

115TH CONGRESS
2D 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.

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

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

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

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

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- Sec. 2. Definition of Secretary of Agriculture.

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- Sec. 1606. Assignment of payments.
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- Sec. 11611. Report on agricultural innovation.
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- 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.

4 **TITLE I—COMMODITIES**

5 **Subtitle A—Commodity Policy**

6 **SEC. 1111. DEFINITIONS.**

7 In this subtitle and subtitle B:

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

12 (2) **AGRICULTURE RISK COVERAGE.**—The term
13 “agriculture risk coverage” means coverage provided
14 under section 1117.

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

20 (4) **BASE ACRES.**—The term “base acres” has
21 the meaning given the term in section 1111(4)(A) of
22 the Agricultural Act of 2014 (7 U.S.C. 9011(4)(A)),

1 subject to any reallocation, adjustment, or reduction
2 under section 1112.

3 (5) COVERED COMMODITY.—The term “covered
4 commodity” means wheat, oats, and barley (includ-
5 ing wheat, oats, and barley used for haying and
6 grazing), corn, grain sorghum, long grain rice, me-
7 dium grain rice, pulse crops, soybeans, other oil-
8 seeds, seed cotton, and peanuts.

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

15 (7) EFFECTIVE REFERENCE PRICE.—The term
16 “effective reference price”, with respect to a covered
17 commodity for a crop year, means the lesser of the
18 following:

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

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

22 (i) the reference price for such cov-
23 ered commodity; or

24 (ii) 85 percent of the average of the
25 marketing year average price of the cov-

1 ered commodity for the most recent 5 crop
2 years, excluding each of the crop years
3 with the highest and lowest marketing year
4 average price.

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

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

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

21 (9) MARKETING YEAR AVERAGE PRICE.—The
22 term “marketing year average price” means the na-
23 tional average market price received by producers
24 during the 12-month marketing year for a covered
25 commodity, as determined by the Secretary.

1 (10) MEDIUM GRAIN RICE.—The term “medium
2 grain rice” includes short grain rice and temperate
3 japonica rice.

4 (11) OTHER OILSEED.—The term “other oil-
5 seed” means a crop of sunflower seed, rapeseed,
6 canola, safflower, flaxseed, mustard seed, crambe,
7 sesame seed, or any oilseed designated by the Sec-
8 retary.

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

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

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

19 (B) means the yield established under sec-
20 tion 1113.

21 (14) PRICE LOSS COVERAGE.—The term “price
22 loss coverage” means coverage provided under sec-
23 tion 1116.

24 (15) PRODUCER.—

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

7 (B) HYBRID SEED.—In determining
 8 whether a grower of hybrid seed is a producer,
 9 the Secretary shall—

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

12 (ii) ensure that program requirements
 13 do not adversely affect the ability of the
 14 grower to receive a payment under this
 15 title.

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

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

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

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

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

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

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

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

4 (G) For medium grain rice, \$14.00 per
5 hundredweight.

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

7 (I) For other oilseeds, \$20.15 per hundred-
8 weight.

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

10 (K) For dry peas, \$11.00 per hundred-
11 weight.

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

13 (M) For small chickpeas, \$19.04 per hun-
14 dredweight.

15 (N) For large chickpeas, \$21.54 per hun-
16 dredweight.

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

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

20 (19) SEED COTTON.—The term “seed cotton”
21 means unginned upland cotton that includes both
22 lint and seed.

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

24 (A) a State;

25 (B) the District of Columbia;

1 (C) the Commonwealth of Puerto Rico;
2 and

3 (D) any other territory or possession of the
4 United States.

5 (21) TEMPERATE JAPONICA RICE.—The term
6 “temperate japonica rice” means rice that is grown
7 in high altitudes or temperate regions of high lati-
8 tudes with cooler climate conditions, in the Western
9 United States, as determined by the Secretary, for
10 the purpose of—

11 (A) the establishment of a reference price
12 (as required under section 1116(g)) and an ef-
13 fective price pursuant to section 1116; and

14 (B) the determination of the actual crop
15 revenue and agriculture risk coverage guarantee
16 pursuant to section 1117.

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

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

24 (24) UNITED STATES PREMIUM FACTOR.—The
25 term “United States Premium Factor” means the

1 percentage by which the difference in the United
2 States loan schedule premiums for Strict Middling
3 (SM) 1¹/₈-inch upland cotton and for Middling (M)
4 1³/₃₂-inch upland cotton exceeds the difference in the
5 applicable premiums for comparable international
6 qualities.

7 **SEC. 1112. BASE ACRES.**

8 (a) ADJUSTMENT OF BASE ACRES.—

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

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

17 (B) Cropland is released from coverage
18 under a conservation reserve contract by the
19 Secretary.

20 (C) The producer has eligible oilseed acre-
21 age as the result of the Secretary designating
22 additional oilseeds, which shall be determined in
23 the same manner as eligible oilseed acreage
24 under section 1101(a)(1)(D) of the Food, Con-

1 servation, and Energy Act of 2008 (7 U.S.C.
2 8711(a)(1)(D)).

3 (2) SPECIAL CONSERVATION RESERVE ACREAGE
4 PAYMENT RULES.—For the crop year in which a
5 base acres adjustment under subparagraph (A) or
6 (B) of paragraph (1) is first made, the owner of the
7 farm shall elect to receive price loss coverage or ag-
8 riculture risk coverage with respect to the acreage
9 added to the farm under this subsection or a pro-
10 rated payment under the conservation reserve con-
11 tract, but not both.

12 (b) PREVENTION OF EXCESS BASE ACRES.—

13 (1) REQUIRED REDUCTION.—If the sum of the
14 base acres for a farm and the acreage described in
15 paragraph (2) exceeds the actual cropland acreage of
16 the farm, the Secretary shall reduce the base acres
17 for 1 or more covered commodities for the farm so
18 that the sum of the base acres and the acreage de-
19 scribed in paragraph (2) does not exceed the actual
20 cropland acreage of the farm.

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

23 (A) Any acreage on the farm enrolled in
24 the conservation reserve program or wetlands
25 reserve program (or successor programs) under

1 title XII of the Food Security Act of 1985 (16
2 U.S.C. 3801 et seq.).

3 (B) Any other acreage on the farm en-
4 rolled in a Federal conservation program for
5 which payments are made in exchange for not
6 producing an agricultural commodity on the
7 acreage.

8 (C) If the Secretary designates additional
9 oilseeds, any eligible oilseed acreage, which shall
10 be determined in the same manner as eligible
11 oilseed acreage under subsection (a)(1)(C).

12 (3) SELECTION OF ACRES.—The Secretary shall
13 give the owner of the farm the opportunity to select
14 the base acres for a covered commodity for the farm
15 against which the reduction required by paragraph
16 (1) will be made.

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

21 (c) REDUCTION IN BASE ACRES.—

22 (1) REDUCTION AT OPTION OF OWNER.—

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

1 (B) EFFECT OF REDUCTION.—A reduction
 2 under subparagraph (A) shall be permanent
 3 and made in a manner prescribed by the Sec-
 4 retary.

5 (2) REQUIRED ACTION BY SECRETARY.—

6 (A) IN GENERAL.—The Secretary shall
 7 proportionately reduce base acres on a farm for
 8 land that has been subdivided and developed for
 9 multiple residential units or other nonfarming
 10 uses if the size of the tracts and the density of
 11 the subdivision is such that the land is unlikely
 12 to return to the previous agricultural use, un-
 13 less the producers on the farm demonstrate
 14 that the land—

15 (i) remains devoted to commercial ag-
 16 ricultural production; or

17 (ii) is likely to be returned to the pre-
 18 vious agricultural use.

19 (B) REQUIREMENT.—The Secretary shall
 20 establish procedures to identify land described
 21 in subparagraph (A).

22 (3) TREATMENT OF UNPLANTED BASE.—In the
 23 case of a farm on which no covered commodities (in-
 24 cluding seed cotton) were planted or prevented from
 25 being planted during the period beginning on Janu-

ary 1, 2009, and ending on December 31, 2017, the Secretary shall allocate all base acres on the farm to unassigned crop base for which no payment shall be made under section 1116 or 1117.

(4) PROHIBITION ON RECONSTITUTION OF FARM.—The Secretary shall ensure that producers on a farm do not reconstitute the farm to void or change the treatment of base acres under this section.

SEC. 1113. PAYMENT YIELDS.

(a) TREATMENT OF DESIGNATED OILSEEDS.—

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

(2) PAYMENT YIELDS FOR DESIGNATED OILSEEDS.—In the case of designated oilseeds, the payment yield shall be equal to 90 percent of the average of the yield per planted acre for the most recent five crop years, as determined by the Secretary, excluding any crop year in which the acreage planted to the covered commodity was zero.

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

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

5 (1) ESTABLISHMENT BY SECRETARY.—In the
6 case of a covered commodity on a farm for which
7 base acres have been established, if no payment yield
8 is otherwise established for the covered commodity
9 on the farm, the Secretary shall establish an appro-
10 priate payment yield for the covered commodity on
11 the farm under paragraph (2).

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

21 (c) SINGLE OPPORTUNITY TO UPDATE YIELDS IN
22 COUNTIES AFFECTED BY DROUGHT.—

23 (1) ELECTION TO UPDATE.—In the case of a
24 farm that is physically located in a county in which
25 any area of the county was rated by the U.S.

1 Drought Monitor as having a D4 (exceptional
2 drought) intensity for 20 or more consecutive weeks
3 during the period beginning January 1, 2008, and
4 ending December 31, 2012, at the sole discretion of
5 the owner of such farm, the owner of a farm shall
6 have a 1-time opportunity to update, on a covered-
7 commodity-by-covered-commodity basis, the payment
8 yield that would otherwise be used in calculating any
9 price loss coverage payment for each covered com-
10 modity on the farm for which the election is made.

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

22 (3) USE OF COUNTY AVERAGE YIELD.—For the
23 purposes of determining the average yield under
24 paragraph (2), if the yield per planted acre for a
25 crop of a covered commodity for a farm for any of

1 the crop years specified in paragraph (2) was less
 2 than 75 percent of the average of county yields for
 3 those same years for that commodity, the Secretary
 4 shall assign a yield for that crop year equal to 75
 5 percent of the average of the 2013 through 2017
 6 county yield for the covered commodity.

7 (4) UPLAND COTTON CONVERSION.—In the
 8 case of seed cotton, for purposes of determining the
 9 average of the yield per planted acre under para-
 10 graph (2), the average yield for seed cotton per
 11 planted acre shall be equal to 2.4 times the average
 12 yield for upland cotton per planted acre.

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

17 **SEC. 1114. PAYMENT ACRES.**

18 (a) DETERMINATION OF PAYMENT ACRES.—Subject
 19 to subsection (d), for the purpose of price loss coverage
 20 and agriculture risk coverage, the payment acres for each
 21 covered commodity on a farm shall be equal to 85 percent
 22 of the base acres for the covered commodity on the farm.

23 (b) EFFECT OF MINIMAL PAYMENT ACRES.—

24 (1) PROHIBITION ON PAYMENTS.—Notwith-
 25 standing any other provision of this title, a producer

1 on a farm may not receive price loss coverage pay-
 2 ments or agriculture risk coverage payments if the
 3 sum of the base acres on the farm is 10 acres or
 4 less, as determined by the Secretary, unless the sum
 5 of the base acres on the farm, when combined with
 6 the base acres of other farms in which the producer
 7 has an interest, is more than 10 acres.

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

10 (A) a socially disadvantaged farmer or
 11 rancher (as defined in section 355(e) of the
 12 Consolidated Farm and Rural Development Act
 13 (7 U.S.C. 2003(e))); or

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

16 (c) EFFECT OF PLANTING FRUITS AND VEGETA-
 17 BLES.—

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

24 (2) PRICE LOSS COVERAGE AND AGRICULTURAL
 25 RISK COVERAGE.—In the case of price loss coverage

1 payments and agricultural risk coverage payments,
2 the reduction under paragraph (1) shall be the
3 amount equal to the base acres planted to crops re-
4 ferred to in such paragraph in excess of 15 percent
5 of base acres.

6 (3) REDUCTION EXCEPTIONS.—No reduction to
7 payment acres shall be made under this subsection
8 if—

9 (A) cover crops or crops referred to in
10 paragraph (1) are grown solely for conservation
11 purposes and not harvested for use or sale, as
12 determined by the Secretary; or

13 (B) in any region in which there is a his-
14 tory of double-cropping covered commodities
15 with crops referred to in paragraph (1) and
16 such crops were so double-cropped on the base
17 acres, as determined by the Secretary.

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

1 for purposes of any adjustment or reduction of base
2 acres for the farm under section 1112.

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

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

7 (2) section 1112(a) of the Agricultural Act of
8 2014 (7 U.S.C. 9012(a)).

9 **SEC. 1115. PRODUCER ELECTION.**

10 (a) ELECTION REQUIRED.—For the 2019 through
11 2023 crop years, all of the producers on a farm shall make
12 a 1-time, irrevocable election to obtain on a covered-com-
13 modity-by-covered-commodity basis—

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

15 (2) agriculture risk coverage under section
16 1117.

17 (b) EFFECT OF FAILURE TO MAKE UNANIMOUS
18 ELECTION.—If all the producers on a farm fail to make
19 a unanimous election under subsection (a) for the 2019
20 crop year—

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

24 (2) the producers on the farm shall be deemed
25 to have elected price loss coverage under section

1 1116 for all covered commodities on the farm for the
 2 2020 through 2023 crop years.

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

7 **SEC. 1116. PRICE LOSS COVERAGE.**

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

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

19 (2) the effective reference price for the covered
 20 commodity for the crop year.

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

23 (1) the marketing year average price; or

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

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

6 (1) the effective reference price for the covered
7 commodity; and

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

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

16 (1) the payment rate for the covered commodity
17 under subsection (c);

18 (2) the payment yield for the covered com-
19 modity; and

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

22 (e) TIME FOR PAYMENTS.—If the Secretary deter-
23 mines under this section that price loss coverage payments
24 are required to be provided for the covered commodity,
25 the payments shall be made beginning October 1, or as

1 soon as practicable thereafter, after the end of the applica-
 2 ble marketing year for the covered commodity.

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

6 (g) REFERENCE PRICE FOR TEMPERATE JAPONICA
 7 RICE.—In order to reflect price premiums, the Secretary
 8 shall provide a reference price with respect to temperate
 9 japonica rice in an amount equal to the amount estab-
 10 lished under subparagraph (F) of section 1111(17), as ad-
 11 justed by paragraph (7) of such section, multiplied by the
 12 ratio obtained by dividing—

13 (1) the simple average of the marketing year
 14 average price of medium grain rice from the 2012
 15 through 2016 crop years; by

16 (2) the simple average of the marketing year
 17 average price of all rice from the 2012 through 2016
 18 crop years.

19 **SEC. 1117. AGRICULTURE RISK COVERAGE.**

20 (a) AGRICULTURE RISK COVERAGE PAYMENTS.—If
 21 all of the producers on a farm make the election under
 22 section 1115(a) to obtain agriculture risk coverage, the
 23 Secretary shall make agriculture risk coverage payments
 24 to producers on the farm if the Secretary determines that,
 25 for any of the 2019 through 2023 crop years—

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

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

5 (b) ACTUAL CROP REVENUE.—The amount of the
6 actual crop revenue for a county for a crop year of a cov-
7 ered commodity shall be equal to the product obtained by
8 multiplying—

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

12 (2) the higher of—

13 (A) the marketing year average price; or

14 (B) the national average loan rate for a
15 marketing assistance loan for the covered com-
16 modity in effect for such crop year under sub-
17 title B.

18 (c) AGRICULTURE RISK COVERAGE GUARANTEE.—

19 (1) IN GENERAL.—The agriculture risk cov-
20 erage guarantee for a crop year for a covered com-
21 modity shall equal 86 percent of the benchmark rev-
22 enue.

23 (2) BENCHMARK REVENUE.—The benchmark
24 revenue shall be equal to the product obtained by
25 multiplying—

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

6 (B) subject to paragraph (4), the mar-
7 keting year average price for the most recent 5
8 crop years, excluding each of the crop years
9 with the highest and lowest prices.

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

19 (4) REFERENCE PRICE.—If the marketing year
20 average price for any of the 5 most recent crop
21 years is lower than the reference price for the cov-
22 ered commodity, the Secretary shall use the ref-
23 erence price for any of those years for the amounts
24 in paragraph (2)(B).

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

4 (1) the amount that—

5 (A) the agriculture risk coverage guarantee
6 for the crop year applicable under subsection
7 (c); exceeds

8 (B) the actual crop revenue for the crop
9 year applicable under subsection (b); or

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

12 (e) PAYMENT AMOUNT.—If agriculture risk coverage
13 payments are required to be paid for any of the 2019
14 through 2023 crop years, the amount of the agriculture
15 risk coverage payment for the crop year shall be deter-
16 mined by multiplying—

17 (1) the payment rate for the covered commodity
18 determined under subsection (d); and

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

21 (f) TIME FOR PAYMENTS.—If the Secretary deter-
22 mines that agriculture risk coverage payments are re-
23 quired to be provided for the covered commodity, pay-
24 ments shall be made beginning October 1, or as soon as

1 practicable thereafter, after the end of the applicable mar-
2 keting year for the covered commodity.

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

5 (1) to the maximum extent practicable, use all
6 available information and analysis, including data
7 mining, to check for anomalies in the determination
8 of agriculture risk coverage payments;

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

12 (3) assign an actual or benchmark county yield
13 for each planted acre for the crop year for the cov-
14 ered commodity—

15 (A) for a county for which county data col-
16 lected by the Risk Management Agency is suffi-
17 cient for the Secretary to offer a county-wide
18 insurance product using the actual average
19 county yield determined by the Risk Manage-
20 ment Agency; or

21 (B) for a county not described in subpara-
22 graph (A) using—

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

1 (ii) the yield history of representative
 2 farms in the State, region, or crop report-
 3 ing district, as determined by the Sec-
 4 retary; and

5 (4) make payments, as applicable, to producers
 6 using the payment rate of the county of the physical
 7 location of the base acres of a farm.

8 **SEC. 1118. PRODUCER AGREEMENTS.**

9 (a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

10 (1) REQUIREMENTS.—Before the producers on
 11 a farm may receive payments under this subtitle
 12 with respect to the farm, the producers shall agree,
 13 during the crop year for which the payments are
 14 made and in exchange for the payments—

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

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

22 (C) to effectively control noxious weeds
 23 and otherwise maintain the land in accordance
 24 with sound agricultural practices, as determined
 25 by the Secretary; and

1 (D) to use the land on the farm, in a
2 quantity equal to the attributable base acres for
3 the farm and any base acres for an agricultural
4 or conserving use, and not for a nonagricultural
5 commercial, industrial, or residential use, as de-
6 termined by the Secretary.

7 (2) COMPLIANCE.—The Secretary may issue
8 such rules as the Secretary considers necessary to
9 ensure producer compliance with the requirements of
10 paragraph (1).

11 (3) MODIFICATION.—At the request of the
12 transferee or owner, the Secretary may modify the
13 requirements of this subsection if the modifications
14 are consistent with the objectives of this subsection,
15 as determined by the Secretary.

16 (b) TRANSFER OR CHANGE OF INTEREST IN
17 FARM.—

18 (1) TERMINATION.—

19 (A) IN GENERAL.—Except as provided in
20 paragraph (2), a transfer of (or change in) the
21 interest of the producers on a farm for which
22 payments under this subtitle are provided shall
23 result in the termination of the payments, un-
24 less the transferee or owner of the acreage

1 agrees to assume all obligations under sub-
2 section (a).

3 (B) EFFECTIVE DATE.—The termination
4 shall take effect on the date determined by the
5 Secretary.

6 (2) EXCEPTION.—If a producer entitled to a
7 payment under this subtitle dies, becomes incom-
8 petent, or is otherwise unable to receive the pay-
9 ment, the Secretary shall make the payment in ac-
10 cordance with rules issued by the Secretary.

11 (c) ACREAGE REPORTS.—As a condition on the re-
12 ceipt of any benefits under this subtitle or subtitle B, the
13 Secretary shall require producers on a farm to submit to
14 the Secretary annual acreage reports with respect to all
15 cropland on the farm.

16 (d) EFFECT OF INACCURATE REPORTS.—No penalty
17 with respect to benefits under this subtitle or subtitle B
18 shall be assessed against a producer on a farm for an inac-
19 curate acreage report unless the Secretary determines that
20 the producer on the farm knowingly and willfully falsified
21 the acreage report.

22 (e) TENANTS AND SHARECROPPERS.—In carrying
23 out this subtitle, the Secretary shall provide adequate safe-
24 guards to protect the interests of tenants and share-
25 croppers.

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

5 **Subtitle B—Marketing Loans**

6 **SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING** 7 **ASSISTANCE LOANS FOR LOAN COMMOD-** 8 **ITIES.**

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

16 (b) NONRECOURSE LOANS AVAILABLE.—

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

22 (2) TERMS AND CONDITIONS.—The marketing
 23 assistance loans shall be made under terms and con-
 24 ditions that are prescribed by the Secretary and at

1 the loan rate established under section 1202 for the
2 loan commodity.

3 (c) ELIGIBLE PRODUCTION.—The producers on a
4 farm shall be eligible for a marketing assistance loan
5 under subsection (b) for any quantity of a loan commodity
6 produced on the farm.

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

16 (e) SPECIAL RULES FOR PEANUTS.—

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

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

1 (A) a designated marketing association or
2 marketing cooperative of producers that is ap-
3 proved by the Secretary; or

4 (B) the Farm Service Agency.

5 (3) STORAGE OF LOAN PEANUTS.—As a condi-
6 tion on the approval by the Secretary of an indi-
7 vidual or entity to provide storage for peanuts for
8 which a marketing assistance loan is made under
9 this section, the individual or entity shall agree—

10 (A) to provide the storage on a nondiscrim-
11 inatory basis; and

12 (B) to comply with such additional require-
13 ments as the Secretary considers appropriate to
14 accomplish the purposes of this section and pro-
15 mote fairness in the administration of the bene-
16 fits of this section.

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

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

1 (B) REDEMPTION AND FORFEITURE.—The

2 Secretary shall—

3 (i) require the repayment of handling
4 and other associated costs paid under sub-
5 paragraph (A) for all peanuts pledged as
6 collateral for a loan that is redeemed under
7 this section; and

8 (ii) pay storage, handling, and other
9 associated costs for all peanuts pledged as
10 collateral that are forfeited under this sec-
11 tion.

12 (5) MARKETING.—A marketing association or
13 cooperative may market peanuts for which a loan is
14 made under this section in any manner that con-
15 forms to consumer needs, including the separation of
16 peanuts by type and quality.

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

1 **SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING**
2 **ASSISTANCE LOANS.**

3 (a) IN GENERAL.—For purposes of each of the 2019
4 through 2023 crop years, the loan rate for a marketing
5 assistance loan under section 1201 for a loan commodity
6 shall be equal to the following:

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

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

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

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

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

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

19 (B) Except as provided in subparagraph (C),
20 the loan rate determined under subparagraph (A)
21 may not equal less than an amount equal to 98 per-
22 cent of the loan rate for base quality of upland cot-
23 ton for the preceding year.

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

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

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

2 (7) In the case of extra long staple cotton,
3 \$0.95 per pound.

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

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

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

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

12 (A) Sunflower seed.

13 (B) Rapeseed.

14 (C) Canola.

15 (D) Safflower.

16 (E) Flaxseed.

17 (F) Mustard seed.

18 (G) Crambe.

19 (H) Sesame seed.

20 (I) Other oilseeds designated by the Sec-
21 retary.

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

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

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

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

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

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

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

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

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

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

16 (c) RULE FOR SEED COTTON.—

17 (1) IN GENERAL.—For purposes of sections
18 1116(b)(2) and 1117(b)(2)(B) only, seed cotton
19 shall be deemed to have a loan rate equal to \$0.25
20 per pound.

21 (2) RULE OF CONSTRUCTION.—Nothing in this
22 subsection shall be construed to authorize non-
23 recourse marketing assistance loans under this sub-
24 title for seed cotton.

1 **SEC. 1203. TERM OF LOANS.**

2 (a) TERM OF LOAN.—In the case of each loan com-
3 modity, a marketing assistance loan under section 1201
4 shall have a term of 9 months beginning on the first day
5 of the first month after the month in which the loan is
6 made.

7 (b) EXTENSIONS PROHIBITED.—The Secretary may
8 not extend the term of a marketing assistance loan for
9 any loan commodity.

10 **SEC. 1204. REPAYMENT OF LOANS.**

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

18 (1) the loan rate established for the commodity
19 under section 1202, plus interest (determined in ac-
20 cordance with section 163 of the Federal Agriculture
21 Improvement and Reform Act of 1996 (7 U.S.C.
22 7283));

23 (2) a rate (as determined by the Secretary)
24 that—

1 (A) is calculated based on average market
2 prices for the loan commodity during the pre-
3 ceding 30-day period; and

4 (B) will minimize discrepancies in mar-
5 keting loan benefits across State boundaries
6 and across county boundaries; or

7 (3) a rate that the Secretary may develop using
8 alternative methods for calculating a repayment rate
9 for a loan commodity that the Secretary determines
10 will—

11 (A) minimize potential loan forfeitures;

12 (B) minimize the accumulation of stocks of
13 the commodity by the Federal Government;

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

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

20 (E) minimize discrepancies in marketing
21 loan benefits across State boundaries and
22 across county boundaries.

23 (b) REPAYMENT RATES FOR UPLAND COTTON, LONG
24 GRAIN RICE, AND MEDIUM GRAIN RICE.—The Secretary
25 shall permit producers to repay a marketing assistance

1 loan under section 1201 for upland cotton, long grain rice,
2 and medium grain rice at a rate that is the lesser of—

3 (1) the loan rate established for the commodity
4 under section 1202, 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) the prevailing world market price for the
9 commodity, as determined and adjusted by the Sec-
10 retary in accordance with this section.

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

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

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

1 (2) a mechanism by which the Secretary shall
 2 announce periodically those prevailing world market
 3 prices.

4 (e) ADJUSTMENT OF PREVAILING WORLD MARKET
 5 PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND
 6 MEDIUM GRAIN RICE.—

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

11 (2) COTTON.—The prevailing world market
 12 price for upland cotton determined under subsection
 13 (d)—

14 (A) shall be adjusted to United States
 15 quality and location, with the adjustment to in-
 16 clude—

17 (i) a reduction equal to any United
 18 States Premium Factor for upland cotton
 19 of a quality higher than Middling (M)
 20 1³/₃₂-inch; and

21 (ii) the average costs to market the
 22 commodity, including average transpor-
 23 tation costs, as determined by the Sec-
 24 retary; and

1 (B) may be further adjusted, during the
2 period beginning on the date of enactment of
3 this Act and ending on July 31, 2024, if the
4 Secretary determines the adjustment is nec-
5 essary—

6 (i) to minimize potential loan forfeit-
7 ures;

8 (ii) to minimize the accumulation of
9 stocks of upland cotton by the Federal
10 Government;

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

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

21 (I) there are insufficient current-
22 crop price quotations; and

23 (II) the forward-crop price
24 quotation is the lowest such quotation
25 available.

1 (3) GUIDELINES FOR ADDITIONAL ADJUST-
2 MENTS.—In making adjustments under this sub-
3 section, the Secretary shall establish a mechanism
4 for determining and announcing the adjustments in
5 order to avoid undue disruption in the United States
6 market.

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

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

18 (2) the repayment rate established for oil sun-
19 flower seed.

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

1 (h) REPAYMENT RATE FOR PEANUTS.—The Sec-
2 retary shall permit producers on a farm to repay a mar-
3 keting assistance loan for peanuts under section 1201 at
4 a rate that is the lesser of—

5 (1) the loan rate established for peanuts under
6 section 1202(a)(20), plus interest (determined in ac-
7 cordance with section 163 of the Federal Agriculture
8 Improvement and Reform Act of 1996 (7 U.S.C.
9 7283)); or

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

11 (A) minimize potential loan forfeitures;

12 (B) minimize the accumulation of stocks of
13 peanuts by the Federal Government;

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

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

19 (i) AUTHORITY TO TEMPORARILY ADJUST REPAY-
20 MENT RATES.—

21 (1) ADJUSTMENT AUTHORITY.—In the event of
22 a severe disruption to marketing, transportation, or
23 related infrastructure, the Secretary may modify the
24 repayment rate otherwise applicable under this sec-

1 tion for marketing assistance loans under section
2 1201 for a loan commodity.

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

8 **SEC. 1205. LOAN DEFICIENCY PAYMENTS.**

9 (a) AVAILABILITY OF LOAN DEFICIENCY PAY-
10 MENTS.—

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

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

20 (A) MARKETING ASSISTANCE LOANS.—

21 Subject to subparagraph (B), nongraded wool
22 in the form of unshorn pelts and hay and silage
23 derived from a loan commodity are not eligible
24 for a marketing assistance loan under section
25 1201.

1 (B) LOAN DEFICIENCY PAYMENT.—Effective
 2 tive for each of the 2019 through 2023 crop
 3 years, the Secretary may make loan deficiency
 4 payments available under this section to pro-
 5 ducers on a farm that produce unshorn pelts or
 6 hay and silage derived from a loan commodity.

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

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

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

17 (c) PAYMENT RATE.—

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

21 (A) the loan rate established under section
 22 1202 for the loan commodity; exceeds

23 (B) the rate at which a marketing assist-
 24 ance loan for the loan commodity may be repaid
 25 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) 1³/₃₂-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

Agronomy, or the National Alliance of Independent Crop Consultants, including certification—

“(i) as a Certified Crop Advisor by the American Society of Agronomy;

“(ii) as a Certified Professional Agronomist by the American Society of Agronomy; and

“(iii) as a Comprehensive Nutrient Management Plan Specialist by the Secretary.”.

SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) by striking subsection (m);

(2) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively, and inserting after subsection (h) the following:

“(i) SOURCE WATER PROTECTION THROUGH TARGETING OF AGRICULTURAL PRACTICES.—

“(1) IN GENERAL.—In carrying out any conservation program administered by the Secretary, the Secretary shall encourage practices that relate to 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)”;

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 AGRIC-
17 CULTURE.—The Department of Agriculture plays an
18 important role in establishing trade between the
19 United States and other nations and should enhance
20 its role in facilitating the transfer of the knowledge,
21 skills, and experience of American farmers, land-
22 grant universities, and extension services through
23 the John Ogonowski and Doug Bereuter Farmer-To-
24 Farmer Program under title V of the Food for
25 Peace Act (7 U.S.C. 1737).

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.

8 SEC. 3101. FINDINGS.

(1) United States export development programs significantly increase demand for United States agriculture products within foreign markets, boosting agricultural export volume and overall farm income, and generating a net return of \$28 in added export revenue for each invested program dollar.

(3) The preservation and streamlining of 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. 2036(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-

after, not more than \$150,000,000 shall be reserved for allocation to States to provide training services by eligible providers identified under section 122 of the Workforce Innovation and Opportunity Act for participants in the supplemental nutrition assistance program to meet the hourly requirements under section 6(d)(1)(B) of this Act.”, and
(2) in paragraph (5)(C)—

(A) in clause (ii) by adding “and” at the end,

(B) in clause (iii) by striking “; and” and inserting a period, and

(C) by striking clause (iv).

(g) WORKFARE.—

(1) AMENDMENTS.—Section 20(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 3029(b) is amended—

(A) in paragraph (1)—

(i) by striking “6(d)(1)” and inserting “6(d)(1)(B)”, and

(ii) by striking “or (F)” and inserting “(F), or (G)”, and

(B) in paragraph (4) by striking “sixteen” 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”.

1 **Subtitle C—Miscellaneous**

2 **SEC. 4201. PURCHASE OF FRESH FRUITS AND VEGETABLES**
3 **FOR DISTRIBUTION TO SCHOOLS AND SERV-**
4 **ICE INSTITUTIONS.**

5 Section 10603(b) of the Farm Security and Rural In-
6 vestment Act of 2002 (7 U.S.C. 612c-4(b)) is amended
7 by striking “2018” and inserting “2023”.

8 **SEC. 4202. SENIORS FARMERS’ MARKET NUTRITION PRO-**
9 **GRAM.**

10 Section 4402(a) of the Farm Security and Rural In-
11 vestment Act of 2002 (7 U.S.C. 3007(a)) is amended by
12 striking “2018” and inserting “2023”.

13 **SEC. 4203. HEALTHY FOOD FINANCING INITIATIVE.**

14 Section 243(d) of the Department of Agriculture Re-
15 organization Act of 1994 (7 U.S.C. 6953) is amended by
16 striking “until expended” and inserting “until October 1,
17 2023”.

18 **SEC. 4204. AMENDMENTS TO THE FRUIT AND VEGETABLE**
19 **PROGRAM.**

20 Section 19 of the Richard B. Russell National School
21 Lunch Act (42 U.S.C. 1769a) is amended—

22 (1) in the section heading, by striking
23 **“FRESH”** ;

24 (2) in subsection (a), by inserting “, canned,
25 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.

Subtitle E—Amendments to the Farm Credit Act of 1971

SEC. 5501. ELIMINATION OF OBSOLETE REFERENCES.

(a) Section 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2002(a)) is amended to read as follows:

“(a) COMPOSITION.—The Farm Credit System shall include the Farm Credit Banks, banks for cooperatives, Agricultural Credit Banks, the Federal land bank associations, the Federal land credit associations, the production credit associations, the Agricultural Credit Associations, the Federal Farm Credit Banks Funding Corporation, the Federal Agricultural Mortgage Corporation, service corporations established pursuant to section 4.25 of this Act, and such other institutions as may be made a part of the System, all of which shall be chartered by and subject to regulation by the Farm Credit Administration.”.

(b) Section 2.4 of such Act (12 U.S.C. 2075) is amended by striking subsection (d).

(c) Section 3.0 of such Act (12 U.S.C. 2121) is amended—

(1) in the 3rd sentence, by striking “and a Central Bank for Cooperatives”; and

(2) by striking the 5th sentence.

(d) Section 3.2(a)(1) of such Act (12 U.S.C. 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)”;

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 participa-
11 tion 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,

1 including areas with respect to which an entity
2 is receiving—

3 (i) support under a broadband loan or
4 grant program of the Department of Agri-
5 culture; or

6 (ii) Connect America Fund or Mobil-
7 ity Fund support under the Federal uni-
8 versal service support mechanisms estab-
9 lished under section 254 of the Commu-
10 nications Act of 1934 (47 U.S.C. 254).

11 (D) Leverage support technologies and
12 services from online platforms for providers of
13 broadband service in rural areas.

14 (d) DEFINITIONS.—In this section:

15 (1) ASSISTANT SECRETARY.—The term “Assist-
16 ant Secretary” means the Assistant Secretary of
17 Commerce for Communications and Information.

18 (2) COMMISSION.—The term “Commission”
19 means the Federal Communications Commission.

20 (3) RURAL AREA.—The term “rural area” has
21 the meaning given the term in section 601(b)(3) of
22 the Rural Electrification Act of 1936.

23 **SEC. 6117. EFFECTIVE DATE.**

24 (a) IN GENERAL.—The amendments made by this
25 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 multisec-
11 toral 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 striking
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

1 “(B) may use the excess amounts to sup-
2 port authorized hazardous fuels reduction
3 projects on non-Federal lands through grants to
4 State Foresters, or equivalent State officials, in
5 accordance with subsection (e) in an amount
6 equal to the greater of—

7 “(i) 20 percent of the excess amount;

8 and

9 “(ii) \$20,000,000.”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(e) CROSS-BOUNDARY FUELS REDUCTION
13 PROJECTS.—

14 “(1) IN GENERAL.—To the maximum extent
15 practicable, the Secretary shall use the excess funds
16 described in subsection (d)(3) to support hazardous
17 fuels reduction projects that incorporate treatments
18 for hazardous fuels reduction in landscapes across
19 ownership boundaries on Federal, State, county, or
20 Tribal land, private land, and other non-Federal
21 land, particularly in areas identified as priorities in
22 applicable State-wide forest resource assessments or
23 strategies under section 2A(a) of the Cooperative
24 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
25 carry out a silvicultural investigation or treatment under
26 this section if a county in which such investigation or

1 treatment would be conducted provides a refusal to the
2 Secretary 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

1 agency is in compliance with the applicable provi-
2 sions of the biological opinion.

3 (b) PROPOSED RULEMAKING.—Not later than 60
4 days after the date of the enactment of this Act, the Sec-
5 retary of Agriculture shall publish a notice of proposed
6 rulemaking to revise section 220.6(b) of title 36, Code of
7 Federal Regulations to conform such section with sub-
8 section (a).

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.

17 (d) ADDITIONAL ACTIONS.—Not later than 120 days
18 after the date of the enactment of this Act, the Secretary
19 of Agriculture shall issue final regulations to carry out the
20 revisions described in subsections (b) and (c).

21 **SEC. 8504. NO LOSS OF FUNDS FOR WILDFIRE SUPPRES-**
22 **SION.**

23 Nothing in this title or the amendments made by this
24 title may be construed to limit from the availability of
25 funds or other resources for wildfire suppression.

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 (1) by striking paragraphs (1) and (2) and in-
 2 serting the following new paragraph:

3 “(1) MANDATORY FUNDING FOR FISCAL YEAR
 4 2019.—Of the funds of the Commodity Credit Cor-
 5 poration, the Secretary shall use to carry out this
 6 section \$5,000,000 for fiscal year 2019, to remain
 7 available until expended.”;

8 (2) in paragraph (3)—

9 (A) by striking “paragraphs (1) and (2)”
 10 and inserting “paragraph (1)”; and

11 (B) by striking “2018” and inserting
 12 “2023”; and

13 (3) by redesignating paragraph (3), as so
 14 amended, as paragraph (2).

15 **Subtitle B—Regulatory Reform**

16 **PART I—STATE LEAD AGENCIES UNDER FED-** 17 **ERAL INSECTICIDE, FUNGICIDE, AND** 18 **RODENTICIDE ACT**

19 **SEC. 9101. RECOGNITION AND ROLE OF STATE LEAD AGEN-** 20 **CIES.**

21 (a) STATE LEAD AGENCY DEFINED.—Section 2(aa)
 22 of the Federal Insecticide, Fungicide, and Rodenticide Act
 23 (7 U.S.C. 136(aa)) is amended—

24 (1) by striking “(aa) STATE.—The term” and
 25 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-

1 representatives and the Committee on Agriculture, Nutrition,
 2 and Forestry of the Senate a report examining the effect
 3 of the final rule entitled “Food Labeling: Revision of the
 4 Nutrition and Supplement Facts Labels”, published in the
 5 Federal Register by the Food and Drug Administration
 6 on May 27, 2016 (81 Fed. Reg. 33742), (providing for
 7 updates to the nutrition facts panel on the labeling of
 8 packaged food) has on consumer perception regarding the
 9 “added sugar” statement required to be included on such
 10 panel by such final rule with respect to packaged food in
 11 which no sugar is added during processing, including pure
 12 honey and maple syrup.

13 **TITLE X—CROP INSURANCE**

14 **SEC. 10001. TREATMENT OF FORAGE AND GRAZING.**

15 (a) AVAILABILITY OF CATASTROPHIC RISK PROTEC-
 16 TION FOR CROPS AND GRASSES USED FOR GRAZING.—
 17 Section 508(b)(1) of the Federal Crop Insurance Act (7
 18 U.S.C. 1508(b)(1)) is amended—

19 (1) by striking “(A) IN GENERAL.—Except as
 20 provided in subparagraph (B), the” and inserting
 21 “The”; and

22 (2) by striking subparagraph (B).

23 (b) LIMITATION ON MULTIPLE BENEFITS FOR SAME
 24 LOSS.—Section 508(n)(2) of the Federal Crop Insurance
 25 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

method of adjusting for quality losses that does not impact the average production history of producers.

“(B) REQUIREMENTS.—Notwithstanding subsections (g) and (m) of section 508, if the Corporation uses any method developed as a result of the contract described in subparagraph (A) to adjust for quality losses, such method shall be—

“(i) optional for producers to elect to use; and

“(ii) offered at an actuarially sound premium rate.”.

SEC. 10009. EXTENSION OF FUNDING FOR RESEARCH AND DEVELOPMENT.

Section 522 of the Federal Crop Insurance Act (7 U.S.C. 1522) is amended—

(1) by striking subsection (d);

(2) in subsection (e)(2)(A)—

(A) by striking “under subsections (c) and (d)” and inserting “under subsection (c)” ; and

(B) by striking “not more than \$12,500,000 for fiscal year 2008 and each subsequent fiscal year.” and inserting the following: “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:

Clerk.

115TH CONGRESS
2^D 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.