION.—The Secretary, or a des-  
18 ignee of the Secretary, shall explain and make avail-  
19 able to the Task Force the expertise, data mapping  
20 information, and resources of the Department that  
21 the Department uses to identify cropland, ranchland,  
22 and other areas with agricultural operations that  
23 may be helpful in developing the recommendations  
24 required under paragraph (1).

1           (3) LIST OF AVAILABLE FEDERAL PROGRAMS  
2           AND RESOURCES.—Not later than 180 days after  
3           the date of enactment of this Act, the Secretary and  
4           the Commission shall jointly submit to the Task  
5           Force a list of all Federal programs or resources  
6           available for the expansion of broadband Internet ac-  
7           cess service on unserved agricultural land to assist  
8           the Task Force in carrying out the duties of the  
9           Task Force.

10          (d) MEMBERSHIP.—

11           (1) IN GENERAL.—The Task Force shall be—

12                   (A) composed of not more than 15 voting  
13           members who shall—

14                           (i) be selected by the Chairman of the  
15                   Commission, in consultation with the Sec-  
16                   retary; and

17                           (ii) include—

18                                   (I) agricultural producers rep-  
19                                   resenting diverse geographic regions  
20                                   and farm sizes, including owners and  
21                                   operators of farms of less than 100  
22                                   acres;

23                                   (II) Internet service providers,  
24                                   including regional or rural fixed and  
25                                   mobile broadband Internet access

1 service providers and telecommuni-  
2 cations infrastructure providers;

3 (III) representatives from the  
4 electric cooperative industry;

5 (IV) representatives from the sat-  
6 ellite industry;

7 (V) representatives from preci-  
8 sion agriculture equipment manufac-  
9 turers, including drone manufactur-  
10 ers, manufacturers of autonomous ag-  
11 ricultural machinery, and manufactur-  
12 ers of farming robotics technologies;  
13 and

14 (VI) representatives from State  
15 and local governments; and

16 (B) fairly balanced in terms of tech-  
17 nologies, points of view, and fields represented  
18 on the Task Force.

19 (2) PERIOD OF APPOINTMENT; VACANCIES.—

20 (A) IN GENERAL.—A member of the Com-  
21 mittee appointed under paragraph (1)(A) shall  
22 serve for a single term of 2 years.

23 (B) VACANCIES.—Any vacancy in the Task  
24 Force—

1 (i) shall not affect the powers of the  
2 Task Force; and

3 (ii) shall be filled in the same manner  
4 as the original appointment.

5 (3) EX-OFFICIO MEMBER.—The Secretary, or a  
6 designee of the Secretary, shall serve as an ex-offi-  
7 cio, nonvoting member of the Task Force.

8 (e) REPORTS.—Not later than 1 year after the date  
9 on which the Commission establishes the Task Force, and  
10 annually thereafter, the Task Force shall submit to the  
11 Chairman of the Commission a report, which shall be  
12 made public not later than 30 days after the date on which  
13 the Chairman receives the report, that details—

14 (1) the status of fixed and mobile broadband  
15 Internet access service coverage of agricultural land;

16 (2) the projected future connectivity needs of  
17 agricultural operations, farmers, and ranchers; and

18 (3) the steps being taken to accurately measure  
19 the availability of broadband Internet access service  
20 on agricultural land and the limitations of current,  
21 as of the date of the report, measurement processes.

22 (f) TERMINATION.—The Commission shall renew the  
23 Task Force every 2 years until the Task Force terminates  
24 on January 1, 2025.

1 **TITLE VII—RESEARCH, EXTEN-**  
2 **SION, AND RELATED MAT-**  
3 **TERS**

4 **Subtitle A—National Agricultural**  
5 **Research, Extension, and Teach-**  
6 **ing Policy Act of 1977**

7 **SEC. 7101. INTERNATIONAL AGRICULTURE RESEARCH.**

8 Section 1402 of the National Agricultural Research,  
9 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
10 3101) is amended—

11 (1) in paragraph (7), by striking “and” at the  
12 end;

13 (2) in paragraph (8), by striking the period at  
14 the end and inserting “; and”; and

15 (3) by adding at the end the following new  
16 paragraph:

17 “(9) support international scientific collabora-  
18 tion that leverages resources and advances the food  
19 and agricultural interests of the United States.”.

20 **SEC. 7102. MATTERS RELATED TO CERTAIN SCHOOL DES-**  
21 **IGNATIONS AND DECLARATIONS.**

22 (a) STUDY OF FOOD AND AGRICULTURAL  
23 SCIENCES.—

24 (1) AMENDMENT.—Section 1404(14) of the  
25 National Agricultural Research, Extension, and



1 Teaching Policy Act of 1977 (7 U.S.C. 3103(14)) is  
2 amended—

3 (A) by amending subparagraph (A) to read  
4 as follows:

5 “(A) IN GENERAL.—

6 “(i) DEFINITION.—The terms  
7 ‘NLGCA Institution’ and ‘non-land-grant  
8 college of agriculture’ mean a public col-  
9 lege or university offering a baccalaureate  
10 or higher degree in the study of agricul-  
11 tural sciences, forestry, or both in any area  
12 of study specified in clause (ii).

13 “(ii) CLARIFICATION.—For purposes  
14 of clause (i), an area of study specified in  
15 this clause is any of the following:

16 “(I) Agriculture.

17 “(II) Agricultural business and  
18 management.

19 “(III) Agricultural economics.

20 “(IV) Agricultural mechaniza-  
21 tion.

22 “(V) Agricultural production op-  
23 erations.

24 “(VI) Aquaculture.

1                   “(VII) Agricultural and food  
2 products processing.

3                   “(VIII) Agricultural and domes-  
4 tic animal services.

5                   “(IX) Equestrian or equine stud-  
6 ies.

7                   “(X) Applied horticulture or hor-  
8 ticulture operations.

9                   “(XI) Ornamental horticulture.

10                  “(XII) Greenhouse operations  
11 and management.

12                  “(XIII) Turf and turfgrass man-  
13 agement.

14                  “(XIV) Plant nursery operations  
15 and management.

16                  “(XV) Floriculture or floristry  
17 operations and management.

18                  “(XVI) International agriculture.

19                  “(XVII) Agricultural public serv-  
20 ices.

21                  “(XVIII) Agricultural and exten-  
22 sion education services.

23                  “(XIX) Agricultural communica-  
24 tion or agricultural journalism.

25                  “(XX) Animal sciences.

- 1 “(XXI) Food science.
- 2 “(XXII) Plant sciences.
- 3 “(XXIII) Soil sciences.
- 4 “(XXIV) Forestry.
- 5 “(XXV) Forest sciences and biol-
- 6 ogy.
- 7 “(XXVI) Natural resources or
- 8 conservation.
- 9 “(XXVII) Natural resources
- 10 management and policy.
- 11 “(XXVIII) Natural resource eco-
- 12 nomics.
- 13 “(XXIX) Urban forestry.
- 14 “(XXX) Wood science and wood
- 15 products or pulp or paper technology.
- 16 “(XXXI) Range science and
- 17 management.
- 18 “(XXXII) Agricultural engineer-
- 19 ing.”; and
- 20 (B) in subparagraph (C)—
- 21 (i) in the matter preceding clause (i),
- 22 by inserting “any institution designated
- 23 under” after “include”;
- 24 (ii) by striking clause (i); and
- 25 (iii) in clause (ii)—

- 1 (I) by striking “(ii) any institu-
- 2 tion designated under—”;
- 3 (II) by striking subclause (IV);
- 4 (III) in subclause (II), by adding
- 5 “or” at the end;
- 6 (IV) in subclause (III), by strik-
- 7 ing “; or” at the end and inserting a
- 8 period; and
- 9 (V) by redesignating subclauses
- 10 (I), (II), and (III) (as so amended) as
- 11 clauses (i), (ii), and (iii), respectively,
- 12 and by moving the margins of such
- 13 clauses (as so redesignated) two ems
- 14 to the left.

15 (2) DESIGNATION REVIEW.—

- 16 (A) IN GENERAL.—Not later than 90 days
- 17 after the date of the enactment of this Act, the
- 18 Secretary shall establish a process to review
- 19 each designated NLGCA Institution (as defined
- 20 in section 1404(14)(A) of the National Agricul-
- 21 tural Research, Extension, and Teaching Policy
- 22 Act of 1977 (7 U.S.C. 3103(14)(A))) to ensure
- 23 compliance with such section, as amended by
- 24 this subsection.

1 (B) VIOLATION.—An NLGCA Institution  
2 that the Secretary determines under subpara-  
3 graph (A) to be not in compliance shall have  
4 the designation of such institution revoked.

5 (b) TERMINATION OF CERTAIN DECLARATIONS OF  
6 INTENT.—Section 1404 of the National Agricultural Re-  
7 search, Extension, and Teaching Policy Act of 1977 (7  
8 U.S.C. 3103) is amended—

9 (1) in paragraph (5)(B), by striking “2018”  
10 and inserting “2023”; and

11 (2) in paragraph (10)(C), by striking “2018”  
12 and inserting “2023”.

13 **SEC. 7103. NATIONAL AGRICULTURAL RESEARCH, EXTEN-**  
14 **SION, EDUCATION, AND ECONOMICS ADVI-**  
15 **SORY BOARD.**

16 Section 1408 of the National Agricultural Research,  
17 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
18 3123) is amended—

19 (1) in subsection (b)—

20 (A) in paragraph (1), by striking “25” and  
21 inserting “15”; and

22 (B) by amending paragraph (3) to read as  
23 follows:

1           “(3) MEMBERSHIP CATEGORIES.—The Advisory  
2       Board shall consist of members from each of the fol-  
3       lowing categories:

4           “(A) 3 members representing national  
5       farm or producer organizations, which may in-  
6       clude members—

7           “(i) representing farm cooperatives;

8           “(ii) who are producers actively en-  
9       gaged in the production of a food animal  
10      commodity and who are recommended by a  
11      coalition of national livestock organiza-  
12      tions;

13          “(iii) who are producers actively en-  
14      gaged in the production of a plant com-  
15      modity and who are recommended by a co-  
16      alition of national crop organizations; or

17          “(iv) who are producers actively en-  
18      gaged in aquaculture and who are rec-  
19      ommended by a coalition of national  
20      aquacultural organizations.

21          “(B) 2 members representing academic or  
22      research societies, which may include members  
23      representing—

24          “(i) a national food animal science so-  
25      ciety;

1                   “(ii) a national crop, soil, agronomy,  
2                   horticulture, plant pathology, or weed  
3                   science society;

4                   “(iii) a national food science organiza-  
5                   tion;

6                   “(iv) a national human health associa-  
7                   tion; or

8                   “(v) a national nutritional science so-  
9                   ciety.

10                  “(C) 5 members representing agricultural  
11                  research, extension, and education, which shall  
12                  include each of the following:

13                       “(i) 1 member representing the land-  
14                       grant colleges and universities eligible to  
15                       receive funds under the Act of July 2,  
16                       1862 (7 U.S.C. 301 et seq.).

17                       “(ii) 1 member representing the land-  
18                       grant colleges and universities eligible to  
19                       receive funds under the Act of August 30,  
20                       1890 (7 U.S.C. 321 et seq.), including  
21                       Tuskegee University.

22                       “(iii) 1 member representing the 1994  
23                       Institutions (as defined in section 532 of  
24                       the Equity in Educational Land-Grant

1 Status Act of 1994 (7 U.S.C. 301 note;  
2 Public Law 103–382)).

3 “(iv) 1 member representing NLGCA  
4 Institutions or Hispanic-serving institu-  
5 tions.

6 “(v) 1 member representing the  
7 American Colleges of Veterinary Medicine.

8 “(D) 5 members representing industry,  
9 consumer, or rural interests, including members  
10 representing—

11 “(i) entities engaged in transportation  
12 of food and agricultural products to do-  
13 mestic and foreign markets;

14 “(ii) food retailing and marketing in-  
15 terests;

16 “(iii) food and fiber processors;

17 “(iv) rural economic development in-  
18 terests;

19 “(v) a national consumer interest  
20 group;

21 “(vi) a national forestry group;

22 “(vii) a national conservation or nat-  
23 ural resource group;

24 “(viii) a national social science asso-  
25 ciation; or



1 “(ix) private sector organizations in-  
2 volved in international development.”;

3 (2) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) in the matter preceding subpara-  
6 graph (A), by striking “review and” and  
7 inserting “make recommendations, review,  
8 and”;

9 (ii) by striking subparagraph (A) and  
10 inserting the following new subparagraph:

11 “(A) long-term and short-term national  
12 policies and priorities consistent with the—

13 “(i) purposes specified in section 1402  
14 for agricultural research, extension, edu-  
15 cation, and economics; and

16 “(ii) priority areas of the Agriculture  
17 and Food Research Initiative specified in  
18 subsection (b)(2) of the Competitive, Spe-  
19 cial, and Facilities Research Grant Act (7  
20 U.S.C. 3157(b)(2));”; and

21 (iii) in subparagraph (B), by striking  
22 clause (i) and inserting the following new  
23 clause:

24 “(i) are in accordance with the—

1 “(I) purposes specified in a pro-  
 2 vision of a covered law (as defined in  
 3 subsection (d) of section 1492) under  
 4 which competitive grants (described in  
 5 subsection (c) of such section) are  
 6 awarded; and

7 “(II) priority areas of the Agri-  
 8 culture and Food Research Initiative  
 9 specified in subsection (b)(2) of the  
 10 Competitive, Special, and Facilities  
 11 Research Grant Act (7 U.S.C.  
 12 3157(b)(2)); and”;

13 (B) in paragraph (2), by inserting “and  
 14 make recommendations to the Secretary based  
 15 on such evaluation” after “priorities”; and

16 (C) in paragraph (4), by inserting “and  
 17 make recommendations on” after “review”; and

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

20 **SEC. 7104. SPECIALTY CROP COMMITTEE.**

21 Section 1408A(a)(2) of the National Agricultural Re-  
 22 search, Extension, and Teaching Policy Act of 1977 (7  
 23 U.S.C. 3123a(a)(2)) is amended—

24 (1) in subparagraph (A), by striking “spe-  
 25 ciality” and inserting “specialty”;

1 (2) in subparagraph (B)—

2 (A) in the matter preceding clause (i), by  
3 striking “9” and inserting “11”; and

4 (B) in clause (i), by striking “Three” and  
5 inserting “Five”; and

6 (3) in subparagraph (D), by striking “2018”  
7 and inserting “2023”.

8 **SEC. 7105. RENEWABLE ENERGY COMMITTEE DISCON-**  
9 **TINUED.**

10 Subtitle B of the National Agricultural Research, Ex-  
11 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3121  
12 et seq.) is amended by striking section 1408B.

13 **SEC. 7106. REPORT ON ALLOCATIONS AND MATCHING**  
14 **FUNDS FOR 1890 INSTITUTIONS.**

15 The Secretary of Agriculture shall annually transmit  
16 to Congress a report on the allocations made to, and  
17 matching funds received by, eligible institutions pursuant  
18 to sections 1444 and 1445 of the National Agricultural  
19 Research, Extension, and Teaching Policy Act of 1977 (7  
20 U.S.C. 3221, 3222).

21 **SEC. 7107. GRANTS AND FELLOWSHIPS FOR FOOD AND AG-**  
22 **RICULTURE SCIENCES EDUCATION.**

23 Section 1417(m)(2) of the National Agricultural Re-  
24 search, Extension, and Teaching Policy Act of 1977 (7

1 U.S.C. 3152(m)(2)) is amended by striking “2018” and  
2 inserting “2023”.

3 **SEC. 7108. AGRICULTURAL AND FOOD POLICY RESEARCH**  
4 **CENTERS.**

5 Section 1419A(e) of the National Agricultural Re-  
6 search, Extension, and Teaching Policy Act of 1977 (7  
7 U.S.C. 3155(e)) is amended by striking “2018” and in-  
8 serting “2023”.

9 **SEC. 7109. EDUCATION GRANTS TO ALASKA NATIVE SERV-**  
10 **ING INSTITUTIONS AND NATIVE HAWAIIAN**  
11 **SERVING INSTITUTIONS.**

12 Section 1419B of the National Agricultural Research,  
13 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
14 3156) is amended—

15 (1) in subsection (a)(3), by striking “2018” and  
16 inserting “2023”; and

17 (2) in subsection (b)(3), by striking “2018”  
18 and inserting “2023”.

19 **SEC. 7110. REPEAL OF NUTRITION EDUCATION PROGRAM.**

20 The National Agricultural Research, Extension, and  
21 Teaching Policy Act of 1977 is amended by striking sec-  
22 tion 1425 (7 U.S.C. 3175).

1 **SEC. 7111. CONTINUING ANIMAL HEALTH AND DISEASE RE-**  
2 **SEARCH PROGRAMS.**

3 Section 1433(c)(1) of the National Agricultural Re-  
4 search, Extension, and Teaching Policy Act of 1977 (7  
5 U.S.C. 3195(c)(1)) is amended by striking “2018” and  
6 inserting “2023”.

7 **SEC. 7112. EXTENSION CARRYOVER AT 1890 LAND-GRANT**  
8 **COLLEGES, INCLUDING TUSKEGEE UNIVER-**  
9 **SITY.**

10 Effective on October 1, 2018, section 1444(a) of the  
11 National Agricultural Research, Extension, and Teaching  
12 Policy Act of 1977 (7 U.S.C. 3221(a)) is amended by  
13 striking paragraph (4).

14 **SEC. 7113. RESEARCH AND EXTENSION FUNDING EQUITY**  
15 **FOR RECENTLY DESIGNATED 1890 INSTITU-**  
16 **TIONS.**

17 (a) EXTENSION.—Section 1444(b) of the National  
18 Agricultural Research, Extension, and Teaching Policy  
19 Act of 1977 (7 U.S.C. 3221(b)) is amended, in the matter  
20 following paragraph (2)(B), by adding at the end the fol-  
21 lowing: “Beginning with fiscal year 2019, in making the  
22 calculation under paragraph (1), any recently designated  
23 1890 Institution shall be deemed to have been designated  
24 as an eligible institution on or before September 30, 1978.  
25 For purposes of the preceding sentence, a ‘recently des-

1 ignated 1890 Institution’ means an 1890 Institution des-  
2 ignated as such on or after September 30, 1999.”.

3 (b) RESEARCH.—Section 1445 of the National Agri-  
4 cultural Research, Extension, and Teaching Policy Act of  
5 1977 (7 U.S.C. 3222) is amended— by adding at the end  
6 the following new paragraph:

7 “(3) Beginning with fiscal year 2019, in mak-  
8 ing the calculation under paragraph (2)(A), any re-  
9 cently designated 1890 Institution (as defined in  
10 section 1444(b)) shall be deemed to have been des-  
11 ignated as an eligible institution on or before Sep-  
12 tember 30, 1978.”.

13 **SEC. 7114. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTITU-**  
14 **TIONS.**

15 Subtitle G of the National Agricultural Research, Ex-  
16 tension, and Teaching Policy Act of 1977 is amended by  
17 inserting after section 1445 (7 U.S.C. 3222) the following  
18 new section:

19 **“SEC. 1446. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTI-**  
20 **TUTIONS.**

21 “(a) IN GENERAL.—

22 “(1) SCHOLARSHIP GRANT PROGRAM ESTAB-  
23 LISHED.—The Secretary shall establish and carry  
24 out a grant program to make grants to each college  
25 or university eligible to receive funds under the Act

1 of August 30, 1890 (commonly known as the Second  
2 Morrill Act; 7 U.S.C. 322 et seq.), including  
3 Tuskegee University, for purposes of awarding schol-  
4 arships to individuals who—

5 “(A) have been accepted for admission at  
6 such college or university;

7 “(B) will be enrolled at such college or uni-  
8 versity not later than one year after the date of  
9 such acceptance; and

10 “(C) intend to pursue a career in the food  
11 and agricultural sciences, including a career  
12 in—

13 “(i) agribusiness;

14 “(ii) energy and renewable fuels; or

15 “(iii) financial management.

16 “(2) AMOUNT OF GRANT.—Each grant made  
17 under this section shall be in the amount of  
18 \$1,000,000.

19 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
20 is authorized to be appropriated to carry out this section  
21 \$19,000,000 for each of fiscal years 2019 through 2023.”.

1 **SEC. 7115. GRANTS TO UPGRADE AGRICULTURAL AND**  
2 **FOOD SCIENCES FACILITIES AT 1890 LAND-**  
3 **GRANT COLLEGES, INCLUDING TUSKEGEE**  
4 **UNIVERSITY.**

5 Section 1447(b) of the National Agricultural Re-  
6 search, Extension, and Teaching Policy Act of 1977 (7  
7 U.S.C. 3222b(b)) is amended by striking “2018” and in-  
8 serting “2023”.

9 **SEC. 7116. GRANTS TO UPGRADE AGRICULTURE AND FOOD**  
10 **SCIENCES FACILITIES AND EQUIPMENT AT**  
11 **INSULAR AREA LAND-GRANT INSTITUTIONS.**

12 Section 1447B(d) of the National Agricultural Re-  
13 search, Extension, and Teaching Policy Act of 1977 (7  
14 U.S.C. 3222b–2(d)) is amended by striking “2018” and  
15 inserting “2023”.

16 **SEC. 7117. HISPANIC-SERVING INSTITUTIONS.**

17 Section 1455(c) of the National Agricultural Re-  
18 search, Extension, and Teaching Policy Act of 1977 (7  
19 U.S.C. 3241(c)) is amended by striking “2018” and in-  
20 serting “2023”.

21 **SEC. 7118. LAND-GRANT DESIGNATION.**

22 Subtitle C of the National Agricultural Research, Ex-  
23 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3151  
24 et seq.) is amended by adding at the end the following  
25 new section:



1   **“SEC. 1419C. LAND-GRANT DESIGNATION.**

2           “(a) IN GENERAL.—Notwithstanding any other pro-  
3 vision of law, beginning on the date of the enactment of  
4 this section, no additional entity may be designated as eli-  
5 gible to receive funds under a covered program.

6           “(b) STATE FUNDING.—No State shall receive an in-  
7 crease in funding under a covered program as a result of  
8 the State’s designation of additional entities as eligible to  
9 receive such funding.

10          “(c) COVERED PROGRAM DEFINED.—For purposes  
11 of this section, the term ‘covered program’ means agricul-  
12 tural research, extension, education, and related programs  
13 or grants established or available under any of the fol-  
14 lowing:

15           “(1) Subsections (b), (c), and (d) of section 3  
16 of the Smith-Lever Act (7 U.S.C. 343).

17           “(2) The Hatch Act of 1887 (7 U.S.C. 361a et  
18 seq.).

19           “(3) Sections 1444, 1445, and 1447 of the Na-  
20 tional Agricultural Research, Extension, and Teach-  
21 ing Policy Act of 1977 (7 U.S.C. 3221; 3222;  
22 3222b).

23           “(4) Public Law 87–788 (commonly known as  
24 the McIntire-Stennis Cooperative Forestry Act; 16  
25 U.S.C. 582a et seq.).

1       “(d) EXCEPTION.—Nothing in this section shall be  
 2 construed as limiting eligibility for a capacity and infra-  
 3 structure program specified in section 251(f)(1)(C) of the  
 4 Department of Agriculture Reorganization Act of 1994 (7  
 5 U.S.C. 6971(f)(1)(C)) that is not a covered program.”.

6       **SEC. 7119. COMPETITIVE GRANTS FOR INTERNATIONAL AG-**  
 7                               **RICULTURAL SCIENCE AND EDUCATION PRO-**  
 8                               **GRAMS.**

9       Section 1459A(c)(2) of the National Agricultural Re-  
 10 search, Extension, and Teaching Policy Act of 1977 (7  
 11 U.S.C. 3292b(c)(2)) is amended by striking “2018” and  
 12 inserting “2023”.

13       **SEC. 7120. LIMITATION ON INDIRECT COSTS FOR AGRICUL-**  
 14                               **TURAL RESEARCH, EDUCATION, AND EXTEN-**  
 15                               **SION PROGRAMS.**

16       Section 1462 of the National Agricultural Research,  
 17 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
 18 3310) is amended—

19               (1) in subsection (a), by striking “22 percent”  
 20               and inserting “30 percent”;

21               (2) in subsection (b), by striking “Subsection  
 22               (a)” and inserting “Subsections (a) and (c)”; and

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

24       “(c) TREATMENT OF SUBGRANTS.—In the case of a  
 25 grant described in subsection (a), the limitation on indi-

1 rect costs specified in such subsection shall be applied to  
2 both the initial grant award and any subgrant of the Fed-  
3 eral funds provided under the initial grant award so that  
4 the total of all indirect costs charged against the total of  
5 the Federal funds provided under the initial grant award  
6 does not exceed such limitation.”.

7 **SEC. 7121. RESEARCH EQUIPMENT GRANTS.**

8 The National Agricultural Research, Extension, and  
9 Teaching Policy Act of 1977 is amended by inserting after  
10 section 1462 (7 U.S.C. 3310) the following new section:

11 **“SEC. 1462A. RESEARCH EQUIPMENT GRANTS.**

12 “(a) IN GENERAL.—The Secretary may make com-  
13 petitive grants for the acquisition of special purpose sci-  
14 entific research equipment for use in the food and agricul-  
15 tural sciences programs of eligible institutions.

16 “(b) MAXIMUM AMOUNT.—The amount of a grant  
17 made to an eligible institution under this section may not  
18 exceed \$500,000.

19 “(c) PROHIBITION ON CHARGE OR EQUIPMENT AS  
20 INDIRECT COSTS.—The cost of acquisition or depreciation  
21 of equipment purchased with a grant under this section  
22 shall not be—

23 “(1) charged as an indirect cost against another  
24 Federal grant; or

1           “(2) included as part of the indirect cost pool  
2           for purposes of calculating the indirect cost rate of  
3           an eligible institution.

4           “(d) ELIGIBLE INSTITUTIONS DEFINED.—In this  
5           section, the term ‘eligible institution’ means—

6                   “(1) a college or university; or

7                   “(2) a State cooperative institution.

8           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
9           is authorized to be appropriated to carry out this section  
10          \$5,000,000 for each of fiscal years 2019 through 2023.”.

11   **SEC. 7122. UNIVERSITY RESEARCH.**

12          Section 1463 of the National Agricultural Research,  
13          Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
14          3311) is amended by striking “2018” each place it ap-  
15          pears in subsections (a) and (b) and inserting “2023”.

16   **SEC. 7123. EXTENSION SERVICE.**

17          Section 1464 of the National Agricultural Research,  
18          Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
19          3312) is amended by striking “2018” and inserting  
20          “2023”.

21   **SEC. 7124. SUPPLEMENTAL AND ALTERNATIVE CROPS.**

22          Section 1473D of the National Agricultural Re-  
23          search, Extension, and Teaching Policy Act of 1977 (7  
24          U.S.C. 3319d) is amended—

25                   (1) in subsection (a)—

1 (A) by striking “2018” and inserting  
2 “2023”; and

3 (B) by striking “crops,” and inserting  
4 “crops (including canola),”;  
5 (2) in subsection (b)—

6 (A) by inserting “for agronomic rotational  
7 purposes and for use as a habitat for honey  
8 bees and other pollinators” after “alternative  
9 crops”; and

10 (B) by striking “commodities whose” and  
11 all that follows through the period at the end  
12 and inserting “commodities.”; and

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

15 **SEC. 7125. CAPACITY BUILDING GRANTS FOR NLGCA INSTI-**  
16 **TUTIONS.**

17 Section 1473F(b) of the National Agricultural Re-  
18 search, Extension, and Teaching Policy Act of 1977 (7  
19 U.S.C. 3319i(b)) is amended by striking “2018” and in-  
20 serting “2023”.

21 **SEC. 7126. AQUACULTURE ASSISTANCE PROGRAMS.**

22 Section 1477(a)(2) of the National Agricultural Re-  
23 search, Extension, and Teaching Policy Act of 1977 (7  
24 U.S.C. 3324(a)(2)) is amended by striking “2018” and  
25 inserting “2023”.

1 **SEC. 7127. RANGELAND RESEARCH PROGRAMS.**

2 Section 1483(a)(2) of the National Agricultural Re-  
3 search, Extension, and Teaching Policy Act of 1977 (7  
4 U.S.C. 3336(a)(2)) is amended by striking “2018” and  
5 inserting “2023”.

6 **SEC. 7128. SPECIAL AUTHORIZATION FOR BIOSECURITY**  
7 **PLANNING AND RESPONSE.**

8 Section 1484 of the National Agricultural Research,  
9 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
10 3351) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1), by striking “and” at  
13 the end;

14 (B) in paragraph (2), by striking the pe-  
15 riod at the end and inserting “; and”; and

16 (C) by adding at the end the following new  
17 paragraph:

18 “(3) \$30,000,000 for each of fiscal years 2019  
19 through 2023.”; and

20 (2) in subsection (b)—

21 (A) in the matter preceding paragraph (1),  
22 by inserting “and cooperative agreements” after  
23 “competitive grants”;

24 (B) in paragraph (3), by striking “make  
25 competitive grants” and inserting “award com-

1           petitive grants and cooperative agreements”;  
2           and

3                   (C) by adding at the end the following new  
4           paragraph:

5           “(5) To coordinate the tactical science activities  
6           of the Research, Education, and Economics mission  
7           area of the Department that protect the integrity,  
8           reliability, sustainability, and profitability of the food  
9           and agricultural system of the United States against  
10          biosecurity threats from pests, diseases, contami-  
11          nants, and disasters.”.

12   **SEC. 7129. DISTANCE EDUCATION AND RESIDENT INSTRU-**  
13                   **CTION GRANTS PROGRAM FOR INSULAR AREA**  
14                   **INSTITUTIONS OF HIGHER EDUCATION.**

15          (a) DISTANCE EDUCATION GRANTS FOR INSULAR  
16   AREAS.—Section 1490(f)(2) of the National Agricultural  
17   Research, Extension, and Teaching Policy Act of 1977 (7  
18   U.S.C. 3362(f)(2)) is amended by striking “2018” and in-  
19   serting “2023”.

20          (b) RESIDENT INSTRUCTION GRANTS FOR INSULAR  
21   AREAS.—Section 1491(c)(2) of the National Agricultural  
22   Research, Extension, and Teaching Policy Act of 1977 (7  
23   U.S.C. 3363(c)(2)) is amended by striking “2018” and  
24   inserting “2023”.

1 **SEC. 7130. REMOVAL OF MATCHING FUNDS REQUIREMENT**  
2 **FOR CERTAIN GRANTS.**

3 Section 1492(d) of the National Agricultural Re-  
4 search, Extension, and Teaching Policy Act of 1977 (7  
5 U.S.C. 3371(d)) is amended by striking paragraph (5).

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  
12 the first sentence by striking “2018” and inserting  
13 “2023”.

14 **SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.**

15 Section 1627(d) of the Food, Agriculture, Conserva-  
16 tion, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amend-  
17 ed by striking “2018” and inserting “2023”.

18 **SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**  
19 **VELOPMENT AND TRANSFER PROGRAM.**

20 Section 1628(f)(2) of the Food, Agriculture, Con-  
21 servation, and Trade Act of 1990 (7 U.S.C. 5831(f)(2))  
22 is amended by striking “2018” and inserting “2023”.

23 **SEC. 7204. NATIONAL TRAINING PROGRAM.**

24 Section 1629(i) of the Food, Agriculture, Conserva-  
25 tion, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amend-  
26 ed by striking “2018” and inserting “2023”.



1 **SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.**

2 Section 1635(b)(2) of the Food, Agriculture, Con-  
 3 servation, and Trade Act of 1990 (7 U.S.C. 5844(b)(2))  
 4 is amended by striking “2018” and inserting “2023”.

5 **SEC. 7206. NATIONAL AGRICULTURAL WEATHER INFORMA-**  
 6 **TION SYSTEM.**

7 Section 1641(c) of the Food, Agriculture, Conserva-  
 8 tion, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amend-  
 9 ed by striking “2018” and inserting “2023”.

10 **SEC. 7207. AGRICULTURAL GENOME TO PHENOME INITIA-**  
 11 **TIVE.**

12 Section 1671 of the Food, Agriculture, Conservation,  
 13 and Trade Act of 1990 (7 U.S.C. 5924) is amended—

14 (1) in the section heading, by inserting “**TO**  
 15 **PHENOME**” after “**GENOME**”;

16 (2) by amending subsection (a) to read as fol-  
 17 lows:

18 “(a) GOALS.—The goals of this section are—

19 “(1) to expand knowledge concerning genomes  
 20 and phenomes of crops of importance to United  
 21 States agriculture;

22 “(2) to understand how variable weather, envi-  
 23 ronments, and production systems impact the  
 24 growth and productivity of specific varieties of crops,  
 25 thereby providing greater accuracy in predicting  
 26 crop performance under variable growing conditions;

1           “(3) to support research that leverages plant  
2           genomic information with phenotypic and environ-  
3           mental data through an interdisciplinary framework,  
4           leading to a novel understanding of plant processes  
5           that affect crop growth, productivity, and the ability  
6           to predict crop performance, resulting in the deploy-  
7           ment of superior varieties to growers and improved  
8           crop management recommendations for farmers;

9           “(4) to promote and coordinate research linking  
10          genomics and predictive phenomics at different sites  
11          nationally to achieve advances in crops that generate  
12          societal benefits;

13          “(5) to combine fields such as genetics,  
14          genomics, plant physiology, agronomy, climatology,  
15          and crop modeling with computation and  
16          informatics, statistics, and engineering;

17          “(6) to focus on crops that will yield scientif-  
18          ically important results that will enhance the useful-  
19          ness of many other crops;

20          “(7) to build on genomic research, such as the  
21          Plant Genome Research Project, to understand gene  
22          function in production environments that are ex-  
23          pected to have considerable payoffs for crops of im-  
24          portance to United States agriculture;

1           “(8) to develop improved data analytics to en-  
2           hance understanding of the biological function of  
3           crop genes;

4           “(9) to allow resources developed under this  
5           section, including data, software, germplasm, and  
6           other biological materials, to be openly accessible to  
7           all persons, subject to any confidentiality require-  
8           ments imposed by law; and

9           “(10) to encourage international partnerships  
10          with each partner country responsible for financing  
11          its own research.”;

12          (3) by amending subsection (b) to read as fol-  
13          lows:

14          “(b) DUTIES OF SECRETARY.—The Secretary of Ag-  
15          riculture shall conduct a research initiative (to be known  
16          as the ‘Agricultural Genome to Phenome Initiative’) for  
17          the purpose of—

18               “(1) studying agriculturally significant crops in  
19               production environments to achieve sustainable and  
20               secure agricultural production;

21               “(2) ensuring that current gaps in existing  
22               knowledge of agricultural crop genetics and  
23               phenomics knowledge are filled;

1           “(3) identifying and developing a functional un-  
2       derstanding of agronomically relevant genes from  
3       crops of importance to United States agriculture;

4           “(4) ensuring future genetic improvement of  
5       crops of importance to United States agriculture;

6           “(5) studying the relevance of diverse  
7       germplasm as a source of unique genes that may be  
8       of importance to United States agriculture in the fu-  
9       ture;

10          “(6) enhancing crop genetics to reduce the eco-  
11       nomic impact of plant pathogens on crops of impor-  
12       tance to United States agriculture; and

13          “(7) disseminating findings to relevant audi-  
14       ences.”;

15          (4) in subsection (c)(1), by inserting “, acting  
16       through the National Institute of Food and Agri-  
17       culture,” after “The Secretary”;

18          (5) in subsection (e), by inserting “to  
19       Phenome” after “Genome”; and

20          (6) by adding at the end the following new sub-  
21       section:

22       “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
23       are authorized to be appropriated to carry out this section  
24       \$30,000,000 for each of fiscal years 2019 through 2023.”.

1 **SEC. 7208. HIGH-PRIORITY RESEARCH AND EXTENSION INI-**  
2 **TIATIVES.**

3 Section 1672 of the Food, Agriculture, Conservation,  
4 and Trade Act of 1990 (7 U.S.C. 5925) is amended—

5 (1) in subsection (d)—

6 (A) in paragraph (8)—

7 (i) in the heading, by striking “AL-  
8 FALFA AND FORAGE” and inserting “AL-  
9 FALFA SEED AND ALFALFA FORAGE SYS-  
10 TEMS”;

11 (ii) by striking “alfalfa and forage”  
12 and inserting “alfalfa seed and alfalfa for-  
13 age systems”; and

14 (iii) by striking “alfalfa and other for-  
15 ages, and” and inserting “alfalfa seed and  
16 other alfalfa forage”; and

17 (B) by adding at the end the following new  
18 paragraphs:

19 “(11) 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

25 “(B) establishing an areawide integrated  
26 pest management program in areas affected by,

1 or areas at risk of being affected by, the maca-  
2 damia felted coccid.

3 “(12) NATIONAL TURFGRASS RESEARCH INITIA-  
4 TIVE.—Research and extension grants may be made  
5 under this section for the purposes of—

6 “(A) carrying out or enhancing research  
7 related to turfgrass and sod issues;

8 “(B) enhancing production and uses of  
9 turfgrass for the general public;

10 “(C) identifying new turfgrass varieties  
11 with superior drought, heat, cold, and pest tol-  
12 erance to reduce water, fertilizer, and pesticide  
13 use;

14 “(D) selecting genetically superior  
15 turfgrasses and developing improved tech-  
16 nologies for managing commercial, residential,  
17 and recreational turfgrass areas;

18 “(E) producing turfgrasses that—

19 “(i) aid in mitigating soil erosion;

20 “(ii) protect against pollutant runoff  
21 into waterways; or

22 “(iii) provide other environmental ben-  
23 efits;

1           “(F) investigating, preserving, and pro-  
2           tecting native plant species, including grasses  
3           not currently utilized in turfgrass systems;

4           “(G) creating systems for more economical  
5           and viable turfgrass seed and sod production  
6           throughout the United States; and

7           “(H) investigating the turfgrass  
8           phytobiome and developing biologic products to  
9           enhance soil, enrich plants, and mitigate pests.

10          “(13) FERTILIZER MANAGEMENT INITIATIVE.—

11           “(A) IN GENERAL.—Research and exten-  
12           sion grants may be made under this section for  
13           the purpose of carrying out research to improve  
14           fertilizer use efficiency in crops—

15                   “(i) to maximize crop yield; and

16                   “(ii) to minimize nutrient losses to  
17                   surface and groundwater and the atmos-  
18                   phere.

19           “(B) PRIORITY.—In awarding grants  
20           under subparagraph (A), the Secretary shall  
21           give priority to research examining the impact  
22           of the source, rate, timing, and placement of  
23           plant nutrients.

1           “(14) CATTLE FEVER TICK PROGRAM.—Re-  
2           search and extension grants may be made under this  
3           section to study cattle fever ticks—

4                   “(A) to facilitate the understanding of the  
5                   role of wildlife in the persistence and spread of  
6                   cattle fever ticks;

7                   “(B) to develop advanced methods for  
8                   eradication of cattle fever ticks, including—

9                           “(i) alternative treatment methods for  
10                           cattle and other susceptible species;

11                           “(ii) field treatment for premises, in-  
12                           cluding corral pens and pasture loafing  
13                           areas;

14                           “(iii) methods for treatment and con-  
15                           trol on infested wildlife;

16                           “(iv) biological control agents; and

17                           “(v) new and improved vaccines;

18                   “(C) to evaluate rangeland vegetation that  
19                   impacts the survival of cattle fever ticks;

20                   “(D) to improve management of diseases  
21                   relating to cattle fever ticks that are associated  
22                   with wildlife, livestock, and human health;

23                   “(E) to improve diagnostic detection of  
24                   tick-infested or infected animals and pastures;  
25                   and



1           “(F) to conduct outreach to impacted  
2           ranchers, hunters, and landowners to integrate  
3           tactics and document sustainability of best  
4           practices.

5           “(15) LAYING HEN AND TURKEY RESEARCH  
6           PROGRAM.—Research grants may be made under  
7           this section for the purpose of improving the effi-  
8           ciency and sustainability of laying hen and turkey  
9           production through integrated, collaborative research  
10          and technology transfer. Emphasis may be placed on  
11          laying hen and turkey disease prevention, anti-  
12          microbial resistance, nutrition, gut health, and alter-  
13          native housing systems under extreme seasonal  
14          weather conditions.

15          “(16) CHRONIC WASTING DISEASE.—Research  
16          and extension grants may be made under this sec-  
17          tion for projects relating to treating, mitigating, or  
18          eliminating chronic wasting disease.

19          “(17) ALGAE AGRICULTURE RESEARCH PRO-  
20          GRAM.—Research and extension grants may be made  
21          under this section for the development and testing of  
22          algae and algae systems (including micro- and  
23          macro-algae systems).”;

24                (2) in subsection (e)(5), by striking “2018” and  
25                inserting “2023”;

1           (3) in subsection (f)(5), by striking “2018” and  
2           inserting “2023”;

3           (4) in subsection (g), by striking “2018” each  
4           place it appears and inserting “2023”; and

5           (5) in subsection (h), by striking “2018” and  
6           inserting “2023”.

7   **SEC. 7209. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**  
8                           **SION INITIATIVE.**

9           Section 1672B of the Food, Agriculture, Conserva-  
10          tion, and Trade Act of 1990 (7 U.S.C. 5925b) is amend-  
11          ed—

12           (1) in subsection (a)(7), by inserting “, soil  
13          health,” after “conservation”; and

14           (2) in subsection (e)—

15                   (A) in paragraph (1)—

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

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

21                           (iii) by adding at the end the fol-  
22                           lowing new subparagraph:

23                           “(D) \$30,000,000 for each of fiscal years  
24                           2019 through 2023.”; and

25                           (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. 7210. FARM BUSINESS MANAGEMENT.**

7 Section 1672D of the Food, Agriculture, Conserva-  
8 tion, and Trade Act of 1990 (7 U.S.C. 5925f) is amend-  
9 ed—

10 (1) by amending subsection (a) to read as fol-  
11 lows:

12 “(a) IN GENERAL.—The Secretary may make com-  
13 petitive research and extension grants for the purpose of  
14 improving the farm management knowledge and skills of  
15 agricultural producers by maintaining and expanding a  
16 national, publicly available farm financial management  
17 database to support improved farm management.”;

18 (2) in subsection (b)—

19 (A) in paragraph (2), by striking “and  
20 producer” and inserting “educational programs  
21 and”; and

22 (B) in paragraph (4), by striking “use and  
23 support” and inserting “contribute data to”;  
24 and

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

3   **SEC. 7211. CLARIFICATION OF VETERAN ELIGIBILITY FOR**  
4                   **ASSISTIVE TECHNOLOGY PROGRAM FOR**  
5                   **FARMERS WITH DISABILITIES.**

6           Section 1680 of the Food, Agriculture, Conservation,  
7   and Trade Act of 1990 (7 U.S.C. 5933) is amended—

8           (1) in subsection (a), by adding at the end the  
9           following new paragraph:

10           “(7) CLARIFICATION OF APPLICATION OF PRO-  
11   VISIONS TO VETERANS WITH DISABILITIES.—This  
12   subsection shall apply with respect to veterans with  
13   disabilities, and their families, who—

14           “(A) are engaged in farming or farm-re-  
15   lated occupations; or

16           “(B) are pursuing new farming opportuni-  
17   ties.”;

18           (2) in subsection (b)—

19           (A) by inserting “(including veterans)”  
20   after “individuals”; and

21           (B) by inserting “or, in the case of vet-  
22   erans with disabilities, who are pursuing new  
23   farming opportunities” before the period at the  
24   end; and

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

3 **SEC. 7212. NATIONAL RURAL INFORMATION CENTER**  
4 **CLEARINGHOUSE.**

5 Section 2381(e) of the Food, Agriculture, Conserva-  
6 tion, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is  
7 amended by striking “2018” and inserting “2023”.

8 **Subtitle C—Agricultural Research,**  
9 **Extension, and Education Re-**  
10 **form Act of 1998**

11 **SEC. 7300. ENDING LIMITATION ON FUNDING UNDER NA-**  
12 **TIONAL FOOD SAFETY TRAINING, EDU-**  
13 **CATION, EXTENSION, OUTREACH, AND TECH-**  
14 **NICAL ASSISTANCE PROGRAM.**

15 Section 405(e)(3) of the Agricultural Research, Ex-  
16 tension, And Education Reform Act of 1998 (7 U.S.C.  
17 7625(e)(3)) is amended to read as follows:

18 “(3) TERM OF GRANT.—A grant under this sec-  
19 tion shall have a term that is not more than 3  
20 years.”.

21 **SEC. 7301. NATIONAL FOOD SAFETY TRAINING, EDUCATION,**  
22 **EXTENSION, OUTREACH, AND TECHNICAL AS-**  
23 **SISTANCE PROGRAM.**

24 Section 405(j) of the Agricultural Research, Exten-  
25 sion, and Education Reform Act of 1998 (7 U.S.C.

1 7625(j)) is amended by striking “2011 through 2015” and  
2 inserting “2019 through 2023”.

3 **SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EX-**  
4 **TENSION COMPETITIVE GRANTS PROGRAM.**

5 Section 406(e) of the Agricultural Research, Exten-  
6 sion, and Education Reform Act of 1998 (7 U.S.C.  
7 7626(e)) is amended by striking “2018” and inserting  
8 “2023”.

9 **SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES**  
10 **OF WHEAT, TRITICALE, AND BARLEY CAUSED**  
11 **BY FUSARIUM GRAMINEARUM OR BY**  
12 **TILLETIA INDICA.**

13 Section 408(e)(2) of the Agricultural Research, Ex-  
14 tension, and Education Reform Act of 1998 (7 U.S.C.  
15 7628(e)(2)) is amended by striking “2018” and inserting  
16 “2023”.

17 **SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.**

18 Section 410(d)(2) of the Agricultural Research, Ex-  
19 tension, and Education Reform Act of 1998 (7 U.S.C.  
20 7630(d)(2)) is amended by striking “2018” and inserting  
21 “2023”.

22 **SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.**

23 (a) ELEMENTS OF INITIATIVE.—Section 412(b) of  
24 the Agricultural Research, Extension, and Education Re-  
25 form Act of 1998 (7 U.S.C. 7632(b)) is amended—

1 (1) in paragraph (1)—

2 (A) in subparagraph (D), by striking “;  
3 and” and inserting a semicolon;

4 (B) in subparagraph (E), by adding “and”  
5 at the end; and

6 (C) by adding at the end the following new  
7 subparagraph:

8 “(F) size-controlling rootstock systems for  
9 perennial crops;”;

10 (2) in paragraph (2)—

11 (A) by striking “including threats to spe-  
12 cialty crop pollinators;” and inserting the fol-  
13 lowing: “including—

14 “(A) threats to specialty crop pollinators;  
15 and”; and

16 (B) by adding at the end the following new  
17 subparagraph:

18 “(B) emerging and invasive species;”;

19 (3) in paragraph (3), by striking “marketing);”  
20 and inserting the following: “marketing) and a bet-  
21 ter understanding of the soil rhizosphere  
22 microbiome, including—

23 “(A) pesticide application systems and cer-  
24 tified drift-reduction technologies; and

1           “(B) systems to improve and extend stor-  
2           age life of specialty crops;”;

3           (4) by redesignating paragraphs (4) and (5) as  
4           paragraphs (5) and (6), respectively;

5           (5) by inserting after paragraph (3) the fol-  
6           lowing new paragraph:

7           “(4) efforts to promote a more effective under-  
8           standing and use of existing natural enemy com-  
9           plexes;”; and

10          (6) in paragraph (5) (as redesignated by para-  
11          graph (4))—

12                 (A) by striking “including improved mech-  
13                 anization and technologies that delay or inhibit  
14                 ripening; and” and inserting the following: “in-  
15                 cluding—

16                 “(A) technologies that delay or inhibit rip-  
17                 ening;”; and

18                 (B) by adding at the end the following new  
19                 subparagraphs:

20                 “(B) mechanization and automation of  
21                 labor-intensive tasks on farms and in packing  
22                 facilities;

23                 “(C) decision support systems driven by  
24                 phenology and environmental factors;



1                   “(D) improved monitoring systems for ag-  
2                   ricultural pests; and

3                   “(E) effective systems for pre- and post-  
4                   harvest management of quarantine pests; and”.

5           (b) PRIORITIES.—Section 412(h)(1) of the Agricul-  
6   tural Research, Extension, and Education Reform Act of  
7   1998 (7 U.S.C. 7632(h)(1)) is amended by striking  
8   “multi-institutional” and inserting “or multi-institu-  
9   tional”.

10          (c) EMERGENCY CITRUS DISEASE RESEARCH AND  
11   EXTENSION PROGRAM.—Section 412 of the Agricultural  
12   Research, Extension, and Education Reform Act of 1998  
13   (7 U.S.C. 7632) is amended—

14               (1) in subsection (j)(5), by striking “2018” and  
15               inserting “2023”; and

16               (2) in subsection (k)(1)(C), by striking “2018”  
17               and inserting “2023”.

18          (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
19   412(k)(2) of the Agricultural Research, Extension, and  
20   Education Reform Act of 1998 (7 U.S.C. 7632(k)(2)) is  
21   amended—

22               (1) in the subsection heading, by striking  
23               “2018” and inserting “2023”; and

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

1 **SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE**  
2 **PROGRAM.**

3 Section 604(e) of the Agricultural Research, Exten-  
4 sion, and Education Reform Act of 1998 (7 U.S.C.  
5 7642(e)) is amended by striking “2018” and inserting  
6 “2023”.

7 **SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.**

8 Section 614(f)(2) of the Agricultural Research, Ex-  
9 tension, and Education Reform Act of 1998 (7 U.S.C.  
10 7653(f)(2)) is amended by striking “2018” and inserting  
11 “2023”.

12 **SEC. 7308. FORESTRY PRODUCTS ADVANCED UTILIZATION**  
13 **RESEARCH.**

14 Section 617(f)(1) of the Agricultural Research, Ex-  
15 tension, and Education Reform Act of 1998 (7 U.S.C.  
16 7655b(f)(1)) is amended by striking “2018” and inserting  
17 “2023”.

18 **Subtitle D—Food, Conservation,**  
19 **and Energy Act of 2008**

20 **PART I—AGRICULTURAL SECURITY**

21 **SEC. 7401. AGRICULTURAL BIOSECURITY COMMUNICATION**  
22 **CENTER.**

23 Section 14112(c)(2) of the Food, Conservation, and  
24 Energy Act of 2008 (7 U.S.C. 8912(c)(2)) is amended by  
25 striking “2018” and inserting “2023”.

1 **SEC. 7402. ASSISTANCE TO BUILD LOCAL CAPACITY IN AG-**  
2 **RICULTURAL BIOSECURITY PLANNING, PREP-**  
3 **ARATION, AND RESPONSE.**

4 Section 14113 of the Food, Conservation, and En-  
5 ergy 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. 7403. 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. 7404. 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**

20 **SEC. 7411. GRAZINGLANDS RESEARCH LABORATORY.**

21 Section 7502 of the Food, Conservation, and Energy  
22 Act of 2008 (Public Law 110–246; 122 Stat. 2019) is  
23 amended by striking “10-year period” and inserting “15-  
24 year period”.

1 **SEC. 7412. NATURAL PRODUCTS RESEARCH PROGRAM.**

2 Section 7525(e) of the Food, Conservation, and En-  
 3 ergy Act of 2008 (7 U.S.C. 5937(e)) is amended by strik-  
 4 ing “2018” and inserting “2023”.

5 **SEC. 7413. SUN GRANT PROGRAM.**

6 Section 7526(g) of the Food, Conservation, and En-  
 7 ergy Act of 2008 (7 U.S.C. 8114(g)) is amended by strik-  
 8 ing “2018” and inserting “2023”.

9 **Subtitle E—Amendments to Other**  
 10 **Laws**

11 **SEC. 7501. CRITICAL AGRICULTURAL MATERIALS ACT.**

12 Section 16(a)(2) of the Critical Agricultural Mate-  
 13 rials Act (7 U.S.C. 178n(a)(2)) is amended by striking  
 14 “2018” and inserting “2023”.

15 **SEC. 7502. EQUITY IN EDUCATIONAL LAND-GRANT STATUS**  
 16 **ACT OF 1994.**

17 (a) 1994 INSTITUTION DEFINED.—Section 532 of  
 18 the Equity in Educational Land-Grant Status Act of 1994  
 19 (7 U.S.C. 301 note; Public Law 103–382) is amended to  
 20 read as follows:

21 **“SEC. 532. DEFINITION OF 1994 INSTITUTION.**

22 “In this part, the term ‘1994 Institution’ means any  
 23 of the following colleges:

24 “(1) Aaniiih Nakoda College.

25 “(2) Bay Mills Community College.

26 “(3) Blackfeet Community College.

- 1 “(4) Cankdeska Cikana Community College.
- 2 “(5) Chief Dull Knife College.
- 3 “(6) College of Menominee Nation.
- 4 “(7) College of the Muscogee Nation.
- 5 “(8) D–Q University.
- 6 “(9) Dine College.
- 7 “(10) Fond du Lac Tribal and Community Col-  
8 lege.
- 9 “(11) Fort Peck Community College.
- 10 “(12) Haskell Indian Nations University.
- 11 “(13) Ilisagvik College.
- 12 “(14) Institute of American Indian and Alaska  
13 Native Culture and Arts Development.
- 14 “(15) Keweenaw Bay Ojibwa Community Col-  
15 lege.
- 16 “(16) Lac Courte Oreilles Ojibwa Community  
17 College.
- 18 “(17) Leech Lake Tribal College.
- 19 “(18) Little Big Horn College.
- 20 “(19) Little Priest Tribal College.
- 21 “(20) Navajo Technical University.
- 22 “(21) Nebraska Indian Community College.
- 23 “(22) Northwest Indian College.
- 24 “(23) Nueta Hidatsa Sahnish College.
- 25 “(24) Oglala Lakota College.

1 “(25) Red Lake Nation College.

2 “(26) Saginaw Chippewa Tribal College.

3 “(27) Salish Kootenai College.

4 “(28) Sinte Gleska University.

5 “(29) Sisseton Wahpeton College.

6 “(30) Sitting Bull College.

7 “(31) Southwestern Indian Polytechnic Insti-  
8 tute.

9 “(32) Stone Child College.

10 “(33) Tohono O’odham Community College.

11 “(34) Turtle Mountain Community College.

12 “(35) United Tribes Technical College.

13 “(36) White Earth Tribal and Community Col-  
14 lege.”.

15 (b) ENDOWMENT FOR 1994 INSTITUTIONS.—Section  
16 533(b) of the Equity in Educational Land-Grant Status  
17 Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)  
18 is amended in the first sentence by striking “2018” and  
19 inserting “2023”.

20 (c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—  
21 Section 535 of the Equity in Educational Land-Grant Sta-  
22 tus Act of 1994 (7 U.S.C. 301 note; Public Law 103–  
23 382) is amended by striking “2018” each place it appears  
24 in subsections (b)(1) and (c) and inserting “2023”.

1 (d) RESEARCH GRANTS.—Section 536(c) of the Eq-  
2 uity in Educational Land-Grant Status Act of 1994 (7  
3 U.S.C. 301 note; Public Law 103–382) is amended in the  
4 first sentence by striking “2018” and inserting “2023”.

5 **SEC. 7503. RESEARCH FACILITIES ACT.**

6 (a) AGRICULTURAL RESEARCH FACILITY DE-  
7 FINED.—The Research Facilities Act is amended—

8 (1) in section 2(1) (7 U.S.C. 390(1)) by strik-  
9 ing “a college, university, or nonprofit institution”  
10 and inserting “an entity eligible to receive funds  
11 under a capacity and infrastructure program (as de-  
12 fined in section 251(f)(1)(C) of the Department of  
13 Agriculture Reorganization Act of 1994 (7 U.S.C.  
14 6971(f)(1)(C)))”; and

15 (2) in section 3(c)(2)(D) (7 U.S.C.  
16 390a(c)(2)(D)), by striking “recipient college, uni-  
17 versity, or nonprofit institution” and inserting “re-  
18 cipient entity”.

19 (b) LONG-TERM SUPPORT.—Section 3(c)(2)(D) of  
20 the Research Facilities Act (7 U.S.C. 390a(c)(2)(D)), as  
21 amended by subsection (a), is further amended by striking  
22 “operating costs” and inserting “operating and mainte-  
23 nance costs”.

1       (c) COMPETITIVE GRANT PROGRAM.—The Research  
2 Facilities Act is amended by inserting after section 3 (7  
3 U.S.C. 390a) the following new section:

4       **“SEC. 4. COMPETITIVE GRANT PROGRAM.**

5       “The Secretary shall establish a program to make  
6 competitive grants to assist in the construction, alteration,  
7 acquisition, modernization, renovation, or remodeling of  
8 agricultural research facilities.”.

9       (d) AUTHORIZATION OF APPROPRIATIONS AND  
10 FUNDING LIMITATIONS.—Section 6 of the Research Fa-  
11 cilities Act (7 U.S.C. 390d) is amended—

12               (1) in subsection (a)—

13                       (A) by striking “subsection (b),” and in-  
14                       serting “subsections (b), (c), and (d),”;

15                       (B) by striking “2018” and inserting  
16                       “2023”; and

17                       (C) by adding at the end the following new  
18                       sentence: “Funds appropriated pursuant to the  
19                       preceding sentence shall be available until ex-  
20                       pended.”; and

21               (2) by adding at the end the following new sub-  
22               sections:

23       “(c) MAXIMUM AMOUNT.—Not more than 25 percent  
24 of the funds made available pursuant to subsection (a) for



1 any fiscal year shall be used for any single agricultural  
 2 research facility project.

3 “(d) PROJECT LIMITATION.—An entity eligible to re-  
 4 ceive funds under this Act may receive funds for only one  
 5 project at a time.”.

6 **SEC. 7504. COMPETITIVE, SPECIAL, AND FACILITIES RE-**  
 7 **SEARCH GRANT ACT.**

8 Subsection (b) of the Competitive, Special, and Fa-  
 9 cilities Research Grant Act (7 U.S.C. 3157(b)) is amend-  
 10 ed—

11 (1) in paragraph (2)—

12 (A) in subparagraph (D)—

13 (i) by redesignating clauses (iii)  
 14 through (vii) as clauses (iv) through (viii),  
 15 respectively; and

16 (ii) by inserting after clause (ii) the  
 17 following new clause:

18 “(iii) soil health;”;

19 (B) in subparagraph (E)—

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

22 (ii) in clause (iv), by striking the pe-  
 23 riod at the end and inserting “; and”; and

24 (iii) by adding at the end the fol-  
 25 lowing new clause:

1 “(v) tools that accelerate the use of  
2 automation or mechanization for labor-in-  
3 tensive tasks in the production and dis-  
4 tribution of crops.”; and  
5 (C) in subparagraph (F)—

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

8 (ii) in clause (vii), by striking the pe-  
9 riod at the end and inserting “; and”; and

10 (iii) by adding at the end the fol-  
11 lowing new clause:

12 “(viii) barriers and bridges to entry  
13 and farm viability for young, beginning, so-  
14 cially disadvantaged, veteran, and immi-  
15 grant farmers and ranchers, including  
16 farm succession, transition, transfer, entry,  
17 and profitability issues.”;

18 (2) in paragraph (5)—

19 (A) in subparagraph (A)(ii), by striking  
20 “and” at the end; and

21 (B) in subparagraph (B), by striking the  
22 period at the end and inserting the following:  
23 “that—

24 “(i) is of national scope; or

1 “(ii) is commodity-specific, so long as  
 2 any such funds allocated for commodity-  
 3 specific research are matched with funds  
 4 from a non-Federal source at least equal to  
 5 the amount of such funds so allocated.”;

6 (3) in paragraph (9)—

7 (A) in subparagraph (A), by striking  
 8 clause (iii); and

9 (B) in subparagraph (B)—

10 (i) in clause (i), by striking “clauses  
 11 (ii) and (iii)” and inserting “clause (ii)”;  
 12 and

13 (ii) by striking clause (iii); and

14 (4) in paragraph (11)(A)—

15 (A) in the matter preceding clause (i), by  
 16 striking “2018” and inserting “2023”; and

17 (B) in clause (ii), by striking “4” and in-  
 18 serting “5”.

19 **SEC. 7505. RENEWABLE RESOURCES EXTENSION ACT OF**  
 20 **1978.**

21 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
 22 6 of the Renewable Resources Extension Act of 1978 (16  
 23 U.S.C. 1675) is amended in the first sentence by striking  
 24 “2018” and inserting “2023”.

1 (b) TERMINATION DATE.—Section 8 of the Renew-  
2 able Resources Extension Act of 1978 (16 U.S.C. 1671  
3 note; Public Law 95–306) is amended by striking “2018”  
4 and inserting “2023”.

5 **SEC. 7506. NATIONAL AQUACULTURE ACT OF 1980.**

6 Section 10 of the National Aquaculture Act of 1980  
7 (16 U.S.C. 2809) is amended by striking “2018” each  
8 place it appears and inserting “2023”.

9 **SEC. 7507. BEGINNING FARMER AND RANCHER DEVELOP-**  
10 **MENT PROGRAM.**

11 Section 7405 of the Farm Security and Rural Invest-  
12 ment Act of 2002 (7 U.S.C. 3319f) is amended—

13 (1) by striking subsection (b) and redesignating  
14 subsection (c) as subsection (b);

15 (2) in subsection (b), as so redesignated—

16 (A) in the heading, by striking “GRANTS”  
17 and inserting “PROGRAMS”;

18 (B) by amending paragraph (1) to read as  
19 follows:

20 “(1) IN GENERAL.—The Secretary shall estab-  
21 lish a beginning farmer and rancher development  
22 program to provide training, education, outreach,  
23 and technical assistance initiatives to increase oppor-  
24 tunities for beginning farmers or ranchers.”;

1 (C) by inserting “or cooperative agree-  
2 ments” after “grants” each place it appears;

3 (D) by inserting “or cooperative agree-  
4 ment” after “grant” each place it appears;

5 (E) by striking “subsection” each place it  
6 appears and inserting “section”;

7 (F) by amending paragraph (4) to read as  
8 follows:

9 “(4) MATCHING REQUIREMENT.—

10 “(A) IN GENERAL.—Except as provided in  
11 subparagraph (B), to be eligible to receive a  
12 grant under this subsection, a recipient shall  
13 provide a match in the form of cash or in-kind  
14 contributions in an amount equal to 25 percent  
15 of the funds provided by the grant.

16 “(B) EXCEPTION.—The Secretary may  
17 waive or reduce the matching requirement in  
18 subparagraph (A) if the Secretary determines  
19 such a waiver or modification is necessary to ef-  
20 fectively reach an underserved area or popu-  
21 lation.”; and

22 (G) by striking paragraph (8), and redesign-  
23 ating paragraphs (9), (10), (11), and (12) as  
24 paragraphs (8), (9), (10), and (11), respec-  
25 tively;

1           (3) by inserting after subsection (b), as so re-  
2           designated, the following new subsection:

3           “(c) GRANT REQUIREMENTS.—

4                 “(1) IN GENERAL.—In carrying out this sec-  
5           tion, the Secretary shall make competitive grants to  
6           support new and established local and regional train-  
7           ing, education, outreach, and technical assistance  
8           initiatives to increase opportunities for beginning  
9           farmers or ranchers, including programs and serv-  
10          ices (as appropriate) relating to—

11                   “(A) basic livestock, forest management,  
12                   and crop farming practices;

13                   “(B) innovative farm, ranch, and private  
14                   nonindustrial forest land access, and transfer  
15                   and succession strategies and programs;

16                   “(C) entrepreneurship and business train-  
17                   ing;

18                   “(D) financial and risk management train-  
19                   ing (including the acquisition and management  
20                   of agricultural credit);

21                   “(E) natural resource management and  
22                   planning;

23                   “(F) diversification and marketing strate-  
24                   gies;

25                   “(G) curriculum development;

1           “(H) mentoring, apprenticeships, and in-  
2           ternships;

3           “(I) resources and referral;

4           “(J) farm financial benchmarking;

5           “(K) technical assistance to help beginning  
6           farmers or ranchers acquire land from retiring  
7           farmers and ranchers;

8           “(L) agricultural rehabilitation and voca-  
9           tional training for veterans;

10          “(M) food safety (including good agricul-  
11          tural practices training);

12          “(N) farm safety and awareness; and

13          “(O) other similar subject areas of use to  
14          beginning farmers or ranchers.

15          “(2) SET-ASIDE.—

16               “(A) IN GENERAL.—Not less than 5 per-  
17               cent of the funds used to carry out this sub-  
18               section for a fiscal year shall be used to support  
19               programs and services that address the needs  
20               of—

21                   “(i) limited resource beginning farm-  
22                   ers or ranchers (as defined by the Sec-  
23                   retary);

24                   “(ii) socially disadvantaged farmers or  
25                   ranchers (as defined in section 355(e) of

1 the Consolidated Farm and Rural Develop-  
2 ment Act (7 U.S.C. 2003(e))) who are be-  
3 ginning farmers and ranchers; and

4 “(iii) farmworkers desiring to become  
5 farmers or ranchers.

6 “(B) VETERAN FARMERS AND RANCH-  
7 ERS.—Not less than 5 percent of the funds  
8 used to carry out this subsection for a fiscal  
9 year shall be used to support programs and  
10 services that address the needs of veteran farm-  
11 ers and ranchers (as defined in section 2501(e)  
12 of the Food, Agriculture, Conservation, and  
13 Trade Act of 1990 (7 U.S.C. 2279(e))).”;

14 (4) in subsection (d)—

15 (A) in paragraph (1)—

16 (i) by striking “and conduct” and in-  
17 serting “, conduct”; and

18 (ii) by striking the period at the end  
19 and inserting “, or provide training and  
20 technical assistance initiatives for begin-  
21 ning farmers or ranchers or for trainers  
22 and service providers that work with begin-  
23 ning farmers or ranchers.”; and

24 (B) in paragraph (2)—



1 (i) by inserting “, educational pro-  
2 grams and workshops, or training and  
3 technical assistance initiatives” after “cur-  
4 rricula”; and

5 (ii) by striking “modules” and insert-  
6 ing “content”;

7 (5) in subsection (g)—

8 (A) by inserting “(including retiring farm-  
9 ers and nonfarming landowners)” before “from  
10 participating in programs”; and

11 (B) by striking “educating” and inserting  
12 “increasing opportunities for”; and

13 (6) in subsection (h)—

14 (A) in paragraph (1)—

15 (i) in the heading, by striking “FOR  
16 FISCAL YEARS 2009 THROUGH 2018”; and

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

19 (B) in paragraph (2)—

20 (i) in the paragraph heading, by strik-  
21 ing “FOR FISCAL YEARS 2014 THROUGH  
22 2018”; and

23 (ii) by striking “2018” and inserting  
24 “2023”; and

25 (C) by striking paragraph (3).

1 **SEC. 7508. FEDERAL AGRICULTURE RESEARCH FACILITIES.**

2 Section 1431 of the National Agricultural Research,  
3 Extension, and Teaching Policy Act Amendments of 1985  
4 (title XIV of Public Law 99–198; 99 Stat. 1556) is  
5 amended by striking “2018” and inserting “2023”.

6 **SEC. 7509. BIOMASS RESEARCH AND DEVELOPMENT.**

7 Section 9008(h) of the Farm Security and Rural In-  
8 vestment Act of 2002 (7 U.S.C. 8108(h)) is amended to  
9 read as follows:

10 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
11 is authorized to be appropriated to carry out this section  
12 \$20,000,000 for each of fiscal years 2019 through 2023.”.

13 **Subtitle F—Other Matters**

14 **SEC. 7601. ENHANCED USE LEASE AUTHORITY PROGRAM.**

15 (a) TRANSITION TO PERMANENT PROGRAM.—Sec-  
16 tion 308 of the Federal Crop Insurance Reform and De-  
17 partment of Agriculture Reorganization Act of 1994 (7  
18 U.S.C. 3125a note) is amended—

19 (1) in the section heading, by striking  
20 “**PILOT**”; and

21 (2) in subsection (a), by striking “pilot”.

22 (b) NO ONSITE SALES.—Section 308(b)(1)(C) of the  
23 Federal Crop Insurance Reform and Department of Agri-  
24 culture Reorganization Act of 1994 is amended by insert-  
25 ing “onsite” before “public”.

1       (c) **TERMINATION OF AUTHORITY EXTENDED.**—Sec-  
 2 tion 308(b)(6)(A) of the Federal Crop Insurance Reform  
 3 and Department of Agriculture Reorganization Act of  
 4 1994 (7 U.S.C. 3125a note) is amended by striking “on  
 5 the date that is 10 years after the date of enactment of  
 6 this section” and inserting “on June 18, 2023”.

7       (d) **REPORTS.**—Section 308(d)(2) of the Federal  
 8 Crop Insurance Reform and Department of Agriculture  
 9 Reorganization Act of 1994 (7 U.S.C. 3125a note) is  
 10 amended by striking “Not later than 6, 8, and 10 years  
 11 after the date of enactment of this section” and inserting  
 12 “Not later than June 18, 2019, June 18, 2021, and June  
 13 18, 2023”.

14 **SEC. 7602. FUNCTIONS AND DUTIES OF THE UNDER SEC-**  
 15 **RETARY.**

16       Subparagraph (B) of section 251(d)(2) of the De-  
 17 partment of Agriculture Reorganization Act of 1994 (7  
 18 U.S.C. 6971(d)(2)) is amended to read as follows:

19               “(B) ensure that agricultural research,  
 20               education, extension, economics, and statistical  
 21               programs—

22                       “(i) are effectively coordinated and in-  
 23                       tegrated—

24                               “(I) across disciplines, agencies,  
 25                               and institutions; and

1                   “(II) among applicable partici-  
 2                   pants, grantees, and beneficiaries; and  
 3                   “(ii) address the priority areas of the  
 4                   Agriculture and Food Research Initiative  
 5                   specified in subsection (b)(2) of the Com-  
 6                   petitive, Special, and Facilities Research  
 7                   Grant Act (7 U.S.C. 3157(b)(2));”.

8   **SEC. 7603. REINSTATEMENT OF DISTRICT OF COLUMBIA**  
 9                   **MATCHING REQUIREMENT FOR CERTAIN**  
 10                  **LAND-GRANT UNIVERSITY ASSISTANCE.**

11       (a) IN GENERAL.—Section 209(c) of the District of  
 12   Columbia Public Postsecondary Education Reorganization  
 13   Act (Public Law 93–471; sec. 38–1202.09(c), D.C. Offi-  
 14   cial Code) is amended in the first sentence, by striking  
 15   the period at the end and inserting “, which may be used  
 16   to pay no more than one-half of the total cost of providing  
 17   such extension work.”.

18       (b) EFFECTIVE DATE.—The amendment made by  
 19   this section shall take effect on October 1, 2018.

20   **SEC. 7604. FARMLAND TENURE, TRANSITION, AND ENTRY**  
 21                  **DATA INITIATIVE.**

22       (a) IN GENERAL.—The Secretary shall collect and re-  
 23   port data and analysis on farmland ownership, tenure,  
 24   transition, and entry of beginning farmers or ranchers.

1 (b) REQUIREMENTS.—In carrying out subsection (a),  
2 the Secretary shall—

3 (1) collect and distribute comprehensive annual  
4 reporting of trends in farmland ownership, tenure,  
5 transition, barriers to entry, profitability, and viabil-  
6 ity of beginning farmers or ranchers; and

7 (2) develop surveys and report statistical and  
8 economic analysis on farmland ownership, tenure,  
9 transition, barriers to entry, profitability, and viabil-  
10 ity of beginning farmers or ranchers.

11 (c) FUNDING.—There are authorized to be appro-  
12 priated to carry out this section \$2,000,000 for each of  
13 fiscal years 2019 through 2023, to remain available until  
14 expended.

15 (d) CONFORMING AMENDMENT REGARDING CON-  
16 FIDENTIALITY OF INFORMATION.—Section 1770(d) of the  
17 Food Security Act of 1985 (7 U.S.C. 2276(d)) is amend-  
18 ed—

19 (1) in paragraph (11), by striking “or” at the  
20 end;

21 (2) in paragraph (12), by striking the period at  
22 the end and inserting “; or”; and

23 (3) by adding at the end the following new  
24 paragraph:

1 “(13) section 7604 of the Agriculture and Nu-  
2 trition Act of 2018.”.

3 **SEC. 7605. TRANSFER OF ADMINISTRATIVE JURISDICTION,**  
4 **PORTION OF HENRY A. WALLACE BELTS-**  
5 **VILLE AGRICULTURAL RESEARCH CENTER,**  
6 **BELTSVILLE, MARYLAND.**

7 (a) TRANSFER AUTHORIZED.—The Secretary of Ag-  
8 riculture may transfer to the administrative jurisdiction  
9 of the Secretary of the Treasury a parcel of real property  
10 at the Henry A. Wallace Beltsville Agricultural Research  
11 Center consisting of approximately 100 acres, which was  
12 originally acquired by the United States through land ac-  
13 quisitions in 1910 and 1925 and is generally located off  
14 of Poultry Road lying between Powder Mill Road and  
15 Odell Road in Beltsville, Maryland, for the purpose of fa-  
16 cilitating the establishment of Bureau of Engraving and  
17 Printing facilities on the parcel.

18 (b) LEGAL DESCRIPTION AND MAP.—

19 (1) PREPARATION.—The Secretary of Agri-  
20 culture shall prepare a legal description and map of  
21 the parcel of real property to be transferred under  
22 subsection (a).

23 (2) FORCE OF LAW.—The legal description and  
24 map prepared under paragraph (1) shall have the  
25 same force and effect as if included in this Act, ex-

1       cept that the Secretary of Agriculture may correct  
2       errors in the legal description and map.

3       (c) RETENTION OF INTERESTS.—The transfer of ad-  
4       ministrative jurisdiction under subsection (a) shall be sub-  
5       ject to easements and rights of record and such other res-  
6       ervations, terms, and conditions as the Secretary of Agri-  
7       culture considers to be necessary.

8       (d) WAIVER.—The parcel of real property to be  
9       transferred under subsection (a) is exempt from Federal  
10      screening for other possible use as there is an identified  
11      Federal need for the parcel as the site for Bureau of En-  
12      graving and Printing facilities.

13      (e) CONDITION ON TRANSFER.—As a condition of the  
14      transfer of administrative jurisdiction under subsection  
15      (a), the Secretary of the Treasury shall agree to pay the  
16      Secretary of Agriculture the following costs:

17           (1) The appraisal required under subsection (f).

18           (2) Any environmental or administrative anal-  
19      ysis required by Federal law with respect to the real  
20      property so transferred.

21           (3) Any necessary survey of such real property.

22           (4) Any hazardous substances assessment of  
23      such real property.

24      (f) APPRAISAL.—To determine the fair market value  
25      of the parcel of real property to be transferred under sub-

1 section (a), the Secretary of the Treasury shall have the  
2 parcel appraised for its highest and best use in conformity  
3 with the Uniform Appraisal Standards for Federal Land  
4 Acquisitions developed by the Interagency Land Acquisi-  
5 tion Conference. The appraisal shall be subject to the re-  
6 view and approval by the Secretary of Agriculture.

7 (g) HAZARDOUS MATERIALS.—For the parcel of real  
8 property to be transferred under subsection (a), the Sec-  
9 retary of Agriculture shall meet disclosure requirements  
10 for hazardous substances, but shall otherwise not be re-  
11 quired to remediate or abate those substances or any other  
12 hazardous pollutants, contaminants, or waste that might  
13 be present on the parcel at the time of transfer of adminis-  
14 trative jurisdiction.

15 **SEC. 7606. SIMPLIFIED PLAN OF WORK.**

16 (a) SMITH-LEVER ACT.—The Smith-Lever Act is  
17 amended—

18 (1) in section 3(h)(2) (7 U.S.C. 343(h)(2)), by  
19 striking subparagraph (D); and

20 (2) in section 4 (7 U.S.C. 344)—

21 (A) in subsection (c), by striking para-  
22 graphs (1) through (5) and inserting the fol-  
23 lowing new paragraphs:

24 “(1) A summary of planned projects or pro-  
25 grams in the State using formula funds.



1           “(2) A description of the manner in which the  
2       State will meet the requirements of section 3(h).

3           “(3) A description of the manner in which the  
4       State will meet the requirements of section 3(i)(2) of  
5       the Hatch Act of 1887.

6           “(4) A description of matching funds provided  
7       by the State with respect to the previous fiscal  
8       year.”; and

9                       (B) by adding at the end the following new  
10       subsection:

11       “(f) RELATIONSHIP TO AUDITS.—Notwithstanding  
12   any other provision of law, the procedures established pur-  
13   suant to subsection (c) shall not be subject to audit to  
14   determine the sufficiency of such procedures.”.

15       (b) HATCH ACT.—The Hatch Act of 1887 is amend-  
16   ed—

17               (1) in section 3 (7 U.S.C. 361c)—

18                       (A) by amending subsection (h) to read as  
19       follows:

20       “(h) PEER REVIEW.—Research carried out under  
21   subsection (c)(3) shall be subject to scientific peer review.  
22   The review of a project conducted under this subsection  
23   shall be considered to satisfy the merit review require-  
24   ments of section 103(e) of the Agricultural Research, Ex-  
25   tension, and Education Reform Act of 1998.”; and

1 (B) in subsection (i)(2), by striking sub-  
2 paragraph (D); and  
3 (2) in section 7 (7 U.S.C. 361g)—

4 (A) in subsection (e), by striking para-  
5 graphs (1) through (4) and inserting the fol-  
6 lowing new paragraphs:

7 “(1) A summary of planned projects or pro-  
8 grams in the State using formula funds.

9 “(2) A description of the manner in which the  
10 State will meet the requirements of subsections  
11 (c)(3) and (i)(2) of section 3.

12 “(3) A description of matching funds provided  
13 by the State with respect to the previous fiscal  
14 year.”; and

15 (B) by adding at the end the following new  
16 subsection:

17 “(h) RELATIONSHIP TO AUDITS.—Notwithstanding  
18 any other provision of law, the procedures established pur-  
19 suant to subsection (e) shall not be subject to audit to  
20 determine the sufficiency of such procedures.”.

21 (c) EXTENSION AND RESEARCH AT 1890 INSTITU-  
22 TIONS.—

23 (1) EXTENSION.—Section 1444(d) of the Na-  
24 tional Agricultural Research, Extension, and Teach-

1       ing Policy Act of 1977 (7 U.S.C. 3221(d)) is amend-  
2       ed—

3               (A) in paragraph (3), by striking subpara-  
4       graphs (A) through (E) and inserting the fol-  
5       lowing new subparagraphs:

6               “(A) A summary of planned projects or  
7       programs in the State using formula funds.

8               “(B) A description of matching funds pro-  
9       vided by the State with respect to the previous  
10      fiscal year.”; and

11              (B) by adding at the end the following new  
12      paragraph:

13              “(6) RELATIONSHIP TO AUDITS.—Notwith-  
14      standing any other provision of law, the procedures  
15      established pursuant to paragraph (3) shall not be  
16      subject to audit to determine the sufficiency of such  
17      procedures.”.

18              (2) RESEARCH.—Section 1445(c) of the Na-  
19      tional Agricultural Research, Extension, and Teach-  
20      ing Policy Act of 1977 (7 U.S.C. 3222(c)) is amend-  
21      ed—

22              (A) in paragraph (3), by striking subpara-  
23      graphs (A) through (E) and inserting the fol-  
24      lowing new subparagraphs:

1           “(A) A summary of planned projects or  
2           programs in the State using formula funds.

3           “(B) A description of matching funds pro-  
4           vided by the State with respect to the previous  
5           fiscal year.”; and

6           (B) by adding at the end the following new  
7           paragraph:

8           “(6) RELATIONSHIP TO AUDITS.—Notwith-  
9           standing any other provision of law, the procedures  
10          established pursuant to paragraph (3) shall not be  
11          subject to audit to determine the sufficiency of such  
12          procedures.”.

13 **SEC. 7607. TIME AND EFFORT REPORTING EXEMPTION.**

14          Any entity receiving funds under a program referred  
15          to in clause (iii), (iv), (vii), (viii), or (xii) of section  
16          251(f)(1)(C) of the Department of Agriculture Reorga-  
17          nization Act of 1994 (7 U.S.C. 6971(f)(1)(C)) shall be ex-  
18          empt from the time and effort reporting requirements  
19          under part 200 of title 2, Code of Federal Regulations  
20          (or successor regulations), with respect to the use of such  
21          funds.

22 **SEC. 7608. PUBLIC EDUCATION ON BIOTECHNOLOGY IN**  
23 **FOOD AND AGRICULTURE SECTORS.**

24          (a) IN GENERAL.—The Secretary, in consultation  
25          with the Secretary of Health and Human Services, the

1 Secretary of Education, and such other persons and orga-  
2 nizations as the Secretary determines to be appropriate,  
3 shall develop and carry out a national science-based edu-  
4 cation campaign to increase public awareness regarding  
5 the use of technology in food and agriculture production,  
6 including—

7           (1) the science of biotechnology as applied to  
8           the development of products in the food and agricul-  
9           tural sectors, including information about which  
10          products of biotechnology in the food and agricul-  
11          tural sectors have been approved for use in the  
12          United States;

13          (2) the Federal science-based regulatory review  
14          process for products made using biotechnology in the  
15          food and agricultural sectors conducted under the  
16          Coordinated Framework for Regulation of Bio-  
17          technology published by the Office of Science and  
18          Technology Policy in the Federal Register on June  
19          26, 1986 (51 Fed. Reg. 23302), including the stud-  
20          ies performed and analyses conducted to ensure that  
21          such products are as safe to produce and as safe to  
22          eat as products that are not produced using bio-  
23          technology;

24          (3) developments in the science of plant and  
25          animal breeding over time and the impacts of such

1        developments on farmers, consumers, the environ-  
2        ment, and the rural economy; and

3            (4) the effects of the use of biotechnology on  
4        food security, nutrition, and the environment.

5        (b)    CONSUMER    FRIENDLY    INFORMATIONAL  
6 WEBSITE.—The Secretary, in consultation with the Sec-  
7 retary of Health and Human Services, the Administrator  
8 of the Environmental Protection Agency, the Office of  
9 Science and Technology Policy, and such other persons  
10 and organizations as the Secretary determines to be ap-  
11 propriate, shall develop, establish, and update as nec-  
12 essary, a single Federal government-sponsored public  
13 Internet website through which the public may obtain, in  
14 an easy to understand and user-friendly format, informa-  
15 tion about biotechnology used in the food and agricultural  
16 sectors, including—

17            (1) scientific findings and other data on bio-  
18        technology used in the food and agricultural sectors;

19            (2) Federal agencies' decisions regarding spe-  
20        cific products made using biotechnology in the food  
21        and agricultural sectors;

22            (3) a list of frequently asked questions per-  
23        taining to the use of biotechnology in the food and  
24        agricultural sectors;

1           (4) an easy-to-understand description of the  
2       role of Federal agencies in overseeing the use of bio-  
3       technology in the food and agricultural sectors;

4           (5) information about novel, emerging tech-  
5       nologies within the broader field of biotechnology;  
6       and

7           (6) a glossary of terms with respect to bio-  
8       technology used in the food and agricultural sectors.

9       (c) SOCIAL MEDIA RESOURCES.—The Secretary may,  
10   as appropriate, utilize publicly-available social media plat-  
11   forms to supplement the campaign established under sub-  
12   section (a), and as an extension of the website established  
13   under subsection (b).

14           **TITLE VIII—FORESTRY**  
15   **Subtitle A—Reauthorization and**  
16   **Modification of Certain Forestry**  
17   **Programs**

18   **SEC. 8101. SUPPORT FOR STATE ASSESSMENTS AND STRAT-**  
19           **EGIES FOR FOREST RESOURCES.**

20       Section 2A(f)(1) of the Cooperative Forestry Assist-  
21   ance Act of 1978 (16 U.S.C. 2101a(f)(1)) is amended by  
22   striking “2018” and inserting “2023”.

1 **SEC. 8102. FOREST LEGACY PROGRAM.**

2 Subsection (m) of section 7 of the Cooperative For-  
3 estry Assistance Act of 1978 (16 U.S.C. 2103c) is amend-  
4 ed to read as follows:

5 “(m) AUTHORIZATION OF APPROPRIATIONS.—There  
6 are authorized to be appropriated to carry out this section  
7 \$35,000,000 for each of fiscal years 2019 through 2023.”.

8 **SEC. 8103. COMMUNITY FOREST AND OPEN SPACE CON-**  
9 **SERVATION PROGRAM.**

10 Subsection (g) of section 7A of the Cooperative For-  
11 estry Assistance Act of 1978 (16 U.S.C. 2103d) is amend-  
12 ed to read as follows:

13 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated to carry out this section  
15 \$5,000,000 for each of fiscal years 2019 through 2023.”.

16 **SEC. 8104. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**  
17 **RESTORATION PROGRAM.**

18 Section 13A of the Cooperative Forestry Assistance  
19 Act of 1978 (16 U.S.C. 2109a) is amended to read as  
20 follows:

21 **“SEC. 13A. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**  
22 **RESTORATION PROGRAM.**

23 “(a) PURPOSE.—The purpose of this section is to es-  
24 tablish a landscape-scale restoration program to support  
25 landscape-scale restoration and management that results



1 in measurable improvements to public benefits derived  
2 from State and private forest land, as identified in—

3 “(1) a State-wide assessment described in sec-  
4 tion 2A(a)(1); and

5 “(2) a long-term State-wide forest resource  
6 strategy described in section 2A(a)(2).

7 “(b) DEFINITIONS.—In this section:

8 “(1) PRIVATE FOREST LAND.—The term ‘pri-  
9 vate forest land’ means land that—

10 “(A)(i) has existing tree cover; or

11 “(ii) is suitable for growing trees; and

12 “(B) is owned by—

13 “(i) an Indian Tribe (as defined in  
14 section 4 of the Indian Self-Determination  
15 and Education Assistance Act (25 U.S.C.  
16 5304)); or

17 “(ii) any private individual or entity.

18 “(2) REGIONAL.—The term ‘regional’ means of  
19 any region of the National Association of State For-  
20 esters.

21 “(3) SECRETARY.—The term ‘Secretary’ means  
22 the Secretary of Agriculture, acting through the  
23 Chief of the Forest Service.

1           “(4) STATE FOREST LAND.—The term ‘State  
2       forest land’ means land that is owned by a State or  
3       unit of local government.

4           “(5) STATE FORESTER.—The term ‘State For-  
5       ester’ means a State Forester or equivalent State of-  
6       ficial.

7           “(c) ESTABLISHMENT.—The Secretary, in consulta-  
8       tion with State Foresters or other appropriate State agen-  
9       cies, shall establish a landscape-scale restoration pro-  
10      gram—

11           “(1) to provide financial and technical assist-  
12      ance for landscape-scale restoration projects on  
13      State forest land or private forest land; and

14           “(2) that maintains or improves benefits from  
15      trees and forests on such land.

16           “(d) REQUIREMENTS.—The landscape-scale restora-  
17      tion program established under subsection (c) shall—

18           “(1) measurably address the national private  
19      forest conservation priorities described in section  
20      2(c);

21           “(2) enhance public benefits from trees and for-  
22      ests, as identified in—

23           “(A) a State-wide assessment described in  
24      section 2A(a)(1); and

1           “(B) a long-term State-wide forest re-  
2           source strategy described in section 2A(a)(2);  
3           and

4           “(3) in accordance with the purposes described  
5           in section 2(b), include one or more of the following  
6           objectives—

7           “(A) protecting or improving water quality  
8           or quantity;

9           “(B) reducing wildfire risk, including  
10          through hazardous fuels treatment;

11          “(C) protecting or enhancing wildlife habi-  
12          tat, consistent with wildlife objectives estab-  
13          lished by the applicable State fish and wildlife  
14          agency;

15          “(D) improving forest health and forest  
16          ecosystems, including addressing native, non-  
17          native, and invasive pests; or

18          “(E) enhancing opportunities for new and  
19          existing markets in which the production and  
20          use of wood products strengthens local and re-  
21          gional economies.

22          “(e) MEASUREMENT.—The Secretary, in consultation  
23          with State Foresters, shall establish a measurement sys-  
24          tem (including measurement tools) that—

1 “(1) consistently measures the results of land-  
2 scape-scale restoration projects described in sub-  
3 section (c); and

4 “(2) is consistent with the measurement sys-  
5 tems of other Federal programs delivered by State  
6 Foresters.

7 “(f) USE OF AMOUNTS.—

8 “(1) ALLOCATION.—Of the amounts made  
9 available for the landscape-scale restoration program  
10 established under subsection (c), the Secretary shall  
11 allocate to State Foresters—

12 “(A) 50 percent for the competitive process  
13 in accordance with subsection (g); and

14 “(B) 50 percent proportionally to States,  
15 in consultation with State Foresters—

16 “(i) to maximize the achievement of  
17 the objectives described in subsection  
18 (d)(3); and

19 “(ii) to address the highest national  
20 priorities, as identified in—

21 “(I) State-wide assessments de-  
22 scribed in section 2A(a)(1); and

23 “(II) long-term State-wide forest  
24 resource strategies described in sec-  
25 tion 2A(a)(2).

1           “(2) MULTIYEAR PROJECTS.—The Secretary  
2       may provide amounts under this section for  
3       multiyear projects.

4       “(g) COMPETITIVE PROCESS.—

5           “(1) IN GENERAL.—The Secretary shall dis-  
6       tribute amounts described in subsection (f)(1)(A)  
7       through a competitive process for landscape-scale  
8       restoration projects described in subsection (c) to  
9       maximize the achievement of the objectives described  
10      in subsection (d)(3).

11          “(2) ELIGIBILITY.—To be eligible for funding  
12      through the competitive process under paragraph  
13      (1), a State Forester, or another entity on approval  
14      of the State Forester, shall submit to the Secretary  
15      one or more landscape-scale restoration proposals  
16      that—

17              “(A) in accordance with paragraph (3)(A),  
18      include priorities identified in—

19                  “(i) State-wide assessments described  
20              in section 2A(a)(1); and

21                  “(ii) long-term State-wide forest re-  
22              source strategies described in section  
23              2A(a)(2);

24              “(B) identify one or more measurable re-  
25      sults to be achieved through the project;

1           “(C) to the maximum extent practicable,  
2           include activities on all land necessary to ac-  
3           complish the measurable results in the applica-  
4           ble landscape;

5           “(D) to the maximum extent practicable,  
6           are developed in collaboration with other public  
7           and private sector organizations and local com-  
8           munities; and

9           “(E) derive not less than 50 percent of the  
10          funding for the project from non-Federal  
11          sources, unless the Secretary determines—

12               “(i) the applicant is unable to derive  
13               not less than 50 percent of the funding for  
14               the project from non-Federal sources; and

15               “(ii) the benefits of the project justify  
16               pursuing the project.

17          “(3) PRIORITIZATION.—In carrying out the  
18          competitive process under paragraph (1), the Sec-  
19          retary—

20               “(A) shall give priority to projects that, as  
21               determined by the Secretary, best carry out pri-  
22               orities identified in State-wide assessments de-  
23               scribed in section 2A(a)(1) and long-term  
24               State-wide forest resource strategies described  
25               in section 2A(a)(2), including—

1 “(i) involvement of public and private  
2 partnerships;

3 “(ii) inclusion of cross-boundary ac-  
4 tivities on—

5 “(I) Federal forest land;

6 “(II) State forest land; or

7 “(III) private forest land;

8 “(iii) involvement of areas also identi-  
9 fied for cost-share funding by the Natural  
10 Resources Conservation Service or any  
11 other relevant Federal agency;

12 “(iv) protection or improvement of  
13 water quality or quantity;

14 “(v) reduction of wildfire risk; and

15 “(vi) otherwise addressing the na-  
16 tional private forest conservation priorities  
17 described in section 2(c); and

18 “(B) may give priority to projects in prox-  
19 imity to other landscape-scale projects on other  
20 land under the jurisdiction of the Secretary, the  
21 Secretary of the Interior, or a Governor of a  
22 State, including—

23 “(i) ecological restoration treatments  
24 under the Collaborative Forest Landscape  
25 Restoration Program established under

1 section 4003 of the Omnibus Public Land  
2 Management Act of 2009 (16 U.S.C.  
3 7303);

4 “(ii) projects on landscape-scale areas  
5 designated for insect and disease treatment  
6 under section 602 of the Healthy Forests  
7 Restoration Act of 2003 (16 U.S.C.  
8 6591a);

9 “(iii) authorized restoration services  
10 under section 8206 of the Agricultural Act  
11 of 2014 (16 U.S.C. 2113a);

12 “(iv) watershed restoration and pro-  
13 tection services under section 331 of the  
14 Department of the Interior and Related  
15 Agencies Appropriations Act, 2001 (Public  
16 Law 106–291; 16 U.S.C. 1011 note);

17 “(v) stewardship end result con-  
18 tracting projects under section 604 of the  
19 Healthy Forests Restoration Act of 2003  
20 (16 U.S.C. 6591c); or

21 “(vi) projects under other relevant  
22 programs, as determined by the Secretary.

23 “(4) PROPOSAL REVIEW.—

24 “(A) IN GENERAL.—The Secretary shall  
25 establish a process for the review of proposals



1 submitted under paragraph (2) that ranks each  
2 proposal based on—

3 “(i) the extent to which the proposal  
4 would achieve the requirements described  
5 in subsection (d); and

6 “(ii) the priorities described in para-  
7 graph (3)(A).

8 “(B) REGIONAL REVIEW.—The Secretary  
9 may carry out the process described in subpara-  
10 graph (A) at a regional level.

11 “(5) COMPLIANCE WITH NEPA.—Financial and  
12 technical assistance carried out under this section  
13 for landscape restoration projects on State forest  
14 land or private forest land shall not constitute a  
15 major Federal action for the purposes of section  
16 102(2)(C) of the National Environmental Policy Act  
17 of 1969 (42 U.S.C. 4332(2)(C)).

18 “(h) REPORT.—Not later than 3 years after the date  
19 of the enactment of the Agriculture and Nutrition Act of  
20 2018, the Secretary shall submit to the Committee on Ag-  
21 riculture of the House of Representatives and the Com-  
22 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
23 ate a report that includes—

24 “(1) a description of the status of the develop-  
25 ment, execution, and administration of landscape-

1 scale projects selected under the program under this  
2 section;

3 “(2) an accounting of expenditures under such  
4 program; and

5 “(3) specific accomplishments that have re-  
6 sulted from landscape-scale projects under such pro-  
7 gram.

8 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is  
9 authorized to be appropriated to the Secretary for the  
10 landscape-scale restoration program established under  
11 subsection (c) \$10,000,000 for each of fiscal years 2019  
12 through 2023, to remain available until expended.”.

13 **SEC. 8105. RURAL REVITALIZATION TECHNOLOGIES.**

14 Section 2371(d)(2) of the Food, Agriculture, Con-  
15 servation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2))  
16 is amended by striking “2018” and inserting “2023”.

17 **SEC. 8106. COMMUNITY WOOD ENERGY AND WOOD INNOVA-**  
18 **TION PROGRAM.**

19 Section 9013 of the Farm Security and Rural Invest-  
20 ment Act of 2002 (7 U.S.C. 8113) is amended to read  
21 as follows:

22 **“SEC. 9013. COMMUNITY WOOD ENERGY AND WOOD INNO-**  
23 **VATION PROGRAM.**

24 “(a) DEFINITIONS.—In this section:

25 “(1) COMMUNITY WOOD ENERGY SYSTEM.—

1           “(A) IN GENERAL.—The term ‘community  
2           wood energy system’ means an energy system  
3           that—

4                   “(i) produces thermal energy or com-  
5                   bined thermal energy and electricity where  
6                   thermal is the primary energy output;

7                   “(ii) services public facilities owned or  
8                   operated by State or local governments (in-  
9                   cluding schools, town halls, libraries, and  
10                  other public buildings) or private or non-  
11                  profit facilities (including commercial and  
12                  business facilities, such as hospitals, office  
13                  buildings, apartment buildings, and manu-  
14                  facturing and industrial buildings); and

15                  “(iii) uses woody biomass, including  
16                  residuals from wood processing facilities,  
17                  as the primary fuel.

18           “(B) INCLUSIONS.—The term ‘community  
19           wood energy system’ includes single-facility cen-  
20           tral heating, district heating systems serving  
21           multiple buildings, combined heat and electric  
22           systems where thermal energy is the primary  
23           energy output, and other related biomass en-  
24           ergy systems.

1           “(2) INNOVATIVE WOOD PRODUCT FACILITY.—

2           The term ‘innovative wood product facility’ means a  
3           manufacturing or processing plant or mill that pro-  
4           duces—

5                   “(A) building components or systems that  
6                   use large panelized wood construction, including  
7                   mass timber;

8                   “(B) wood products derived from nano-  
9                   technology or other new technology processes,  
10                  as determined by the Secretary; or

11                  “(C) other innovative wood products that  
12                  use low-value, low-quality wood, as determined  
13                  by the Secretary.

14           “(3) MASS TIMBER.—The term ‘mass timber’  
15           includes—

16                   “(A) cross-laminated timber;

17                   “(B) nail-laminated timber;

18                   “(C) glue-laminated timber;

19                   “(D) laminated strand lumber; and

20                   “(E) laminated veneer lumber.

21           “(4) PROGRAM.—The term ‘Program’ means  
22           the Community Wood Energy and Wood Innovation  
23           Program established under subsection (b).

24           “(b) COMPETITIVE GRANT PROGRAM.—The Sec-  
25           retary, acting through the Chief of the Forest Service,

1 shall establish a competitive grant program to be known  
2 as the ‘Community Wood Energy and Wood Innovation  
3 Program’.

4 “(c) MATCHING GRANTS.—

5 “(1) IN GENERAL.—Under the Program, the  
6 Secretary shall make grants to cover not more than  
7 35 percent of the capital cost for installing a com-  
8 munity wood energy system or building an innova-  
9 tive wood product facility.

10 “(2) SPECIAL CIRCUMSTANCES.—The Secretary  
11 may establish special circumstances, such as in the  
12 case of a community wood energy system project or  
13 innovative wood product facility project involving a  
14 school or hospital in a low-income community, under  
15 which grants under the Program may cover up to 50  
16 percent of the capital cost.

17 “(3) SOURCE OF MATCHING FUNDS.—Matching  
18 funds required pursuant to this subsection from a  
19 grant recipient must be derived from non-Federal  
20 funds.

21 “(d) PROJECT CAP.—The total amount of grants  
22 under the Program for a community wood energy system  
23 project or innovative wood product facility project may not  
24 exceed—

1           “(1) in the case of grants under the general au-  
2           thority provided under subsection (c)(1),  
3           \$1,000,000; and

4           “(2) in the case of grants for which the special  
5           circumstances apply under subsection (c)(2),  
6           \$1,500,000.

7           “(e) SELECTION CRITERIA.—In selecting applicants  
8           for grants under the Program, the Secretary shall consider  
9           the following:

10           “(1) The energy efficiency of the proposed com-  
11           munity wood energy system or innovative wood prod-  
12           uct facility.

13           “(2) The cost effectiveness of the proposed  
14           community wood energy system or innovative wood  
15           product facility.

16           “(3) The extent to which the proposed commu-  
17           nity wood energy system or innovative wood product  
18           facility represents the best available commercial  
19           technology.

20           “(4) The extent to which the applicant has  
21           demonstrated a high likelihood of project success by  
22           completing detailed engineering and design work in  
23           advance of the grant application.

1           “(5) Other technical, economic, conservation,  
2           and environmental criteria that the Secretary con-  
3           siders appropriate.

4           “(f) GRANT PRIORITIES.—In selecting applicants for  
5           grants under the Program, the Secretary shall give pri-  
6           ority to proposals that—

7           “(1) would be carried out in a location where  
8           markets are needed for the low-value, low-quality  
9           wood;

10          “(2) would be carried out in a location with  
11          limited access to natural gas pipelines;

12          “(3) would include the use or retrofitting (or  
13          both) of existing sawmill facilities located in a loca-  
14          tion where the average annual unemployment rate  
15          exceeded the national average unemployment rate by  
16          more than 1 percent during the previous calendar  
17          year; or

18          “(4) would be carried out in a location where  
19          the project will aid with forest restoration.

20          “(g) LIMITATIONS.—

21          “(1) CAPACITY OF COMMUNITY WOOD ENERGY  
22          SYSTEMS.—A community wood energy system ac-  
23          quired with grant funds under the Program shall not  
24          exceed nameplate capacity of 10 megawatts of ther-  
25          mal energy or combined thermal and electric energy.

1           “(2) FUNDING FOR INNOVATIVE WOOD PROD-  
 2           UCT FACILITIES.—Not more than 25 percent of  
 3           funds provided as grants under the Program for a  
 4           fiscal year may go to applicants proposing innovative  
 5           wood product facilities, unless the Secretary has re-  
 6           ceived an insufficient number of qualified proposals  
 7           for community wood energy systems.

8           “(h) FUNDING.—There is authorized to be appro-  
 9           priated to carry out the Program \$25,000,000 for each  
 10          of fiscal years 2019 through 2023.”.

11   **SEC. 8107. HEALTHY FORESTS RESTORATION ACT OF 2003**

12                   **AMENDMENTS.**

13          (a) HEALTHY FORESTS RESERVE PROGRAM.—

14                  (1) ADDITIONAL PURPOSE OF PROGRAM.—Sec-  
 15          tion 501(a) of the Healthy Forests Restoration Act  
 16          of 2003 (16 U.S.C. 6571(a)) is amended—

17                          (A) by striking “and” at the end of para-  
 18                          graph (2);

19                          (B) by redesignating paragraph (3) as  
 20                          paragraph (4); and

21                          (C) by inserting after paragraph (2) the  
 22                          following new paragraph:

23                          “(3) to conserve forest land that provides habi-  
 24                          tat for species described in section 502(b)(1); and”.



1           (2) ELIGIBILITY FOR ENROLLMENT.—Sub-  
2       section (b) of section 502 of the Healthy Forests  
3       Restoration Act of 2003 (16 U.S.C. 6572) is amend-  
4       ed to read as follows:

5       “(b) ELIGIBILITY.—To be eligible for enrollment in  
6       the healthy forests reserve program, land shall be private  
7       forest land, or private land being restored to forest land,  
8       the enrollment of which will maintain, restore, enhance,  
9       or otherwise measurably—

10           “(1) increase the likelihood of recovery of a spe-  
11       cies that is listed as endangered or threatened under  
12       section 4 of the Endangered Species Act of 1973 (16  
13       U.S.C. 1533); or

14           “(2) improve the well-being of a species that—

15               “(A) is—

16                   “(i) not listed as endangered or  
17                   threatened under such section; and

18                   “(ii) a candidate for such listing, a  
19                   State-listed species, or a special concern  
20                   species; or

21               “(B) is deemed a species of greatest con-  
22       servation need by a State wildlife action plan.”.

23       (3) OTHER ENROLLMENT CONSIDERATIONS.—  
24       Section 502(c) of the Healthy Forests Restoration  
25       Act of 2003 (16 U.S.C. 6572(c)) is amended—

1 (A) by striking “and” at the end of para-  
2 graph (1);

3 (B) by redesignating paragraph (2) as  
4 paragraph (3); and

5 (C) by inserting after paragraph (1) the  
6 following new paragraph:

7 “(2) conserve forest lands that provide habitat  
8 for species described in subsection (b)(1); and”.

9 (4) ELIMINATION OF LIMITATION ON USE OF  
10 EASEMENTS.—Section 502(e) of the Healthy Forests  
11 Restoration Act of 2003 (16 U.S.C. 6572(e)) is  
12 amended by striking paragraph (2) and redesign-  
13 ating paragraph (3) as paragraph (2).

14 (5) ENROLLMENT OF ACREAGE OWNED BY AN  
15 INDIAN TRIBE.—Section 502(e)(2)(B) of the  
16 Healthy Forests Restoration Act of 2003 (16 U.S.C.  
17 6572(e)(3)(B)), as redesignated under paragraph  
18 (4), is amended by striking clauses (ii) and (iii) and  
19 inserting the following new clauses:

20 “(ii) a 10-year, cost-share agreement;

21 “(iii) a permanent easement; or

22 “(iv) any combination of the options  
23 described in clauses (i) through (iii).”.

24 (6) SPECIES-RELATED ENROLLMENT PRI-  
25 ORITY.—Subparagraph (B) of section 502(f)(1) of

1 the Healthy Forests Restoration Act of 2003 (16  
2 U.S.C. 6572(f)(1)) is amended to read as follows:

3 “(B) secondarily, species that—

4 “(i) are—

5 “(I) not listed as endangered or  
6 threatened under section 4 of the En-  
7 dangered Species Act of 1973 (16  
8 U.S.C. 1533); and

9 “(II) candidates for such listing,  
10 State-listed species, or special concern  
11 species; or

12 “(ii) are species of greatest conserva-  
13 tion need, as identified in State wildlife ac-  
14 tion plans.”.

15 (7) RESTORATION PLANS.—Subsection (b) of  
16 section 503 of the Healthy Forests Restoration Act  
17 of 2003 (16 U.S.C. 6573) is amended to read as fol-  
18 lows:

19 “(b) PRACTICES.—The restoration plan shall require  
20 such restoration practices and measures, as are necessary  
21 to restore and enhance habitat for species described in sec-  
22 tion 502(b), including the following:

23 “(1) Land management practices.

24 “(2) Vegetative treatments.

25 “(3) Structural practices and measures.

1 “(4) Other practices and measures.”.

2 (8) FUNDING.—Section 508(b) of the Healthy  
3 Forests Restoration Act of 2003 (16 U.S.C.  
4 6578(b)) is amended—

5 (A) in the subsection heading, by striking  
6 “FISCAL YEARS 2014 THROUGH 2018” and in-  
7 serting “AUTHORIZATION OF APPROPRIA-  
8 TIONS”; and

9 (B) by striking “2018” and inserting  
10 “2023”.

11 (9) TECHNICAL CORRECTION.—Section 503(a)  
12 of the Healthy Forests Restoration Act of 2003 (16  
13 U.S.C. 6573(a)) is amended by striking “Secretary  
14 of Interior” and inserting “Secretary of the Inte-  
15 rior”.

16 (b) INSECT AND DISEASE INFESTATION.—

17 (1) TREATMENT OF AREAS.—Section 602(d)(1)  
18 of the Healthy Forests Restoration Act of 2003 (16  
19 U.S.C. 6591a(d)(1)) is amended by striking “sub-  
20 section (b) to reduce the risk or extent of, or in-  
21 crease the resilience to, insect or disease infestation  
22 in the areas.” and inserting the following: “sub-  
23 section (b)—

1           “(A) to reduce the risk or extent of, or in-  
2           crease the resilience to, insect or disease infes-  
3           tation; or

4           “(B) to reduce hazardous fuels.”.

5           (2)       PERMANENT       AUTHORITY.—Section  
6           602(d)(2) of the Healthy Forests Restoration Act of  
7           2003 (16 U.S.C. 6591a(d)(2)) is amended by strik-  
8           ing “for which a public notice to initiate scoping is  
9           issued on or before September 30, 2018,”.

10          (c) ADMINISTRATIVE REVIEW.—

11           (1)       CLARIFICATION   OF   TREATMENT   OF  
12           AREAS.—Section 603(a) of the Healthy Forests Res-  
13           toration Act of 2003 (16 U.S.C. 6591b(a)) is  
14           amended by striking “in accordance with section  
15           602(d)” and inserting “in accordance with section  
16           602(d)(1)”.

17           (2)       PROJECT SIZE AND LOCATION.—Section  
18           603(c)(1) of the Healthy Forests Restoration Act of  
19           2003 (16 U.S.C. 6591b(c)(1)) is amended by strik-  
20           ing “3000” and inserting “6,000”.

21          (d) STEWARDSHIP PROJECT RECEIPTS.—Section  
22           604(e) of the Healthy Forests Restoration Act of 2003  
23           (16 U.S.C. 6591c(e)) is amended—

24           (1) in paragraph (2)(B), by inserting “subject  
25           to paragraph (3)(A),” before “shall”; and

1           (2) in paragraph (3)(A), by striking “services  
2       received by the Chief or the Director” and all that  
3       follows through the period at the end and inserting  
4       the following: “services and in-kind resources re-  
5       ceived by the Chief or the Director under a steward-  
6       ship contract project conducted under this section  
7       shall not be considered monies received from the Na-  
8       tional Forest System or the public lands, but any  
9       payments made by the contractor to the Chief or Di-  
10      rector under the project shall be considered monies  
11      received from the National Forest System or the  
12      public lands.”.

13 **SEC. 8108. NATIONAL FOREST FOUNDATION ACT AUTHORI-**  
14 **TIES.**

15       (a) EXTENSION OF AUTHORITY TO PROVIDE MATCH-  
16      ING FUNDS FOR ADMINISTRATIVE AND PROJECT EX-  
17      PENSES.—Section 405(b) of the National Forest Founda-  
18      tion Act (16 U.S.C. 583j–3(b)) is amended by striking  
19      “2018” and inserting “2023”.

20       (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
21      410(b) of the National Forest Foundation Act (16 U.S.C.  
22      583j–8(b)) is amended by striking “2018” and inserting  
23      “2023”.

1 **SEC. 8109. INCLUSION OF INVASIVE VEGETATION IN DES-**  
2 **IGNATED TREATMENT AREAS.**

3 Section 602 of the Healthy Forests Restoration Act  
4 of 2003 is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by inserting “,  
7 invasive vegetation,” after “insect”; and

8 (B) in paragraph (2), by inserting “,  
9 invasive vegetation,” after “insects”; and

10 (2) in subsection (b)(2), by inserting “, invasive  
11 vegetation,” after “insect”.

12 **Subtitle B—Secure Rural Schools**  
13 **and Community Self-Determina-**  
14 **tion Act of 2000 Amendments**

15 **SEC. 8201. USE OF RESERVED FUNDS FOR TITLE II**  
16 **PROJECTS ON FEDERAL LAND AND CERTAIN**  
17 **NON-FEDERAL LAND.**

18 Section 204(f) of the Secure Rural Schools and Com-  
19 munity Self-Determination Act of 2000 (16 U.S.C.  
20 7124(f)) is amended to read as follows:

21 “(f) REQUIREMENTS FOR PROJECT FUNDS.—

22 “(1) IN GENERAL.—Subject to paragraph (2),  
23 the Secretary concerned shall ensure that at least 50  
24 percent of the project funds reserved under section  
25 102(d) by a participating county shall be available  
26 only for projects that—

1 “(A) include—

2 “(i) the sale of timber or other forest  
3 products;

4 “(ii) reduce fire risks; or

5 “(iii) improve water supplies; and

6 “(B) implement stewardship objectives  
7 that enhance forest ecosystems or restore and  
8 improve land health and water quality.

9 “(2) APPLICABILITY.—The requirement in  
10 paragraph (1) shall apply only to project funds re-  
11 served by a participating county whose boundaries  
12 include Federal land that the Secretary concerned  
13 determines has been subject to a timber or other for-  
14 est products program within 5 fiscal years before the  
15 fiscal year in which the funds are reserved.”.

16 **SEC. 8202. RESOURCE ADVISORY COMMITTEES.**

17 (a) RECOGNITION OF RESOURCE ADVISORY COMMIT-  
18 TEES.—Section 205(a)(4) of the Secure Rural Schools  
19 and Community Self-Determination Act of 2000 (16  
20 U.S.C. 7125(a)(4)) is amended by striking “2018” each  
21 place it appears and inserting “2023”.

22 (b) REDUCTION IN COMPOSITION OF COMMITTEES.—  
23 Section 205(d) of the Secure Rural Schools and Commu-  
24 nity Self-Determination Act of 2000 (16 U.S.C. 7125(d))  
25 is amended—



1 (1) in paragraph (1), by striking “15 members”  
2 and inserting “9 members”; and

3 (2) by striking “5 persons” each place it ap-  
4 pears and inserting “3 persons”.

5 (c) EXPANDING LOCAL PARTICIPATION ON COMMIT-  
6 TEES.—Section 205(d) of the Secure Rural Schools and  
7 Community Self-Determination Act of 2000 (16 U.S.C.  
8 7125(d)) is further amended—

9 (1) in paragraph (3), by inserting before the pe-  
10 riod at the end the following: “, consistent with the  
11 requirements of paragraph (4)”; and

12 (2) by striking paragraph (4) and inserting the  
13 following new paragraph:

14 “(4) GEOGRAPHIC DISTRIBUTION.—The mem-  
15 bers of a resource advisory committee shall reside  
16 within the county or counties in which the committee  
17 has jurisdiction, or an adjacent county.”.

18 (d) APPOINTMENT OF RESOURCE ADVISORY COM-  
19 MITTEES BY APPLICABLE DESIGNEE.—

20 (1) IN GENERAL.—Section 205 of the Secure  
21 Rural Schools and Community Self-Determination  
22 Act of 2000 (16 U.S.C. 7125) is further amended—

23 (A) in subsection (a)—

1 (i) in paragraph (1), by inserting “(or  
2 applicable designee)” after “The Secretary  
3 concerned”;

4 (ii) in paragraph (3), by inserting  
5 “(or applicable designee)” after “the Sec-  
6 retary concerned”; and

7 (iii) in paragraph (4), by inserting  
8 “(or applicable designee)” after “the Sec-  
9 retary concerned” both places it appears;

10 (B) in subsection (b)(6), by inserting “(or  
11 applicable designee)” after “the Secretary con-  
12 cerned”;

13 (C) in subsection (c)—

14 (i) in the subsection heading, by in-  
15 serting “OR APPLICABLE DESIGNEE” after  
16 “BY THE SECRETARY”;

17 (ii) in paragraph (1), by inserting  
18 “(or applicable designee)” after “The Sec-  
19 retary concerned” both places it appears;

20 (iii) in paragraph (2), by inserting  
21 “(or applicable designee)” after “The Sec-  
22 retary concerned”;

23 (iv) in paragraph (4), by inserting  
24 “(or applicable designee)” after “The Sec-  
25 retary concerned”; and

1 (v) by adding at the end the following  
2 new paragraph:

3 “(6) APPLICABLE DESIGNEE.—In this section,  
4 the term ‘applicable designee’ means—

5 “(A) with respect to Federal land de-  
6 scribed in section 3(7)(A), the applicable Re-  
7 gional Forester; and

8 “(B) with respect to Federal land de-  
9 scribed in section 3(7)(B), the applicable Bu-  
10 reau of Land Management State Director.”;

11 (D) in subsection (d)(3), by inserting “(or  
12 applicable designee)” after “the Secretary con-  
13 cerned”; and

14 (E) in subsection (f)(1)—

15 (i) by inserting “(or applicable des-  
16 ignee)” after “the Secretary concerned”;  
17 and

18 (ii) by inserting “(or applicable des-  
19 ignee)” after “of the Secretary”.

20 (2) CONFORMING AMENDMENT.—Section  
21 201(3) of the Secure Rural Schools and Community  
22 Self-Determination Act of 2000 (16 U.S.C. 7121(3))  
23 is amended by inserting “(or applicable designee (as  
24 defined in section 205(c)(6)))” after “Secretary con-  
25 cerned” both places it appears.

1 **SEC. 8203. PROGRAM FOR TITLE II SELF-SUSTAINING RE-**  
2 **SOURCE ADVISORY COMMITTEE PROJECTS.**

3 (a) SELF-SUSTAINING RESOURCE ADVISORY COM-  
4 MITTEE PROJECTS.—Title II of the Secure Rural Schools  
5 and Community Self-Determination Act of 2000 (16  
6 U.S.C. 7121 et seq.) is amended by adding at the end  
7 the following new section:

8 **“SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE AD-**  
9 **VISORY COMMITTEE PROJECTS.**

10 “(a) RAC PROGRAM.—The Chief of the Forest Serv-  
11 ice shall conduct a program (to be known as the ‘self-sus-  
12 taining resource advisory committee program’ or ‘RAC  
13 program’) under which 10 resource advisory committees  
14 will propose projects authorized by subsection (c) to be  
15 carried out using project funds reserved by a participating  
16 county under section 102(d).

17 “(b) SELECTION OF PARTICIPATING RESOURCE AD-  
18 VISORY COMMITTEES.—The selection of resource advisory  
19 committees to participate in the RAC program is in the  
20 sole discretion of the Chief of the Forest Service.

21 “(c) AUTHORIZED PROJECTS.—Notwithstanding the  
22 project purposes specified in sections 202(b), 203(c), and  
23 204(a)(5), projects under the RAC program are intended  
24 to—

25 “(1) accomplish forest management objectives  
26 or support community development; and

1 “(2) generate receipts.

2 “(d) DEPOSIT AND AVAILABILITY OF REVENUES.—

3 Any revenue generated by a project conducted under the  
4 RAC program, including any interest accrued from the  
5 revenues, shall be—

6 “(1) deposited in the special account in the  
7 Treasury established under section 102(d)(2)(A);  
8 and

9 “(2) available, in such amounts as may be pro-  
10 vided in advance in appropriation Acts, for addi-  
11 tional projects under the RAC program.

12 “(e) TERMINATION OF AUTHORITY.—

13 “(1) IN GENERAL.—The authority to initiate a  
14 project under the RAC program shall terminate on  
15 September 30, 2023.

16 “(2) DEPOSITS IN TREASURY.—Any funds  
17 available for projects under the RAC program and  
18 not obligated by September 30, 2024, shall be depos-  
19 ited in the Treasury of the United States.”.

20 (b) EXCEPTION TO GENERAL RULE REGARDING  
21 TREATMENT OF RECEIPTS.—Section 403(b) of the Secure  
22 Rural Schools and Community Self-Determination Act of  
23 2000 (16 U.S.C. 7153(b)) is amended by striking “All rev-  
24 enues” and inserting “Except as provided in section 209,  
25 all revenues”.

1 **Subtitle C—Availability of Categorical Exclusions To Expedite Forest Management Activities**

4 **PART I—GENERAL PROVISIONS**

5 **SEC. 8301. DEFINITIONS.**

6 In this subtitle:

7 (1) CATASTROPHIC EVENT.—The term “catastrophic event” means any natural disaster (such as  
8 hurricane, tornado, windstorm, snow or ice storm,  
9 rain storm, high water, wind-driven water, tidal  
10 wave, earthquake, volcanic eruption, landslide,  
11 mudslide, drought, or insect or disease outbreak) or  
12 any fire, flood, or explosion, regardless of cause.  
13

14 (2) COOS BAY WAGON ROAD GRANT LANDS.—  
15 The term “Coos Bay Wagon Road Grant lands”  
16 means the lands reconveyed to the United States  
17 pursuant to the first section of the Act of February  
18 26, 1919 (40 Stat. 1179).

19 (3) FOREST MANAGEMENT ACTIVITY.—The  
20 term “forest management activity” means a project  
21 or activity carried out by the Secretary concerned on  
22 National Forest System lands or public lands con-  
23 sistent with the forest plan covering the lands.

24 (4) FOREST PLAN.—The term “forest plan”  
25 means—

1 (A) a land use plan prepared by the Bu-  
2 reau of Land Management for public lands pur-  
3 suant to section 202 of the Federal Land Policy  
4 and Management Act of 1976 (43 U.S.C.  
5 1712); or

6 (B) a land and resource management plan  
7 prepared by the Forest Service for a unit of the  
8 National Forest System pursuant to section 6  
9 of the Forest and Rangeland Renewable Re-  
10 sources Planning Act of 1974 (16 U.S.C.  
11 1604).

12 (5) NATIONAL FOREST SYSTEM.—The term  
13 “National Forest System” has the meaning given  
14 that term in section 11(a) of the Forest and Range-  
15 land Renewable Resources Planning Act of 1974 (16  
16 U.S.C. 1609(a)).

17 (6) OREGON AND CALIFORNIA RAILROAD GRANT  
18 LANDS.—The term “Oregon and California Railroad  
19 Grant lands” means the following lands:

20 (A) All lands in the State of Oregon re-  
21 vested in the United States under the Act of  
22 June 9, 1916 (39 Stat. 218), that are adminis-  
23 tered by the Secretary of the Interior, acting  
24 through the Bureau of Land Management, pur-

1           suant to the first section of the Act of August  
2           28, 1937 (43 U.S.C. 1181a).

3           (B) All lands in that State obtained by the  
4           Secretary of the Interior pursuant to the land  
5           exchanges authorized and directed by section 2  
6           of the Act of June 24, 1954 (43 U.S.C. 1181h).

7           (C) All lands in that State acquired by the  
8           United States at any time and made subject to  
9           the provisions of title II of the Act of August  
10          28, 1937 (43 U.S.C. 1181f).

11          (7) PUBLIC LANDS.—The term “public lands”  
12          has the meaning given that term in section 103 of  
13          the Federal Land Policy and Management Act of  
14          1976 (43 U.S.C. 1702), except that the term in-  
15          cludes Coos Bay Wagon Road Grant lands and Or-  
16          egon and California Railroad Grant lands.

17          (8) REFORESTATION ACTIVITY.—The term “re-  
18          forestation activity” means a forest management ac-  
19          tivity carried out by the Secretary concerned where  
20          the primary purpose is the reforestation of impacted  
21          lands following a catastrophic event. The term in-  
22          cludes planting, evaluating and enhancing natural  
23          regeneration, clearing competing vegetation, and  
24          other activities related to reestablishment of forest  
25          species on the impacted lands.



1           (9) RESOURCE ADVISORY COMMITTEE.—The  
2       term “resource advisory committee” has the mean-  
3       ing given that term in section 201 of the Secure  
4       Rural Schools and Community Self-Determination  
5       Act of 2000 (16 U.S.C. 7121).

6           (10) SALVAGE OPERATION.—The term “salvage  
7       operation” means a forest management activity car-  
8       ried out in response to a catastrophic event where  
9       the primary purpose is—

10           (A) to prevent wildfire as a result of the  
11           catastrophic event, or, if the catastrophic event  
12           was wildfire, to prevent a re-burn of the fire-im-  
13           pacted area;

14           (B) to provide an opportunity for utiliza-  
15           tion of forest materials damaged as a result of  
16           the catastrophic event; or

17           (C) to provide a funding source for refor-  
18           estation for the National Forest System lands  
19           or public lands impacted by the catastrophic  
20           event.

21           (11) SECRETARY CONCERNED.—The term  
22       “Secretary concerned” means—

23           (A) the Secretary of Agriculture, with re-  
24       spect to National Forest System lands; and

1 (B) the Secretary of the Interior, with re-  
2 spect to public lands.

3 **SEC. 8302. RULE OF APPLICATION FOR NATIONAL FOREST**  
4 **SYSTEM LANDS AND PUBLIC LANDS.**

5 Unless specifically provided by a provision of this sub-  
6 title, the authorities provided by this subtitle do not apply  
7 with respect to any National Forest System lands or pub-  
8 lic lands—

9 (1) that are included in the National Wilderness  
10 Preservation System;

11 (2) that are located within a national or State-  
12 specific inventoried roadless area established by the  
13 Secretary of Agriculture through regulation, un-  
14 less—

15 (A) the forest management activity to be  
16 carried out under such authority is consistent  
17 with the forest plan applicable to the area; or

18 (B) the Secretary of Agriculture deter-  
19 mines the forest management activity is permis-  
20 sible under the applicable roadless rule gov-  
21 erning such lands; or

22 (3) on which timber harvesting for any purpose  
23 is prohibited by Federal statute.

1 **SEC. 8303. CONSULTATION UNDER THE ENDANGERED SPE-**  
2 **CIES ACT.**

3 (a) NO CONSULTATION IF ACTION NOT LIKELY TO  
4 ADVERSELY AFFECT A LISTED SPECIES OR DESIGNATED  
5 CRITICAL HABITAT.—With respect to a forest manage-  
6 ment activity carried out pursuant to this subtitle, con-  
7 sultation under section 7 of the Endangered Species Act  
8 of 1973 (16 U.S.C. 1536) shall not be required if the Sec-  
9 retary concerned determines that such forest management  
10 activity is not likely to adversely affect a listed species or  
11 designated critical habitat.

12 (b) EXPEDITED CONSULTATION.—With respect to a  
13 forest management activity carried out pursuant to this  
14 subtitle, consultation required under section 7 of the En-  
15 dangered Species Act of 1973 (16 U.S.C. 1536) shall be  
16 concluded within the 90-day period beginning on the date  
17 on which such consultation was requested by the Secretary  
18 concerned.

19 **SEC. 8304. SECRETARIAL DISCRETION IN THE CASE OF TWO**  
20 **OR MORE CATEGORICAL EXCLUSIONS.**

21 To the extent that a forest management activity may  
22 be categorically excluded under more than one of the sec-  
23 tions of this subtitle, the Secretary concerned shall have  
24 full discretion to determine which categorical exclusion to  
25 use.

**PART II—CATEGORICAL EXCLUSIONS**

**SEC. 8311. CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.**

(a) CATEGORICAL EXCLUSION ESTABLISHED.—Forest management activities described in subsection (b) are a category of actions hereby designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(b) FOREST MANAGEMENT ACTIVITIES DESIGNATED FOR CATEGORICAL EXCLUSION.—The category of forest management activities designated under this section for a categorical exclusion are forest management activities carried out by the Secretary concerned on National Forest System lands or public lands where the primary purpose of such activity is—

- (1) to address an insect or disease infestation;
- (2) to reduce hazardous fuel loads;
- (3) to protect a municipal water source;
- (4) to maintain, enhance, or modify critical habitat to protect it from catastrophic disturbances;
- (5) to increase water yield; or
- (6) any combination of the purposes specified in paragraphs (1) through (5).

1 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

2 On and after the date of the enactment of this Act, the  
3 Secretary concerned may use the categorical exclusion es-  
4 tablished under subsection (a) in accordance with this sec-  
5 tion.

6 (d) ACREAGE LIMITATIONS.—A forest management  
7 activity covered by the categorical exclusion established  
8 under subsection (a) may not contain treatment units ex-  
9 ceeding a total of 6,000 acres.

10 **SEC. 8312. CATEGORICAL EXCLUSION TO EXPEDITE SAL-**  
11 **VAGE OPERATIONS IN RESPONSE TO CATA-**  
12 **STROPHIC EVENTS.**

13 (a) CATEGORICAL EXCLUSION ESTABLISHED.—Sal-  
14 vage operations carried out by the Secretary concerned on  
15 National Forest System lands or public lands are a cat-  
16 egory of actions hereby designated as being categorically  
17 excluded from the preparation of an environmental assess-  
18 ment or an environmental impact statement under section  
19 102 of the National Environmental Policy Act of 1969 (42  
20 U.S.C. 4332).

21 (b) AVAILABILITY OF CATEGORICAL EXCLUSION.—

22 On and after the date of the enactment of this Act, the  
23 Secretary concerned may use the categorical exclusion es-  
24 tablished under subsection (a) in accordance with this sec-  
25 tion.

1 (c) ACREAGE LIMITATION.—A salvage operation cov-  
2 ered by the categorical exclusion established under sub-  
3 section (a) may not contain treatment units exceeding a  
4 total of 6,000 acres.

5 (d) ADDITIONAL REQUIREMENTS.—

6 (1) STREAM BUFFERS.—A salvage operation  
7 covered by the categorical exclusion established  
8 under subsection (a) shall comply with the standards  
9 and guidelines for stream buffers contained in the  
10 applicable forest plan, except that the Regional For-  
11 ester, in the case of National Forest System lands,  
12 or the State Director of the Bureau of Land Man-  
13 agement, in the case of public lands, may, on a case-  
14 by-case basis, waive the standards and guidelines.

15 (2) REFORESTATION PLAN.—A reforestation  
16 plan shall be developed under section 3 of the Act  
17 of June 9, 1930 (commonly known as the Knutson-  
18 Vandenberg Act; (16 U.S.C. 576b)), as part of a sal-  
19 vage operation covered by the categorical exclusion  
20 established under subsection (a).

21 **SEC. 8313. CATEGORICAL EXCLUSION TO MEET FOREST**  
22 **PLAN GOALS FOR EARLY SUCCESSIONAL**  
23 **FORESTS.**

24 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
25 est management activities described in subsection (b) are

1 a category of actions hereby designated as being categori-  
2 cally excluded from the preparation of an environmental  
3 assessment or an environmental impact statement under  
4 section 102 of the National Environmental Policy Act of  
5 1969 (42 U.S.C. 4332).

6 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED  
7 FOR CATEGORICAL EXCLUSION.—The category of forest  
8 management activities designated under this section for  
9 a categorical exclusion are forest management activities  
10 carried out by the Secretary concerned on National Forest  
11 System lands or public lands where the primary purpose  
12 of such activity is to improve, enhance, or create early suc-  
13 cessional forests for wildlife habitat improvement and  
14 other purposes, consistent with the applicable forest plan.

15 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—  
16 On and after the date of the enactment of this Act, the  
17 Secretary concerned may use the categorical exclusion es-  
18 tablished under subsection (a) in accordance with this sec-  
19 tion.

20 (d) PROJECT GOALS.—To the maximum extent prac-  
21 ticable, the Secretary concerned shall design a forest man-  
22 agement activity under this section to meet early succes-  
23 sional forest goals in such a manner so as to maximize  
24 production and regeneration of priority species, as identi-

1 fied in the forest plan and consistent with the capability  
2 of the activity site.

3 (e) ACREAGE LIMITATIONS.—A forest management  
4 activity covered by the categorical exclusion established  
5 under subsection (a) may not contain treatment units ex-  
6 ceeding a total of 6,000 acres.

7 **SEC. 8314. CATEGORICAL EXCLUSION FOR HAZARD TREES.**

8 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
9 est management activities carried out by the Secretary  
10 concerned to remove hazard trees for purposes of the pro-  
11 tection of public health or safety, water supply, or public  
12 infrastructure are a category of actions hereby designated  
13 as being categorically excluded from the preparation of an  
14 environmental assessment or an environmental impact  
15 statement under section 102 of the National Environ-  
16 mental Policy Act of 1969 (42 U.S.C. 4332).

17 (b) AVAILABILITY OF CATEGORICAL EXCLUSION.—  
18 On and after the date of the enactment of this Act, the  
19 Secretary concerned may use the categorical exclusion es-  
20 tablished under subsection (a) in accordance with this sec-  
21 tion.



1 **SEC. 8315. CATEGORICAL EXCLUSION TO IMPROVE OR RE-**  
2 **STORE NATIONAL FOREST SYSTEM LANDS OR**  
3 **PUBLIC LAND OR REDUCE THE RISK OF**  
4 **WILDFIRE.**

5 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
6 est management activities described in subsection (b) are  
7 a category of actions hereby designated as being categori-  
8 cally excluded from the preparation of an environmental  
9 assessment or an environmental impact statement under  
10 section 102 of the National Environmental Policy Act of  
11 1969 (42 U.S.C. 4332).

12 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED  
13 FOR CATEGORICAL EXCLUSION.—

14 (1) DESIGNATION.—The category of forest  
15 management activities designated under this section  
16 for a categorical exclusion are forest management  
17 activities described in paragraph (2) that are carried  
18 out by the Secretary concerned on National Forest  
19 System lands or public lands where the primary pur-  
20 pose of such activity is to improve or restore such  
21 lands or reduce the risk of wildfire on those lands.

22 (2) ACTIVITIES AUTHORIZED.—The following  
23 forest management activities may be carried out  
24 pursuant to the categorical exclusion established  
25 under subsection (a):

1           (A) Removal of juniper trees, medusahead  
2           rye, conifer trees, piñon pine trees, cheatgrass,  
3           and other noxious or invasive weeds specified on  
4           Federal or State noxious weeds lists through  
5           late-season livestock grazing, targeted livestock  
6           grazing, prescribed burns, and mechanical  
7           treatments.

8           (B) Performance of hazardous fuels man-  
9           agement.

10          (C) Creation of fuel and fire breaks.

11          (D) Modification of existing fences in order  
12          to distribute livestock and help improve wildlife  
13          habitat.

14          (E) Stream restoration and erosion con-  
15          trol, including the installation of erosion control  
16          devices.

17          (F) Construction of new and maintenance  
18          of permanent infrastructure, including stock  
19          ponds, water catchments, and water spring  
20          boxes used to benefit livestock and improve  
21          wildlife habitat.

22          (G) Performance of soil treatments, native  
23          and non-native seeding, and planting of and  
24          transplanting sagebrush, grass, forb, shrub, and  
25          other species.

1           (H) Use of herbicides, so long as the Sec-  
2           retary concerned determines that the activity is  
3           otherwise conducted consistently with agency  
4           procedures, including any forest plan applicable  
5           to the area covered by the activity.

6           (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—  
7           On and after the date of the enactment of this Act, the  
8           Secretary concerned may use the categorical exclusion es-  
9           tablished under subsection (a) in accordance with this sec-  
10          tion.

11          (d) ACREAGE LIMITATIONS.—A forest management  
12          activity covered by the categorical exclusion established  
13          under subsection (a) may not contain treatment units ex-  
14          ceeding a total of 6,000 acres.

15          (e) DEFINITIONS.—In this section:

16           (1) HAZARDOUS FUELS MANAGEMENT.—The  
17           term “hazardous fuels management” means any  
18           vegetation management activities that reduce the  
19           risk of wildfire.

20           (2) LATE-SEASON GRAZING.—The term “late-  
21           season grazing” means grazing activities that occur  
22           after both the invasive species and native perennial  
23           species have completed their current-year annual  
24           growth cycle until new plant growth begins to ap-  
25           pear in the following year.

1           (3) TARGETED LIVESTOCK GRAZING.—The  
2       term “targeted livestock grazing” means grazing  
3       used for purposes of hazardous fuels management.

4 **SEC. 8316. CATEGORICAL EXCLUSION FOR FOREST RES-**  
5 **TORATION.**

6       (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
7       est management activities described in subsection (b) are  
8       a category of actions hereby designated as being categori-  
9       cally excluded from the preparation of an environmental  
10      assessment or an environmental impact statement under  
11      section 102 of the National Environmental Policy Act of  
12      1969 (42 U.S.C. 4332).

13      (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED  
14      FOR CATEGORICAL EXCLUSION.—

15           (1) DESIGNATION.—The category of forest  
16      management activities designated under this section  
17      for categorical exclusion are forest management ac-  
18      tivities described in paragraph (2) that are carried  
19      out by the Secretary concerned on National Forest  
20      System lands or public lands where the primary pur-  
21      pose of such activity is—

22                   (A) to improve forest health and resiliency  
23                   to disturbances;

24                   (B) to reduce hazardous fuels; or

25                   (C) to improve wildlife and aquatic habitat.

1           (2) ACTIVITIES AUTHORIZED.—The following  
2       forest management activities may be carried out  
3       pursuant the categorical exclusion established under  
4       subsection (a):

5           (A) Timber harvests, including commercial  
6       and pre-commercial timber harvest, salvage har-  
7       vest, and regeneration harvest.

8           (B) Hazardous fuels reduction.

9           (C) Prescribed burning.

10          (D) Improvement or establishment of wild-  
11       life and aquatic habitat.

12          (E) Stream restoration and erosion con-  
13       trol.

14          (F) Road and trail decommissioning.

15       (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—  
16   On and after the date of the enactment of this Act, the  
17   Secretary concerned may use the categorical exclusion es-  
18   tablished under subsection (a) in accordance with this sec-  
19   tion.

20       (d) ACREAGE LIMITATIONS.—A forest management  
21   activity covered by the categorical exclusion established  
22   under subsection (a) may not contain treatment units ex-  
23   ceeding a total of 6,000 acres.

24       (e) LIMITATIONS ON ROAD BUILDING.—

1 (1) PERMANENT ROADS.—A forest management  
2 activity covered by the categorical exclusion estab-  
3 lished by subsection (a) may include—

4 (A) the construction of permanent roads  
5 not to exceed 3 miles; and

6 (B) the maintenance and reconstruction of  
7 existing permanent roads and trails, including  
8 the relocation of segments of existing roads and  
9 trails to address resource impacts.

10 (2) TEMPORARY ROADS.—Any temporary road  
11 constructed for a forest management activity covered  
12 by the categorical exclusion established by subsection  
13 (a) shall be decommissioned not later than 3 years  
14 after the date on which the project is completed.

15 **SEC. 8317. CATEGORICAL EXCLUSION FOR INFRASTRUC-**  
16 **TURE FOREST MANAGEMENT ACTIVITIES.**

17 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
18 est management activities described in subsection (b) are  
19 a category of actions hereby designated as being categori-  
20 cally excluded from the preparation of an environmental  
21 assessment or an environmental impact statement under  
22 section 102 of the National Environmental Policy Act of  
23 1969 (42 U.S.C. 4332).

24 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED  
25 FOR CATEGORICAL EXCLUSION.—The category of forest

1 management activities designated under this section for  
2 categorical exclusion are forest management activities car-  
3 ried out by the Secretary of Agriculture on National For-  
4 est System lands where the primary purpose of such activ-  
5 ity is—

6 (1) constructing, reconstructing, or decommis-  
7 sioning National Forest System roads not exceeding  
8 3 miles;

9 (2) adding an existing road to the forest trans-  
10 portation system;

11 (3) reclassifying a National Forest System road  
12 at a different maintenance level;

13 (4) reconstructing, rehabilitating, or decommis-  
14 sioning bridges;

15 (5) removing dams; or

16 (6) maintaining facilities through the use of  
17 pesticides as authorized by applicable Federal and  
18 State law and as applied in accordance with label in-  
19 structions.

20 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

21 On and after the date of the enactment of this Act, the  
22 Secretary of Agriculture may use the categorical exclusion  
23 established under subsection (a) in accordance with this  
24 section.

1 **SEC. 8318. CATEGORICAL EXCLUSION FOR DEVELOPED**  
2 **RECREATION SITES.**

3 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
4 est management activities described in subsection (b) are  
5 a category of actions hereby designated as being categori-  
6 cally excluded from the preparation of an environmental  
7 assessment or an environmental impact statement under  
8 section 102 of the National Environmental Policy Act of  
9 1969 (42 U.S.C. 4332).

10 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED  
11 FOR CATEGORICAL EXCLUSION.—

12 (1) DESIGNATION.—The category of forest  
13 management activities designated under this section  
14 for a categorical exclusion are forest management  
15 activities described in paragraph (2) carried out by  
16 the Secretary of Agriculture on National Forest Sys-  
17 tem lands where the primary purpose of such activ-  
18 ity is to operate, maintain, modify, reconstruct, or  
19 decommission existing developed recreation sites.

20 (2) ACTIVITIES AUTHORIZED.—The following  
21 forest management activities may be carried out  
22 pursuant to the categorical exclusion under sub-  
23 section (a):

24 (A) Constructing, modifying, or recon-  
25 structing toilet or shower facilities.



1           (B) Constructing, modifying, or recon-  
2           structing fishing piers, wildlife viewing plat-  
3           forms, docks, or other constructed recreation  
4           sites or facilities.

5           (C) Constructing, reconstructing, or main-  
6           taining, parking areas, National Forest System  
7           roads, or National Forest System trails within  
8           or connecting to recreation sites, including pav-  
9           ing and road and trail rerouting, except that—

10                 (i) permanent roads constructed  
11                 under this section may not exceed 3 miles;  
12                 and

13                 (ii) temporary roads constructed for  
14                 projects covered by this section shall be de-  
15                 commissioned within 3 years of completion  
16                 of the project.

17           (D) Modifying or reconstructing existing  
18           water or waste disposal systems.

19           (E) Constructing, modifying, or recon-  
20           structing single or group use sites.

21           (F) Decommissioning recreation facilities  
22           or portions of recreation facilities.

23           (G) Decommissioning National Forest Sys-  
24           tem roads or National Forest System trails not

1           exceeding 3 miles within or connecting to devel-  
2           oped recreation sites.

3           (H) Constructing, modifying, or recon-  
4           structing boat landings.

5           (I) Reconstructing existing ski lifts.

6           (K) Modifying or reconstructing a recre-  
7           ation lodging rental.

8       (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

9   On and after the date of the enactment of this Act, the  
10 Secretary of Agriculture may use the categorical exclusion  
11 established under subsection (a) in accordance with this  
12 section.

13 **SEC. 8319. CATEGORICAL EXCLUSION FOR ADMINISTRA-**  
14 **TIVE SITES.**

15       (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
16 est management activities described in subsection (b) are  
17 a category of actions hereby designated as being categori-  
18 cally excluded from the preparation of an environmental  
19 assessment or an environmental impact statement under  
20 section 102 of the National Environmental Policy Act of  
21 1969 (42 U.S.C. 4332).

22       (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED  
23 FOR CATEGORICAL EXCLUSION.—The category of forest  
24 management activities designated under this section for  
25 a categorical exclusion are forest management activities

1 carried out by the Secretary of Agriculture on National  
2 Forest System lands where the primary purpose of such  
3 activity is to construct, reconstruct, maintain, decommis-  
4 sion, relocate, or dispose of an administrative site.

5 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—  
6 On and after the date of the enactment of this Act, the  
7 Secretary of Agriculture may use the categorical exclusion  
8 established under subsection (a) in accordance with this  
9 section.

10 (d) LIMITATIONS.—

11 (1) PERMANENT ROADS.—A project covered by  
12 the categorical exclusion established by subsection  
13 (a) may include—

14 (A) the construction of permanent roads  
15 not to exceed 3 miles; and

16 (B) the maintenance and reconstruction of  
17 existing permanent roads and trails, including  
18 the relocation of segments of existing roads and  
19 trails to address resource impacts.

20 (2) TEMPORARY ROADS.—Any temporary road  
21 constructed for a project covered by the categorical  
22 exclusion established by subsection (a) shall be de-  
23 commissioned not later than 3 years after the date  
24 on which the project is completed.

1           (3) PESTICIDES.—Pesticides may only be used  
2           to carry out a project covered by the categorical ex-  
3           clusion established by subsection (a) as authorized  
4           by applicable Federal and State law and as applied  
5           in accordance with label instructions.

6           (e) DEFINITION OF ADMINISTRATIVE SITE.—In this  
7           section, the term “administrative site” has the meaning  
8           given the term in section 502(1) of the Forest Service Fa-  
9           cility Realignment and Enhancement Act of 2005 (16  
10          U.S.C. 580d note).

11   **SEC. 8320. CATEGORICAL EXCLUSION FOR SPECIAL USE AU-**  
12                           **THORIZATIONS.**

13          (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-  
14          est management activities described in subsection (b) are  
15          a category of actions hereby designated as being categori-  
16          cally excluded from the preparation of an environmental  
17          assessment or an environmental impact statement under  
18          section 102 of the National Environmental Policy Act of  
19          1969 (42 U.S.C. 4332).

20          (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED  
21          FOR CATEGORICAL EXCLUSION.—The category of forest  
22          management activities designated under this section for  
23          a categorical exclusion are forest management activities  
24          carried out by the Secretary of Agriculture on National

1 Forest System lands where the primary purpose of such  
2 activity is:

3 (1) Issuance of a new special use authorization  
4 for an existing or expired special use authorization,  
5 without any substantial change in the scope and  
6 scale of the authorized use and occupancy when—

7 (A) the issuance is a purely ministerial ac-  
8 tion to account for administrative changes, such  
9 as a change in ownership or expiration of the  
10 current authorization; and

11 (B) the applicant or holder is in compli-  
12 ance with the terms and conditions of the exist-  
13 ing or expired special use authorization.

14 (2) Modification, removal, repair, maintenance,  
15 reconstruction, or replacement of a facility or im-  
16 provement for an existing special use authorization.

17 (3) Issuance of a new special use authorization  
18 or amendment to an existing special use authoriza-  
19 tion for activities that will occur on existing roads,  
20 trails, facilities, or areas approved for use in a land  
21 management plan or other documented decision.

22 (4) Approval, modification, or continuation of  
23 minor, short-term (5 years or less) special uses of  
24 National Forest System lands or public lands.

1           (5) Issuance of a special use authorization for  
2           an existing unauthorized use or occupancy that has  
3           not been deemed in trespass where no new ground  
4           disturbance is proposed.

5           (6) Approval or modification of minor special  
6           uses of National Forest System lands or public lands  
7           that require less than 20 contiguous acres.

8           (7) Approval of vegetative management plans,  
9           and vegetation management activities in accordance  
10          with an approved vegetation management plan,  
11          under a special use authorization for an electric  
12          transmission and distribution facility right-of-way.

13          (c) AVAILABILITY OF EXCLUSION.—On and after the  
14          date of the enactment of this Act, the Secretary of Agri-  
15          culture may use the categorical exclusion established  
16          under subsection (a) in accordance with this section.

17          (d) DOCUMENT REQUIREMENTS.—The Secretary of  
18          Agriculture shall not be required to prepare a project file  
19          or decision memorandum to categorically exclude a forest  
20          management activity described under paragraphs (1)  
21          through (4) of subsection (b).

1 **SEC. 8321. CLARIFICATION OF EXISTING CATEGORICAL EX-**  
2 **CLUSION AUTHORITY RELATED TO INSECT**  
3 **AND DISEASE INFESTATION.**

4 Section 603(c)(2)(B) of the Healthy Forests Restora-  
5 tion Act of 2003 (16 U.S.C. 6591b(c)(2)(B)) is amended  
6 by striking “Fire Regime Groups I, II, or III” and insert-  
7 ing “Fire Regime I, Fire Regime II, Fire Regime III, Fire  
8 Regime IV, or Fire Regime V”.

9 **PART III—MISCELLANEOUS FOREST**  
10 **MANAGEMENT ACTIVITIES**

11 **SEC. 8331. GOOD NEIGHBOR AGREEMENTS.**

12 Section 8206 of the Agricultural Act of 2014 (16  
13 U.S.C. 2113a) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1)(B), by striking “Sec-  
16 retary or a Governor” and inserting “Secretary,  
17 Governor, county, or Indian Tribe”;

18 (B) in paragraph (4) by striking “Sec-  
19 retary and a Governor” and inserting “Sec-  
20 retary and a Governor, county, or an Indian  
21 Tribe”;

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

23 “(10) INDIAN TRIBE.—The term ‘Indian Tribe’  
24 has the meaning given the term in section 4 of the  
25 Indian Self-Determination and Education Assistance  
26 Act (25 U.S.C. 5304)).

1 “(11) COUNTY.—The term ‘county’ has the  
2 meaning given the term in section 2 of title 1,  
3 United States Code.”; and

4 (2) in subsection (b)—

5 (A) in paragraph (1)(A), by inserting “,  
6 county, or an Indian Tribe” after “Governor”;  
7 and

8 (B) in paragraph (3), by inserting “, coun-  
9 ty, or an Indian Tribe” after “Governor”.

10 **SEC. 8332. PROMOTING CROSS-BOUNDARY WILDFIRE MITI-**  
11 **GATION.**

12 Section 103 of the Healthy Forests Restoration Act  
13 of 2003 (16 U.S.C. 6513) is amended—

14 (1) in subsection (d), by adding at the end the  
15 following new paragraph:

16 “(3) CROSS-BOUNDARY CONSIDERATIONS.—For  
17 any fiscal year for which the amount appropriated to  
18 the Secretary for hazardous fuels reduction is in ex-  
19 cess of \$300,000,000, the Secretary—

20 “(A) is encouraged to use the excess  
21 amounts for hazardous fuels reduction projects  
22 that incorporate cross-boundary treatments of  
23 landscapes on Federal land and non-Federal  
24 land; and



“(B) may use the excess amounts to support authorized hazardous fuels reduction projects on non-Federal lands through grants to State Foresters, or equivalent State officials, in accordance with subsection (e) in an amount equal to the greater of—

“(i) 20 percent of the excess amount;

and

“(ii) \$20,000,000.”; and

(2) by adding at the end the following new subsection:

“(e) CROSS-BOUNDARY FUELS REDUCTION PROJECTS.—

“(1) IN GENERAL.—To the maximum extent practicable, the Secretary shall use the excess funds described in subsection (d)(3) to support hazardous fuels reduction projects that incorporate treatments for hazardous fuels reduction in landscapes across ownership boundaries on Federal, State, county, or Tribal land, private land, and other non-Federal land, particularly in areas identified as priorities in applicable State-wide forest resource assessments or strategies under section 2A(a) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C.

1       2101a(a)), as mutually agreed to by the State For-  
2       ester and the Regional Forester.

3           “(2) LAND TREATMENTS.—To conduct and  
4       fund treatments for projects that include Federal  
5       and non-Federal land, the Secretary may—

6           “(A) use the authorities of the Secretary  
7       relating to cooperation and technical and finan-  
8       cial assistance, including the good neighbor au-  
9       thority under—

10           “(i) section 8206 of the Agricultural  
11       Act of 2014 (16 U.S.C. 2113a); and

12           “(ii) section 331 of the Department of  
13       the Interior and Related Agencies Appro-  
14       priations Act, 2001 (16 U.S.C. 1011 note;  
15       Public Law 106–291); and

16           “(B) allocate excess funds under sub-  
17       section (d)(3) for projects carried out pursuant  
18       to section 8206 of the Agricultural Act of 2014  
19       (16 U.S.C. 2113a).

20           “(3) COOPERATION.—In carrying out this sub-  
21       section, the State Forester, in consultation with the  
22       Secretary (or a designee)—

23           “(A) shall consult with the owners of  
24       State, county, Tribal, and private land and

1 other non-Federal land with respect to haz-  
2 arduous fuels reduction projects; and

3 “(B) shall not implement any project on  
4 non-Federal land without the consent of the  
5 owner of the non-Federal land.

6 “(4) EXISTING LAWS.—Regardless of the indi-  
7 vidual or entity implementing a project on non-Fed-  
8 eral land under this subsection, only the laws and  
9 regulations that apply to non-Federal land shall be  
10 applicable with respect to the project.”.

11 **SEC. 8333. REGULATIONS REGARDING DESIGNATION OF**  
12 **DEAD OR DYING TREES OF CERTAIN TREE**  
13 **SPECIES ON NATIONAL FOREST SYSTEM**  
14 **LANDS IN CALIFORNIA AS EXEMPT FROM**  
15 **PROHIBITION ON EXPORT OF UNPROCESSED**  
16 **TIMBER ORIGINATING FROM FEDERAL**  
17 **LANDS.**

18 (a) ISSUANCE OF REGULATIONS.—Consistent with  
19 the rulemaking procedures specified in paragraph (2) of  
20 subsection (b) of section 489 of the Forest Resources Con-  
21 servation and Shortage Relief Act of 1990 (16 U.S.C.  
22 620a), the Secretary of Agriculture shall make a deter-  
23 mination under paragraph (1) of such subsection that un-  
24 processed timber derived from dead or dying trees of a  
25 covered tree species originating on National Forest Sys-

1 tem lands in the State of California are surplus to domes-  
2 tic manufacturing needs and therefore exempt from the  
3 export prohibition contained in subsection (a) of such sec-  
4 tion.

5 (b) ELIMINATION OF ADVERSE EFFECTS.—In mak-  
6 ing the determination under subsection (a) and in imple-  
7 menting any regulations issued under such subsection, the  
8 Secretary of Agriculture shall—

9 (1) consult with representatives of sawmills in  
10 the State of California and other interested persons;  
11 and

12 (2) make reasonable efforts to avoid adversely  
13 impacting the domestic sawmill industry in the State  
14 of California.

15 (c) SPECIAL CONTRACT PROVISIONS.—The Secretary  
16 of Agriculture may adjust contract provisions for Forest  
17 Service contracts in region 5 of the National Forest Sys-  
18 tem as the Secretary considers appropriate to ensure suc-  
19 cessful implementation of, and compliance with, the regu-  
20 lations issued under subsection (a).

21 (d) RELATION TO LIMITATIONS ON TIMBER SUBSTI-  
22 TUTION.—Section 490 of the Forest Resources Conserva-  
23 tion and Shortage Relief Act of 1990 (16 U.S.C. 620b)  
24 shall not apply to unprocessed timber designated as sur-

1 plus pursuant to the regulations issued under subsection  
2 (a).

3 (e) ADDITIONAL STAFF FOR IMPLEMENTATION.—  
4 Using funds otherwise available to the Forest Service for  
5 management, protection, improvement, and utilization of  
6 the National Forest System, the Secretary of Agriculture  
7 may hire additional Forest Service employees to imple-  
8 ment the regulations issued under subsection (a).

9 (f) DURATION OF REGULATIONS; PERIODIC RE-  
10 VIEW.—The regulations issued under subsection (a) shall  
11 remain in effect for a 10-year period beginning on the date  
12 of the issuance of the regulations, except that the contin-  
13 ued need for the regulations shall be subject to the peri-  
14 odic review required by the second sentence of section  
15 489(b)(2) of the Forest Resources Conservation and  
16 Shortage Relief Act of 1990 (16 U.S.C. 620a(b)(2)).

17 (g) DEFINITIONS.—In this section:

18 (1) COVERED TREE SPECIES.—The term “cov-  
19 ered tree species” means the following pine species:

20 (A) Ponderosa pine (*Pinus ponderosa*).

21 (B) Sugar pine (*Pinus lambertiana*).

22 (C) Jeffrey pine (*Pinus jefferyi*).

23 (D) Lodgepole pine (*Pinus contorta*).

24 (2) DIED OR DYING.—The term “died or  
25 dying”, with respect to a covered tree species, shall

1 be determined in a manner consistent with applica-  
2 ble Forest Service standards.

3 **SEC. 8334. SALVAGE AND REFORESTATION IN RESPONSE**  
4 **TO CATASTROPHIC EVENTS.**

5 (a) EXPEDITED SALVAGE OPERATIONS AND REFOR-  
6 ESTATION ACTIVITIES FOLLOWING LARGE-SCALE CATA-  
7 STROPHIC EVENTS.—

8 (1) EXPEDITED ENVIRONMENTAL ASSESS-  
9 MENT.—Notwithstanding any other provision of law,  
10 an environmental assessment prepared by the Sec-  
11 retary concerned pursuant to section 102 of the Na-  
12 tional Environmental Policy Act of 1969 (42 U.S.C.  
13 4332) for a salvage operation or reforestation activ-  
14 ity proposed to be conducted on National Forest  
15 System lands or public lands adversely impacted by  
16 a large-scale catastrophic event shall be completed  
17 within 60 days after the conclusion of the cata-  
18 strophic event.

19 (2) EXPEDITED IMPLEMENTATION AND COM-  
20 PLETION.—In the case of reforestation activities  
21 conducted on National Forest System lands or pub-  
22 lic lands adversely impacted by a large-scale cata-  
23 strophic event, the Secretary concerned shall, to the  
24 maximum extent practicable, achieve reforestation of  
25 at least 75 percent of the impacted lands during the

1 5-year period following the conclusion of the cata-  
2 strophic event.

3 (3) AVAILABILITY OF KNUTSON-VANDENBERG  
4 FUNDS.—Amounts in the special fund established  
5 pursuant to section 3 of the Act of June 9, 1930  
6 (commonly known as the Knutson-Vandenberg Act;  
7 16 U.S.C. 576b) shall be available to the Secretary  
8 of Agriculture for reforestation activities authorized  
9 by this section.

10 (4) TIMELINE FOR PUBLIC INPUT PROCESS.—  
11 Notwithstanding any other provision of law, in the  
12 case of a salvage operation or reforestation activity  
13 proposed to be conducted on National Forest System  
14 lands or public lands adversely impacted by a large-  
15 scale catastrophic event, the Secretary concerned  
16 shall allow 30 days for public scoping and comment,  
17 15 days for filing an objection, and 15 days for the  
18 agency response to the filing of an objection. Upon  
19 completion of this process and expiration of the pe-  
20 riod specified in paragraph (1), the Secretary con-  
21 cerned shall implement the project immediately.

22 (b) COMPLIANCE WITH FOREST PLAN.—A salvage  
23 operation or reforestation activity authorized by this sec-  
24 tion shall be conducted in a manner consistent with the  
25 forest plan applicable to the National Forest System lands

1 or public lands covered by the salvage operation or refor-  
 2 estation activity.

3 (c) PROHIBITION ON RESTRAINING ORDERS, PRE-  
 4 LIMINARY INJUNCTIONS, AND INJUNCTIONS PENDING AP-  
 5 PEAL.—No restraining order, preliminary injunction, or  
 6 injunction pending appeal shall be issued by any court of  
 7 the United States with respect to any decision to prepare  
 8 or conduct a salvage operation or reforestation activity in  
 9 response to a large-scale catastrophic event. Section 705  
 10 of title 5, United States Code, shall not apply to any chal-  
 11 lenge to the salvage operation or reforestation activity.

12 **SEC. 8335. ANALYSIS OF ONLY TWO ALTERNATIVES (AC-**  
 13 **TION VERSUS NO ACTION) IN PROPOSED COL-**  
 14 **LABORATIVE FOREST MANAGEMENT ACTIVI-**  
 15 **TIES.**

16 (a) APPLICATION TO CERTAIN ENVIRONMENTAL AS-  
 17 SESSMENTS AND ENVIRONMENTAL IMPACT STATE-  
 18 MENTS.—This section shall apply whenever the Secretary  
 19 concerned prepares an environmental assessment or an en-  
 20 vironmental impact statement pursuant to section 102 of  
 21 the National Environmental Policy Act of 1969 (42 U.S.C.  
 22 4332) for a forest management activity that—

- 23 (1) is developed through a collaborative process;
- 24 (2) is proposed by a resource advisory com-  
 25 mittee;



1           (3) will occur on lands identified by the Sec-  
2       retary concerned as suitable for timber production;

3           (4) will occur on lands designated by the Sec-  
4       retary (or designee thereof) pursuant to section  
5       602(b) of the Healthy Forests Restoration Act of  
6       2003 (16 U.S.C. 6591a(b)), notwithstanding wheth-  
7       er such forest management activity is initiated prior  
8       to September 30, 2018; or

9           (5) is covered by a community wildfire protec-  
10      tion plan.

11       (b) CONSIDERATION OF ALTERNATIVES.—In an envi-  
12      ronmental assessment or environmental impact statement  
13      described in subsection (a), the Secretary concerned shall  
14      study, develop, and describe only the following two alter-  
15      natives:

16           (1) The forest management activity.

17           (2) The alternative of no action.

18       (c) ELEMENTS OF NO ACTION ALTERNATIVE.—In  
19      the case of the alternative of no action, the Secretary con-  
20      cerned shall consider whether to evaluate—

21           (1) the effect of no action on—

22                   (A) forest health;

23                   (B) habitat diversity;

24                   (C) wildfire potential;

25                   (D) insect and disease potential; and

1 (E) timber production; and

2 (2) the implications of a resulting decline in  
3 forest health, loss of habitat diversity, wildfire, or in-  
4 sect or disease infestation, given fire and insect and  
5 disease historic cycles, on—

6 (A) domestic water supply in the project  
7 area;

8 (B) wildlife habitat loss; and

9 (C) other economic and social factors.

10 **SEC. 8336. INJUNCTIVE RELIEF.**

11 (a) BALANCING SHORT- AND LONG-TERM EFFECTS  
12 OF FOREST MANAGEMENT ACTIVITIES IN CONSIDERING  
13 INJUNCTIVE RELIEF.—As part of its weighing the equities  
14 while considering any request for an injunction that ap-  
15 plies to any agency action as part of a forest management  
16 activity the court reviewing the agency action shall balance  
17 the impact to the ecosystem likely affected by the forest  
18 management activity of—

19 (1) the short- and long-term effects of under-  
20 taking the agency action; against

21 (2) the short- and long-term effects of not un-  
22 dertaking the action.

23 (b) TIME LIMITATIONS FOR INJUNCTIVE RELIEF.—

24 (1) IN GENERAL.—Subject to paragraph (2) the  
25 length of any preliminary injunctive relief and stays

1 pending appeal that applies to any agency action as  
2 part of a forest management activity, shall not ex-  
3 ceed 60 days.

4 (2) RENEWAL.—

5 (A) IN GENERAL.—A court of competent  
6 jurisdiction may issue one or more renewals of  
7 any preliminary injunction, or stay pending ap-  
8 peal, granted under paragraph (1).

9 (B) UPDATES.—In each renewal of an in-  
10 junction in an action, the parties to the action  
11 shall present the court with updated informa-  
12 tion on the status of the authorized forest man-  
13 agement activity.

14 **SEC. 8337. APPLICATION OF ROADLESS AREA CONSERVA-**  
15 **TION RULE.**

16 The roadless area conservation rule established under  
17 part 294 of title 36, Code of Federal Regulations (or suc-  
18 cessor regulations), shall not apply to any National Forest  
19 System land in the State of Alaska.

20 **SEC. 8338. VACANT GRAZING ALLOTMENTS MADE AVAIL-**  
21 **ABLE TO CERTAIN GRAZING PERMIT HOLD-**  
22 **ERS.**

23 (a) IN GENERAL.—The Secretary concerned shall, to  
24 the maximum extent practicable, make vacant grazing al-  
25 lotments available to a holder of a grazing permit or lease

1 issued by such Secretary if the lands covered by the permit  
2 or lease are unusable because of a natural disaster (includ-  
3 ing a drought or wildfire), court-issued injunction, or con-  
4 flict with wildlife, as determined by the Secretary con-  
5 cerned.

6 (b) TERMS AND CONDITIONS.—The terms and condi-  
7 tions contained in a permit or lease for a vacant grazing  
8 allotment made available pursuant to this subsection (a)  
9 shall be the terms and conditions of the most recent per-  
10 mit or lease that was applicable to such allotment.

11 (c) COURT-ISSUED INJUNCTIONS.—A court may not  
12 issue any order enjoining the use of any allotment for  
13 which a permit or lease has been issued by the Secretary  
14 concerned and continues in effect unless the Secretary  
15 concerned can make a vacant grazing allotment available  
16 to the holder of such permit or lease.

17 (d) ENVIRONMENTAL ASSESSMENT UNDER THE NA-  
18 TIONAL ENVIRONMENTAL POLICY ACT.—Activities car-  
19 ried out by the Secretary concerned pursuant to sub-  
20 section (a) are a category of actions hereby designated as  
21 being categorically excluded from the preparation of an  
22 environmental assessment or an environmental impact  
23 statement under section 102 of the National Environ-  
24 mental Policy Act of 1969 (42 U.S.C. 4332).

1 **SEC. 8339. PILOT PROJECT FOR FOREST HEALTH, WATER-**  
2 **SHED IMPROVEMENT, AND HABITAT RES-**  
3 **TORATION IN NEW MEXICO.**

4 (a) PILOT PROJECT ESTABLISHED.—The Secretary  
5 of Agriculture, acting through the Chief of the Forest  
6 Service, shall conduct a pilot project within the Lincoln  
7 National Forest, Cibola National Forest, and Gila Na-  
8 tional Forest in the State of New Mexico to analyze and  
9 demonstrate the effectiveness of various tools and tech-  
10 niques to address the following natural resource concerns:

11 (1) Thinning for forest health.

12 (2) Watershed improvement.

13 (3) Habitat restoration.

14 (b) AUTHORIZED ACTIVITIES.—The Secretary of Ag-  
15 riculture in carrying out the pilot project established  
16 under subsection (a) may conduct applied silvicultural in-  
17 vestigations and treatments, including—

18 (1) silvicultural investigations conducted for the  
19 purposes of information gathering and research re-  
20 lating to the natural resource concerns described in  
21 subsection (a); and

22 (2) mechanical thinning.

23 (c) COUNTY REFUSAL OF SILVICULTURAL INVES-  
24 TIGATION OR TREATMENT.—The Secretary may not carry  
25 out a silvicultural investigation or treatment under this  
26 section if a county in which such investigation or treat-

1 ment would be conducted provides a refusal to the  
2 Secreteray with respect to such investigation or treatment.

3 (d) ENVIRONMENTAL ASSESSMENT UNDER THE NA-  
4 TIONAL ENVIRONMENTAL POLICY ACT.—Forest manage-  
5 ment activities carried out by the Secretary of Agriculture  
6 under this section are a category of actions hereby des-  
7 ignated as being categorically excluded from the prepara-  
8 tion of an environmental assessment or an environmental  
9 impact statement under section 102 of the National Envi-  
10 ronmental Policy Act of 1969 (42 U.S.C. 4332).

11 (f) PUBLIC PARTICIPATION.—The Secretary shall en-  
12 courage meaningful public participation during prepara-  
13 tion of a silvicultural investigation or treatment under this  
14 section.

15 (g) USE OF ARBITRATION INSTEAD OF LITIGATION  
16 TO ADDRESS CHALLENGES TO FOREST MANAGEMENT  
17 ACTIVITIES.—

18 (1) DISCRETIONARY ARBITRATION PROCESS  
19 PILOT PROGRAM.—

20 (A) IN GENERAL.—The Secretary of Agri-  
21 culture shall establish a discretionary arbitra-  
22 tion pilot program as an alternative dispute res-  
23 olution process in lieu of judicial review for the  
24 an objection or protest to a forest management  
25 activity carried out pursuant to this section.

1           (B) ACTIVITIES DESCRIBED.—The Sec-  
2           retary of Agriculture, at the sole discretion of  
3           the Secretary, may designate objections or pro-  
4           tests to forest management activities for arbi-  
5           tration under the arbitration pilot program es-  
6           tablished under subparagraph (A).

7           (C) MAXIMUM AMOUNT OF ARBITRA-  
8           TIONS.—Under the arbitration pilot program,  
9           the Secretary concerned may not arbitrate more  
10          than 10 objections or protests to forest manage-  
11          ment activities in a fiscal year in each Forest  
12          Service Region.

13          (D) DETERMINING AMOUNT OF ARBITRA-  
14          TIONS.—An objection or protest to a forest  
15          management activity shall not be counted to-  
16          wards the limitation on number of arbitrations  
17          under subparagraph (C) unless—

18               (i) on the date such objection or pro-  
19               test is designated for arbitration, the forest  
20               management activity for which such objec-  
21               tion or protest is filed has not been the  
22               subject of arbitration proceedings under  
23               the pilot program; and

1                   (ii) the arbitration proceeding has  
2                   commenced with respect to such objection  
3                   or protest.

4           (2) INTERVENING PARTIES.—

5                   (A) REQUIREMENTS.—Any person that  
6                   submitted a public comment on the forest man-  
7                   agement activity that is subject to arbitration  
8                   may intervene in the arbitration—

9                           (i) by endorsing—

10                                   (I) the forest management activ-  
11                                   ity; or

12                                   (II) the modification proposal  
13                                   submitted under clause (ii); or

14                           (ii) by submitting a proposal to fur-  
15                           ther modify the forest management activ-  
16                           ity.

17                   (B) DEADLINE FOR SUBMISSION.—With  
18                   respect to an objection or protest that is des-  
19                   ignated for arbitration under paragraph (1)(B),  
20                   a request to intervene in an arbitration must be  
21                   submitted not later than the date that is 30  
22                   days after the date on which such objection or  
23                   protest was designated for arbitration.

24                   (C) MULTIPLE PARTIES.—Multiple inter-  
25                   vening parties may submit a joint proposal so



1 long as each intervening party meets the eligi-  
2 bility requirements of subparagraph (A).

3 (3) APPOINTMENT OF ARBITRATOR.—

4 (A) APPOINTMENT.—The Secretary of Ag-  
5 riculture shall develop and publish a list of not  
6 fewer than 20 individuals eligible to serve as ar-  
7 bitrators for the arbitration pilot program  
8 under this section.

9 (B) QUALIFICATIONS.—In order to be eli-  
10 gible to serve as an arbitrator under this para-  
11 graph, an individual shall be, on the date of the  
12 appointment of such arbitrator—

13 (i) certified by the American Arbitra-  
14 tion Association; and

15 (ii) not a registered lobbyist.

16 (C) SELECTION OF ARBITRATOR.—

17 (i) IN GENERAL.—For each arbitra-  
18 tion commenced under this subsection, the  
19 Secretary concerned and each applicable  
20 objector or protestor shall agree, not later  
21 than 14 days after the agreement process  
22 is initiated, on a mutually acceptable arbi-  
23 trator from the list published under sub-  
24 paragraph (A).

1 (ii) APPOINTMENT AFTER 14-DAYS.—

2 In the case of an agreement with respect  
3 to a mutually acceptable arbitrator not  
4 being reached within the 14-day limit de-  
5 scribed in clause (i), the Secretary con-  
6 cerned shall appoint an arbitrator from the  
7 list published under subparagraph (A).

8 (4) SELECTION OF PROPOSALS.—

9 (A) IN GENERAL.—The arbitrator ap-  
10 pointed under paragraph (3)—

11 (i) may not modify any of the pro-  
12 posals submitted with the objection, pro-  
13 test, or request to intervene; and

14 (ii) shall select to be conducted—

15 (I) the forest management activ-  
16 ity, as approved by the Secretary; or

17 (II) a proposal submitted by an  
18 objector or an intervening party.

19 (B) SELECTION CRITERIA.—An arbitrator  
20 shall, when selecting a proposal, consider—

21 (i) whether the proposal is consistent  
22 with the applicable forest plan, laws, and  
23 regulations;

1 (ii) whether the proposal can be car-  
2 ried out by the Secretary of Agriculture;  
3 and

4 (iii) the effect of each proposal on—  
5 (I) forest health;  
6 (II) habitat diversity;  
7 (III) wildfire potential;  
8 (IV) insect and disease potential;  
9 (V) timber production; and  
10 (VI) the implications of a result-  
11 ing decline in forest health, loss of  
12 habitat diversity, wildfire, or insect or  
13 disease infestation, given fire and in-  
14 sect and disease historic cycles, on—  
15 (aa) domestic water costs;  
16 (bb) wildlife habitat loss;  
17 and  
18 (cc) other economic and so-  
19 cial factors.

20 (5) EFFECT OF DECISION.—The decision of an  
21 arbitrator with respect to the forest management ac-  
22 tivity—

23 (A) shall not be considered a major Fed-  
24 eral action;

25 (B) shall be binding; and

1 (C) shall not be subject to judicial review,  
2 except as provided in section 10(a) of title 9,  
3 United States Code.

4 (6) DEADLINE FOR COMPLETION.—Not later  
5 than 90 days after the date on which the arbitration  
6 is filed with respect to the forest management activ-  
7 ity, the arbitration process shall be completed.

8 (h) TERMINATION.—The authority to carry out this  
9 section shall terminate on the date that is 7 years after  
10 the date of the enactment of this section.

## 11 **Subtitle D—Tribal Forestry**

## 12 **Participation and Protection**

### 13 **SEC. 8401. PROTECTION OF TRIBAL FOREST ASSETS**

### 14 **THROUGH USE OF STEWARDSHIP END RE-**

### 15 **SULT CONTRACTING AND OTHER AUTHORI-**

### 16 **TIES.**

17 (a) PROMPT CONSIDERATION OF TRIBAL RE-  
18 QUESTS.—Section 2(b) of the Tribal Forest Protection  
19 Act of 2004 (25 U.S.C. 3115a(b)) is amended—

20 (1) in paragraph (1), by striking “Not later  
21 than 120 days after the date on which an Indian  
22 tribe submits to the Secretary” and inserting “In re-  
23 sponse to the submission by an Indian Tribe of”;  
24 and

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

3           “(4) TIME PERIODS FOR CONSIDERATION.—

4                 “(A) INITIAL RESPONSE.—Not later than  
5 120 days after the date on which the Secretary  
6 receives a Tribal request under paragraph (1),  
7 the Secretary shall provide an initial response  
8 to the Indian Tribe regarding—

9                 “(i) whether the request may meet the  
10 selection criteria described in subsection  
11 (c); and

12                 “(ii) the likelihood of the Secretary  
13 entering into an agreement or contract  
14 with the Indian Tribe under paragraph (2)  
15 for activities described in paragraph (3).

16           “(B) NOTICE OF DENIAL.—Notice under  
17 subsection (d) of the denial of a Tribal request  
18 under paragraph (1) shall be provided not later  
19 than 1 year after the date on which the Sec-  
20 retary received the request.

21           “(C) COMPLETION.—Not later than 2  
22 years after the date on which the Secretary re-  
23 ceives a Tribal request under paragraph (1),  
24 other than a Tribal request denied under sub-  
25 section (d), the Secretary shall—

1 “(i) complete all environmental re-  
2 views necessary in connection with the  
3 agreement or contract and proposed activi-  
4 ties under the agreement or contract; and  
5 “(ii) enter into the agreement or con-  
6 tract with the Indian Tribe under para-  
7 graph (2).”.

8 (b) CONFORMING AND TECHNICAL AMENDMENTS.—  
9 Section 2 of the Tribal Forest Protection Act of 2004 (25  
10 U.S.C. 3115a) is amended—

11 (1) in subsections (b)(1) and (f)(1), by striking  
12 “section 347 of the Department of the Interior and  
13 Related Agencies Appropriations Act, 1999 (16  
14 U.S.C. 2104 note; Public Law 105–277) (as amend-  
15 ed by section 323 of the Department of the Interior  
16 and Related Agencies Appropriations Act, 2003 (117  
17 Stat. 275))” and inserting “section 604 of the  
18 Healthy Forests Restoration Act of 2003 (16 U.S.C.  
19 6591c)”;

20 (2) in subsection (d), by striking “subsection  
21 (b)(1), the Secretary may” and inserting “para-  
22 graphs (1) and (4)(B) of subsection (b), the Sec-  
23 retary shall”.

1 **SEC. 8402. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.**  
2

3       The Secretary of the Interior and the Secretary of  
4 Agriculture may carry out demonstration projects by  
5 which federally recognized Indian Tribes or Tribal organi-  
6 zations may contract to perform administrative, manage-  
7 ment, and other functions of programs of the Tribal For-  
8 est Protection Act of 2004 (25 U.S.C. 3115a et seq.)  
9 through contracts entered into under the Indian Self-De-  
10 termination and Education Assistance Act (25 U.S.C.  
11 5304 et seq.).

12 **Subtitle E—Other Matters**

13 **SEC. 8501. CLARIFICATION OF RESEARCH AND DEVELOPMENT PROGRAM FOR WOOD BUILDING CONSTRUCTION.**  
14  
15

16       (a) IN GENERAL.—The Secretary shall conduct per-  
17 formance-driven research and development, education, and  
18 technical assistance for the purpose of facilitating the use  
19 of innovative wood products in wood building construction  
20 in the United States.

21       (b) ACTIVITIES.—In carrying out subsection (a), the  
22 Secretary shall—

23               (1) after receipt of input and guidance from,  
24               and collaboration with, the wood products industry,  
25               conservation organizations, and institutions of high-  
26               er education, conduct research and development,

1 education, and technical assistance that meets meas-  
2 urable performance goals for the achievement of the  
3 priorities described in subsection (c); and

4 (2) after coordination and collaboration with  
5 the wood products industry and conservation organi-  
6 zations, make competitive grants to institutions of  
7 higher education to conduct research and develop-  
8 ment, education, and technical assistance that meets  
9 measurable performance goals for the achievement  
10 of the priorities described in subsection (c).

11 (c) PRIORITIES.—The research and development,  
12 education, and technical assistance conducted under sub-  
13 section (a) shall give priority to—

14 (1) ways to improve the commercialization of  
15 innovative wood products;

16 (2) analyzing the safety of tall wood building  
17 materials;

18 (3) calculations by the Secretary of the life  
19 cycle environmental footprint, from extraction of raw  
20 materials through the manufacturing process, of tall  
21 wood building construction;

22 (4) analyzing methods to reduce the life cycle  
23 environmental footprint of tall wood building con-  
24 struction;



1           (5) analyzing the potential implications of the  
2       use of innovative wood products in building con-  
3       struction on wildlife; and

4           (6) one or more other research areas identified  
5       by the Secretary, in consultation with conservation  
6       organizations, institutions of higher education, and  
7       the wood products industry.

8       (d) TIMEFRAME.—To the maximum extent prac-  
9       ticable, the measurable performance goals for the research  
10      and development, education, and technical assistance con-  
11      ducted under subsection (a) shall be achievable within a  
12      5-year period.

13      (e) DEFINITIONS.—In this section:

14           (1) INNOVATIVE WOOD PRODUCT.—The term  
15      “innovative wood product” means a type of building  
16      component or system that uses large panelized wood  
17      construction, including mass timber.

18           (2) MASS TIMBER.—The term “mass timber”  
19      includes—

20                   (A) cross-laminated timber;

21                   (B) nail-laminated timber;

22                   (C) glue-laminated timber;

23                   (D) laminated strand lumber; and

24                   (E) laminated veneer lumber.

1           (3) SECRETARY.—The term “Secretary” means  
 2           the Secretary of Agriculture, acting through the Re-  
 3           search and Development deputy area and the State  
 4           and Private Forestry deputy area of the Forest  
 5           Service.

6           (4) TALL WOOD BUILDING.—The term “tall  
 7           wood building” means a building designed to be—

8                       (A) constructed with mass timber; and

9                       (B) more than 85 feet in height.

10 **SEC. 8502. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY**  
 11 **VEGETATION MANAGEMENT PILOT PRO-**  
 12 **GRAM.**

13       (a) PILOT PROGRAM REQUIRED.—To encourage  
 14 owners or operators of rights-of-way on National Forest  
 15 System land to partner with the Forest Service to volun-  
 16 tarily perform vegetation management on a proactive basis  
 17 to better protect utility infrastructure from potential pass-  
 18 ing wildfires, the Secretary shall conduct a limited, vol-  
 19 untary pilot program, in the manner described in this sec-  
 20 tion, to permit vegetation management projects on Na-  
 21 tional Forest System land adjacent to or near such rights-  
 22 of-way.

23       (b) ELIGIBLE PARTICIPANTS.—A participant in the  
 24 pilot program must have a right-of-way on National For-  
 25 est System land. In selecting participants, the Secretary

1 shall give priority to holders of a right-of-way who have  
2 worked with Forest Service fire scientists and used tech-  
3 nologies, such as Light Detection and Ranging surveys,  
4 to improve utility infrastructure protection prescriptions.

5 (c) PROJECT ELEMENTS.—A vegetation management  
6 project under the pilot program involves limited and selec-  
7 tive vegetation management activities, which—

8 (1) shall create the least amount of disturbance  
9 reasonably necessary to protect utility infrastructure  
10 from passing wildfires based on applicable models,  
11 including Forest Service fuel models;

12 (2) may include thinning, fuel reduction, cre-  
13 ation and treatment of shaded fuel breaks, and other  
14 measures as appropriate;

15 (3) shall only take place adjacent to the partici-  
16 pant's right-of-way or within 75 feet of the partici-  
17 pant's right-of-way;

18 (4) shall not take place in any designated wil-  
19 derness area, wilderness study area, or inventoried  
20 roadless area; and

21 (5) shall be subject to approval by the Forest  
22 Service in accordance with this section.

23 (d) PROJECT COSTS.—A participant in the pilot pro-  
24 gram shall be responsible for all costs, as determined by  
25 the Secretary, incurred in participating in the pilot pro-

1 gram, unless the Secretary determines that it is in the  
2 public interest for the Forest Service to contribute funds  
3 for a vegetation management project conducted under the  
4 pilot program.

5 (e) LIABILITY.—

6 (1) IN GENERAL.—Participation in the pilot  
7 program does not affect any existing legal obliga-  
8 tions or liability standards that—

9 (A) arise under the right-of-way for activi-  
10 ties in the right-of-way; or

11 (B) apply to fires resulting from causes  
12 other than activities conducted pursuant to an  
13 approved vegetation management project.

14 (2) PROJECT WORK.—A participant shall not be  
15 liable to the United States for damage proximately  
16 caused by activities conducted pursuant to an ap-  
17 proved vegetation management project unless—

18 (A) such activities were carried out in a  
19 manner that was grossly negligent or that vio-  
20 lated criminal law; or

21 (B) the damage was caused by the failure  
22 of the participant to comply with specific safety  
23 requirements expressly imposed by the Forest  
24 Service as a condition of participating in the  
25 pilot program.

1       (f) IMPLEMENTATION.—The Secretary shall utilize  
2 existing laws and regulations in the conduct of the pilot  
3 program and, in order to implement the pilot program in  
4 an efficient and expeditious manner, may waive or modify  
5 specific provisions of the Federal Acquisition Regulation,  
6 including modifications to allow for formation of contracts  
7 or agreements on a noncompetitive basis.

8       (g) TREATMENT OF PROCEEDS.—Notwithstanding  
9 any other provision of law, the Secretary may—

10           (1) retain any funds provided to the Forest  
11 Service by a participant in the pilot program; and

12           (2) use such funds, in such amounts as may be  
13 appropriated, in the conduct of the pilot program.

14       (h) DEFINITIONS.—In this section:

15           (1) NATIONAL FOREST SYSTEM LAND.—The  
16 term “National Forest System land” means land  
17 within the National Forest System, as defined in  
18 section 11(a) of the Forest and Rangeland Renew-  
19 able Resources Planning Act of 1974 (16 U.S.C.  
20 1609(a)) exclusive of the National Grasslands and  
21 land utilization projects designated as National  
22 Grasslands administered pursuant to the Act of July  
23 22, 1937 (7 U.S.C. 1010–1012).

1           (2) PASSING WILDFIRE.—The term “passing  
2       wildfire” means a wildfire that originates outside the  
3       right-of-way.

4           (3) RIGHT-OF-WAY.—The term “right-of-way”  
5       means a special use authorization issued by the For-  
6       est Service allowing the placement of utility infra-  
7       structure.

8           (4) UTILITY INFRASTRUCTURE.—The term  
9       “utility infrastructure” means electric transmission  
10      lines, natural gas infrastructure, or related struc-  
11      tures.

12       (i) DURATION.—The authority to conduct the pilot  
13      program, and any vegetation management project under  
14      the pilot program, expires December 21, 2027.

15       (j) REPORT TO CONGRESS.—Not later than Decem-  
16      ber 31, 2019, and every two years thereafter, the Sec-  
17      retary shall issue a report to the Committee on Energy  
18      and Natural Resources of the Senate, the Committee on  
19      Agriculture, Nutrition, and Forestry of the Senate, the  
20      Committee on Natural Resources of the House of Rep-  
21      resentatives, and the Committee on Agriculture of the  
22      House of Representatives on the status of the program  
23      and any projects established under this section.

1 **SEC. 8503. REVISION OF EXTRAORDINARY CIRCUMSTANCES**  
2 **REGULATIONS.**

3 (a) DETERMINATIONS OF EXTRAORDINARY CIR-  
4 CUMSTANCES.—In determining whether extraordinary cir-  
5 cumstances related to a proposed action preclude use of  
6 a categorical exclusion, the Forest Service shall not be re-  
7 quired to—

8 (1) consider whether a proposed action is within  
9 a potential wilderness area;

10 (2) consider whether a proposed action affects  
11 a Forest Service sensitive species;

12 (3) conduct an analysis under section 220.4(f)  
13 of title 36, Code of Federal Regulations, of the pro-  
14 posed action's cumulative impact (as the term is de-  
15 fined in section 1508.7 of title 40, Code of Federal  
16 Regulations);

17 (4) consider a determination under section 7 of  
18 the Endangered Species Act of 1973 (16 U.S.C.  
19 1536) that a proposed action may affect, but is not  
20 likely to adversely affect, threatened, endangered, or  
21 candidate species, or designated critical habitats; or

22 (5) consider a determination under section 7 of  
23 the Endangered Species Act of 1973 (16 U.S.C.  
24 1536) that a proposed action may affect, and is like-  
25 ly to adversely affect threatened, endangered, can-  
26 didate species, or designated critical habitat if the

9 (c) ADDITIONAL REVISION.—As part of the proposed  
10 rulemaking described in subsection (b), the Secretary of  
11 Agriculture shall revise section 220.5(a)(2) of title 36,  
12 Code of Federal Regulations, to provide that the Forest  
13 Service shall not be required to consider proposals that  
14 would substantially alter a potential wilderness area as a  
15 class of actions normally requiring environmental impact  
16 statements.

21 SEC. 8504. NO LOSS OF FUNDS FOR WILDFIRE SUPPRES-  
22 SION.

**HR 2 PCS**



1 **SEC. 8505. TECHNICAL CORRECTIONS.**

2 (a) WILDFIRE SUPPRESSION FUNDING AND FOREST  
3 MANAGEMENT ACTIVITIES ACT.—

4 (1) IN GENERAL.—The Wildfire Suppression  
5 Funding and Forest Management Activities Act  
6 (Public Law 115–141) is amended—

7 (A) in section 102(a)(2), by striking “the  
8 date of enactment” and inserting “the date of  
9 the enactment”; and

10 (B) in section 401(a)(1), by inserting “of  
11 2000” after “Self-Determination Act”.

12 (2) EFFECTIVE DATE.—The amendments made  
13 by paragraph (1) shall take effect as if enacted as  
14 part of the Wildfire Suppression Funding and For-  
15 est Management Activities Act (Public Law 115–  
16 141).

17 (b) AGRICULTURAL ACT OF 2014.—Section 8206(a)  
18 of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is  
19 amended—

20 (1) in paragraph (3)(B)(i)(II), by striking  
21 “Good Neighbor Authority Improvement Act” and  
22 inserting “Wildfire Suppression Funding and Forest  
23 Management Activities Act”; and

24 (2) in paragraph (7), as redesignated by section  
25 8331, by striking “Good Neighbor Authority Im-

1       provement Act” and inserting “Wildfire Suppression  
2       Funding and Forest Management Activities Act”.

3   **SEC. 8506. CONVEYANCE OF LAND AND IMPROVEMENTS TO**  
4                   **THE VILLAGE OF SANTA CLARA, NEW MEX-**  
5                   **ICO.**

6       (a) CONVEYANCE REQUIRED.—Subject to the provi-  
7       sions of this section, if the Village of Santa Clara, New  
8       Mexico, submits to the Secretary a written request for con-  
9       veyance, the Secretary shall convey to the Village of Santa  
10      Clara all right, title, and interest of the United States in  
11      and to approximately 1,520 acres of National Forest Sys-  
12      tem land, as generally depicted on the map.

13      (b) MAP.—

14           (1) AVAILABILITY OF MAP.—The map shall be  
15      kept on file and available for public inspection in the  
16      appropriate office of the Forest Service.

17           (2) CORRECTION OF ERRORS.—The Secretary  
18      may correct minor errors in the map.

19      (c) CONSIDERATION.—

20           (1) IN GENERAL.—As consideration for the con-  
21      veyance of land under subsection (a), the Village of  
22      Santa Clara shall pay to the Secretary an amount  
23      equal to the market value of the land, as determined  
24      by the appraisal under subsection (g).

1           (2) INSTALLMENTS.—The amount described in  
2       paragraph (1) may be paid in periodic installments  
3       to the Secretary.

4           (3) PARCEL CONVEYANCES.—Upon receipt of  
5       an installment pursuant to paragraph (2), the Sec-  
6       retary shall convey to the Village of Santa Clara all  
7       right, title, and interest of the United States in and  
8       to a parcel of the land described subsection (a) that  
9       is equal in value to such installment and identified  
10      by the Village of Santa Clara at the time such in-  
11      stallment is paid.

12      (d) TERMS AND CONDITIONS.—The conveyance  
13      under subsection (a) shall be—

14           (1) subject to valid existing rights;

15           (2) made by quitclaim deed;

16           (3) subject to the reservation by the Secretary  
17      of an access easement over and across Fort Bayard  
18      Road; and

19           (4) subject to any other terms and conditions  
20      as the Secretary considers appropriate to protect the  
21      interests of the United States.

22      (e) COSTS OF CONVEYANCE.—As a condition for the  
23      conveyance under subsection (a) and in addition to the  
24      consideration paid under subsection (c), the Village of

1 Santa Clara shall pay for all costs associated with the con-  
2 veyance, including for—

3 (1) the land survey under subsection (f);

4 (2) any environmental analysis and resource  
5 surveys determined necessary by Federal law; and

6 (3) the appraisal under subsection (g).

7 (f) SURVEY.—The actual acreage and legal descrip-  
8 tion of the National Forest System land to be conveyed  
9 under subsection (a) shall be determined by a survey satis-  
10 factory to the Secretary; notwithstanding section 7 of title  
11 43, United States Code, the Secretary is authorized to per-  
12 form and approve any required cadastral surveys.

13 (g) APPRAISAL.—The Secretary shall complete an ap-  
14 praisal of the land to be conveyed under subsection (a)  
15 in accordance with—

16 (1) the “Uniform Appraisal Standards for Fed-  
17 eral Land Acquisitions”; and

18 (2) the “Uniform Standards of Professional Ap-  
19 praisal Practice”.

20 (h) DEFINITIONS.—In this section:

21 (1) SECRETARY.—The term “Secretary” means  
22 the Secretary of Agriculture, acting through the  
23 Chief of the Forest Service.

1           (2) MAP.—The term “map” means the map en-  
2           titled “Village of Santa Clara Conveyance Act 2018”  
3           and dated February 21, 2018.

4   **SEC. 8507. STREAMLINING THE FOREST SERVICE PROCESS**  
5                   **FOR CONSIDERATION OF COMMUNICATIONS**  
6                   **FACILITY LOCATION APPLICATIONS.**

7           (a) DEFINITIONS.—In this section:

8           (1) COMMUNICATIONS FACILITY.—The term  
9           “communications facility” includes—

10                   (A) any infrastructure, including any  
11                   transmitting device, tower, or support structure,  
12                   and any equipment, switches, wiring, cabling,  
13                   power sources, shelters, or cabinets, associated  
14                   with the licensed or permitted unlicensed wire-  
15                   less or wireline transmission of writings, signs,  
16                   signals, data, images, pictures, and sounds of  
17                   all kinds; and

18                   (B) any antenna or apparatus that—

19                           (i) is designed for the purpose of  
20                           emitting radio frequency;

21                           (ii) is designed to be operated, or is  
22                           operating, from a fixed location pursuant  
23                           to authorization by the Federal Commu-  
24                           nications Commission or is using duly au-

1           thorized devices that do not require indi-  
2           vidual licenses; and

3           (iii) is added to a tower, building, or  
4           other structure.

5           (2) COMMUNICATIONS SITE.—The term “com-  
6           munications site” means an area of covered land  
7           designated for communications uses.

8           (3) COMMUNICATIONS USE.—The term “com-  
9           munications use” means the placement and oper-  
10          ation of communications facility.

11          (4) COMMUNICATIONS USE AUTHORIZATION.—  
12          The term “communications use authorization”  
13          means an easement, right-of-way, lease, license, or  
14          other authorization to locate or modify a commu-  
15          nications facility on covered land by the Forest Serv-  
16          ice for the primary purpose of authorizing the occu-  
17          pancy and use of the covered land for communica-  
18          tions use.

19          (5) COVERED LAND.—The term “covered land”  
20          means National Forest System land.

21          (6) FOREST SERVICE.—The term “Forest Serv-  
22          ice” means the United States Forest Service of the  
23          Department of Agriculture.

24          (7) ORGANIZATIONAL UNIT.—The term “orga-  
25          nizational unit” means, within the Forest Service—

- 1 (A) a regional office;
- 2 (B) the headquarters;
- 3 (C) a management unit; or
- 4 (C) a ranger district office.

5 (b) REGULATIONS.—Notwithstanding section 6409 of  
6 the Middle Class Tax Relief and Job Creation Act of 2012  
7 (47 U.S.C. 1455) or section 606 of the Repack Airwaves  
8 Yielding Better Access for Users of Modern Services Act  
9 of 2018 (Public Law 115–141), not later than 1 year after  
10 the date of enactment of this Act, the Secretary shall issue  
11 regulations—

12 (1) to streamline the process for considering ap-  
13 plications to locate or modify communications facili-  
14 ties on covered land;

15 (2) to ensure, to the maximum extent prac-  
16 ticable, that the process is uniform and standardized  
17 across the organizational units of the Forest Service;  
18 and

19 (3) to require that the applications described in  
20 paragraph (1) be considered and granted on a com-  
21 petitively neutral, technology neutral, and non-dis-  
22 criminatory basis.

23 (c) REQUIREMENTS.—The regulations issued under  
24 subsection (b) shall include the following:

1           (1) Procedures for the tracking of applications  
2 described in subsection (b)(1), including—

3           (A) identifying the number of applica-  
4 tions—

5                   (i) received;

6                   (ii) approved; and

7                   (iii) denied;

8           (B) in the case of an application that is  
9 denied, describing the reasons for the denial;  
10 and

11           (C) describing the amount of time between  
12 the receipt of an application and the issuance of  
13 a final decision on an application.

14           (2) Provision for minimum lease terms of not  
15 less than 15 years for leases with respect to the loca-  
16 tion of communications facilities on covered land.

17           (3) A policy under which a communications use  
18 authorization renews automatically on expiration,  
19 unless the communications use authorization is re-  
20 voked for good cause.

21           (4) A structure of fees for—

22           (A) submitting an application described in  
23 subsection (b)(1), based on the cost to the For-  
24 est Service of considering such an application;  
25 and



1 (B) issuing communications use authoriza-  
2 tions, based on the cost to the Forest Service  
3 of any maintenance or other activities required  
4 to be performed by the Forest Service as a re-  
5 sult of the location or modification of the com-  
6 munications facility.

7 (5) Provision that if the Forest Service does not  
8 grant or deny an application under subparagraph  
9 (A) by the deadline established in section 6409 of  
10 the Middle Class Tax Relief and Job Creation Act  
11 as amended by the Repack Airwaves Yielding Better  
12 Access for Users of Modern Services Act of 2018  
13 (47 U.S.C. 1455(b)(3)(A)), the Forest Service shall  
14 be deemed to have granted the application.

15 (6) Provision for prioritization or streamlining  
16 the consideration of applications to locate or modify  
17 communications facilities on covered land in a pre-  
18 viously disturbed right-of-way.

19 (d) ADDITIONAL CONSIDERATIONS.—In issuing regu-  
20 lations under subsection (b), the Secretary shall con-  
21 sider—

22 (1) how discrete reviews in considering an ap-  
23 plication described in subsection (b)(1) can be con-  
24 ducted simultaneously, rather than sequentially, by

1 any organizational units of the Forest Service that  
2 must approve the location or modification; and

3 (2) how to eliminate overlapping requirements  
4 among the organizational units of the Forest Service  
5 with respect to the location or modification of a com-  
6 munications facility on covered land administered by  
7 those organizational units.

8 (e) COMMUNICATION OF STREAMLINED PROCESS TO  
9 ORGANIZATIONAL UNITS.—The Secretary shall, with re-  
10 spect to the regulations issued under subsection (b)—

11 (1) communicate the regulations to the organi-  
12 zational units of the Forest Service; and

13 (2) ensure that the organizational units of the  
14 Forest Service follow the regulations.

15 (f) DEPOSIT AND AVAILABILITY OF FEES.—

16 (1) SPECIAL ACCOUNT.—The Secretary of the  
17 Treasury shall establish a special account in the  
18 Treasury for the Forest Service for the deposit of  
19 fees collected by the Forest Service under subsection  
20 (c)(4) for communications use authorizations on cov-  
21 ered land granted, issued, or executed by the Forest  
22 Service.

23 (2) REQUIREMENTS FOR FEES COLLECTED.—  
24 Fees collected by the Forest Service under sub-  
25 section (c)(4) shall be—

1 (A) based on the costs described in sub-  
2 section (c)(4); and

3 (B) competitively neutral, technology neu-  
4 tral, and nondiscriminatory with respect to  
5 other users of the communications site.

6 (3) DEPOSIT OF FEES.—Fees collected by the  
7 Forest Service under subsection (c)(4) shall be de-  
8 posited in the special account established for the  
9 Forest Service under paragraph (1).

10 (4) AVAILABILITY OF FEES.—Amounts depos-  
11 ited in the special account for the Forest Service  
12 shall be available, to the extent and in such amounts  
13 as are provided in advance in appropriation Acts, to  
14 the Secretary to cover costs incurred by the Forest  
15 Service described in subsection (c)(4), including the  
16 following:

17 (A) Preparing needs assessments or other  
18 programmatic analyses necessary to designate  
19 communications sites and issue communications  
20 use authorizations.

21 (B) Developing management plans for  
22 communications sites.

23 (C) Training for management of commu-  
24 nications sites.

1 (D) Obtaining or improving access to com-  
2 munications sites.

3 (5) NO ADDITIONAL APPROPRIATIONS AUTHOR-  
4 IZED.—Except as provided in paragraph (4), no  
5 other amounts are authorized to be appropriated to  
6 carry out this section.

7 (g) SAVINGS PROVISIONS.—

8 (1) REAL PROPERTY AUTHORITIES.—Nothing  
9 in this section, or the amendments made by this sec-  
10 tion, shall be construed as providing any executive  
11 agency with any new leasing or other real property  
12 authorities not existing prior to the date of enact-  
13 ment of this Act.

14 (2) EFFECT ON OTHER LAWS.—Nothing in this  
15 section, or the amendments made by this section,  
16 and no actions taken pursuant to this section, or the  
17 amendments made by this section, shall impact a de-  
18 cision or determination by any executive agency to  
19 sell, dispose of, declare excess or surplus, lease,  
20 reuse, or redevelop any Federal real property pursu-  
21 ant to title 40, United States Code, the Federal As-  
22 sets Sale and Transfer Act of 2016 (Public Law  
23 114–387), or any other law governing real property  
24 activities of the Federal Government. No agreement  
25 entered into pursuant to this section, or the amend-

1       ments made by this section, may obligate the Fed-  
2       eral Government to hold, control, or otherwise retain  
3       or use real property that may otherwise be deemed  
4       as excess, surplus, or that could otherwise be sold,  
5       leased or redeveloped.

6   **SEC. 8508. REPORT ON WILDFIRE, INSECT INFESTATION,**  
7                   **AND DISEASE PREVENTION ON FEDERAL**  
8                   **LAND.**

9       Not later than 180 days after the date of the enact-  
10      ment of this Act and every year thereafter, the Secretary  
11      of Agriculture and the Secretary of Interior shall submit  
12      to the Committee on Agriculture of the House of Rep-  
13      resentatives, the Committee on Natural Resources of the  
14      House of Representatives, the Committee on Agriculture,  
15      Nutrition, and Forestry of the Senate, and the Committee  
16      on Energy and Natural Resources of the Senate a jointly  
17      written report on—

18           (1) the number of acres of Federal land treated  
19      by the Secretary of Agriculture or the Secretary of  
20      the Interior for wildfire, insect infestation, or disease  
21      prevention;

22           (2) the number of acres of Federal land cat-  
23      egorized as a high or extreme fire risk;

24           (3) the total timber production from Federal  
25      land;

1           (4) the number of acres and average fire inten-  
2           sity of wildfires affecting Federal land treated for  
3           wildfire, insect infestation, or disease prevention;

4           (5) the number of acres and average fire inten-  
5           sity of wildfires affecting Federal land not treated  
6           for wildfire, insect infestation, or disease prevention;  
7           and

8           (6) the Federal response time for each fire on  
9           greater than 25,000 acres.

10 **SEC. 8509. COLLABORATIVE FOREST LANDSCAPE RESTORA-**  
11 **TION PROGRAM.**

12           Section 4003 of the Omnibus Public Land Manage-  
13           ment Act of 2009 (16 U.S.C. 7303) is amended—

14           (1) in subsection (d)(1)(B), by inserting “, ex-  
15           cept the Secretary may waive, on a case-by-case  
16           basis, the 10-year period requirement under para-  
17           graph (1)(B) of such subsection” after “subsection  
18           (b)”;

19           (2) in subsection (f)—

20                   (A) in paragraph (4)(B), by striking “pro-  
21                   posal” and all that follows through “in excess”  
22                   and inserting “proposal in excess”; and

23                   (B) in paragraph (6), by striking “2019”  
24                   and inserting “2023”.

1 **SEC. 8510. WEST FORK FIRE STATION.**

2 (a) DEFINITIONS.—In this section:

3 (1) COUNTY.—The term “County” means Dolo-  
4 res County, Colorado.

5 (2) WEST FORK FIRE STATION CONVEYANCE  
6 PARCEL.—The term “West Fork Fire Station Con-  
7 veyance Parcel” means the parcel of approximately  
8 3.61 acres of National Forest System land in the  
9 County, as depicted on the map entitled “Map for  
10 West Fork Fire Station Conveyance Parcel” and  
11 dated November 21, 2017.

12 (b) CONVEYANCE OF WEST FORK FIRE STATION  
13 CONVEYANCE PARCEL, DOLORES COUNTY, COLORADO.—

14 (1) IN GENERAL.—On receipt of a request from  
15 the County and subject to such terms and conditions  
16 as are mutually satisfactory to the Secretary and the  
17 County, including such additional terms as the Sec-  
18 retary determines to be necessary, the Secretary  
19 shall convey to the County without consideration all  
20 right, title, and interest of the United States in and  
21 to the West Fork Fire Station Conveyance Parcel.

22 (2) COSTS.—Any costs relating to the convey-  
23 ance under paragraph (1), including processing and  
24 transaction costs, shall be paid by the County.

25 (3) USE OF LAND.—The land conveyed to the  
26 County under paragraph (1) shall be used by the

1 County only for a fire station, related infrastructure,  
 2 and roads to facilitate access to and through the  
 3 West Fork Fire Station Conveyance Parcel.

4 (4) REVERSION.—If any portion of the land  
 5 conveyed under paragraph (1) is used in a manner  
 6 that is inconsistent with the use described in para-  
 7 graph (3), the land shall, at the discretion of the  
 8 Secretary, revert to the United States.

9 **SEC. 8511. COMPETITIVE FORESTRY, NATURAL RE-**  
 10 **SOURCES, AND ENVIRONMENTAL GRANTS**  
 11 **PROGRAM.**

12 Section 1232 of the Food, Agriculture, Conservation,  
 13 and Trade Act of 1990 (16 U.S.C. 582a–8) is amended—

14 (1) in subsection (a) by inserting “or forest res-  
 15 toration” after “research”; and

16 (2) by amending subsection (c) to read as fol-  
 17 lows:

18 “(c) PRIORITIES.—

19 “(1) RESEARCH.—In awarding the initial  
 20 grants under subsection (a) the Secretary shall give  
 21 priority to applicants who will use such grants for  
 22 research concerning—

23 “(A) the biology of forest organisms, in-  
 24 cluding physiology, genetic mechanisms, and  
 25 biotechnology;



1           “(B) ecosystem function and management,  
2           including forest ecosystem research, biodiver-  
3           sity, forest productivity, pest management,  
4           water resources, and alternative silvicultural  
5           systems;

6           “(C) wood as a raw material, including for-  
7           est products and harvesting;

8           “(D) human forest interactions, including  
9           outdoor recreation, public policy formulation,  
10          economics, sociology, and administrative behav-  
11          ior;

12          “(E) international trade, competition, and  
13          cooperation related to forest products;

14          “(F) alternative native crops, products,  
15          and services that can be produced from renew-  
16          able natural resources associated with privately  
17          held forest lands;

18          “(G) viable economic production and mar-  
19          keting systems for alternative natural resource  
20          products and services;

21          “(H) economic and environmental benefits  
22          of various conservation practices on forest  
23          lands;

24          “(I) genetic tree improvement; and

25          “(J) market expansion.

1           “(2) FOREST RESTORATION.—Grants may be  
2       used to support programs that restore forest tree  
3       species native to American forests that may have  
4       suffered severe levels of mortality caused by non-na-  
5       tive insects, plant pathogens, or others pests.

6           “(A) REQUIRED COMPONENT OF FOREST  
7       RESTORATION STRATEGY.—To receive a grant  
8       under this subsection, an eligible institution  
9       shall demonstrate that it offers a program with  
10      a forest restoration strategy that incorporates  
11      not less than one of the following components:

12           “(i) Collection and conservation of na-  
13      tive tree genetic material.

14           “(ii) Production of propagules of na-  
15      tive trees in numbers large enough for  
16      landscape scale restoration.

17           “(iii) Site preparation of former of na-  
18      tive tree habitat.

19           “(iv) Planting of native tree seedlings.

20           “(v) Post-planting maintenance of na-  
21      tive trees.

22           “(B) AWARD OF GRANTS.—The Secretary  
23      shall award competitive grants under this sub-  
24      section based on the degree to which the appli-  
25      cant addresses the following criteria:

1 “(i) Risk posed to the forests of that  
 2 State by non-native pests, as measured by  
 3 such factors as the number of such pests  
 4 present in the State.

5 “(ii) The proportion of the State’s  
 6 forest composed of species vulnerable to  
 7 non-native pests present in the United  
 8 States.

9 “(iii) The pests’ rate of spread via  
 10 natural or human-assisted means.”.

11 **TITLE IX—HORTICULTURE**  
 12 **Subtitle A—Horticulture Marketing**  
 13 **and Information**

14 **SEC. 9001. SPECIALTY CROPS MARKET NEWS ALLOCATION.**

15 Section 10107(b) of the Food, Conservation, and En-  
 16 ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by strik-  
 17 ing “2018” and inserting “2023”.

18 **SEC. 9002. FARMERS’ MARKET AND LOCAL FOOD PRO-**  
 19 **MOTION PROGRAM.**

20 Section 6(g) of the Farmer-to-Consumer Direct Mar-  
 21 keting Act of 1976 (7 U.S.C. 3005(g)) is amended—

22 (1) in paragraph (3), by striking “this section”  
 23 and all that follows through “2018.” and inserting  
 24 the following: “this section—

1           “(A) \$10,000,000 for each of fiscal years  
2           2014 through 2018; and

3           “(B) \$30,000,000 for each of fiscal years  
4           2019 through 2023.”;

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

6           (3) by redesignating paragraphs (3), (4), (5),  
7           and (6) as paragraphs (2), (3), (4), and (5), respec-  
8           tively.

9   **SEC. 9003. FOOD SAFETY EDUCATION INITIATIVES.**

10          Section 10105(c) of the Food, Conservation, and En-  
11          ergy Act of 2008 (7 U.S.C. 7655a(c)) is amended by strik-  
12          ing “2018” and inserting “2023”.

13   **SEC. 9004. SPECIALTY CROP BLOCK GRANTS.**

14          Section 101 of the Specialty Crops Competitiveness  
15          Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465)  
16          is amended—

17                 (1) in subsection (a)—

18                         (A) by striking “2018” and inserting  
19                         “2023”; and

20                         (B) by striking “agriculture solely to en-  
21                         hance the competitiveness of specialty crops.”

22                         and inserting the following: “agriculture to—

23                         “(1) enhance the competitiveness of specialty  
24                         crops;

1           “(2) leverage efforts to market and promote  
2 specialty crops;

3           “(3) assist producers with research and devel-  
4 opment;

5           “(4) expand availability and access to specialty  
6 crops;

7           “(5) address local, regional, and national chal-  
8 lenges confronting specialty crop producers; and

9           “(6) address other priorities as determined by  
10 the Secretary in consultation with relevant State de-  
11 partments of agriculture.”;

12           (2) in subsection (k), by adding at the end the  
13 following new paragraph:

14           “(3) EVALUATION OF PERFORMANCE.—The  
15 Secretary shall enter into a cooperative agreement  
16 with relevant State departments of agriculture and  
17 specialty crop industry stakeholders that agree to—

18           “(A) develop, in consultation with the Sec-  
19 retary, performance measures to be used as the  
20 sole means for performing an evaluation under  
21 subparagraph (B); and

22           “(B) periodically evaluate the performance  
23 of the program established under this section.”;  
24 and

1           (3) in subsection (l)(2)(E), by striking “fiscal  
2       year 2018” and inserting “each of fiscal years 2018  
3       through 2023”.

4   **SEC. 9005. AMENDMENTS TO THE PLANT VARIETY PROTEC-**  
5                           **TION ACT.**

6       (a) ASEXUALLY REPRODUCED DEFINED.—Section  
7   41(a) of the Plant Variety Protection Act (7 U.S.C.  
8   2401(a)) is amended—

9           (1) by redesignating paragraphs (1), (2), (3),  
10       (4), (5), (6), (7), (8), and (9) as paragraphs (2),  
11       (3), (4), (5), (6), (7), (8), (9), and (10), respectively;  
12       and

13           (2) by inserting before paragraph (2), as so re-  
14       designated, the following new paragraph:

15           “(1) ASEXUALLY REPRODUCED.—The term  
16       ‘asexually reproduced’ means produced by a method  
17       of plant propagation using vegetative material (other  
18       than seed) from a single parent, including cuttings,  
19       grafting, tissue culture, and propagation by root di-  
20       vision.”.

21       (b) RIGHT TO PLANT VARIETY PROTECTION; PLANT  
22       VARIETIES PROTECTABLE.—Section 42(a) of the Plant  
23       Variety Protection Act (7 U.S.C. 2402(a)) is amended by  
24       striking “or tuber propagated” and inserting “, tuber  
25       propagated, or asexually reproduced”.

1 (c) INFRINGEMENT OF PLANT VARIETY PROTEC-  
2 TION.—Section 111(a)(3) of the Plant Variety Protection  
3 Act (7 U.S.C. 2541(a)(3)) is amended by inserting “or  
4 asexually” after “sexually”.

5 (d) FALSE MARKETING; CEASE AND DESIST OR-  
6 DERS.—Section 128(a) of the Plant Variety Protection  
7 Act (7 U.S.C. 2568(a)) is amended, in the matter pre-  
8 ceding paragraph (1), by inserting “or asexually” after  
9 “sexually”.

10 **SEC. 9006. ORGANIC PROGRAMS.**

11 (a) ADDITIONAL ACCREDITATION AUTHORITY.—Sec-  
12 tion 2115 of the Organic Foods Production Act of 1990  
13 (7 U.S.C. 6514) is amended—

14 (1) by redesignating subsection (c) as sub-  
15 section (d); and

16 (2) by inserting after subsection (b) the fol-  
17 lowing new subsection:

18 “(c) SATELLITE OFFICES AND OVERSEAS OPER-  
19 ATIONS.—The Secretary—

20 “(1) has oversight and approval authority with  
21 respect to a certifying agent accredited under this  
22 section who is operating as a certifying agent in a  
23 foreign country for the purpose of certifying a farm  
24 or handling operation in such foreign country as a  
25 certified organic farm or handling operation; and

1           “(2) shall require that each certifying agent  
2           that intends to operate in any foreign country as de-  
3           scribed in paragraph (1) is authorized by the Sec-  
4           retary to so operate on an annual basis.”.

5           (b) NATIONAL LIST OF APPROVED AND PROHIBITED  
6 SUBSTANCES FOR ORGANIC FARMING OR HANDLING OP-  
7 ERATIONS.—Section 2119(n) of the Organic Foods Pro-  
8 duction Act of 1990 (7 U.S.C. 6518(n)) is amended to  
9 read as follows:

10          “(n) PETITIONS.—

11               “(1) IN GENERAL.—The Board shall establish  
12               procedures under which persons may petition the  
13               Board for the purpose of evaluating substances for  
14               inclusion on the National List.

15               “(2) EXPEDITED REVIEW.—The Secretary shall  
16               develop procedures under which the review of a peti-  
17               tion referred to in paragraph (1) may be expedited  
18               if the petition seeks to include on the National List  
19               a postharvest handling substance that is related to  
20               food safety or a class of such substances.

21               “(3) RULE OF CONSTRUCTION.—Nothing in  
22               paragraph (2) shall be construed as providing that  
23               section 2118(d) does not apply with respect to the  
24               inclusion of a substance on the National List pursu-  
25               ant to such paragraph.”.



1       (c) CERTAIN EMPLOYEES ELIGIBLE TO SERVE AS  
2 NATIONAL ORGANICS STANDARDS BOARD MEMBERS.—  
3 Section 2119(b) of the Organic Foods Production Act of  
4 1990 (7 U.S.C. 6518(b)) is amended—

5           (1) in paragraph (1), by inserting “, or employ-  
6 ees of such individuals” after “operation”;

7           (2) in paragraph (2), by inserting “, or employ-  
8 ees of such individuals” after “operation”; and

9           (3) in paragraph (3), by inserting “, or an em-  
10 ployee of such individual” after “products”.

11       (d) NATIONAL ORGANIC STANDARDS BOARD CON-  
12 SULTATION REQUIREMENTS.—Section 2119(l) of the Or-  
13 ganic Foods Production Act of 1990 (7 U.S.C. 6518(l))  
14 is amended—

15           (1) in paragraph (2), by striking “; and” at the  
16 end and inserting a semicolon;

17           (2) in paragraph (3)—

18               (A) by striking “and the evaluation of the  
19 technical advisory panel” and inserting “, the  
20 evaluation of the technical advisory panel, and  
21 the determinations of the task force required  
22 under paragraph (4)”;

23               (B) by striking the period at the end and  
24 inserting “; and”; and

1           (3) by adding at the end the following new  
2 paragraph:

3           “(4) in the case of a substance not included in  
4 the National List that the Commissioner of Food  
5 and Drugs has determined to be safe for use within  
6 the meaning of section 201(s) of the Federal Food,  
7 Drug, and Cosmetic Act (21 U.S.C. 321(s)) or the  
8 Administrator of the Environmental Protection  
9 Agency has determined there is a reasonable cer-  
10 tainty that no harm will result from aggregate expo-  
11 sure to the pesticide chemical residue, including all  
12 anticipated dietary exposures and all other exposures  
13 for which there is reliable information, convene a  
14 task force to consult with the Commissioner or Ad-  
15 ministrator (or the designees thereof), as applicable,  
16 to determine if such substance should be included on  
17 the National List.”.

18       (e) RECORDKEEPING, INVESTIGATION, AND EN-  
19 FORCEMENT.—

20           (1) COLLABORATIVE INVESTIGATIONS AND EN-  
21 FORCEMENT.—Section 2120 of the Organic Foods  
22 Production Act of 1990 (7 U.S.C. 6519) is amended  
23 by adding at the end the following new subsection:

24       “(d) COLLABORATIVE INVESTIGATIONS AND EN-  
25 FORCEMENT.—

1           “(1) INFORMATION SHARING DURING ACTIVE  
2 INVESTIGATION.—In carrying out this title, all par-  
3 ties to an active investigation (including certifying  
4 agents, State organic certification programs, and the  
5 national organic program) may share confidential  
6 business information with Federal and State govern-  
7 ment officers and employees and certifying agents  
8 involved in the investigation as necessary to fully in-  
9 vestigate and enforce potential violations of this title.

10           “(2) ACCESS TO DATA DOCUMENTATION SYS-  
11 TEMS.—The Secretary shall have access to available  
12 data from cross-border documentation systems ad-  
13 ministered by other Federal agencies, including—

14               “(A) the Automated Commercial Environ-  
15               ment system of U.S. Customs and Border Pro-  
16               tection; and

17               “(B) the Phytosanitary Certificate  
18               Issuance and Tracking system of the Animal  
19               and Plant Health Inspection Service.

20           “(3) ADDITIONAL DOCUMENTATION AND  
21 VERIFICATION.—The Secretary, acting through the  
22 Deputy Administrator of the national organic pro-  
23 gram under this title, has the authority, and shall  
24 grant an accredited certifying agent the authority, to  
25 require producers and handlers to provide additional

1 documentation or verification before granting certifi-  
2 cation under section 2104, in the case of a known  
3 area of risk or when there is a specific area of con-  
4 cern, with respect to meeting the national standards  
5 for organic production established under section  
6 2105, as determined by the Secretary or the certi-  
7 fying agent.”.

8 (2) MODIFICATION OF REGULATIONS ON EX-  
9 CLUSIONS FROM CERTIFICATION.—Not later than 1  
10 year after the date of the enactment of this Act, the  
11 Secretary of Agriculture shall issue regulations to  
12 limit the type of operations that are excluded from  
13 certification under section 205.101 of title 7, Code  
14 of Federal Regulations (or a successor regulation).

15 (f) REPORTING REQUIREMENT.—Section 2122 of the  
16 Organic Foods Production Act of 1990 (7 U.S.C. 6521)  
17 is amended by adding at the end the following new sub-  
18 section:

19 “(c) REPORTING REQUIREMENT.—Not later than  
20 March 1, 2019, and annually thereafter through March  
21 1, 2023, the Secretary shall submit to Congress a report  
22 describing national organic program activities with respect  
23 to all domestic and overseas investigations and compliance  
24 actions taken pursuant to this title during the preceding  
25 year.”.

1 (g) AUTHORIZATION OF APPROPRIATIONS FOR NA-  
2 TIONAL ORGANIC PROGRAM.—Subsection (b) of section  
3 2123 of the Organic Foods Production Act of 1990 (7  
4 U.S.C. 6522) is amended to read as follows:

5 “(b) NATIONAL ORGANIC PROGRAM.—Notwith-  
6 standing any other provision of law, in order to carry out  
7 activities under the national organic program established  
8 under this title, there are authorized to be appropriated—

9 “(1) \$15,000,000 for fiscal year 2018;

10 “(2) \$16,500,000 for fiscal year 2019;

11 “(3) \$18,000,000 for fiscal year 2020;

12 “(4) \$20,000,000 for fiscal year 2021;

13 “(5) \$22,000,000 for fiscal year 2022; and

14 “(6) \$24,000,000 for fiscal year 2023.”.

15 (h) INTERNATIONAL TRADE TECHNOLOGY SYSTEMS  
16 AND DATA COLLECTION.—Subsection (c) of section 2123  
17 of the Organic Foods Production Act of 1990 (7 U.S.C.  
18 6522) is amended to read as follows:

19 “(c) MODERNIZATION AND IMPROVEMENT OF INTER-  
20 NATIONAL TRADE TECHNOLOGY SYSTEMS AND DATA  
21 COLLECTION.—

22 “(1) IN GENERAL.—The Secretary shall mod-  
23 ernize international trade tracking and data collec-  
24 tion systems of the national organic program.

1           “(2) ACTIVITIES.—In carrying out paragraph  
2           (1), the Secretary shall modernize trade and trans-  
3           action certificates to ensure full traceability without  
4           unduly hindering trade, such as through an elec-  
5           tronic trade document exchange system.

6           “(3) FUNDING.—Of the funds of the Com-  
7           modity Credit Corporation, the Secretary shall make  
8           available \$5,000,000 for fiscal year 2019 for the  
9           purposes of—

10                   “(A) carrying out this subsection; and

11                   “(B) maintaining the database and tech-  
12           nology upgrades previously carried out under  
13           this subsection, as in effect on the day before  
14           the date of the enactment of the Agriculture  
15           and Nutrition Act of 2018.

16           “(4) AVAILABILITY.—The amounts made avail-  
17           able under paragraph (3) are in addition to any  
18           other funds made available for the purposes speci-  
19           fied in such paragraph and shall remain available  
20           until expended.”.

21           (i) ORGANIC PRODUCTION AND MARKET DATA INI-  
22           TIATIVES.—Section 7407(d) of the Farm Security and  
23           Rural Investment Act of 2002 (7 U.S.C. 5925c(d)) is  
24           amended—

(1) by striking paragraphs (1) and (2) and inserting the following new paragraph:

“(1) MANDATORY FUNDING FOR FISCAL YEAR 2019.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$5,000,000 for fiscal year 2019, to remain available until expended.”;

(2) in paragraph (3)—

(A) by striking “paragraphs (1) and (2)” and inserting “paragraph (1)”; and

(B) by striking “2018” and inserting “2023”; and

(3) by redesignating paragraph (3), as so amended, as paragraph (2).

## **Subtitle B—Regulatory Reform**

### **PART I—STATE LEAD AGENCIES UNDER FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT**

#### **SEC. 9101. RECOGNITION AND ROLE OF STATE LEAD AGENCIES.**

(a) STATE LEAD AGENCY DEFINED.—Section 2(aa) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(aa)) is amended—

(1) by striking “(aa) STATE.—The term” and inserting the following:

1 “(aa) STATE; STATE LEAD AGENCY.—

2 “(1) STATE.—The term”; and

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

4 “(2) STATE LEAD AGENCY.—The term ‘State  
5 lead agency’ means a statewide department, agency,  
6 board, bureau, or other entity in a State that is au-  
7 thorized to regulate, in a manner consistent with  
8 section 24(a), the sale or use of any federally reg-  
9 istered pesticide or device in such State.”.

10 (b) UNIFORM REGULATION OF PESTICIDES.—

11 (1) COOPERATION WITH AND ROLE OF STATE  
12 LEAD AGENCY.—Section 22(b) of the Federal Insec-  
13 ticide, Fungicide, and Rodenticide Act (7 U.S.C.  
14 136t(b)) is amended by inserting before the period  
15 at the end the following: “promulgated by the Ad-  
16 ministrator or, when authorized pursuant to a coop-  
17 erative agreement entered into under section  
18 23(a)(1), by a State lead agency for a State”.

19 (2) AUTHORITY TO ESTABLISH AND MAINTAIN  
20 UNIFORM REGULATIONS.—Section 23(a)(1) of the  
21 Federal Insecticide, Fungicide, and Rodenticide Act  
22 (7 U.S.C. 136u(a)(1)) is amended by inserting after  
23 “enforcement of this Act,” the following: “to author-  
24 ize the State or Indian Tribe to establish and main-



1       tain uniform regulation of pesticides within the  
2       State or for the Indian Tribe,”.

3           (3) CONDITION ON MORE RESTRICTIVE REGU-  
4       LATION.—Section 24(a) of the Federal Insecticide,  
5       Fungicide, and Rodenticide Act (7 U.S.C. 136v(a))  
6       is amended by striking “A State may” and inserting  
7       “A State, but not a political subdivision of a State,  
8       may”.

9           (c) ROLE OF STATE LEAD AGENCIES IN PROMULGA-  
10      TION OF REGULATIONS.—Section 25(a)(2) of the Federal  
11      Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.  
12      136w(a)(2)) is amended—

13           (1) in subparagraph (A)—

14                   (A) in the first sentence, by inserting “and  
15                   each State lead agency” after “Agriculture”;

16                   (B) by striking the second sentence and in-  
17                   serting the following: “If the Secretary or any  
18                   State lead agency comments in writing to the  
19                   Administrator regarding any such regulation  
20                   within 30 days after receiving the copy of the  
21                   regulation, the Administrator shall publish in  
22                   the Federal Register (with the proposed regula-  
23                   tion) all such comments and the response of the  
24                   Administrator to the comments.”; and

1 (C) in the third sentence, by inserting “or  
2 any State lead agency” after “Secretary”;

3 (2) in subparagraph (B)—

4 (A) in the first sentence, by inserting “and  
5 each State lead agency” after “Agriculture”;

6 (B) by striking the second sentence and in-  
7 serting the following: “If the Secretary or any  
8 State lead agency comments in writing to the  
9 Administrator regarding any such regulation  
10 within 15 days after receiving the copy of the  
11 regulation, the Administrator shall publish in  
12 the Federal Register (with the final regulation)  
13 the comments of the Secretary or State lead  
14 agency, if requested by the Secretary or State  
15 lead agency, and the response of the Adminis-  
16 trator to the comments.”; and

17 (C) in the third sentence, by inserting “or  
18 any State lead agency” after “Secretary”; and

19 (3) in subparagraph (C), by inserting before the  
20 period at the end the following: “, in consultation  
21 with the State lead agencies”.

1     **PART II—PESTICIDE REGISTRATION AND USE**

2     **SEC. 9111. REGISTRATION OF PESTICIDES.**

3         (a) APPROVAL OF REGISTRATION.—Section 3(c)(5)  
4 of the Federal Insecticide, Fungicide, and Rodenticide Act  
5 (7 U.S.C. 136a(c)(5)) is amended—

6             (1) by redesignating subparagraphs (A) through  
7             (D) as clauses (i) through (iv), respectively and mov-  
8             ing the margins of such clauses (as so redesignated)  
9             2 ems to the right;

10            (2) by striking “REGISTRATION.—The Adminis-  
11            trator” and inserting the following: “REGISTRA-  
12            TION.—

13                     “(A) IN GENERAL.—The Administrator”;

14             (3) in clause (iii), as so redesignated, by strik-  
15             ing “; and” at the end and inserting a semicolon;

16             (4) in clause (iv), as so redesignated, by strik-  
17             ing the period at the end and inserting “; and”;

18             (5) in the matter following clause (iv), as so re-  
19             designated, by striking “The Administrator shall not  
20             make any lack” and all that follows through “for use  
21             of the pesticide in such State.”;

22             (6) in subparagraph (A), as amended, by add-  
23             ing at the end the following new clause:

24                     “(v) when used in accordance with  
25                     widespread and commonly recognized prac-  
26                     tice it is not likely to jeopardize the sur-

1           vival of a federally listed threatened or en-  
2           dangered species or directly or indirectly  
3           alter, in a manner that is likely to appre-  
4           ciably diminish its value, critical habitat  
5           for both the survival and recovery of such  
6           species.”; and

7           (7) by adding at the end the following new sub-  
8       paragraphs:

9           “(B) PRINCIPLES TO BE APPLIED TO CER-  
10          TAIN     DETERMINATIONS.—In     determining  
11          whether the condition specified in subparagraph  
12          (A)(v) is met, the Administrator shall take into  
13          account the best scientific and commercial in-  
14          formation and data available, and shall consider  
15          all directions for use and restrictions on use  
16          specified by the registration. In making such  
17          determination, the Administrator shall use an  
18          economical and effective screening process that  
19          includes higher-tiered probabilistic ecological  
20          risk assessments, as appropriate. Notwith-  
21          standing any other provision of law, the Admin-  
22          istrator shall not be required to consult or oth-  
23          erwise communicate with the Secretary of the  
24          Interior and the Secretary of Commerce except

1 to the extent specified in subparagraphs (C)  
2 and (D).

3 “(C) SPECIES INFORMATION AND DATA.—

4 “(i) REQUEST.—Not later than 30  
5 days after the Administrator begins any  
6 determination under subparagraph (A)(v)  
7 with respect to the registration of a pes-  
8 ticide, the Administrator shall request that  
9 the Secretary of the Interior and the Sec-  
10 retary of Commerce transmit, with respect  
11 to any federally listed threatened and en-  
12 dangered species involved in such deter-  
13 mination, the Secretaries’ best available  
14 and authoritative information and data  
15 on—

16 “(I) the location, life history,  
17 habitat needs, distribution, threats,  
18 population trends and conservation  
19 needs of such species; and

20 “(II) relevant physical and bio-  
21 logical features of designated critical  
22 habitat for such species.

23 “(ii) TRANSMISSION OF DATA.—After  
24 receiving a request under clause (i), the  
25 Secretary of the Interior and the Secretary

1 of Commerce shall transmit the informa-  
2 tion described in such clause to the Admin-  
3 istrator on a timely basis, unless the Sec-  
4 retary of the Interior and the Secretary of  
5 Commerce have made such information  
6 available through a web-based platform  
7 that is updated on at least a quarterly  
8 basis.

9 “(iii) FAILURE TO TRANSMIT DATA.—

10 The failure of the Secretary of the Interior  
11 or the Secretary of Commerce to provide  
12 information to the Administrator under  
13 clause (ii) shall not constitute grounds for  
14 extending any deadline for action under  
15 section 33(f).

16 “(D) CONSULTATION.—

17 “(i) IN GENERAL.—At the request of  
18 an applicant, the Administrator shall re-  
19 quest consultation with the Secretary of  
20 the Interior and the Secretary of Com-  
21 merce.

22 “(ii) REQUIREMENTS.—With respect  
23 to a consultation under this subparagraph,  
24 the Administrator and the Secretary of the  
25 Interior and the Secretary of Commerce

1 shall comply with subpart D of part 402 of  
2 title 50, Code of Federal Regulations (com-  
3 monly known as the Joint Counterpart En-  
4 dangered Species Act Section 7 Consulta-  
5 tion), or successor regulations.

6 “(E) FAILURE TO CONSULT.—

7 “(i) NOT ACTIONABLE.—Notwith-  
8 standing any other provision of law, begin-  
9 ning on the date of the enactment of this  
10 subparagraph, the failure of the Adminis-  
11 trator to consult with the Secretary of the  
12 Interior and the Secretary of Commerce,  
13 except as provided by this section, is not  
14 actionable in any Federal court.

15 “(ii) REMEDY.—In any action pend-  
16 ing in Federal court on the date of the en-  
17 actment of this subparagraph or any ac-  
18 tion brought in Federal court after such  
19 date, with respect to the Administrator’s  
20 failure to consult with the Secretary of the  
21 Interior and the Secretary of Commerce,  
22 the sole and exclusive remedy for any such  
23 action, other than as otherwise specified in  
24 this Act, shall be scheduling the determina-  
25 tions required by section 3(c)(5)(E) for an

1 active ingredient consistent with the peri-  
2 odic review of registrations established by  
3 this section.

4 “(F) ESSENTIALITY AND EFFICACY.—The  
5 Administrator shall not make any lack of essen-  
6 tiality a criterion for denying registration of  
7 any pesticide. Where two pesticides meet the re-  
8 quirements of this paragraph, one should not be  
9 registered in preference to the other. In consid-  
10 ering an application for the registration of a  
11 pesticide, the Administrator may waive data re-  
12 quirements pertaining to efficacy, in which  
13 event the Administrator may register the pes-  
14 ticide without determining that the pesticide’s  
15 composition is such as to warrant proposed  
16 claims of efficacy. If a pesticide is found to be  
17 efficacious by any State under section 24(c), a  
18 presumption is established that the Adminis-  
19 trator shall waive data requirements pertaining  
20 to efficacy for use of the pesticide in such  
21 State.”.

22 (b) REGISTRATION UNDER SPECIAL CIR-  
23 CUMSTANCES.—Section 3(c)(7) of the Federal Insecticide,  
24 Fungicide, and Rodenticide Act (7 U.S.C. 136a(c)(7)) is  
25 amended—



1 (1) in subparagraph (A)—

2 (A) by inserting “and when used in accord-  
3 ance with widespread and commonly recognized  
4 practice, it is not likely to jeopardize the sur-  
5 vival of a federally listed threatened or endan-  
6 gered species or appreciably diminish the value  
7 of critical habitat for both the survival and re-  
8 covery of the listed species,” after “or differ  
9 only in ways that would not significantly in-  
10 crease the risk of unreasonable adverse effects  
11 on the environment,”; and

12 (B) by inserting “and it is not likely to  
13 jeopardize the survival of a federally listed  
14 threatened or endangered species or appreciably  
15 diminish the value of critical habitat for both  
16 the survival and recovery of the listed species”  
17 before “. An applicant seeking conditional reg-  
18 istration”; and

19 (2) in subparagraph (B), by inserting “and it  
20 is not likely to jeopardize the survival of a federally  
21 listed threatened or endangered species or directly or  
22 indirectly appreciably diminish the value of critical  
23 habitat for both the survival and recovery of the list-  
24 ed species” before “. Notwithstanding the foregoing  
25 provisions”.

1       (c) REGISTRATION REVIEW.—Section 3(g)(1)(A) of  
2 the Federal Insecticide, Fungicide, and Rodenticide Act  
3 (7 U.S.C. 136a(g)(1)(A)) is amended by adding at the end  
4 the following new clause:

5               “(vi) ENSURING PROTECTION OF SPECIES  
6       AND HABITAT.—The Administrator shall com-  
7       plete the determination required under sub-  
8       section (c)(5)(A)(v) for an active ingredient  
9       consistent with the periodic review of registra-  
10      tions under clauses (ii) and (iii) in accordance  
11      with the following schedule:

12              “(I) With respect to any active ingre-  
13      dient first registered on or before October  
14      1, 2007, not later than October 1, 2026.

15              “(II) With respect to any active ingre-  
16      dient first registered between October 1,  
17      2007, and the day before the date of the  
18      enactment of this clause, not later than  
19      October 1, 2033.

20              “(III) With respect to any active in-  
21      gredient first registered on or after the  
22      date of the enactment of this clause, not  
23      later than 48 months after the effective  
24      date of registration.”.

1 **SEC. 9112. EXPERIMENTAL USE PERMITS.**

2 Section 5(a) of the Federal Insecticide, Fungicide,  
3 and Rodenticide Act (7 U.S.C. 136c(a)) is amended by  
4 inserting “and that the issuance of such a permit is not  
5 likely to jeopardize the survival of a federally listed threat-  
6 ened or endangered species or diminish the value of crit-  
7 ical habitat for both the survival and recovery of the listed  
8 species” after “section 3 of this Act”.

9 **SEC. 9113. ADMINISTRATIVE REVIEW; SUSPENSION.**

10 Section 6(b) of the Federal Insecticide, Fungicide,  
11 and Rodenticide Act (7 U.S.C. 136d(b)) is amended by  
12 inserting “or does not meet the criteria specified in section  
13 3(c)(5)(A)(v)” after “adverse effects on the environment”.

14 **SEC. 9114. UNLAWFUL ACTS.**

15 Section 12 of the Federal Insecticide, Fungicide, and  
16 Rodenticide Act (7 U.S.C. 136j) is amended by adding at  
17 the end the following new subsection:

18 “(c) **LAWFUL USE OF PESTICIDE RESULTING IN IN-**  
19 **CIDENTAL TAKING OF CERTAIN SPECIES.**—If the Admin-  
20 istrator determines, with respect to a pesticide that is reg-  
21 istered under this Act, that the pesticide meets the criteria  
22 specified in section 3(c)(5)(A)(v), any taking of a federally  
23 listed threatened or endangered species that is incidental  
24 to an otherwise lawful use of such pesticide pursuant to  
25 this Act shall not be considered unlawful under—

1 “(1) section 4(d) of the Endangered Species  
2 Act of 1973 (16 U.S.C. 1533(d)); or

3 “(2) section 9(a)(1)(B) of the Endangered Spe-  
4 cies Act of 1973 (16 U.S.C. 1538(a)(1)(B)).”.

5 **SEC. 9115. AUTHORITY OF STATES.**

6 Section 24(c) of the Federal Insecticide, Fungicide,  
7 and Rodenticide Act (7 U.S.C. 136v(c)) is amended—

8 (1) in paragraph (2), in the second sentence, by  
9 inserting “and the State registration is not likely to  
10 jeopardize the survival of a federally listed threat-  
11 ened or endangered species or directly or indirectly  
12 alter in a manner that is likely to appreciably dimin-  
13 ish the value of critical habitat for both the survival  
14 and recovery of the listed species” before the period  
15 at the end; and

16 (2) by striking paragraph (4).

17 **SEC. 9116. REGULATIONS.**

18 Not later than 180 days after the date of the enact-  
19 ment of this Act, the Administrator of the Environmental  
20 Protection Agency shall publish, and revise thereafter as  
21 appropriate, a work plan and processes for completing the  
22 determinations required by clause (v) of section 3(c)(5)(A)  
23 of the Federal Insecticide, Fungicide, and Rodenticide Act  
24 (7 U.S.C. 136a(c)(5)(A)), as added by section 9111(a),  
25 and implementing and enforcing standards of registration

1 consistent with such clause and consistent with registra-  
2 tion reviews and other periodic reviews.

3 **SEC. 9117. USE OF AUTHORIZED PESTICIDES.**

4 Section 3(f) of the Federal Insecticide, Fungicide,  
5 and Rodenticide Act (7 U.S.C. 136a(f)) is amended by  
6 adding at the end the following:

7 “(5) USE OF AUTHORIZED PESTICIDES.—Ex-  
8 cept as provided in section 402(s) of the Federal  
9 Water Pollution Control Act, the Administrator or a  
10 State may not require a permit under such Act for  
11 a discharge from a point source into navigable  
12 waters of a pesticide authorized for sale, distribu-  
13 tion, or use under this Act, or the residue of such  
14 a pesticide, resulting from the application of such  
15 pesticide.”.

16 **SEC. 9118. DISCHARGES OF PESTICIDES.**

17 Section 402 of the Federal Water Pollution Control  
18 Act (33 U.S.C. 1342) is amended by adding at the end  
19 the following:

20 “(s) DISCHARGES OF PESTICIDES.—

21 “(1) NO PERMIT REQUIREMENT.—Except as  
22 provided in paragraph (2), a permit shall not be re-  
23 quired by the Administrator or a State under this  
24 Act for a discharge from a point source into navi-  
25 gable waters of a pesticide authorized for sale, dis-

1       tribution, or use under the Federal Insecticide, Fun-  
2       gicide, and Rodenticide Act, or the residue of such  
3       a pesticide, resulting from the application of such  
4       pesticide.

5           “(2) EXCEPTIONS.—Paragraph (1) shall not  
6       apply to the following discharges of a pesticide or  
7       pesticide residue:

8           “(A) A discharge resulting from the appli-  
9       cation of a pesticide in violation of a provision  
10      of the Federal Insecticide, Fungicide, and  
11      Rodenticide Act that is relevant to protecting  
12      water quality, if—

13           “(i) the discharge would not have oc-  
14      curred but for the violation; or

15           “(ii) the amount of pesticide or pes-  
16      ticide residue in the discharge is greater  
17      than would have occurred without the vio-  
18      lation.

19           “(B) Stormwater discharges subject to reg-  
20      ulation under subsection (p).

21           “(C) The following discharges subject to  
22      regulation under this section:

23           “(i) Manufacturing or industrial efflu-  
24      ent.

25           “(ii) Treatment works effluent.

1 “(iii) Discharges incidental to the nor-  
2 mal operation of a vessel, including a dis-  
3 charge resulting from ballasting operations  
4 or vessel biofouling prevention.”.

5 **SEC. 9119. ENACTMENT OF PESTICIDE REGISTRATION IM-**  
6 **PROVEMENT ENHANCEMENT ACT OF 2017.**

7 H.R. 1029 of the 115th Congress, entitled the “Pes-  
8 ticide Registration Improvement Enhancement Act of  
9 2017”, as passed by the House of Representatives on  
10 March 20, 2017, is hereby enacted into law.

11 **PART III—AMENDMENTS TO THE PLANT**  
12 **PROTECTION ACT**

13 **SEC. 9121. METHYL BROMIDE.**

14 Section 419 of the Plant Protection Act (7 U.S.C.  
15 7719) is amended to read as follows:

16 **“SEC. 419. METHYL BROMIDE.**

17 **“(a) AUTHORIZATION.—**

18 **“(1) IN GENERAL.—**Subject to paragraphs (2)  
19 and (3), a State, local, or Tribal authority may au-  
20 thorize the use of methyl bromide for a qualified use  
21 if the authority determines the use is required to re-  
22 spond to an emergency event. The Secretary may  
23 authorize such a use if the Secretary determines  
24 such a use is required to respond to an emergency  
25 event.

1           “(2) NOTIFICATION.—Not later than 5 days  
2           after the date on which a State, local, or Tribal au-  
3           thority makes the determination described in para-  
4           graph (1), the State, local, or Tribal authority in-  
5           tending to authorize the use of methyl bromide for  
6           a qualified use shall submit to the Secretary a notifi-  
7           cation that contains the information described in  
8           subsection (b).

9           “(3) OBJECTION.—A State, local, or Tribal au-  
10          thority may not authorize the use of methyl bromide  
11          under paragraph (1) if the Secretary objects to such  
12          use under subsection (c) within the 5-day period  
13          specified in such subsection.

14          “(b) NOTIFICATION CONTENTS.—A notification sub-  
15          mitted under subsection (a)(2) by a State, local, or Tribal  
16          authority shall contain—

17               “(1) a certification that the State, local, or  
18               Tribal authority requires the use of methyl bromide  
19               to respond to an emergency event;

20               “(2) a description of the emergency event and  
21               the economic loss that would result from such emer-  
22               gency event;

23               “(3) the identity and contact information for  
24               the responsible individual of the authority; and



1           “(4) with respect to the qualified use of methyl  
2       bromide that is the subject of the notification—

3           “(A) the specific location in which the  
4       methyl bromide is to be used and the total acre-  
5       age of such location;

6           “(B) the identity of the pest or pests to be  
7       controlled by such use;

8           “(C) the total volume of methyl bromide to  
9       be used; and

10          “(D) the anticipated date of such use.

11       “(c) OBJECTION.—

12           “(1) IN GENERAL.—The Secretary, not later  
13       than 5 days after the receipt of a notification sub-  
14       mitted under subsection (a)(2), may object to the  
15       authorization of the use of methyl bromide under  
16       such subsection by a State, local, or Tribal authority  
17       by sending the State, local, or Tribal authority a no-  
18       tification in writing of such objection that—

19           “(A) states the reasons for such objection;  
20       and

21           “(B) specifies any additional information  
22       that the Secretary would require to withdraw  
23       the objection.

1           “(2) REASONS FOR OBJECTION.—The Secretary  
2           may object to an authorization described in para-  
3           graph (1) if the Secretary determines that—

4                   “(A) the notification submitted under sub-  
5                   section (a)(2) does not—

6                           “(i) contain all of the information  
7                           specified in paragraphs (1) through (4) of  
8                           subsection (b); or

9                           “(ii) demonstrate the existence of an  
10                          emergency event; or

11                          “(B) the qualified use specified in the noti-  
12                          fication does not comply with the limitations  
13                          specified in subsection (e).

14           “(3) WITHDRAWAL OF OBJECTION.—The Sec-  
15           retary shall withdraw an objection under this sub-  
16           section if—

17                          “(A) not later than 14 days after the date  
18                          on which the Secretary sends the notification  
19                          under paragraph (1) to the State, local, or  
20                          Tribal authority involved, the State, local, or  
21                          Tribal authority submits to the Secretary the  
22                          additional information specified in such notifi-  
23                          cation; and

24                          “(B) such additional information is sub-  
25                          mitted to the satisfaction of the Secretary.

1           “(4) EFFECT OF WITHDRAWAL.—Upon the  
2           issuance of a withdrawal under paragraph (3), the  
3           State, local, or Tribal authority involved may au-  
4           thorize the use of methyl bromide for the qualified  
5           use specified in the notification submitted under  
6           subsection (a)(2).

7           “(d) USE FOR EMERGENCY EVENTS CONSISTENT  
8           WITH FIFRA.—The production, distribution, sale, ship-  
9           ment, application, or use of a pesticide product containing  
10          methyl bromide in accordance with an authorization for  
11          a use under subsection (a) shall be deemed an authorized  
12          production, distribution, sale, shipment, application, or  
13          use of such product under the Federal Insecticide, Fun-  
14          gicide, and Rodenticide Act, regardless of whether the in-  
15          tended use is registered and included in the label approved  
16          for the product by the Administrator of the Environmental  
17          Protection Agency under such Act.

18          “(e) LIMITATIONS ON USE.—

19                 “(1) LIMITATIONS ON USE PER EMERGENCY  
20                 EVENT.—The amount of methyl bromide that may  
21                 be used per emergency event at a specific location  
22                 shall not exceed 20 metric tons.

23                 “(2) LIMITS ON AGGREGATE AMOUNT.—The  
24                 aggregate amount of methyl bromide allowed pursu-  
25                 ant to this section for use in the United States in

1 a calendar year shall not exceed the total amount  
2 authorized by the Parties to the Montreal Protocol  
3 pursuant to the Montreal Protocol process for crit-  
4 ical uses in the United States in calendar year 2011.

5 “(f) ENSURING ADEQUATE SUPPLY OF METHYL  
6 BROMIDE.—Notwithstanding any other provision of law,  
7 it shall not be unlawful for any person or entity to produce  
8 or import methyl bromide, or otherwise supply methyl bro-  
9 mide from inventories (produced or imported pursuant to  
10 the Clean Air Act for other purposes) in response to an  
11 emergency event in accordance with subsection (a).

12 “(g) EXCLUSIVE AUTHORITY OF THE SECRETARY.—  
13 Nothing in this section shall be construed to alter or mod-  
14 ify the authority of the Secretary to use methyl bromide  
15 for quarantine and pre-shipment, without limitation,  
16 under the Clean Air Act.

17 “(h) DEFINITIONS.—

18 “(1) EMERGENCY EVENT.—The term ‘emer-  
19 gency event’ means a situation—

20 “(A) that occurs at a location on which a  
21 plant or commodity is grown or produced or a  
22 facility providing for the storage of, or other  
23 services with respect to, a plant or commodity;

24 “(B) for which the lack of availability of  
25 methyl bromide for a particular use would re-

1           sult in significant economic loss to the owner,  
2           lessee, or operator of such a location or facility  
3           or the owner, grower, or purchaser of such a  
4           plant or commodity; and

5           “(C) that, in light of the specific agricul-  
6           tural, meteorological, or other conditions pre-  
7           sented, requires the use of methyl bromide to  
8           control a pest or disease in such location or fa-  
9           cility because there are no technically or eco-  
10          nomically feasible alternatives to methyl bro-  
11          mide easily accessible by an entity referred to  
12          in subparagraph (B) at the time and location of  
13          the event that—

14               “(i) are registered under the Federal  
15               Insecticide, Fungicide, and Rodenticide Act  
16               (7 U.S.C. 136 et seq.) for the intended use  
17               or pest to be so controlled; and

18               “(ii) would adequately control the pest  
19               or disease presented at such location or fa-  
20               cility.

21           “(2) PEST.—The term ‘pest’ has the meaning  
22          given such term in section 2 of the Federal Insecti-  
23          cide, Fungicide, and Rodenticide Act (7 U.S.C.  
24          136).

1           “(3) QUALIFIED USE.—The term ‘qualified use’  
 2       means, with respect to methyl bromide, a methyl  
 3       bromide treatment or application in an amount not  
 4       to exceed the limitations specified in subsection (e)  
 5       in response to an emergency event.”.

6   **SEC. 9122. PREVENTING THE ARRIVAL IN THE UNITED**  
 7                   **STATES OF FOREST PESTS THROUGH RE-**  
 8                   **STRICTIONS ON THE IMPORTATION OF CER-**  
 9                   **TAIN PLANTS FOR PLANTING.**

10       (a) CRITERIA FOR ADDING PLANTS TO NOT AU-  
 11       THORIZED PENDING PEST RISK ANALYSIS LIST.—Section  
 12       412(a) of the Plant Protection Act (7 U.S.C. 7711(a)) is  
 13       amended—

14           (1) by striking “The Secretary” and inserting  
 15       the following:

16           “(1) REGULATION OF MOVEMENT.—The Sec-  
 17       retary”; and

18           (2) by adding at the end the following new  
 19       paragraph:

20           “(2) CRITERIA FOR ADDING PLANTS TO NOT  
 21       AUTHORIZED PENDING PEST RISK ANALYSIS LIST.—

22       In determining whether to add a genus of a plant  
 23       for planting to the not authorized pending pest risk  
 24       analysis list, the Secretary shall consider the envi-  
 25       ronmental impact on natural, managed, and urban

1 ecosystems in the United States of a pest that may  
2 be carried on a plant for planting.”.

3 (b) REPORTING REQUIREMENT.—Section 412(e) of  
4 the Plant Protection Act (7 U.S.C. 7712(e)) is amended  
5 to read as follows:

6 “(e) REPORT ON INTERCEPTION OF FOREST  
7 PESTS.—Not later than March 1, 2021, the Secretary  
8 shall submit to Congress a report—

9 “(1) evaluating the effectiveness of the Federal  
10 Government in intercepting pests in international  
11 shipping and on plants for planting;

12 “(2) describing the geographic sources of inter-  
13 cepted pests and the commodities or plant species  
14 most often associated with infested shipments;

15 “(3) quantifying the detection of forest pests in  
16 the national surveillance networks, including the Co-  
17 operative Agricultural Pest Survey and the Early  
18 Detection and Rapid Response network of the For-  
19 est Service;

20 “(4) describing new outbreaks of forest pests in  
21 the United States and the spread of existing infesta-  
22 tions;

23 “(5) describing how the numbers of such inter-  
24 ceptions, detections, and outbreaks described in a

1 preceding paragraph have changed since January 1,  
2 2018;

3 “(6) containing proposed additional actions to  
4 further reduce the rate of arrival for forest pests  
5 across the borders of the United States; and

6 “(7) identifying current challenges with inter-  
7 cepting, detecting, and addressing outbreaks of tree  
8 and wood pests, as well as challenges in achieving  
9 compliance with this Act and recommendations with  
10 respect to such challenges.”.

11 (c) DECLARATION OF EXTRAORDINARY EMERGENCY  
12 AND RESULTING AUTHORITIES.—Section 415(a) of the  
13 Plant Protection Act (7 U.S.C. 7715(a)) is amended—

14 (1) by striking “and” at the end of paragraph  
15 (3);

16 (2) by striking the period at the end of para-  
17 graph (4) and inserting “; and”; and

18 (3) by adding at the end the following new  
19 paragraph:

20 “(5) use available funds for all activities nec-  
21 essary for pest eradication, including pest identifica-  
22 tion, development of a pest-specific management  
23 plan, and implementation of that plan.”.

24 (d) FOREST SERVICE AND ANIMAL AND PLANT  
25 HEALTH INSPECTION SERVICE COOPERATION IN RE-



1 SPONSE TO FOREST PLANT PESTS.—Section 431(a) of  
2 the Plant Protection Act (7 U.S.C. 7751(a)) is amended—

3 (1) by striking “(a) IN GENERAL.—” and in-  
4 serting the following:

5 “(a) COOPERATION AUTHORITY.—

6 “(1) IN GENERAL.—”; and

7 (2) by adding at the end the following new  
8 paragraph:

9 “(2) IMPROVED COOPERATION WITH FOREST  
10 SERVICE AGAINST FOREST PLANT PESTS.—The Sec-  
11 retary shall ensure that appropriate coordination  
12 and collaboration is occurring between the Animal  
13 and Plant Health Inspection Service and the Forest  
14 Service with respect to—

15 “(A) periodically identifying and  
16 prioritizing critical detection, surveillance, and  
17 eradication needs for tree and wood pests; and

18 “(B) identifying the actions each agency  
19 will take within their respective missions with  
20 respect to addressing identified priorities.”.

21 (e) EFFECTIVE DATE AND IMPLEMENTATION.—

22 (1) EFFECTIVE DATE.—The amendments made  
23 by this section shall take effect 60 days after the  
24 date of the enactment of this Act.

1           (2) IMPLEMENTATION.—The Secretary shall  
2           issue or revise such regulations as may be necessary  
3           to implement the amendments made by this section.

4           **PART IV—AMENDMENTS TO OTHER LAWS**

5           **SEC. 9131. DEFINITION OF RETAIL FACILITIES.**

6           Not later than 180 days of the date of enactment of  
7           this Act, the Secretary of Labor shall revise the process  
8           safety management of highly hazardous chemicals stand-  
9           ard under section 1910.119 of title 29, Code of Federal  
10          Regulations, promulgated pursuant to section 6 of the Oc-  
11          cupational Safety and Health Act of 1970 (29 U.S.C.  
12          655), to provide that the definition of the term “retail fa-  
13          cility”, when used with respect to a facility that provides  
14          direct sales of highly hazardous chemicals to end users or  
15          consumers (including farmers or ranchers), means a facil-  
16          ity that is exempt from such standard because such facil-  
17          ity has obtained more than half of its income during the  
18          most recent 12-month period from such direct sales.

19           **Subtitle C—Other Matters**

20           **SEC. 9201. REPORT ON REGULATION OF PLANT BIOSTIMU-**  
21           **LANTS.**

22           (a) REPORT.—Not later than 1 year after the date  
23           of the enactment of this Act, the Secretary shall submit  
24           a report to the President and Congress that identifies po-  
25           tential regulatory and legislative reforms to ensure the ex-

1 petition and appropriate review, approval, uniform na-  
2 tional labeling, and availability of plant biostimulant prod-  
3 ucts to agricultural producers.

4 (b) CONSULTATION.—The Secretary of Agriculture  
5 shall prepare the report required by subsection (a) in con-  
6 sultation with the Administrator of the Environmental  
7 Protection Agency, the several States, industry stake-  
8 holders, and such other stakeholders as the Secretary de-  
9 termines necessary.

10 (c) PLANT BIOSTIMULANT DEFINED.—In this sec-  
11 tion, the term “plant biostimulant” means a substance or  
12 micro-organism that, when applied to seeds, plants, or the  
13 rhizosphere, stimulates natural processes to enhance or  
14 benefit nutrient uptake, nutrient efficiency, tolerance to  
15 abiotic stress, or crop quality and yield.

16 **SEC. 9202. PECAN MARKETING ORDERS.**

17 Section 8e(a) of the Agricultural Adjustment Act, re-  
18 enacted with amendments by the Agricultural Marketing  
19 Agreement Act of 1937 (7 U.S.C. 608e–1(a)), is amended  
20 in the first sentence, by inserting “pecans,” after “wal-  
21 nuts,”.

22 **SEC. 9203. REPORT ON HONEY AND MAPLE SYRUP.**

23 Not later than 60 days after the date of the enact-  
24 ment of this Act, the Secretary of Agriculture shall submit  
25 to the Committee on Agriculture of the House of Rep-

representatives and the Committee on Agriculture, Nutrition,  
and Forestry of the Senate a report examining the effect  
of the final rule entitled “Food Labeling: Revision of the  
Nutrition and Supplement Facts Labels”, published in the  
Federal Register by the Food and Drug Administration  
on May 27, 2016 (81 Fed. Reg. 33742), (providing for  
updates to the nutrition facts panel on the labeling of  
packaged food) has on consumer perception regarding the  
“added sugar” statement required to be included on such  
panel by such final rule with respect to packaged food in  
which no sugar is added during processing, including pure  
honey and maple syrup.

## **TITLE X—CROP INSURANCE**

### **SEC. 10001. TREATMENT OF FORAGE AND GRAZING.**

(a) AVAILABILITY OF CATASTROPHIC RISK PROTECTION FOR CROPS AND GRASSES USED FOR GRAZING.—  
Section 508(b)(1) of the Federal Crop Insurance Act (7  
U.S.C. 1508(b)(1)) is amended—

(1) by striking “(A) IN GENERAL.—Except as  
provided in subparagraph (B), the” and inserting  
“The”; and

(2) by striking subparagraph (B).

(b) LIMITATION ON MULTIPLE BENEFITS FOR SAME  
LOSS.—Section 508(n)(2) of the Federal Crop Insurance  
Act (7 U.S.C. 1508(n)(2)) is amended by inserting before

1 the period the following: “or to coverage described in sec-  
2 tion 508D”.

3 (c) **COVERAGE FOR FORAGE AND GRAZING.**—The  
4 Federal Crop Insurance Act is amended by inserting after  
5 section 508C (7 U.S.C. 1508C) the following new section:  
6 **“SEC. 508D. COVERAGE FOR FORAGE AND GRAZING.**

7 “Notwithstanding section 508A, and in addition to  
8 any other available coverage, for crops that can be both  
9 grazed and mechanically harvested on the same acres dur-  
10 ing the same growing season, producers shall be allowed  
11 to purchase, and be independently indemnified on, sepa-  
12 rate policies for each intended use, as determined by the  
13 Corporation.”.

14 **SEC. 10002. ADMINISTRATIVE BASIC FEE.**

15 Section 508(b)(5)(A) of the Federal Crop Insurance  
16 Act (7 U.S.C. 1508(b)(5)(A)) is amended by striking  
17 “\$300” and inserting “\$500”.

18 **SEC. 10003. PREVENTION OF DUPLICATIVE COVERAGE.**

19 (a) **IN GENERAL.**—Section 508(c)(1) of the Federal  
20 Crop Insurance Act (7 U.S.C. 1508(c)(1)) is amended by  
21 adding at the end the following new subparagraph:

22 “(C) **INELIGIBLE CROPS AND ACRES.**—  
23 Crops for which the producer has elected under  
24 section 1117 of the Agriculture and Nutrition  
25 Act of 2018 to receive agriculture risk coverage

1           and acres that are enrolled in the stacked in-  
2           come protection plan under section 508B shall  
3           not be eligible for—

4                   “(i) coverage based on an area yield  
5                   and loss basis under paragraph (3)(A)(ii);  
6                   or

7                   “(ii) supplemental coverage under  
8                   paragraph (4)(C).”.

9           (b)       CONFORMING       AMENDMENTS.—Section  
10   508(c)(4)(C) of the Federal Crop Insurance Act (7 U.S.C.  
11   1508(c)(4)(C)) is amended—

12                   (1) by striking clause (iv); and

13                   (2) by redesignating clause (v) as clause (iv).

14   **SEC. 10004. REPEAL OF UNUSED AUTHORITY.**

15           (a) IN GENERAL.—Section 508(d) of the Federal  
16   Crop Insurance Act (7 U.S.C. 1508(d)) is amended—

17                   (1) by striking paragraph (3); and

18                   (2) by redesignating paragraph (4) as para-  
19   graph (3).

20           (b)       CONFORMING       AMENDMENTS.—Section  
21   508(a)(9)(B) of the Federal Crop Insurance Act (7 U.S.C.  
22   1508(a)(9)(B)) is amended—

23                   (1) in clause (i), by inserting “or” after the  
24   semicolon;

25                   (2) by striking clause (ii); and

1           (3) by redesignating clause (iii) as clause (ii).

2   **SEC. 10005. CONTINUED AUTHORITY.**

3           Section 508(g) of the Federal Crop Insurance Act (7  
4   U.S.C. 1508(g)) is amended by adding at the end the fol-  
5   lowing new paragraph:

6           “(6) CONTINUED AUTHORITY.—

7               “(A) IN GENERAL.—The Corporation shall  
8           establish—

9               “(i) underwriting rules that limit the  
10           decrease in the actual production history of  
11           a producer, at the election of the producer,  
12           to not more than 10 percent of the actual  
13           production history of the previous crop  
14           year provided that the production decline  
15           was the result of drought, flood, natural  
16           disaster, or other insurable loss (as deter-  
17           mined by the Corporation); and

18               “(ii) actuarially sound premiums to  
19           cover additional risk.

20           “(B) OTHER AUTHORITY.—The authority  
21           provided under subparagraph (A) is in addition  
22           to any other authority that adjusts the actual  
23           production history of the producer under this  
24           Act.

1           “(C) EFFECT.—Nothing in this paragraph  
 2           shall be construed to require a change in the  
 3           carrying out of any provision of this Act as the  
 4           Act was carried out for the 2018 reinsurance  
 5           year.”.

6 **SEC. 10006. PROGRAM ADMINISTRATION.**

7           Section 516(b)(2)(C)(i) of the Federal Crop Insur-  
 8           ance Act (7 U.S.C. 1516(b)(2)(C)(i)) is amended by strik-  
 9           ing “\$9,000,000” and inserting “\$7,000,000”.

10 **SEC. 10007. MAINTENANCE OF POLICIES.**

11           (a) Section 522(b) of the Federal Crop Insurance Act  
 12           (7 U.S.C. 1522(b)) is amended—

13                   (1) in paragraph (1), by amending subpara-  
 14           graph (B) to read as follows:

15                           “(B) REIMBURSEMENT.—

16                                   “(i) IN GENERAL.—An applicant who  
 17                                   submits a policy under section 508(h) shall  
 18                                   be eligible for the reimbursement of rea-  
 19                                   sonable and actual research and develop-  
 20                                   ment costs directly related to the policy if  
 21                                   the policy is approved by the Board for  
 22                                   sale to producers.

23                                   “(ii) REASONABLE COSTS.—For the  
 24                                   purpose of reimbursing research and devel-  
 25                                   opment and maintenance costs under this



1 section, costs of the applicant shall be con-  
2 sidered reasonable and actual costs if the  
3 costs are based on—

4 “(I) wage rates equal to 2 times  
5 the hourly wage rate plus benefits, as  
6 provided by the Bureau of Labor Sta-  
7 tistics for the year in which such costs  
8 are incurred, calculated using the for-  
9 mula applied to an applicant by the  
10 Corporation in reviewing proposed  
11 project budgets under this section on  
12 October 1, 2016; or

13 “(II) actual documented costs in-  
14 curred by the applicant.”; and

15 (2) in paragraph (4)—

16 (A) in subparagraph (C), by striking “ap-  
17 proved insurance provider” and inserting “ap-  
18 plicant”; and

19 (B) in subparagraph (D)—

20 (i) in clause (i), by striking “deter-  
21 mined by the approved insurance provider”  
22 and inserting “determined by the appli-  
23 cant”;

24 (ii) by striking clause (ii) and insert-  
25 ing the following new clauses:

1                   “(ii) APPROVAL.—Subject to clause  
2                   (iii), the Board shall approve the amount  
3                   of a fee determined under clause (i) unless  
4                   the Board determines, based on substantial  
5                   evidence in the record, that the amount of  
6                   the fee unnecessarily inhibits the use of the  
7                   policy.

8                   “(iii) CONSIDERATION.—The Board  
9                   shall not disapprove a fee on the basis of—

10                   “(I) a comparison to mainte-  
11                   nance fees paid with respect to the  
12                   policy; or

13                   “(II) the potential for the fee to  
14                   result in a financial gain or loss to the  
15                   applicant based on the number of poli-  
16                   cies sold.”.

17                   (b) APPLICABILITY.—

18                   (1) IN GENERAL.—The amendments made by  
19                   this section shall apply to reimbursement requests  
20                   made on or after October 1, 2016.

21                   (2) RESUBMISSION OF DENIED REQUEST.—An  
22                   applicant that was denied all or a portion of a reim-  
23                   bursement request under paragraph (1) of section  
24                   522(b) of the Federal Crop Insurance Act (7 U.S.C.  
25                   1522(b)) during the period between October 1, 2016

1 and the date of the enactment of this Act shall be  
2 given an opportunity to resubmit such request.

3 **SEC. 10008. RESEARCH AND DEVELOPMENT PRIORITIES.**

4 (a) REPEAL OF CERTAIN RESEARCH AND DEVELOP-  
5 MENT ACTIVITIES.—Section 522(c) of the Federal Crop  
6 Insurance Act (7 U.S.C. 1522(c)) is amended—

7 (1) by striking paragraphs (7) through (18);

8 (2) by striking paragraphs (20) through (23);

9 and

10 (3) by redesignating paragraphs (19) and (24)

11 as paragraphs (7) and (8), respectively.

12 (b) WHOLE FARM APPLICATION TO BEGINNING  
13 FARMERS AND RANCHERS.—Paragraph (7) of section  
14 522(c) of the Federal Crop Insurance Act (7 U.S.C.  
15 1522(c)), as redesignated by subsection (a), is amended  
16 by adding at the end the following new subparagraph:

17 “(E) BEGINNING FARMER OR RANCHER DE-  
18 FINED.—Notwithstanding section 502(b)(3), with re-  
19 spect to plans described under this paragraph, the  
20 term ‘beginning farmer or rancher’ means a farmer  
21 or rancher who has not actively operated and man-  
22 aged a farm or ranch with a bona fide insurable in-  
23 terest in a crop or livestock as an owner-operator,  
24 landlord, tenant, or sharecropper for more than 10  
25 crop years.”.

1       (c) RESEARCH AND DEVELOPMENT PRIORITIES.—  
2 Section 522(c) of the Federal Crop Insurance Act (7  
3 U.S.C. 1522(c)) as amended by subsection (a), is further  
4 amended by adding at the end the following new para-  
5 graphs:

6           “(9) TROPICAL STORM OR HURRICANE INSUR-  
7 ANCE.—

8           “(A) IN GENERAL.—The Corporation shall  
9 offer to enter into 1 or more contracts with  
10 qualified entities to carry out research and de-  
11 velopment regarding a policy to insure crops,  
12 including tomatoes, peppers, and citrus, against  
13 losses due to a tropical storm or hurricane.

14           “(B) RESEARCH AND DEVELOPMENT.—  
15 Research and development with respect to the  
16 policy required under subparagraph (A) shall—

17           “(i) evaluate the effectiveness of a  
18 risk management tool for a low frequency,  
19 catastrophic loss weather event; and

20           “(ii) provide protection for production  
21 or revenue losses, or both.

22           “(10) SUBSURFACE IRRIGATION PRACTICES.—  
23 The Corporation shall offer to enter into a contract  
24 with a qualified entity to conduct research and de-  
25 velopment regarding the creation of a separate prac-

1       tice for subsurface irrigation, including the establish-  
2       ment of a separate transitional yield within the  
3       county that is reflective of the average gain in pro-  
4       ductivity and yield associated with the installation of  
5       a subsurface irrigation system.

6               “(11) STUDY AND REPORT ON GRAIN SORGHUM  
7       RATES AND YIELDS.—

8               “(A) STUDY.—The Corporation shall con-  
9       tract with a qualified entity to conduct a study  
10      to assess the difference in rates, average yields,  
11      and coverage levels of grain sorghum policies as  
12      compared to other feed grains within a county.

13              “(B) REPORT.—Not later than 1 year  
14      after the date of enactment of this paragraph,  
15      the Corporation shall submit to the Committee  
16      on Agriculture of the House of Representatives  
17      and the Committee on Agriculture, Nutrition,  
18      and Forestry of the Senate a report that de-  
19      scribes the results of the study conducted under  
20      subparagraph (A).

21              “(12) QUALITY LOSSES.—

22              “(A) IN GENERAL.—The Corporation shall  
23      offer to enter into a contract with a qualified  
24      entity to conduct research and development re-  
25      garding the establishment of an alternative

1 method of adjusting for quality losses that does  
 2 not impact the average production history of  
 3 producers.

4 “(B) REQUIREMENTS.—Notwithstanding  
 5 subsections (g) and (m) of section 508, if the  
 6 Corporation uses any method developed as a re-  
 7 sult of the contract described in subparagraph  
 8 (A) to adjust for quality losses, such method  
 9 shall be—

10 “(i) optional for producers to elect to  
 11 use; and

12 “(ii) offered at an actuarially sound  
 13 premium rate.”.

14 **SEC. 10009. EXTENSION OF FUNDING FOR RESEARCH AND**  
 15 **DEVELOPMENT.**

16 Section 522 of the Federal Crop Insurance Act (7  
 17 U.S.C. 1522) is amended—

18 (1) by striking subsection (d);

19 (2) in subsection (e)(2)(A)—

20 (A) by striking “under subsections (c) and  
 21 (d)” and inserting “under subsection (c)” ; and

22 (B) by striking “not more than  
 23 \$12,500,000 for fiscal year 2008 and each sub-  
 24 sequent fiscal year.” and inserting the fol-  
 25 lowing: “not more than—

1 “(i) \$12,500,000 for fiscal year 2008  
2 through 2018; and”; and

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

4 “(ii) \$8,000,000 for fiscal year 2019  
5 and each fiscal year thereafter.”; and

6 (3) by redesignating subsection (e), as so  
7 amended, as subsection (d).

8 **SEC. 10010. EDUCATION AND RISK MANAGEMENT ASSIST-**  
9 **ANCE.**

10 Section 524 of the Federal Crop Insurance Act (7  
11 U.S.C. 1524) is amended to read as follows:

12 **“SEC. 524. EDUCATION AND RISK MANAGEMENT ASSIST-**  
13 **ANCE.**

14 “(a) EDUCATION ASSISTANCE.—Subject to the  
15 amounts made available under subsection (d), the Sec-  
16 retary, acting through the National Institute of Food and  
17 Agriculture, shall carry out the program established under  
18 subsection (b).

19 “(b) PARTNERSHIPS FOR RISK MANAGEMENT EDU-  
20 CATION.—

21 “(1) AUTHORITY.—The Secretary, acting  
22 through the National Institute of Food and Agri-  
23 culture, shall establish a program under which com-  
24 petitive grants are made to qualified public and pri-  
25 vate entities (including land-grant colleges, coopera-

1        tive extension services, and colleges or universities),  
2        as determined by the Secretary, for the purpose of  
3        educating agricultural producers about the full range  
4        of risk management activities, including futures, op-  
5        tions, agricultural trade options, crop insurance,  
6        cash forward contracting, debt reduction, production  
7        diversification, farm resources risk reduction, farm  
8        financial benchmarking, and other risk management  
9        strategies.

10        “(2) BASIS FOR GRANTS.—A grant under this  
11        subsection shall be awarded on the basis of merit  
12        and shall be subject to peer or merit review.

13        “(3) OBLIGATION PERIOD.—Funds for a grant  
14        under this subsection shall be available to the Sec-  
15        retary for obligation for a 2-year period.

16        “(4) ADMINISTRATIVE COSTS.—The Secretary  
17        may use not more than 4 percent of the funds made  
18        available for grants under this subsection for admin-  
19        istrative costs incurred by the Secretary in carrying  
20        out this subsection.

21        “(c) REQUIREMENTS.—In carrying out the program  
22        established under subsection (b), the Secretary shall place  
23        special emphasis on risk management strategies (including  
24        farm financial benchmarking), education, and outreach  
25        specifically targeted at—



1 “(1) beginning farmers or ranchers;

2 “(2) legal immigrant farmers or ranchers that  
3 are attempting to become established producers in  
4 the United States;

5 “(3) socially disadvantaged farmers or ranch-  
6 ers; and

7 “(4) farmers or ranchers that—

8 “(A) are preparing to retire;

9 “(B) are using transition strategies to help  
10 new farmers or ranchers get started; and

11 “(C) new or established farmers or ranch-  
12 ers that are converting production and mar-  
13 keting systems to pursue new markets.

14 “(d) FUNDING.—From the insurance fund estab-  
15 lished under section 516(c), there is transferred for the  
16 partnerships for risk management education program es-  
17 tablished under subsection (b) \$5,000,000 for fiscal year  
18 2018 and each subsequent fiscal year.”.

## 19 **TITLE XI—MISCELLANEOUS**

### 20 **Subtitle A—Livestock**

#### 21 **SEC. 11101. ANIMAL DISEASE PREPAREDNESS AND RE-** 22 **SPONSE.**

23 (a) NATIONAL ANIMAL DISEASE PREPAREDNESS  
24 AND RESPONSE PROGRAM.—The Animal Health Protec-

tion Act is amended by inserting after section 10409A (7 U.S.C. 8308A) the following new section:

**“SEC. 10409B. NATIONAL ANIMAL DISEASE PREPAREDNESS  
AND RESPONSE PROGRAM.**

“(a) PROGRAM REQUIRED.—The Secretary shall establish a program, to be known as the ‘National Animal Disease Preparedness and Response Program’, to address the increasing risk of the introduction and spread of animal pests and diseases affecting the economic interests of the livestock and related industries of the United States, including the maintenance and expansion of export markets.

“(b) ELIGIBLE ENTITIES.—To carry out the National Animal Disease Preparedness and Response Program, the Secretary shall offer to enter into cooperative agreements, or other legal instruments, with eligible entities, to be selected by the Secretary, which may include any of the following entities, either individually or in combination:

“(1) A State department of agriculture.

“(2) The office of the chief animal health official of a State.

“(3) A land-grant college or university or NLGCA Institution (as those terms are defined in section 1404 of the National Agricultural Research,

1 Extension, and Teaching Policy Act of 1977 (7  
2 U.S.C. 3103)).

3 “(4) A college of veterinary medicine, including  
4 a veterinary emergency team at such college.

5 “(5) A State or national livestock producer or-  
6 ganization with direct and significant economic in-  
7 terest in livestock production.

8 “(6) A State emergency agency.

9 “(7) A State, national, allied, or regional veteri-  
10 nary organization or specialty board recognized by  
11 the American Veterinary Medical Association.

12 “(8) An Indian Tribe (as defined in section 4  
13 of the Indian Self-Determination and Education As-  
14 sistance Act (25 U.S.C. 5304)).

15 “(9) A Federal agency.

16 “(c) ACTIVITIES.—

17 “(1) PROGRAM ACTIVITIES.—Activities under  
18 the National Animal Disease Preparedness and Re-  
19 sponse Program shall include, to the extent prac-  
20 ticable, the following:

21 “(A) Enhancing animal pest and disease  
22 analysis and surveillance.

23 “(B) Expanding outreach and education.

1           “(C) Targeting domestic inspection activi-  
2 ties at vulnerable points in the safeguarding  
3 continuum.

4           “(D) Enhancing and strengthening threat  
5 identification and technology.

6           “(E) Improving biosecurity.

7           “(F) Enhancing emergency preparedness  
8 and response capabilities, including training ad-  
9 ditional emergency response personnel.

10          “(G) Conducting technology development  
11 and enhancing electronic sharing of animal  
12 health data for risk analysis between State and  
13 Federal animal health officials.

14          “(H) Enhancing the development and ef-  
15 fectiveness of animal health technologies to  
16 treat and prevent animal disease, including—

17               “(i) veterinary biologics and  
18 diagnostics;

19               “(ii) animal drugs for minor use and  
20 minor species; and

21               “(iii) animal medical devices.

22          “(I) Such other activities as determined  
23 appropriate by the Secretary, in consultation  
24 with eligible entities specified in subsection (b).

1           “(2) PRIORITIES.—In entering into cooperative  
2           agreements or other legal instruments under sub-  
3           section (b), the Secretary shall give priority to appli-  
4           cations submitted by—

5                   “(A) a State department of agriculture or  
6                   an office of the chief animal health official of a  
7                   State; or

8                   “(B) an eligible entity that will carry out  
9                   program activities in a State or region—

10                           “(i) in which an animal pest or dis-  
11                           ease is a Federal concern; or

12                           “(ii) which the Secretary determines  
13                           has potential for the spread of an animal  
14                           pest or disease after taking into consider-  
15                           ation—

16                                   “(I) the agricultural industries in  
17                                   the State or region;

18                                   “(II) factors contributing to ani-  
19                                   mal disease or pest in the State or re-  
20                                   gion, such as the climate, natural re-  
21                                   sources, and geography of, and native  
22                                   and exotic wildlife species and other  
23                                   disease vectors in, the State or region;  
24                                   and

1                   “(III) the movement of animals  
2                   in the State or region.

3                   “(3) CONSULTATION.—For purposes of setting  
4                   priorities under this subsection, the Secretary shall  
5                   consult with eligible entities specified in subsection  
6                   (b). The Federal Advisory Committee Act (5 U.S.C.  
7                   App.) shall not apply to consultation carried out  
8                   under this paragraph.

9                   “(d) APPLICATION.—

10                  “(1) IN GENERAL.—An eligible entity specified  
11                  in subsection (b) seeking to enter into a cooperative  
12                  agreement, or other legal instrument, under the Na-  
13                  tional Animal Disease Preparedness and Response  
14                  Program shall submit to the Secretary an applica-  
15                  tion containing such information as the Secretary  
16                  may require.

17                  “(2) NOTIFICATION.—The Secretary shall no-  
18                  tify each applicant of—

19                         “(A) the requirements to be imposed on  
20                         the recipient of funds under the Program for  
21                         auditing of, and reporting on, the use of such  
22                         funds; and

23                         “(B) the criteria to be used to ensure ac-  
24                         tivities supported using such funds are based on

1           sound scientific data or thorough risk assess-  
2           ments.

3           “(3) NON-FEDERAL CONTRIBUTIONS.—When  
4           deciding whether to enter into an agreement or other  
5           legal instrument under the Program with an eligible  
6           entity described in subsection (b), the Secretary—

7                   “(A) may take into consideration an eligi-  
8                   ble entity’s ability to contribute non-Federal  
9                   funds to carry out such a cooperative agree-  
10                  ment or other legal instrument under the Pro-  
11                  gram; and

12                   “(B) shall not require such an entity to  
13                  make such a contribution.

14           “(e) USE OF FUNDS.—

15                   “(1) USE CONSISTENT WITH TERMS OF COOP-  
16                   ERATIVE AGREEMENT.—The recipient of funds  
17                   under the National Animal Disease Preparedness  
18                   and Response Program shall use the funds for the  
19                   purposes and in the manner provided in the coopera-  
20                   tive agreement, or other legal instrument, under  
21                   which the funds are provided.

22                   “(2) SUB-AGREEMENT.—Nothing in this section  
23                   prevents an eligible entity from using funds received  
24                   under the Program to enter into sub-agreements  
25                   with political subdivisions of State that have legal

1 responsibilities relating to animal disease prevention,  
2 surveillance, or rapid response.

3 “(f) REPORTING REQUIREMENT.—Not later than 90  
4 days after the date of completion of an activity conducted  
5 using funds provided under the National Animal Disease  
6 Preparedness and Response Program, the recipient of  
7 such funds shall submit to the Secretary a report that de-  
8 scribes the purposes and results of the activities.”.

9 (b) NATIONAL ANIMAL HEALTH VACCINE BANK.—  
10 The Animal Health Protection Act (7 U.S.C. 8301 et seq.)  
11 is amended by inserting after section 10409B, as added  
12 by subsection (a), the following new section:

13 **“SEC. 10409C. NATIONAL ANIMAL HEALTH VACCINE BANK.**

14 “(a) ESTABLISHMENT.—The Secretary shall estab-  
15 lish a national vaccine bank (to be known as the ‘National  
16 Animal Health Vaccine Bank’) for the benefit of the do-  
17 mestic interests of the United States and to help protect  
18 the United States agriculture and food system against ter-  
19 rorist attack, major disaster, and other emergencies.

20 “(b) ELEMENTS OF VACCINE BANK.—Through the  
21 National Animal Health Vaccine Bank, the Secretary  
22 shall—

23 “(1) maintain sufficient quantities of animal  
24 vaccine, antiviral, therapeutic, or diagnostic products  
25 to appropriately and rapidly respond to an outbreak



1 of those animal diseases that would have the most  
2 damaging effect on human health or the United  
3 States economy; and

4 “(2) leverage, when appropriate, the mecha-  
5 nisms and infrastructure that have been developed  
6 for the management, storage, and distribution of the  
7 National Veterinary Stockpile of the Animal and  
8 Plant Health Inspection Service.

9 “(c) PRIORITY FOR RESPONSE TO FOOT AND MOUTH  
10 DISEASE.—The Secretary shall prioritize the acquisition  
11 of sufficient quantities of foot and mouth disease vaccine,  
12 and accompanying diagnostic products, for the National  
13 Animal Health Vaccine Bank. As part of such  
14 prioritization, the Secretary shall consider contracting  
15 with one or more entities that are capable of producing  
16 foot and mouth disease vaccine and that have surge pro-  
17 duction capacity of the vaccine.”.

18 (c) FUNDING.—

19 (1) IN GENERAL.—Section 10417 of the Animal  
20 Health Protection Act (7 U.S.C. 8316) is amended  
21 by adding at the end the following new subsection:

22 “(d) AVAILABILITY OF FUNDS FOR SPECIFIED PUR-  
23 POSES.—

24 “(1) MANDATORY FUNDING.—

1           “(A) FISCAL YEAR 2019.—Of the funds of  
2           the Commodity Credit Corporation, the Sec-  
3           retary shall make available for fiscal year 2019  
4           \$250,000,000 to carry out sections 10409A,  
5           10409B, and 10409C, of which—

6                   “(i) \$30,000,000 shall be made avail-  
7                   able to carry out the National Animal  
8                   Health Laboratory Network under section  
9                   10409A;

10                   “(ii) \$70,000,000 shall be made avail-  
11                   able to carry out the National Animal Dis-  
12                   ease Preparedness and Response Program  
13                   under section 10409B; and

14                   “(iii) \$150,000,000 shall be made  
15                   available to establish and maintain the Na-  
16                   tional Animal Health Vaccine Bank under  
17                   section 10409C.

18           “(B) SUBSEQUENT FISCAL YEARS.—Of the  
19           funds of the Commodity Credit Corporation, the  
20           Secretary shall make available to carry out sec-  
21           tions 10409A, 10409B, and 10409C,  
22           \$50,000,000 for each of fiscal years 2020  
23           through 2023, of which not less than  
24           \$30,000,000 shall be made available for each of  
25           those fiscal years to carry out the National Ani-

mal Disease Preparedness and Response Program under section 10409B.

“(2) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds made available under subparagraphs (A)(i) and (B) of paragraph (1) and funds authorized to be appropriated by subsection (a), there are authorized to be appropriated \$15,000,000 for each of fiscal years 2019 through 2023 to carry out the National Animal Health Laboratory Network under section 10409A.

“(3) ADMINISTRATIVE COSTS.—Of the funds made available under subparagraphs (A)(i), (A)(ii), and (B) of paragraph (1) to carry out the National Animal Health Laboratory Network under section 10409A and the National Animal Disease Preparedness and Response Program under section 10409B, not more than 4 percent may be retained by the Secretary to pay administrative costs incurred by the Secretary. Of the funds made available under subparagraphs (A)(ii) and (B) of such paragraph to carry out the National Animal Disease Preparedness and Response Program under section 10409B, not more than 10 percent may be retained by an eligible entity to pay administrative costs incurred by the eligible entity to carry out such program.

1           “(4) DURATION OF AVAILABILITY.—Funds  
2       made available under this subsection, including any  
3       proceeds credited under paragraph (5), shall remain  
4       available until expended.

5           “(5) PROCEEDS FROM VACCINE SALES.—Any  
6       proceeds of a sale of vaccine or antigen from the Na-  
7       tional Animal Health Vaccine Bank shall be—

8                 “(A) deposited into the Treasury of the  
9       United States; and

10                “(B) credited to the account for the oper-  
11       ation of the National Animal Health Vaccine  
12       Bank to be made available for expenditure with-  
13       out further appropriation.

14           “(6) LIMITATIONS ON USE OF FUNDS FOR CER-  
15       TAIN PURPOSES.—Funds made available under the  
16       National Animal Health Laboratory Network, the  
17       National Animal Disease Preparedness and Re-  
18       sponse Program, and the National Animal Health  
19       Vaccine Bank shall not be used for the construction  
20       of a new building or facility or the acquisition or ex-  
21       pansion of an existing building or facility, including  
22       site grading and improvement and architect fees.”.

23           (2) CONFORMING AMENDMENTS.—

24                (A) SECTION HEADING.—The heading of  
25       section 10417 of the Animal Health Protection

1 Act (7 U.S.C. 8316) is amended to read as fol-  
2 lows:

3 **“SEC. 10417. FUNDING.”.**

4 (B) OTHER AMENDMENTS.—Section 10417  
5 of the Animal Health Protection Act (7 U.S.C.  
6 8316) is further amended—

- 7 (i) in subsection (a), by striking “IN  
8 GENERAL” and inserting “GENERAL AU-  
9 THORIZATION OF APPROPRIATIONS”; and  
10 (ii) in subsection (c), by striking “to  
11 carry out this subtitle” and inserting “pur-  
12 suant to the authorization of appropria-  
13 tions in subsection (a)”.

14 (3) REPEAL OF SEPARATE AUTHORIZATION OF  
15 NATIONAL ANIMAL HEALTH LABORATORY NET-  
16 WORK.—Section 10409A of the Animal Health Pro-  
17 tection Act (7 U.S.C. 8308A(d)) is amended by  
18 striking subsection (d).

19 **SEC. 11102. NATIONAL AQUATIC ANIMAL HEALTH PLAN.**

20 Section 11013(d) of the Food, Conservation, and En-  
21 ergy Act of 2008 (7 U.S.C. 8322(d)) is amended by strik-  
22 ing “2018” and inserting “2023”.

23 **SEC. 11103. VETERINARY TRAINING.**

24 Section 10504 of the Farm Security and Rural In-  
25 vestment Act of 2002 (7 U.S.C. 8318) is amended—

1           (1) by inserting “and veterinary teams, includ-  
2           ing those based at colleges of veterinary medicine,”  
3           after “veterinarians”; and

4           (2) by inserting before the period at the end the  
5           following: “and who are capable of providing effec-  
6           tive services before, during, and after emergencies”.

7   **SEC. 11104. REPORT ON FSIS GUIDANCE AND OUTREACH TO**  
8           **SMALL MEAT PROCESSORS.**

9           Not later than one year after the date of the enact-  
10          ment of this Act, the Inspector General of the Department  
11          of Agriculture shall submit to the Secretary a report on  
12          the effectiveness of existing Food Safety and Inspection  
13          Service guidance materials and other tools used by small  
14          and very small establishments, as defined by regulations  
15          issued by the Food Safety and Inspection Service, as in  
16          effect on such date of enactment, including—

17               (1) an evaluation of the effectiveness of the out-  
18               reach conducted by the Food Safety and Inspection  
19               Service to small and very small establishments;

20               (2) an evaluation of the effectiveness of the  
21               guidance materials and other tools used by the Food  
22               Safety and Inspection Service to assist small and  
23               very small establishments;

24               (3) an evaluation of the responsiveness of Food  
25               Safety and Inspection Service personnel to inquiries

1 and issues from small and very small establishments;  
2 and

3 (4) recommendations on measures the Food  
4 Safety and Inspection Service should take to im-  
5 prove regulatory clarity and consistency and ensure  
6 all guidance materials and other tools take into ac-  
7 count small and very small establishments.

8 **SEC. 11105. REGIONAL CATTLE AND CARCASS GRADING**  
9 **CORRELATION AND TRAINING CENTERS.**

10 (a) IN GENERAL.—The Secretary shall establish not  
11 more than three regional centers, to be known as “Cattle  
12 and Carcass Grading Correlation and Training Centers”  
13 (referred to in this section as the “Centers”), to provide  
14 education and training for cattle and carcass beef graders  
15 of the Agricultural Marketing Service, cattle producers,  
16 and other professionals involved in the reporting, delivery,  
17 and grading of feeder cattle, live cattle, and carcasses—

18 (1) to limit the subjectivity in the application of  
19 beef grading standards;

20 (2) to provide producers with greater confidence  
21 in the price of the producers’ cattle; and

22 (3) to provide investors with both long and  
23 short positions more assurance in the cattle delivery  
24 system.

1 (b) LOCATION.—The Centers shall be located near  
2 cattle feeding and slaughter populations and areas shall  
3 be strategically identified in order to capture regional  
4 variances in cattle production.

5 (c) ADMINISTRATION.—Each Center shall be orga-  
6 nized and administered by offices of the Department of  
7 Agriculture in operation on the date on which the respec-  
8 tive Center is established, or in coordination with other  
9 appropriate Federal agencies or academic institutions.

10 (d) TRAINING PROGRAM.—The Centers shall offer in-  
11 tensive instructional programs involving classroom and  
12 field training work for individuals described in subsection  
13 (a).

14 (e) COORDINATION OF RESOURCES.—Each Center,  
15 in carrying out the functions of the Center, shall make  
16 use of information generated by the Department of Agri-  
17 culture, the State agricultural extension and research sta-  
18 tions, relevant designated contract markets, and the prac-  
19 tical experience of area cattle producers, especially cattle  
20 producers cooperating in on-farm demonstrations, correla-  
21 tions, and research projects.

22 (f) PROHIBITION ON CONSTRUCTION.—Funds made  
23 available to carry out this section shall not be used for  
24 the construction of a new building or facility or the acqui-  
25 sition, expansion, remodeling, or alteration of an existing



1 building or facility (including site grading and improve-  
 2 ment, and architect fees). Notwithstanding the preceding  
 3 sentence, the Secretary may use funds made available to  
 4 carry out this section to provide a Center with payment  
 5 for the cost of the rental of a space determined to be nec-  
 6 essary by the Center for conducting training under this  
 7 section and may accept donations (including in-kind con-  
 8 tributions) to cover such cost.

9 (g) EFFECTIVE DATE.—This section shall take effect  
 10 on October 1, 2018.

11 **Subtitle B—Beginning, Socially**  
 12 **Disadvantaged, and Veteran**  
 13 **Producers**

14 **SEC. 11201. OUTREACH AND ASSISTANCE FOR SOCIALLY**  
 15 **DISADVANTAGED FARMERS AND RANCHERS**  
 16 **AND VETERAN FARMERS AND RANCHERS.**

17 Section 2501(a)(4) of the Food, Agriculture, Con-  
 18 servation, and Trade Act of 1990 (7 U.S.C. 2279(a)(4))  
 19 is amended—

20 (1) in subparagraph (A)—

21 (A) in the heading, by striking “2018” and  
 22 inserting “2023”; and

23 (B) in clause (iii), by striking “2018” and  
 24 inserting “2023”;

1           (2) by redesignating subparagraph (E) as sub-  
2       paragraph (F);

3           (3) by inserting after subparagraph (D) the fol-  
4       lowing new subparagraph:

5           “(E) PRIORITY.—In making grants and  
6       entering into contracts and other agreements  
7       under this section, the Secretary shall give pri-  
8       ority to projects that—

9           “(i) deliver agricultural education to  
10       youth under the age of 18 in underserved  
11       and underrepresented communities;

12          “(ii) provide youth under the age of  
13       18 with agricultural employment or volun-  
14       teer opportunities, or both; and

15          “(iii) demonstrate experience in pro-  
16       viding such education or opportunities to  
17       socially disadvantaged youth.”; and

18          (4) in subparagraph (F), as so redesignated, by  
19       striking “2018” and inserting “2023”.

20       **SEC. 11202. STATE BEGINNING FARMER AND RANCHER CO-**  
21       **ORDINATOR.**

22       Section 226 of the Department of Agriculture Reor-  
23       ganization Act of 1994 (7 U.S.C. 6934) is amended by  
24       adding at the end the following new subsection:

1       “(i) STATE BEGINNING FARMER AND RANCHER CO-  
2   ORDINATOR.—

3               “(1) IN GENERAL.—The Secretary shall des-  
4   ignate a State beginning farmer and rancher coordi-  
5   nator from among existing employees of the Farm  
6   Service Agency, the Natural Resources Conservation  
7   Service, the Risk Management Agency, the Rural  
8   Business-Cooperative Service, and the Rural Utilities  
9   Service.

10              “(2) TRAINING.—The Agency shall coordinate  
11   the development of a training plan so that each  
12   State coordinator shall receive sufficient training to  
13   have a general working knowledge of the programs  
14   and services available from each agency of the De-  
15   partment to assist beginning farmers and ranchers  
16   and be familiar with issues relating to beginning  
17   farmers and ranchers.

18              “(3) DUTIES.—The coordinator shall—

19                      “(A) coordinate technical assistance at the  
20   State level to help beginning farmers and  
21   ranchers gain access to programs of the De-  
22   partment;

23                      “(B) work with outreach coordinators in  
24   the State offices of the Farm Service Agency,  
25   the Natural Resources Conservation Service,

the Risk Management Agency, the Rural Business-Cooperative Service, and the Rural Utilities Service to ensure appropriate information about technical assistance is available at outreach events and activities; and

“(C) work with the Office of Partnerships and Public Engagement and regional, state, and local offices of the Department to facilitate partnerships and joint outreach efforts with State regional, state, and local organizations and key stakeholders serving beginning farmers and ranchers through contracts and cooperative agreements.”.

**SEC. 11203. OFFICE OF PARTNERSHIPS AND PUBLIC ENGAGEMENT.**

(a) CHANGING NAME OF OFFICE.—

(1) IN GENERAL.—Section 226B of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934) is amended—

(A) in the section heading, by striking “**ADVOCACY AND OUTREACH**” and inserting “**PARTNERSHIPS AND PUBLIC ENGAGEMENT**”;

(B) by striking “Advocacy and Outreach” each place it appears in subsections (a)(2),

1 (b)(1), and (d)(4)(B) and inserting “Partner-  
2 ships and Public Engagement”;

3 (2) REFERENCES.—Beginning on the date of  
4 the enactment of this Act, any reference to the Of-  
5 fice of Advocacy and Outreach established under sec-  
6 tion 226B of the Department of Agriculture Reorga-  
7 nization Act of 1994 (7 U.S.C. 6934) in any other  
8 provision of Federal law shall be deemed to be a ref-  
9 erence to the Office of Partnerships and Public En-  
10 gagement.

11 (b) INCREASING OUTREACH.—Section 226B of the  
12 Department of Agriculture Reorganization Act of 1994 (7  
13 U.S.C. 6934), as amended by subsection (a), is further  
14 amended—

15 (1) in subsection (b)(1)—

16 (A) in subparagraph (A), by striking  
17 “and” at the end;

18 (B) in subparagraph (B)—

19 (i) in clause (ii), by striking “and” at  
20 the end;

21 (ii) in clause (iii), by striking the pe-  
22 riod at the end and inserting “; and”; and

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

25 “(iv) limited resource producers;

1 “(v) veteran farmers and ranchers;  
2 and

3 “(vi) Tribal farmers and ranchers;  
4 and”; and

5 (C) by adding at the end the following new  
6 subparagraph:

7 “(C) to promote youth outreach.”; and  
8 (2) in subsection (c)—

9 (A) in the matter preceding paragraph (1),  
10 by inserting “veteran farmers and ranchers,  
11 Tribal farmers and ranchers,” after “beginning  
12 farmers or ranchers,”;

13 (B) in paragraph (1), by striking “or so-  
14 cially disadvantaged” and inserting “socially  
15 disadvantaged, veteran, or Tribal”; and

16 (C) in paragraph (5), by inserting “veteran  
17 farmers or ranchers, Tribal farmers or ranch-  
18 ers,” after “beginning farmers or ranchers,”.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
20 226B(f)(3)(B) of the Department of Agriculture Reorga-  
21 nization Act of 1994 (7 U.S.C. 6934(f)(3)(B)) is amended  
22 by striking “2018” and inserting “2023”.

1 **SEC. 11204. OFFICE OF TRIBAL RELATIONS.**

2 Section 309 of the Federal Crop Insurance Reform  
3 and Department of Agriculture Reorganization Act of  
4 1994 (7 U.S.C. 6921) is amended to read as follows:

5 **“SEC. 309. OFFICE OF TRIBAL RELATIONS.**

6 “(a) ESTABLISHMENT.—The Secretary shall main-  
7 tain in the Office of Partnerships and Public Engagement  
8 established under section 226B an Office of Tribal Rela-  
9 tions, which shall advise the Secretary on policies related  
10 to Indian tribes and carry out such other functions as the  
11 Secretary considers appropriate.

12 “(b) NEW BEGINNINGS INITIATIVE.—Not later than  
13 one year after the date of the enactment of the Agriculture  
14 and Nutrition Act of 2018, the Secretary shall establish,  
15 in consultation with the Office of Tribal Relations, an ini-  
16 tiative (to be known as the ‘New Beginnings Initiative’)  
17 under which the Secretary shall provide funds to a land-  
18 grant college or university in an amount equal to the  
19 amount of funds such land-grant college or university ex-  
20 pends for providing educational programs and services for,  
21 or tuition paid with respect to, Indians (as defined in sec-  
22 tion 4 of the Indian Self-Determination and Education As-  
23 sistance Act (25 U.S.C. 5304)) at such land-grant college  
24 or university.”.

1 **SEC. 11205. COMMISSION ON FARM TRANSITIONS—NEEDS**  
2 **FOR 2050.**

3 (a) ESTABLISHMENT.—There is established a com-  
4 mission to be known as the “Commission on Farm Transi-  
5 tions—Needs for 2050” (referred to in this section as the  
6 “Commission”).

7 (b) STUDY.—The Commission shall conduct a study  
8 on issues impacting the transition of agricultural oper-  
9 ations from established farmers and ranchers to the next  
10 generation of farmers and ranchers, including—

11 (1) access to, and availability of—

12 (A) quality land and necessary infrastruc-  
13 ture;

14 (B) affordable credit; and

15 (C) adequate risk management tools;

16 (2) agricultural asset transfer strategies in use  
17 as of the date of the enactment of this Act and im-  
18 provements to such strategies;

19 (3) incentives that may facilitate agricultural  
20 asset transfers to the next generation of farmers and  
21 ranchers, including recommendations for new Fed-  
22 eral tax policies to facilitate lifetime and estate  
23 transfers;

24 (4) the causes of the failures of such transi-  
25 tions, if any; and



1           (5) the status of programs and incentives pro-  
2       viding assistance with respect to such transitions in  
3       effect on the date of the enactment of this Act, and  
4       opportunities for the revision or modernization of  
5       such programs.

6       (c) MEMBERSHIP.—

7           (1) COMPOSITION.—The Commission shall be  
8       composed of 10 members as follows:

9           (A) 3 members appointed by the Secretary.

10          (B) 3 members appointed by the Com-  
11       mittee on Agriculture, Nutrition, and Forestry  
12       of the Senate.

13          (C) 3 members appointed by the Com-  
14       mittee on Agriculture of the House of Rep-  
15       resentatives.

16          (D) The Chief Economist of the Depart-  
17       ment of Agriculture.

18          (2) FEDERAL GOVERNMENT EMPLOYMENT.—In  
19       addition to the Chief Economist of the Department  
20       of Agriculture, the membership of the Commission  
21       may include 1 or more employees of the Department  
22       of Agriculture or other Federal agencies.

23          (3) DATE OF APPOINTMENTS.—The appoint-  
24       ment of a member of the Commission shall be made

1 not later than 60 days after the date of enactment  
2 of this Act.

3 (4) TERM; VACANCIES.—

4 (A) TERM.—A member shall be appointed  
5 for the life of the Commission.

6 (B) VACANCIES.—A vacancy on the Com-  
7 mission—

8 (i) shall not affect the powers of the  
9 Commission; and

10 (ii) shall be filled in the same manner  
11 as the original appointment was made.

12 (5) INITIAL MEETING.—Not later than 30 days  
13 after the date on which all members of the Commis-  
14 sion have been appointed, the Commission shall hold  
15 the initial meeting of the Commission.

16 (d) QUORUM.—A majority of the members of the  
17 Commission shall constitute a quorum for the transaction  
18 of business, but a lesser number of members may hold  
19 hearings.

20 (e) CHAIRPERSON.—The Secretary shall appoint 1 of  
21 the members of the Commission to serve as Chairperson  
22 of the Commission.

23 (f) REPORT.—Not later than 1 year after the date  
24 of enactment of this Act, the Commission shall submit to  
25 the President, the Committee on Agriculture of the House

1 of Representatives, and the Committee on Agriculture,  
2 Nutrition, and Forestry of the Senate a report containing  
3 the results of the study required by subsection (b), includ-  
4 ing such recommendations as the Commission considers  
5 appropriate.

6 (g) HEARINGS.—The Commission may hold such  
7 hearings, meet and act at such times and places, take such  
8 testimony, and receive such evidence as the Commission  
9 considers advisable to carry out this section.

10 (h) INFORMATION FROM FEDERAL AGENCIES.—The  
11 Commission may secure directly from a Federal agency  
12 such information as the Commission considers necessary  
13 to carry out this section. On request of the Chairperson  
14 of the Commission, the head of the agency shall provide  
15 the information to the Commission.

16 (i) POSTAL SERVICES.—The Commission may use  
17 the United States mail in the same manner and under the  
18 same conditions as other agencies of the Federal Govern-  
19 ment.

20 (j) ASSISTANCE FROM SECRETARY.—The Secretary  
21 may provide to the Commission appropriate office space  
22 and such reasonable administrative and support services  
23 as the Commission may request.

24 (k) COMPENSATION OF MEMBERS.—

1           (1) NON-FEDERAL EMPLOYEES.—A member of  
2           the Commission who is not an officer or employee of  
3           the Federal Government shall be compensated at a  
4           rate equal to the daily equivalent of the annual rate  
5           of basic pay prescribed for level IV of the Executive  
6           Schedule under section 5315 of title 5, United  
7           States Code, for each day (including travel time)  
8           during which the member is engaged in the perform-  
9           ance of the duties of the Commission.

10          (2) FEDERAL EMPLOYEES.—A member of the  
11          Commission who is an officer or employee of the  
12          Federal Government shall serve without compensa-  
13          tion in addition to the compensation received for the  
14          services of the member as an officer or employee of  
15          the Federal Government.

16          (3) TRAVEL EXPENSES.—A member of the  
17          Commission shall be allowed travel expenses, includ-  
18          ing per diem in lieu of subsistence, at rates author-  
19          ized for an employee of an agency under subchapter  
20          I of chapter 57 of title 5, United States Code, while  
21          away from the home or regular place of business of  
22          the member in the performance of the duties of the  
23          Commission.

24          (4) FEDERAL ADVISORY COMMITTEE ACT.—The Fed-  
25          eral Advisory Committee Act (5 U.S.C. App.) shall not

1 apply to the Commission or any proceeding of the Com-  
2 mission.

3 **SEC. 11206. AGRICULTURAL YOUTH ORGANIZATION COOR-**  
4 **DINATOR.**

5 Subtitle A of the Department of Agriculture Reorga-  
6 nization Act of 1994 is amended by inserting after section  
7 220 (7 U.S.C. 6920) the following new section:

8 **“SEC. 221. AGRICULTURAL YOUTH ORGANIZATION COORDI-**  
9 **NATOR.**

10 “(a) AUTHORIZATION.—The Secretary shall establish  
11 in the Department the position of Agricultural Youth Or-  
12 ganization Coordinator.

13 “(b) DUTIES.—The Agricultural Youth Organization  
14 Coordinator shall—

15 “(1) promote the role of youth-serving organiza-  
16 tions and school-based agricultural education in mo-  
17 tivating and preparing young people to pursue ca-  
18 reers in the agriculture, food, and natural resources  
19 systems;

20 “(2) work to help build awareness of the reach  
21 and importance of agriculture, across a diversity of  
22 fields and disciplines;

23 “(3) identify short-term and long-term interests  
24 of the Department and provide opportunities, re-  
25 sources, input, and coordination with programs and

1 agencies of the Department to youth-serving organi-  
2 zations and school-based agricultural education, in-  
3 cluding the development of internship opportunities;

4 “(4) share, internally and externally, the extent  
5 to which active steps are being taken to encourage  
6 collaboration with, and support of, youth-serving or-  
7 ganizations and school-based agricultural education;

8 “(5) provide information to young farmers con-  
9 cerning the availability of, and eligibility require-  
10 ments for, participation in agricultural programs,  
11 with particular emphasis on beginning farmer and  
12 rancher programs;

13 “(6) serve as a resource for assisting young  
14 farmers in applying for participation in agricultural  
15 programs; and

16 “(7) advocate on behalf of young farmers in  
17 interactions with employees of the Department.

18 “(c) CONTRACTS AND COOPERATIVE AGREE-  
19 MENTS.—For purposes of carrying out the duties under  
20 subsection (b), the Agricultural Youth Organization Coor-  
21 dinator shall consult with the cooperative extension and  
22 the land-grant university systems, and may enter into con-  
23 tracts or cooperative agreements with the research centers  
24 of the Agricultural Research Service, cooperative extension

1 and the land-grant university systems, non-land-grant col-  
 2 leges of agriculture, or nonprofit organizations for—

3 “(1) the conduct of regional research on the  
 4 profitability of small farms;

5 “(2) the development of educational materials;

6 “(3) the conduct of workshops, courses, and  
 7 certified vocational training;

8 “(4) the conduct of mentoring activities; or

9 “(5) the provision of internship opportunities.”.

## 10 **Subtitle C—Textiles**

### 11 **SEC. 11301. REPEAL OF PIMA AGRICULTURE COTTON** 12 **TRUST FUND.**

13 Effective December 31, 2018, the Agricultural Act of  
 14 2014 (7 U.S.C. 2101 note; Public Law 113–79) is amend-  
 15 ed by striking section 12314 (and by conforming the items  
 16 relating to such section in the table of sections accord-  
 17 ingly).

### 18 **SEC. 11302. REPEAL OF AGRICULTURE WOOL APPAREL** 19 **MANUFACTURERS TRUST FUND.**

20 Effective December 31, 2018, the Agricultural Act of  
 21 2014 (7 U.S.C. 2101 note; Public Law 113–79) is amend-  
 22 ed by striking section 12315 (and by conforming the items  
 23 relating to such section in the table of sections accord-  
 24 ingly).

1 **SEC. 11303. REPEAL OF WOOL RESEARCH AND PROMOTION**  
2 **GRANTS FUNDING.**

3 Effective December 31, 2018, the Agricultural Act of  
4 2014 (7 U.S.C. 2101 note; Public Law 113–79) is amend-  
5 ed by striking section 12316 (and by conforming the items  
6 relating to such section in the table of sections accord-  
7 ingly).

8 **SEC. 11304. TEXTILE TRUST FUND.**

9 (a) ESTABLISHMENT.—There is established in the  
10 Treasury of the United States a trust fund, to be known  
11 as the “Textile Trust Fund”, consisting of such amounts  
12 as may be transferred to the Textile Trust Fund pursuant  
13 to subsection (e), and to be used for the purposes of—

14 (1) reducing the injury to domestic manufactur-  
15 ers resulting from tariffs on cotton fabric that are  
16 higher than tariffs on certain apparel articles made  
17 of cotton fabric;

18 (2) reducing the injury to domestic manufactur-  
19 ers resulting from tariffs on wool products that are  
20 higher than tariffs on certain apparel articles made  
21 of wool products; and

22 (3) wool research and promotion.

23 (b) DISTRIBUTION OF FUNDS.—From amounts in  
24 the Textile Trust Fund, the Secretary shall make pay-  
25 ments annually, beginning in calendar year 2019, for each  
26 of calendar years 2019 through 2023 as follows:



1           (1) PIMA COTTON.—From amounts specified in  
2           subsection (e)(2)(A), the Secretary shall make pay-  
3           ments as follows:

4                   (A) Twenty-five percent of such amounts  
5                   for a calendar year shall be paid to one or more  
6                   nationally recognized associations established  
7                   for the promotion of pima cotton for use in tex-  
8                   tile and apparel goods.

9                   (B) Twenty-five percent of such amounts  
10                  for a calendar year shall be paid to yarn spin-  
11                  ners of pima cotton that produce ring spun cot-  
12                  ton yarns in the United States, to be allocated  
13                  to each spinner in an amount that bears the  
14                  same ratio as—

15                       (i) the spinner's production of ring  
16                       spun cotton yarns, measuring less than  
17                       83.33 decitex (exceeding 120 metric num-  
18                       ber) from pima cotton in single and plied  
19                       form during the previous calendar year (as  
20                       evidenced by an affidavit provided by the  
21                       spinner that meets the requirements of  
22                       subsection (c)(1)); bears to

23                       (ii) the production of the yarns de-  
24                       scribed in clause (i) during the previous

1           calendar year for all spinners who qualify  
2           under this subparagraph.

3           (C) Fifty percent of such amounts for a  
4           calendar year shall be paid to manufacturers  
5           who cut and sew cotton shirts in the United  
6           States who certify that they used imported cot-  
7           ton fabric during the previous calendar year, to  
8           be allocated to each such manufacturer in an  
9           amount that bears the same ratio as—

10                   (i) the dollar value (excluding duty,  
11                   shipping, and related costs) of imported  
12                   woven cotton shirting fabric of 80s or  
13                   higher count and 2-ply in warp purchased  
14                   by the manufacturer during the previous  
15                   calendar year (as evidenced by an affidavit  
16                   provided by the manufacturer that meets  
17                   the requirements of subsection (c)(2)) used  
18                   in the manufacturing of men's and boys'  
19                   cotton shirts; bears to

20                   (ii) the dollar value (excluding duty,  
21                   shipping, and related costs) of the fabric  
22                   described in clause (i) purchased during  
23                   the previous calendar year by all manufac-  
24                   turers who qualify under this subpara-  
25                   graph.

1           (2) WOOL MANUFACTURERS.—From amounts  
2       specified in subsection (e)(2)(B), the Secretary shall  
3       make payments as follows:

4           (A) To each eligible manufacturer under  
5       paragraph (3) of section 4002(c) of the Wool  
6       Suit and Textile Trade Extension Act of 2004  
7       (Public Law 108–429; 118 Stat. 2600), as  
8       amended by section 1633(c) of the Miscella-  
9       neous Trade and Technical Corrections Act of  
10      2006 (Public Law 109–280; 120 Stat. 1166)  
11      and section 325(b) of the Tax Extenders and  
12      Alternative Minimum Tax Relief Act of 2008  
13      (division C of Public Law 110–343; 122 Stat.  
14      3875), and any successor-in-interest to such a  
15      manufacturer as provided for under paragraph  
16      (4) of such section 4002(c), that submits an af-  
17      fidavit in accordance with subsection (c)(3) for  
18      the year of the payment for calendar years  
19      2019 through 2023, payments in amounts au-  
20      thorized under that paragraph.

21          (B) To each eligible manufacturer under  
22      paragraph (6) of such section 4002(c) for cal-  
23      endar years 2019 through 2023, payments in  
24      amounts authorized under that paragraph.

25      (c) AFFIDAVITS.—

1           (1) YARN SPINNERS.—The affidavit required by  
2       subsection (b)(1)(B)(i) for a calendar year is a nota-  
3       rized affidavit provided by an officer of a producer  
4       of ring spun yarns that affirms—

5           (A) that the producer used pima cotton  
6       during the year in which the affidavit is filed  
7       and during the previous calendar year to  
8       produce ring spun cotton yarns in the United  
9       States, measuring less than 83.33 decitex (ex-  
10      ceeding 120 metric number), in single and plied  
11      form;

12          (B) the quantity, measured in pounds, of  
13      ring spun cotton yarns, measuring less than  
14      83.33 decitex (exceeding 120 metric number),  
15      in single and plied form during the previous cal-  
16      endar year; and

17          (C) that the producer maintains sup-  
18      porting documentation showing the quantity of  
19      such yarns produced, and evidencing the yarns  
20      as ring spun cotton yarns, measuring less than  
21      83.33 decitex (exceeding 120 metric number),  
22      in single and plied form during the previous cal-  
23      endar year.

24      (2) SHIRTING MANUFACTURERS.—

1 (A) IN GENERAL.—The affidavit required  
2 by subsection (b)(1)(C)(i) for a calendar year is  
3 a notarized affidavit provided by an officer of a  
4 manufacturer of men’s and boys’ shirts that af-  
5 firms—

6 (i) that the manufacturer used im-  
7 ported cotton fabric during the year in  
8 which the affidavit is filed and during the  
9 previous calendar year, to cut and sew  
10 men’s and boys’ woven cotton shirts in the  
11 United States;

12 (ii) the dollar value of imported woven  
13 cotton shirting fabric of 80s or higher  
14 count and 2-ply in warp purchased by the  
15 manufacturer during the previous calendar  
16 year;

17 (iii) that the manufacturer maintains  
18 invoices along with other supporting docu-  
19 mentation (such as price lists and other  
20 technical descriptions of the fabric quali-  
21 ties) showing the dollar value of such fab-  
22 ric purchased, the date of purchase, and  
23 evidencing the fabric as woven cotton fab-  
24 ric of 80s or higher count and 2-ply in  
25 warp; and

1 (iv) that the fabric was suitable for  
2 use in the manufacturing of men's and  
3 boys' cotton shirts.

4 (B) DATE OF PURCHASE.—For purposes  
5 of the affidavit under subparagraph (A), the  
6 date of purchase shall be the invoice date, and  
7 the dollar value shall be determined excluding  
8 duty, shipping, and related costs.

9 (3) FILING DATE FOR AFFIDAVITS.—Any per-  
10 son required to provide an affidavit under this sec-  
11 tion shall file the affidavit with the Secretary or as  
12 directed by the Secretary for any of calendar years  
13 2019 through 2023, not later than March 15 of that  
14 calendar year.

15 (4) INCREASE IN PAYMENTS TO WOOL MANU-  
16 FACTURERS IN CASE OF EXPIRATION OF DUTY SUS-  
17 PENSIONS.—

18 (A) IN GENERAL.—In any calendar year in  
19 which the suspension of duty on wool products  
20 described in subparagraphs (B) and (C) is not  
21 in effect, the amount of any payment described  
22 in subsection (b)(2) to a manufacturer or suc-  
23 cessor-in-interest shall be increased by an  
24 amount the Secretary, after consultation with  
25 the Secretary of Commerce, determines is equal

1 to the amount the manufacturer or successor-  
2 in-interest would have saved during the cal-  
3 endar year of the payment if the suspension of  
4 duty on such wool products were in effect.

5 (B) SPECIAL RULE FOR CERTAIN FABRICS  
6 OF WORSTED WOOL.—

7 (i) IN GENERAL.—With respect to  
8 fabrics of worsted wool described in clause  
9 (ii), subparagraph (A) shall be applied by  
10 substituting “rate of duty on such wool  
11 products was 10 percent” for “suspension  
12 of duty on such wool products were in ef-  
13 fect”.

14 (ii) FABRICS OF WORSTED WOOL DE-  
15 SCRIBED.—Fabrics of worsted wool de-  
16 scribed in this paragraph are fabrics of  
17 worsted wool—

18 (I) with average fiber diameters  
19 greater than 18.5 micron; and

20 (II) containing 85 percent or  
21 more by weight of wool.

22 (C) COVERED WOOL PRODUCTS.—Sub-  
23 paragraph (A) applies with respect to the fol-  
24 lowing:

1 (i) Yarn, of combed wool, not put up  
2 for retail sale, containing 85 percent or  
3 more by weight of wool, formed with wool  
4 fibers having average diameters of 18.5  
5 micron or less.

6 (ii) Wool fiber, waste, garnetted stock,  
7 combed wool, or wool top, the foregoing  
8 having average fiber diameters of 18.5 mi-  
9 cron or less.

10 (iii) Fabrics of combed wool, con-  
11 taining 85 percent or more by weight of  
12 wool, with wool yarns of average fiber di-  
13 ameters of 18.5 micron or less, certified by  
14 the importer as suitable for use in making  
15 men's and boys' suits, suit-type jackets, or  
16 trousers and must be imported for the ben-  
17 efit of persons who cut and sew such cloth-  
18 ing in the United States.

19 (iv) Fabrics of combed wool, con-  
20 taining 85 percent or more by weight of  
21 wool, with wool yarns of average fiber di-  
22 ameters of 18.5 micron or less, certified by  
23 the importer as suitable for use in making  
24 men's and boys' suits, suit-type jackets, or  
25 trousers and must be imported for the ben-



1           efit of persons who weave worsted wool  
2           fabric suitable for use in such clothing in  
3           the United States.

4           (D) NO APPEAL OF DETERMINATIONS.—A  
5           determination of the Secretary under this para-  
6           graph shall be final and not subject to appeal  
7           or protest.

8           (d) TIMING FOR DISTRIBUTIONS.—The Secretary  
9           shall make a payment under subsection (b) for each of  
10          calendar years 2019 through 2023, not later than April  
11          15 of the year of the payment.

12          (e) FUNDING.—

13               (1) TRANSFER REQUIRED.—Of the funds of the  
14               Commodity Credit Corporation, the Secretary shall  
15               transfer to the Textile Trust Fund \$25,250,000 for  
16               each of calendar years 2019 through 2023.

17               (2) ALLOCATION OF FUNDS.—Of the funds  
18               transferred under paragraph (1) for a calendar  
19               year—

20                       (A) \$8,000,000 shall be available for dis-  
21                       tribution under subsection (b)(1);

22                       (B) \$15,000,000 shall be available for dis-  
23                       tribution under subsection (b)(2); and

24                       (C) notwithstanding subsection (f) of sec-  
25                       tion 506 of the Trade and Development Act of

1           2000 (7 U.S.C. 7101 note; Public Law 106–  
 2           200), \$2,250,000 shall be available to provide  
 3           grants described in subsection (d) of such sec-  
 4           tion.

5           (3) SHEEP PRODUCTION AND MARKETING.—In  
 6           addition to funds made available under paragraph  
 7           (1), of the funds of the Commodity Credit Corpora-  
 8           tion, the Secretary shall use to carry out section 209  
 9           of the Agricultural Marketing Act of 1946 (7 U.S.C.  
 10          1627a), \$2,000,000 for fiscal year 2019, to remain  
 11          available until expended.

12          (4) DURATION OF AVAILABILITY.—Amounts  
 13          transferred to the Textile Trust Fund pursuant to  
 14          this subsection shall remain available until expended.

## 15       **Subtitle D—United States Grain** 16       **Standards Act**

### 17       **SEC. 11401. RESTORING CERTAIN EXCEPTIONS TO UNITED** 18       **STATES GRAIN STANDARDS ACT.**

19          (a) IN GENERAL.—Grain handling facilities described  
 20          in subsection (b) may, on or before the date that is 180  
 21          days after the date of the enactment of this Act, restore  
 22          a prior exception with an official agency designated under  
 23          the rule entitled “Exceptions to Geographic Areas for Offi-  
 24          cial Agencies Under the USGSA” published by the De-

1 partment of Agriculture in the Federal Register on April  
2 18, 2003 (68 Fed. Reg. 19137) if—

3 (1) such grain handling facility and official  
4 agency agree to restore such prior exception; and

5 (2) such grain handling facility notifies the Sec-  
6 retary of Agriculture of—

7 (A) the exception described in paragraph  
8 (1); and

9 (B) the effective date of such exception.

10 (b) ELIGIBLE GRAIN HANDLING FACILITIES.—Sub-  
11 section (a) shall apply with respect to grain handling fa-  
12 cilities that were—

13 (1) granted exceptions pursuant to the rule  
14 specified in subsection (a); and

15 (2) had such exceptions revoked on or after  
16 September 30, 2015.

17 (c) NO UNILATERAL TERMINATION ALLOWED.—Be-  
18 ginning on the date of the enactment of this Act, a nonuse  
19 of service exception may only be terminated if two or more  
20 parties to such exception, including the grain handling fa-  
21 cility, are in joint agreement with respect to such termi-  
22 nation.

1       **Subtitle E—Noninsured Crop**  
2       **Disaster Assistance Program**

3   **SEC. 11501. ELIGIBLE CROPS.**

4       Section 196(a)(2) of the Federal Agriculture Im-  
5   provement and Reform Act of 1996 (7 U.S.C. 7333(a)(2))  
6   is amended by striking subparagraph (A) and inserting  
7   the following new subparagraph:

8               “(A) IN GENERAL.—Subject to subpara-  
9               graph (B), in this section, the term ‘eligible  
10              crop’ means each commercial crop or other ag-  
11              ricultural commodity that is produced for food  
12              or fiber (except livestock) for which catastrophic  
13              risk protection under subsection (b) of section  
14              508 of the Federal Crop Insurance Act (7  
15              U.S.C. 1508) and additional coverage under  
16              subsections (c) and (h) of such section are not  
17              available or, if such coverage is available, it is  
18              only available under a policy that provides cov-  
19              erage for specific intervals based on weather in-  
20              dexes or under a whole farm plan of insur-  
21              ance.”.

22   **SEC. 11502. SERVICE FEE.**

23       Section 196(k)(1) of the Federal Agriculture Im-  
24   provement and Reform Act of 1996 (7 U.S.C. 7333(k)(1))  
25   is amended—

1 (1) in subparagraph (A), by striking “\$250”  
 2 and inserting “\$350”; and

3 (2) in subparagraph (B)—

4 (A) by striking “\$750” and inserting  
 5 “\$1,050”; and

6 (B) by striking “\$1,875” and inserting  
 7 “\$2,100”.

8 **SEC. 11503. PAYMENTS EQUIVALENT TO ADDITIONAL COV-**  
 9 **ERAGE.**

10 (a) **PREMIUMS.**—Section 196(l)(2)(B)(i) of the Fed-  
 11 eral Agriculture Improvement and Reform Act of 1996 (7  
 12 U.S.C. 7333(l)(2)(B)(i)) is amended—

13 (1) by striking “and” at the end of subclause  
 14 (IV);

15 (2) by striking “or” at the end of subclause (V)  
 16 and inserting “and”; and

17 (3) by adding at the end the following new sub-  
 18 clause:

19 “(VI) the producer’s share of the  
 20 crop; or”.

21 (b) **ADDITIONAL AVAILABILITY OF COVERAGE.**—Sec-  
 22 tion 196(l) of the Federal Agriculture Improvement and  
 23 Reform Act of 1996 (7 U.S.C. 7333(l)) is amended—

24 (1) by striking paragraph (3); and

1           (2) by redesignating paragraphs (4) and (5) as  
2           paragraphs (3) and (4), respectively.

3           (c) PERIOD OF AVAILABILITY.—Paragraph (4) of  
4           section 196(l) of the Federal Agriculture Improvement  
5           and Reform Act of 1996 (7 U.S.C. 7333(l)), as redesign-  
6           nated by subsection (b)(2), is amended—

7           (1) by striking “Except as provided in para-  
8           graph (3)(A), additional” and inserting “Addi-  
9           tional”; and

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

## 11           **Subtitle F—Other Matters**

### 12   **SEC. 11601. UNDER SECRETARY OF AGRICULTURE FOR** 13           **FARM PRODUCTION AND CONSERVATION.**

14          (a) REFERENCES TO FORMER UNDER SECRETARY  
15          OF AGRICULTURE FOR FARM AND FOREIGN AGRICUL-  
16          TURAL SERVICES.—

17          (1) FOOD AID CONSULTATIVE GROUP.—Section  
18          205(b) of the Food for Peace Act (7 U.S.C.  
19          1725(b)) is amended by striking paragraph (2) and  
20          inserting the following new paragraph:

21               “(2) the Under Secretary of Agriculture for  
22               Trade and Foreign Agricultural Affairs;”.

23          (2) OFFICE OF RISK MANAGEMENT.—Section  
24          226A(d)(1) of the Department of Agriculture Reor-  
25          ganization Act of 1994 (7 U.S.C. 6933(d)(1)) is

1 amended by striking “Under Secretary of Agri-  
2 culture for Farm and Foreign Agricultural Services”  
3 and inserting “Under Secretary of Agriculture for  
4 Farm Production and Conservation”.

5 (3) MULTIAGENCY TASK FORCE.—Section  
6 242(b)(3) of the Department of Agriculture Reorga-  
7 nization Act of 1994 (7 U.S.C. 6952(b)(3)) is  
8 amended by striking “Under Secretary for Farm  
9 and Foreign Agricultural Services” and inserting  
10 “Under Secretary of Agriculture for Trade and For-  
11 eign Agricultural Affairs”.

12 (4) INTERAGENCY COMMITTEE ON MINORITY  
13 CAREERS IN INTERNATIONAL AFFAIRS.—Section  
14 625(c)(1)(A) of the Higher Education Act of 1965  
15 (20 U.S.C. 1131c(c)(1)(A)) is amended by striking  
16 “Under Secretary for Farm and Foreign Agricul-  
17 tural Services” and inserting “Under Secretary of  
18 Agriculture for Trade and Foreign Agricultural Af-  
19 fairs”.

20 (b) REFERENCES TO OTHER DESIGNATED DEPART-  
21 MENT OFFICIALS.—

22 (1) DEFINITIONS UNDER CONSOLIDATED FARM  
23 AND RURAL DEVELOPMENT ACT.—Section  
24 343(a)(13)(D) of the Agricultural Act of 1961 (7  
25 U.S.C. 1991(a)(13)(D)) is amended—

1 (A) in clause (ii)—

2 (i) by inserting “(or other official des-  
3 ignated by the Secretary)” after “Under  
4 Secretary for Rural Development”; and

5 (ii) by inserting “or designated offi-  
6 cial” after “Under Secretary” each other  
7 place it appears; and

8 (B) in clause (iii)—

9 (i) by inserting “(or other official des-  
10 ignated by the Secretary)” after “Under  
11 Secretary for Rural Development”; and

12 (ii) in subclauses (III) and (IV), by  
13 inserting “or designated official” after  
14 “Under Secretary” both places it appears.

15 (2) NATIONAL SHEEP INDUSTRY IMPROVEMENT  
16 CENTER.—Section 210(f)(3)(B)(i) of the Agricul-  
17 tural Marketing Act of 1946 (7 U.S.C.  
18 1627b(f)(3)(B)(i)) is amended by inserting “(or  
19 other official designated by the Secretary of Agri-  
20 culture)” after “Under Secretary of Agriculture for  
21 Rural Development”.

22 (3) INTERTRIBAL TOURISM DEMONSTRATION  
23 PROJECTS.—Section 6(a)(2)(A) of the Native Amer-  
24 ican Business Development, Trade Promotion, and  
25 Tourism Act of 2000 (25 U.S.C. 4305(a)(2)(A)) is



1       amended by inserting “(or other official designated  
2       by the Secretary of Agriculture)” after “Under Sec-  
3       retary of Agriculture for Rural Development”.

4               (4) STATE PLANS FOR VOCATIONAL REHABILI-  
5       TATION SERVICES.—Section 101(a)(11)(C) of the  
6       Rehabilitation Act of 1973 (29 U.S.C.  
7       721(a)(11)(C)) is amended by inserting “(or other  
8       official designated by the Secretary of Agriculture)”  
9       after “Under Secretary for Rural Development of  
10      the Department of Agriculture”.

11 **SEC. 11602. AUTHORITY OF SECRETARY TO CARRY OUT**  
12               **CERTAIN PROGRAMS UNDER DEPARTMENT**  
13               **OF AGRICULTURE REORGANIZATION ACT OF**  
14               **1994.**

15      Section 296(b)(8) of the Department of Agriculture  
16      Reorganization Act of 1994 (7 U.S.C. 7014(b)(8)) is  
17      amended by inserting “, section 772 of the Agriculture,  
18      Rural Development, Food and Drug Administration, and  
19      Related Agencies Appropriations Act, 2018, or the Agri-  
20      culture and Nutrition Act of 2018” before the period at  
21      the end.

1 **SEC. 11603. CONFERENCE REPORT REQUIREMENT THRESH-**  
2 **OLD.**

3 Section 14208(a)(3)(A) of the Food, Conservation,  
4 and Energy Act of 2008 (7 U.S.C. 2255b(a)(3)(A)) is  
5 amended by striking “\$10,000” and inserting “\$75,000”.

6 **SEC. 11604. NATIONAL AGRICULTURE IMAGERY PROGRAM.**

7 (a) IN GENERAL.—The Secretary of Agriculture, act-  
8 ing through the Administrator of the Farm Service Agen-  
9 cy, shall carry out a national agriculture imagery program  
10 to annually acquire aerial imagery during agricultural  
11 growing seasons from the continental United States.

12 (b) DATA.—The aerial imagery acquired under this  
13 section shall—

14 (1) consist of high resolution processed digital  
15 imagery;

16 (2) be made available in a format that can be  
17 provided to Federal, State, and private sector enti-  
18 ties;

19 (3) be technologically compatible with  
20 geospatial information technology; and

21 (4) be consistent with the standards established  
22 by the Federal Geographic Data Committee.

23 (c) SUPPLEMENTAL SATELLITE IMAGERY.—The Sec-  
24 retary of Agriculture may supplement the aerial imagery  
25 collected under this section with satellite imagery.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to carry out this section  
3 \$23,000,000 for fiscal year 2019 and each fiscal year  
4 thereafter.

5 **SEC. 11605. REPORT ON INCLUSION OF NATURAL STONE**  
6 **PRODUCTS IN COMMODITY PROMOTION, RE-**  
7 **SEARCH, AND INFORMATION ACT OF 1996.**

8 Not later than 180 days after the date of the enact-  
9 ment of this Act, the Secretary of Agriculture shall submit  
10 to the Committee on Agriculture of the House of Rep-  
11 resentatives a report examining the effect the establish-  
12 ment of a Natural Stone Research and Promotion Board  
13 pursuant to the Commodity Promotion, Research, and In-  
14 formation Act of 1996 (7 U.S.C. 7401 et seq.) would have  
15 on the natural stone industry, including how such a pro-  
16 gram would effect—

17 (1) research conducted on, and the promotion  
18 of, natural stone;

19 (2) the development and expansion of domestic  
20 markets for natural stone;

21 (3) economic activity of the natural stone indus-  
22 try subject to such a Board;

23 (4) economic development in rural areas; and

24 (5) benefits to consumers in the United States  
25 of natural stone products.

1 **SEC. 11606. SOUTH CAROLINA INCLUSION IN VIRGINIA/**  
2 **CAROLINA PEANUT PRODUCING REGION.**

3 Section 1308(c)(2)(B)(iii) of the Farm Security and  
4 Rural Investment Act of 2002 (7 U.S.C.  
5 7958(c)(2)(B)(iii)) is amended by striking “Virginia and  
6 North Carolina” and inserting “Virginia, North Carolina,  
7 and South Carolina”.

8 **SEC. 11607. ESTABLISHMENT OF FOOD LOSS AND WASTE**  
9 **REDUCTION LIAISON.**

10 Subtitle A of the Department of Agriculture Reorga-  
11 nization Act of 1994 (7 U.S.C. 6901 et seq.), as amended  
12 by section 11204, is further amended by adding at the  
13 end the following:

14 **“SEC. 222. FOOD LOSS AND WASTE REDUCTION LIAISON.**

15 “(a) ESTABLISHMENT.—The Secretary shall estab-  
16 lish within the Office of the Secretary a Food Loss and  
17 Waste Reduction Liaison to coordinate Federal programs  
18 to measure and reduce the incidence of food loss and waste  
19 in accordance with this section.

20 “(b) DUTIES.—The Food Loss and Waste Reduction  
21 Liaison shall—

22 “(1) coordinate food loss and waste reduction  
23 efforts with other Federal agencies, including the  
24 Environmental Protection Agency and the Food and  
25 Drug Administration;

1           “(2) support and promote Federal programs to  
2           measure and reduce the incidence of food loss and  
3           waste and increase food recovery;

4           “(3) provide information to, and serve as a re-  
5           source for, entities engaged in food loss and waste  
6           reduction and food recovery concerning the avail-  
7           ability of, and eligibility requirements for, participa-  
8           tion in Federal programs;

9           “(4) raise awareness of the liability protections  
10          afforded under the Bill Emerson Good Samaritan  
11          Food Donation Act (42 U.S.C. 1791) to persons en-  
12          gaged in food loss and waste reduction and food re-  
13          covery; and

14          “(5) make recommendations with respect to ex-  
15          panding food recovery efforts and reducing the inci-  
16          dence of food loss and waste.

17          “(c) COOPERATIVE AGREEMENTS.—For purposes of  
18          carrying out the duties under subsection (b), the Food  
19          Loss and Waste Reduction Liaison may enter into con-  
20          tracts or cooperative agreements with the research centers  
21          of the Research, Education, and Economics mission area,  
22          institutions of higher education (as defined in section 101  
23          of the Higher Education Act of 1965 (20 U.S.C. 1001)),  
24          or nonprofit organizations for—

25          “(1) the development of educational materials;

1           “(2) the conduct of workshops and courses; or  
2           “(3) the conduct of research on best practices  
3       with respect to food loss and waste reduction and  
4       food recovery.”.

5   **SEC. 11608. ESTABLISHMENT OF FOOD ACCESS LIAISON.**

6       (a) IN GENERAL.—Subtitle A of the Department of  
7   Agriculture Reorganization Act of 1994 (7 U.S.C. 6901  
8   et seq.), as amended by sections 11204 and 11607, is  
9   amended by adding at the end the following:

10   **“SEC. 223. FOOD ACCESS LIAISON.**

11       “(a) ESTABLISHMENT.—The Secretary shall estab-  
12   lish the position of Food Access Liaison to coordinate De-  
13   partment programs to reduce barriers to food access and  
14   monitor and evaluate the progress of such programs in  
15   accordance with this section.

16       “(b) DUTIES.—The Food Access Liaison shall—

17           “(1) coordinate the efforts of the Department,  
18       including regional offices, to experiment and con-  
19       sider programs and policies aimed at reducing bar-  
20       riers to food access for consumers, including but not  
21       limited to participants in nutrition assistance pro-  
22       grams;

23           “(2) provide outreach to entities engaged in ac-  
24       tivities to reduce barriers to food access in accord-

1       ance with the statutory authorization for each pro-  
2       gram;

3           “(3) provide outreach to entities engaged in ac-  
4       tivities to reduce barriers to food access, including  
5       retailers, markets, producers, and others involved in  
6       food production and distribution, with respect to the  
7       availability of, and eligibility for, Department pro-  
8       grams;

9           “(4) raise awareness of food access issues in  
10      interactions with employees of the Department;

11          “(5) make recommendations to the Secretary  
12      with respect to efforts to reduce barriers to food ac-  
13      cess; and

14          “(6) submit to Congress an annual report with  
15      respect to the efforts of the Department to reduce  
16      barriers to food access.”.

17      (b) TECHNICAL ASSISTANCE.—The Secretary shall  
18      provide technical assistance to entities that are partici-  
19      pants, or seek to participate, in Department of Agriculture  
20      programs related to reduction of barriers to food access.

21      **SEC. 11609. COTTON CLASSIFICATION SERVICES.**

22          Section 3a of the Act of March 3, 1927 (7 U.S.C.  
23      473a), is amended—

24           (1) by redesignating subsection (g) as sub-  
25      section (h); and

1           (2) by inserting after subsection (f) the fol-  
2       lowing new subsection:

3       “(g) **HIRING AUTHORITY.**—Notwithstanding any  
4 other provision of law, employees hired to provide cotton  
5 classification services pursuant to this section may work  
6 up to 240 calendar days in a service year and may be  
7 rehired non-competitively every year in the same or a suc-  
8 cessor position if they meet performance and conduct ex-  
9 pectations, as determined by the Secretary.”.

10 **SEC. 11610. CENTURY FARMS PROGRAM.**

11       The Secretary shall establish a program under which  
12 the Secretary recognizes any farm that—

13           (1) a State department of agriculture or similar  
14 statewide agricultural organization recognizes as a  
15 Century Farm; or

16           (2)(A) is defined as a farm or ranch under sec-  
17 tion 4284.902 of title 7, Code of Federal Regula-  
18 tions (as in effect on the date of enactment of this  
19 Act);

20           (B) has been in continuous operation for at  
21 least 100 years; and

22           (C) has been owned by the same family for at  
23 least 100 consecutive years, as verified through  
24 deeds, wills, abstracts, tax statements, or other simi-



1       lar legal documents considered appropriate by the  
2       Secretary.

3   **SEC. 11611. REPORT ON AGRICULTURAL INNOVATION.**

4       (a) IN GENERAL.—Not later than 180 days after the  
5   date of the enactment of this Act, the Secretary of Agri-  
6   culture, in consultation with the Administrator of the En-  
7   vironmental Protection Agency and the Commissioner of  
8   the Food and Drug Administration, shall prepare and sub-  
9   mit a report to the Committee on Agriculture of the House  
10  of Representatives and the Committee on Agriculture, Nu-  
11  trition, and Forestry of the Senate on plans for improving  
12  the Federal government’s policies and procedures with re-  
13  spect to gene editing and other precision plant breeding  
14  methods.

15       (b) CONTENT.—The report under subsection (a) shall  
16  include plans to implement measures designed to ensure  
17  that—

18           (1) the United States continues to provide a fa-  
19   vorable environment for research and development in  
20   precision plant breeding innovation and maintains  
21   its leadership with respect to that innovation;

22           (2) for plants for which premarket review is re-  
23   quired under the Plant Protection Act (7 U.S.C.  
24   7701 et seq.), the Federal Insecticide, Fungicide,  
25   and Rodenticide Act (7 U.S.C. 136), or the Federal

1 Food, Drug, and Cosmetic Act, the process for such  
2 review is designed—

3 (A) to minimize regulatory burden while  
4 assuring protection of public health and wel-  
5 fare; and

6 (B) to ensure that resources of the Depart-  
7 ment of Agriculture are focused on plants with  
8 less familiar characteristics, more complex risk  
9 pathways, or both;

10 (3) each agency referred to in subsection (a)  
11 recognizes that certain applications of gene editing  
12 in plants do not warrant such a premarket review  
13 process;

14 (4) each agency referred to in subsection (a)  
15 clearly communicates the rationale for the regulatory  
16 policies and decisions of such agency to the public  
17 through broadly available and easily accessible tools;

18 (5) categories of plants that are familiar and  
19 have a history of safe use be identified and exempted  
20 from such premarket review or be subject to an ex-  
21 pedited, independent premarket review process for  
22 which data requirements are reduced;

23 (6) regulatory processes of each agency referred  
24 to in subsection (a) are predictable, efficient, not du-

1        plicative, and designed to accommodate rapid ad-  
2        vances in plant breeding technology; and

3            (7) where Federal law provides for regulatory  
4        oversight of plant breeding technology by more than  
5        one Federal agency, the relevant Federal agencies  
6        enter into appropriate interagency agreements to  
7        shift responsibility for particular categories of plant  
8        products and regulatory activities for purposes of  
9        meeting the goals specified in paragraphs (1)  
10       through (6).

11   **SEC. 11612. REPORT ON DOG IMPORTATION.**

12        Not later than 180 days after the date of the enact-  
13       ment of this Act, the Secretary of Agriculture, in consulta-  
14       tion with the Secretary of Commerce, the Secretary of  
15       Health and Human Services, and the Secretary of Home-  
16       land Security, shall submit to the Committee on Agri-  
17       culture of the House of Representatives and the Com-  
18       mittee on Agriculture, Nutrition, and Forestry of the Sen-  
19       ate a report that contains the following information, with  
20       respect to the importation of dogs into the United States:

21            (1) An estimate of the number of dogs so im-  
22        ported each year.

23            (2) The number of dogs so imported for resale.

24            (3) The number of dogs for which such impor-  
25        tation for resale was requested but denied because

1       such importation failed to meet the requirements of  
2       section 18 of the Animal Welfare Act (7 U.S.C.  
3       2148).

4           (4) The Secretary's recommendations for Fed-  
5       eral statutory changes determined to be necessary  
6       for such importation for resale to meet the require-  
7       ments of such section.

8   **SEC. 11613. PROHIBITION ON SLAUGHTER OF DOGS AND**  
9           **CATS FOR HUMAN CONSUMPTION.**

10       The Animal Welfare Act (7 U.S.C. 2131 et seq.) is  
11   amended by adding at the end the following new section:

12   **“SEC. 30. PROHIBITION OF SLAUGHTER OF DOGS AND CATS**  
13           **FOR HUMAN CONSUMPTION.**

14       “(a) PROHIBITION.—No person may—

15           “(1) knowingly slaughter a dog or cat for  
16       human consumption; or

17           “(2) knowingly ship, transport, move, deliver,  
18       receive, possess, purchase, sell, or donate—

19           “(A) a dog or cat to be slaughtered for  
20       human consumption; or

21           “(B) dog or cat parts for human consump-  
22       tion.

23       “(b) PENALTY.—Any person who violates this section  
24   shall be subject to imprisonment for not more than 1 year,  
25   or a fine of not more than \$2,500, or both.

1       “(c) SCOPE.—Subsection (a) shall apply only with re-  
2 spect to conduct in or affecting interstate or foreign com-  
3 merce or within the special maritime and territorial juris-  
4 diction of the United States.

5       “(d) CONFLICT WITH STATE LAW.—This section  
6 shall not be construed to limit any State or local law or  
7 regulations protecting the welfare of animals or to prevent  
8 a State or local governing body from adopting and enforce-  
9 ing animal welfare laws and regulations that are more  
10 stringent than this section.”.

11 **SEC. 11614. CONSIDERATION OF THE TOTALITY OF CON-**  
12 **SERVATION MEASURES.**

13       Section 7(b)(3) of the Endangered Species Act of  
14 1973 (16 U.S.C. 1536(b)(3)) is amended by adding at the  
15 end the following:

16               “(C) In determining whether a Federal  
17 agency action is likely to jeopardize the contin-  
18 ued existence of any endangered species or  
19 threatened species or result in the destruction  
20 or adverse modification of the critical habitat of  
21 a species, the Secretary shall consider the off-  
22 setting effects of all avoidance, minimization,  
23 and other species-protection or conservation  
24 measures that are already in place or proposed  
25 to be implemented as part of the action, includ-

1           ing the development, improvement, protection,  
2           or management of species habitat whether or  
3           not it is designated as critical habitat of such  
4           species.”.

5 **SEC. 11615. DEPREDAATION PERMITS FOR BLACK VUL-**  
6 **TURES.**

7           (a) IN GENERAL.—The Secretary of the Interior, in  
8           conjunction with the Director of the United States Fish  
9           and Wildlife Service, may issue depredation permits to  
10          livestock farmers, authorizing takings of black vultures  
11          otherwise prohibited by Federal law to prevent such vul-  
12          tures from taking livestock during the calving season.

13          (b) LIMITED TO AFFECTED STATES OR REGIONS.—  
14          The Secretary may issue such permits only to livestock  
15          farmers in States and regions in which livestock farmers  
16          are affected by black vultures, as determined by Secretary  
17          in conjunction with the Director.

18          (c) REPORTING.—The Secretary shall require, as a  
19          condition of such a permit, that the permit holder shall  
20          report to the appropriate enforcement agencies the takings  
21          of black vultures under the permit.

22 **SEC. 11616. EXTENDING PROHIBITION ON ANIMAL FIGHT-**  
23 **ING TO THE TERRITORIES.**

24          (a) IN GENERAL.—Section 26 of the Animal Welfare  
25          Act (7 U.S.C. 2156) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “Except  
3 as provided in paragraph (3), it” and inserting  
4 “It”; and

5 (B) by striking paragraph (3);

6 (2) by striking subsection (d); and

7 (3) by redesignating subsections (e), (f), (g),  
8 (h), (i), and (j) as subsections (d), (e), (f), (g), (h),  
9 and (i), respectively.

10 (b) USE OF POSTAL SERVICE OR OTHER INTER-  
11 STATE INSTRUMENTALITIES.—Section 26(c) of the Ani-  
12 mal Welfare Act (7 U.S.C. 2156(c)) is amended by strik-  
13 ing “(e)” and inserting “(d)”.

14 (c) CRIMINAL PENALTIES.—Subsection (i) of section  
15 26 of the Animal Welfare Act (7 U.S.C. 2156), as redesign-  
16 nated by section 2(3), is amended by striking “(e)” and  
17 inserting “(d)”.

18 (d) ENFORCEMENT OF ANIMAL FIGHTING PROHIBI-  
19 TIONS.—Section 49(a) of title 18, United States Code, is  
20 amended by striking “(e)” and inserting “(d)”.

21 **SEC. 11617. WATERS OF THE UNITED STATES RULE.**

22 The final rule issued by the Administrator of the En-  
23 vironmental Protection Agency and the Secretary of the  
24 Army entitled “Clean Water Rule: Definition of ‘Waters  
25 of the United States’”, published on June 29, 2015 (80

1 Fed. Reg. 37054), is repealed, and any regulation or pol-  
2 icy revised under, or otherwise affected as a result of, that  
3 rule shall be applied as if that rule had not been issued.

## 4 **Subtitle G—Protecting Interstate** 5 **Commerce**

### 6 **SEC. 11701. PROHIBITION AGAINST INTERFERENCE BY** 7 **STATE AND LOCAL GOVERNMENTS WITH** 8 **PRODUCTION OR MANUFACTURE OF ITEMS** 9 **IN OTHER STATES.**

10 (a) IN GENERAL.—Consistent with article I, section  
11 8, clause 3 of the Constitution of the United States, the  
12 government of a State or locality therein shall not impose  
13 a standard or condition on the production or manufacture  
14 of any agricultural product sold or offered for sale in inter-  
15 state commerce if—

16 (1) such production or manufacture occurs in  
17 another State; and

18 (2) the standard or condition is in addition to  
19 the standards and conditions applicable to such pro-  
20 duction or manufacture pursuant to—

21 (A) Federal law; and

22 (B) the laws of the State and locality in  
23 which such production or manufacture occurs.

24 (b) AGRICULTURAL PRODUCT DEFINED.—In this  
25 section, the term “agricultural product” has the meaning



1 given such term in section 207 of the Agricultural Mar-  
2 keting Act of 1946 (7 U.S.C. 1626).

3 **SEC. 11702. FEDERAL CAUSE OF ACTION TO CHALLENGE**  
4 **STATE REGULATION OF INTERSTATE COM-**  
5 **MERCE.**

6 (a) PRIVATE RIGHT OF ACTION.—A person, includ-  
7 ing a producer, transporter, distributor, consumer, la-  
8 borer, trade association, the Federal Government, a State  
9 government, or a unit of local government, which is af-  
10 fected by a regulation of a State or unit of local govern-  
11 ment which regulates any aspect of an agricultural prod-  
12 uct, including any aspect of the method of production,  
13 which is sold in interstate commerce, or any means or in-  
14 strumentality through which such an agriculture product  
15 is sold in interstate commerce, may bring an action in the  
16 appropriate court to invalidate such a regulation and seek  
17 damages for economic loss resulting from such regulation.

18 (b) PRELIMINARY INJUNCTION.—Upon a motion of  
19 the plaintiff, the court shall issue a preliminary injunction  
20 to preclude the State or unit of local government from en-  
21 forcing the regulation at issue until such time as the court  
22 enters a final judgment in the case, unless the State or  
23 unit of local government proves by clear and convincing  
24 evidence that—

1           (1) the State or unit of local government is like-  
2       ly to prevail on the merits at trial; and

3           (2) the injunction would cause irreparable harm  
4       to the State or unit of local government.

5       (c) STATUTE OF LIMITATIONS.—No action shall be  
6       maintained under this section unless it is commenced  
7       within 10 years after the cause of action arose.

Passed the House of Representatives June 21, 2018.

Attest:

KAREN L. HAAS,

*Clerk.*



**Calendar No. 483**

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H. R. 2**

**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.

JUNE 21, 2018

Received; read twice and placed on the calendar