SA 3224, proposed by Mr. Roberts (for himself and Ms. Stabenow) to the bill H.R. 2, supra; which was ordered to lie on the table.

SA 3331. Mr. Enzi submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. Roberts (for himself and Ms. Stabenow) to the bill H.R. 2, supra; which was ordered to lie on the table.

SA 3332. Mr. Tillis (for himself and Mr. Burr) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. Roberts (for himself and Ms. Stabenow) to the bill H.R. 2, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the the "Agriculture Improvement Act of 2018".

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

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and production shall be considered to be the
vegetables, or wild rice on base acres for
cultivates base acres for a farm while a farm is
through 2023 crop years’’; (4) in subsection (e), in the matter preceeding paragraph (1), by striking ‘‘2018’’ and inserting ‘‘2023’’; (5) in subsection (g), in paragraph (3), by striking ‘‘after the semicolon at the end;
(B) in paragraph (4)— (i) in the matter preceding paragraph (A), by inserting ‘‘effective for the 2014 through 2018 crop years,’’ before ‘‘in the case of’’; and (ii) in subparagraph (B), by striking the pe-
term at the end and inserting ‘‘and’’; and (C) by adding at the end the following: ‘‘(5) effective for the 2019 through 2023 crop years, in the case of county coverage— (A) effective beginning with actual coun-
ty yields for the 2019 crop year, assign an ac-
tual county yield for each planted acre for the crop year for the covered commodity by giving priority to— (i) the use of actual county yields in, to the maximum extent practicable, a single source of data that provides the greatest na-
tional coverage of county-level data; and (ii) the use of a source of data that may be used to determine an average actual coun-
ty yield under subsection (b)(1)(A) and an av-
verage historical county yield under sub-
section (c)(2)(A) for the same county; and (iii) in the case of a county not included in any source of data described in clauses (i) and (ii), the use of— (I) other sources of county yield informa-
tion; or (II) the yield history of representative farms in the State, region, or crop reporting
district, as determined by the Secretary; and (B) in the case of a farm that has a tract with base acres and that tract crosses a county boundary— (i) prorate the base acres based on the quantity of cropland of the tract in each county; and (ii) calculate any crop revenue on the basis described in clause (i).’’; and (6) by adding at the end the following: ‘‘(B) PUBLICATION.— (I) COUNTY GUARANTEE.— (A) IN GENERAL.—For each crop year for a covered commodity, the Secretary shall pub-
lish information describing, for that crop year for the covered commodity in each county— (i) the agriculture risk coverage guar-
antee for county coverage determined under subsection (c)(1); (ii) the average historical county yield determined under subsection (c)(2)(A); and (iii) the national average market price determined under subsection (c)(2)(B). (B) TIMING.— (I) IN GENERAL.—Except as provided in clauses (ii) and (iii), not later than 30 days after the end of each applicable 12-month marketing year for each covered com-
modity, the Secretary shall publish the informa-
tion described in subparagraph (A). (ii) INSUFFICIENT DATA.—In the case of a covered commodity, such as temperate ja-
rice, for which the Secretary cannot determine the national average market price for the most recent 12-month marketing year by the date described in clause (i) due to insuffi-
cient data, the Secretary shall publish the re-
porting of timely pricing data by 1 or more nongovernmental entities, includ-
ing a marketing cooperative for the covered

Title I—Commodities
Subtitle A—Commodity Policy
SEC. 1101. PAYMENT ACRES.
Section 1114(e) of the Agricultural Act of 2014 (7 U.S.C. 9014(e)) is amended by adding at the end the following: ‘‘(5) RECALCULATION OF BASE ACRES.— (A) IN GENERAL.—If the Secretary recal-
culates base acres for a farm while a farm is engaged in planting and production of fruits, vegetables, and rice on base acres for which a reduction in payment acres was made under this subsection, that planting and production shall be considered to be the same as the planting and production of a covered commodity. (B) PROHIBITION.—Nothing in this para-
graph provides authority for the Secretary to recal-
culate base acres for a farm.’’

SEC. 1102. PRODUCER ELECTION.
Section 1115 of the Agricultural Act of 2014 (7 U.S.C. 9015) is amended— (1) in subsection (a), in the matter preceeding paragraph (1), by striking ‘‘Except as provided in subsection (g), for the 2014 through 2018 crop years’’ and inserting ‘‘For the 2014 through 2018 crop years (except as provided in subsection (g)) and for the 2019 through 2023 crop years’’; (2) in subsection (a), in the matter preceeding paragraph (1), by inserting ‘‘or the 2019 crop year, as appli-
cable’’ after ‘‘2014 crop year’’;

B in paragraph (1), by inserting ‘‘or the 2019 crop year, as applicable,’’ after ‘‘2014 crop year’’; and

C in paragraph (2)— (i) in subparagraph (A)(i), by striking ‘‘A’’ price’’ and inserting the following: ‘‘elected, as applicable— (‘‘A’’ price’’; and (ii) in subparagraph (A) (as so designated), by striking the sentence at the end and inserting the following: ‘‘; and (B) county coverage for all covered com-
modities on the farm for the 2020 through 2025 crop years’’;

(5) in subsection (g), by inserting ‘‘for the 2018 crop year,’’ before ‘‘all of the pro-
ducers’’.

SEC. 1103. PRICE LOSS COVERAGE.
Section 1116 of the Agricultural Act of 2014 (7 U.S.C. 9016) is amended— (1) in subsections (a) and (d) by striking ‘‘2018’’ each place it appears and inserting ‘‘2023’’; and (2) in subsection (c)— (A) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and inserting appropriately; (B) in the matter preceding subparagraph (A) (as so redesignated), by striking ‘‘The payment’’ and inserting the following: ‘‘(1) IN GENERAL.—The payment’’; and (C) by adding at the end the following: ‘‘(2) ANNOUNCEMENT.—Not later than 30 days after the end of each applicable 12-month marketing year for each covered com-
modity, the Secretary shall publish the pay-
ment rate determined under paragraph (1).’’

SEC. 1104. AGRICULTURE RISK COVERAGE.
Section 1117 of the Agricultural Act of 2014 (7 U.S.C. 9017) is amended— (1) in subsection (a), in the matter preceeding paragraph (1), by inserting ‘‘beginning with the 2019 crop year, based on the physical location of the farm’’ after paragraph (a); and (B) by inserting ‘‘the 2019 through 2023 crop years, as applicable’’ after ‘‘2014 through 2018 crop years’’; (2) in subsection (c)— (A) in paragraph (2)— (i) in subparagraph (A), by striking ‘‘para-
graph (4)’’ and inserting ‘‘paragraphs (4) and (5)’’; and (ii) in subparagraph (B), by striking ‘‘(5)’’ and inserting ‘‘(6)’’;

(B) in paragraph (3)— (i) in subparagraph (A)(ii), by striking ‘‘(5)’’ and inserting ‘‘(6)’’; and (ii) in subparagraph (C), by striking ‘‘2018’’ and inserting ‘‘2023’’; (C) in paragraph (4)— (i) by striking ‘‘II’’ and inserting ‘‘Effective for the 2019 through 2023 crop years, if’’; and (ii) by striking ‘‘70 percent’’ each place it appears and inserting ‘‘75 percent’’;

(D) by redesigning paragraph (5) as para-
graph (6); and (E) by inserting after paragraph (4) the follow-
ing: ‘‘(5) TREND-ADJUSTED YIELD.—The Secretary shall calculate and use a trend-adjusted yield factor that is used to increase yield history under the endorsement under the Federal Crop Ins-
surance Act (7 U.S.C. 1501 et seq.) for that crop and county. (i) in subsection (a) (as so designated), by re-
inserting paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately; (C) in the matter preceding subparagraph (A) (as so redesignated), by striking ‘‘The payment’’ and inserting the following: ‘‘(1) IN GENERAL.—The payment’’; and (D) by adding at the end the following: ‘‘(2) ANNOUNCEMENT.—Not later than 30 days after the end of each applicable 12-month marketing year for each covered com-
modity, the Secretary shall publish the pay-
ment rate determined under paragraph (1) for each county.’’; (4) in subsection (e), in the matter preceeding paragraph (1), by striking ‘‘2018’’ and inserting ‘‘2023’’; (5) in subsection (g), in paragraph (3), by striking ‘‘after the semicolon at the end;
commodity, as soon as practicable after the pricing data is made available, the Secretary shall publish information describing—

"(1) the agriculture risk coverage guarantee provided in subparagraph (A)(i) and

"(2) the national average market price under subparagraph (A)(iii).

"(iii) TRANSITION.—Not later than 60 days after the enactment of the Agricultural Improvement Act of 2018, the Secretary shall publish the information described in subparagraph (A) for the 2018 crop year.

"(2) ACTUAL AVERAGE COUNTY YIELD.—As soon as practicable after each crop year, the Secretary shall determine and publish each actual average county yield for each covered commodity, as determined under subsection (b)(1)(A).

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

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

"(i) by county; and

"(ii) nationally and regionally;

"(B) the number and outcome of occurrences in which the Farm Service Agency reviewed, changed, or determined not to change the data used to calculate county yields under subsection (c)(2)(A).

SEC. 1105. REPEAL OF TRANSITION ASSISTANCE FOR PRODUCERS OF UPLAND COTTON.

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

Subtitle B—Marketing Loans

SEC. 1201. EXTENSIONS.

(a) In General.—Section 1201(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9023(b)(1)) is amended by striking "2018" and inserting "2023".

(b) Loan Rates.—Section 1202(a) of the Agricultural Act of 2014 (7 U.S.C. 9023(a)) is amended by striking "2018" each place it appears and inserting "2023".

(c) Repayment.—Section 1204 of the Agricultural Act of 2014 (7 U.S.C. 9043) is amended—

"(1) in subsection (e)(2)(B), in the matter preceding clause (i), by striking "2019" and inserting "2023";

"(2) in subsection (g), by striking "2018" and inserting "2023";

"(d) Loan Deficiency Payments.—Section 1205(a)(2)(B) of the Agricultural Act of 2014 (7 U.S.C. 9035(a)(2)(B)) is amended by striking "2018" and inserting "2023".

"(2) Payments in lieu of LDPS.—Section 1206 of the Agricultural Act of 2014 (7 U.S.C. 9046) is amended in subsections (a) and (d) by striking "2018" each place it appears and inserting "2023".

"(3) Special Competitive Provisions.—Section 1208(a) of the Agricultural Act of 2014 (7 U.S.C. 9036(a)) is amended by striking "2018" and inserting "2023".

"(4) Availability of Recourse Loans.—Section 1209 of the Agricultural Act of 2014 (7 U.S.C. 9037) is amended in subsections (a)(2) and (b) by striking "2018" each place it appears and inserting "2023".

SEC. 1202. REPEAL, UNSHORN PELTS.

Section 1205 of the Agricultural Act of 2014 (7 U.S.C. 9024) is repealed.

(a) in paragraph heading, by striking "UNSHORN PELTS, HAT," and inserting "HAT";

(b) in subparagraph (A), by striking "non-graded wool in the form of unshorn pelts and"; and

"(C) in subparagraph (B) (as amended by section 1201(d)(1)), by striking "unsheared pelts or"; and

"(2) in subsection (a) 

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

"(B) by redesigning paragraph (3) as paragraph (2).

SEC. 1203. ECONOMIC ADJUSTMENT ASSISTANCE FOR騎MENT.

(a) 2008 Authority.—Section 1207 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 9373) is amended by striking subsection (b).

(b) 2014 Authority.—Section 1207(c) of the Agricultural Act of 2014 (7 U.S.C. 9057(c)) is amended by striking paragraph (2) and inserting the following:

"(2) VALUE OF ASSISTANCE.—(A) EFFECTIVE PERIOD.—During the period beginning on August 1, 2013, and ending on July 31, 2020, the value of the assistance provided under paragraph (1) shall be 3 cents per pound.

"(B) SUBSEQUENT PERIOD.—

"(i) In General.—Beginning on the first day after the end of the period described in subparagraph (A), and subject to the availability of appropriations under clause (i), the value of the assistance provided under paragraph (1) shall be 1 cent per pound.

"(ii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out clause (i).

Subtitle C—Sugar

SEC. 1301. SUGAR PROGRAM.

(a) Extension.—Section 156 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 1272) is amended—

"(1) in subsection (a), by striking "and inserting "2018" and inserting "2023";

"(2) in subsection (b)(2), by striking "2018" and inserting "2023"; and

"(3) in subsection (i), by striking "2018" and inserting "2023".

(b) Allocations.—

"(1) Estimates.—Section 359(a)(1) of the Agricultural Act of 1938 (7 U.S.C. 1539a(a)(1)) is amended in the matter preceding subparagraph (A) by striking "2018" and inserting "2023".

"(2) Effective Period.—Section 359(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1539a(a)) is amended by striking "2018" and inserting "2023".

Subtitle D—Dairy

PART I—DAIRY RISK COVERAGE

SEC. 1401. DAIRY RISK COVERAGE.

(a) Dairy Risk Coverage.—Part I of title I of the Agricultural Act of 2014 (7 U.S.C. 9051 et seq.) is amended in the part heading by striking "MARGIN PROTECTION PROGRAM" and inserting "DAIRY RISK COVERAGE".

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

"(1) by redesigning paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

"(2) by inserting after paragraph (3) the following:

"(4) CATASTROPHIC COVERAGE.—The term 'catastrophic coverage' means coverage under section 1403.

"(5) in paragraph (6) (as so redesignated)—

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

"(B) by striking "marginal protection program" the first place it appears and inserting "dairy risk coverage"; and

"(C) by striking the margin protection program pursuant to; and

"(D) CATASTROPHIC COVERAGE.—In addition to the administrative fee under subparagraph (A), a participating dairy operation that elects to receive catastrophic coverage shall pay an additional administrative fee of $100.

"(3) in subsection (d), by striking "the margin protection program" and inserting "dairy risk coverage";

"(4) Production History of Participating Dairy Operations.—Section 1405 of the Agricultural Act of 2014 (7 U.S.C. 9055) is amended—

"(1) in subsections (a) and (c), by striking "the margin protection program" each place it appears and inserting "dairy risk coverage";
it appears and inserting ‘‘dairy risk coverage’’; and
(2) in subsection (a)(2), by striking ‘‘In subsequent years’’ and inserting ‘‘During each of the years 2019 through 2029 calendar years’’.

(g) DairY Risk COVERAGE PAYMENTS.—Section 1406 of the Agricultural Act of 2014 (7 U.S.C. 9056) is amended—

(1) in the section heading, by striking ‘‘margIn PROtection’’ and inserting ‘‘dairY risk COVERAGE’’;

(2) by striking ‘‘margIn protection’’ each place it appears and inserting ‘‘dairY risk coverage’’;

(3) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ‘‘to $4.00’’ and all that follows through ‘‘; and’’; and

(ii) by adding at the end the following:

‘‘(f) SMALL AND MEDIUM FARM DISCOUNT. The premium rate specified in the tables contained in subsections (b) and (c) for each coverage level shall be reduced by—

(1) 50 percent for a participating dairy operation with a production history that is less than 2,000,000 pounds; and

(2) 25 percent for a participating dairy operation with a production history that is less than 10,000,000 pounds.’’;

(B) in section 1408 of the Agricultural Act of 2014 (7 U.S.C. 9060) is amended—

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

(1) in subsection (a), by striking ‘‘margIn protection program’’ and inserting ‘‘dairY risk COVERAGE’’;

(B) in paragraph (1)—

(i) by striking ‘‘Except as’’ and all that follows through ‘‘; and’’; and

(ii) by adding at the end the following:

‘‘(D) with respect to the participating dairy operation under this section for the applicable calendar year; and

(2) the total amount of payments made by the participating dairy operation under section 1408 for each year.’’;

(3) APPLICABILITY.—Paragraph (1) shall only apply to a calendar year for which the amount described in subparagraph (A) of that paragraph is greater than the amount described in subparagraph (B) of that paragraph.

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

(1) in subsection (a), by striking ‘‘margIn protection program’’ and inserting ‘‘dairY risk coverage’’;

(2) by striking ‘‘margIn protection program’’ and inserting ‘‘dairY risk coverage’’;

(j) DURATION.—Section 1409 of the Agricultural Act of 2014 (7 U.S.C. 9069) is amended—

(1) by striking ‘‘The margin protection program’’ and inserting ‘‘dairY risk coverage’’; and

(2) by striking ‘‘2018’’ and inserting ‘‘2023’’.

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

(1) EFFECT OF FAILURE TO PAY ADMINISTRATIVE FEES OR PREMIUMS.—Section 1410 of the Agricultural Act of 2014 (7 U.S.C. 9060) is amended—

(1) in subsection (a), by striking ‘‘margIn protection program’’ and inserting ‘‘dairY risk coverage’’;

(2) by striking ‘‘2018’’ and inserting ‘‘2023’’.

(l) ELIGIBlE DAIRY ORGANIZATION.—The term ‘‘eligible dairy organization’’ means a dairy farmer (either individually or as part of a cooperative), or a dairy processor, who—

(A) accounts to a Federal milk marketing order marketplace pool; and

(B) incurs qualified expenses under subsection (e).

(m) ELIGIBlE DISTRIBUTOR.—The term ‘‘eligible distributor’’ means a public or private nonprofit organization that distributes donated eligible milk.

(n) ELIGIBlE MILK.—The term ‘‘eligible milk’’ means Class I fluid milk products produced and processed in the United States.

(o) ELIGIBLE PARTNERSHIP.—The term ‘‘eligible partnership’’ means a partnership between an eligible dairy organization and an eligible distributor.

(p) ELIGIBLE PARTICIPATION.—The term ‘‘eligible participation’’ means a partnership for which the Secretary has approved a donation and distribution plan for eligible milk under subsection (c).

(q) PROGRAM FUND.—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2014.
2018, the Secretary shall establish and administer a milk donation program for the purposes of:

(1) encouraging the donation of eligible milk;
(2) providing nutrition assistance to individuals in low-income groups; and
(3) reducing food waste.

(c) DONATION AND DISTRIBUTION PLANS.—

(1) IN GENERAL.—To be eligible to receive reimbursement under subsection (d), an eligible dairy organization shall submit to the Secretary a donation and distribution plan that—

(A) describes the process that the eligible partnership will use for the donation, processing, transportation, temporary storage, and distribution of eligible milk;

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

(i) preplanned donations; and

(ii) contingency plans to address unanticipated donations; and

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

(2) REVIEW AND APPROVAL.—Not less frequently than annually, the Secretary shall—

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

(B) determine whether to approve or disapprove each of those donation and distribution plans.

(d) REIMBURSEMENT.—

(1) IN GENERAL.—On receipt of appropriate documentation under paragraph (2), the Secretary shall reimburse the eligible dairy organization that is a member of a participating partnership on a regular basis for qualified expenses described in subsection (e).

(2) DOCUMENTATION.—

(A) IN GENERAL.—An eligible dairy organization shall submit to the Secretary such documentation as the Secretary may require to demonstrate the qualified expenses described in subsection (e) of the eligible dairy organization.

(B) VERIFICATION.—The Secretary may verify the accuracy of documentation submitted under subparagraph (A) by spot checks and audits.

(e) QUALIFIED EXPENSES.—

(1) IN GENERAL.—The amount of a reimbursement under subsection (d) shall be an amount equal to the product of—

(A) the quantity of eligible milk donated by the eligible dairy organization under a donation and distribution plan approved by the Secretary under subsection (c); and

(B) subject to the limitation under paragraph (3) or (4), the rate described in that donation and distribution plan under subsection (c)(1)(C).

(2) LIMITATION.—Expenses eligible for reimbursement under subsection (d) shall not exceed the value that an eligible dairy organization incurred by accounting to the Federal milk marketing order pool at the different in the Class I milk value and the lowest classified price for the applicable month (either Class III milk or Class IV milk).

(f) PREAPPROVAL.—

(1) IN GENERAL.—The Secretary shall—

(A) establish a process for an eligible partnership to apply for preapproval of donation and distribution plans under subsection (c); and

(B) not less frequently than annually, preapprove an amount for qualified expenses described in subsection (e) that the Secretary will allocate for reimbursement under each donation and distribution plan preapproved under subparagraph (A), based on an assessment of—

(i) the feasibility of the plan; and

(ii) the extent to which the plan advances the purposes described in subsection (b).

(2) ANNUAL PREAPPROVING AMOUNTS FOR REIMBURSEMENT.—The Secretary shall annually preapprove amounts for reimbursement under paragraph (1)(B) based on changes in conditions.

(g) ADJUSTMENTS.—

(1) IN GENERAL.—The Secretary shall adjust or rescind any preapproval for reimbursement under paragraph (1)(B) based on performance and demand.

(2) REQUESTS FOR INCREASE.—

(A) IN GENERAL.—The Secretary shall establish a procedure for a participating partnership to request an increase in the amount preapproved for reimbursement under paragraph (1)(B).

(B) VERIFICATION.—The Secretary may provide an interim approval of an increase requested under clause (i) before any increase in the amount of reimbursement to the applicable participating partnership to allow time for the Secretary to review the request and determine whether to approve or disapprove the distribution of eligible milk by the participating partnership.

(h) PROHIBITION ON RESALE OF PRODUCTS.—

(1) IN GENERAL.—An eligible distributor that receives eligible milk donated under this section may not sell the products back into commerce.

(2) PROHIBITION ON FUTURE PARTICIPATION.—An eligible distributor that the Secretary determines has violated paragraph (1) shall not be eligible for participation in the program established under this section.

(i) ADMINISTRATION.—The Secretary shall publicize opportunities to participate in the program established under this section.

(j) REVIEWS.—The Secretary shall conduct appropriate reviews or audits to ensure the integrity of the program established under this section.

(k) FUNDING.—Of the funds from the Commodity Credit Corporation, the Secretary shall use to carry out this section $6,000,000 for fiscal year 2019, and $5,000,000 for each fiscal year thereafter, to remain available until expended.

(l) CONFORMING AMENDMENT.—Section 1401 of the Agricultural Act of 2014 (7 U.S.C. 9051) is amended—

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

"(I) the fee waiver under subsection (k)(2); and"

(B) in paragraph (4)—

"(i) the premium discount under subsection (l)(3); and

(ii) to share eligibility information to reduce paperwork and avoid duplication;".

Subtitle F—Supplemental Agricultural Disaster Assistance

SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE

(a) MEMORANDUM TO INDIAN TRIBES.—Section 1501(a)(1)(B) of the Agricultural Act of 2014 (7 U.S.C. 9081(a)(1)(B)) is amended—

(1) by redesignating clauses (iii) and (iv) as clauses (iv)(I) and (iv)(II), respectively; and

(2) by inserting after clause (i) the following:

"(iii) an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));"

(b) LIVESTOCK INDEMNITY PROGRAM.—Section 1501(b)(1)(B) of the Agricultural Act of 2014 (7 U.S.C. 9081(b)) is amended—

(1) in paragraph (1)(B), by striking "cold," and inserting "cold, on the condition that in the case of unweaned livestock due to that adverse weather, the Secretary may disregard any management prac-
reduction in benefits under this section as described in this subparagraph.

"(bb) HAY AND FORAGE CROPS.—During each crop year of planting, as determined by the Secretary, acreage that has been tilled for the production of a hay or forage crop after the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to a cumulative years of a reduction in benefits under this section as described in this subparagraph.";

(ii) by redesignating subparagraph (C) as subparagraph (D);

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

"(C) NATIVE SOD CONVERSION CERTIFICATION.—

(1) CERTIFICATION.—As a condition on the receipt of benefits under this section, a producer that has tilled native sod acreage for the production of an insurable crop as described in subparagraph (B)(i) shall notify the Secretary that acreage used for—

"(i) an acreage report form of the Farm Service Agency (FSA-578 or any successor form); and

"(ii) 1 or more maps.

(ii) CORRECTIONS.—Beginning on the date on which a producer submits a certification under this subparagraph, the Secretary may, as practicable after the producer discovers a change in tilled native sod acreage described in that clause, the producer shall submit to the Secretary any appropriate corrections to a form or map described in subclause (1) or (II) of that clause.

(iii) ANNUAL REPORTS.—Not later than January 1, 2019, and each January 1 thereafter through January 1, 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the tilled native sod acreage that has been certified under clause (i) in each county and State as of the date of submission of the report.

(iv) in subparagraph (D) (as so redesignated), by striking “price” and inserting “contract price, or organic, or direct market price, as elected by the producer”;

(i) by striking “This paragraph” and inserting the following:

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

(ii) in subclause (1) the following:

“(II) 1 or more maps.

(i) by inserting before paragraph (2) (as so redesignated), by striking ‘‘(1) reduce administrative burdens and costs to producers by streamlining and reducing paperwork, forms, and other administrative requirements, including through the implementation of the Acreage Crop Reporting and Streamlining Initiative that, in part, shall ensure that—

“(A) a producer (or an agent of a producer) may report information electronically (including geospatial data) or conventionally to the Department of Agriculture; and

“(B) the Department of Agriculture collects and collates producer information that allows cross-agency collaboration, including by—

(ii) recording and making available data at the smallest possible unit, such as fields, and

(iii) harmonizing methods for determining yields and property descriptions; and

(C) on the request of the producer (or agent thereof), the Department of Agriculture electronically shares with the producer (or agent) in real time and without cost to the producer (or agent) the common land unit data, related farmland level, conservation practices and other information of the producer through a single Department-wide login;

(ii) improve coordination, information sharing, and administrative work with the Farm Service Agency, the Risk Management Agency, the Natural Resources Conservation Service, and other agencies, determined appropriate by the Secretary, including by—

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

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

(i) has the option to report——

(ii) to any of those agencies; and

(ii) electronically; and

(iii) does not need to report duplicative information; and

(iii) take advantage of new technologies to enhance the efficiency and effectiveness of program delivery to producers, including by——

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

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

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

(D) developing data standards and security procedures to allow optional precision agriculture or other third-party providers to develop applications to use or feed into the database and analysis; and

(E) developing methodologies to summarize the improved yield or reduced risk relating to conservation best practices through cooperative extension services or other similar means, while ensuring the privacy of individual producers; and

(ii) by adding at the end the following:

"SEC. 1702. SUSPENSION OF PERMANENT PRICE SUPPORT.

Section 1602 of the Agricultural Act of 2014 (7 U.S.C. 9091(c)(2)) is amended——

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

(2) in subparagraph (A), by adding “and” to the end;

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

(4) by striking subparagraph (C).

SEC. 1703. IMPLEMENTATION.

Section 1614 of the Agricultural Act of 2014 (7 U.S.C. 9092) is amended by striking “2018” each place it appears and inserting “2023”.

SEC. 1704. OBLIGATION OF UNLIQUIDATED OBLIGATIONS.

“(1) IN GENERAL.—Subject to paragraph (3), any payment obligated or otherwise made is available by the Secretary on or after the date of enactment of the Agricultural Improvement Act of 2018 that is not disbursed to the recipient by the date 5 years after the date on which the payment is obligated or otherwise made available shall——
of the total management hours required for the farming operation to be actively engaged in farming using active personal management.

(5) **SIGNIFICANT CONTRIBUTION OF ACTIVE PERSONAL MANAGEMENT.**

Section 106(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)) is amended by adding at the end the following:

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

(5) **ACTIVELY ENGAGED IN FARMING REQUIREMENT.**

Section 101(b) of the Food Security Act of 1985 (7 U.S.C. 1308-1(b)) is amended by adding at the end the following:

“(3) **SCHEMATIC OF THE SIGNIFICANT CONTRIBUTION OF ACTIVE PERSONAL MANAGEMENT.**

Sections 170A through 170M of the Agricultural Act of 1985 (7 U.S.C. 1308-3a(b)(1)) and any regulations issued to implement those provisions or sections, the Secretary shall consider not more than 1 person or legal entity per farming operation to be actively engaged in farming using active personal management.

(2) **REQUIREMENTS.**—The Secretary may only consider a person or legal entity to be actively engaged in farming under paragraph (A) if the person or legal entity:

(1) **(i) together with other persons or legal entities qualifying as actively engaged in farming under paragraph (2), does not collectively receive, directly or indirectly, an amount equal to more than the limitation under section 1001(b);**

(2) **(ii) does not use the active management contribution allowed under this section to qualify as actively engaged in farming in more than 1 farming operation; and**

(3) **(iii) manages a farming operation that does not substantially share equipment, labor, or management with persons or legal entities that, together with the person or legal entity, collectively receive, directly or indirectly, an amount equal to more than 1 farming operation; and**

(3) **WAIVER.—The Secretary may delay the date of the deobligation and reversion under paragraph (1) or (2) of any payment—

(1) that is the subject of—

(i) ongoing administrative review or appeal;

(ii) litigation; or

(iii) the settlement of an estate; or

(2) for which the Secretary otherwise determines that the circumstances are such that the delay is equitable.

SEC. 1704. EXTENSION AND ENROLLMENT REQUIREMENTS OF CONSERVATION RESERVE PROGRAM.

Sections 1211(b)(1) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)) is amended by striking “$900,000” and inserting “$700,000.”

SEC. 1705. BASE ACRES REVIEW.

(a) **IN GENERAL.—The Secretary shall review the establishment, calculation, reallocation, adjustment, and reduction of base acres under paragraph (2) of title XII of the Agricultural Act of 2014 (7 U.S.C. 9011 et seq.).**

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

SEC. 1708. FARM SERVICE AGENCY ACCOUNTABILITY.

(a) **IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, Resources, and Nutrition of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing a summary of—

(1) the existing efforts of the Department of Agriculture to eliminate errors, waste, fraud, and abuse in programs administered by the Farm Service Agency, and

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

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

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

(5) any plans for administrative actions or recommendations for legislative changes required to carry out this title and the amendments made by this title.

(b) **IMPLEMENTATION.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to the Administrator of the Farm Service Agency to carry out this title and the amendments made by this title $100,000,000, to remain available until expended.”

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program

SEC. 1201. EXTENSION AND ENROLLMENT REQUIREMENTS OF CONSERVATION RESERVE PROGRAM.

Sections 1211(b)(1) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)) is amended by striking “2018” and inserting “2023”;

(2) in subsection (b)(1)—

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

(B) in subparagraph (B), by striking “Agricultural Act of 2014” and inserting “Agriculture Improvement Act of 2018”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (D), by striking “and”; and

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

and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(A) by striking “limitations” and inserting “limitation”; and

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

and

(ii) in subparagraph (B)—

(A) by striking “may” and inserting “shall”; and

(B) by striking “land” with expiring”; and

and

(II) by striking “2018” and inserting “2023”;

and

(IV) by adding at the end the following:

“(V) any plans for administrative actions or recommendations for legislative changes required to carry out this subtitle of this Act, and

(6) **SIGNIFICANT CONTRIBUTION OF ACTIVE PERSONAL MANAGEMENT.**

The term “significant contribution of active personal management” means active personal management activities performed by a person with a direct or indirect ownership interest in the farming operation on a regular, continuous, and substantial basis to the farming operation, and that meet at least one of the following criteria:

(2) in subsection (b)(2)—

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

and

(B) by striking “subtitles B each place it appears and inserting “Subtitle B”;

(b) **REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, Resources, and Nutrition of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing a summary of—

(1) the existing efforts of the Department of Agriculture to eliminate errors, waste, fraud, and abuse in programs administered by the Farm Service Agency, and

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

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

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

(5) any plans for administrative actions or recommendations for legislative changes required to carry out this title and the amendments made by this title $100,000,000, to remain available until expended.”

(II) by striking “2018” and inserting “2023”;

and

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

(III) in clause (1) (as so designated), by striking “at the time the period at the end and inserting “a semicolon; and

(IV) by adding at the end the following:

“(ii) at risk of conversion or development; or

(III) of ecological significance, including land that—

(1) may assist in the restoration of threatened or endangered species engaged under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);”

SEC. 1709. TECHNICAL CORRECTIONS.

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

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

(i) the conservation reserve program established under subchapter B of chapter 1 of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.); or


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

(1) in paragraph (1), by striking “pursuant to section 1265C of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a))” and substituting “pursuant to section 1265C of the Balanced Budget and
e

improve program accountability and integrity through targeted and coordinated activities, including utilizing data mining to identify and reduce errors, waste, fraud, and abuse in programs administered by the Farm Service Agency; and

(3) by striking “limitations” and inserting “limitation”; and

(IV) by adding at the end the following:

“(ii) at risk of conversion or development; or

(2) in subsection (b)(2)—

(i) in subparagraph (A)—

(A) by striking “limitations” and inserting “limitation”; and

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

and

(ii) in subparagraph (B)—

(A) by striking “may” and inserting “shall”; and

(B) by striking “land” with expiring” and inserting the following: “land, as determined by the Secretary—

(i) with expiring”; and

(III) in clause (1) (as so designated), by striking “at the end and inserting “a semicolon; and

(IV) by adding at the end the following:

“(ii) at risk of conversion or development; or

(2) by striking “2018” and inserting “2023”; and

(3) by striking “Agricultural Act of 2014” and inserting “Agriculture Improvement Act of 2018”; and

(IV) by adding at the end the following:

“(ii) at risk of conversion or development; or

(III) of ecological significance, including land that—
“(II) may assist in preventing a species from being listed as a threatened or endan-
ergized species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or
“(III) improves or creates wildlife habitat corridors:”;
and
“(iii) in subparagraph (C)—

(1) by striking “the Secretary shall make” and
 inserting “the Secretary shall”—

“(I) make”;

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

(3) by adding at the end the following:

“(ii) offer enrollment under subparagraph
 (A) during any period that any other land
 may be enrolled in the conservation re-
 serve, as determined by the Secretary;

(C) by adding at the end the following:

“(3) ADDITIONAL ENROLLMENT PROCEDURE.—

(A) GRASSLANDS AND CONTINUOUS SIGN-
 UP—Subject to the limitations in paragraph
 (1), the Secretary shall enter into contracts under
 section 1234(d)(2)(A)(i) or of grassland described in
 subsection (b)(3), the Secretary shall allow pro-
 ducers to submit applications for enrollment on a con-
 tinuous basis.

(B) ANNUAL ENROLLMENT.—Subject to the
 availability of funding for enrollment in the con-
 servation reserve program for a fiscal year in accordance with paragraph (1), the
 Secretary shall enter into contracts under the conservation reserve program for each
 fiscal year.

(4) STATE ACRES FOR WILDLIFE ENHANCE-
 MENT.—

(A) IN GENERAL.—For purposes of applying
 the limitations in paragraph (1), the Secretary
 shall give priority to land—

(i) enrolled in the conservation reserve program using continuous sign-up under section
 1234(d)(2)(A)(i) or of grassland described in subsection (b)(3), the Secretary shall give
 priority to land designated as a State acres for wildlife enhancement use, as determined
 by the Secretary, and

(ii) on which practices to maintain, en-
 hance, or restore wildlife habitat on land
designated as a State acres for wildlife en-
hancement use in accordance with paragraph (1)(i) shall be conducted.

(B) ACHIEVEMENT.—Of the acres maintained in
 the conservation reserve in accordance with paragraph (1), in the maximum extent prac-
ticable, not less than 30 percent of acres en-
 rolled in the conservation reserve using con-
tinuous sign-up under section 1234(d)(2)(A)(i) shall be of land described in subparagraph
 (A).

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

(A) IN GENERAL.—For purposes of applying
 the limitation in paragraph (1), the Secre-
tary shall give priority to the enrollment
 in the conservation reserve program under this subchapter of land that, as determined
 by the Secretary—

(i) will have a positive impact on water
 quality and

(ii) will be located where—

(aa) a grass seed waterway;

(bb) a contour grass strip;

(cc) a prairie strip;

(dd) a filterstrip;

(ee) a riparian buffer;

(ff) a wetland or a wetland buffer;

(gg) a saturated buffer;

(hh) a bioreactor; or

(ii) another similar water quality prac-
tice, as determined by the Secretary;

(B) SEDIMENT AND NUTRIENT LOADINGS.—In
carrying out subparagraph (A), the Secretary shall—

(i) locate in a watershed impacted by
 sediment and nutrient; and

(ii) if enrolled, will reduce sediment load-
ings, nutrient loadings, and harmful algal blooms, as determined by the Secretary.

(C) ACHIEVEMENT.—Of the acres enrolled in the
 conservation reserve program in accordance with paragraph (1), to the maximum extent prac-
ticable, not less than 40 percent of acres en-
 rolled in the conservation reserve using con-
tinuous sign-up under section 1234(d)(2)(A)(i) shall be of land described in subparagraph
 (A).

(3) REPORT.—The Secretary shall—

(i) in the monthly publication of the Sec-
 retary describing conservation reserve pro-
 gram statistics, include a description of en-
 rollments through the priority under this paragraph;

(ii) publish on the website of the Farm
 Service Agency an annual report describing
 a summary of, with respect to the enroll-
 ment priority under this paragraph—

(I) new enrollments;

(II) expirations;

(III) geographic distribution; and

(IV) estimated water quality benefits; and

(iii) by adding at the end the following:

(1) STATE ACRES FOR WILDLIFE ENHANCE-
 MENT.—

(I) IN GENERAL.—A State or Indian Tribe,
 in consultation with the applicable State
 technical committee established under sec-
 tion 1261(a), may submit to the Secretary a
 request to designate within the State or ter-
 ritory of the Indian Tribe a State acres for
 wildlife enhancement area (referred to in
 this subsection as a ‘SAFE area’ in ac-
 cordance with this subsection.

(2) REQUESTS.—A request submitted under
 paragraph (1) shall—

(A) include a description of—

(i) the specific wildlife species that would
 benefit from the creation of the habitat;

(ii) the number of acres requested for en-
 rollment;

(iii) the geographic area where the habi-
tat would be created; and

(iv) the 1 or more specific practices to be
 conducted for the benefit of the wildlife
 species described in clause (i); and

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

(C) include a wildlife monitoring and
 evaluation plan.

(3) PRIORITY.—The Secretary may give
 priority to requests submitted under para-
 graph (1)—

(A) that cover an area—

(i) on which the habitat for a particular
 species may be declining or in danger of
 declining;

(ii) the designation of which would help—

(I) to prevent the listing of a species as a
 threatened species or an endangered species
 under the Endangered Species Act of 1973 (16
 U.S.C. 1531 et seq.);

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

(III) that is adjacent to other conserva-
tion land, including to establish wildlife cor-
 ridors and large blocks of conservation land;

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

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

(4) REGIONAL BALANCE.—To the maximum
 extent practicable, the Secretary shall main-
tain a regional balance in the designation of
 SAFE areas.

(D) REPORT.—The Secretary shall—

(A) in the monthly publication of the Sec-
 retary describing conservation reserve pro-
 gram statistics, include a description of en-
 rollments in SAFE areas; and

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

(i) new enrollments;

(ii) expirations;

(iii) geographic distribution; and

(iv) estimated wildlife benefits.

SEC. 2102. FARMABLE WETLAND PROGRAM.

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

SEC. 2103. DUTIES OF THE SECRETARY.

(a) COST-SHARE AND RENTAL PAYMENTS.—

Section 1233(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3833(a)(1)) is amended
by inserting “including fencing and other
water distribution practices, if appli-
cable” after “interest”.

(b) SPECIFIED ACTIVITIES PERMITTED.—Sec-
 tion 1233(b) of the Food Security Act of 1985
(16 U.S.C. 3833(b)) is amended by striking
paragraph (1) and inserting the following:

(1) including fencing, grazing, or other com-
 mercial use of the forage, without any reduction
in the rental rate, in response to—

(A) drought;

(B) flooding;

(C) a state of emergency caused by drought
or wildfire that—

(i) is declared by the Governor, in con-
sultation with the State Committee of the
 Farm Service Agency, of the State in which
 the land that is subject to a contract under
 the conservation reserve program is located;

(ii) covers any part of the State or the
 entire State; and

(iii) the Secretary does not object to the
 declaration under clause (i) by not later than
5 business days after the date of declaration;

(2) other emergency; and

(c) HARVESTING AND GRAZING.—Section
 1233 of the Food Security Act of 1985
(16 U.S.C. 3833) is amended by adding at the end the fol-
 lowing:

(1) HARVESTING AND GRAZING.—

(A) IN GENERAL.—The Secretary may per-
 mit harvesting and grazing in accordance
 with paragraphs (2) through (5) of subsection
 (b) on any land subject to a contract under
 the conservation reserve program.

(2) EXCEPTION.—The Secretary, in coordi-
nation with the applicable State technical
 committee established under section 1261(a),
may determine for any year that harvesting
 or grazing described in paragraph (1) shall
 not be permitted on land subject to a con-
tact under the conservation reserve pro-
grame in a particular county if harvesting or
grazing for that year would cause long-term
damage to vegetative cover on that land.”.

SEC. 2104. PAYMENTS.

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

(1) in subsection (c)—

(A) by redesignating paragraphs (1) and
 (2) as paragraphs (1) and (2), respectively,
 and indenting appropriately;

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

(1) SIGNING AND PRACTICE INCENTIVE PAY-
MENTS.—

(A) IN GENERAL.—In the case of a contin-
uous enrollment contract, the Secretary may make an incentive payment to an owner
or operator of eligible land in an amount suffi-
cient to encourage participation in the pro-
gram established under this subchapter.

(B) LIMITATION ON MAKING PAYMENTS.—

The Secretary may only make an incentive payment under subparagraph (A) if the na-
tional average market price received by pro-
ducers during the previous 12-month mar-
tional average market price received by pro-
ducers during the previous 12-month mar-
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ducers during the previous 12-month mar-
tional average market price received by pro-
ducers during the previous 12-month mar-
tional average market price received by pro-
ducers during the previous 12-month mar-

price received by producers during the most recent 10 marketing years for major covered commodities.

(2) TREES THINNING AND OTHER PRACTICES.—

(C) in paragraph (2)(B) (as so designated), by striking "paragraph (1)" and inserting "subparagraph (A)"; and

(ii) in subparagraph (A), by inserting (A) in paragraph (3)(A)—

(i) by striking "Secretary may" and inserting the following: "Secretary—"

(ii) may;

(iii) in clause (i) (as so designated), by striking the period at the end and inserting "; and"; and

(iv) in clause (ii) (as so designated), by striking the period at the end and inserting the following: "shall prioritize the enrollment of marginal and environmentally sensitive land that is the subject of the contract offer;";

and

(B) in paragraph (5)—

(i) in subparagraph (A), by striking "other" before "year;";

(ii) in subparagraph (C)—

(I) by striking "The Secretary may use" and inserting "Subject to paragraph (3)(A)(ii), with respect to"; and

(ii) in subparagraph (B)—

(y) any other entity, as determined appropriate;

(E) an institution of higher education (as defined in section 1234(d)(2)(A)(ii));

(C) an Indian tribe (as defined in section 1261(a)); and

(a) the State technical committee established under section 1234(d)(2)(A)(ii) shall be enrolled under an agreement under this subchapter for the purpose of protecting a wellhead.''

SEC. 1205. CONSERVATION RESERVE ENHANCEMENT PROGRAM.

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

"SEC. 1231A. CONSERVATION RESERVE ENHANCEMENT PROGRAM.

(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE LAND.—The term 'eligible land' means land that is eligible to be included in the program established under this subchapter.

"(2) ELIGIBLE PARTNER.—The term 'eligible partner' means—

"(A) a non-profit organization;

"(B) a conservation district established under section 1620a; and

"(C) a central organization of a State forestry agency established under section 1620a.

"(3) COST-SHARE AND PRACTICE INCENTIVE PAYMENTS.—

"(1) IN GENERAL.—In the case of an agreement entered into under subsection (b)(1) that includes forested riparian buffers as an eligible practice, the Secretary shall make cost-share payments to encourage the regular management of the riparian buffer throughout the term of the agreement, consistent with the conservation plan that covers the eligible land.

"(2) AGREEMENTS.—

"(I) IN GENERAL.—The Secretary may enter into an agreement with an eligible partner to carry out a conservation reserve enhancement program—

"(A) to assist in enrolling eligible land in the program established under this subchapter; and

"(B) that the Secretary determines will advance the purposes of this subchapter.

"(2) CONTENTS.—An agreement entered into under paragraph (1) shall—

"(A) describe—

"(i) 1 or more specific State or nationally significant conservation concerns to be addressed by the agreement;

"(ii) quantifiable environmental goals for addressing those concerns under clause (i);

"(iii) a suitable acreage goal for enrollment of eligible land under the agreement, as determined by the Secretary;

"(iv) the location of eligible land to be enrolled in the project area identified under the agreement;

"(v) the payments to be offered by the Secretary and eligible partner to an owner or operator; and

"(vi) an appropriate list of conservation reserve program conservation practice standards, including any modifications to the practice standards, that are appropriate to meeting the concerns described under clause (i), as determined by the Secretary in consultation with eligible partners; and

"(B) require the eligible partner to provide funds.

"(3) EFFECT ON EXISTING AGREEMENTS.—

"(A) IN GENERAL.—In the case of an incentive payment under subsection (c), a payment under this subchapter shall not exceed 88.5 percent of the estimated rental rate determined under subparagraph (A).

"(B) DENTAL RATE LIMITATION.—Except in the case of an incentive payment under subsection (c), a payment under this subchapter shall not exceed 88.5 percent of the estimated rental rate determined under subparagraph (A).

"(C) in subsection (g)—

"(i) by striking "paragraph (1)" and inserting "subsection (b)(1);" and

"(ii) in clause (i) (as so designated), by striking the period at the end and inserting the following: "and environmental sensitive land that is the subject of the contract offer;";

and

(B) in paragraph (5)—

"(i) in subparagraph (A), by striking "other" before "year;";

"(ii) in subparagraph (C)—

"(i) by striking "The Secretary may use" and inserting "Secretary—"

"(ii) may;

"(iii) in clause (i) (as so designated), by striking the period at the end and inserting the following: "shall prioritize the enrollment of marginal and environmentally sensitive land that is the subject of the contract offer;";

and

(B) in paragraph (5)—

"(i) in subparagraph (A), by striking "other" before "year;";

"(ii) in subparagraph (C)—

"(i) by striking "The Secretary may use" and inserting "Secretary—"

"(ii) may;

"(iii) in clause (i) (as so designated), by striking the period at the end and inserting the following: "shall prioritize the enrollment of marginal and environmentally sensitive land that is the subject of the contract offer;";

and

(B) in paragraph (5)—

"(i) in subparagraph (A), by striking "other" before "year;";

"(ii) in subparagraph (C)—

"(i) by striking "The Secretary may use" and inserting "Secretary—"

"(ii) may;

"(iii) in clause (i) (as so designated), by striking the period at the end and inserting the following: "shall prioritize the enrollment of marginal and environmentally sensitive land that is the subject of the contract offer;";

and

(B) in paragraph (5)—

"(i) in subparagraph (A), by striking "other" before "year;";

"(ii) in subparagraph (C)—

"(i) by striking "The Secretary may use" and inserting "Secretary—"

"(ii) may;

"(iii) in clause (i) (as so designated), by striking the period at the end and inserting the following: "shall prioritize the enrollment of marginal and environmentally sensitive land that is the subject of the contract offer;";
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(b) CONFORMING AMENDMENTS.—
(1) Section 1240(c)(3) of the Food Security Act of 1985 (16 U.S.C. 3839b–5(c)(3)) is amended by striking ‘‘a special conservation reserve program established under this subchapter’’ and inserting ‘‘the conservation reserve enhancement program established under this subchapter’’.
(2) Section 1241(f)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(f)(3)) is amended by striking ‘‘subsection (d)(2)(A)(i) or (g)(2)(D) of section 1234A’’ and inserting ‘‘section 1231A or 1234A(d)(2)’’.

SEC. 2106. CONTRACTS.
(a) In General.—Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended by—
(1) by striking subsection (e);
(2) by redesignating subsections (f) through (j) as subsections (e) through (g), respectively;
(3) in subsection (e) (as so redesignated)—
(A) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by striking ‘‘retired farmer or rancher’’ and inserting ‘‘contract holder’’;
(ii) by striking ‘‘retired or retiring owner or operator’’ each place it appears and inserting ‘‘contract holder’’;
(iii) in subparagraph (A), in the matter preceding clause (i), by striking ‘‘1 year’’ and inserting ‘‘2 years’’;
(iv) in subparagraph (B), by inserting ‘‘purchase, including a lease with a term of less than 5 years and an option to’’ before ‘‘purchases’’; and
(v) in subparagraph (D), by striking ‘‘and’’ at the end;
(4) by redesigning subparagraph (E) as subparagraph (F); and
(5) by inserting after subparagraph (D) the following:
‘‘(E) give priority to the enrollment of the land in—
(i) the conservation stewardship program established under subchapter B of chapter 2; and
(ii) the environmental quality incentives program established under chapter 4; or
(iii) the agricultural conservation easement program established under subchapter II; and’’; and
(B) in paragraph (2)(A), by striking ‘‘under the’’ and inserting the following:—
‘‘(A) the conservation reserve program for grasslands described in section 1231(b)(3); or
(ii) the’’; and
(4) by redesigning subparagraph (L) as subparagraph (M) and inserting the following:
‘‘(L) OWNER OR OPERATOR ELECTION RELATING TO CONSERVATION RESERVE EASEMENTS.—
(1) DEFINITION OF COVERED CONTRACT.—In this subsection, the term ‘covered contract’ means a contract entered into under this subchapter—
(A) during the period beginning on the date of enactment of this subsection and ending on September 30, 2023; and
(B) that covers land enrolled in the conservation reserve program;
(ii) under the clean lakes, estuaries, and rivers priority described in section 1231(d)(5); or
(iii) that is located in a State acres for wildlife enhancement area under section 1231(j).’’
(2) ELECTION.—On the expiration of a covered contract, an owner or operator party to the contract shall elect—
(A) not to reenroll the land under the contract; or
(B) to reenroll the land under the contract, on the conditions that—
(i) the annual rental payment shall be decreased by 40 percent; and
(ii) no incentive payments shall be provided while such contract is in effect; or
(C) not to reenroll the land under the contract and to enroll the land under the contract in a conservation reserve easement under section 1231C.
(3) EXCEPTION.—On the expiration of a covered contract, if land enrolled in the conservation reserve program under that contract is determined by the Secretary to not be suitable for permanent protection through a conservation reserve easement under this section, the provisions of section 1231(f) and section 1231(g) shall apply in a manner that is consistent with the purposes of this section.

(c) TERM.—The term of a conservation reserve easement shall be—
(1) permanent; or
(2) the maximum period allowed by State law.

(d) AGREEMENTS.—To be eligible to enroll land in the conservation reserve program through a conservation reserve easement, the owner of the land shall enter into an agreement with the Secretary—
(1) to grant an easement on the land to the Secretary;
(2) to implement a conservation reserve easement plan developed for the land under subsection (h)(1); and
(3) to comply with the terms and conditions of the easement and any related agreements.

(e) TERMS AND CONDITIONS OF EASEMENTS.—
(1) IN GENERAL.—A conservation reserve easement shall include terms and conditions that—
(A) permit—
(i) the construction and operation of wildlife habitat and other natural features of the land, unless specifically authorized by the Secretary as part of the conservation reserve easement plan;
(ii) the spraying of the land with chemicals or the mowing of the land, except where the spraying or mowing is authorized by the Secretary or is necessary—
(I) to comply with Federal or State noxious weed control laws;
(II) to comply with a Federal or State emergency pest treatment program; or
(III) to meet habitat needs of specific wildlife species;
(iii) activity to be carried out on the land of the owner or successor that is immediately adjacent to, and functionally related to, the land that is subject to the easement if the activity will alter, degrade, or otherwise diminish the functional value of the land; and
(iv) the adoption of any other practice that would tend to defeat the purposes of the conservation reserve program, as determined by the Secretary; and
(B) include any additional provision that the Secretary determines is appropriate to carry out this section or facilitate the practical administration of this section.
(2) COMPATIBLE USES.—Land subject to a conservation reserve easement may be used for compatible economic uses, including hunting and fishing, managed timber harvest, or periodic haying or grazing, if the use—
(A) is specifically permitted by the conservation reserve easement plan developed for the land; and
(B) is consistent with the long-term protection and enhancement of the conservation resources for which the easement was established.
(3) COMPENSATION.—
(A) PERMANENT EASEMENTS.—The Secretary shall pay as the consideration for a permanent conservation reserve easement acquired under this section an amount necessary to encourage enrollment of land in a conservation reserve easement, based on the lowest of—
(i) the fair market value of the land, as determined by the Secretary, using the Uniform Standards of Professional Appraisal Practice or an areawide market analysis or survey;
(ii) the amount corresponding to a geographic limitation, as determined by the Secretary in regulations prescribed by the Secretary; or
(iii) the offer made by the landowner.
(B) OTHER.—Compensation for a conservation reserve easement that is not permanent due to a restriction in applicable State law shall be not less than 75 percent, but not more than 100 percent, of the compensation that would be paid for a permanent conservation reserve easement.
(4) FORM OF PAYMENT.—Compensation for a conservation reserve easement shall be provided by the Secretary in the form of a cash payment, in an amount determined under paragraph (1).
(5) PAYMENTS.—The Secretary may provide payment under this paragraph to a landowner using—
(A) 10 annual payments; or
(B) 1 payment.
(6) TIMING.—The Secretary shall provide any annual easement payment obligation under paragraph (3)(A) as early as practical under each fiscal year in which the payment is to be obligated.
(7) PARTIAL EASEMENTS.—The Secretary shall make a payment, in accordance with
regulations prescribed by the Secretary, in a manner as the Secretary determines is fair and reasonable under the circumstances, if an owner who is entitled to a payment under this subsection:

(A) dies;

(B) becomes incompetent;

(C) is succeeded by another person or entity who renders or completes the required performance; or

(D) is otherwise unable to receive the payment.

(4) TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of a conservation reserve easement.

(B) Contracts or agreements.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, non-governmental organization, or Indian Tribe to carry out necessary maintenance of a conservation reserve easement if the Secretary determines that the contract or agreement will advance the purposes of the conservation reserve program.

(h) ADMINISTRATION.—

(1) CONSERVATION RESERVE EASEMENT PLAN.—The Secretary shall develop and enter into 1 or more conservation reserve easement plans for any land subject to a conservation reserve easement, which shall include practices and activities necessary to protect, and enhance the conservation value of the enrolled land.

(2) DELEGATION OF EASEMENT ADMINISTRATION.—

(A) FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCIES.—The Secretary may delegate any of the management, monitoring, and enforcement responsibilities of the Secretary under this section to other Federal, State, or local government agencies that have the appropriate authority, expertise, and resources necessary to carry out those delegated responsibilities.

(B) CONSERVATION ORGANIZATIONS.—The Secretary may delegate any management responsibilities of the Secretary under this section to conservation organizations if the Secretary determines the conservation organization has similar expertise and resources.

SEC. 2208. ELIGIBLE LAND; STATE LAW REQUIREMENTS.

The Secretary shall revise paragraph (4) of section 1104.d.(d) of title 7, Code of Federal Regulations, to provide that land shall not be included in the existing conservation reserve program established under subchapter B of chapter I of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3881 et seq.) under that paragraph if the Deputy Administrator as defined in section 1104.b.(b) of title 7, Code of Federal Regulations (or successor regulations), in consultation with the applicable State technical committee established under section 1236(a) of the Food Security Act of 1985 (16 U.S.C. 3886(a)), determines, under such terms and conditions as the Deputy Administrator or in consultation with the State technical committee, determines to be appropriate, that making land eligible for enrollment in that program is in the best interests of that program.

Subtitle B—Conservation Stewardship Program

SEC. 2201. DEFINITIONS.

Section 1238D of the Food Security Act of 1985 (16 U.S.C. 3884d) is amended—

(1) in paragraph (2)(B)—

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

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

(C) by adding at the end the following:

“(ii) development of a comprehensive conservation plan, as defined in section 1238G(f)(1);

(iv) soil health planning, including planning to increase soil organic matter; and

(iv) activities that will assist a producer to adapt to, or mitigate against, increasing weather volatility;”;

and

(2) in paragraph (3)(B), by striking the period at the end and inserting the following: “through the use of—

(A) quality criteria under a resource management system;

(B) predictive analytics tools or models developed or approved by the Natural Resources Conservation Service; and

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

(D) other methods that measure conservation and improvements in priority resource concerns, as determined by the Secretary.”.

SEC. 2202. ESTABLISHMENT.

(a) EXTENSION.—Section 1238E(a) of the Food Security Act of 1985 (16 U.S.C. 3884e(a)) is amended in the matter preceding paragraph (1) by striking “2018” and inserting “2023”.

(b) EXCLUSIONS.—Section 1238B(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3883b(2)) is amended in the matter preceding paragraph (1) by striking “Agricultural Act of 2014” and inserting “the Agriculture Improvement Act of 2018”.

SEC. 2203. STEWARDSHIP CONTRACTS.

Section 1238F of the Food Security Act of 1985 (16 U.S.C. 3884f) is amended—

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

“(1) RANKING OF APPLICATIONS.—

(A) IN GENERAL.—In evaluating contract offers submitted under subsection (a), the Secretary shall rank applications based on—

(i) the nature of resource conservation and environmental benefits that result from the conservation treatment on all applicable priority resource concerns at the time of submission of the application;

(ii) the degree to which the proposed conservation activities increase natural resource conservation and environmental benefits; and

(iii) other consistent criteria, as determined by the Secretary.

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

(2) in subsection (c)—

(A) subparagraph (B), in paragraph (2), by inserting “new or improved” after “integrated”; and

(B) by inserting “demonstrating continued improvement during the additional 5-year period,” after “operation.”;

(3) in subsection (d)(A), by striking “Agricultural Act of 2014,” and inserting “the Agricultural Act of 2018”.

(4) in subsection (d)(1)—

(A) in clause (iv), by striking “improving soil health;” and

(B) in clause (v), by striking “improving soil health and carbon sequestration;”.

(5) in subsection (d)(2), the amount of a payment under this subsection for cover crop activities shall be not less than 125 percent of the annual payment amount determined by the Secretary under paragraph (2));

(6) in paragraph (e)(3), by striking “Agricultural Act of 2014,” and inserting “the Agricultural Act of 2018”.

(7) in paragraph (f), by striking “improve resource conserving” and inserting “conserves”.

(8) in subsection (g)—

(A) in the subsection heading, by inserting “AND ADVANCED GRAZING MANAGEMENT” after “technical assistance”;

(B) by redesigning paragraphs (1) and (4) as paragraphs (2) and (1), respectively, and moving the paragraphs so as to appear in numerical order;

(9) in paragraph (h) (as so redesignated)—

(i) by redesignating subparagraphs (A) through (D) and (E) as clauses (i) through (iv) and (v), respectively, and indenting appropriately;

(ii) by striking the paragraph designation and all that follows through “the term” in the matter preceding clause (i) (as so redesignated) and inserting the following:

“(i) DEFINITIONS.—In this subsection:

(A) ADVANCED GRAZING MANAGEMENT.—

The term ‘advanced grazing management’ means the use of a combination of grazing practices (as determined by the Secretary), which may include management-intensive rotational grazing, that provide for—

(i) improved soil health and carbon sequestration;

(ii) drought resilience;

(iii) wildlife habitat;

(iv) wildfire mitigation;

(v) control of invasive plants; and

(vi) water quality improvements.

(B) MANAGEMENT-INTENSIVE ROTATIONAL GRAZING.—The term ‘management-intensive rotational grazing’ means a strategic, adaptive, managed multipasture system in which animals are regularly and systematically moved to fresh pasture in a manner that

(i) maximizes the quantity and quality of forage growth;

(ii) improves manure distribution and nutrient cycling;

(iii) increases carbon sequestration from greater forage harvest;

(iv) improves the quality and quantity of cover for wildlife;

(v) provides permanent cover to protect the soil from erosion; and

(vi) improves water quality.

(C) RESOURCE-CONSERVING CROP ROTATION.—

The term ‘resource-conserving crop rotation’—

(i) in paragraph (2), by striking “by the Secretary” and inserting “by the Administrator”;

(ii) in clause (iv) (as so redesignated), by striking “and”, and inserting “and” at the beginning; and

(iii) in subparagraph (C) (as so redesignated)—

(I) in clause (iv) (as so redesignated), by striking “and” at the beginning; and

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

(A) builds soil organic matter; and

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

“(A) resource-conserving crop rotations; or

(B) advanced grazing management.”;

(ii) by striking “paragraph (1)” and inserting “paragraph (1)”; and

(iii) in subparagraph (A), in paragraph (1), in clause (ii), by striking “the Secretary shall manage the program to enhance soil health.”;

(iv) in subsection (a), in paragraph (1), in clause (i), by striking “The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing—

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

“(2) the payment rates for conservation activities offered to producers under the program, including a description of how rates and rates can be reduced for the most expensive conservation activities.”;

Subtitle C—Environmental Quality Incentives Program

SEC. 2301. PURPOSES.

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

(1) in paragraph (3)(A), by striking “and” and inserting “and the Secretary shall provide a period of 1-time to a producer that develops and implements a comprehensive conservation plan.”;

(2) in subsection (c)(2), the Secretary shall determine the number of units of priority resource concerns included in the comprehensive conservation plan and the number of types of land uses included in the comprehensive conservation plan; and

(3) in subsection (d), by inserting “or acequias” after “Indian tribes”;

(4) in subsection (g), by striking “subsection (f)” and inserting “subsections (f) through (h)”, respectively;

(5) by inserting after subsection (e) the following:

“(i) PAYMENT FOR COMPREHENSIVE CONSERVATION PLAN.—

“(1) DEFINITION OF COMPREHENSIVE CONSERVATION PLAN.—In this subsection, the term ‘comprehensive conservation plan’ means a conservation plan that meets or exceeds the stewardship threshold for each priority resource concern identified by the Secretary in subsection (a)(2).

“(2) PAYMENT FOR COMPREHENSIVE CONSERVATION PLAN.—Subject to the restriction under subsection (c)(2), the Secretary shall provide a 1-time payment to a producer that develops and implements a comprehensive conservation plan.

“(3) AMOUNT OF PAYMENT.—The Secretary shall determine the amount of payments under paragraph (2) based on—

(A) the number of priority resource concerns addressed in the comprehensive conservation plan; and

(B) the number of types of land uses included in the comprehensive conservation plan.

“(4) ALLOCATION.—

(A) IN GENERAL.—

(i) the certified and transitioning organic acres in the State; or

(ii) the organic acreage of the State.

(B) IN SUBPARAGRAPHS (G) THROUGH (J), RESPECTIVELY; and

(c) by striking “subsection (f)” and inserting “subsections (f) through (h)”;

(d) by redesigning subsections (f) through (i) as subsections (g) through (j), respectively;

(e) by inserting after subsection (e) the following:

“(i) ORGANIC CERTIFICATION.—

“(A) in paragraph (2)(B)—

(i) in subparagraph (i)—

(A) in paragraph (4)(B)—

(i) in clause (i), by striking “2019 through 2023” and inserting “2019 through 2023”;

(ii) by inserting “or acequias” after “Indian tribes”;

(B) by inserting “and” at the end; and

(ii) in paragraph (4)—

(A) by striking “to make beneficial, cost effective changes to production systems (including conservation practices related to organic production)” and inserting “to address identified, new, or expected resource concerns associated with changes to production systems, including conservation practices related to organic production”;

(B) by striking “livestock, pest or irrigation management, including cropping, livestock, pest management, irrigation management, drought resiliency measures”;

“(ii) resource-conserving crop rotation

(iii) soil health planning, including planning 

(iv) conservation planning survey; and

(v) soil tests for—

“(i) heavy metals, volatile organic compounds, polycyclic aromatic hydrocarbons, and other contaminants; and

“(ii) biological and physical soil health;

“(vi) scientifically based soil remediation practices to be carried out by the producer, as determined by the Secretary; and”;

(B) in subparagraph (A)—

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

(ii) by redesignating clause (ii) as clause (iv); and

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

“(iv) soil health planning, including planning 

“(v) soil tests for—

“(i) heavy metals, volatile organic compounds, polycyclic aromatic hydrocarbons, and other contaminants; and

“(ii) biological and physical soil health;

“(vi) scientifically based soil remediation practices to be carried out by the producer, as determined by the Secretary; and”;

(B) in paragraph (3)—

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

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

(iii) by inserting after paragraph (iv) the following:

“(vii) elevation, crop management, and migratory birds during the fall and winter;

“(viii) by redesignating clause (v) as clause (viii); and

(C) by redesigning paragraphs (1) through (4) and paragraphs (5) through (7), respectively;

(D) in paragraph (7), respectively; and

(E) by redesigning paragraphs (3) through (5) as redesignated the following:

“(1) CONSERVATION PLANNING SURVEY.—

The term ‘conservation planning survey’ means a plan that—

“(A) is developed by—

(i) a State or unit of local government (including a conservation district); or

(ii) a Federal agency; or

(iii) a third-party provider certified under section 1242(e) (including a certified range-land professional, a crop consultant, a range-land consultant, an agriculture conservation planner, a soil health professional, a climate science, or an environmental quality) and describes conservation activities to further economic and ecological management of the land;

“(B) can be incorporated into a comprehensive planning document required by the Secretary for enrollment in a conservation program of the Department of Agriculture of the United States, and

“(C) can be used to advance the implementation of policies, programs, and projects under the environmental quality incentives program and other conservation programs of the Department of Agriculture, and

“(D) provides recommendations for enrollment in the program or other conservation programs of the Department of Agriculture, and

“(E) in paragraph (2) (as so redesignated) the following:

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

(ii) by redesigning clause (v) as clause (v); and

(iii) by inserting “and” at the end of subsection (h).

Subsection (b)(2) is redesignated clause (vi) of subsection (b)(2).

(b) IN GENERAL.—The term ‘producer’ includes an aquecia.

SEC. 2303. ESTABLISHMENT AND ADMINISTRATION.

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

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

(2) in subsection (b)–

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

“(A) IN GENERAL.—A contract; and

(B) by adding at the end the following:

“(i) WILDLIFE PRACTICE.—

(A) by redesignating clause (i) as clause (ii); and

(B) by inserting after clause (ii) the following:

“(ii) IN GENERAL.—In the case of a contract under the program entered into solely for the establishment of 1 or more annual management practices for the benefit of wildlife, notwithstanding any maximum contract term established by the Secretary, the contract shall have a term that does not exceed 10 years.

(‘’III) INCLUSIONS.—A contract under the program may include a practice that provides incentives to producers to—

“(i) carry out postharvest flooding to provide seasonal wetland habitat for waterfowl and migratory birds during the fall and winter;

“(ii) maintain the hydrology of temporary and seasonal wetlands of not more than 2 acres in order to maintain waterfowl and migratory bird habitat on working cropland; and

“(iii) by adding at the end the following:

“(IV) OPTION TO OPT OUT.—A producer described in subparagraph (A) shall be given the opportunity to opt out of the advance payments under clause (i), and—

(B) by adding at the end the following:

“(i) REVIEW AND GUIDANCE FOR COST SHARE RATES.—

(A) IN GENERAL.—Not later than 365 days after the date of enactment of this paragraph, the Secretary shall—

(iii) review the cost share rates of payments made to producers for practices on eligible land under this subchapter and

(iv) evaluate whether those rates are the least costly rates of payment that—

2023.
“(I) encourage participation in the program; and

“(II) implement the most effective practices to address local natural resource concerns on eligible land.

“(B) GUIDANCE.—

“(I) IN GENERAL.—The Secretary shall issue guidance to States to consider the use of the least costly rate of payment to producers for practices.

“(II) CONSIDERATIONS.—In determining the least costly rate of payment to producers under clause (I), the Secretary shall consider the rate of payment that—

“(i) encourages participation in the program; and

“(ii) most effectively addresses local natural resource concerns on eligible land.

“(C) REVIEW OF CONSERVATION PRACTICE STANDARDS.—

“(A) REVIEW.—Not later than 365 days after the date of enactment of this paragraph, the Secretary shall review conservation practice standards under the program to evaluate opportunities to increase flexibility within conservation practice standards while ensuring equivalent natural resource benefits.

“(B) GUIDANCE.—If the Secretary identifies under subparagraph (A) a conservation practice that may be modified to provide more flexibility without compromising natural resource benefits, the Secretary shall issue guidance for revising the applicable conservation practice standard.

“(C) INCREASED PAYMENTS FOR HIGH-PRIORITY PRACTICES.—

“(A) IN GENERAL.—Notwithstanding section 1261(a) and other local stakeholder input, the Secretary shall implement the process for revising the applicable conservation practice standard.

“(9) INCREASED PAYMENTS FOR HIGH-PRIORITY PRACTICES.—

“(A) STATE DETERMINATION.—Each State, in consultation with the State technical committee established under section 1261(a) for the State, may designate 10 practices to be eligible for increased payments under subparagraph (B), on the condition that the Secretary—

“(i) has received a high Natural Resources Conservation Service evaluation score for addressing specific causes of impairment relating to excessive nutrients in groundwater or surface water or for addressing the conservation of water to advance drought mitigation;

“(ii) meets other environmental priorities; and

“(iii) is geographically targeted to address a natural resource concern in a specific watershed.

“(B) INCREASED PAYMENTS.—Notwithstanding subparagraph (B), the Secretary may increase the amount that would otherwise be provided for a practice under this subsection to not more than 90 percent of the costs associated with monitoring, design, materials, equipment, installation, labor, management, maintenance, or training:—

“(i) in paragraph (f), by striking ‘‘2014 through 2018’’ and inserting ‘‘2019 through 2023’’;

“(ii) by striking ‘‘60’’ and inserting ‘‘50’’; and

“(iii) by striking ‘‘production’’ and inserting ‘‘production, including grazing management practices.’’

“(C) INCREASED PAYMENTS.—

“(1) IN GENERAL.—Not later than 365 days after the date of enactment of this paragraph, the Secretary may enter into a contract under this paragraph for—

“(i) a water conservation scheduling, water distribution efficiency, soil moisture monitoring, or an appropriate combination thereof;

“(ii) irrigation-related structural or other measures that conserve surface water or groundwater, including managed aquifer recovery practices; or

“(iii) a transition to water-conserving crops, water-conserving crop rotations, or deficit irrigation;

“(2) ELIGIBILITY OF CERTAIN ENTITIES.—

“(A) IN GENERAL.—Notwithstanding section 1001D(b) or section 1240G for the Secretary to enter into contracts with the Secretary under the program to address natural resource conservation or related environmental mitigation, as determined by the Secretary.

“(B) IMPLEMENTATION.—Water conservation practices, in such manner as the Secretary determines is necessary to achieve the purpose described in paragraph (1)(A), shall be implemented on—

“(i) eligible land of the producer is located, there is a reduction in water use in the operations of a small-scale agricultural producer, including with respect to adjusted gross income and gross sales;

“(II) demographic data relating to small-scale agricultural producers provided by the National Agricultural Statistics Service; and

“(III) other relevant information, as determined by the Secretary.

“(C) WAIVER AUTHORITY.—The Secretary may waive the applicability of the limitations in section 1001D(b) or section 1240G for a payment made under a contract entered into under this paragraph if the Secretary determines that the waiver is necessary to fulfill the objectives of the project.”;

“(D) IN PRACTICE.—

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

“(i) the roles of, in determining annual funding allocations to States under the program.

“(2) CONSIDERATIONS.—In conducting the review under subparagraph (A), the Secretary shall—

“(i) the roles of, in determining annual funding allocations to States—

“(ii) the process used at the national level to evaluate State budget proposals and allocate funds to achieve priority natural resource concerns relating to production on small-scale agricultural operations; and

“(iii) the process used at the national level to evaluate State budget proposals and allocate funds to achieve priority natural resource concerns relating to production on small-scale agricultural operations; and

“(A) STATE DETERMINATION.—Each State, in consultation with the technical committee established under section 1261(a) and other local stakeholder input;—

“(ii) to increase flexibility without compromising natural resource benefits, the Secretary shall review the process for determining the annual allocation of funding to States under the program.

“(B) INCREASED PAYMENTS.—

“(1) IN GENERAL.—For each of fiscal years 2019 through 2023, at least $20,000 per year shall be available to pay $40,000 during the period from fiscal years 2019 through 2023; and

“(2) PAYMENTS.—

“(A) IN GENERAL.—The Secretary shall determine whether a small-scale agricultural producer is eligible to receive payments under this subsection on a State-by-State basis;—

“(B) IMPLEMENTATION.—The Secretary shall provide payments under this subsection to a producer that is eligible for the payments under subparagraph (A) in an amount that the Secretary determines is necessary to achieve the purpose described in paragraph (1)(A).
“(ii) assisting producers in the submission of applications under the pilot program; and
“(iii) distributing financial and technical assistance under this subsection in that State.

“(5) Report.—Not later than May 1, 2022, the Secretary shall submit to the Committee on Agriculture of the House of Representa-
tives to increase—

“Agricultural improvements, including those that shall—
“(A) improve soil health;
“(B) increase carbon levels in the soil; or
“(C) meet the goals described in subparagraphs (A) and (B); and
“(d) FUNDING.—Of the funds made available to carry out this chapter, the Secretary may use to carry out the pilot project under sub-
section (a) $15,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 2305. DUTIES OF THE SECRETARY.

Section 1240F of the Food Security Act of 1985 (16 U.S.C. 3838aa–6) is amended—

“(1) by striking “that will ensure” and in-
serting the following: “that shall—
“(A) provide for streamlined and coordi-
nated management of the program and the conservation stewardship program under subchapter B of chapter 2, including applica-
tions, contracting, conservation planning, conservation practices, and related adminis-
trative procedures; and
“(B) coordinate management of the pro-
gram and the conservation stewardship pro-
grame and the conservation stewardship program under subchapter B of chapter 2 to fa-
itigate the ability of a participant in the program to enroll in the conservation steward-
ship program after meeting the steward-
ship threshold (as defined in section 1222(d)) for not less than 2 priority resource concerns un-
der that program.

“(c) SOIL HEALTH.—To the maximum ex-
tent feasible, the Secretary shall manage the program to enhance soil health.”.

SEC. 2306. ENVIRONMENTAL QUALITY INCEN-
TIVES PROGRAM PLAN.


“(B) by redesigning subparagraphs (E) and (F) as subparagraphs (F) and (G), re-
spectively.

“(D) by inserting after subparagraph (D) the following:

“(E) partner with farmers to develop inno-
vative, cost-effective, and economic practices for urban, in-
door, or other emerging agricultural prac-
tices to increase—

“(i) green space;
“(ii) pollinator habitat;
“(iii) stormwater management; and
“(iv) access to agricultural production sites through land tenure agreements and other con-
tracts;”;

“(C) in subparagraph (F) (as so redesign-
ated), by striking the period at the end and insert-
ning “; and

“(E) by adding the following:

“(i) to quantify the impacts of conserva-
tion practices utilized under the program; and
“(ii) to assist producers in making the best conserva-
tion investments for their opera-
tions.

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

SEC. 2308. SOIL HEALTH DEMONSTRATION PILOT PROJECT.

Chapter 4 of title XII of the Food Security Act of 1985 (16 U.S.C. 3838aa et seq.) is amended by adding at the end the fol-
lowing:

“SEC. 1240L. SOIL HEALTH DEMONSTRATION PILOT PROJECT.

“(a) IN GENERAL.—The Secretary shall carry out a pilot project to provide finan-
cial incentives, as determined by the Sec-
retary, to producers to adopt practices de-
signed to improve soil health, including by increasing carbon levels in soil (or “soil car-
bon levels”).

“(b) REQUIREMENTS.—In establishing the pilot project under subsection (a), the Sec-
retary shall—

“(1) establish protocols for measuring car-
bon levels and gains in soil health as a result of the practices used in the pilot project.

“(2) establish payments to provide an in-
centive for the use of practices approved under the pilot project that—

“(A) improve soil health;
“(B) increase carbon levels in the soil; or
“(C) meet the goals described in subpara-
graphs (A) and (B); and
“(3) establish protocols for measuring car-
bon levels and gains in soil health as a result of the practices used in the pilot project.

“(c) STUDY; REPORT TO CONGRESS.—

“(1) STUDY.—Not later than September 30, 2022, the Secretary shall conduct a study re-
garding changes in soil health, and, if fea-
sible, economic outcomes, as a result of the practices used in the pilot project estab-
lished under subsection (a).

“(2) REPORT TO CONGRESS.—Not later than September 30, 2023, the Secretary shall sub-
mit to Congress a report describing and ana-
lyzing the results of the study conducted under paragraph (1).

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

“SEC. 2402. CONSERVATION SECURITY PROGRAM.

Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.) is repealed.
“(v) a nonprofit wildlife organization may provide to the owner or operator of the eligible land a payment in exchange for an agreement by the owner or operator not to harvest the crop used to produce any products of the wildlife organization for a period of 5 years.

“(2) PAYMENTS.—Except as provided in paragraphs (5) and (6)(B)(i), the annual rental rate for a payment under an agreement described in subsection (b) shall be equal to 50 percent of the average rental rate for the applicable county under section 1234(d), as determined by the Secretary.

“(3) LIMITATION ON ENROLLED LAND.—Not more than 15 percent of the eligible land on a farm may be enrolled in the program under this section.

“(4) TERMS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), each agreement described in subsection (b) shall be for a term of 3, 4, or 5 years, as determined by the parties to the agreement.

“(B) EARLY TERMINATION.—

“(i) SECRETARY.—The Secretary may terminate an agreement described in subsection (b) before the end of the term described in subparagraph (A) if the Secretary determines that the early termination of the agreement is necessary to accomplish the purposes of this chapter.

“(ii) OWNERS AND OPERATORS.—An owner and (if applicable) an operator of eligible land enrolled in the program under this section may agree to terminate an agreement described in subsection (b) before the end of the term described in subparagraph (A) if the owner and (if applicable) the operator pay to the Secretary an amount equal to the amount of rental payments received under the agreement.

“(5) BEGINNING, SMALL, SOCIALLY DISADVANTAGED, AND VETERAN-FARMERS AND RANCHERS.—With respect to a beginning, small, socially disadvantaged, young, or veteran farmer or rancher, as determined by the Secretary in consultation with the applicable State conservationist after considering the advice of the applicable State technical committee, and (if applicable) the operator pay to the Secretary an amount equal to the cost of planting the conserving use cover crop under paragraph (1)(B)(i) and (ii) and the annual rental rate for a payment under an agreement described in subsection (b) shall be equal to 75 percent of the average rental rate for the applicable county under section 1234(d), as determined by the Secretary.

“(6) HARVESTING, HAYING, AND GRAZING OUTSIDE APPLICABLE PERIOD.—The harvesting for seed, hay, or grazing of eligible land under an agreement shall be described in subsection (b) shall be for a period of at least 30 days outside of the harvest and association period established for the applicable county shall be subject to the conditions that—

“(A) with respect to eligible land that is so harvested for seed—

“(i) the eligible land shall not be eligible to be insured or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

“(ii) the rental payment otherwise applicable to the eligible land under this section shall be reduced by 3 percent.

“(B) FUNDING.—There are authorized to be appropriated such sums as are necessary to carry out this section.”

SEC. 2405. GRASSROOTS SOURCE WATER PROGRAM

Section 12420 of the Food Security Act of 1985 (16 U.S.C. 3839bb–2) is amended by striking subsection (b) and inserting the following:

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 2406. SOIL TESTING AND REMEDIATION ASSISTANCE

Chapter 4 of title D of the Food Security Act of 1985 is amended by inserting after section 12400 (16 U.S.C. 3839bb–2) the following:

“SEC. 1240P. SOIL TESTING AND REMEDIATION ASSISTANCE.

“(a) DEFINITION OF PRODUCER.—In this section, the term ‘producer’ includes a small-scale, beginning, underserved, or socially disadvantaged producer, a small producer, or a small, socially disadvantaged, young, or veteran producer, as determined by the Secretary.

“(b) SOIL HEALTH AND QUALITY.—To improve the health and quality of the soil used for agricultural production, the Secretary shall work with producers to mitigate the presence of contaminants in soil, including by carrying out subsections (c), (d), and (e).

“(c) SOIL TESTING PROTOCOL.—

“(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall establish a coordinated soil testing protocol to simplify the process used by producers to evaluate soil health and contaminants for—

“(A) the optimal level of constituents in and characteristics of the soil, such as organic matter, nutrients, and the potential presence of soil contamination from heavy metals, volatile organic compounds, polycyclic aromatic hydrocarbons, or other contaminants; and

“(B) biological and physical characteristics indicative of proper soil functioning.

“(2) PUBLIC AVAILABILITY.—The Secretary shall make the soil testing protocol established under paragraph (1) available to the public.

“(d) SOIL ASSESSMENT AND REMEDIATION TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall provide technical assistance to a producer carrying out a soil assessment or soil remediation practice that shall include—

“(A) an overall review of the health of the soil used by the producer for agricultural production;

“(B) testing of the soil, if applicable, to determine the suitability of the soil for agricultural production;

“(C) based on the results of the soil tested under paragraph (B), recommendations on methods to carry out a soil assessment or soil remediation practice that shall include—

“(i) to protect against a health risk to producers;

“(ii) to limit contaminants from entering agricultural products for human consumption; and

“(iii) to regenerate and sustain the soil; and

“(D) recommendations on methods to conduct remediation or soil building efforts to improve soils and ensure that the producers—

“(i) are not growing products in soils with high levels of heavy metals, volatile organic compounds, polycyclic aromatic hydrocarbons, or other contaminants;

“(ii) have appropriate information regarding financial resources and conservation practices available to keep soil healthy, including practices, as defined in section 1240A; and

“(iii) are given information about experts, including experts outside of the Natural Resources Conservation Service, that may provide assistance to producers to oversee and monitor soil health.

“(2) SOIL TESTING.—To improve soil health, the Secretary shall conduct education and outreach to producers regarding the use of soil and methods of addressing soil contamination and soil health degradation.

“(e) TERMINATION OF EFFECTIVENESS.—The agreement may be terminated by the producer, where soil is found to pose an imminent threat to human health, the Secretary refers to the Administrator of the Environmental Protection Agency for additional assistance for remediation under section 194(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)).”.

SEC. 2407. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM

(a) CONSERVATION GRANTS, VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.—

“(A) IN GENERAL.—There are authorized to be appropriated to carry out this chapter—

“(i) for the purposes of the soil assessment and soil remediation program under section 1240P, $30,000,000 to be reduced by 25 percent.

“(ii) for the purposes of the voluntary public access program under section 1240L, $20,000,000.

“(B) MODIFICATIONS AND MERGING OF PROVISIONS.—Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–8) is amended—

“(1) in the section heading, by striking ‘GRANTS’ and inserting ‘GRANTS, VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM’; and

“(2) by redesignating subsection (c) as subsection (d).

“(b) MODIFICATIONS AND MERGING OF PROVISIONS.—Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–8) is amended—

“(1) in subsection (b)—

“(A) in paragraph (1), by striking subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

“(B) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately.

“(2) in subsection (c), by redesigning paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately.

“(3) in subsection (d)—

“(A) in paragraph (1), by striking section heading and inserting ‘subsection’; and

“(B) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately.

“(4) in subsection (e), by striking ‘section’ and inserting ‘subsection’;

“(5) by striking subsection (f);

“(6) by redesigning subsections (a) through (e) as paragraphs (1) through (5), respectively, and indenting appropriately.

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

“(g) FUNDING.—Of the funds made available to carry out this chapter, the Secretary shall carry out this section $40,000,000 for the period of fiscal years 2019 through 2023.”.

“(h) Educational and outreach efforts.—If the Secretary determines that additional educational and outreach efforts are necessary to carry out this chapter, the Secretary shall carry out this section $40,000,000 for the period of fiscal years 2019 through 2023.

“(i) Terminating grants.—If the Secretary determines that the purposes of the soil assessment and soil remediation program are achieved, the Secretary shall terminate the program and reallocate the funds as determined by the Secretary.

“SEC. 2408. AGRICULTURE CONSERVATION EXPERIENCE PROGRAM

Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended by adding after the last paragraph of that section the following:

“(e) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates effective October 1, 2023.”.

SEC. 2409. REMOTE TELEMETRY DATA SYSTEM

Section 1245 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended by inserting after section 1252 (16 U.S.C. 3851) the following:
"SEC. 1253. REMOTE TELEMETRY DATA SYSTEM.

"(a) FINDING.—Congress finds that a remote telemetry data system, as used for irrigation scheduling—

"(1) improves the use of field, weather, crop, soil, and irrigation data to ensure that the precise quantity of necessary water is applied to crop; and

"(2) saves water and energy while sustaining or increasing crop yields.

"(b) BEST PRACTICE.—In carrying out the environmental quality incentives program established under chapter 4 of subtitle D, the Secretary shall encourage as a best management practice the use of remote telemetry data systems for irrigation scheduling.

SEC. 2410. AGRICULTURAL CONSERVATION EASEMENT PROGRAM.

(a) PURPOSE.—Section 1265(b)(3) of the Food Security Act of 1985 (16 U.S.C. 3865(b)(3)) is amended by inserting “that may negatively impact the agricultural uses and conservation values” after “;”;

(b) DEFINITIONS.—Section 1265A of the Food Security Act of 1985 (16 U.S.C. 3865a) is amended—

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

(2) in paragraph (2)(A), by striking “government, an Indian tribe, or an acequia”; and

(3) in paragraph (3)—

(A) in subparagraph (A)(i), by striking “entity,” and inserting “entity, unless the land will be enrolled in an agricultural land easement under subparagraph (B)”; and

(B) redesigning subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

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

“(B) in the case of an agricultural land easement, agricultural land that meets the conditions described in clauses (i) and (iii) of subparagraph (A) that is owned by an organization described in paragraph (2)(B), on the conditions that—

“(i) if the organization that owns the land is also the eligible entity that would hold the agricultural land easement, the organization that owns the land shall certify to the Secretary on submission of the application that the land is not owned by a farmer or rancher that is not an organization described in paragraph (2)(B) on acquisition of the agricultural land easement;

“(ii) in instances where the land is not the eligible entity that would hold the agricultural land easement, the organization that owns the land shall certify, through an agreement, contract, or guarantee with the Secretary on submission of the application, that the organization will identify a farmer or rancher that is not an organization described in paragraph (2)(B) and effect the timely subsequent transfer of the ownership of the land to that farmer or rancher after the date of acquisition of the agricultural land easement subsequent to the paragraph;

“(iii) if the organization that certified the timely subsequent transfer of the ownership of the land under clause (i) attaches the agreement, contract, or guarantee without justification and without a plan to effect the timely transfer of the land, that organization shall reimburse the Secretary for the entire amount of the Federal share of cost of each applicable agricultural land easement.

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

(1) in subsection (a)(2), by striking “provide” and inserting “improve”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking “paragraph (4)” and inserting “paragraph (5)”; and

(ii) in subparagraph (B), by striking clause (iii) and inserting the following:

“(iii) NON-FEDERAL SHARE.—The non-federal share provided by an eligible entity under clause (i) may comprise—

“(I) a charitable donation, qualified conservation contribution (as defined in section 170(h) of the Internal Revenue Code of 1986) from the private landowner from which the agricultural land easement will be purchased;

“(II) costs associated with securing a deed to the agricultural land easement, including the cost of appraisal, survey, inspection, and title; and

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

(B) by redesigning paragraphs (3) through (5) as paragraphs (4) through (6), respectively;

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

“(3) CONDITION ON ASSISTANCE.—An eligible entity applying for cost-share assistance under this subsection shall develop an agricultural land easement plan—

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

“(B) that—

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

“(ii) describes the conservation measures and practices that the landowner of the eligible land subject to the agricultural land easement may employ to address the concerns under clause (i);

“(iii) in the case of grasslands of special environmental significance, requires the management of grasslands according to a grassroots management plan; and

“(iv) in the case of highly erodible cropland, requires the implementation of a conservation plan that includes, at the option of the Secretary, the conversion of highly erodible cropland to less intensive uses.”;

(D) in paragraph (4) (as so redesignated)—

(i) in subparagraph (B)—

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

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

(III) by adding at the end the following:

“(III) consultation with the appropriate State technical committee established under section 1261 to adjust evaluation and ranking criteria to account for geographic nuances if those adjustments—

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

“(II) continue to maximize the benefits of Federal investment under the program; and

“(ii) by adding at the end the following:

“(D) PRIORITY.—In evaluating applications under the program, the Secretary may give priority to an application for the purchase of an agricultural land easement that, as determined by the Secretary, maintains agricultural viability; and

(E) in paragraph (5) (as so redesignated)—

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

(ii) in subparagraph (C)—

(I) in clause (i), by inserting “and the agricultural activities to be conducted on the eligible land under the program”;

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

“(iv) exclude a right of inspection, unless the eligible entity fails to provide monitoring reports to the Secretary;”;

(iii) by redesigning subparagraphs (D) and (E) as subparagraphs (F) and (G), respectively; and

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

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

“(i) are intended to keep the land subject to the agricultural land easement in farmer ownership, as determined by the Secretary; and

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

(F) in paragraph (6) (as so redesignated)—

(i) in subparagraph (B)—

(I) in clause (iii), by redesigning subclauses (i) through (III) as items (aa) through (cc), respectively, and indenting appropriately;

(II) by redesigning clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting appropriately;

(III) in the matter preceding subclause (I) (as so redesignated), by striking “entity” and inserting “entity will” and adding the following: “eligible entity”;

(III) in clause (i)(II)(cc) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(V) by adding at the end the following:

“(ii) has been accredited by the Land Trust Accreditation Commission, or by an equivalent accrediting body, as determined by the Secretary; and

(III) acquired not fewer than 10 agricultural land easements under the program; and

(“III) successfully met the responsibilities of the eligible entity under the applicable agreements with the Secretary, as determined by the Secretary, relating to agricultural land easements that the eligible entity has acquired under the program; or

(“III) is a State department of agriculture or other State agency with statutory authority for farm and ranchland protection that

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

“(II) successfully met the responsibilities of the eligible entity under the applicable agreements with the Secretary, as determined by the Secretary, relating to agricultural land easements that the eligible entity has acquired under the program.”; and

(G) by redesigning subparagraph (C) as subparagraph (D); and

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

“(D) WETLAND RESERVE EASEMENTS.—Section 1266C of the Food Security Act of 1985 (16 U.S.C. 3866c) is amended—

(1) in subsection (b)—

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

(B) in paragraph (3)—

(i) in subparagraph (B)—

(I) in clause (ii), by striking “and” at the end;

(II) by redesigning clause (iv) as clause (v); and
(III) by inserting after clause (iii) the following:

"(iv) the ability of the land to sequester carbon; and;"; and

(ii) in subparagraph (C), by striking "and improving water quality" before the period at the end;

(2) in subsection (d)(3), by striking "or Indian tribe" and inserting "Indian tribe, or acequia";

(3) in subsection (e), by striking "or Indian tribe" and inserting "and investigating the following:

"(2) NATIVE VEGETATION.—The Secretary may enter into a contract under subchapter I, as so redesignated, by inserting "and improving water quality" before the period at the end;

(3) in subsection (f)—

(A) by enacting paragraph (3) as a new paragraph; and

(B) by inserting after paragraph (3) the following:

"(2) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(3) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.

(b) Definitions.—Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "eligible" before "producers"; and

(B) in subparagraph (B), by striking "installation" and inserting "adoption, installation, and:"; and

(D) by adding at the end the following:

"(4) To encourage the flexible and streamlined delivery of conservation assistance to eligible producers through partnership agreements.

(5) To encourage alignment of partnership projects with Federal, State, and local agencies and programs addressing similar natural resource or environmental concerns in a coordinated manner.

(B) To ensure that eligible producers in conservation projects to achieve greater conservation outcomes and benefits for eligible producers than would otherwise be achieved.

(7) To ensure conservation and rural community development goals simultaneous.
“(C) TREATMENT.—Any amounts expended during the period beginning on the date on which the Secretary announces the approval of an application under subsection (e) and ending on the day before the effective date of the partnership agreement by an eligible partner for staff salaries or development of the partnership agreement shall be considered to be a part of the contribution of the eligible partner under this paragraph.”; 

(4) by redesignating subsection (d) as subsection (e); 

(5) by inserting after subsection (c) the following: 

“(d) DUTIES OF SECRETARY.—The Secretary shall— 

(1) establish a timeline for carrying out the duties of the Secretary under a partnership agreement, including— 

(A) entering into contracts with eligible producers; 

(B) providing financial assistance to eligible producers; and 

(C) in the case of a partnership agreement that is a grant agreement under section 1271C(d), providing the grant amounts to the eligible partner; 

(2) establish in each State a program coordinator for the State, who shall be responsible for providing assistance to eligible partners and eligible producers under the program; 

(3) establish guidance to assist eligible partners with carrying out the assessment required under subsection (c)(1)(E); 

(4) provide to each eligible partner that has entered into a partnership agreement— 

(A) a semiannual report describing the status of each pending and obligated contract under the project of the eligible partner; and 

(B) an annual report describing how the Secretary used amounts reserved by the Secretary for that year for technical assistance; 

(5) ensure that the new or modified conservation practice standard— 

(A) is based on the best available science; 

(B) is developed after consultation with the eligible partner; 

(C) effectively addresses natural resource concerns; and 

(D) build new partnerships at the local, State, and corporate levels or include a diversity of stakeholders in the project; 

(6) in the section heading, by inserting “eligible” before “producers” each place it appears; 

(7) by striking paragraph (D); 

(8) in paragraph (A), by striking “financial” and inserting “financial or technical”; 

(9) by adding at the end the following: 

“(ii) in the case of a project in a critical conservation area under section 1271F, to address the critical conservation condition for that critical conservation area; 

(P)(y) develop and implement new watershed or habitat plans to address 1 or more natural resource concerns; 

(ii) implement a project consistent with existing watershed restoration plans; and 

(D) by adding at the end the following: 

“(5) REVIEW.—To the extent practicable, after receipt of an application under this subsection, the Secretary shall provide to each applicant information and feedback (including written information and feedback, as the Secretary determines to be appropriate) throughout the annual program application process for any improvements that could be made to the application.” 

2. Assistance to eligible producers: 

(a) In general.—An eligible partner may receive technical or financial assistance to conduct eligible activities on eligible land through a program contract entered into with the Secretary. 

(b) Program contracts. 

(1) IN GENERAL.—The Secretary shall establish a program contract to be entered into with an eligible producer to conduct eligible activities on eligible land. 

(2) Application bundles. 

(A) In general.—An eligible partner may submit an application to the Secretary to conduct eligible activities on eligible land through a program contract entered into with the Secretary. 

(B) Priority. 

The Secretary shall give priority to applications described in subparagraph (A). 

(c) In subsection (e)— 

(A) in paragraph (1), by striking “in accordance with statutory requirements of the covered programs involved, the Secretary may make payments to a producer” and inserting “Subject to subsection 1271D, the Secretary may make payments to an eligible producer”; 

(B) in paragraph (2), by inserting “eligible” before “producers” each place it appears; and 

(C) in paragraph (3), by striking “participating” and inserting “eligible”; and 

(d) Funding arrangements through grant agreements. 

(1) In general.—A partnership agreement may be a grant agreement entered into with an eligible partner in accordance with this subsection. 

(2) Requirements. 

Under a grant agreement entered into under paragraph (1), 

(A) using amounts made available to carry out this subtitle, the Secretary shall provide to the eligible partner a grant; 

(B) the eligible partner shall carry out eligible activities on eligible land (including by contracting with 1 or more producers, if the eligible partner determines the contracting to be appropriate), on the condition that the eligible activities directly or indirectly benefit agricultural producers (including minority producers), to address natural resource concerns on a regional or watershed scale, such as— 

(i) infrastructure investments relating to agricultural or nonindustrial private forest production that would benefit multiple producers, such as a multiproducer irrigation water delivery system, including investments to address droughts; 

(ii) projects addressing water quality or quantity concerns (including drought) in coordination with producers, including the development and implementation of watershed plans; 

(iii) projects that use innovative approaches to levering the Federal investment in conservation with private financial mechanisms, in conjunction with agricultural production or forest resource management, such as— 

(C) the Secretary may provide technical and administrative assistance, as mutually agreed by the parties. 

(3) Nonapplicability of adjusted gross income limitation. 

The adjusted gross income limitation described in section 1001D(b)(1) shall not apply to the receipt by an eligible partner of a grant under this subsection. 

(4) Limitation. 

The Secretary may not use more than 30 percent of funding made available to carry out the program for grant agreements. 

(5) Reports. 

An eligible partner that enters into a grant agreement under this subsection shall submit to the Secretary— 

(A) any information that the Secretary requires to prepare the report under section 1271E(b); and 

(B) an annual report that describes the status of the project carried out by the eligible partner, including a description of— 

(i) the use of the grant funds; 

(ii) any subcontracts awarded using grant funds; 

(iii) the eligible producers receiving funding using the grant funds;
“(iv)(1) the progress made by the project in addressing each natural resource concern defined in the grant agreement, including in a quantified form, and
“(v) any other reporting data the Secretary may determine necessary to ensure compliance with the program rules.”;

(e) FUNDING.—Section 1271D of the Food Security Act of 1985 (16 U.S.C. 3871d) is amended—

(1) in subsection (a)—

(A) by striking “$100,000,000” and inserting “$200,000,000”; and

(B) by striking “2014 through 2018” and inserting “2015 through 2023”;

(2) in subsection (c), by striking paragraphs (1) and (2) and inserting the following:

“(1) IN GENERAL.—To ensure that additional resources are available to carry out the program, in addition to the funds made available under subsection (a), for each fiscal year the Secretary shall transfer 7 percent of the funds and acres made available for the following programs:

“(A) The conservation stewardship program established under subchapter B of chapter 2 of subtitle D.

“(B) The environmental quality incentives program established under chapter 4 of subtitle I.

“(C) The agricultural conservation easement program established under subtitle H.

“(2) DURATION OF AVAILABILITY.—Any funds or acres transferred under paragraph (1) shall remain available for obligation only for the purposes of carrying out the program until expended.

“(3) DISTRIBUTION OF FUNDS.—To the maximum extent practicable, of projects receiving funds or acres transferred under paragraph (1) from a program described in subparagraph (A), (B), or (C) of that paragraph, the percentage of projects that shall have purposes similar to the purposes of the applicable program from which funds or acres were transferred shall be approximately equal to the percentage of funds or acres transferred from the applicable program.”;

(3) in subsection (d)—

(A) by striking paragraph (2), (C) as redesignated) and inserting the following:

“(2) by striking “25 percent of the funds and acres to projects based on a State competitive process administered by the State Conservationist, with the advice of the applicable State technical committees”;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2) (as so redesignated), by striking “5 percent” and inserting “60 percent”;

(4) in subsection (e)—

(A) by striking “None of the funds” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds”; and

(B) by adding at the end the following:

“(2) PROJECT DEVELOPMENT AND OUTREACH.—In carrying out a partnership agreement, the Secretary may advance reasonable amounts of funding for technical assistance to eligible partners to conduct project development and outreach activities in a project area, including—

“(A) providing outreach and education to eligible producers for potential participation in the program;

“(B) developing a watershed or habitat plan;

“(C) establishing baseline metrics to support the development of the assessment required under section 1271B(c)(1)(E); or

“(D) providing technical assistance to eligible producers.”;

“(3) REIMBURSEMENT.—The Secretary may reimburse reasonable amounts of funding for activities conducted during the period beginning on the effective date of the program and ending on the date of the partnership agreement.”;

(5) by adding at the end the following:

“(1) TECHNICAL ASSISTANCE.—

“(A) in paragraph (1), by striking “December 31, 2014” and inserting “December 31, 2018”;

(B) in paragraphs (1) and (2), by inserting “eligible” before “producers” each place it appears;

(C) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(D) by inserting before paragraph (2) (as so redesignated) the following:

“(i) a summary of—

“(A) the progress made towards addressing the 1 or more natural resource concerns defined for the projects; and

“(B) any other natural environmental, social, or economic outcomes of the projects;”;

(2) by adding at the end the following:

“(A) review designations of critical conservation areas under this section not more frequently than once every 5 years; and

(B) by striking paragraph (3); and

(3) REVIEW AND WITHDRAWAL.—The Secretary may withdraw recognition of a critical conservation area or critical conservation area only if the Secretary determines that the area is no longer a critical conservation area.”;

(4) by inserting after subsection (c) (as so redesignated), by striking “eligible” before “producers”;

(5) by inserting after subsection (c) (as so redesignated), by inserting “program” after “agreement.”;

“(d) HISTORICALLY UNDERSERVED PRODUCERS.—To the maximum extent practicable, in carrying out the program, the Secretary shall work with eligible partners to maintain eligible benefits available through the covered programs for beginning farmers and ranchers, veteran farmers and ranchers, socially disadvantaged farmers and ranchers, and limited resource farmers and ranchers.

“(e) REGULATIONS.—The Secretary shall promulgate regulations to carry out the program.”;

(g) CRITICAL CONSERVATION AREAS.—Section 1271F of the Food Security Act of 1985 (16 U.S.C. 3871f) is amended—

(1) by redesignating subsections (a), (b), and (c) as subsections (b), (c), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITIONS.—In this section—

“(1) CRITICAL CONSERVATION AREA.—The term ‘critical conservation area’ means a geographical area that contains a critical

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

“(A) the effective date of the partnership agreement.’’; and

“(B) by inserting “that address each critical conservation condition for which the critical conservation area is designated” before the period at the end;

(4) in subsection (c) (as so redesignated)—

(A) by striking “producer” and inserting “program”; and

(B) by inserting “that address each critical conservation condition for which the critical conservation area is designated” before the period at the end;

(5) by inserting after paragraph (2) (as so redesignated) the following:

“(i) drought;

“(ii) broad-scale restoration of wetlands; and

“(iii) water and sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance; and

“(B) by inserting “program” after “agreement.”;
condition for each critical conservation area designated under this section, including—

(1) the conditions for which each critical conservation area is designated;

(2) the goals and outcomes sufficient to demonstrate that progress is being made to address the critical conservation conditions;

(3) the partnership agreements selected to address each conservation goal and outcome; and

(4) the extent to which each conservation goal and outcome is being addressed by the partnership agreements.

(b) CONFORMING AMENDMENTS.—

(1) Section 1271E of the Food Security Act of 1985 (16 U.S.C. 3871e) is amended in subsection (f) as amended—

(A) in subsection (a), by striking “1271(d)(3)” each place it appears and inserting “1271(d)(4)”;

(B) in subsection (b)(5), in the matter preceding subparagraph (A), by striking “1271(c)(2)” and inserting “1271(d)(2)”; and

(C) in subsection (b)(6), in the matter preceding subparagraph (A), by striking “1271(d)(3)” and inserting “1271(d)(4)”.

SEC. 2412. WETLAND CONVERSION.

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

(1) by striking “Except as” and inserting the following:

“(1) IN GENERAL.—Except as”;

(2) by adding at the end the following:

“(2) in paragraph (1) as so designated—

(A) in the first sentence, by inserting “not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, in accordance with paragraph (2),” before “the Secretary” and;

(B) in the second sentence, by striking “the Secretary” and inserting the following:

“(2) REQUIREMENTS.—The Secretary shall carry out paragraph (1)—

(A) in compliance with applicable Federal environmental laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) in accordance with subsections (d) and (e) of section 12.31 of title 7, Code of Federal Regulations (as in effect on the date of enactment of the Agriculture Improvement Act of 2018); and

(C) after consultation with—

(i) State technical committees established under section 1261(a); and

(ii) State wildlife and water resource agencies;

(iii) the Director of the United States Fish and Wildlife Service;

(iv) State Committees of the Farm Service Agency; and

(v) agricultural commodity organizations.

(3) TRAINING OF EMPLOYEES.—The Secretary shall—

(B) MITIGATION BANKING.—Section 1222(k)(1) of the Food Security Act of 1985 (16 U.S.C. 3822(k)(1)) is amended by striking subparagraph (B) and inserting the following:

“B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this paragraph $5,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 2414. EMERGENCY CONSERVATION PROGRAM.

(a) WATERSHED PROTECTION PROGRAM.—Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended—

(1) by striking “MEASURES” and inserting “WATERSHED PROTECTION PROGRAM”;

and

(b) LIMITATION.—The Commodity Credit Corporation;

(2) in the third sentence, by striking “in the provisions of the Authority’s allocation of funds” and inserting “the following:

“d) LIMITATION.—The Commodity Credit Corporation”;

(3) by striking the second sentence; and

(4) by striking the section designation and all that follows through “authorize” in the first sentence and inserting the following:

“SEC. 403A. LIMITATION.

The maximum payment made under the emergency conservation program to an agricultural producer under this title may not exceed $500,000.”.

(c) FUNDING AND ADMINISTRATION.—Section 404 of the Agricultural Credit Act of 1978 (16 U.S.C. 2204) is amended—

(1) in the fourth sentence, by striking “The Secretary” and, before “the Corporation” and inserting the following:

“(1) in the fourth sentence, by striking “The Secretary” and, before “the Corporation” and;

(2) by striking the section designation and all that follows through “there are authorized” in the first sentence and inserting the following:

“SEC. 404. FUNDING AND ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to carry out this Act $20,000,000 for each of fiscal years 2019 through 2023.

(b) LIMITATION.—Of the amounts made available under subsection (a) for a fiscal year, 25 percent shall be set aside until April 1 of that fiscal year for the repair or replacement of fencing.”.

SEC. 2415. WATERSHED PROTECTION AND FLOOD PREVENTION PROGRAM.

Section 10 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1007) is amended by striking the section designation and all that follows through “No appropriation” in the second sentence and inserting the following:

“SEC. 10. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out this Act $20,000,000 for each of fiscal years 2019 through 2023.

(b) LIMITATIONS.—No appropriation.

SEC. 2416. SMALL WATERSHED REHABILITATION PROGRAM.

Section 1h(b)(2) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(b)(2)) is amended—

(1) by striking “...” at the end;

(2) in subparagraph (E), by striking “...” and inserting the following:

“(E) $20,000,000 for each of fiscal years 2019 through 2023.”.

(b) CONFORMING AMENDMENT.—Section 5059 of the Water Resources Development Act of 2007 (16 U.S.C. 3801 note; Public Law 110–144) is repealed.

SEC. 2418. REPEAL OF CRANBERRY ACREAGE RESERVE PROGRAM.

Section 15003 of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3801 note; Public Law 107–171) is repealed.

SEC. 2419. REPEAL OF NATIONAL NATURAL RESOURCE CONSERVATION SERVICE.


SEC. 2420. REPEAL OF FLOOD RISK REDUCTION.

Section 385 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7334) is repealed.

SEC. 2421. REPEAL OF STUDY OF LAND USE FOR EXPIRING CONTRACTS AND EXTENSION OF AUTHORITY.

Section 1437 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5822) is repealed.

SEC. 2422. REPEAL OF INTEGRATED FARM MANAGEMENT PROGRAM OPTION.

Section 1431 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5822) is repealed.

SEC. 2423. REPEAL OF CLARIFICATION OF DEFINITION OF AGRICULTURAL LANDS.

Section 325 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127, 110 Stat. 99) is repealed.

SEC. 2424. RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM.

Section 1537 of the Agriculture and Food Act of 1981 (16 U.S.C. 3466) is amended to read as follows:

“SEC. 1537. TERMINATION OF EFFECTIVENESS.

“The authority provided by this subtitle terminates effective October 1, 2023.”.

SEC. 2425. WILDLIFE MAINTENANCE.

(a) IN GENERAL.—The Secretary and the Secretary of the Interior shall continue to carry out the Working Lands for Wildlife model of conservation on working landscapes and in implementing the National Resources Conservation Service’s program of conservation on working lands, as in effect on August 9, 2016.

(c) EXTENSION OF PERIOD OF REGULATORY PREDICTABILITY.—In this subsection, the term “period of regulatory predictability” means the period of regulatory predictability under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) initially determined in accordance with the document entitled “National Partnership Agreement Between the United States Department of Agriculture Natural Resources Conservation Service and the United States Department of the Interior Fish and Wildlife Service” numbered A-3A75-16-937, and formalized by the Chief of the Natural Resources Conservation Service on September 15, 2016, and by the Secretary of the United States Fish and Wildlife Service on August 4, 2016, as in effect on September 15, 2016; and

(2) by striking “The authority provided by this subtitle terminates effective October 1, 2023.”.
the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), or additional conference under section 7(a)(4) of that Act (16 U.S.C. 1536(a)(4)), as applicable, with the Chief of the Natural Resources Conservation Service or the Administrator of the Farm Service Agency, as applicable, to extend the period of regulatory predictability.

(4) Regulatory Certainty.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended by adding at the end the following:

”(n) REGULATORY CERTAINTY.—

“(1) IN GENERAL.—In addition to technical and programmatic information that the Secretary may provide authorized to provide, on request of a Federal agency, a State, an Indian tribe, or a unit of local government, the Secretary may provide technical and programmatic information—

“(A) subject to paragraph (2), to the Federal agency, State, Indian tribe, or unit of local government to support specifically the development of mechanisms that would provide regulatory certainty, regulatory predictability, safe harbor protection, or other similar regulatory assurances to a farmer, rancher, or private nonindustrial forest landowner under a regulatory requirement—

“(i) that relates to soil, water, or wildlife; and

“(ii) over which that Federal agency, State, Indian tribe, or unit of local government has authority; and

“(B) through true conservation practices or activities that could be implemented by a farmer, rancher, or private nonindustrial forest landowner to address a targeted soil, water, or wildlife resource concern that is the direct subject of a regulatory requirement enforced by that Federal agency, State, Indian tribe, or unit of local government.

“(2) MECHANISMS.—The Secretary shall only provide additional technical and programmatic information under paragraph (1) if the mechanisms to be developed by the Federal agency, State, Indian tribe, or unit of local government, as applicable, under paragraph (1)(A) are anticipated to include, at a minimum—

“(A) the implementation of 1 or more conservation practices or activities that effectively addresses the soil, water, or wildlife resource concern identified under paragraph (1);

“(B) the on-site confirmation that the applicable conservation practices or activities identified under subparagraph (A) have been implemented;

“(C) a plan for a periodic audit, as appropriate, of the continued implementation or maintenance of each of the conservation practices or activities identified under subparagraph (A); and

“(D) a designation to a farmer, rancher, or private nonindustrial forest landowner of, and an opportunity to correct, any noncompliance with a requirement to obtain regulatory certainty, regulatory predictability, safe harbor protection, or other similar regulatory assurances in accordance with paragraph (2); and

“(E) continue collaboration with the Secretary of Agriculture, the Interior, or the Department of Commerce to establish a mechanism to identify and otherwise address any regulatory certainty, regulatory predictability, safe harbor protection, or other similar regulatory assurances in accordance with paragraph (2).

“(3) CONTINUING CURRENT COLLABORATION ON WORKING LANDS CONSERVATION PRACTICES.—The Secretary shall—

“(A) continue collaboration with Federal agencies, States, Indian tribes, or local units of government regarding regulatory certainty, regulatory predictability, safe harbor protection, or other similar regulatory assurances in accordance with paragraph (2); and

“(B) continue collaboration with the Secretary of the Interior on consultation under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), as applicable, for wildlife conservation efforts, including the Working Lands for Wildlife model of conservation on working landscapes, as implemented on the day before the date of enactment of the Agriculture Improvement Act of 2018, in accordance with—

“(i) the document entitled ‘Partnership Agreement Between the United States Department of Agriculture, the Natural Resources Conservation Service and the United States Department of the Interior Fish and Wildlife Service’, number, A-3475-16-8277, and finalized on the 31st day of August, 2016;

“(ii) United States Fish and Wildlife Service’s National Wildlife Refuge Grasslands and Grassland Conservation Program 2012-2017, as in effect on September 15, 2016; and

“(iii) United States Fish and Wildlife Service Director’s Order No. 217, dated August 9, 2016, as in effect on August 9, 2016.

“(4) SAVINGS CLAUSE.—Nothing in this subsection—

“(A) preempts, displaces, or supersedes any authority or right of a Federal agency, a State, an Indian tribe, or a unit of local government;

“(B) modifies or otherwise affects, preempts, or displaces—

“(i) any cause of action; or

“(ii) a provision of Federal or State law establishing a remedy for a civil or criminal cause of action;

“(C) applies to a case in which the Department of Agriculture is the originating agency with regard to the request for technical and programmatic information or assistance from another Federal agency in assisting farmers, ranchers, or nonindustrial private forest landowners participating in a conservation program administered by the Secretary.”.

SEC. 2428. HEALTHY FORESTS RESERVE PROGRAM.

(a) PURPOSES.—Section 501(a) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571(a)) is amended—

(1) in paragraph (2), by striking “and” at the end;

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

(3) by striking the subsection designation and indenting appropriately;

(4) by adding at the end the following:

“(d) the Secretary may provide technical and programmatic information under paragraph (1), by striking “or” at the end; and

“(e) by striking paragraph (2) and inserting the following:

“(2) USE OF FEDERAL FUNDS.—The amounts made available to the Secretary by this section—


“(B) may be used for restoration and other purposes, as determined by the Secretary."

(b) ELIGIBILITY.—Section 502 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6572) is amended—

(1) in subsection (b)—

“(A) in paragraph (1), by striking “private land” and all that follows through “which will” and inserting “private land, including private forest land or land being restored to forest, the enrollment of which will maintain,”; and

“(B) in paragraph (2)—

“(i) in the matter preceding subparagraph (A), by striking “private land” and all that follows through “which will” and inserting “private land, including private forest land or land being restored to forest, the enrollment of which will maintain,”; and

“(ii) by striking subparagraph (B)(i) and inserting the following:

“(B)(i) are candidates for such listing, State-listed species, or special concern species; or

“(ii) are deemed a species of greatest conservation need under a State wildlife action plan.”.

(c) RESTORATION PLANS.—The restoration plan may require such restoration practices and measures—

(1) in subparagraph (A) (as redesignated by paragraph (1)), by striking “and” at the end and inserting “; or”;

(2) in subparagraph (B) (as redesignated by paragraph (1)), by striking the period at the end and inserting “; or”;

(3) by striking “and” at the end and inserting “; or”;

(4) by striking the subsection designation and adding a new subsection designated as subsection (c) after paragraph (b) and inserting the following:

“(c) PRIORITIES.—The priorities within a restoration plan shall—

“(1) be a listing, Federal or State; or

“(2) by striking paragraph (2), by striking the period at the end and inserting “; or”;

“(3) be a designation of a species of greater conservation need under a State wildlife action plan.”.

SEC. 2427. WATERSHED PROTECTION.

(a) WATERSHED AREAS.—Section 2 of the Watershed Protection and Flood Prevention Act of 1956 (16 U.S.C. 1522) is amended by redesignating the undesignated matter following paragraph (3) by inserting “(except in cases in which the Secretary determines that the undertaking is necessary in a larger watershed or subwatershed in order to address regional drought concerns)” after “fifty thousand acres”.

(b) AUTHORITY OF THE SECRETARY.—Section 3 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1523) is amended—

(1) by striking the section designation and all that follows through “in order to assist” and inserting the following:

“(c) ASSISTANCE TO LOCAL ORGANIZATIONS.—

“(a) IN GENERAL.—In order to assist; and

“(b) WAIVER.—The Secretary may waive the watershed plan for works of improvement if the Secretary determines that the watershed plan is unnecessary or nonfeasible, and provide benefits to farmers, landowners, and the public.

SEC. 2428. SENSE OF CONGRESS RELATING TO INCREASED WATERSHED-BASED COLLABORATION.

It is the sense of Congress that the Federal Government should recognize and encourage partnerships at the watershed level between nonpoint sources and regulated point sources to advance the goals of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and provide benefits to farmers, landowners, and the public.
SEC. 2429. MODIFICATIONS TO CONSERVATION EASEMENT PROGRAM.

Title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.) is amended by inserting after subtitle E the following:

"Subtitle E—Funding and Administration

SEC. 2501. FUNDING.

(a) IN GENERAL.—Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "2018" and inserting "2023"; and

(2) in paragraph (A), by striking "$1,000,000,000 for the period of fiscal years 2014 through 2018 and inserting "$11,000,000 for the period of fiscal years 2019 through 2023"; and

(b) MODIFICATIONS.—Notwithstanding any other provision of law applicable to the covered program, subject to subsection (c), if requested by the landowner, the Secretary shall—

(1) allow land enrolled in the covered program to be—

(A) modified for water management, general maintenance, vegetative cover control, wildlife habitat management, or any other purpose, subject to the condition that the modification—

(i) the State department of natural resources (or equivalent State agency); and

(ii) the technical committee established under subsection (a)(5) of this title, the Natural Resources Conservation Service under section 1265C.

(2) provide for the modification of an easement under the covered program if the Secretary determines that the modification—

(A) would facilitate the practical administration and management of the land covered by the easement; and

(B) a non-Federal entity approved by the Secretary to perform the certification.

(c) REQUIREMENTS.—

(1) NO EFFECT ON ENROLLED ACREAGE, ECONOMIC VALUES, AND EASEMENTvron—A modification or exchange under subsection (b) shall not—

(A) result in a net loss of acreage enrolled in the covered program; and

(B) adversely affect any ecological or conservation function or value for which the applicable easement was established.

(2) IN ELIGIBLE PARTICIPANT—Any land for which an exchange is made under subsection (b) shall satisfy all requirements for enrollment in the covered program.

(3) PAYMENTS.—In modifying any easement under the covered program, the Secretary shall not increase any payment to any party to the easement.

(4) COSTS.—A party to an easement under the covered program that requests a modification or exchange under subsection (b) shall be responsible for all costs of the modification or exchange, including costs and requirements for title approval by the Secretary, subordination of liens, and amended warranty easement recorded; and

(5) ANY APPLICABLE RECORD AND LEGAL FEES.

Subtitle F—Other Conservation Provisions

SEC. 1251. MODIFICATIONS TO CONSERVATION EASEMENT PROGRAM.

"(a) DEFINITION OF COVERED PROGRAM.—In this section, the term 'covered program' means the wetland reserve easement programs under section 1263C.

(b) MODIFICATIONS.—Notwithstanding any other provision of law applicable to the covered program, subject to subsection (c), if requested by the landowner, the Secretary shall—

(1) allow land enrolled in the covered program to be—

(A) modified for water management, general maintenance, vegetative cover control, wildlife habitat management, or any other purpose, subject to the condition that the modification—

(i) the State department of natural resources (or equivalent State agency); and

(ii) the technical committee established under subsection (a)(5) of this title, the Natural Resources Conservation Service under section 1265C.

(2) provide for the modification of an easement under the covered program if the Secretary determines that the modification—

(A) would facilitate the practical administration and management of the land covered by the easement; and

(B) a non-Federal entity approved by the Secretary to perform the certification.

(c) REQUIREMENTS.—

(1) NO EFFECT ON ENROLLED ACREAGE, ECONOMIC VALUES, AND EASEMENTvron—A modification or exchange under subsection (b) shall not—

(A) result in a net loss of acreage enrolled in the covered program; and

(B) adversely affect any ecological or conservation function or value for which the applicable easement was established.

(2) IN ELIGIBLE PARTICIPANT—Any land for which an exchange is made under subsection (b) shall satisfy all requirements for enrollment in the covered program.

(3) PAYMENTS.—In modifying any easement under the covered program, the Secretary shall not increase any payment to any party to the easement.

(4) COSTS.—A party to an easement under the covered program that requests a modification or exchange under subsection (b) shall be responsible for all costs of the modification or exchange, including costs and requirements for title approval by the Secretary, subordination of liens, and amended warranty easement recorded; and

(5) ANY APPLICABLE RECORD AND LEGAL FEES.

Subtitle G—Other Conservation Provisions

SEC. 2429. MODIFICATIONS TO CONSERVATION EASEMENT PROGRAM.

"(a) DEFINITION OF COVERED PROGRAM.—In this section, the term 'covered program' means the wetland reserve easement programs under section 1263C.

(b) MODIFICATIONS.—Notwithstanding any other provision of law applicable to the covered program, subject to subsection (c), if requested by the landowner, the Secretary shall—

(1) allow land enrolled in the covered program to be—

(A) modified for water management, general maintenance, vegetative cover control, wildlife habitat management, or any other purpose, subject to the condition that the modification—

(i) the State department of natural resources (or equivalent State agency); and

(ii) the technical committee established under subsection (a)(5) of this title, the Natural Resources Conservation Service under section 1265C.

(2) provide for the modification of an easement under the covered program if the Secretary determines that the modification—

(A) would facilitate the practical administration and management of the land covered by the easement; and

(B) a non-Federal entity approved by the Secretary to perform the certification.

(c) REQUIREMENTS.—

(1) NO EFFECT ON ENROLLED ACREAGE, ECONOMIC VALUES, AND EASEMENTvron—A modification or exchange under subsection (b) shall not—

(A) result in a net loss of acreage enrolled in the covered program; and

(B) adversely affect any ecological or conservation function or value for which the applicable easement was established.

(2) IN ELIGIBLE PARTICIPANT—Any land for which an exchange is made under subsection (b) shall satisfy all requirements for enrollment in the covered program.

(3) PAYMENTS.—In modifying any easement under the covered program, the Secretary shall not increase any payment to any party to the easement.

(4) COSTS.—A party to an easement under the covered program that requests a modification or exchange under subsection (b) shall be responsible for all costs of the modification or exchange, including costs and requirements for title approval by the Secretary, subordination of liens, and amended warranty easement recorded; and

(5) ANY APPLICABLE RECORD AND LEGAL FEES.
“(C) conservation innovations that were considered under that process.”.

SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

(a) INCENTIVES FOR ACQUIPAS.—Section 124(h)(3) of the Food Security Act of 1985 (16 U.S.C. 3844h(h)(3)) is amended—

(1) by redesigning paragraphs (1) through (27) as paragraphs (2) through (28), respectively,

(2) by inserting after paragraph (27) the following:

“(1) ACQUIPA.—The term ‘acquia’ means an entity that—

(A) is a political subdivision of a State; or

(B) is organized for the purpose of managing the operation of an irrigation ditch; and

(C) does not have the authority to impose taxes or levies; and

(3) in paragraph (19)(B) (as so redesignated), by inserting “acquia,” before “or”.

(b) CONFORMING AMENDMENTS.—Section 363 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006e) is amended—

(1) by striking “section 1201(a)(16)” and inserting “section 1201(a)”; and

(2) by striking “(16 U.S.C. 3801(a)(16))” and inserting “(16 U.S.C. 3801(a))”.

SEC. 2505. AUTHORIZATION OF APPROPRIATIONS FOR WATER BANK PROGRAM.

Section 11 of the Water Bank Act (16 U.S.C. 1310) is amended—

(1) in the sentence, by striking “without fiscal year” and all that follows through “necessary” and inserting “$5,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.;” and

(2) by striking the second sentence.

SEC. 2506. REPORT ON LAND ACCESS, TENURE, AND TRANSITION.

Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture, in consultation with the Chief Economist, shall submit to Congress and make publicly available a report identifying—

(A) the barriers that prevent or hinder the ability of beginning farmers and ranchers and historically underserved producers to acquire or access farmland; and

(B) the extent to which Federal programs, including agricultural conservation easement programs, land transition programs, and financing programs, are improving—

(i) farmland access and tenure for beginning farmers and ranchers and historically underserved producers; and

(ii) farmland transition and succession; and

(C) the regulatory, operational, or statutory changes that are necessary to improve—

(i) the ability of beginning farmers and ranchers and historically underserved producers to acquire or access farmland; and

(ii) farmland tenure for beginning farmers and ranchers and historically underserved producers; and

(iii) farmland transition and succession.

SEC. 2507. REPORT ON SMALL WETLANDS.

(a) IN GENERAL.—The Chief of the Natural Resources Conservation Service shall submit to Congress a report describing the number of wetlands with an area not more than 1 acre that have been delineated in each of the States of North Dakota, South Dakota, Minnesota, and Iowa.

(b) REQUIREMENT.—In the report under subsection (a), the Chief of the Natural Resources Conservation Service shall list the number of wetlands acres in each State described in the report by tens of an acre, and ensure that the report is based on readily available scientific data.

SEC. 2508. STATE TECHNICAL COMMITTEES.

Section 1262(c) of the Food Security Act of 1985 (16 U.S.C. 3862(c)) is amended by adding at the end the following:

“(3) RECOMMENDATIONS TO SECRETARY.—Each State technical committee shall regularly review new and innovative technologies and practices, including processes to conserve water and improve water quality and quantity, and make recommendations to the Secretary for further consideration of and possible development of conservation practice standards that incorporate those technologies and practices.”.

Subtitle F—Technical Corrections

SEC. 2601. FARMABLE WETLAND PROGRAM.


SEC. 2602. REPORT ON FUND PROGRAM ENROLLMENTS AND ASSISTANCE.

Section 1241(i) of the Food Security Act of 1985 (16 U.S.C. 3841(i)) is amended by adding—

(1) by striking paragraphs (2) and (4); and

(2) by redesigning paragraphs (3), (5), and (6) as paragraphs (2), (3), and (4), respectively.

SEC. 2603. DELIVERY OF TECHNICAL ASSISTANCE.

Section 1242 of the Food Security Act of 1985 (16 U.S.C. 3842) is amended in sub-sections (a)(3)(B) and (f)(4) by striking “third party” each place it appears and inserting “third-party.”

SEC. 2604. STATE TECHNICAL COMMITTEES.

Section 1231(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3831b(b)(2)) is amended by striking “under section 1231(b)(2)”.

Subtitle A—Food for Peace Act

SEC. 3101. FOOD AID QUALITY.

Section 202(h)(3) of the Food for Peace Act (7 U.S.C. 1722(h)(3)) is amended by striking “2018 through 2018” and inserting “2018 through 2023”.

SEC. 3102. GENERATION AND USE OF CURRENTS BY NONPROFIT ORGANIZATIONS AND COOPERATIVES.

Section 283 of the Food for Peace Act (7 U.S.C. 1723a) is amended—

(1) in subsection (d)(1), in the first sentence, by striking “45” and inserting “30”; and

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

SEC. 3103. MINIMUM LEVELS OF ASSISTANCE.

Section 204(a) of the Food for Peace Act (7 U.S.C. 1724a(a)) is amended by striking subsection (b) and inserting the following:

“(b) LOCAL SALES.—In carrying out agreements of the type referred to in subsection (a), the Administrator may permit private voluntary organizations and cooperatives to sell, in 1 or more recipient countries, or in 1 or more countries in the same region, commodities distributed under nonemergency programs under this title for each fiscal year to generate proceeds to be used as provided in this section.”.

SEC. 3104. FOOD AID CONSULTATIVE GROUP.

Section 203 of the Food for Peace Act (7 U.S.C. 1723b) is amended—

(1) in subsection (d)(1), in the first sentence, by striking “45” and inserting “30”;

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

SEC. 3105. OVERSIGHT, MONITORING, AND EVALUATION.

Section 207(h)(4) of the Food for Peace Act (7 U.S.C. 1726a(h)(4)) is amended by striking “5 percent” and inserting “1.5 percent, but not less than $17,000,000,”.

SEC. 3106. ASSISTANCE FOR STOCKPILING AND TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 304(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended by striking “2018” and inserting “2023”.
SEC. 3107. ALLOWANCE OF DISTRIBUTION COSTS.
Section 406(b)(6) of the Food for Peace Act (7 U.S.C. 1736(b)(6)) is amended by striking "distribution costs" and inserting "distribution and, including the types of activities for which costs were paid under this subtitle prior to fiscal year 2017.

SEC. 3108. PROCUREMENT OF AGRICULTURAL COMMODITIES.
Section 407(c)(4)(A) of the Food for Peace Act (7 U.S.C. 1736a(c)(4)(A)) is amended by striking "2018" each place it appears and inserting "2023."

SEC. 3109. ANNUAL REPORT REGARDING FOOD AID PROGRAMS AND ACTIVITIES.
Section 412(c)(3) of the Food for Peace Act (7 U.S.C. 1736e(x)(3)) is amended—
(1) by inserting "or each separately" after "jointly"; and
(2) by inserting "by the Administrator, the Secretary, or both, as applicable," after "Act."

SEC. 3110. DEADLINE FOR AGREEMENTS TO FINANCE SALES OR TO PROVIDE OTHER ASSISTANCE.
Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking "2018" and inserting "2023."

SEC. 3111. NONEMERGENCY FOOD ASSISTANCE.
Section 412(e) of the Food for Peace Act (7 U.S.C. 1736e(e)) is amended—
(1) in the subsection heading, by striking "MINIMUM LEVEL OF"; and
(2) in paragraph (1), by striking "2018" and inserting "2023."

SEC. 3112. MICRONUTRITION FORTIFICATION PROGRAMS.
Section 415(c) of the Food for Peace Act (7 U.S.C. 1736g(c)2(c)) is amended by striking "2018" and inserting "2023."

SEC. 3113. JOHNNIGONOWSKIDOUGHERREYJENBURG.
Section 501 of the Food for Peace Act (7 U.S.C. 1739) is amended—
(1) in subsection (b)—
(A) in the matter preceding paragraph (1), by inserting "section 1942 of title 31, United States Code, or "Notwithstanding"; and
(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting "employees or staff of a State cooperative institution (as defined in subparagraphs (A) through (D) of section 1409 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103a)), "after "private corporations,"; and
(2) in subsection (d), in the matter preceding paragraph (1), by striking "2018" and inserting "2023; and
(3) in subsection (e)(1), in the matter preceding subparagraph (A), by striking "2018" and inserting "2023."

Title B—Agricultural Trade Act of 1978

SEC. 3201. PRIORITY TRADE PROMOTION, DEVELOPMENT, AND ASSISTANCE.
(a) IN GENERAL.—Title II of the Agricultural Trade Act of 1978 (7 U.S.C. 5621 et seq.) is amended by adding at the end the following—

"Subtitle C—Priority Trade Promotion, Development, and Assistance"

SEC. 3202. ESTABLISHMENT.
"The Secretary shall carry out activities under this subtitle—
(1) to conduct a market development, and expansion projects for United States agricultural commodities; and
(2) to promote export promotion and the exchange of information.

"Sec. 3221. MARKET ACCESS PROGRAM.
"(a) IN GENERAL.—The Commodity Credit Corporation shall establish and carry out a program to establish or expand the export market for United States agricultural commodities; and
(b) TYPE OF ASSISTANCE.—Assistance under this section may be provided in the form of funds, or commodities owned by the Commodity Credit Corporation, as determined appropriate by the Secretary.
(c) REQUIREMENTS FOR PARTICIPATION.—To be eligible for cost-share assistance under this section, an organization shall—
(1) be an eligible trade organization;
(2) prepare and submit a marketing plan to the Secretary that meets the guidelines governing such plans established by the Secretary; and
(3) demonstrate that results achieved as a result of the program are at least equivalent to the amount of funds for the activity in an amount provided by any other trade organization for the use of the corporation in promoting foreign-produced products;
(b) shall not be used to provide direct assistance to any for-profit corporation for the contribution to United States export market development; and
(c) may be used by a United States trade association, cooperative, or other organization to promote specific market goals to be achieved as a result of the market access program; and
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"(1) IN GENERAL.—The Secretary shall jus-
tify in writing the level of assistance pro-
vided to an eligible trade organization under
the program under this section and the level
of cost-sharing required of the organization.

"(2) LIMITATION.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), assistance provided under this subtitle for activities described in sub-
section (e)(4) shall not exceed 50 percent of
the cost of implementing the marketing plan.

"(B) ACTION BY UNITED STATES TRADE RE-
PRESENTATIVE.—

"(i) IN GENERAL.—The Secretary may de-
termine not to apply the limitation de-
scribed in subparagraph (A) in the case of ag-
ricultural commodities with respect to
which there has been a favorable decision
by the United States Trade Representative
under section 301 of the Trade Act of 1974 (19

"(ii) REQUIREMENT.—Criteria for deter-
mining that the limitation shall not apply
under clause (i) shall be consistent and docu-
mented.

SEC. 223. FOREIGN MARKET DEVELOPMENT
CO-OPERATOR PROGRAM.

"(a) DEFINITION OF TRADE ORGANI-
ZATION.—In this section, the term 'eligible
trade organization' means a United States
trade organization that

"(1) promotes the export of 1 or more
United States agricultural commodities; and

"(2) does not have a business interest in
or receive remuneration from specific sales
of agricultural commodities.

"(b) ESTABLISHMENT.—The Secretary shall
establish and, in cooperation with eligible
trade organizations, carry out recommendations, projects, and opportu-
ities in emerging markets, includ-
ing projects based on—

"(i) to promote cooperation and exchange
of information between agricultural institu-
tions and agribusinesses in the United States
and other emerging economies through
those experts in the program under this sub-
section and otherwise assist in, the participation of

"(ii) to support the Secretary in carrying out this sub-
section with information that may be use-
ful to the Secretary in carrying out this sub-
section.

"(c) USE OF FUNDS.—Funds made available
for each fiscal year shall be used only to
provide—

"(1) cost-share assistance to an eligible
trade organization under a contract or agree-
ment with the eligible trade organization; and

"(2) assistance for other costs that are ap-
propriate to carry out the foreign market de-
velopment program, including contingent lia-
tibilities that are not otherwise
funded.

SEC. 224. E (KIKA) DE LA GARZA AGRICULTURAL
FELLOWSHIP PROGRAM.

"(a) DEFINITION OF EMERGING MARKET.—In
this section, the term 'emerging market' means
any country, foreign territory, cus-
toms union, or other economic market that
the Secretary determines—

"(1) is taking steps toward a market-ori-
ented economy through the food, agri-
culture, and rural business systems of
that country, territory, customs union,
or other economic market, as applica-
table; and

"(2) has the potential to provide a viable
and significant market for United States
agricultural commodities.

"(b) ESTABLISHMENT.—The Secretary shall
establish a program, to be known as the 'E
(Kika) de la Garza Agricultural Fellow-
ship Program'—

"(1) to develop agricultural markets in
emerging markets; and

"(2) to promote cooperation and exchange
of information between agricultural institu-
tions and agribusinesses in the United States
and those United States experts—

"(i) to enhance food and rural business sys-
tems of emerging markets; and

"(ii) to transfer knowledge and expertise to
emerging markets.

"(c) COST-SHARING.—The Secretary shall
use the Commodity Credit Corporation, the Sec-
tary with information that may be use-
ful to the Secretary in carrying out this sub-
section with information that may be use-
ful to the Secretary in carrying out this sub-
section.

"(1) primary research programs in
those emerging markets;

"(2) postgraduate level (including
specialty crops, including each factor relat-
ting to

"(c) Development of agricultural sys-
tems.
(4) TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.—To carry out section 225, of the funds of the Commodity Credit Corporation, not less than $8,000,000 each fiscal year, to remain available until expended.

(5) PRIORITY TRADE FUND.—

(A) In general.—In addition to the amounts allocated under paragraphs (1) through (9), the Secretary, after consulting with any interested parties and in accordance with any direction given by the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Finance, may make available for obligation and expenditure by State and local governments and eligible private entities, up to $26,000,000 for each of fiscal years 2019 through 2023, to carry out programs authorized under sections 222 and 224 of the Agricultural Trade Act of 1978 (7 U.S.C. 5662(a)(1)) is amended by striking subsection (c).

(B) Section 222 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) is repealed.

(6) in subsection (k), by striking ''2018'' and inserting ''2023''.


(3) E (KIKA) DE LA GARZA AGRICULTURAL FELLOWSHIP PROGRAM.

TURAL SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAM.

(A) Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law 101-624) is amended by striking ''$5,000,000'' and inserting ''$6,000,000''.

(B) in paragraph (4), by striking ''$2,000,000'' and inserting ''$3,000,000''; and

(C) in paragraph (3), by striking ''$5,000,000'' and inserting ''$6,000,000''.

(6) in subsection (b), by striking ''2018'' each place it appears and inserting ''2023'';

(7) in subsection (c), by striking ''food'' and inserting the following: "entities—''(1) to furnish;''

(8) in subsection (f), by striking ''2018'' and inserting ''2023'';

(9) in subsection (g), by striking ''2018'' and inserting ''2023'';

(10) in subsection (i), by striking ''2018'' and inserting ''2023'';

(ii) by altering the end of such section so that it reads—

(1) by striking ''$2,000,000'' and inserting ''$3,000,000'';

(2) by altering the end of such section so that it reads—

(1) in paragraph (4), by inserting ''internal'' before ''agricultural'';

(2) by adding the following at the end of such section—

(3) in paragraph (6), by inserting ''and Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 5623 note; Public Law 105-277)'' in place of ''and Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 (7 U.S.C. 5623 note; Public Law 104-277)''

(4) in subsection (f)(2)(B), by striking ''2018'' and inserting ''2023''.

(5) in subsection (g), by striking ''2018'' and inserting ''2023''.

(1) in paragraph (d)—

(B) by striking ''10'' and inserting "10";

(2) in paragraph (e), by striking ''10'' and inserting "10";

(3) E (KIKA) DE LA GARZA AGRICULTURAL FEL-
(D) by adding at the end the following: “(E) the development of agricultural extension services in eligible countries.”; and
(2) in subsection (f)—
(A) by striking “The Secretary” and inserting the following: “(1) IN GENERAL.—The Secretary”; and
(B) by adding at the end the following:
(2) LEVYING ALUMNI ENGAGEMENT.—In carrying out the purposes and programs under this section, the Secretary shall encourage ongoing engagement with fellowship recipients who have completed training under the program to provide advice regarding, and participate in, new or ongoing agricultural development projects, with a priority for capacity-building projects, that are sponsored by—
(A) Federal agencies; and
(B) institutions of higher education in the eligible country of the fellowship recipient.”.

SEC. 3306. INTERNATIONAL FOOD SECURITY TECHNICAL ASSISTANCE.

The Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1543A (7 U.S.C. 5679) the following:

“SEC. 1543B. INTERNATIONAL FOOD SECURITY TECHNICAL ASSISTANCE.

(a) DEFINITION OF INTERNATIONAL FOOD SECURITY.—In this section, the term ‘international food security’ means access by any person at any time to food and nutrition that is sufficient for a healthy and productive life.

(b) COLLECTION OF INFORMATION.—The Secretary of Agriculture (referred to in this section as the ‘Secretary’) shall compile information from appropriate mission areas of the Department of Agriculture (including the Foreign Agricultural Service and Consumer Services mission area) relating to the improvement of international food security.

(c) PUBLIC AVAILABILITY.—To benefit programs and projects of international food security, the Secretary shall organize the information described in subsection (b) and make the information available in a format suitable for—

(1) public education; and

(2) use by—

(A) a Federal, State, or local agency;

(B) an instrumentalities of the government of a foreign country;

(C) a domestic or international organization, including a domestic or international nongovernmental organization; and

(D) an intergovernmental organization.

(d) TECHNICAL ASSISTANCE.—On request by an entity described in subsection (c)(2), the Secretary shall provide technical assistance to the entity to implement a program for the improvement of international food security.

(e) PROGRAM PRIORITY.—In carrying out this section, the Secretary shall give priority to programs relating to the development of food and nutrition safety net systems in countries that are food insecure.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 3307. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

Section 3002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1) is amended—
(1) in subsection (a)—

(A) by striking “(B)” and inserting the following: “—(A) the Secretary of Agriculture;”—

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

(C) by adding at the end the following:

“(2)(A) is produced in and procured from—

(i) a developing country that is a recipient country; or

(ii) a developing country in the same region as a recipient country; and

(B) at a minimum, meets each nutritional, quality, and labeling standard of the recipient country, as determined by the Secretary.”;

(2) in subsection (c)(2)(A)—

(A) in clause (v)(IV), by striking “and” at the end;

(B) by redesigning clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following: “(viii) the costs associated with transporting the commodities described in subsection (a)(2) from a developing country described in subparagraph (A) of that subsection to any designated point of entry within the recipient country; and”;

(3) in subsection (f)(1)—

(A) by redesigning subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following: “(E) ensure to the maximum extent practicable that assistance—

(i) is provided under this section in a timely manner; and

(ii) is available when needed throughout the applicable school year;”; and

(4) in subsection (i)—

(A) in paragraph (2), by striking “2018” and inserting “2019”;

(B) by adding at the end the following:

“(4) PURCHASE OF COMMODITIES.—Of the funds made available to carry out this section, not more than 10 percent shall be used to purchase agricultural commodities described in subsection (a)(2).”.

SEC. 3308. GLOBAL CROP DIVERSITY TRUST.


SEC. 3309. LOCAL AND REGIONAL FOOD AID PROCUREMENT PROJECTS.

Section 3206(e)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c(e)(1)) is amended—

(1) by inserting “‘to the Secretary’ after appropriated’’; and

(2) by striking “2014 through 2018” and inserting “2019 through 2023.”.

SEC. 3310. FOREIGN TRADE MISSIONS.

(a) TRIBAL REPRESENTATION ON TRADE MISSIONS.

SECTION 309 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921) is amended—

(1) IN GENERAL.—The Secretary, in consultation with the Tribal Advisory Committee established under subsection (b)(2) of section 309 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921) (as added by section 12304(a)(2)) (referred to in this section as the ‘Advisory Committee’), shall—

(A) support the greater inclusion of Tribal agricultural and food products in Federal trade-related activities; and

(B) to increase the collaboration between Federal trade promotion efforts and other Federal trade-related activities in support of the greater inclusion sought under subparagraph (A)

(2) INTERDEPARTMENTAL COORDINATION.—In carrying out activities to increase the collaboration described in paragraph (1)(B), the Secretary shall—

(A) the Secretary of Commerce;

(B) the Secretary of State;

(C) the Secretary of the Interior; and

(D) the heads of any other relevant Federal agencies.

(b) REPORT.—

SEC. 3402. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

(a) IN GENERAL.—Section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(b)) is amended—

(1) by striking paragraph (4) and inserting the following:

“(4) ADMINISTRATIVE COSTS.—

(A) IN GENERAL.—The Secretary shall pay not less than 80 percent of administrative costs and distribution costs on Indian reservations as the Secretary determines necessary for effective administration of such distribution by a State agency or tribal organization.

(B) WAIVER.—The Secretary shall waive up to 100 percent of the non-Federal share of the costs described in subparagraph (A) if the Secretary determines that—

(i) the tribal organization is financially unable to provide a greater non-Federal share of the costs; or

(ii) providing a greater non-Federal share of the costs would be a substantial burden for the tribal organization.

(C) LIMITATION.—The Secretary may not reduce any benefits or services under the

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

SEC. 4101. DEFINITION OF CERTIFICATION PERIOD.

Section 2 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended by striking subsection (f) and inserting the following:

“(f) CERTIFICATION PERIOD.—

(1) IN GENERAL.—The term ‘certification period’ means the period for which a household shall be eligible to receive benefits.

(2) TIME LIMITS.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the certification period shall not exceed 12 months.

(B) CONTACT.—A State agency shall have at least 1 contact with each certified household every 12 months.

(C) ELDERLY OR DISABLED HOUSEHOLD MEMBERS.—The certification period may be for a duration of—

(i) not more than 24 months if each adult household member is elderly or disabled; or

(ii) not more than 36 months if—

(I) each adult household member is elderly or disabled; and

(II) the household of the adult household member has earned income at the time of certification.

(3) EXTENSION OF LIMIT.—The limits under this paragraph may be extended until the end of any transitional benefit period established under section 11(e).

SEC. 4102. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

(a) IN GENERAL.—Section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(b)) is amended—

(1) by striking paragraph (4) and inserting the following:

“(4) ADMINISTRATIVE COSTS.—

(A) IN GENERAL.—The Secretary shall pay not less than 80 percent of administrative costs and distribution costs on Indian reservations as the Secretary determines necessary for effective administration of such distribution by a State agency or tribal organization.

(B) WAIVER.—The Secretary shall waive up to 100 percent of the non-Federal share of the costs described in subparagraph (A) if the Secretary determines that—

(i) the tribal organization is financially unable to provide a greater non-Federal share of the costs; or

(ii) providing a greater non-Federal share of the costs would be a substantial burden for the tribal organization.

(C) LIMITATION.—The Secretary may not reduce any benefits or services under the

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(A) domestically produced; (B) supplant, not supplement, the type of agricultural commodities in existing food packages for that tribal organization; (C) be of higher or higher nutritional value as the type of agricultural commodities that would be supplanted in the existing food package for that tribal organization; and (D) meet any other criteria determined by the Secretary.

(5) REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the activities carried out under the demonstration project during the preceding year.

(6) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection $5,000,000, to remain available until expended.

(B) APPROPRIATIONS IN ADVANCE.—Only funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation for a period of 2 fiscal years.

(2) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(b) DEMONSTRATION PROJECT FOR TRIBAL ORGANIZATIONS.—

(1) DEFINITIONS.—In this subsection:

(A) DEMONSTRATION PROJECT.—The term ‘‘demonstration project’’ means the demonstration project established under paragraph (2).

(B) FOOD DISTRIBUTION PROGRAM.—The term ‘‘food distribution program’’ means the food distribution program on Indian reservations carried out under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013b).

(C) IDIAN RESERVATION.—The term ‘‘Indian reservation’’ has the meaning given the term ‘‘reservation’’ in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012).

(D) INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—The term ‘‘Indian Self-Determination and Education Assistance Act’’ has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(E) SELF-DETERMINATION CONTRACT.—The term ‘‘self-determination contract’’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(F) TRIBAL ORGANIZATION.—The term ‘‘tribal organization’’ has the meaning given the term ‘‘tribal organization’’ in the Food and Nutrition Act of 2008 (7 U.S.C. 2012).

(G) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary shall establish demonstration projects under which 1 or more tribal organizations may enter into self-determination contracts to purchase agricultural commodities under the food distribution program for the Indian reservation of that tribal organization.

(3) ELIGIBILITY.—

(A) CONSULTATION.—The Secretary shall consult with the Secretary of the Interior and Indian tribes to determine the process and criteria under which a tribal organization may participate in the demonstration project.

(B) CRITERIA.—The Secretary shall select for participation in the demonstration project tribal organizations that—

(i) are successfully administering the food distribution program of the tribal organization under section 4(b)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013b)(2)(B);

(ii) possess capacity to purchase agricultural commodities in accordance with paragraph (4) for the food distribution program of the tribal organization; and

(iii) meet the criteria determined by the Secretary, in consultation with the Secretary of the Interior and Indian tribes.

(4) PROCUREMENT OF AGRICULTURAL COMMODITIES.—The tribal organization may purchase commodities purchased by a tribal organization under the demonstration project shall—

(1) be of higher or higher nutritional value as the type of agricultural commodities in existing food packages for that tribal organization; and (2) meet any other criteria determined by the Secretary.

(5) REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the activities carried out under the demonstration project during the preceding year.

(6) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection $5,000,000, to remain available until expended.

(B) APPROPRIATIONS IN ADVANCE.—Only funds made available for a fiscal year to carry out the demonstration project established under paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(c) FUNDING FOR PRODUCTION AND PROCUREMENT OF AGRICULTURAL COMMODITIES.—

(1) IN GENERAL.—Funds made available for a fiscal year to carry out this subsection shall remain available for obligation for a period of 2 fiscal years.

(2) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(F) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(d) APPROPRIATIONS FOR PRODUCTION AND PROCUREMENT OF AGRICULTURAL COMMODITIES.—

(1) IN GENERAL.—Funds made available for a fiscal year to carry out this subsection shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(F) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(e) APPROPRIATIONS FOR PRODUCTION AND PROCUREMENT OF AGRICULTURAL COMMODITIES.—

(1) IN GENERAL.—Funds made available for a fiscal year to carry out this subsection shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(F) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection $5,000,000, to remain available until expended.

(B) APPROPRIATIONS IN ADVANCE.—Only funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(f) APPROPRIATIONS FOR PRODUCTION AND PROCUREMENT OF AGRICULTURAL COMMODITIES.—

(1) IN GENERAL.—Funds made available for a fiscal year to carry out this subsection shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(F) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(g) APPROPRIATIONS FOR PRODUCTION AND PROCUREMENT OF AGRICULTURAL COMMODITIES.—

(1) IN GENERAL.—Funds made available for a fiscal year to carry out this subsection shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(F) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(h) APPROPRIATIONS FOR PRODUCTION AND PROCUREMENT OF AGRICULTURAL COMMODITIES.—

(1) IN GENERAL.—Funds made available for a fiscal year to carry out this subsection shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.

(F) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.
any 36-month period.

(I) for more than a single 3-month period in paragraph (D).

mental nutrition assistance program benefits solely due to subparagraph (B), who—

(aa) is not eligible for an exemption under subparagraph (C);

(bb) does not reside in an area covered by a waiver granted under subparagraph (D);

(cc) is not complying with clause (i), (ii), or (iii) of subparagraph (B);

(dd) is not receiving supplemental nutrition assistance program benefits during the 3 months of eligibility provided under subparagraph (B); and

(ee) is not receiving supplemental nutrition assistance program benefits under subparagraph (E).

(ii) GENERAL RULE.—Subject to clauses (iii) through (vii), a State agency may provide an exemption from the requirements of subparagraph (B) for covered individuals—

(1) in fiscal year 1995, to individuals that—

(a) are receiving benefits under a State's caseload and the Secretary's estimate of changes in the proportion of members of households that receive supplemental nutrition assistance program benefits is based on the survey conducted to carry out section 16(c) for fiscal year 1995 and such other factors as the Secretary considers appropriate due to the timing and limitations of the survey.

(2) in fiscal year 1996 and such subsequent fiscal years, to individuals that—

(a) are receiving benefits under a State's caseload and the Secretary's estimate of changes in the proportion of members of households that receive supplemental nutrition assistance program benefits is based on the results of the applicable independent evaluations conducted under clause (vii) of that section, as effective at increasing employment or earnings for households participating in a pilot project under that section.

(b) are not covered under paragraph (A) of subparagraph (B).

(III) FISCAL YEAR 1998.—Subject to clauses (v) and (vii), for fiscal year 1998, a State agency may provide a number of exemptions such that the average monthly number of the exemptions in effect during the fiscal year does not exceed 15 percent of the number of covered individuals in the State in fiscal year 1995 estimated by the Secretary.

(iv) SUBSEQUENT FISCAL YEARS.—Subject to clauses (v) and (vii), for fiscal year 1999 and each subsequent fiscal year, a State agency may provide a number of exemptions such that the average monthly number of the exemptions in effect during the fiscal year does not exceed 5 percent of the number of covered individuals in the State, as estimated by the Secretary under clause (iii), adjusted annually to reflect changes in the State's caseload and the Secretary's estimate of changes in the proportion of members of households that receive supplemental nutrition assistance program benefits covered by waivers granted under subparagraph (D).

(v) CASELOAD ADJUSTMENTS.—The Secretary shall adjust the number of individuals estimated for a State under clause (iii) or (iv) during a fiscal year if the number of members of households that receive supplemental nutrition assistance program benefits in the State varies from the State's caseload by more than 10 percent, as determined by the Secretary.

(vi) EXEMPTION ADJUSTMENTS.—During fiscal year 1999 and each subsequent fiscal year, the Secretary shall increase or decrease the number of individuals who may be granted an exemption by a State agency under this subparagraph to the extent that the average monthly number of exemptions in effect in the State for the preceding fiscal year under this subparagraph is lesser or greater than the average monthly number of exemptions estimated for the State agency for such preceding fiscal year under this subparagraph.

(vii) REPORTING REQUIREMENTS.—A State agency shall submit such reports to the Secretary as the Secretary determines are necessary to ensure compliance with this subparagraph.

(G) OTHER PROGRAM RULES.—Nothing in this paragraph shall make an individual eligible for benefits under this Act if the individual is not otherwise eligible for benefits under the other provisions of this Act.

(H) EFFECT.—

(1) IN GENERAL.—The term 'workforce partnership' includes a multisite program.

(2) by striking ''(E) Each State'' and inserting the following:

''(E) REQUIREMENTS FOR PARTICIPATION FOR CERTAIN INDIVIDUALS.—

(i) IN GENERAL.—A work registrant may participate in a workforce partnership to comply with the requirements of paragraph (A)(ii) and paragraph (2).

(ii) CERTIFICATION.—In certifying that a program meets the requirements of subparagraph (A) and (B) of subparagraph (B)(i)(I)(bb) to be certified as a workforce partnership, the Secretary or the State agency shall require that the program submit to the Secretary or State agency sufficient information that describes—

(I) the services and activities of the program that would provide services to participants with fewer than 26 hours per week of training, work, or experience under those subitems; and

(II) how the program would provide services and activities described in subclause (I) that would directly enhance the employability or job readiness of the participant.

(III) SUPPLEMENT, NOT SUPPLANT.—A State agency may use a workforce partnership to supplement, not to supplant, the employment and training program of the State agency.

(iv) PARTICIPATION.—A State agency may provide information on workforce partnerships, if available, to any member of a household participating in the supplemental nutrition assistance program, but may not require any member of a household to participate in a workforce partnership.

(V) DEFINITIONS.—In this Act:

(A) WORKFORCE PARTNERSHIP.—The term 'workforce partnership' means a program that—

(aa) is operated by a private employer, an organization representing private employers, or a nonprofit organization providing services relating to workforce development;

(bb) the Secretary or the State agency certifies—

(AA) subject to subparagraph (N)(ii), would assist participants who are members of households participating in the supplemental nutrition assistance program in gaining high-quality, work-relevant skills, training, work, or experience that will increase the ability of the participants to obtain regular employment;

(BB) subject to subparagraph (N)(ii), would assist participants who are members of households participating in the supplemental nutrition assistance program in gaining high-quality, work-relevant skills, training, work, or experience that will increase the ability of the participants to obtain regular employment;
of an individual not participating in the workforce partnership.

"(II) SELECTION.—Nothing in this subsection affects the criteria or screening process for enrolling participants by a workforce partnership.

"(VI) LIMITATION ON REPORTING REQUIREMENTS.—In carrying out this subparagraph, the Secretary may, and each applicable State agency shall, limit the reporting requirements of the Secretary or the workforce partnership that result in the workforce partnership receiving supplemental nutrition assistance for the individual.

"(VII) Priority.—In selecting pilot projects under this clause, the Secretary may give priority to pilot projects that—

(aa) are targeted to—

(1) individuals who are 50 years of age or older;

(bb) formerly incarcerated individuals;

(cc) individuals participating in a substance abuse treatment program;

(dd) homeless individuals;

(ee) people with disabilities seeking to enter the workforce;

(ff) other individuals with substantial barriers to employment;

(gg) support employment and workforce participation through an integrated and family-focused approach in providing supportive services.

"(VIII) PILOT PROJECTS FOR MANDATORY PARTICIPATION IN EMPLOYMENT AND TRAINING ACTIVITIES.—A State agency may be eligible to participate in a pilot project under this clause to test programs that assign work registrants to mandatory participation in employment and training activities, on the conditions that—

(aa) the pilot project provides individualized case management designed to help remove barriers to employment for participants; and

(bb) a work registrant is not assigned to employment and training activities primarily consisting of job search, job search training, or workforce activities.

"(A) IN GENERAL.—Section 16(h)(1)(E) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025b) is amended—

"(B)(i) by striking "subsection (b)" and inserting "subsection (b)(1)(II)(bb)"; and

"(ii) by striking "of section 6(o)(3)" and inserting "of section 6(o)(2)"; and

"(bb) in subparagraph (B)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (C)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (D)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (E)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (F)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (G)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (H)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (I)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (J)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (K)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (L)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (M)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (N)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (O)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (P)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (Q)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (R)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (S)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (T)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (U)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (V)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (W)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (X)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (Y)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (Z)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (aa)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (bb)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (cc)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (dd)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (ee)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (ff)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (gg)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (hh)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (ii)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (iii)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (iv)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (v)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (vi)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (vii)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (viii)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (ix)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (x)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (xi)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (xii)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (xiii)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (xiv)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and

(bb) in subparagraph (xv)—

(I) in clause (ii), by striking "paragraph (1)(E)" and inserting "subsection (b)(1)(II)(bb)"; and
(dd) by redesignating subclauses (I) through (III) as items (aa) through (cc), respectively, and indenting appropriately;  
(III) by redesigning clauses (i), (ii), (iii), and (iv) of paragraph (II), (IV), (V), and (VI), respectively, and indenting appropriately;  
(IV) by inserting after subclause (II) (as so redesignated) the following:  
"(III) the agency has consulted with the State workforce board or, if appropriate, private employers or employer organizations, in the design of the employment and training programs; and";  
(V) by inserting after subclause (IV) (as so redesignated) the following:  
"(V) that the employment and training programs of the State agency are responsive to State or local workforce needs; and";  
(iv) in subparagraph (D), by striking "subparagraph (B)" and inserting "clause (ii)";  
(v) in subparagraph (E), by inserting "or that the employment and training program is not adequately meeting State or local workforce needs after "is inadequate"; and";  
(vi) in subparagraph (F)—  
(I) in the matter preceding clause (i), by striking "October 1, 2016" and inserting "October 1, 2020";  
(II) in clause (i), by striking "and" after the semicolon;  
(III) in clause (ii), by striking the period at the end and inserting "and"; and";  
(iv) by redesigning clauses (i) and (ii) as subclauses (I) and (II), respectively, and indenting appropriately; and";  
(v) by adding at the end of the following:  
"(III) are meeting State or local workforce needs;";  
(vii) by redesigning subparagraphs (A) through (F) (as so redesignated) as clauses (i) through (vi), respectively, and indenting appropriately; and";  
(viii) by redesigning the paragraph as subclauses (I) through (IV), indenting the subparagraph appropriately, and moving the paragraph so as to appear after subparagraph (O) of section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) (as added by subsection (b)(5)).

(2) RESEARCH, DEMONSTRATION, AND EVALUATIONS.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2017) is amended—
(A) in subsection (b)—
(i) by striking paragraphs (2) and (3) and inserting the following:  
"(b) DEMONSTRATION PROJECTS; PILOT PROJECTS.—  
"(1) IN GENERAL.—The Secretary;  
"(II) by redesigning subparagraph (A) (as so redesignated) as clause (i) through (vi), respectively, and indenting appropriately; and";  
(II) in subsection (D), by striking the paragraph heading and inserting "(D)";  
(aa) in clause (i), in the matter preceding subclause (I), by striking "subparagraph (A)" and inserting "paragraph (1)";  
(bb) in clause (ii), by striking "subparagraph (B)" and inserting "paragraph (1)"; and  
(cc) in clause (iii), by striking "clause (i)(II)" and inserting "paragraph (1)";  
(dd) by redesigning subparagraphs (I) through (IV), and indenting appropriately;  
(EE) in paragraph (2) (as so redesignated)—  
(aa) in subparagraph (B) (as so redesignated), by redesigning the preceding clauses (I) through (IV), respectively, and indenting appropriately;  
(bb) in clause (ii) (as so redesignated), by redesigning the preceding clauses (I) through (IV), respectively, and indenting appropriately;  
(cc) in clause (iii) (as so redesignated), by redesigning the preceding items (aa) through (jj) as clauses (I) through (X), respectively, and indenting appropriately; and  
(dd) in clause (iv) (as so redesignated), by redesigning the preceding items (aa) and (bb) as clauses (I) and (II), respectively, and indenting appropriately; and";  
(v) in paragraph (3) (as so redesignated)—  
(I) in subparagraph (A) (as so redesignated)—  
(aa) in the matter preceding subclause (I), by striking "the date of enactment of this paragraph" and inserting "November 28, 1980"; and  
(bb) in clause (i), by striking "(II) Clause (i)" and inserting the following:  
"(B) APPLICATION.—Subparagraph (A); and";  
(II) in subparagraph (A) (as so redesignated), by redesigning the preceding clauses (I) through (IV), respectively, and indenting appropriately;  
(EE) in paragraph (2) of section 6(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)).

(3) Section 24(g)(3)(C) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769d(b)(7)(D)(ii)) is amended by striking "subparagraph (2) of section 17(b)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o))" and inserting "paragraph (2) of section 6(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)).".

(4) Section 15(b)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3113(a)(2)(D)) is amended by striking "section 6(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o))" and inserting "paragraph (2) of section 6(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)).".


(6) Section 24(g)(3)(C) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769d(b)(7)(D)(ii)) is amended by striking "section 17(b)(1)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(b)(1))" and inserting "paragraph (2) of section 17(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(b)).".

(7) Section 4104 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)) is amended by striking "Section 4104(b)" and inserting "Section 4104.".

(8) Section 121(b)(2)(B)(iv) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3151(b)(2)(B)(iv)) is amended by striking "section 6(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o))" and inserting "paragraph (2) of section 6(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d))".

(9) Section 4104(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)) is amended by striking "(B)(iv)" and inserting "(B)(iv)."

SEC. 4104. IMPROVEMENTS TO ELECTRONIC BENEFIT TRANSFER SYSTEM. (a) PROHIBITED FEES.—Section 7 of the Food and Nutrition Act and Nutrition Act of 2008 (7 U.S.C. 2016) is amended—
(1) in subsection (h)(2)(C), in the subparagraph heading, by striking "INTERCHANGE" and inserting "PROHIBITED"; and  
(2) in subsection (h), by striking paragraph (13) and inserting the following:
"(13) PROHIBITED FEES.—  
"(A) DEFINITION OF SWITCHING.—In this paragraph, the term ‘switching’ means the routing of an intrastate or interstate transaction that consists of transmitting the details of a transaction electronically recorded through the use of an EBT card in 1 State to the issuer of the card in—  
(i) the same State; or  
(ii) another State.  
"(B) PROHIBITION.—  
"(C) INTERCHANGE FEES.—No interchange fee shall apply to an electronic benefit transfer transaction under this subsection.  
"(ii) OTHER FEES.,
“(I) The Comptroller General shall evaluate for each electronic benefit transfer system of a State agency selected in accordance with clause (ii)—

(i) the types of fees charged—

(aa) by benefit issuers (or affiliates, agents, or contractors of benefit issuers) of State agencies for electronic benefit transfer-related services, including whether the types of fees existed before February 7, 2014; and

(bb) to any retail food stores, including retail food stores that are exempt under subsection (f)(2)(B)(i) for electronic benefit transfer-related services;

(ii) a description of emerging entities, services, and technologies in use with respect to electronic benefit transfer systems of State agencies; and

(iii) a summary of—

(aa) the cost to State agencies of the services that access the electronic benefit transfer system to provide electronic benefit transfer account information to participating households, including the cost of maintaining, upgrading, and supporting each electronic benefit transfer system;

(bb) the consistency and compatibility of data provided by the benefit issuer to the Secretary for appropriate oversight of possible fraudulent transactions; and

(cc) has access to transaction information in the electronic benefit transfer system of the State agency; and

(iv) in consultation with the Secretary, any entities that provide services to the State agency, any benefit issuers of the State agency, or any retail food stores within the State; and

(bb) routes or switches transactions through the electronic benefit transfer system of the State agency; or

‘‘(ii) SELECTION CRITERIA.—The Secretary shall select for evaluation under clause (i)—

(I) with respect to each benefit issuer that provides electronic benefit transfer-related services to 1 or more State agencies, not fewer than 2 electronic benefit transfer systems provided by that benefit issuer; and

(II) any electronic benefit transfer system of a State agency that has experienced significant or frequent outages during the 2-year period preceding the date of enactment of this paragraph.

(B) STUDY.—Not later than 2 years after the date of enactment of this paragraph, the Comptroller General shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report based on the evaluation carried out under subparagraph (A) that includes—

(i) a description of the types of entities that—

(I) electronic benefit transfer system providers, including retail food store centers; and

(ii) electronic benefit transfer systems of State agencies, of which—

(aa) has access to transaction information in the electronic benefit transfer system of the State agency; and

(bb) are effective through fiscal year 2022; 

(b) EBT PORTABILITY.—Section 7(i)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)(5)) is amended by adding at the end the following:

‘‘(15) GAO EVALUATION AND STUDY OF STATE ELECTRONIC BENEFIT TRANSFER SYSTEMS.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)) is amended by adding at the end the following:

‘‘(I) IN GENERAL.—Not later than 18 months after the date of enactment of this paragraph, the Comptroller General of the United States shall evaluate for each electronic benefit transfer system of a State agency selected in accordance with clause (ii)—

(I) any type of fee charged—

(aa) by the benefit issuer (or an affiliate, agent, or contractor of the benefit issuer) of the electronic benefit transfer-related services, including electronic benefit transfer-related services that did not exist before February 7, 2014; and

(bb) to any retail food stores, including retail food stores that are exempt under subsection (f)(2)(B)(i) for electronic benefit transfer-related services;

(ii) in consultation with the Secretary and the retail food stores within the State, any electronic benefit transfer system outages affecting the EBT cards of the State agency; and

(iii) in consultation with the Secretary, any type of entity that—

(aa) provides electronic benefit transfer equipment, services, or related services to the State agency, any benefit issuers of the State agency, or any retail food stores within the State; and

(bb) routes or switches transactions through the electronic benefit transfer system of the State agency; or

‘‘(I) with respect to each benefit issuer that provides electronic benefit transfer-related services to the Secretary, any entities that provide services to the State agency, any benefit issuers of the State agency, or any retail food stores within the State; and

(ii) not more than 4 shall have experienced significant or frequent outages during the 2-year period preceding the date of enactment of this paragraph.

(B) REGULATIONS AND GUIDANCE.—Based on the study conducted by the Comptroller General of the United States under paragraph (15)(B) and the review conducted by the Secretary under subparagraph (A), the Secretary shall promulgate such regulations or issue such guidance as the Secretary determines appropriate—

(i) to prohibit the imposition of any fee that is inconsistent with paragraph (15); and

(ii) to minimize electronic benefit system outages;

(iii) to update procedures to handle electronic benefit transfer system outages that minimize disruption to participating households and retail food stores while protecting against fraud and abuse;

(iv) to develop customer service standards for benefit issuers, including benefit issuer call centers or other customer service options equivalent to call centers that would ensure customer service for participating households; and

(v) to address the use of third-party applications that access electronic benefit transfer systems to provide electronic benefit transfer account information to participating households, including by establishing safeguards consistent with sections 9(c) and 11(b)(3) to protect the privacy of data relating to participating households and approved retail food stores; and

(vi) to improve the reliability of electronic benefit transfer systems.

‘‘(C) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of the effects, if any, on the electronic benefit transfer system of a State agency from the use of third-party applications that access the electronic benefit transfer system to provide electronic benefit transfer account information to participating households.‘‘

(d) APPROVAL OF RETAIL FOOD STORES.—Section 9 of the Food and Nutrition Act (7 U.S.C. 2016) is amended by adding at the end the following:

‘‘(1) Approval of retail food stores.—

(A) in the fourth sentence, by striking ‘‘No retail food store’’ and inserting the following—

‘‘(D) VISIT REQUIRED.—No retail food store’’;

(B) in the third sentence, by striking ‘‘Approval’’ and inserting the following—

‘‘(C) CERTIFICATE.—Approval’’;

(C) in the second sentence—

(i) by striking ‘‘food’’ and (D) the ‘‘ and inserting the following—

‘‘(i) by striking ‘‘food; and’’ and inserting the following—

‘‘(ii) any information, if available, about the ability of the anticipated or existing electronic benefit transfer equipment and service provider of the applicant to provide sufficient information through the electronic benefit transfer system to minimize the risk of fraudulent transactions; and

‘‘(ii) by striking ‘‘concern; (C)’’ and (D) ‘‘ and inserting the following—

‘‘(ii) by striking ‘‘concern; (C)’’ and inserting the following—

‘‘(ii) the’’;
(iv) by striking “following: (A) the nature” and inserting the following: “(i) the nature”; and
(v) in the matter preceding clause (i) as so redesignated, by striking “In determining” and inserting the following: “(B) FACTORS FOR CONSIDERATION.—In deter-

(2) in subsection (a), by adding at the end of the section the following: “(3) the Secretary shall—

(3) in subsection (c), in the first sentence, by inserting “records relating to electronic benefit transfer equipment and related services,”

(3) in subsection (c), in the first sentence, by inserting “records relating to electronic benefit transfer equipment and related services,”

SEC. 4106. REQUIRED ACTION ON DATA MATCH INFORMATION.

Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended by adding at the end of the subsection the following:

SEC. 4107. PRACTICALITY OF USE OF INCOME INFORMATION.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) (as amended by section 6(c)) is amended by adding at the end the following:

SEC. 4108. RETAIL INCENTIVES.

Section 4105 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) (as amended by section 6(c)) is amended by adding at the end of the subsection the following:

SEC. 4109. CONGRESSIONAL REPORTS.

Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report describing the implementation of each incentive program established by this title.
Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) (as amended by section 4107) is amended by adding at the end the following:

"(m) PILOT PROJECTS TO IMPROVE HEALTHY DIETARY PATTERNS RELATED TO FLUID MILK CONSUMPTION AMONG PARTICIPANTS OR HOUSEHOLDS IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

"(1) DEFINITION OF FLUID MILK.—In this subsection, the term "fluid milk" means cow milk, without flavoring or sweeteners, consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341)."
ongoing basis, as determined by the Secretary;

"(iii) identify and take appropriate action, as determined by the Secretary, with respect to each indication of multiple issuance or indication that an individual receiving benefits in 1 State has applied to receive benefits in another State;

"(iv) enter the identity and location of a vulnerable individual (including a victim of domestic violence) that is an applicant to or participant of the supplemental nutrition assistance program; and

"(F) include other rules and standards, as determined by the Secretary.

SEC. 4110. QUALITY CONTROL.

(a) Reporting.

(1) IN GENERAL.—Section 11(a)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)(3)(B)) is amended in the matter preceding paragraph (1) by inserting "and systems containing those records after "subparagraph (A)".

(2) COST SHARING FOR COMPUTORIZATION.—Section 16(g)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(g)(1)) is amended—

(A) in subparagraph (E), by striking "and" at the end; and

(B) in subparagraph (F)(ii), by striking the period at the end and inserting ";"; and

(C) by adding at the end the following:

"(G) any changes as determined under rules promulgated by the Secretary;".

(b) QUALITY CONTROL SYSTEM.—Section 16(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) QUALITY CONTROL SYSTEM INTEGRITY.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Agricultural Improvement Act of 2018, the Secretary shall issue interim final regulations that—

"(I) ensure that the quality control system established under this subsection produces valid statistical results;

"(II) provide for oversight of contracts entered into by a State agency for the purpose of improving payment accuracy;

"(III) ensure the accuracy of data collected under the quality control system established under this subsection; and

"(IV) to the maximum extent practicable, for each fiscal year, evaluate the integrity of the quality control process of not fewer than 2 State agencies, selected in accordance with criteria determined by the Secretary, that—

"(ii) perform, in accordance with the nonprocurement debarment procedures underpart 417 of title 2, Code of Federal Regulations (or successor regulations), the Secretary shall bar any person that, in carrying out the quality control system established under this subsection, knowingly submits, or causes to be submitted, false information under this subsection; and

"(ii) by redesignating subparagraphs (A) through (G) as clauses (i) through (vii), respectively, and indenting appropriately;

(2) FEDERAL FUNDING FOR PROJECTS.—Section 161(i)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(i)(1)) is amended by striking "(as defined in subsection (d)(1))".

SEC. 4111. REQUIREMENT OF LIVE-PRODUCTION ENVIRONMENTS FOR CERTAIN PILOT PROJECTS RELATING TO COST SHARING FOR COMPUTERIZATION.

Section 16(g)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(g)(1)) is amended—

(A) in subparagraph (B), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and indenting appropriately;

(B) in paragraph (3), by striking "Except as provided in subparagraph (C), a" and inserting "A";

(C) in clause (i), by striking "and" after the semicolon;

(D) $5,000,000 for fiscal year 2019 and each fiscal year thereafter.

SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.

(a) STATE PLAN.—Section 202(a)(b) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7503(b)(b)) is amended—

(1) in paragraph (3), by striking "and" after the semicolon;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(4) the period of time those commodities are delivered to a recipient in a State;".

(b) STATE AND LOCAL SUPPLEMENTATION OF PROJECTS.—Section 25(b)(2) of the Food and Nutrition Act of 1983 (7 U.S.C. 7507(b)(2)) is amended—

(1) by striking "other health promotion" and inserting "other health promotion and culture,";

(2) by redesignating "and outside stakeholders" as clause (iv); and

(3) by adding at the end the following:

"(5) at the option of the State agency, de- serve a plan of operation for 1 or more projects in partnership with 1 or more emergency feeding organizations located in the State to harvest, process, and package donated commodities received under section 263D(d); and

"(6) describe a plan, which may include the use of a State advisory board established under subsection (c), that provides emergency feeding organizations or eligible recipient agencies within the State an opportunity to provide input on the commodity preferences and needs of the emergency feeding organization or eligible recipient agency.

(c) STATE AND LOCAL SUPPLEMENTATION OF COMMODITIES.—Section 263D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d)) is amended by adding at the end the following:

"(3) PROJECTS TO HARVEST, PROCESS, AND PACKAGE DONATED COMMODITIES.—

"(1) DEFINITION OF PROJECT.—In this subsection, the term ‘project’ means the harvesting of unharvested, unprocessed, or unpackaged commodities donated by agricultural producers, processors, or distributors for use by emergency feeding organizations under subsection (a).

"(2) FEDERAL FUNDING FOR PROJECTS.—
“(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and paragraph (3), using funds made available under paragraph (5), the Secretary may provide funding to States to pay for the expenses of carrying out a project.

“(B) FEDERAL SHARE.—The Federal share of the cost of a project undertaken under subparagraph (A) shall not exceed 50 percent of the total cost of the project.

“(C) ALLOCATION.—

“(i) IN GENERAL.—Each fiscal year, the Secretary shall allocate to States that have submitted a plan under section 202(h)(6) a State plan describing a plan of operation for a project during that fiscal year or the subsequent fiscal year, as the Secretary determines appropriate.

“(ii) REALLOCATION.—If the Secretary determines that a State will not expend all of the funds allocated to the State for a fiscal year under clause (i), the Secretary shall reallocate the unexpended funds to other States that have submitted a plan under this paragraph (A) based on a formula determined by the Secretary.

“(D) ALLOCATION.—

“(i) IN GENERAL.—Each fiscal year, the Secretary shall allocate to States that have submitted a plan under section 202A(b)(6) a State plan describing a plan of operation for a project during that fiscal year or the subsequent fiscal year, as the Secretary determines appropriate.

“(ii) REALLOCATION.—If the Secretary determines that a State will not expend all of the funds allocated to the State for a fiscal year under clause (i), the Secretary shall reallocate the unexpended funds to other States that have submitted a plan under this subparagraph (A) based on a formula determined by the Secretary.

“(E) FORUM FOR STAKEHOLDERS.—The Secretary shall establish an annual forum for stakeholders to provide feedback on the implementation of the Emergency Food Assistance Program.

“(F) DISSEMINATION OF INFORMATION.—The Secretary shall develop and disseminate information on best practices for the implementation of the Emergency Food Assistance Program.

“(G) REPORTS.—Each State to which funds are allocated for a fiscal year under this subparagraph (A) shall, on a regular basis, submit to the Secretary a report describing the use of the funds.

“(H) VERIFICATION OF ELIGIBILITY.—A State may only use Federal funds received under paragraph (2) for a project the purposes of which are—

“(A) to reduce food waste at the agricultural production, processing, or distribution level through the donation of food;

“(B) to provide food to individuals in need; and

“(C) to build relationships between agricultural producers, processors, and distributors and emergency feeding organizations through the donation of food.

“(I) IMPROVEMENTS.—The Secretary may encourage a State agency that carries out a project using Federal funds received under paragraph (2) to enter into cooperative agreements with State agencies of other States under section 203(b) to maximize the use of commodities donated under the project.

“(J) FUNDING.—Out of funds not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this subsection $20,000 for each fiscal year 2018 through 2023, to remain available until the end of the subsequent fiscal year.”.

“(c) FOOD WASTE.—Section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507) (as amended by subsection (b)) is amended by striking the first sentence by striking “2018” and inserting “2023”.

“Subtitle B—Commodity Distribution Programs

SEC. 4201. COMMODITY DISTRIBUTION PROGRAM.

“(a) In general.—Section 4402(a) of the Food Stamp Program of the Consumer Protection Act of 1973 (7 U.S.C. 2036(a)) is amended—

“(1) by striking “2018” and inserting “2023”;

“(2) in subsection (d)(1), in the matter preceding clause (i), by striking “2018” and inserting “2023”;

“(3) in subsection (d)(iv), by striking “after” and inserting “and”;

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

“ iv) for fiscal year 2019, $23,000,000;

“ v) for fiscal year 2020, $35,000,000;

“ vi) for fiscal year 2021, $35,000,000;

“ vii) for fiscal year 2022, $35,000,000; and

“ (viii) for fiscal year 2023, $35,000,000.”

“(b) Period of availability.—In the case of the commodities provided under paragraph (a)(iv), the commodities provided under such paragraph shall be available for use by States for a period ending on the last day of the month in which the fiscal year referred to in such paragraph ends.

“(c) Nutrition Act of 2008.—Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 7507) (as amended by subsection (b)) is amended—

“(1) by striking “2018” and inserting “2023”; and

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

“Subtitle C—Miscellaneous

SEC. 4301. PURCHASE OF SPECIALTY CROPS.

“(a) In general.—Section 4402(a) of the Agriculture and Food Stabilization Act of 1918 (7 U.S.C. 6120a) is amended—

“(1) by striking “2018” and inserting “2024”;

“(2) in subsection (d)(1), by striking “2018” and inserting “2024”;

“(3) in subsection (d)(iv), by striking “(D)(iv)” and inserting “(D)(ix)”;

“(4) COOPERATIVE AGREEMENTS.—The Secretary shall allocate to States that have sub-

“(A) to reduce food waste at the agricul-

“(B) to build relationships between agri-

“(C) ALLOCATION.—

“(1) in subsection (e)(1), by striking “(3n)(5)” and inserting “(3m)(5)”;

“(2) in subsection (e)(1)(A), by striking “(3n)(5)” and inserting “(3m)(5)”;

“(d) Food Waste.—Section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 7507) (as amended by subsection (b)) is amended—

“(1) by striking “(vi)” and inserting “(v)”;

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

“(c) Section 8 of the Food and Nutrition Act of 2008 (7 U.S.C. 7507) (as amended by subsection (b)) is amended—

“(1) by striking “(i) to, and used by,”;

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

“(3) in subsection (g), by striking “3(s)(2)” and inserting “3(s)(2)”; and

“(4) in subsection (h), by striking “7(h)” and inserting “7(m)”.

“Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 2036(a)) is amended—

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

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

“(3) in paragraph (2)(a), by striking “2018” and inserting “2023”;

“(4) in paragraph (2)(c), in the matter preceding clause (i), by striking “2018” and inserting “2023”;

“(5) in paragraph (2)(d), in the first sentence, by striking “2018” and inserting “2023”;

“(6) in paragraph (3)(A), by striking “2018” and inserting “2023”;

“(7) in paragraph (3)(C), as subparagraphs (C) and (D), respectively;

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

“(9) in paragraph (4)(A), by striking “2018” and inserting “2023”;

“(10) in paragraph (5)(A), in the matter preceding clause (i), by striking “2018” and inserting “2023”;

“(11) in paragraph (5)(B), in the matter preceding clause (i), by striking “2018” and inserting “2023”;

“(12) in paragraph (5)(C), by striking “2018” and inserting “2023”;

“(13) by adding the following at the end:

“(C) TEMPORARY CERTIFICATION.—An eligible individual in the commodity supplemental food program in a State may be provided with a temporary certification to fill any caseload slot resulting from nonparticipation by other certified participants.

“(D) APPROVALS.—A certification period of more than 1 year established by a State under subparagraph (B) shall be subject to the approval of the Secretary, who shall approve such a certification period on the condition that, with respect to each participant receiving benefits under the commodity supplemental food program of the State, the local eligibility in the State administering the commodity supplemental food program, on an annual basis during the certification period applicable to the participant, has continued interest of the participant; and

“(ii) has sufficient reason to determine that the participant still meets the income eligibility standards under paragraph (1), which may include a determination that the participant has a fixed income.”.

“Subtitle B—Commodity Distribution Programs

SEC. 4201. COMMODITY DISTRIBUTION PROGRAM.

“(a) In general.—Section 4402(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 2036(a)) is amended—

“(1) by striking “2018” and inserting “2023”;

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

“(A) DEFINITION OF CERTIFICATION PERIOD.—In this paragraph, the term ‘certification pe-
(ii) by inserting after subparagraph (A) the following:

"(B) PARTNERS AND COLLABORATORS.—An eligible entity that receives a grant under this subsection may partner with, or make subgrants to, public, private, nonprofit, or for-profit entities, including—

"(i) an emergency feeding organization;

"(ii) a state, local, or tribal agency;

"(iii) a producer network or association;

"(iv) a community health organization;

"(v) a public benefit corporation;

"(vi) an economic development corporation;

"(vii) a farmers’ market;

"(viii) a community-supported agriculture program; or

"(ix) a buying club;

"(x) a retail food store participating in the supplemental nutrition assistance program;

"(xi) a State, local, or tribal agency;

"(xii) another eligible entity that receives a grant; and

"(xiii) any other entity the Secretary designates.

"(iii) in subparagraph (C) (as so redesignated), by striking "The" and inserting "Except as provided in subparagraph (D)(iii), the":

"(iv) in subparagraph (D) (as so redesignated), by adding at the end the following:

"(III) TRIBAL AGENCIES.—The Secretary may only make a tribal agency eligible to use funds provided to the Indian Tribe of the tribal agency through a Federal agency (including the Indian Health Service) or other Federal benefit to satisfy all or part of the non-Federal share described in clause (i), if such use is otherwise consistent with the purpose of such funds.;"

(B) in paragraph (2)—

"(i) in subparagraph (A)—

"(I) in the matter preceding clause (i), by striking "For purposes of" and all that follows through "that" and inserting "To receive a grant under this subsection, an eligible entity shall;"

"(II) in clause (i), by striking "meet" and inserting "meet"; and

"(III) in clause (ii)—

"(aa) in the matter preceding subclause (I), by striking "proposes" and inserting "proposes";

"(bb) by striking subclauses (II) and (III) and inserting the following:

"(II) would increase the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program by providing an incentive for the purchase of fruits and vegetables at the point of purchase to a household purchasing food with supplemental nutrition assistance program benefits;

"(III) except in the case of projects receiving $10,000 or less over 1 year, would measure the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program; and

"(aa) in subclause (IV), by striking "and" at the end; and

"(b) by striking subclause (V) and inserting the following:

"(V) has adequate plans to collect data for reporting and agrees to provide that information for the report described in paragraph (5); and

"(Vi) would share information with the Training and Technical Assistance Centers and the Information and Evaluation Centers (as those terms are defined in paragraph (4)) for the purposes described in that paragraph.;"

"(ii) in subparagraph (B)—

"(I) by redesignating clause (V) as clause (x); and

"(ii) by inserting after clause (iv) the following:

"(v) include a program design—

"(I) that provides incentives when fruits or vegetables are purchased using supplemental nutrition assistance program benefits; and

"(II) in which the incentives earned may be used only to purchase fruits or vegetables;

"(vi) have demonstrated the ability to provide services to underserved communities;

"(vii) include coordination with multiple stakeholders, such as farm organizations, nutrition education programs, cooperative extension services, public health departments, health providers, private and public health insurance agencies, cooperative grocers, grocery store associations, and community-based and nongovernmental organizations;

"(viii) offer supplemental services in high-need communities, including online ordering, transportation between home and store, and delivery services;

"(ix) include food retailers that are open—

"(I) for extended hours; and

"(II) most or all days of the year; or

"(C) by striking paragraph (4) and inserting the following:

"(4) TRAINING AND TECHNICAL ASSISTANCE CENTERS; INFORMATION AND EVALUATION CENTERS.—

"(A) DEFINITIONS.—In this paragraph:

"(I) INFORMATION AND EVALUATION CENTER.—The term ‘Information and Evaluation Center’ means a grant or subgrant under this subsection; and

"(II) TRAINING AND TECHNICAL ASSISTANCE CENTER.—The term ‘Training and Technical Assistance Center’ means any of the training and technical assistance centers established under subparagraph (B)(i)(II).

"(B) ESTABLISHING AND OPERATING.—

"(I) IN GENERAL.—To provide services to eligible entities applying for or receiving a grant under this subsection, an eligible entity shall;

"(II) training and technical assistance centers, each of which shall be known as a ‘Food Insecurity Nutrition Incentive Program Training and Technical Assistance Center’; and

"(III) for extended hours; and

"(iv) coordinating the work towards solutions to those challenges;

"(V) communicating with farms, direct to consumer markets, marketing organizations to share information and partner on projects using a grant or subgrant under this subsection;

"(VI) establishing with collaboration among eligible entities receiving a grant or partners or collaborators receiving a subgrant under this subsection;

"(aa) an entity shall—

"(A) have the capacity to effectively implement and track outreach, training, and coordination functions;

"(BB) be able to produce instructional materials that can easily be replicated and distributed through multiple formats;

"(CC) have working relationships with nonprofit organizations, State and local governments, and tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 466));

"(DD) have the ability to work in underserved or rural communities; and

"(EE) have an organizational mission aligned with the needs of eligible entities receiving grants under this subsection; or

"(bb) for purposes of carrying out subclauses (VII) and (VIII) of subparagraph (C)(i), an entity shall—

"(AA) have experience developing or supporting the development of point of sale technologies; and

"(BB) meet any other criteria, as determined by the Secretary, to effectively carry out subclauses (VII) and (VIII) of subparagraph (C)(i).

"(III) INFORMATION AND EVALUATION CENTERS.—To be eligible to be designated as an Information and Evaluation Center, an entity shall—

"(aa) have experience designing, creating, and maintaining an online, publicly searchable reporting and informational clearinghouse; and

"(bb) be able to conduct systematic analysis of the impacts and outcomes of projects using a grant under this subsection.

"(IV) SERVICES.—The Training and Technical Assistance Centers shall provide services that include—

"(I) assisting eligible entities applying for a grant or partners or collaborators applying for a subgrant under this subsection in—

"(aa) assessing the food system in the geographical area of the eligible entity; and

"(bb) designing a proposed project;

"(II) collecting and providing to eligible entities applying for or receiving a grant or partners or collaborators applying for or receiving a subgrant under this subsection information on best practices from existing projects, including best practices regarding operations, signage, record-keeping, incentive instruments, integration with point of sale systems, and reporting;

"(III) disseminating the information and facilitating communication among eligible entities receiving a grant or partners or collaborators receiving a subgrant under this subsection;

"(IV) (aa) identifying common challenges faced by eligible entities receiving a grant or partners or collaborators receiving a subgrant under this subsection; and

"(bb) coordinating the work towards solutions to those challenges;

"(V) communicating with farms, direct to consumer markets, marketing organizations to share information and partner on projects using a grant or subgrant under this subsection;

"(VI) establishing with collaboration among eligible entities receiving a grant or partners or collaborators receiving a subgrant under this subsection, State agencies, and the Food and Nutrition Service;

"(VII) identifying and providing to eligible entities applying for or receiving a grant or partners or collaborators applying for or receiving a subgrant under this subsection an online evaluation of the impacts and outcomes of projects using a grant under this subsection; and

"(VIII) supporting the development of the technology described in clause (VII); and

"(II) other services identified by the Secretary.

"(V) PARTNERS AND COLLABORATORS.—In conducting the program, the Secretary shall—

"(A) in collaboration with the Director of the National Institute of Food and Agriculture and the Administrator of the Food and Nutrition Service, creating a system to collect
and compile core data sets from eligible entities receiving a grant and partners or collaborators receiving a subgrant, as appropriate, under this subsection; “(2) During fiscal year 2020, preparing an annual report with summary data and an evaluation of each project receiving a grant under this subsection during the fiscal year, that includes the amount of grant funds used for the project and the measurement of the outcomes of the project, for submission to the Secretary; and “(3) Other services identified by the Secretary. “(D) Grants and Cooperative Agreements.—Including in the description of paragraph (2), the Secretary, on a competitive basis, shall make grants to, or enter into cooperative agreements with— “(i) State cooperative extension services; “(ii) Nongovernmental organizations; “(iii) Federal, State, or tribal agencies; “(iv) 2-year and 4-year degree-granting institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) and land-grant colleges and universities (as defined in section 1614 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); and “(v) Other appropriate partners, as determined by the Secretary. “(5) Annual Evaluation and Report.— “(A) In General.—Annually beginning with fiscal year 2020, the Secretary shall conduct, in consultation with Congress, an evaluation of each project receiving a grant under this subsection, including— “(i) the results of the project; “(ii) the amount of grant funds used for the project; and “(iii) A measurement of the outcomes of the project. “(B) Requirement.—The evaluation conducted under subparagraph (A) shall be based on uniform data provided by eligible entities receiving a grant under this subsection. “(C) Public Availability.—The Secretary shall make the evaluation conducted under subparagraph (A), including the data provided by eligible entities under subparagraph (B), publicly available online in an anonymized format that protects confidential, personal, or other sensitive data. “(D) Reporting Mechanism.—The Secretary shall, to the maximum extent practicable, include eligible entities receiving a grant and providers, growers, farmers, health professionals, researchers, and employees of the Department of Agriculture with direct experience with implementation of the nutritional assistance program in the design of— “(i) the instrument through which data will be collected from eligible entities under subparagraph (A); and “(ii) The mechanism for reporting by eligible entities;” and “(3) In subsection (c), by striking paragraph (2) and inserting the following: “(2) Mandatory Funding.—Of the funds from the Commodity Credit Corporation, the Secretary shall use to carry out subsection (b) $50,000,000 for fiscal year 2019 and each fiscal year thereafter. “(3) Costs.—Of the funds made available under paragraph (2) for a fiscal year, the Secretary shall allocate not more than 15 percent— “(A) To carry out paragraphs (4) and (5) of subsection (b); and “(B) To develop administrative costs of carrying out this section.”. SEC. 4304. HARVESTING HEALTH PILOT PROJECTS. “(a) Definition.—In this section: “(1) Eligible entity.—The term ‘eligible entity’ means— “(A) a nonprofit organization; or “(B) A State or unit of local government. “(2) Health Care Partner.—The term ‘health care partner’ means a health care provider, including— “(A) a hospital; “(B) A Federally-qualified health center (as defined in section 330G of the Social Security Act (42 U.S.C. 1396d(l))); “(C) A hospital or clinic operated by the Secretary of Veterans Affairs; or “(D) A health care provider group. “(3) Memorandum.— “(A) In General.—The term ‘memorandum’ means, as determined by the applicable eligible entity or health care partner, notices of each project performed under this section; “(B) Health Care Partners.—The term ‘health care partner’ means an eligible entity that shall be involved in the implementation of the produce prescription program, including the role of each health care partner in implementing the produce prescription program; “(C) Partners.—Partners include— “(aa) a description of the methods by which an eligible entity shall— “(A) screen and verify eligibility for members for participation in a produce prescription program, in accordance with procedures established under subsection (a)(3)(A); “(B) implement an effective produce prescription program, including the role of each health care partner in implementing the produce prescription program; and “(bb) In general, the Secretary shall implement the produce prescription program with respect to the issues described in clauses (i) through (iii) of subparagraph (A); “(D) Provide educational opportunities relating to nutrition to members participating in a produce prescription program; and “(EE) Provide educational opportunities relating to nutrition to members participating in a produce prescription program; “(bb) A description of any additional non-profit or emergency feeding organizations that shall be involved in the produce prescription program, including the role of each non-profit or emergency feeding organization in implementing and evaluating an effective produce prescription program; “(cc) In general, the Secretary shall enter into a partnership agreement with a relevant State Medicaid agency or other appropriate entity, as determined by the Secretary, to evaluate the effectiveness of a produce prescription program in reducing health care use and associated costs; and “(dd) any other data necessary to analyze the cost impact of the produce prescription program, as determined by the Secretary. “(2) Coordination.—In carrying out the grant program established under paragraph (1), the Secretary shall consult with the Secretary of Health and Human Services and the heads of other appropriate Federal agencies that carry out activities relating to health care. “(3) Partnerships.— “(A) In General.—In carrying out the grant program under paragraph (1), the Secretary shall— “(i) enter into a memorandum of understanding with a Federal agency, a State, or a private partner to ensure the effective implementation and evaluation of each pilot project; and “(ii) A memorandum of understanding entered into under subparagraph (A) shall include— “(aa) A description of the role of the Federal agency, State, or private partner, as applicable, in implementing and evaluating an effective produce prescription program; “(bb) Documentation of a memorandum of understanding entered into under subparagraph (A) shall include— “(aa) A description of the role of the Federal agency, State, or private partner, as applicable, in implementing and evaluating an effective produce prescription program; and “(bb) Any other data necessary to analyze the impact of the produce prescription program, as determined by the Secretary. “(C) Funding.— “(1) In General.—Of the funds from the Commodity Credit Corporation, the Secretary shall use to carry out this section $4,000,000 for each of fiscal years 2019 through 2023, to remain available until expended. “(2) Oversight.—The Secretary may use not greater than 10 percent of the amounts provided under paragraph (1) to pay for the...
SEC. 5101. MODIFICATION OF THE 3-YEAR EXPERIENCE REQUIREMENT FOR PURPOSES OF ELIGIBILITY FOR FARM OWNERSHIP LOANS.

(a) In General.—Section 302(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929a(b)(1)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “(5)” and inserting “(6)”; and

(2) by redesigning paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(3) by inserting after paragraph (1) the following:

“(6) if the Secretary determines, based on the information provided by the farmer, that the farmer or rancher—

(A) is a current operator of the farm or ranch on which the farm ownership loan is made, or

(B) in good faith participated in the business operations of the farm or ranch for which the farmer requested the farm ownership loan as an affiliate or employee of the farm or ranch operator, or

(C) is the successor of a current operator of the farm on which the farm ownership loan is made or will be made, and

(D) the operator of the farm on which the farm ownership loan is made or will be made currently provides an agriculture-related education to the successor operator at no cost to the successor operator, or

(E) participated in an agriculture-related education program or received training from an agriculture-related organization.

(b) Conforming Amendment.—Section 310A(a)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929a(a)(2)) is amended by striking “in paragraphs (2) through (4) of section 302” and inserting “subparagraphs (A) through (D) of section 302(a)(1)”. SEC. 5102. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

Section 303(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929h(h)) is amended by striking “2018” and inserting “2023”.

SEC. 5103. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP LOANS.

Section 305 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929c) is amended in subsection (a), by striking “smaller of” and all that follows through the period at the end and inserting the following:

“the value of the farm or other security; and

“(2) in the case of—

“(A) a loan other than a loan guaranteed by the Secretary, $600,000 for each of fiscal years 2019 through 2023; or

“(B) a loan guaranteed by the Secretary, subject to subsection (c), $1,750,000 for each of fiscal years 2019 through 2023.”.

Subtitle B—Operating Loans

SEC. 5201. LIMITATIONS ON AMOUNT OF OPERATING AND LAND PURCHASE LOANS.

Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929c(b)) is amended—

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

(2) by inserting “(not exceeding 2 years)” after “period of time”.

SEC. 5202. COOPERATIVE LENDING PILOT PROJECTS.

Section 333(b)(4)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929c(b)(4)(A)) is amended by striking “2018” and inserting “2023”.

Subtitle C—Administrative Provisions

SEC. 5301. BEGINNING FARMER AND RANCHER INCENTIVES PILOT PROGRAM.

Section 333(b)(4)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929b(b)(4)(A)) is amended by striking “2018” and inserting “2023”.

SEC. 5302. LOAN AUTHORIZATION LEVELS.

Section 346(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929a(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “$2,266,000,000 for each of fiscal years 2009 through 2018” and inserting “$2,800,000,000 for each of fiscal years 2019 through 2023”;

(2) by striking subparagraphs (B) and (C) and inserting the following:

“(B) $8,000,000,000 shall be for guaranteed loans, of which—

(i) $4,000,000,000 shall be for farm owner-operators under subparagraph (2); and

(ii) $4,000,000,000 shall be for farm owner-operators under subparagraph (3); and

(C) $2,000,000,000 shall be for loans under subparagraph (4); and

SEC. 5303. FUND SET-ASIDES.

Section 346(b)(2)(A)(i)(II) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929a(b)(2)(A)(i)(II)) is amended by striking “2018” and inserting “2023”.

SEC. 5304. EQUITABLE RELIEF.

The Consolidated Farm and Rural Development Act is amended by inserting after section 355(5)(a) the following:

“SEC. 356. EQUITABLE RELIEF.

The Consolidated Farm and Rural Development Act is amended by inserting after section 356(5) the following:

“(a) In General.—Subject to subsection (b), the Secretary may provide a form of relief described in subsection (c) to any farmer or rancher who—

(1) received a direct farm ownership loan, operating, or emergency loan under this title; and

(2) the Secretary determines is not in compliance with the requirements of this title with respect to the loan.

(b) Loans Under Section 356.—The Secretary may only provide relief to a farm or rancher under subsection (a) if the Secretary determines that the farmer or rancher—

(1) acted in good faith; and

(2) relied on an action of, or the advice of, the Secretary (including any authorized representa-
“(vii) Family farm transition.

“(ix) Farmer-neighbor disputes.

“(x) Such other issues as the Secretary or the head of the department of agriculture of each participating State considers appropriate for better serving the agricultural community and persons eligible for mediation.”; and

“(b) Violating at the end the following:

“(C) MEDIATION SERVICES.—Funding provided for the mediation program of a qualifying State may also be used to provide credit counseling to persons described in paragraph (2)—

“(i) prior to the initiation of any mediation involving the Department of Agriculture; or

“(ii) unrelated to any ongoing dispute or mediation in which the Department of Agriculture is a party.”;

“(2) in paragraph (2)(A)—

“(A) in clause (ii), by striking “and” after the semicolon;

“(B) in clause (iii), by striking the period at the end and inserting “; and”;

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

“(iv) any other persons involved in an issue described in any of clauses (i) through (x) of paragraph (2);”

“(3) in paragraph (3)(F), by striking “that persons” and inserting the following: “that—

“(i) the Department of Agriculture receives adequate notification of those issues; and

“(ii) persons”;

“(b) RIVER REQUIRED.—Section 505 of the Agricultural Credit Act of 1967 (7 U.S.C. 5105) is amended to read as follows:

“SEC. 5505. REPORT.

“Not later than 2 years after the date of enactment of the Agricultural Credit Improvement Act of 2018, the Secretary shall submit to Congress a report describing—

“(1) the effectiveness of the State mediation program for receiving matching grants under this subtitle;

“(2) recommendations for improving the delivery of mediation services to producers;

“(3) the steps being taken to ensure that State mediation programs receive timely funding under this subtitle; and

“(4) the savings to the States as a result of having a mediation program.

“(c) AUTHORIZATION OF APPROPRIATIONS.—

Section 506 of the Agricultural Credit Act of 1967 (7 U.S.C. 5106) is amended by striking “2019” and inserting “2019 and 2021”.

SEC. 5402. SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

(a) In General.—Section 1.19 of the Farm Credit Act of 1971 (12 U.S.C. 2277) is amended by adding at the end the following:

“(e) SHARING OF PRIVILEGED AND CONFIDENTIAL INFORMATION.—A System institution shall not be considered to have waived the confidentiality of a privileged communication with an attorney or an accountant if the System institution provides the content of the communication to the Farm Credit Administration pursuant to the supervisory or regulatory authorities of the Farm Credit Administration.”.

SEC. 5404. REMOVAL AND PROHIBITION AUTHORITY; INDUSTRY-WIDE PROHIBITION.

PART C of title V of the Farm Credit Act of 1971 is amended by inserting after section 5.29 (12 U.S.C. 2256) the following:

“SEC. 5.29A. REMOVAL AND PROHIBITION AUTHORITY; INDUSTRY-WIDE PROHIBITION.

“(a) DEFINITION OF PERSON.—In this section, the term ‘person’ means—

“(1) an individual; and

“(2) in the case of a specific determination by the Farm Credit Administration, a legal entity.

“(b) INDUSTRY-WIDE PROHIBITION.—Except as provided in subsection (c), any person who, pursuant to an order issued under section 5.29 or 5.29, has been removed or suspended from office at a System institution or prohibited from participating in the conduct of the affairs of an institution shall not, during the period of effectiveness of the order, continue or commence to hold any office in, or participate in any manner in the conduct of the affairs of—

“(1) any insured depository institution subject to section 8(e)(7)(A)(i) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(A)(i));

“(2) any institution subject to section 8(e)(7)(A)(ii) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(A)(ii));

“(3) any insured credit union under the Federal Credit Union Act (12 U.S.C. 1751 et seq.);

“(4) any Federal home loan bank;

“(5) any institution chartered under this Act;

“(6) any appropriate Federal financial institutions regulatory agency (as defined in section 8(e)(7)(D));

“(7) the Federal Housing Finance Agency; or

“(8) the Farm Credit Administration.

“(c) EXCEPTION FOR INSTITUTION-AFFILIATED PARTY THAT RECEIVES WRITTEN CONSENT.—

“(1) In General.—

“(A) AFFILIATED PARTIES.—If, on or after the date on which an order described in subsection (b) is issued that removes or suspends an institution-affiliated party from participating in the conduct of the affairs of a System institution, that party receives written consent described in subparagraph (B), subsection (b) shall not apply to that party—

“(i) to the extent provided in the written consent received; and

“(ii) with respect to the institution described in each written consent.

“(B) WRITTEN CONSENT DESCRIBED.—The written consent referred to in subparagraph (A) is written consent received from—

“(i) the Farm Credit Administration; and

“(ii) each appropriate Federal financial institution regulatory agency (as defined in section 8(e)(7)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(D))) of the applicable institution described in any of paragraph (1)(A) or (1)(B) of subsection (b) with respect to which the party proposes to be become an affiliated party.

“(2) DISCLOSURE.—Any agency described in clause (i) or (ii) may make public any written consent that provides a written consent under that paragraph shall—

“(A) report the action to the Farm Credit Administration; and

“(B) publicly disclose the action.

“(3) CONSULTATION BETWEEN AGENCIES.—

“The agencies described in clauses (1) and (ii) of paragraph (1)(B) shall consult with each other before providing any written consent under that paragraph.

“(d) VIOLATIONS.—A violation of subsection (b) by any person who is subject to an order described in that subsection shall be treated as violation of that order.

SEC. 5405. JURISDICTION OVER INSTITUTION-AFFILIATED PARTIES.

Part C of title V of the Farm Credit Act of 1971 is amended by inserting after section 5.29 (12 U.S.C. 2256) the following:

“SEC. 5.31A. JURISDICTION OVER INSTITUTION-AFFILIATED PARTIES.

“(a) In General.—For purposes of sections 5.29, 5.29, and 5.32, the jurisdiction of the Farm Credit Administration over parties, and the authority of the Farm Credit Administration to initiate actions, shall include enforcement authority over institution-affiliated parties.

“(b) EFFECT OF SEPARATION ON JURISDICTION AND AUTHORITY.—Subject to subsection (c), the Farm Credit Administration to issue any notice or order and proceed under this part against any party described in subsection (c) may occur before, on, or after the date of enactment of this section.”.

SEC. 5406. DEFINITION OF INSTITUTION-AFFILIATED PARTY.

Section 5.35 of the Farm Credit Act of 1971 (12 U.S.C. 2277) is amended—

(1) in paragraph (3), by striking “and” at the end and substituting “or” for “and” at the end;

(2) by redesignating paragraph (4) as paragraph (5) and inserting after paragraph (3) the following:

“(5) the term ‘institution-affiliated party’ means—

“(A) a director, officer, employee, shareholder, or agent of a System institution;

“(B) an independent contractor (including an attorney, appraiser, or accountant) who knowingly or recklessly participates in—

“(i) a violation of law (including regulation) that is associated with the operations and activities of 1 or more System institutions;

“(ii) a breach of fiduciary duty; or

“(iii) an unsafe practice that causes or is likely to cause more than a minimum financial loss to, or a significant adverse effect on, a System institution; and

“(C) any other person, as determined by the Farm Credit Administration (by regulation or on a case-by-case basis) who participates in the conduct of the affairs of a System institution;”.

SEC. 5407. REPEAL OF OBSOLETE PROVISIONS; TECHNICAL CORRECTIONS.

(a) Sections 1.1(c) of the Farm Credit Act of 1971 (12 U.S.C. 2271(c)) is amended—
Section 1.2 of the Farm Credit Act of 1971 (12 U.S.C. 2075) is amended by striking subsection (d), and inserting the following:

``(d) COMPOSITION.—The Farm Credit System shall include the Farm Credit Banks, the 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 3.18(a)(1), and any other institutions as may be made a part of the Farm Credit System, all of which shall be chartered by and subject to regulation by the Farm Credit Administration.''

Section 2.4 of the Farm Credit Act of 1971 (12 U.S.C. 2121(a)) is amended by striking subsection (d), and inserting the following:

``(d) IN GENERAL.—Each bank and its subsidiaries shall include the Farm Credit Banks, the banks for cooperatives, and the Federal Farm Credit Banks Funding Corporation, service corporations established pursuant to section 3.18(a)(1), and any other institutions as may be made a part of the Farm Credit System, all of which shall be chartered by and subject to regulation by the Farm Credit Administration.''

Section 3.0(a) of the Farm Credit Act of 1971 (12 U.S.C. 2121(a)) is amended—

(A) in the third sentence, by striking “and a Central Bank for Cooperatives”; and

(B) by striking the fifth sentence.

Section 3.2 of the Farm Credit Act of 1971 (12 U.S.C. 2123) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “not merged into the United Bank for Cooperatives or the National Bank for Cooperatives”; and

(ii) in paragraph (2)(A), by striking “(other than the National Bank for Cooperatives)”; and

(ii) by striking subsection (b); and

(C) in subsection (a)—

(i) by striking “(a)(1) Each bank” and inserting the following:

``(a) IN GENERAL.—Each bank”; and

(ii) by striking “(3)(A) If approved” and inserting the following:

``(3) NUMBER OF VOTES.—The total”; and

(ii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and inserting the following:

``(A) the principal office of the Farm Credit Administration; and

(B) such other offices in the United States as the Farm Credit Administration determines are necessary.”

Section 3.5 of the Farm Credit Act of 1971 (12 U.S.C. 2126) is amended in the third sentence by striking “district”.

Section 3.7(a) of the Farm Credit Act of 1971 (12 U.S.C. 2128(a)) is amended by striking the second sentence.

Section 3.8(b)(1)(A) of the Farm Credit Act of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended by inserting “(or any successor agency)” after “Rural Electrification Administration”.

Section 3.9(a) of the Farm Credit Act of 1971 (12 U.S.C. 2130(a)) is amended by striking the third sentence.

Section 3.10 of the Farm Credit Act of 1971 (12 U.S.C. 2131(a)) is amended—

(A) in subsection (c), by striking the second sentence; and

(B) in subsection (d)—

(i) by striking “district” each place it appears; and

(ii) by inserting “for cooperatives (or any successor bank)” before “on account”.

Section 3.11 of the Farm Credit Act of 1971 (12 U.S.C. 2132) is amended—

(A) in subsection (a), in the first sentence, by striking “sections (b) and (c) of this section” and inserting “subsection (b)”;

(B) in subsection (b) and inserting the following:

``(d) by adding at the end the following:

``(2) FUNDING.—The Farm Credit System Insurance Corporation shall use such funds from the Farm Credit Insurance Fund as are sufficient to carry out this section.”

Section 4.12(a) of the Farm Credit Act of 1971 (12 U.S.C. 2130(a)) is amended by striking paragraph (1) and inserting the following:

``(1) IN GENERAL.—A Farm Credit System bank or association shall provide to a stockholder of the bank or association a current list of stockholders of the bank or association not later than 7 business days after the date on which the bank or association receives a written request for the stockholder list from the stockholder.”

Section 4.14 of the Farm Credit Act of 1971 (12 U.S.C. 2202(a)) is amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting “and section 4.39 before the colon at the end; and

(ii) in paragraph (5)(B)(ii)(I), by striking “14C.”;

(B) by striking subsection (h); and

(C) by redesignating subsections (i) through (l) as subsections (h) through (k), respectively; and

(D) in subsection (k) (as so redesignated), by striking “production credit”.

Section 4.14C of the Farm Credit Act of 1971 (12 U.S.C. 2202(c)) is repealed.

Section 4.17 of the Farm Credit Act of 1971 (12 U.S.C. 2205) is amended in the third sentence by striking “Federal intermediate credit banks and”.

Section 4.19(a) of the Farm Credit Act of 1971 (12 U.S.C. 2207(a)) (as amended by section 5402(a)(2)) is amended—

(A) in the first sentences—

(i) by striking “district”; and

(ii) by striking “Federal land bank associations and production credit associations”;

(B) in the second sentences, by striking “units” and inserting “institutions”;

Section 4.38 of the Farm Credit Act of 1971 (12 U.S.C. 2218(c)) is amended by striking “The Assistance Board established under section 6.0 and all” and inserting “All”.

Section 4.39 of the Farm Credit Act of 1971 (12 U.S.C. 2219(c)) is amended by striking “(6)(7)” and inserting “(6)”.

Section 5.16 of the Farm Credit Act of 1971 (12 U.S.C. 2251) is amended—

(A) by striking the section designation and heading and all that follows through “As an alternate” in the matter preceding paragraph (i) and inserting the following:

``(i) OFFICES, QUARTERS, AND FACILITIES FOR THE FARM CREDIT ADMINISTRATION.

``(a) OFFICES.—The Farm Credit Administration shall maintain

``(1) the principal office of the Farm Credit Administration within the Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area, as defined by the Office of Management and Budget; and

``(2) such other offices in the United States as the Farm Credit Administration determines are necessary.”

``(b) QUARTERS AND FACILITIES.—As an alternative”; and

``in the undesignated matter following paragraph (5) of subsection (b) (as so designated)—

(i) in the fifth sentence, by striking “in accordance with the provisions of this section” and inserting the following:

``(5) AGENT FOR BANKS.—In actions undertaken by the banks pursuant to this section.”

(ii) in the fourth sentence, by striking “The plans and inserting the following:

``(4) APPROVAL OF BOARD.—The plans”;

(iii) in the third sentence, by striking “The powers” and inserting the following:

``(3) POWERS OF BANKS.—The powers”;

(iv) in the second sentence, by striking “Such advances and inserting the following:

``(2) ADVANCES.—The advances of funds described in paragraph (1) shall be

(v) in the first sentence, by striking “The Board” and inserting the following:
“(c) Financing.—

“(1) IN GENERAL.—The Board;”.

“(2) Section 5.17(a)(2) of the Farm Credit Act of 1971 (12 U.S.C. 2278a(a)(2)) is amended by striking paragraph (3)(A)(ii) and inserting “(ii) by striking paragraph (4) and inserting “(iv)”.

“(3) Section 5.18 of the Farm Credit Act of 1971 (12 U.S.C. 2278) is repealed.

“(4) Section 5.19 of the Farm Credit Act of 1971 (12 U.S.C. 2278a) is amended—

“(A) in subsection (a)—

“(i) by striking the first sentence and inserting “Except for Federal land bank associations, each Class A stock shall be fairly and broadly offered to each of the directors of such association”;

“(ii) by striking the second sentence; and

“(B) in subsection (b)—

“(i) by striking “(b)(1) Each” and inserting “(b) Each”;

“(ii) in the matter preceding paragraph (2) (as so redesignated)—

“(A) E STABLISHMENT.—The Corporation shall be under the management of the board of directors;”;

“(B) in subsection (a)(so as so redesignated)—

“(i) by striking “Class A” and inserting the following:

“(iii) Class A stock.—Class A stock; and

“(iv) in paragraph (3)(A) (as so redesignated), by striking “(v)” and inserting “(v)”; and

“(D) by redesigning subsection (c) as subsection (b),

“(4) Section 8.0 of the Farm Credit Act of 1971 (12 U.S.C. 2278a(2)) is amended—

“(A) by striking subsection (a);

“(B) in subsection (b), by striking the subsection designation and heading and all that follows through the period at the end of paragraph (1) and inserting the following:

“(a) IN GENERAL.—

“(1) ESTABLISHMENT.—The Corporation shall be under the management of the board of directors;”;

“(c) subsection (a) (as so redesignated)—

“(A) E STABLISHMENT.—The Corporation shall be under the management of the board of directors;”;

“(B) in subsection (a)(so as so redesignated)—

“(i) by striking “Class A” and inserting the following:

“(iii) Class A stock.—Class A stock; and

“(iv) in paragraph (3)(A) (as so redesignated), by striking “(v)” and inserting “(v)”; and

“(D) by redesigning subsection (c) as subsection (b),

“(5) Section 8.0(7) of the Farm Credit Act of 1971 (12 U.S.C. 2278a(4)(a)(1)) is amended—

“(A) in the sixth sentence—

“(A) in the first sentence of the matter preceding paragraph (2) and inserting the following:

“(b) AMOUNTS IN FUND.—The Corporation shall be under the management of the board of directors;”;

“(B) by redesigning paragraph (2) and (3).

“(6) Section 5.31 of the Farm Credit Act of 1971 (12 U.S.C. 2267) is amended in the second sentence by striking “4.14A(h)” and inserting “4.14A(h)”.

“(7) Section 5.32(h) of the Farm Credit Act of 1971 (12 U.S.C. 2268(b)) is amended by striking “a farm” and inserting “a farm and all that follows through “land bank” and inserting “a Farm Credit Bank board, officer, or employee shall not remove any director or officer of any”. “

“(8) Section 5.41 of the Farm Credit Act of 1971 (12 U.S.C. 2275) is repealed.

“(9) Title VI of the Farm Credit Act of 1971 (12 U.S.C. 2277a-7(7)) is amended by striking the second sentence.

“(10) Section 5.60 of the Farm Credit Act of 1971 (12 U.S.C. 2278) is amended—

“(A) in subsection (b), by striking the subsection designation and heading and all that follows through “The Corporation” in paragraph (2) and inserting the following:

“(b) AMOUNTS IN FUND.—The Corporation;”;

“(B) in subsection (c)(2), by striking “Insurance Fund to ensure that—

“(I) no institution or institutions acquire a disproportionate share of the total quantity of the voting common stock outstanding of a class of stock; and

“(II) capital contributions and issuances of voting common stock for the contributions and issuances by financial cooperatives and System institutions under such terms and conditions as the Board may adopt.

“(3) REQUIREMENTS.—The voting common stock shall be fairly and broadly offered to ensure that—

“(D) by redesigning subsection (c) as subsection (b),

“(4) Section 8.6 of the Farm Credit Act of 1971 (12 U.S.C. 2278a(4)(a)(1)) is amended—

“(A) in the sixth sentence—

“(3) REQUIREMENTS.—The voting common stock shall be fairly and broadly offered to ensure that—

“(i) no institution or institutions acquire a disproportionate share of the total quantity of the voting common stock outstanding of a class of stock; and

“(II) capital contributions and issuances of voting common stock for the contributions and issuances by financial cooperatives and System institutions under such terms and conditions as the Board may adopt.

“(E) in the second sentence, by striking “Each share” and inserting the following:

“(B) in the first sentence, by striking “The Corporation” and inserting the following:

“(A) IN GENERAL.—The Corporation;”.

“(5) Section 8.1(e) of the Farm Credit Act of 1971 (12 U.S.C. 2278aa-6(e)) is amended—

“(A) by striking subsection (d);

“(B) by redesigning subsection (e) as subsection (d);

“(C) in paragraph (2) of subsection (d) (as so redesignated), by striking “8.0(9)" and inserting “8.0(9)";

“(6) Section 8.9 of the Farm Credit Act of 1971 (12 U.S.C. 2278aa-9) is amended by striking “4.14C" each place it appears.

“(7) Section 8.11(e) of the Farm Credit Act of 1971 (12 U.S.C. 2278aa-11(e) is amended by striking “8.0(7)" and inserting “8.0(7)".

“(8) Section 8.32(a) of the Farm Credit Act of 1971 (12 U.S.C. 2278aa-2) is amended—

“(A) in the first sentence of the matter preceding paragraph (1), by striking “Not sooner than the expiration of the 3-year period beginning on the date of the enactment of the Farm Credit System Reform Act of 1996, the” and inserting “The”; and

“(B) in paragraph (1)(b), by striking “8.0(9)(C) and inserting “8.0(7)(C)”; and

“(C) in paragraph (2) of subsection (d) (as so redesignated), by striking “8.0(7))" and inserting “8.0(7)".

“(9) Section 8.35 of the Farm Credit Act of 1971 (12 U.S.C. 2278bb-4) is amended by striking subsection (e).

“(10) Section 8.36 of the Farm Credit Act of 1971 (12 U.S.C. 2278bb-7) is repealed.

“(11) Section 4 of the Agricultural Marketing Act (12 U.S.C. 1141b) is repealed.

“(12) Section 5 of the Agricultural Marketing Act (12 U.S.C. 1141c) is repealed.

“(13) Section 6 of the Agricultural Marketing Act (12 U.S.C. 1141d) is repealed.

“(14) Section 7 of the Agricultural Marketing Act (12 U.S.C. 1141e) is repealed.

“(15) Section 8 of the Agricultural Marketing Act (12 U.S.C. 1141f) is repealed.


“(18) Section 201(e) of the Emergency Relief and Construction Act of 1932 (12 U.S.C. 1148) is repealed.


“(20) Section 32 of the Farm Credit Act of 1971 (12 U.S.C. 1149b) is repealed.

“(21) Section 33 of the Farm Credit Act of 1971 (12 U.S.C. 1149c) is repealed.

“(22) Section 34 of the Farm Credit Act of 1971 (12 U.S.C. 1149d) is repealed.


SEC. 5.60. CORPORATION AS CONSERVATOR OR RECEIVER; CERTAIN OTHER POWERS.

Part E of title V of the Farm Credit Act of 1971 is amended by striking “and” after section 5.61B (12 U.S.C. 2277a-10b) the following:

“(SEC. 5.61C. CORPORATION AS CONSERVATOR OR RECEIVER; CERTAIN OTHER POWERS.

“(a) Definition of institution.—In this section, the term ‘institution’ includes any System institution for which the Corporation has been appointed as conservator or receiver.

“(b) Certain powers and duties of Corporation as conservator or receiver.—In addition to the powers inherent in the express grant of corporate authority under section 5.61B (12 U.S.C. 2277a-10b) the following:

“(3) RULEMAKING AUTHORITY OF CORPORATION.—The Corporation may prescribe such regulations as the Corporation determines to be appropriate regarding the conduct of conservatorships or receiverships.

“(4) General powers.—

“(A) Successor to system institution.—The Corporation shall, as conservator or receiver, and by operation of law, succeed to—

“(i) all rights, titles, powers, and privileges of the System institution, and of any stockholder, member, officer, or director of such institution with respect to the System institution and the assets of the System institution; and
(ii) title to the books, records, and assets of any previous conservator or other legal custodian of such System institution.

(B) OPERATE THE SYSTEM INSTITUTION.—The Corporation may, as conservator or receiver—

(i) take over the assets of and operate the System institution with all the powers of the stockholders, the directors, and the officers of the System institution and conduct all business of the System institution;

(ii) collect all obligations and money due the System institution;

(iii) perform all functions of the System institution in accordance with the provisions of law, the articles of incorporation, the by-laws, and any other provisions of law, the appointment of the Corporation as receiver for a System institution and the succession of the Corporation, by operation of law, under the terms of any other agreement or other instrument validly executed by or on behalf of any System institution, as conservator, as receiver, or as custodian of such System institution.

(C) FUNCTIONS OF SYSTEM INSTITUTION’S OFFICERS, DIRECTORS, MEMBERS, AND STOCKHOLDERS.—The Corporation may, by regulation or otherwise, prescribe for the exercise of any function by any stockholder, member, director, or officer of any System institution for which the Corporation has been appointed as conservator or receiver—

(iv) provide by contract for assistance in fulfilling any function, activity, action, or duty of the Corporation as conservator or receiver.

(C) FUNCTIONS OF SYSTEM INSTITUTION’S OFFICERS, DIRECTORS, MEMBERS, AND STOCKHOLDERS.—The Corporation may, by regulation or otherwise, prescribe for the exercise of any function by any stockholder, member, director, or officer of any System institution for which the Corporation has been appointed as conservator or receiver—

(i) necessary to put the System institution in a sound and solvent condition; and

(ii) appropriate to carry on the business of the System institution and preserve and conserve the assets and property of the System institution in its corporate capacity, the Corporation may, as conservator, take such action as may be necessary to carry on the business of the System institution and preserve and conserve the assets and property of the System institution in a sound and solvent condition; and

(E) ADDITIONAL POWERS AS RECEIVER.—The Corporation may, as receiver, liquidate the System institution and proceed to realize upon the assets of the System institution, in such manner as the Corporation determines to be appropriate.

(F) ORGANIZATION OF NEW SYSTEM BANK.—The Corporation may, as receiver with respect to any System bank, organize a bridge System bank under subsection (h).

(G) MERGER, TRANSFER OF ASSETS AND LIABILITIES.—The Corporation may, as conservator or receiver—

(i) merge the System institution with another System institution and/or transfer or sell any asset or liability of the System institution in default without any approval, assignment, or consent with respect to such transfer.

(ii) APPROVAL.—No merger or transfer under clause (i) may be made to another System institution (other than a bridge System bank under subsection (h)) without the approval of the Farm Credit Administration.

(H) LIQUIDATION.—The Corporation, as conservator or receiver, shall, to the extent that proceeds are realized from the performance of contracts or the sale of the assets of a System institution, pay all valid obligations of the System institution in accordance with the prescriptions and limitations of this section.

(I) INCENTIVES FOR HOLDERS.—(i) IN GENERAL.—The Corporation may, as conservator or receiver—

(I) exercise all powers and authorities specifically granted to conservators or receivers, respectively, under this section and such incidental powers as shall be necessary to carry out such powers; and

(II) exercise any action authorized by this section, which the Corporation determines is in the best interests of—

(aa) the System institution in receivership or conservatorship;

(bb) System institutions;

(cc) System institution stockholders or investors; and

(dd) the Corporation.

(II) TERMINATION OF RIGHTS AND CLAIMS.—(i) IN GENERAL.—Except as provided in subparagraph (A), any other provision of law, the appointment of the Corporation as receiver for a System institution and the succession of the Corporation, by operation of law, under the terms of any other agreement or other instrument validly executed by or on behalf of any System institution may have, arising as a result of their status as stockholders or creditors, against the assets or charter of the System institution.

(ii) EXCEPTIONS.—Subclause (I) shall not terminate the right to payment, resolution, or other satisfaction of the claims of stockholders and creditors described in that subclause, as permitted under paragraphs (10) and (11) and subsection (d).

(iii) CHARTER.—Notwithstanding any other provision of law, for purposes of this section, the charter of a System institution shall not be considered to be an asset of the System institution.

(II) UTILIZATION OF PRIVATE SECTOR.—In carrying out its responsibilities in the management and disposition of assets of System institutions, as conservator, receiver, or custodian of System institutions, the Corporation may utilize the services of private persons, including real estate and loan portfolio management, property management, auction and brokerage services, if the Corporation determines utilization of such services is practicable, efficient, and cost effective.

(III) AUTHORITY OF RECEIVER TO DETERMINE CLAIMS.—

(A) IN GENERAL.—The Corporation may, as receiver, determine claims in accordance with the requirements of this subsection and regulations prescribed under paragraph (4).

(B) NOTICE REQUIREMENTS.—The receiver, in any case involving the liquidation or winding up of the affairs of a closed System institution, shall—

(i) promptly publish a notice to the System institution; creditors to present their claims, together with proof, to the receiver by a date specified in the notice which shall be not less than 60 days after the publication of such notice; and

(ii) republish such notice approximately 1 month and 2 months, respectively, after the publication under paragraph (i).

(C) Mailing Required.—The receiver shall mail a notice similar to the notice published under subparagraph (B)(i) at the time such notice is published on the System institution’s books—

(i) at the creditor’s last address appearing in such books; or

(ii) upon discovery of the name and address of a claimant not appearing on the System institution’s books within 30 days after the discovery of such name and address.

(D) RULEMAKING AUTHORITY RELATING TO DETERMINATION OF CLAIMS.—The Corporation may prescribe regulations regarding the allowance or disallowance of claims by the receiver and provide for administrative determination of claims and review of such determination.

(E) PROCEDURES FOR DETERMINATION OF CLAIMS.—

(A) DETERMINATION PERIOD.—

(i) IN GENERAL.—Before the end of the 180-day period beginning on the date any claim is filed in the Corporation as receiver, the Corporation shall determine whether to allow or disallow the claim and shall notify the claimant of any determination with respect to such claim.

(ii) EXTENSION OF TIME.—The period described in clause (i) may be extended by a written agreement between the claimant and the Corporation.

(iii) MAILING OF NOTICE SUFFICIENT.—The recommendations of clauses (i) and (ii) shall be deemed to be satisfied if the notice of any determination with respect to any claim is mailed to the last address of the claimant which appears in the System institution’s books; and

(iv) CONTENTS OF NOTICE OF DISALLOWANCE.—If any claim filed under clause (i) is disallowed, the notice to the claimant shall contain—

(I) a statement of each reason for the disallowance; and

(II) the procedures available for obtaining agency review of the determination to disallow the claim or judicial determination of the claim.

(B) ALLOWANCE OF PROVEN CLAIMS.—The receiver shall allow any claim received on or before the date specified in the notice published under paragraph (3)(B)(i) by the receiver at the last address of such claimant which is proved to the satisfaction of the receiver.

(C) DISALLOWANCE OF CLAIMS FILED AFTER END OF FILING PERIOD.—(I) IN GENERAL.—Except as provided in clause (ii), claims filed after the date specified in the notice published under paragraph (3)(B)(i) shall be disallowed and such disallowance shall be final.

(ii) CERTAIN EXCEPTIONS.—Clause (i) shall not apply with respect to any claim filed by a claimant after the date specified in the notice published under paragraph (3)(B)(i) and such claim may be considered by the receiver if—

(I) the claimant did not receive notice of the appointment of the receiver in time to file such claim before such date; and

(II) such claim is filed in time to permit payment of such claim.

(D) AUTHORITY TO DISALLOW CLAIMS.—(i) IN GENERAL.—The receiver may disallow any portion of any claim by a creditor or claimant of a System institution which is not proved to the satisfaction of the receiver.

(ii) PAYMENTS TO LESS THAN FULLY SECURED CREDITORS.—In the case of a claim of a creditor against a System institution which is secured by any property or other asset or assets of such System institution, any receiver appointed for any System institution—

(I) may treat the portion of such claim which exceeds an amount equal to the fair market value of such property or other asset as an unsecured claim against the System institution; and

(II) may not make any payment with respect to such unsecured portion of the claim other than in connection with the disposition of all claims of unsecured creditors of the System institution.

(E) EXCEPTIONS.—No provision of this paragraph shall apply with respect to—

(i) any extension of credit from any Federal Reserve bank or the United States Treasury to any System institution; or

(ii) any security interest in the assets of the System institution securing any such extension of credit.

(F) LEGAL EFFECT OF FILING.
"(i) STATUTE OF LIMITATION TOLLED.—For purposes of any applicable statute of limitations, the filing of a claim with the receiver shall constitute a commencement of an action.

(ii) NO PREJUDICE TO OTHER ACTIONS.—Subject to paragraph (12) and the determination of claims by a receiver, the filing of a claim with the Corporation shall not prejudice any right of the claimant to continue any action which was filed before the appointment of the receiver.

(6) JUDICIAL DETERMINATION OF CLAIMS.—

(A) IN GENERAL.—Before the end of the 60-day period beginning on the earlier of—

(i) the date of the period described in paragraph (5)(A)(i) with respect to any claim against a Corporation for which the Corporation is receiver; or

(ii) the date of any notice of disallowance of such claim pursuant to paragraph (5)(A)(ii), the claimant may request administrative review of the claim in accordance with paragraph (7) or file suit on such claim (or continue an action commenced before the appointment of the receiver), before the end of the 60-day period described in subparagraph (A), the claim shall be deemed to be disallowed (other than any portion of such claim which was allowed by the receiver) as of the end of such period, such disallowance shall be final, and the claimant shall have no further rights or remedies with respect to such claim.

(7) REVIEW OF CLAIMS; ADMINISTRATIVE HEARING.—If any claimant requests review under this paragraph in lieu of filing or continuing any action under paragraph (6) and the Corporation agrees to such request, the Corporation shall consider the claim after opportunity for a hearing on the record. The final decision of the Corporation with respect to such claim shall be subject to judicial review under chapter 7 of title 5, United States Code.

(8) EXPEDITED DETERMINATION OF CLAIMS.—

(A) ESTABLISHMENT REQUIRED.—The Corporation shall establish a procedure for expedited review of the routine claims process established under paragraph (5) for claimants who—

(i) allege the existence of legally valid and enforceable or perfected security interests in assets of any System institution for which the Corporation has been appointed receiver; and

(ii) allege that irreparable injury will occur if the routine claims procedure is followed.

(B) DETERMINATION PERIOD.—Before the end of the period beginning on the date any claim is filed in accordance with the procedures established pursuant to subparagraph (A), the Corporation shall—

(i) whether to allow or disallow such claim; or

(ii) whether such claim should be determined under this procedure or the procedures established pursuant to paragraph (5); and

(iii) notify the claimant of the determination, and if the claim is disallowed, provide a statement of reasons for the disallowance and the procedure for obtaining agency review or judicial determination.

(C) PERIOD FOR FILING OR RENEWING SUIT.—Any claimant who files a request for expedited relief shall be permitted to file a suit, or continue a suit filed before the appointment of the Corporation, to determine the claimant’s rights with respect to such security interest after the earlier of—

(i) the end of the 90-day period beginning on the date of the filing of a request for expedited relief; or

(ii) the date the Corporation denies the claim.

(D) STATUTE OF LIMITATIONS.—If an action described in subparagraph (C) is not filed, or is terminated before the motion to file a previously filed suit is made, before the end of the 30-day period beginning on the date on which such action or motion may be filed in accordance with paragraph (A), the claim shall be deemed to be disallowed as of the end of such period (other than any portion of such claim which was allowed by the receiver), such disallowance shall be final, and the claimant shall have no further rights or remedies with respect to such claim.

(9) AGREEMENT AS BASIS OF CLAIM.—

(A) REQUIREMENTS.—Except as provided in subparagraph (B), any agreement which does not meet the requirements set forth in section 5.61(d), any agreement relating to an extension of credit between a Federal Reserve bank or the United States Treasury and any System institution which was executed before such extension of credit to such System institution shall be treated as having been executed contemporaneously with such extension of credit for purposes of subparagraph (A).

(B) EXCEPTION TO CONTEMPOARNEOUS EXECUTION REQUIREMENT.—Notwithstanding section 5.61(d), any agreement relating to an extension of credit between a Federal Reserve bank or the United States Treasury and any System institution which was executed before such extension of credit to such System institution shall be treated as having been executed contemporaneously with such extension of credit for purposes of subparagraph (A).

(C) PAYMENT OF CLAIMS.—

(A) IN GENERAL.—

(i) IN GENERAL.—The provisions of sections 4.2, 4.3, and 4.4 of this title shall apply in the same manner and amounts as are authorized under this Act.

(ii) LIQUIDATION PAYMENTS.—The receiver may, in the receiver’s sole discretion, pay creditor claims which are allowed by the receiver or the Corporation pursuant to a final determination pursuant to paragraph (7) or (8), or determined by the final judgment of any court of competent jurisdiction, in such manner and amounts as are authorized under this Act.

(D) CREDITORS’ COMMITTEE.—The Corporation may prescribe such rules, including definitions of terms, as it deems appropriate to establish a single unit of administration and uniform procedures for handling payments of post insolvency interest to creditors holding allowed claims against the resolution estates of System institutions following satisfaction of such claims and the principal amount of all creditor claims.

(E) BULKMAKING AUTHORITY OF CORPORATION.—The Corporation may prescribe such rules, including definitions of terms, as it deems appropriate to establish a single unit of administration and uniform procedures for handling payments of post insolvency interest to creditors holding allowed claims against the resolution estates of System institutions following satisfaction of such claims and the principal amount of all creditor claims.

(F) PRIORITY OF EXPENSES AND CLAIMS.—

"(A) IN GENERAL.—Amounts realized from the liquidation or other resolution of any System institution by any receiver appointed for such System institution shall be distributed to pay claims (other than secured claims to the extent of any such security) in the following order of priority:

(i) Administrative expenses of the receiver.

(ii) If authorized by the Corporation, wages, salaries, or commissions, including vacation, severance, and sick leave paid by an individual.

(iii) In an amount that is not more than $11,725 for each individual (as indexed for inflation, by regulation of the Corporation).

(iv) That is earned 180 days or fewer before the date of appointment of the Corporation and that is in the Corporation's possession.

(v) In the case of the resolution of a System bank, all claims of holders of consolidated and System-wide bonds and all claims of the other System banks arising from the payments of the System banks pursuant to—

(I) section 4.4 on consolidated and System-wide bonds issued under subsection (c) of section 4.2; or

(II) an agreement, in writing and approved by the Farm Credit Administration, among the System banks to reallocate the payments.

(vi) In the case of the resolution of a production credit association or other association making direct loans under section 7, 12, or 16 hereof, an agreement with the funding association, among the System banks to reallocate the payments.

(II) including interest accrued before and after the appointment of the receiver; and

(III) not including any setoff for stock or other equity of that System bank owned by the creditor, or any portion of such stock or equity.

(G) ANY OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(B) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(C) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(D) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(E) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(F) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(G) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(H) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).

(I) OBLIGATION SUBORDINATED TO GENERAL CREDITOR.—(A) IN GENERAL.—Any obligation subordinated to any general creditor (which is not an obligation described in clause (vi) or (vii)).
inconsistent with the provisions of such sub-
paragraph, and then only to the extent of the in-
consistency.
(ii) Procedure for determination of in-
consistency.—The Corporation, upon motion or upon the request of any person with a claim described in subparagraph (A) or any State which is submitted to the Cor-
poration in accordance with procedures which the Corporation shall prescribe, the Corporation shall determine whether any provision of the law of any State is incon-
sistent with the Corporation in connection with such provisions of subparagraph (A) and the extent of any such inconsistency.
(iii) Judicial review.—The final deter-
mination of the Corporation under clause (ii) shall be subject to judicial review under chapter 7 of title 5, United States Code.
(D) Accounting report.—Any distribu-
tion in accordance with procedures which any claim described in subparagraph (A)(vii) shall be accompanied by the accounting report required under paragraph (15)(B).
(2) Suspension of legal actions.—
(A) In general.—After the appointment of a conservator or receiver for a System in-
stitution, the conservator or receiver may request a stay of any such transfer:
(i) 45 days, in the case of any conservator; and
(ii) 90 days, in the case of any receiver, in any judicial action or proceeding to which such System institution is or becomes a party.
(B) Grant of stay by all courts re-
quired.—Upon receipt of a request by any conservator or receiver pursuant to subpara-
graph (A) for a stay of any judicial action or proceeding in any court with jurisdiction of such action or proceeding, the court shall grant such stay as to all parties.
(C) Additional rights and duties.—
(1) Prior final adjudication.—The Cor-
poration shall abide by any final unappealable judgment of any court of com-
petent jurisdiction which was rendered be-
fore the appointment of the Corporation as conservator or receiver.
(B) Rights and remedies of conservator or receiver.—In the event of any appealable judgment, the Corporation as conservator or receiver shall:
(i) have all the rights and remedies avail-
able to the System institution (before the appointment of such conservator or receiver) and the Corporation in its corporate capac-
ity, including removal to Federal court and all other rights under law.
(ii) not be required to post any bond in
order to pursue such remedies.
(C) No attachment or execution.—No at-
tachment or execution may be issued by any court on—
(i) assets in the possession of the receiver;
or
(ii) the charter of a System institution for which the Corporation has been ap-
pointed receiver.
(D) Limitation on judicial review.—Ex-
cept as otherwise provided in this sub-
section, no court shall have jurisdiction over—
(i) any claim or action for payment from, or
any action seeking a determination of rights with respect to, the assets of any Sys-
tem institution for which the Corporation has been appointed receiver, including assets which the Corporation may acquire from itself as such receiver; or
(ii) any claim relating to any act or omis-
sion of such System institution or the Cor-
poration.
(E) Disposition of assets.—In exercising any right, power, privilege, or authority as receiver in connection with any sale or dis-
position of any System institution, the Corporation shall act in connection with which the Corporation is acting as re-
ceiver, the Corporation shall, to the max-
inimum extent practicable, conduct its oper-
aions in a manner which—
(i) maximizes the net present value re-
turn from the sale or disposition of such as-
sets;
(ii) minimizes the amount of any loss re-
alized in the resolution of cases;
(iii) ensures adequate competition and fair treatment of creditors; and
(iv) prohibition discrimination on the basis of race, sex, or ethnic groups in the solicita-
tion and consideration of offers; and
(v) minimizes the potential adverse ef-
facts to the rest of the System.
(4) Statute of limitations for actions brought or commenced by the Corporation as conserv-
or receiver shall be—
(i) in the case of any contract claim, the longer of—
(I) the 6-year period beginning on the date the claim accrues; or
(II) the period applicable under State law;
and
(ii) in the case of any tort claim, the longer of—
(I) the 3-year period beginning on the date the claim accrues; or
(II) the period applicable under State law.
(B) Determination of the date on which a claim accrues.—For purposes of subpara-
graph (A), the date on which the statute of limitation applicable under State law de-
scribed in such subparagraph shall be the later of—
(i) the date of the appointment of the Cor-
poration as conservator or receiver; or
(ii) the date on which the cause of action accrues.
(C) Revival of expired state causes of action.—
(i) In general.—In the case of any tort claim described in clause (ii) for which the statute of limitation applicable under State law with respect to such claim has expired not more than 5 years before the appoint-
ment of the Corporation as conservator or receiver, the Corporation may bring an ac-
tion as conservator or receiver on such claim without regard to the expiration of the stat-
ute of limitation applicable under State law.
(ii) Damages.
(A) In general.—The Corporation as con-
servator or receiver shall, consistent with
authority under this paragraph, maintain a full accounting of each con-

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D. Records.—Notwithstanding clause (i), the Corporation may destroy any records of such System institution which the Corporation, in the Corporation’s discretion, deter-
mines to be unnecessary unless directed not to do so by a court of competent jurisdiction or the National Government, or prohibited by law.
(2) Old records.—Notwithstanding clause (i), the Corporation may destroy any records which the Corporation may acquire from a System institution or in the Corporation’s capacity as conservator or receiver for any System institution or in the Corporation’s corporate capacity with re-
spect to any asset acquired or liability as-
sumed by the Corporation under section 5.61, issue an order in accordance with Rule 65 of the Federal Rules of Civil Procedure, in the case of any asset or liability which are or which become at any time irrelevant to the public interest (as defined in such rule that the applicant show that the injury, loss, or damage is irreparable and imme-
diate.
(B) State proceeding.—If, in the case of any proceeding in a State court, the court determines that rules of civil procedure available under the laws of such State pro-
hibit an order providing for such relief, substantially similar to such party’s right to due process as Rule 65 (as modified with respect to such proceeding
by subparagraph (A)), the relief sought by the Corporation pursuant to paragraph (17) may be requested under the laws of such State.

"(16) TREATMENT OF CLAIMS ARISING FROM BREACH OF CONTRACTS EXECUTED BY THE RECEIVER OR CONSERVATOR.—Notwithstanding any other provision of this subsection, any final judgment for monetary damages entered against a receiver or conservator for a System institution for the breach of an agreement executed or approved by such receiver or conservator after the date of its appointment shall be paid as an administrative expense of the receiver or conservator, and the conservator or receiver shall not be liable for any damages (other than damages determined pursuant to subparagraph (B) for the disaffirmance or repudiation of such lease) or

"(B) PAYMENTS OF RENT.—Notwithstanding subparagraph (A), the lessee under a lease to which such subparagraph applies shall—

"(i) be entitled to the application of any rent accruing before the later of the date—

"(I) the notice of disaffirmance or repudiation is mailed; or

"(II) the disaffirmance or repudiation becomes effective, unless the lessor is in default or breach of the terms of the lease; and

"(ii) have no claim for damages under any acceleration clause or other penalty provision in the lease.

"(17) CONTRACTS FOR THE SALE OF REAL PROPERTY.—

"(A) IN GENERAL.—If the conservator or receiver accepts performance by the other party after such date due to the nonperformance of any obligation of the System institution under the lease after such date; and

"(B) PROVISIONS APPLICABLE TO LESSEE REMAINING IN POSSESSION.—If any lessee under a lease described in subparagraph (A) remains in possession of a leasehold interest pursuant to clause (ii) of such subparagraph—

"(i) the lessor shall continue to make all payments due under the contract after the date of the repudiation of such lease; and

"(ii) the amount of such payment shall be treated as an administrative expense of the conservator or receiver, to the extent of the right of the conservator or receiver to assign the contract described in subparagraph (A) and sell the property subject to the contract and this paragraph.

"(18) LIABILITIES AFTER ASSIGNMENT AND SALE.—If an assignment and sale described in clause (i) is consummated, the Corporation, acting as conservator or receiver, shall have no further liability under the applicable contract described in subparagraph (A) or with respect to the real property which was the subject of such contract.

"(c) PROVISIONS RELATING TO CONTRACTS ENTERED INTO BEFORE APPOINTMENT OF CONSERVATOR OR RECEIVER.

"(1) AUTHORITY TO REPUDIATE CONTRACTS.—In addition to any other rights a conservator or receiver may have, the conservator or receiver, or the Corporation, acting as conservator or receiver, to repudiate any contract or:

"(A) to which such System institution is a party; and

"(B) the performance of which the conservator or receiver, in the conservator’s or receiver’s discretion, determines to be burdensome; or

"(C) the disaffirmance or repudiation of which the conservator or receiver determines, in the conservator’s or receiver’s discretion, will promote the orderly administration of the System institution’s affairs.

"(2) TIMING OF REPUDIATION.—The Corporation as conservator or receiver for any System institution shall determine whether or not to exercise the rights of repudiation under this subsection within a reasonable period following such appointment.

"(d) CLAIMS FOR DAMAGES FOR REPUDIATION.—

"(1) IN GENERAL.—Except as otherwise provided in subparagraph (C) and paragraphs (5), and (6), the liability of the conservator or receiver for the disaffirmance or repudiation of any contract pursuant to paragraph (1) shall be

"(i) limited to actual direct compensatory damages; and

"(ii) determined as of the date of such repudiation of such contract described in subparagraph (A).

"(II) in the case of any contract or agreement referred to in paragraph (8), the date of the disaffirmance or repudiation of such contract or agreement.

"(2) NO LIABILITY FOR OTHER DAMAGES.—For purposes of subparagraph (A), the term ‘actual direct compensatory damages’ does not include—

"(i) punitive or exemplary damages; (ii) damages for lost profits or opportunity costs; (iii) damages for pain and suffering.

"(3) MEASURE OF DAMAGES FOR REPUDIATION OF FINANCIAL CONTRACTS.—In the case of any qualified financial contract or agreement to which paragraph (8) applies, compensatory damages shall be—

"(i) deemed to include normal and reasonable costs of cover or other reasonable mitigations of damages utilized in the industries for such contract and agreement claims; and

"(ii) paid in accordance with this subsection with respect to the rules of the contract market; and

"(4) LEASES UNDER WHICH THE SYSTEM INSTITUTION IS THE LESSOR.

"(A) IN GENERAL.—If any purchaser of a commodity for future delivery on, or subject to the rules of, a contract market or board of trade; and

"(B) PROVISIONS APPLICABLE TO PURCHASER REMAINING IN POSSESSION.—If any purchaser of a commodity for future delivery on, or subject to the rules of, a contract market or board of trade that is cleared by such clearing organization, or commodity option traded on, or subject to the rules of, a contract market or board of trade that is cleared by such clearing organization,
(V) with respect to a commodity options dealer, a commodity option;

(VI) any other agreement or transaction that is similar to any agreement or transactions referred to in this clause;

(VII) any combination of the agreements or transactions referred to in this clause;

(VIII) any option to enter into any agreement or transaction referred to in this clause;

(IX) a master agreement that provides for an agreement or transaction referred to in any of subclauses (I) through (VIII), together with all supplements to such master agreement, without regard to whether the master agreement provides for an agreement or transaction that is not a commodity contract under this clause, except that the master agreement shall be considered to be a commodity contract under this clause only with respect to each agreement or transaction under the master agreement that is referred to in subclauses (I), (II), (III), (IV), (V), (VI), (VII), or (VIII); or

(X) any security agreement or arrangement or other credit enhancement related to any agreement or transaction referred to in this clause that provides for an agreement or transactions referred to in any of subclauses (I) through (VIII), together with all supplements to any such master agreement, without regard to whether the master agreement provides for an agreement or transaction that is not a commodity contract under this clause, except that the master agreement shall be considered to be a commodity contract under this clause only with respect to each agreement or transaction under the master agreement that is referred to in subclauses (I), (II), (III), (IV), (V), (VI), (VII), or (VIII); or

(‘V’) any repurchase agreement.

(‘V’) in general.—The term ‘repurchase agreement’ (including with respect to a reverse repurchase agreement)

(a) means—

(A) an agreement, including related terms, which provides for the transfer of one or more certificates of deposit, mortgage-rerelated securities, nonqualified foreign government securities, or any other security, or based on the value thereof, for cash or other credit enhancement related to any agreement or transaction referred to in any of subclauses (I), (II), (III), or (IV), including any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in this clause;

(B) any combination of agreements or transactions referred to in subclauses (A) and (C); and

(C) any option to enter into any agreement or transaction referred to in subitem (AA) or (BB) (or any combination thereof).

(bb) a spot, same-day-tomorrow, tomorrow-next, forward, or other foreign exchange agreement; or

(cc) a currency swap, option, future, or forward agreement.

(dd) any equity index or equity swap, option, future, or forward agreement.
(gg) a commodity index or commodity swap, option, future, or forward agreement;

(hh) a weather swap, option, future, or forward agreement;

(ii) any inflation swap, option, future, or forward agreement; or

(jj) an inflation swap, option, future, or forward agreement;

(3) any agreement or transaction that is similar to any other agreement or transaction referred to in this clause and that is of a type that has been, is presently, or in the future, subject to the subject of recent market dealings in the swap or other derivatives markets (including terms and conditions in corporate bond market such agreements) and that is a forward, swap, future, option or spot transaction on one or more rates, currencies, commodities, equity securities or other financial instruments or other debt instruments, quantitative measures associated with an occurrence, extent of an occurrence, or contingency associated with a financial, commercial, or economic consequence, or economic or financial indi-
ces or measures of economic or financial risk or value;

(4) any combination of agreements or transactions referred to in this clause;

(5) any option to enter into any agreement or transaction referred to in this clause;

(6) a master agreement that provides for an agreement or transaction referred to in any of subparagraphs (1) through (4), together with all supplements to the master agreement, without regard to whether the master agreement contains an agreement or transaction that is not a swap agreement under this clause, except that the master agreement shall be considered to be a swap agreement under this clause only with re-
spect to each agreement or transaction referred to in subparagraph (A), or the System institution for which such receiver was appointed, by any party to a contract or agreement described in subparagraph (B)(i) with such System in-
stitution, or any conservator or receiver appoin-
ted for such System institution.

(E) CERTAIN PROTECTIONS IN EVENT OF APPOINTMENT OF CONSERVATOR.—Notwith-
standing any other provision of this Act (other than subparagraph (G), paragraph (10), subsection (b)(9), and section 5.61(a)(i) or any other Federal or State law, no person shall be stayed or prohibited from exercising—

(i) any right such person has to cause the termination, liquidation, or acceleration of any qualified financial contract with a Sys-
tem institution which arises upon the ap-
pointment of the Corporation as receiver for such System institution at any time after such appointment;

(ii) any right under any security agree-
ment or arrangement or other credit en-
hancement related to one or more qualified financial contracts described in clause (i); or

(iii) any right to offset or net out any ten-
termination value, payment amount, or other transfer obligation arising under, or in con-
nection with, 1 or more contracts and agree-
ments described in clause (i), including any master agreement for such contracts or agreements.

(F) APPLICABILITY OF OTHER PROVISIONS.—Subsection (b)(2)(B) shall apply in the case of any such contract or agreement described in subparagraph (A), or the System institution for which such receiver was appointed, by any party to a contract or agreement described in subparagraph (B)(i) with such System in-
stitution, or any conservator or receiver appoi-
ted for such System institution.

(G) WALKAWAY CLAUSES NOT EFFECTIVE.—

(1) IN GENERAL.—Notwithstanding para-
graph (ii) or any other Federal or State law rel-
ting to the avoidance of preferential or fraudulent transfers, the Corporation, whether acting as such or as conservator or receiver of a System institution, may not avoid any transfer of money or other prop-
erty in connection with any qualified finan-
cial contract or transaction.

(2) EXCEPTION FOR CERTAIN TRANSFERS.—
Clause (i) shall not apply to any transfer of
interest or other good or property in connection with any qualified financial contract with a Sys-
tem institution if the Corporation deter-
mines that the transferee had actual intent
to hinder, delay, or defraud such System in-
stitution or any conservator or receiver ap-
pointed for such System institution.

(H) CERTAIN PROJECTIONS IN EVENT OF AP-
POINTMENT OF CONSERVATOR.—Notwith-
standing any other provision of this Act (other than subparagraph (G), paragraph (10), subsection (b)(9), and section 5.61(a)(i) or any other Federal or State law, no person shall be stayed or prohibited from exercising—

(i) any right such person has to cause the termination, liquidation, or acceleration of any qualified financial contract with a Sys-
tem institution in a conservatorship based upon
a default under such financial contract which is includable under applicable non-
insolvency law;

(ii) any right under any security agree-
ment or arrangement or other credit en-
hancement related to one or more qualified financial contracts described in clause (i); and

(iii) any right to offset or net out any ten-
termination value, payment amount, or other transfer obligations arising under or in con-
nection with such qualified financial con-
tacts.

(I) CLARIFICATION.—No provision of law shall be construed as limiting the right or power of the Corporation, or authorizing any court or agency to limit or delay, in any bankruptcy or insolvency proceeding, the Corp-
oration to transfer any qualified financial con-
tact in accordance with paragraphs (9) and (10) or to disapprove or repudiate any such contract in connection with clause (i)."
that the contract has been transferred pursuant to paragraph (8)(B) of this subsection, solely by reason of or incidental to the appointment of a receiver or conservator for the System institution or the insolvency or financial condition of the System institution for which the receiver has been appointed.

(ii) the person has a right that such person has to terminate, liquidate, or net such contract under paragraph (8)(B) of this subsection, solely by reason of or incidental to the appointment of a receiver or conservator for the System institution or the insolvency or financial condition of the System institution for which the receiver has been appointed.

(iii) after the person has received notice that the contract has been transferred pursuant to paragraph (9)(B).

(9) CONSERVATORSHIP.—A person who is a party to a qualified financial contract with a System institution may not exercise any right to or with respect to or for the account of any claimant or category of claimants. Notwithstanding any other provision of Federal law or the law of any State and regardless of the method which the Corporation determines to utilize with respect to a System institution in default, the Corporation had liquidated the assets and liabilities to any System institution to induce such System institution to liquidate, or any party to or with respect to a System institution in default, the Corporation may make additional payments or credit additional amounts to or with respect to or for the account of any claimant or category of claimants. Notwithstanding any other provision of Federal law or the law of any State, the Corporation shall not be obligated, as a result of having made any such payment or credited any such amount to or with respect to or for the account of any claimant or category of claimants, to make payments to any other claimant or category of claimants.

(10) CLOSING ORGANIZATION.—In exercising the rights or powers by a conservator or receiver shall notify any person who is a party to any such contract of such transfer by 5:00 p.m. (eastern time) on the business day following the day on which the conservator or receiver receives notice of the appointment of the conservator or receiver for the System institution.

(11) NOTICE OF TRANSFER.—In the event that a conservator or receiver transfers any qualified financial contract and related claims and property, and deposit agreements or arrangements under subparagraph (B)(i), the conservator or receiver for the System institution shall not be considered to cease being the System institution for purposes of paragraph (8)(B) of this subsection.

(12) SECURITIES INTERESTS NOT AVAILABLE.—No provision of this subsection shall be construed as permitting the avoidance of any legally enforceable or perfected security interest in any of the assets of any System institution except where such an interest is taken by a receiver or conservator for the System institution or the creditors of such System institution.

(13) AUTHORITY TO ENFORCE CONTRACTS.—(A) IN GENERAL.—The conservator or receiver for the System institution may exercise any right to or with respect to or for the account of any claimant or category of claimants. Notwithstanding any other provision of Federal law or the law of any State, the Corporation shall not be obligated, as a result of having made any such payment or credited any such amount to or with respect to or for the account of any claimant or category of claimants, to make payments to any other claimant or category of claimants.

(14) AUTHORITY TO ENFORCE CONTRACTS.—(5) ADDITIONAL PAYMENTS AUTHORIZED.—(A) IN GENERAL.—Except as otherwise provided by this section, no person may exercise any right to or with respect to or for the account of any claimant or category of claimants. Notwithstanding any other provision of Federal law or the law of any State, the Corporation shall not be obligated, as a result of having made any such payment or credited any such amount to or with respect to or for the account of any claimant or category of claimants, to make payments to any other claimant or category of claimants.

(15) MANAGER OF PAYMENTS.—The Corporation may make the payments or credit the amounts specified in subsection (A) directly to the claimants or may make such payments or credit such amounts to an open System institution to induce such System...
institutions to accept liability for such claims.

(ii) LIMITATION ON COURT ACTION.—Except as provided in this section, no court may take jurisdiction at any time at the request of the Board of Directors, to restrain or affect the exercise of powers or functions of the Corporation as a conservator or receiver.

(f) LIABILITY OF DIRECTORS AND OFFICERS.—

(1) In General.—A director or officer of a System institution may be held personally liable for monetary damages in any civil action—

(A) brought by, on behalf of, or at the request or direction of the Corporation; or

(B) prosecuted wholly or partially for the benefit of the Corporation.

(ii) acting on behalf of, or otherwise conveyed by that receiver or conservator; or

(iii) acting based on a suit, claim, or cause of action purchased from, assigned by, or otherwise conveyed by that receiver or conservator; or

(iv) any similar conduct, including conduct that a director or officer of a System institution in connection with assistance provided under section 5.61(a) and (b).

(C) Articles of Association.—The articles of association and organization certificate of any System institution shall be effective only if the Board of Directors determines that—

(i) the amount which is reasonably necessary to operate such bridge System bank will not exceed the amount which is reasonably necessary to save the cost of liquidating 1 or more System banks in default or in danger of default with respect to which the bridge System bank is chartered;

(ii) the continued operation of such System bank or banks in default or in danger of default with respect to which the bridge System bank is chartered is essential to provide adequate farm credit services in the 1 or more communities wherein each such System bank in default or in danger of default is or was providing those farm credit services; or

(iii) the continued operation of such System bank or banks in default or in danger of default with respect to which the bridge System bank is chartered is in the best interest of the Farm Credit System or the public.

(iii) any similar conduct, including conduct that a director or officer of a System institution in connection with assistance provided under section 5.61(a) and (b).

(D) Interim Directors.—A bridge System bank may elect a chairperson who may also serve in the position of chief executive officer, except that such person shall not serve as chief executive officer without the prior approval of the Corporation; and

(iv) the board of directors of a bridge System bank may appoint a chief executive officer who is not also the chairperson, except that such person shall not serve as chief executive officer without the prior approval of the Corporation.

(E) The Farm Credit Administration may waive any requirement for a fidelity bond with respect to a bridge System bank at the request of the Corporation.

(F) No agreement which tends to diminish or defeat the right, title or interest of a bridge System bank in any asset of a System bank in default acquired by it shall be valid against the bridge System bank unless such agreement—

(i) was in writing;

(ii) was executed by such System bank in default and the person or persons claiming an adverse interest thereunder, including the Corporation, contemporaneously with the acquisition of the asset by such System bank in default;

(iii) was approved by the board of directors of the System bank in default or its loan committee, which approval shall be reflected in the minutes of said board or committee; and

(iv) has been, continuously from the time of its execution, an official record of such System bank in default.

(2) Withholding subsection 5.61(c)(2), any agreement relating to an extension of credit between a System bank, Federal Reserve bank, or the United States Treasury and any System institution which was executed before the extension of credit by such lender to such System institution shall be treated as having been executed contemporaneously with such extension of credit for purposes of subparagraph (H); and

(J) except with the prior approval of the Corporation and the concurrence of the
Farm Credit Administration, a bridge System bank may not, in any transaction or series of transactions, issue capital stock or be a party to any merger, consolidation, disposition, or liquidation of any of the liabilities of the bridge System bank, sale or exchange of capital stock, or similar transaction, or change its charter.

(5) The Corporation and with the approval of the Farm Credit Administration, the sale of a majority of all of the capital stock of the bridge System bank to a System institution or another bridge System bank;

(6) On the dissolution of the bridge System bank, or the sale of all or substantially all of the assets of the bridge System bank, by a System institution that is not a bridge System bank or other entity as permitted under applicable law; and

(7) On the expiration of the period provided in paragraph (8), or the earlier dissolution of the bridge System bank as provided in paragraph (11).

(11) Effect of termination events.

(a) Merger or consolidation—A bridge System bank that participates in a merger or consolidation as provided in paragraph (9) shall be a System institution, with all the rights, powers, and privileges thereof, and such merger or consolidation shall be conducted in accordance with, and shall have the effect provided in, the provisions of applicable law.

(b) Charter conversion—Following the sale of a majority or all of the capital stock of the bridge System bank as provided in paragraph (9), the Farm Credit Administration Board may amend the charter of the bridge System bank to reflect the termination of the bridge System bank and shall remain a System bank, with all of the rights, powers, and privileges thereof, subject to all laws and regulations applicable thereto.

(12) Multiple bridge System banks—The Corporation may, in the Corporation's discretion, organize, and the Farm Credit Administration may, in its discretion, charter, 2 or more bridge System banks under this subsection to assume any liabilities and purchase any assets of a single System institution in default.

(1) Certain sales of assets prohibited—

(a) any person who

(i) has defaulted, or was a member of a partnership or an officer or director of a corporation that has defaulted, on 1 or more obligations the aggregate amount of which exceeds $1,000,000, to such failed System institution;

(ii) has been found to have engaged in fraudulent activity in connection with any obligation referred to in clause (i); and

(iii) proposes to purchase any such asset in whole or in part through the use of the proceeds of a loan or advance of credit from the Corporation or from any System institution for which the Corporation has been appointed conservator or receiver;

(b) any person who participated, as an officer or director of such failed System institution or of any affiliate of such System institution, in any material violations of law or regulations or in any transaction that resulted in a substantial loss to such failed System institution;

(c) any person who has been removed from, or prohibited from participating in the affairs of, such failed System institution pursuant to any final enforcement action by the Farm Credit Administration;

(d) any person who has not demonstrated a pattern or practice of defalcation regarding obligations to such failed System institution; or

(e) any person who is in default on any loan or other extension of credit from such failed System institution which, if not paid, will cause substantial loss to the System institution or the Corporation.

(2) Defaulted debtors—Except as provided in paragraph (3), any person who is in default on any loan or other extension of credit from any System institution, which, if not paid, will cause substantial loss to the System institution or the Corporation, may not purchase any asset from the conservator or receiver.

(3) Settlement of claims—Paragraph (1) shall not apply to the sale or transfer by the Corporation of any asset of any System institution.

(b) Procedures—The Farm Credit Administration Board shall appoint the Corporation as receiver for a bridge System bank upon determining to dissolve the bridge System bank. The Corporation as such receiver shall wind up the affairs of the bridge System bank in conformity with the provisions of law relating to the liquidation of System banks or System institutions. In any such dissolution of a bridge System bank, the Corporation as such receiver shall have all the rights, powers, and privileges and shall perform the duties and obligations to the extent of any assets, liabilities, or interests related to the liquidation, receivership, or winding up of such bridge System bank, and the Corporation shall not purchase any asset from the conservator or receiver.

(4) Settling claims—The Corporation shall settle all claims to the extent of the assets and liabilities of the bridge System bank in conformity with the provisions of applicable law.

(5) Authority to issue capital stock—Whenever the Farm Credit Administration Board determines it is advisable to do so, the Corporation shall cause capital stock of a bridge System bank to be issued and offered for sale in such amounts and on such terms as the Corporation, in its discretion, determines to be appropriate.

(6) Operating funds in lieu of capital—Upon the organization of a bridge System bank, and thereafter, as the Corporation may, in its discretion, determine to be necessary or advisable, the Corporation may make available to the bridge System bank, upon such terms and conditions and in such form as the Corporation determines, its funds for the operation of the bridge System bank in lieu of capital stock.

(7) Authority to issue capital stock—Whenever the Farm Credit Administration Board determines it is advisable to do so, the Corporation shall cause capital stock of a bridge System bank to be issued and offered for sale in such amounts and on such terms and conditions as the Corporation may, in its discretion, determine.

(8) Employee status—Representatives for purposes of paragraph (1)(C), interim directors, directors, officers, employees, or agents of the Corporation and of the Corporation as a representative for purposes of any other provision of Federal or State law, if they are not, solely by virtue of service in any such capacity, officers or employees of the United States, any employee of the Corporation, the Farm Credit Administration, or any Federal instrumentalities who serves at the request of the Corporation as a representative for purposes of paragraph (1)(C), interim director, director, officer, employee, or agent of a bridge System bank shall not—

(a) Solely by virtue of service in any such capacity lose any existing status as an officer or employee of the United States for purposes of any provision of law; or

(b) Receive any salary or benefits for service in any such capacity with respect to a bridge System bank and shall not be subject to such salary or benefits as are obtained through employment with the Corporation or such Federal instrumentalities.

(9) Assistance authorized—The Corporation, in its discretion, provide assistance under section 5.61(a) to facilitate any merger or consolidation of a bridge System bank, or to facilitate the liquidation of any of the liabilities of the bridge System bank, or the sale of all or substantially all of the assets of the bridge System bank, or the acquisition of all or substantially all of the assets of the bridge System bank, by a System institution that is not a bridge System bank or other entity as permitted under applicable law; and

(10) Assumption of liabilities and sale of assets—Following the assumption of all or substantially all of the liabilities of the bridge System bank, sale or transfer of a majority or all of the capital stock of the bridge System bank to a System institution or another bridge System bank;

(11) Effect of termination events.

(a) Merger or consolidation—A bridge System bank that participates in a merger or consolidation as provided in paragraph (9) shall be a System institution, with all the rights, powers, and privileges thereof, and such merger or consolidation shall be conducted in accordance with, and shall have the effect provided in, the provisions of applicable law.

(b) Charter conversion—Following the sale of a majority or all of the capital stock of the bridge System bank as provided in paragraph (9), the Farm Credit Administration Board may amend the charter of the bridge System bank to reflect the termination of the bridge System bank as such, whereby the System bank shall remain a System bank, with all of the rights, powers, and privileges thereof, subject to all laws and regulations applicable thereto.

(c) Assumption of liabilities and sale of assets—Following the assumption of all or substantially all of the liabilities of the bridge System bank, or the sale of all or substantially all of the assets of the bridge System bank, as provided in paragraph (9)(C), at the election of the Corporation and the bridge System bank, the Corporation may purchase and retain any other provision of Federal or State law, if

(A) MERGER OR CONSOLIDATION—A bridge System bank that participates in a merger or consolidation as provided in paragraph (9)(A) shall be a System institution, with all the rights, powers, and privileges thereof, and such merger or consolidation shall be conducted in accordance with, and shall have the effect provided in, the provisions of applicable law.

(B) CHARTER CONVERSION—Following the sale of a majority or all of the capital stock of the bridge System bank as provided in paragraph (9)(B), the Farm Credit Administration Board may amend the charter of the bridge System bank to reflect the termination of the bridge System bank and shall remain a System bank, with all of the rights, powers, and privileges thereof, subject to all laws and regulations applicable thereto.

(C) ASSUMPTION OF LIABILITIES AND SALE OF ASSETS—Following the assumption of all or substantially all of the liabilities of the bridge System bank, or the sale of all or substantially all of the assets of the bridge System bank, as provided in paragraph (9)(C), at the election of the Corporation and the bridge System bank, the Corporation may retain its status as such for the period provided in paragraph (8).

(D) AMENDMENTS TO CHARTER—Following the charter conversion described in subparagraph (A), (B), or (C) of paragraph (9), the charter of the resulting System institution shall be amended by the Farm Credit Administration to reflect the termination of bridge System bank status, if appropriate.

(E) DISSOLUTION OF BRIDGE SYSTEM BANK—

(A) IN GENERAL—Notwithstanding any other provision of State or Federal law, if the bridge System bank's status as such has not previously been terminated by the occurrence of an event described in subparagraph (A), (B), or (C) of paragraph (9)—

(i) The corporation, after consultation with the Farm Credit Administration, may, in its discretion, dissolve a bridge System bank in accordance with this paragraph at any time; and

(ii) The Corporation, after consultation with the Farm Credit Administration, shall promptly commence dissolution proceedings in accordance with this paragraph upon the expiration of the 2-year period following the occurrence of an event described in subparagraph (A), (B), or (C) of paragraph (9) and

(iii) The corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(iv) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(v) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(vi) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(vii) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(viii) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(ix) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(x) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xi) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xii) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xiii) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xiv) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xv) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xvi) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xvii) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xviii) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xix) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(xx) The Corporation, after consultation with the Farm Credit Administration, shall dissolve a bridge System bank in accordance with this paragraph at any time; and

(12) MULTIPLE BRIDGE SYSTEM BANKS—The Corporation may, in the Corporation's discretion, organize, and the Farm Credit Administration may, in its discretion, charter, 2 or more bridge System banks under this subsection to assume any liabilities and purchase any assets of a single System institution in default.
“(A) 1 or more claims that have been, or could have been, asserted by the Corporation against the person; or

(B) obligations owed by the person to any System institution of the Corporation.

“(4) DEFINITION OF DEFAULT.—For purposes of this subsection, the term ‘default’ means a failure to comply with the terms of a loan or other obligation to such an extent that the property securing the obligation is foreclosed.

“(5) EXPEDITED PROCEDURES FOR CERTAIN CLAIMS.—

“(1) TIME FOR FILING NOTICE OF APPEAL.—

The notice of appeal of any order, whether interlocutory or final, entered in any case brought by the Corporation against a System institution’s director, officer, employee, agent, attorney, accountant, or appraiser or any other person employed by or providing services to a System institution shall be filed not later than 30 days after the date of entry of the order. The hearing of the appeal shall be held not later than 120 days after the date of the notice of appeal. The appeal shall be decided not later than 180 days after the date of the notice of appeal.

“(2) APPEAL.—

The Corporation as conservator or receiver on the date on which the Farm Service Agency loan programs should strive to encourage beginning farmers and socially disadvantaged farmers to use Farm Service Agency loans.

TITILE VI.—RURAL DEVELOPMENT

SEC. 6103. RURAL WATER AND WASTEWATER CAPITAL PROGRAMS.

Section 306(a)(14) of the Consolidated Farm and Rural Development Act (7 U.S.C. 3306(a)(14)) is amended—

(i) in subparagraph (A)—

(A) by striking ‘‘$25,000,000 for each of fiscal years 2019 and 2020’’ and inserting ‘‘$25,000,000 for each of fiscal years 2019 through 2023’’; and

(ii) in clause (i), by striking ‘‘3 percent’’ and inserting ‘‘3 percent and not more than 5’’; and

(iii) by striking ‘‘dramatic reductions in the contamination of drinking water and substances and perfluorooctanoic acid.’’; and

(iv) in subparagraph (B)—

(A) by striking ‘‘1 nor more than 3’’ and inserting ‘‘1 nor more than 5’’; and

(B) by regarding “3 percent’’.

SEC. 6101. WASTE DISPOSAL, AND WASTE- WATER FACILITIES.

Section 306(a)(2)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)) is amended—

(1) in subparagraph (A)—

(A) by striking ‘‘3 percent’’ and inserting ‘‘3 percent’’.

(B) by striking subparagraph (B) and inserting—

‘‘(B) by striking ‘‘3 percent’’ and inserting ‘‘3 percent’’.

SEC. 6104. RURAL WATER AND WASTEWATER TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.

Section 306(a)(2)(C)(ii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 3306(a)(2)(C)(ii)) is amended—

(1) in subparagraph (A)—

(A) by striking ‘‘1 per centum’’ and inserting ‘‘1 per centum’’;

(B) by striking subparagraph (B) and inserting—

‘‘(B) by striking ‘‘1 per centum’’ and inserting ‘‘1 per centum’’.

SEC. 6102. RURAL WATER AND WASTEWATER TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.

Section 306(a)(14) of the Consolidated Farm and Rural Development Act (7 U.S.C. 3306(a)(14)) is amended—

(1) in subparagraph (A)—

(A) by striking ‘‘3 percent’’ and inserting ‘‘3 percent’’.

(B) by striking ‘‘3 percent’’ and inserting ‘‘3 percent’’.

SEC. 6105. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.

Section 306(a)(2)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)) is amended by striking ‘‘$20,000,000 for fiscal year 2014 and each fiscal year thereafter’’ and inserting ‘‘$25,000,000 for each of fiscal years 2019 through 2023’’.

SEC. 5409. REPORTING.

(a) AGGREGATE REPORT.—In this section, the term ‘farm loan’ means—

(A) an operating loan under subpart A of the Consolidated Farm and Rural Development Act of 2002; and

(B) an operating loan under subpart B of that Act (7 U.S.C. 1922 et seq.).

(b) REPORTS.—

(1) BASELINE.—For each fiscal year, the Secretary shall prepare a report that includes—

(A) for each outstanding farm loan made or guaranteed by the Secretary describing, for the United States and for each State and county in the United States—

(i) the age of the recipient producer;

(ii) the duration that the recipient producer has engaged in agricultural production;

(iii) the size of the farm or ranch of the recipient producer;

(iv) the race, ethnicity, and gender of the recipient producer;

(v) the agricultural commodity or commodities, or type of enterprise, for which the loan was secured;

(vi) the amount of the farm loan made or guaranteed;

(vii) the type of the farm loan made or guaranteed;

(viii) the default rate of the farm loan made or guaranteed;

(B) for each State and county in the United States, data demonstrating the number of outstanding farm loans made or guaranteed, according to loan size cohort; and

(C) an assessment of actual loans made or guaranteed against target participation rates for beginning and socially disadvantaged farmers, broken down by State, as described in sections 346(b)(2) and 355 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)), 2003.

(2) SUBMISSION OF REPORT.—The report described in paragraph (1) shall be—

(A) submitted—

(i) to—

(I) the Committee on Agriculture of the House of Representatives; and

(II) the Committee on Appropriations of the House of Representatives;

(II) the Committee on Appropriations of the Senate; and

(III) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(IV) the Committee on Appropriations of the Senate; and

(ii) not later than December 30, 2018, and annually thereafter; and

(B) made publically available not later than 90 days after the date described in subparagraph (A)(i).

(c) COMPREHENSIVE REVIEW.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act (and every 5 years thereafter), the Secretary shall—

(A) prepare a comprehensive review of all reports submitted under subsection (b)(2); and

(B) identify trends within data outlined in subparagraph (A) to associations serving rural areas for whom the Department determines that the participation rates for beginning and socially disadvantaged farmers engaged in agricultural production are less than 90 percent of the average participation rate for the State and county in which the recipient producer is located.

(2) SUBMISSION OF COMPREHENSIVE REVIEW.—

(A) The Secretary shall submit the report described in paragraph (1) shall be—

(A) submitted—

(i) to—

(I) the Committee on Agriculture of the House of Representatives; and

(II) the Committee on Appropriations of the House of Representatives;

(ii) to—

(I) the Committee on Agriculture of the Senate; and

(II) the Committee on Appropriations of the Senate; and

(B) made publically available not later than 90 days after the date described in subparagraph (A).

(3) all participants of the Farm Service Agency loan programs who have experience in providing the technical assistance and training described in subparagraph (A) to associations serving rural areas in which residents have low income and in which water supply systems or waste facilities are unhealthy; and

(4) recipients that will provide technical assistance and training programs to address the contamination of drinking water and surface water supplies by emerging contaminants, including per- and polyfluoroalkyl substances and perfluorooctanoic acid.; and

(5) in subparagraph (C)—

(A) by striking ‘‘1 nor more than 3’’ and inserting ‘‘1 nor more than 5’’; and

(B) by striking ‘‘dramatic reductions in the contamination of drinking water and substances and perfluorooctanoic acid.’’; and

(6) in subparagraph (D)—

(A) by striking ‘‘3 percent’’ and inserting ‘‘3 percent’’.

(B) by striking ‘‘3 percent’’.
SEC. 6104. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES.
Section 306(a)(25)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a) is amended by striking “2018” and inserting “2023”.

SEC. 6105. COMMUNITY FACILITIES DIRECT LOANS AND GRANTS FOR SUBSTANCE USE DISORDER TREATMENT SERVICES.
Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a) is amended by adding at the end the following:

“(27) DIRECT LOANS AND GRANTS FOR SUBSTANCE USE DISORDER TREATMENT SERVICES.—
“(A) SELECTION PROCEDURE.—In selecting recipients of loans or grants (not including loans guaranteed by the Secretary) for the development of essential community facilities under this section, the Secretary shall give priority to entities eligible for those loans or grants—
“(i) to develop facilities to provide substance use disorder (including opioid substance use disorder)—
“(II) treatment services; and
“(IV) any combination of those services; and
“(ii) that employ staff that have appropriate expertise and training in how to identify and treat individuals with substance use disorders.

“(B) USE OF FUNDS.—An eligible entity described in subparagraph (A) that receives a loan or grant described in that subparagraph may use the loan or grant funds for the development of telehealth facilities and systems to provide telehealth services for substance use disorder treatment.

SEC. 6106. ECONOMIC AND INNOVATIVE COMMUNITY WATER ASSISTANCE GRANT PROGRAM.
Section 306A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a) is amended—

(1) in subsection (b)(1), by striking “and” and inserting the following: “, particularly to projects to address contamination that—
“(A) poses a threat to human health or the environment; and
“(B) was caused by circumstances beyond the control of the applicant for a grant, including circumstances that occurred over a period of time; and”;

(2) in subsection (f)(1), by striking “$500,000” and inserting “$1,000,000”;

(3) by redesignating subsection (i) as subsection (j); and

(4) by inserting after subsection (h) the following:

“(i) INTERAGENCY TASK FORCE ON RURAL WATER QUALITY.—
“(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall coordinate and chair an interagency task force on farm and drinking water, and surface water contamination in rural communities, particularly rural communities that are in close proximity to active or decommissioned military installations in the United States.

“(2) MEMBERSHIP.—The interagency task force shall consist of—
“(A) the Secretary of Agriculture;
“(B) the Secretary of the Army, acting through the Chief of Engineers;
“(C) the Secretary of Health and Human Services; and
“(D) the Secretary of Housing and Urban Development;

“(E) the Secretary of the Interior, acting through—
“(i) the Director of the United States Fish and Wildlife Service; and
“(ii) the Director of the United States Geological Survey;
“(F) the Administrator of the Environmental Protection Agency; and
“(G) representatives from rural drinking and wastewater entities, State and community regulators, and appropriate scientific experts that reflect a diverse cross-section of the rural communities described in paragraph (1).

“(2) REPORT.—
“(A) IN GENERAL.—Not later than 360 days after the date of the Agriculture Improvement Act of 2018, the task force shall submit to the committees described in subparagraph (B) a report that—
“(i) examines, and identifies issues relating to, water contamination in rural communities, particularly rural communities that are in close proximity to active or decommissioned military installations in the United States;
“(ii) reviews the extent to which Federal, State, and local government agencies coordinate with one another to address the issues identified under clause (i);
“(iii) recommends how Federal, State, and local government agencies can work together to address the issues identified under clause (i); and
“(iv) recommends changes to existing statutory requirements, regulatory requirements, or both, to improve interagency coordination and responsiveness to address the issues identified under clause (i).

“(B) COMMITTEES DESCRIBED.—The committees referred to in subparagraph (A) are—
“(i) the Committee on Agriculture of the House of Representatives; and
“(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate;”;

“(ii) by striking “2018” and inserting “2023”.

“(3) REPORT.—
“(A) IN GENERAL.—Not later than 360 days after the date of enactment of this Act, the task force shall submit to the committees described in subparagraph (B) a report that—
“(i) examines, and identifies issues relating to, water contamination in rural communities, particularly rural communities that are in close proximity to active or decommissioned military installations in the United States;”;

“(4) GROUND WELL WATER CONTAMINATION.—In the event of ground well water contamination, the Secretary shall allow a loan or subgrant to be made with grant funds under this section for the installation of water treatment where needed beyond the point of entry, with or without the installation of a new water well system;”;

“(5) in subsection (e) (as so redesignated)—
“(A) in paragraph (1), by striking “nor more than” and inserting “5 percent and not more than 7”; and

“(B) in paragraph (2), by striking “$35,000,000 for each of fiscal years 2014 through 2018” and inserting “$40,000,000 for each of fiscal years 2019 through 2023”.

SEC. 6107. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.
Section 306D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d) is amended—

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

(2) in subsection (c), by striking “2014 through 2018” and inserting “2019 through 2023”.

(3) in subsection (d)—
“(A) by inserting “$5,000,000” and inserting “$40,000,000”; and

“(B) by striking “2014 through 2018” and inserting “2019 through 2023”.

SEC. 6108. SOLID WASTE MANAGEMENT GRANTS.
Section 310B(b)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932b)(2) is amended by striking “2018” and inserting “2023”.

SEC. 6109. RURAL COOPERATIVE DEVELOPMENT GRANTS.
Section 310C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932c) is amended—

(1) in subsection (a), by striking “2019 through 2023”.

(2) in subsection (c), by striking “2019 through 2023”.

(3) in subsection (d)—
“(A) by striking “2018” and inserting “2019 through 2023”.

SEC. 6110. RURAL BUSINESS DEVELOPMENT GRANTS.
Section 310C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932c) is amended—

(1) in subsection (a), by striking “2019 through 2023”.

(2) in subsection (d)—
“(A) by striking “2018” and inserting “2019 through 2023”; and

(3) in subsection (e)—
“(A) by striking “2018” and inserting “2019 through 2023”.

(4) in subsection (f)—
“(A) by striking “2018” and inserting “2019 through 2023”.

(5) in subsection (g)—
“(A) by striking “2018” and inserting “2019 through 2023”.

SEC. 6111. APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS PROGRAM.
Section 310B(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932b) is amended—

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

(2) in paragraph (c), by striking “2018” and inserting “2023”.

(3) in paragraph (d), by striking “2018” and inserting “2023”.
SEC. 6111. RURAL ECONOMIC AREA DEVELOPMENT PROGRAM.

Section 310(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by adding at the end the following:

"(1) In general.—To be eligible to receive a loan or loan guarantee under subsection (a), an eligible entity described in subsection (a) shall establish a schedule that is consistent at such time, in such manner, and containing such information as the Secretary may require.

(2) Evaluation.—In evaluating applications submitted under paragraph (1), the Secretary shall—

(A) make into consideration the previous performance of an eligible entity in carrying out projects under subsection (c); and

(B) in addition to the criteria to applications, require an eligible entity to demonstrate that it has a governing or advisory board made up of business, civic, and community leaders who are representative of the communities of the service area, without limitation to the size of the service area.

(b) Return of Equity. —The Secretary shall establish a schedule that is consistent with the amortization schedules of the portfolio of loans made or guaranteed under subsection (a) (as so redesignated), including regulations and procedures that would allow the return of any equity contribution made under this section by an eligible entity described in subsection (b), if the eligible entity is —

(1) current on all principal and interest payments; and

(2) in compliance with loan covenants.

(c) Regulations.—The Secretary shall promulgate regulations and establish procedures reducing the administrative requirements on eligible entities described in subsection (b), including regulations to carry out the requirements made to this section by the Agriculture Improvement Act of 2018; and

(d) in subsection (1) (as so redesignated), by striking "2018" and inserting "2023".

SEC. 6114. SINGLE APPLICATION FOR BROADBAND.

Section 301 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by adding at the end the following:

"(b) In general.—Subject to paragraphs (2), (3), and (4), notwithstanding any other provision of law, broadband facilities and broadband service (as defined in section 601(b) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(d))) may be funded as an incidental part of any grant, loan, or loan guarantee provided under this title or any other provision of law administered by the Secretary, acting through the rural development mission area.

"(c) Competitive harm.—The Secretary shall not provide funding under paragraph (1) if the funding would result in competitive harm to any existing grant, loan, or loan guarantee described in that paragraph.

"(d) Eligibility.—Funding under paragraph (1) shall be granted only for eligible projects described in section 601(d)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(d)(2))."

SEC. 6117. LOAN GUARANTEE LOAN FEES.

(a) Certain Programs Under Consolidated Farm and Rural Development Act. —Section 333 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended—

(1) in paragraph (5), by striking "and" and inserting "or"; and

(2) by adding at the end the following:

"(A) the sum of—

(i) the total amount of fees so charged for each fiscal year; and

(ii) the total of the amounts appropriated for the insured or guaranteed loans for the fiscal year; is equal to

(B) the amount of the costs of subsidies for the insured or guaranteed loans for the fiscal year.

(b) Rural Broadband Program.—Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(c)) is amended by adding at the end the following:

"(3) Fees.—In the case of a loan guaranteed or modified under this section, the Secretary shall charge and collect from the lender fees in such amounts as are necessary such that—

(A) the sum of—

(i) the total amount of fees so charged for each fiscal year; and

(ii) the total of the amounts appropriated for the loan guarantees for the fiscal year; is equal to

(B) the amount of the costs of subsidies for the loan guarantees for the fiscal year.

SEC. 6116. SINGLE APPLICATION FOR BROADBAND.

Section 301 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by striking "2018" and inserting "2023".

SEC. 6115. INTERMEDIARY RELENDING PROGRAM.

Section 310(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(j)) is amended—

(1) in subsection (b), by striking "2018" and inserting "2023".

SEC. 6114. RURAL ECONOMIC AREA PARTNER-Ship.

Section 310(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by striking "2018" and inserting "2023".

SEC. 6119. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.

Section 318 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by striking "2018" and inserting "2023".

SEC. 6120. GRANTS FOR NOAA WEATHER RADIO TRANSMITTERS.

Section 379B(d)(4) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended by striking "2018" and inserting "2023".

SEC. 6121. RURAL MICROENTREPRENEUR ASSIST-ANCE AND TRAINING.

Section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1984) is amended—

(1) in subsection (b)(4)(B)(ii)—

(A) in the clause heading, by striking "MAXIMUM AMOUNT" and inserting "AMOUNT"; and

(B) by striking "not less than 20 percent" and before "not more than 25 percent"; and

(2) in subsection (d)(2)—

(A) by striking "$20,000,000" and inserting "$20,000,000"; and

(B) by striking "2009 through 2018" and inserting "2019 through 2023".

SEC. 6122. HEALTH CARE SERVICES.

Section 379G(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1984) is amended by striking "2018" and inserting "2023".

SEC. 6123. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

Section 379H of the Consolidated Farm and Rural Development Act (7 U.S.C. 1984) is amended to read as follows:

"SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

"(a) In General.—In the case of any program under this title or administered by the Secretary, acting through the rural development mission area, as determined by the Secretary (referred to in this section as a ‘covered program’), the Secretary shall give priority to an application for a project that, as determined and approved by the Secretary—

"(1) meets the applicable eligibility requirements of this title or the other applicable authorizing law;

"(2) will be carried out in a rural area; and

"(3) supports the implementation of a strategic community investment plan described in subsection (d) on a multisectoral and multidimensional basis, to include considerations for improving and expanding broadband services as needed.}
amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

**Subtitle B—Rural Electrification Act of 1936**

**SEC. 6201. ELECTRIC LOAN REFINANCING.**

Section 2(a) of the Rural Electrification Act of 1936 (7 U.S.C. 2009aa–13) is amended by striking ‘‘loans in’’ and inserting ‘‘loans, or refinance loans made by the Secretary under this Act, in’’.

**SEC. 6202. TECHNICAL ASSISTANCE FOR RURAL ELECTRIFICATION LOANS.**

Section 2 of the Rural Electrification Act of 1936 (7 U.S.C. 2009a) is amended by adding at the end the following:

‘‘The Secretary shall credit to the subaccount for the cost of the grants and loans $5,000,000 for each of fiscal years 2022 and 2023, to remain available until expended.’’

**SEC. 6205. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.**

(a) In General.—Section 313A of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1) is amended—

(1) in subsection (a)—

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

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

‘‘(2) TERMS.—A bond or note guaranteed under this section shall be repaid by the borrower—

(A) for each fiscal year through fiscal year 2018, at a rate of 5 percent; and

(B) for fiscal year 2019 and each fiscal year thereafter, at a rate equal to—

(i) the average interest rate used to make payments on the 5-year Treasury note for the most recent calendar quarter; and

(ii) not greater than 5 percent.’’;

(2) in paragraph (2) (as so designated), by striking ‘‘borrower at a rate of 5 percent per annum,’’ and inserting the following: ‘‘borrower—

(A) for each fiscal year through fiscal year 2018, at a rate of 5 percent; and

(B) for fiscal year 2019 and each fiscal year thereafter, at a rate equal to—

(i) the average interest rate used to make payments on the 5-year Treasury note for the most recent calendar quarter; and

(ii) not greater than 5 percent.’’; and

(3) in paragraphs (3) and (4) (as so designated), by striking ‘‘5 percent per year’’ and inserting ‘‘5 percent per annum’’.

**SEC. 6215. RURAL BUSINESS INVESTMENT PRO-

Section 384B of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–18) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

**SEC. 6204. CUSHION OF CREDIT PAYMENTS PRO-

(a) In General.—Section 313 of the Rural Electrification Act of 1936 (7 U.S.C. 940c) is amended—

(1) in subsection (a)—

(A) by redesigning paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

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

‘‘(2) TERMINATION OF DEPOSIT AUTHORITY.—

Effective October 1, 2018, no deposits may be made under paragraph (1),’’;

and

(2) in paragraph (2) (as so designated), by striking ‘‘at a rate of borrowing of 5 percent per annum,’’ and inserting the following: ‘‘at a rate of borrowing of 5 percent per annum, as applicable, by the repayment of the outstanding principal; or

(iii) through a combination of the methods described in clauses (i) and (ii);’’;

and

(2) in subsection (b)—

(A) by redesigning paragraph (1), by striking ‘‘electronic payments’’ and all that follows through the period at the end and inserting ‘‘described in subsection (a)(1)’’;

(b) CONFORMING AMENDMENTS.—


(2) Section 313B of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1) is amended—

(a) in subsection (a)—

(A) by striking ‘‘Subject to’’ and inserting the following:‘‘(1) GUARANTEES.—Subject to’’;

(B) in paragraph (1) (as so designated), by striking ‘‘basis’’ and all that follows through the period at the end and inserting ‘‘basis, if the bonds or notes are used to make utility infrastructure loans, or refinance bonds or notes issued for those purposes, to a borrower that has at any time received, or is eligible to receive, a loan under this Act,’’; and

(C) by adding at the end the following:

‘‘(2) TERMS.—A bond or note guaranteed under this section shall be repaid by the borrower—

(i) in periodic installments of principal and interest; or

(ii) periodic installments of interest and, at the end of the term of the bond or note, as applicable, by the repayment of the outstanding principal; or

(iii) through a combination of the methods described in clauses (i) and (ii);’’;

(b) in paragraph (2) (as so designated), by striking ‘‘and, at the end of the term of the bond or note, as applicable, by the repayment of the outstanding principal; or

(iii) through a combination of the methods described in clauses (i) and (ii);’’;

and

(2) in paragraph (2) (as so designated), by striking ‘‘and all that follows through the period at the end and inserting ‘‘described in subsection (a)(1)’’;’’.
(b) by striking paragraph (2); (c) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and (d) in paragraph (2) (as so redesignated)—

(1) in subparagraph (A), by striking "for electricity or telephone purposes" and inserting "for eligible purposes described in subsection (a)(1)"; and

(2) in subparagraph (C), by striking "subsection (a)(1)" and inserting "subsection (a)(1)(B)";

(3) in subsection (f), by striking "2018" and inserting "2023"; (b) administration.—Beginning on the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall continue to carry out section 331A of the Rural Electrification Act of 1936 (7 U.S.C. 940c-1) (as amended by subsection (a)) under a Notice of Solicitation of Applications until the date which any regulations necessary to carry out the amendments made by subsection (a) are fully implemented.

SEC. 6206. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (a), by striking "loans and guarantees for loans, and";

(2) in subsection (c)—

(A) in the subsection heading, by striking "Loans and guarantee" and inserting "Grants, Loans, and";

(B) in paragraph (1), by inserting "make grants and" after "Secretary shall";

(C) by striking paragraph (2) and inserting the following:

"(2) Priority.—

(A) In general.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

(i) give the highest priority to applications for projects to provide broadband service to the greatest proportion of rural households in the proposed service area identified in the application;

(ii) give priority to applications for projects to provide the maximum level of broadband service to the greatest proportion of rural households in the proposed service area identified in the application; and

(iii) give priority to applications for projects to provide rapid and expanded deployment of fixed and mobile broadband on cropland and rangeland within a service territory for use in various applications of precision agriculture;";

(iv) provide equal consideration to all eligible entities, including those that have not previously received grants, loans, or loan guarantees under paragraph (1) and that do not have any residential broadband service;

(v) with respect to 2 or more applications that are given the same priority under clause (i), give priority to an application that requests less grant funding than loan funding.

(B) Other.—After giving priority to the applications described in clauses (i) and (ii) of subsection (a) and otherwise under this section, the Secretary shall give priority to—

(i) for projects to provide broadband service to rural communities—

(I) with a population of less than 10,000 permanent residents;

(II) that are experiencing outmigration and have adopted a strategic community investment plan under section 331A of the Housing Act of 1949 (42 U.S.C. 1471a); or

(IV) that are isolated from other significant population centers; and

(ii) that were developed with the participation of, and will receive a substantial portion of the funding for the project from, 1 or more stakeholders, including—

(I) State, local, and tribal governments;

(II) nonprofit institutions; and

(III) community anchor institutions, such as—

(aa) public libraries;

(bb) elementary schools and secondary schools (as defined in section 801 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(cc) institutions of higher education; and

(dd) housing development entities;

(IV) private entities; and

(V) philanthropic organizations.

(C) Identification of Unserved Communities.—

(i) In general.—In the case of an application given the highest priority under subparagraph (A), the Secretary shall confirm that each unserved rural community identified in the application is eligible for funding by—

(I) conforming with and obtaining data from the Chair of the Federal Communications Commission and the Administrator of the National Telecommunications and Information Administration with respect to the service level in the service area proposed in the application;

(II) reviewing any other source that is relevant to service data validation, as determined by the Secretary; and

(III) performing site-specific testing to verify the unavailability of any residential broadband service in the unserved rural community.

(ii) Adjustments.—Not less often than once every 2 years, the Secretary shall review and, if necessary, modify the list of unavailability of service by—

(1) seeking a determination of area eligibility by an eligible entity if the Secretary determines that each unserved rural community identified under clause (i) is not eligible for funding; or

(2) any other means prescribed by the Commission.

(D) Maximum.—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

(E) Secretarial Authority to Adjust.—

The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves—

(i) an area of rural households described in paragraph (2)(A)(i) and (ii) a rural community described in any of the following:

(1) a project for which the Secretary shall—

(I) seek a determination of area eligibility prior to preparing a loan application under this section; and

(II) submit to the Secretary a proposal for a project on which the Secretary shall provide feedback regarding how the proposal could be changed to improve the likelihood that the Secretary would approve the application.

(f) in paragraph (10)(A), by striking "15" and inserting "30"; and

(g) by adding at the end the following:

(11) Technical Assistance and Training.—

(A) In general.—The Secretary may provide technical assistance and training to—

(I) all eligible entities described in paragraph (1) that are applying for a grant, loan, or loan guarantee under this section; and

(II) in clause (ii), by striking "and" and inserting "or"; and

(III) in clause (iii), by striking "assistance under this section" and inserting "assistance under this section";

(2) To prepare reports and surveys necessary to request grants, and loan guarantees under this section for broadband deployment;
"(i) to improve management, including financial management, relating to the proposed broadband deployment;
(ii) to prepare applications for grants, loans, and loan guarantees under this section; and
(iv) to assist with other areas of need identified by the Secretary.
"(B) the adoption and publication of standards that are reasonable, measured, and not less than 3 percent and not more than 5 percent of amounts appropriated to carry out this section for a fiscal year shall be used for technical assistance and training under this paragraph.
(4) In subsection (e)(1)—
(A) in subparagraph (A), by striking "4-Mbps" and inserting "25-Mbps"; and
(B) in subparagraph (B), by striking "3-Mbps" and inserting "3-Mbps";
(5) in subsection (f), by striking "make a loan or loan guarantee" and inserting "provide assistance";
(6) in subsection (j)—
(A) in the matter preceding paragraph (1), by striking "loan and loan guarantee";
(B) in subparagraph (i)(I), by striking "grants and" and inserting "grants and" after "of number";
(C) in paragraph (2)—
(i) in subparagraph (A), by striking "loan"; and
(ii) in subparagraph (B), by striking "and" and inserting "and" grants, loans, and;
and
(D) in paragraph (3), by striking "loan";
(7) redesignating subsections (k) and (l) as subsections (m) and (n), respectively;
(8) by inserting after subsection (j) the following:
"(k) BROADBAND BUILDER DATA.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary complete, reliable, and precise geolocation information that indicates the location of new broadband network that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee not later than 30 days after the earlier of—
(I) the date of completion of any project milestone established by the Secretary; or
(II) the date of completion of the project.
"(l) ENVIRONMENTAL REVIEWS.—The Secretary may require(A) a statement of significant environmental effects of the proposed project; (B) a description of the application, in- cluding a statement of the date of completion of the project; and (C) a description of the application, including a statement of the date of completion of the project.
(2) ELIGIBLE SERVICE AREA.—The term 'eligible service area' means an area in which broadband service capacity is less than—
(I) a 10-Mbps downstream transmission capacity; and
(II) a 1-Mbps upstream transmission capacity.
(3) ELIGIBLE ENTITY.—
"(A) In general.—The term 'eligible entity' means a legally organized entity that—
(I) is established for the purpose of providing a public communication service, and
(II) is an incorporated organization;
(III) is an Indian Tribe or Tribal organization;
(IV) is a State;
(V) a unit of local government; or
(VI) any other legal entity, including a cooperative, a nonprofit corporation, a private, or a limited liability company, that is organized on a for-profit or a not-for-profit basis.
(4) PROGRAM.—The term 'Program' means the Community Connect Grant Program established under subsection (b).
(5) RURAL AREA.—The term 'rural area' has the meaning given the term in section 601(b)(3)(A).
"(b) ESTABLISHMENT.—The Secretary shall establish a program to provide grants to eligible entities to finance broadband transmission in rural areas.
(1) ELIGIBLE ENTITIES.—A grant shall be awarded to—
(I) an individual, or
(ii) a partnership.
(2) ELIGIBLE PROJECTS.—An eligible entity that receives a grant under the Program shall use the grant to carry out a project that—
(I) provides eligible broadband service to, within the proposed eligible service area described in the application submitted by the eligible entity.
(2) each essential community facility funded under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)); and
(3) any required facilities necessary to offer that eligible broadband service to each residential and business customer; and
(2) for not less than 2 years—
(I) furnishes free wireless eligible broadband service to a community center described in subsection (d)(1); or
(II) provides not fewer than 2 computer access points for that free wireless eligible broadband service; and
(2) covers the cost of bandwidth to provide free eligible broadband service to each essential community facility funded under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) within the service area described in the application submitted by the eligible entity.
(4) USES OF GRANT FUNDS.—
"(1) IN GENERAL.—An eligible entity that receives a grant under the Program may use the grant for—
(A) the construction, acquisition, or leasing of facilities (including land, and, or buildings to deploy eligible broadband service; and
(B) the improvement, expansion, construction, or acquisition of a community center within the proposed eligible service area described in the application submitted by the eligible entity.
"(2) ELIGIBLE USES.—An eligible entity that receives a grant under the Program shall not use the grant for—
(A) the duplication of any existing broadband service provided to another entity in the eligible service area; or
(B) operating expenses, except as provided in—
(i) subsection (c)(2)(C) with respect to free wireless eligible broadband service; and
(ii) paragraph (1)(A) with respect to spectrum.
"(3) FREE ACCESS FOR COMMUNITY CENTERS.—Of the amounts provided to an eligible entity under a grant under the Program, the eligible entity shall use to carry out paragraph (1)(B) not greater than the lesser of—
(A) 10 percent; and
(B) $150,000.
"(4) MATCHING FUNDS.—
"(1) IN GENERAL.—An eligible entity that receives a grant under the Program shall use cash contributions in an amount that is not less than 15 percent of the amount of the grant.
(2) REQUIREMENTS.—A cash contribution described in paragraph (1) shall be used solely for the project for which the eligible entity receives a grant under the Program and shall not include any Federal funds, unless a Federal statute specifically provides that those Federal funds may be considered to be from a non-Federal source.
"(1) IN GENERAL.—To be eligible to receive a grant under the Program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.
(2) REQUIREMENT.—An application submitted by an eligible entity under paragraph (1) shall include documentation sufficient to demonstrate the availability of funds to satisfy the requirement of subsection (e).
"(5) AUTHORIZATION.—
(1) AUTHORIZATION.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year.
"SEC. 6207. COMMUNITY CONNECT GRANT PROGRAM.
Title VI of the Rural Electrification Act of 1966 (7 U.S.C. 950bb et seq.) is amended by adding at the end the following:
"SEC. 604. COMMUNITY CONNECT GRANT PROGRAM.
"(a) DEFINITIONS.—In this section:
"(1) ELIGIBLE BROADBAND SERVICE.—The term 'eligible broadband service' means broadband service that has the capability to transmit data at a speed specified by the Secretary, which may not be less than the applicable minimum speeds established by the Federal Communications Commission in defining the term 'advanced telecommunications capability' for purposes of section 706 of the Telecommunications Act of 1996 (47 U.S.C. 15302).
(2) ELIGIBLE SERVICE AREA.—The term 'eligible service area' means an area in which broadband service capacity is less than—
(I) a 10-Mbps downstream transmission capacity; and
(II) a 1-Mbps upstream transmission capacity.
(3) ELIGIBLE ENTITY.—
"(A) In general.—The term 'eligible entity' means a legally organized entity that—
(I) is established for the purpose of providing a public communication service, and
(ii) is an incorporated organization;
(iii) Indian Tribe or Tribal organization;
(iv) a State;
(v) a unit of local government; or
(vi) any other legal entity, including a cooperative, a nonprofit corporation, a private, or a limited liability company, that is organized on a for-profit or a not-for-profit basis.
"(B) ELIGIBLE PROJECTS.—An eligible entity that receives a grant under the Program shall use the grant to carry out a project that—
(I) provides eligible broadband service to, within the proposed eligible service area described in the application submitted by the eligible entity.
(2) each essential community facility funded under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)); and
(3) any required facilities necessary to offer that eligible broadband service to each residential and business customer; and
(2) for not less than 2 years—
(I) furnishes free wireless eligible broadband service to a community center described in subsection (d)(1); or
(II) provides not fewer than 2 computer access points for that free wireless eligible broadband service; and
(2) covers the cost of bandwidth to provide free eligible broadband service to each essential community facility funded under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) within the service area described in the application submitted by the eligible entity.
(4) USES OF GRANT FUNDS.—
"(1) IN GENERAL.—An eligible entity that receives a grant under the Program may use the grant for—
(A) the construction, acquisition, or leasing of facilities (including land, and, or buildings to deploy eligible broadband service; and
(B) the improvement, expansion, construction, or acquisition of a community center within the proposed eligible service area described in the application submitted by the eligible entity.
"(2) ELIGIBLE USES.—An eligible entity that receives a grant under the Program shall not use the grant for—
(A) the duplication of any existing broadband service provided to another entity in the eligible service area; or
(B) operating expenses, except as provided in—
(i) subsection (c)(2)(C) with respect to free wireless eligible broadband service; and
(ii) paragraph (1)(A) with respect to spectrum.
(3) FREE ACCESS FOR COMMUNITY CENTERS.—Of the amounts provided to an eligible entity under a grant under the Program, the eligible entity shall use to carry out paragraph (1)(B) not greater than the lesser of—
(A) 10 percent; and
(B) $150,000.
"(4) MATCHING FUNDS.—
"(1) IN GENERAL.—An eligible entity that receives a grant under the Program shall use cash contributions in an amount that is not less than 15 percent of the amount of the grant.
(2) REQUIREMENTS.—A cash contribution described in paragraph (1) shall be used solely for the project for which the eligible entity receives a grant under the Program and shall not include any Federal funds, unless a Federal statute specifically provides that those Federal funds may be considered to be from a non-Federal source.
(5) AUTHORIZATION.—
(1) IN GENERAL.—To be eligible to receive a grant under the Program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.
(2) REQUIREMENT.—An application submitted by an eligible entity under paragraph (1) shall include documentation sufficient to demonstrate the availability of funds to satisfy the requirement of subsection (e).
(5) AUTHORIZATION.—
(1) AUTHORIZATION.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year.
SEC. 6210. CYBERSECURITY AND GRID SECURITY IMPROVEMENTS.

Title III of the Rural Electrification Act of 1966 (7 U.S.C. 931 et seq.) is amended by adding at the end the following:

"SEC. 319. CYBERSECURITY AND GRID SECURITY IMPROVEMENTS.

(a) DEFINITION OF CYBERSECURITY AND GRID SECURITY IMPROVEMENTS.—In this section, the term ‘cybersecurity and grid security improvements’ means investment in the development, expansion, and modernization of rural utility infrastructure that addresses known cybersecurity and grid security risks.

(b) LOANS AND GUARANTEES.—The Secretary may make or guarantee loans under this title and title I for cybersecurity and grid security improvements.

(b) OPPORTUNITY FOR THE PUBLIC TO SUBMIT INFORMATION.—The Secretary shall, with respect to an application for a loan under the Telecommunications Infrastructure Loan and Guarantee Program under this Act—

(1) for a period of not less than 15 days after the date on which the notice required by subsection (a) is provided with respect to the application, provide an opportunity for an interested party to voluntarily submit information concerning the services that the party offers in the census blocks described in subsection (a)(1)(B)(i), subject to the applicability to the Telecommunications Infrastructure Loan and Guarantee Program under this Act of—

(A) the name of the borrower; and

(B) the type of assistance being received; and

(C) the purpose for which the borrower is receiving the assistance; and

(5) any other information as is sufficient to allow the public to understand the assistance provided under the Telecommunications Infrastructure Loan and Guarantee Program under this Act.

(b) OPPORTUNITY FOR THE PUBLIC TO SUBMIT INFORMATION.—The Secretary shall, with respect to an application for a loan under the Telecommunications Infrastructure Loan and Guarantee Program under this Act—

(1) for a period of not less than 15 days after the date on which the notice required by subsection (a) is provided with respect to the application, provide an opportunity for an interested party to voluntarily submit information concerning the services that the party offers in the census blocks described in subsection (a)(1)(B)(i), subject to the applicability to the Telecommunications Infrastructure Loan and Guarantee Program under this Act of—

(A) the name of the borrower; and

(B) the type of assistance being received; and

(C) the purpose for which the borrower is receiving the assistance; and

(5) any other information as is sufficient to allow the public to understand the assistance provided under the Telecommunications Infrastructure Loan and Guarantee Program under this Act.

(b) OPPORTUNITY FOR THE PUBLIC TO SUBMIT INFORMATION.—The Secretary shall, with respect to an application for a loan under the Telecommunications Infrastructure Loan and Guarantee Program under this Act—

(1) for a period of not less than 15 days after the date on which the notice required by subsection (a) is provided with respect to the application, provide an opportunity for an interested party to voluntarily submit information concerning the services that the party offers in the census blocks described in subsection (a)(1)(B)(i), subject to the applicability to the Telecommunications Infrastructure Loan and Guarantee Program under this Act of—

(A) the name of the borrower; and

(B) the type of assistance being received; and

(C) the purpose for which the borrower is receiving the assistance; and

(5) any other information as is sufficient to allow the public to understand the assistance provided under the Telecommunications Infrastructure Loan and Guarantee Program under this Act.

(b) OPPORTUNITY FOR THE PUBLIC TO SUBMIT INFORMATION.—The Secretary shall, with respect to an application for a loan under the Telecommunications Infrastructure Loan and Guarantee Program under this Act—

(1) for a period of not less than 15 days after the date on which the notice required by subsection (a) is provided with respect to the application, provide an opportunity for an interested party to voluntarily submit information concerning the services that the party offers in the census blocks described in subsection (a)(1)(B)(i), subject to the applicability to the Telecommunications Infrastructure Loan and Guarantee Program under this Act of—

(A) the name of the borrower; and

(B) the type of assistance being received; and

(C) the purpose for which the borrower is receiving the assistance; and

(5) any other information as is sufficient to allow the public to understand the assistance provided under the Telecommunications Infrastructure Loan and Guarantee Program under this Act.

(b) OPPORTUNITY FOR THE PUBLIC TO SUBMIT INFORMATION.—The Secretary shall, with respect to an application for a loan under the Telecommunications Infrastructure Loan and Guarantee Program under this Act—

(1) for a period of not less than 15 days after the date on which the notice required by subsection (a) is provided with respect to the application, provide an opportunity for an interested party to voluntarily submit information concerning the services that the party offers in the census blocks described in subsection (a)(1)(B)(i), subject to the applicability to the Telecommunications Infrastructure Loan and Guarantee Program under this Act of—

(A) the name of the borrower; and

(B) the type of assistance being received; and

(C) the purpose for which the borrower is receiving the assistance; and

(5) any other information as is sufficient to allow the public to understand the assistance provided under the Telecommunications Infrastructure Loan and Guarantee Program under this Act.
made available for the Commission and shall supplement and not supplant funds made available to carry out this subsection grant is provided. The grant under the program shall be available in an eligible county.

**Title VII—Research, Extension, and Related Matters**

**Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977**

**Section 7101. Purposes of Agricultural Research, Extension, and Education.**

Section 1402 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101) is amended—

1. In general:—

(A) by striking subparagraph (A) and inserting the following:

\[\text{"(A) IN GENERAL.—\text{Not later than 90 days after the date of enactment of this Act, the Secretary shall begin a process to review each designated NLGCA Institution as defined in section 140(h)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)) to ensure compliance with that section (as amended by subsection (a))."}\]

2. Violation:—If the Secretary determines under paragraph (1) that the NLGCA Institution is not in compliance with section 140(h)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)) (as amended by subsection (a)), the designation of that NLGCA Institution shall be revoked.

SEC. 7103. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND ECONOMICS ADVISORY BOARD.

Section 140(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(h)) is amended by striking "2018" and inserting "2023".

SEC. 7104. Citrus Disease Subcommittee of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151b) is amended by striking "2018" and inserting "2023".

SEC. 7105. Veterinary Services Grant Program.

Section 1415B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151b) is amended—

1. In general:—

(A) by striking "2018" and inserting "2023".

(B) by striking "2018" and inserting "2023".

2. Violation:—If the Secretary determines under paragraph (1) that any institution designated under—

\[(\text{a) an institution designated under a section to which the purpose of exposing students in grades 11 and 12 to education and career opportunities in food animal medicine; or}\]

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

\[\text{"(2) by adding "or" at the end; and}\]

\[\text{"(3) in subclause (II), by adding "or" at the end; and}\]

\[\text{"(4) in subclause (III), by striking "or" at the end and inserting "and"; and}\]

\[\text{"(5) by designating subclauses (I), (II), and (III) as clauses (i), (ii), and (iii), respectively, and indenting appropriately.}\]

3. Designation:—

(A) In general:—The Secretary shall provide a process to review each designated NLGCA Institution as defined in section 140(c)(11)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)) to ensure compliance with that section (as amended by subsection (a)).

4. Violation:—If the Secretary determines under paragraph (1) that the NLGCA Institution is not in compliance with section 140(c)(11)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)) (as amended by subsection (a)), the designation of that NLGCA Institution shall be revoked.

**Title IX—Foundations, Community Action, and Related Matters**

**Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977**

**Section 7102. Matters relating to certain school designations and designation review.**

(a) Study of Food and Agricultural Sciences.—Section 140(c)(14) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3104(c)(14)) is amended—

1. In general:—

(A) by striking subparagraph (A) and inserting the following:

\[\text{"(A) IN GENERAL.—\text{Not later than 90 days after the date of enactment of this Act, the Secretary shall begin a process to review each designated NLGCA Institution as defined in section 140(c)(14)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)) to ensure compliance with that section (as amended by subsection (a))."}\]

2. Violation:—If the Secretary determines under paragraph (1) that the NLGCA Institution is not in compliance with section 140(c)(14)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)) (as amended by subsection (a)), the designation of that NLGCA Institution shall be revoked.

**Title X—Agricultural Research, Extension, and Related Matters**

**Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977**

**Section 7106. Citrus Disease Subcommittee of the National Agricultural Research, Extension, and Teaching Policy Act of 1977**

Section 1415B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151b) is amended—

1. In general:—

(A) by striking "2018" and inserting "2023".

(B) by striking "2018" and inserting "2023".

2. Violation:—If the Secretary determines under paragraph (1) that—

\[\text{a) by striking "or" at the end and inserting "and"; and}\]

\[\text{b) by designating subclauses (I), (II), and (III) as clauses (i), (ii), and (iii), respectively, and indenting appropriately.}\]

3. Designation:—

(A) In general:—There is authorized to be used for—

\[\text{"(A) addressing emerging plant and animal diseases; and}\]

\[\text{"(B) improving crop varieties and animal breeds; and}\]

\[\text{"(C) developing safe, efficient, and nutritious food systems."}\]

**Title XI—Agricultural and Food Systems Grants**

**Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977**

**Section 7105. Citrus Disease Subcommittee of the National Agricultural Research, Extension, and Teaching Policy Act of 1977**

Section 140(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(h)) is amended by striking "2018" and inserting "2023".

**Title XII—Agricultural and Food Systems Grants**

**Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977**

**Section 7104. Citrus Disease Subcommittee of the National Agricultural Research, Extension, and Teaching Policy Act of 1977**

Section 1415B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151b) is amended—

1. In general:—

(A) by striking "2018" and inserting "2023".

(B) by striking "2018" and inserting "2023".

2. Violation:—If the Secretary determines under paragraph (1) that—

\[\text{a) by striking "or" at the end and inserting "and"; and}\]

\[\text{b) by designating subclauses (I), (II), and (III) as clauses (i), (ii), and (iii), respectively, and indenting appropriately.}\]

3. Designation:—

(A) In general:—There is authorized to be used for—

\[\text{"(A) addressing emerging plant and animal diseases; and}\]

\[\text{"(B) improving crop varieties and animal breeds; and}\]

\[\text{"(C) developing safe, efficient, and nutritious food systems."}\]
SEC. 7106. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURE SCIENCES EDUCATION.

Section 1417(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(m)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7107. RESEARCH EQUIPMENT GRANTS.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1418 (7 U.S.C. 3156(j)) the following:

SEC. 1418A. RESEARCH EQUIPMENT GRANTS.

(a) Definition of Eligible Institution.—In this section, the term ‘eligible institution’ means—

(1) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(2) a State cooperative institution.

(b) Competitive Grants.—The Secretary may award competitive grants to eligible institutions for the acquisition of special purpose scientific research equipment for use in the food and agricultural sciences programs of those institutions.

(c) Maximum Amount.—The amount of a grant under subsection (b) shall not exceed $500,000.

(d) Prohibition on Charge of Indirect Costs.—The cost of the acquisition or depreciation of equipment purchased with a grant under this section shall not be—

(1) charged as an indirect cost against another Federal grant; or

(2) included as part of the indirect cost pool for purposes of calculating the indirect cost rate of an eligible institution.

(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2019 through 2023.

SEC. 7108. AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

Section 1419A(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7109. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156) is amended—

(1) in subsection (a)(3), by striking “2018” and inserting “2023”;

(2) in subsection (b)(3), by striking “2018” and inserting “2023”.

SEC. 7110. NEXT GENERATION AGRICULTURE TECHNOLOGY CHALLENGE.

Subtitle C of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151 et seq.) is amended by adding at the end the following:

SEC. 1419C. NEXT GENERATION AGRICULTURE TECHNOLOGY CHALLENGE.

(a) In General.—The Secretary shall establish a next generation agriculture technology challenge competition to provide an incentive for the development of innovative mobile technology that removes barriers to entry in the marketplace for beginning farmers and ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))).

(b) Amount.—The Secretary may award not more than $500,000 in the aggregate to 1 or more winners of the competition under subsection (a).

SEC. 7111. NUTRITION EDUCATION PROGRAM.

Section 1425(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(f)) is amended by striking “2018” and inserting “2023”.

SEC. 7112. AUTHORIZATION FOR APPROPRIATIONS FOR FEDERAL AGRICULTURAL RESEARCH FACILITIES.


SEC. 7113. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1458(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155(c)(1)) is amended by striking “2018” and inserting “2023”.

SEC. 7114. EXTENSION AT 1890 LAND-GRA nt COLLEGES, INCLUDING TusKEgee UNIVERSITY, REPORT.

Section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221) is amended—

(1) in subsection (a), by striking paragraph (4); and

(2) by adding at the end the following:

(‘‘g) Report.—The Secretary shall annually submit to Congress a report describing the allocations made to, and matching funds received by—

(1) eligible institutions under this section; and

(2) institutions designated under the Act of July 2, 1862 (commonly known as the ‘First Morrill Act’) (12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.).’’;

SEC. 7115. REPORT ON AGRICULTURAL RESEARCH AT 1890 LAND-GRA nt COLLEGES, INCLUDING TusKEgee UNIVERSITY.

Section 1446(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222) is amended by striking “2018” and inserting “2023”.

SEC. 7116. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRA nt COLLEGES, INCLUDING TusKEgee UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking “2018” and inserting “2023”.

SEC. 7117. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRA nt INSTITUTIONS.

Section 1447(b)(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(d)) is amended by striking “2018” and inserting “2023”.

SEC. 7118. NEW BEGINNING FOR TRIBAL STUDENTS.

Subtitle G of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221 et seq.) is amended by adding at the end the following:

SEC. 1450. NEW BEGINNING FOR TRIBAL STUDENTS.

(a) Definition of Tribal Student.—In this section, the term ‘Tribal student’ means a student at a land-grant college or university that is a member of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3304)).

(b) New Beginning Initiative.—

(1) Authorization.—The Secretary may make competitive grants to land-grant colleges and universities to provide identifiable support specifically targeted for Tribal students.

(2) Application.—A land-grant college or university that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(3) Use of Funds.—A land-grant college or university that receives a grant under this section shall use the grant funds to support Tribal students through—

(A) recruiting;

(B) tuition and related fees;

(C) experiential learning; and

(D) student services, including—

(i) tutoring;

(ii) counseling;

(iii) academic advising; and

(iv) other student services that would increase the retention and graduation rate of Tribal students enrolled at the land-grant college or university, as determined by the Secretary.

(4) Matching Funds.—A land-grant college or university that receives a grant under this section shall provide matching funds toward the cost of carrying out the activities described in this section in an amount equal to not less than 100 percent of the grant award.

(c) Maximum Amount per State.—No State shall receive, through grants made under this section to land-grant colleges and universities located in the State, more than $5,000,000 per year.

(d) Authorization of Appropriation.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2019 through 2023.

SEC. 7119. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking “2018” and inserting “2023”.

SEC. 7120. BINATIONAL AGRICULTURAL RESEARCH AND DEVELOPMENT.

Section 1458(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(e)) is amended—

(1) in the subsection heading, by striking “FULL PAYMENT OF FUNDS MADE AVAILABLE” and inserting “CERTIFIED”;

(2) by striking “Notwithstanding” and inserting the following:

(‘‘FULL PAYMENT OF FUNDS.—Notwithstanding’’;

(3) in paragraph (1) (as so designated)—

(A) by striking “Israel–United States” and inserting “United States–Israel”; and

(B) by inserting “(referred to in this subsection as the ‘BAR D Fund’) ” after “Development Fund”;

(4) by adding at the end the following:

(A) Activities.—Activities under the BAR D Fund to promote and support agricultural research and development that are of mutual benefit to the United States and Israel shall—

(1) be carried out by the Secretary in a manner consistent with this section;
“(B) accelerate the demonstration, development, and application of agricultural solutions resulting from or relating to BARD Fund programs, including BARD Fund-sponsored research and innovations in drip irrigation, pesticides, aquaculture, livestock, poultry, disease control, and farm equipment; and

“(C) encourage research carried out by governmental, nongovernmental, and private entities, including through collaboration with colleges and universities, research institutions, and the private sector; and

SEC. 7121. PARTNERSHIPS TO BUILD CAPACITY IN INTERNATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1458 (7 U.S.C. 3291) the following:

“SEC. 1458A. PARTNERSHIPS TO BUILD CAPACITY IN INTERNATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING.

“(a) PURPOSE.—The purpose of this section is to build the capacity, and improve the performance, of covered Institutions and agricultural higher education institutions in lower and middle income countries performing or performing research and development activities substantially similar to agricultural research, extension, and teaching activities (referred to in this section as ‘agricultural higher education institutions in developing countries’) in order to solve food, health, nutrition, rural income, and environmental challenges, especially among chronically food insecure populations, including by—

“(1) promoting partnerships between covered Institutions and agricultural higher education institutions in developing countries and the private sector;

“(2) leveraging the capacity of covered Institutions to partner with agricultural higher education institutions in developing countries;

“(b) DEFINITIONS.—In this section:


“(2) 1890 INSTITUTION.—The term ‘1890 Institution’ means—

“(A) an 1890 Institution;

“(B) an 1990 Institution;

“(C) an 1909 Institution;

“(D) an NLGCA Institution;

“(E) an Hispanic-serving agricultural college or university; and

“(F) a cooperating forestry school.

“(c) AUTHORITY OF THE SECRETARY.—To carry out the purpose of this section, the Secretary may promote cooperation and coordination between covered Institutions and agricultural higher education institutions in developing countries through—

“(1) encouraging the exchange of research materials and results between covered Institutions and agricultural higher education institutions in developing countries;

“(2) developing the broad dissemination of agricultural research through extension; and

“(3) assisting with efforts to plan and initiate extension services in lower and middle income countries; and

“(4) improving agricultural teaching and education by—

“(A) in partnership with agricultural higher education institutions in developing countries, supporting education and teaching relating to food and agricultural sciences, including technical assistance, degree training, research, classroom instruction, workforce training, and education programs; and

“(B) assisting with efforts to increase student capacity, including to encourage equitable access for women and other underrepresented populations, at agricultural higher education institutions in developing countries by—

“(1) improving extension by—

“(A) encouraging the exchange of research institutions in developing countries, supporting education and teaching relating to food and agricultural sciences, including technical assistance, degree training, research, classroom instruction, workforce training, and education programs;

“(B) improving agricultural research by—

“(1) assisting covered Institutions in strengthening the capacity for food, agricultural, and related research, extension, and teaching programs relevant to agricultural development activities in lower and middle income countries to promote the application of new technology to improve education delivery;

“(2) providing support for the international-alization of relevant instruction programs of covered Institutions;

“(3) establishing a program, to be coordinated by the Director of the National Institute of Food and Agriculture and the Administrator of the Foreign Agricultural Service, to place interns from covered Institutions in, or in service to, lower and middle income countries;

“(4) establishing a program to provide fellowships to students at covered Institutions to study at foreign agricultural colleges and universities;

“(5) enhancing linkages.—The Secretary shall enhance the linkages among covered Institutions, the Federal Government, international agricultural research centers, counterpart re-alignment agencies and institutions in covered countries and developing countries—

“(1) to carry out the purposes described in subsection (a); and

“(2) to make a substantial contribution to the cause of improved food and agricultural progress throughout the world.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2019 through 2023.

SEC. 7122. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A(c)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292bb(c)(2)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7123. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended by striking ‘‘2018’’ each place it appears in subsections (a) and (b) and inserting ‘‘2023’’.

SEC. 7124. EXTENSION SERVICE.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7125. SUPPLEMENTAL AND ALTERNATIVE CROPS, HEMP.

Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

“(1) in subsection (a)—

“(A) by striking ‘‘2018’’ and inserting ‘‘2023’’; and

“(B) by striking ‘‘crops,’’ and inserting ‘‘crops (including canola),’’;

“(2) in subsection (b)—

“(A) by inserting ‘‘for agronomic rotational purposes and as a habitat for honey bees and other pollinators’’ after ‘‘alternative crops’’; and

“(B) by striking ‘‘commodities whose’’ and all that follows through the period at the end and inserting ‘‘commodities’’;

“(3) in subsection (c)(3)(E), by inserting ‘‘(including hemp, as defined in section 297A of the Agricultural Marketing Act of 1946)’’ after ‘‘material’’; and

“(4) in subsection (e)(2), by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7126. NEW ERA RURAL TECHNOLOGY PROGRAM.

Section 1473E of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319e) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7127. SUPPLEMENTAL AND ALTERNATIVE CROPS, HEMP.

Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

“(1) in subsection (b)(1)(B)—

“(A) by striking ‘‘and’’ at the end of—

“(B) in clause (i), by striking ‘‘and’’; and

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

“(iv) precision agriculture’’; and

“(2) in subsection (d), by striking ‘‘2008 through 2012’’ and inserting ‘‘2019 through 2023’’.

SEC. 7128. AGRICULTURE ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY PILOT.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) is amended by adding at the end the following:

“SEC. 1473H. AGRICULTURE ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY PILOT.

“(a) PURPOSE.—The purpose of this section is to promote advanced research and development through a pilot program targeting high-priority research needs for qualified products and projects, agricultural technologies, and research.

“(b) DEFINITIONS.—In this section:

“(1) ADVANCED RESEARCH AND DEVELOPMENT.—The term ‘advanced research and development’ means research and development activities used to overcome long-term and high-risk research challenges in agriculture and food through—

“(i) targeted acceleration of novel, early stage innovative agricultural research with promising technology applications and products; or

“(ii) development of qualified products and projects, agricultural technologies, or innovative research tools, which may include—

“(I) prototype testing, preclinical development, or field experimentation; and

“(II) assessing and assisting with product approval, clearance, or need for a license under—

“(I) the Animal Health Protection Act (7 U.S.C. 8301 et seq.); and

“(II) the Plant Protection Act (7 U.S.C. 8301 et seq.); or

“(III) other applicable law; or

“(ii) manufacturing and commercialization of a product.
“(2) AGARDA.—The term ‘AGARDA’ means the Agriculture Advanced Research and Development Authority established by subsection (c)(1).

“(B) AGRICULTURAL TECHNOLOGY.—The term ‘agricultural technology’ means machinery and other equipment engineered for an applicable and novel use in agriculture, natural resources, and natural and agricultural science relating to the research and development of qualified products and projects.

“(D) DIRECTOR.—The term ‘Director’ means the Director of the AGARDA.

“(F) FUND.—The term ‘Fund’ means the Agriculture Advanced Research and Development Authority established by subsection (c)(1).

“(G) OTHER TRANSACTION.—

“(A) IN GENERAL.—The term ‘other transaction’ means an action other than a procurement contract, grant, or cooperative agreement.

“(B) INCLUSION.—The term ‘other transaction’ includes a transaction described in subsection (c)(6)(A).

“(7) PERSON.—The term ‘person’ means—

“(A) an individual;

“(B) a partnership;

“(C) a corporation;

“(D) an association;

“(E) an entity;

“(F) a public or private corporation;

“(G) an educational, research, and public and non-land-grant college of agriculture.

“(H) an institution of higher education, including the land-grant colleges of agriculture and a non-land-grant college of agriculture.

“(8) QUALIFIED PRODUCT OR PROJECT.—The term ‘qualified product or project’ means advanced research and development of—

“(A) engineering, mechanization, or technology improvements that will address challenges relating to growing, harvesting, handling, storing, and marketing of agricultural products;

“(B) plant disease or plant pest recovery countermeasures to intentional or unintentional biological or natural threats, including—

“(i) replacement or resistant plant cultivars or varieties;

“(ii) other enhanced management strategies, including novel chemical, biological, or cultural approaches; or

“(iii) diagnostic or surveillance technology; and

“(C) veterinary countermeasures to intentional or unintentional biological threats (including naturally occurring threats), including—

“(i) animal vaccine or therapeutic products (including anti-infective products); or

“(ii) diagnostic or surveillance technology.

“(9) RESEARCH TOOL.—The term ‘research tool’ means a device, technology, procedure, biological material, reagent, computer system, computer software, or analytical technique that is developed to assist in the discovery, development, or manufacture of a qualified product or project.

“(c) AGRICULTURAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

“(1) ESTABLISHMENT.—There is established within the Department of Agriculture the Agriculture Advanced Research and Development Authority to address long-term and high-risk challenges in the development of—

“(A) qualified products and projects;

“(B) agricultural technologies; and

“(C) research tools.

“(2) GOALS.—The goals of the AGARDA are—

“(A) to enhance the economic viability, security, and sustainability of agriculture to ensure that the United States is competitive and maintains a technological lead globally;

“(B) to deploy advanced solutions to prevent, prepare, and protect against unintentional and intentional threats to agriculture and food in the United States;

“(C) to overcome the long-term and high-risk technological barriers in the development of agricultural technologies that enhance export competitiveness, environmental sustainability, and resilience to extreme weather; and

“(D) to ensure that the United States maintains a technological lead in developing and deploying advanced agricultural technologies that increase economic opportunities for farmers, ranchers, and rural communities.

“(3) LEADERSHIP.—

“(A) IN GENERAL.—The AGARDA shall be a component of the Office of the Chief Scientist.

“(B) DIRECTOR.—

“(i) In general.—The AGARDA shall be headed by a Director, who shall be appointed by the Chief Scientist.

“(ii) Qualifications.—The Director shall be an individual who, by reason of professional background and experience, is especially qualified to advise the Chief Scientist, and manage research programs addressing matters pertaining to—

“(I) advanced research and development;

“(II) qualified products and projects;

“(III) agricultural technologies; and

“(IV) research tools;

“(iii) RELATIONSHIP WITHIN THE DEPARTMENT OF AGRICULTURE.—The Director shall report to the Chief Scientist.

“(4) DUTIES.—To achieve the goals described in paragraph (2), the Secretary, acting through the Director, shall accelerate advanced research and development by—

“(A) identifying and promoting revolutionary advances in fundamental sciences;

“(B) translating scientific discoveries and cutting-edge inventions into technological innovations;

“(C) incubating and accelerating transformational advances in areas in which industry by itself is not likely to undertake advanced research and development because of the high-risk technological or financial uncertainty;

“(D) collaborating with Federal agencies, relevant industries, academia, international agencies, the Foundation for Food and Agriculture Research, and other persons to carry out the purposes of this subsection (including convening, at a minimum, annual meetings or working groups to demonstrate the operation and effectiveness of advanced research and development of qualified products and projects, agricultural technologies, and research tools);

“(E) conducting ongoing searches for, and support of, candidates for advanced research and development of agricultural technologies, qualified products and projects, and research tools;

“(F) awarding grants and entering into contracts, cooperative agreements, or other transactions under paragraphs (1) through (4) for advanced research and development of agricultural technologies, qualified products and projects, and research tools;

“(G) establishing issue-based multidisciplinary discovery teams to reduce the time and cost of solving specific problems that—

“(i) are composed of representatives from Federal and State agencies, professional groups, academia, and industry;

“(ii) seek novel and effective solutions; and

“(iii) encourage data sharing and translation of research to field use; and

“(H) connecting interested persons with offices of the Secretary to advise those persons regarding requirements under relevant laws that impact the development, commercialization, and technology transfer of qualified products and projects, agricultural technologies, and research tools.

“(5) PRIORITY.—In awarding grants and entering into contracts, cooperative agreements, or other transactions under paragraph (4)(F), the Secretary shall give priority to projects that result from the advanced research and development of—

“(A) new technologies to address critical research needs for specialty crops; and

“(B) qualified products or projects that prevent, protect, and prepare against intentional and unintentional threats to agriculture and food.

“(6) OTHER TRANSACTION AUTHORITIES.—

“(A) IN GENERAL.—In carrying out the pilot program under this section, the Secretary shall have the authority to enter into other transactions in the same manner and subject to the same terms and conditions as transactions that the Secretary of Defense may enter into under section 2371 of title 10, United States Code.

“(B) SCOPE.—The authority of the Secretary to enter into contracts, cooperative agreements, and other transactions under this subsection shall be in addition to the authorities under this Act and title I of the Department of Agriculture and Related Agencies Appropriation Act, 1961 (7 U.S.C. 352(b)(3)(B)), the Stevenson-Wydler Technology Innovation Act of 1980 (35 U.S.C. 201(h)(b)).

“(7) AVAILABILITY OF DATA.—

“(A) IN GENERAL.—The Secretary shall require that, as a condition of being awarded a contract or grant or entering into a cooperative agreement or other transaction under paragraph (4)(F), a person shall make available to the Secretary on an ongoing basis, and subject to the request of the Secretary, all data relating to or resulting from the activities carried out by the person pursuant to this section.

“(B) EXEMPTION FROM DISCLOSURE.—

“(i) IN GENERAL.—This subparagraph shall be considered a statute described in section 552(b)(3)(B) of title 5, United States Code.

“(ii) EXEMPTION.—The following information shall be exempt from disclosure and withheld from the public:

“(I) Specific technical data or scientific information that is created or obtained under this section that reveals significant and not otherwise publicly known vulnerabilities of existing agriculture and food defenses against biological, chemical, nuclear, or radiological threats.

“(II) Trade secrets or commercial or financial information that is privileged or confidential (within the meaning of section 552(b)(4) of title 5, United States Code) and obtained in the conduct of research or as a result of activities under this section from a non-Federal party participating in a contract, grant, cooperative agreement, or other transaction under this section.

“(III) REVIEW.—Information that results from research and development of entities conducted under this section and that would be a trade secret or commercial or financial information that is privileged or confidential (within the meaning of section 552(b)(3)(B) of title 5, United States Code) and obtained in the conduct of research or as a result of activities under this section from a non-Federal party participating in a cooperative agreement or other transaction shall
be withheld from disclosure under clause (ii) for 5 years.

"(8) MILESTONE-BASED PAYMENTS ALLOWED.—In awarding contracts and grants and entering into cooperative agreements or other transactions under paragraph (4)(F), the Secretary may—

(A) use milestone-based awards and payments;

(B) terminate a project for not meeting technical milestones.

"(9) USE OF EXISTING PERSONNEL AUTHORITIES.—In carrying out this subsection, the Secretary may appoint highly qualified individuals to scientific or professional positions on the same terms and conditions as provided in section 629(b)(4) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7657(b)(4)).

"(10) LIMITATION.—

(A) REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report examining the actions undertaken and results generated by the AGARDA.

(B) AGENCY.—After the date on which the AGARDA has been in operation for 3 years, the Comptroller General of the United States shall conduct an evaluation.

"(1) IN GENERAL.—The Secretary shall develop and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than 90 days after the date on which the Comptroller General began conducting the evaluation:

(ii) describing the extent to which the AGARDA is achieving the goals described in paragraph (2); and

(iii) including a recommendation on whether the program should be continued, terminated, or expanded.

"(d) STRATEGIC PLAN.—

(A) IN GENERAL.—The Secretary, acting through the Director—

(i) to be completed and submitted to the Secretary of Defense under section 2371 of title 10, United States Code.

(B) DEPOSITORS INTO FUND.—

(A) IN GENERAL.—The Secretary, acting through the Director, may accept and deposit into the Fund moneys received pursuant to cost recovery or contribution under a contract, grant, cooperative agreement, or other transaction under this section.

(B) CLARIFICATION.—Nothing in this paragraph authorizes the use of funds of the Commodity Credit Corporation to carry out this section.

"(3) FUNDING.—In addition to funds otherwise deposited in the Fund under paragraph (1) or (2), the Comptroller General may authorize the Secretary to receive funds under this section; and

"(4) Other Appropriations Made Available.—The term "other appropriations made available under this title" means each of the following agricultural research and extension Act of 1998 (7 U.S.C. 7657(b)(4)).

"(i) any other provision of law, including:

(A) the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3331 et seq.)

(B) the National Research, Extension, and Education Act of 1979 (7 U.S.C. 3361 et seq.)

(C) the Cooperative Extension Service Act of 1994 (20 U.S.C. 2301 et seq.)

(D) the Hatch Act of 1887 (7 U.S.C. 340 et seq.)

(E) the Smith-Lever Act (7 U.S.C. 361a et seq.)

(F) other provisions of law, as the Secretary determines to be appropriate to disseminate the information contained in the strategic plan under paragraph (1) to persons who may have the capacity to substantially contribute to the activities described in that strategic plan.

(C) SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1491(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3331 et seq.) is amended by striking "2018" and inserting "2023".

"(d) TERMINATION OF EFFECTIVENESS.—The Secretary shall not apply in the case of a designation under this section; and

"(e) EXTRAORDINARY CIRCUMSTANCES.—In the case of extraordinary circumstances or a result that would yield an inordinate result, as determined by the Secretary, the Secretary may terminate the designation after the date of enactment of this Act of 1998 (7 U.S.C. 7657(b)(4)).

"(f) NO INCREASE IN STATE FUNDING.—No State shall receive in the amount of capacity program funding as a result of the designation of additional entities as eligible to receive funds under a capacity program.

"(1) FINDINGS.—Congress finds the following:

(n) the Act of August 30, 1890 (commonly known as the "Second Morrill Act") (2 U.S.C. 174 et seq.), which is enacted approximately every 5 years, and which the Secretary acts upon in the same manner and subject to the same terms and conditions as are applicable to the Secretary of Defense under section 2371 of title 10, United States Code.

(f) LIMITATION.—

(A) IN GENERAL.—Except as provided under paragraph (2), and notwithstanding any other provision of law, no additional entity designated after the date of enactment of this Act of 1998 (7 U.S.C. 7657(b)(4)) is defined as eligible to receive funds under a capacity program.

"(2) DEFINITIONS.—In this section, the terms "entity" and "capacity program" have the meanings given that term in section 3 of the Smith-Lever Act (7 U.S.C. 340).

"(2) The program for which funds are made available under the Hatch Act of 1887 (7 U.S.C. 340 et seq.).

"(3) The program for which funds are made available under section 1444.

"(4) The program for which funds are made available under section 1445.

"(5) The grant program authorized under section 1447.

"(6) The program for which funds are made available under Public Law 87-788 (commonly known as the "McIntire-Stennis Cooperative Forestry Act") (16 U.S.C. 582a-1).

"(B) Extraordinary Circumstances.—In the case of extraordinary circumstances or a result that would yield an inordinate result, as determined by the Secretary, the Secretary may terminate the designation after the date of enactment of this section is eligible to receive funds under a capacity program.

"(B) EXTRAORDINARY CIRCUMSTANCES.—In the case of extraordinary circumstances or a result that would yield an inordinate result, as determined by the Secretary, the Secretary may terminate the designation after the date of enactment of this section is eligible to receive funds under a capacity program.

"(c) NO INCREASE IN STATE FUNDING.—No State shall receive in the amount of capacity program funding as a result of the designation of additional entities as eligible to receive funds under a capacity program.

"(d) STRATEGIC PLANNING AND PROCUREMENT ACT OF 2018.—

Section 1477(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324(a)(2)) is amended by striking "2018" and inserting "2023".

"(e) REPEAL OF Rangeland RESEARCH ACT OF 1977.—

Section 1491(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3331 et seq.) is repealed.

"(f) SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1491(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3331 et seq.) is amended by striking "2018" and inserting "2023".

"(g) No INCREASE IN STATE FUNDING.—No State shall receive in the amount of capacity program funding as a result of the designation of additional entities as eligible to receive funds under a capacity program.

"(h) SCHOLARSHIP PROGRAM FOR STUDENTS ATTENDING 1990 INSTITUTIONS.

(a) Findings.—Congress finds the following:

1. The Act of August 30, 1890 (commonly known as the "Second Morrill Act") (2 U.S.C. 174 et seq.), which is enacted approximately every 5 years, and which the Secretary acts upon in the same manner and subject to the same terms and conditions as are applicable to the Secretary of Defense under section 2371 of title 10, United States Code.

2. The term ‘capacity program’ means each of the following agricultural research, extension, education, and related programs:

(A) Programs for which funds are made available under subsections (b) and (c)
in agriculture, food production, distribution, and retailing, the clothing industries, energy and renewable fuels, and farming marketing, finance, and distribution.

(5) Scholarship funding provided to increase the number of young African-American individuals seeking a career in the food and agricultural sciences shall be provided with the caveat that those scholarship students shall commit to pursue a career in the food and agricultural sciences, including agriculture, food production, distribution, and retailing, the clothing industries, energy and renewable fuels, and farming marketing, finance, and distribution.

(6) The average age of farmers and producers in the United States is 60 years of age and continues to rise.

(7) Planning for farmers and ranchers (as defined in section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319h)) need greater assistance in the financing of their education because of the increased startup costs associated with farming, such as the purchase of land and farming equipment.

(b) PURPOSES.—The purposes of this section and the amendment made by this section are—

(1) to address the national crisis posed by the aging farmer and producer population in the United States;

(2) to increase the number of young African-American individuals seeking a career in the food and agricultural sciences (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)), including careers in agribusiness, food production, distribution, and retailing, the clothing industries, energy and renewable fuels, and farming marketing, finance, and distribution;

(3) to reduce the average age of farmers and producers in the United States;

(4) to provide greater assistance to beginning farmers and ranchers (as defined in section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319h)); and

(5) to provide scholarships to 1890 land-grant students seeking careers in the food and agricultural sciences.

(c) SCHOLARSHIP PROGRAM FOR STUDENTS ATTENDING INSTITUTIONS.—Subtitle G of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221 et seq.) (as amended by section 7128) is amended by adding at the end the following:

SEC. 1451. SCHOLARSHIPS FOR STUDENTS AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) IN GENERAL.—The Secretary shall establish a grant program under which the Secretary awards grants to eligible institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1988 (7 U.S.C. 7601)) (referred to in this section as an ‘‘eligible institution’’), to award scholarships to individuals who—

(1) seek to attend the eligible institution; and

(2) intend to pursue a career in the food and agricultural sciences, including a career in agribusiness, food production, distribution, and retailing, the clothing industries, energy and renewable fuels, and farming marketing, finance, and distribution.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) Authorization of Appropriations.—There is authorized to be appropriated $19,000,000 for education grants for fiscal years 2019 through 2023.

(2) ALLOCATION.—Of the funds made available under paragraph (1) for a fiscal year, the Secretary shall allocate to each eligible institution an amount equal to 4 times the average amount of the most recent fiscal year.

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLIES.

Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended in the first sentence by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1627(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TECHNOLOGY FORUM.

Section 1628(a)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831(a)(2)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7204. NATIONAL TRAINING PROGRAM.

Section 1629(h) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832(h)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7205. NATIONAL STRATEGIC GERMLASM AND CULTIVAR COLLECTION AREA AND UTILIZATION PLAN.

(a) IN GENERAL.—Section 1632(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814(h)) is amended—

(1) in paragraph (5), by striking ‘‘and at the end;’’

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

(6) develop and implement a national strategic germplasm and cultivar collection assessment and utilization plan that takes into consideration resources and research necessary to address the significant backlog of characterization and maintenance of existing accessions considered to be critical to preserve the viability of, and public access to, germplasm and cultivars; and;

(b) PLAN PUBLICATION.—Section 1633 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amended in the first sentence by striking ‘‘The’’ and inserting ‘‘The Secretary’’.

(2) MEMBERSHIP.—The advisory committee shall be comprised of 15 members, with 5 members from each of the following groups:

(A) ‘‘1862 Institutions’’ as defined in section 352(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a));

(B) ‘‘1890 Institutions’’ as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601);

(C) eligible institutions (as defined in section 352 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 3521 note; Public Law 103-382)); and

(D) ‘‘3’’.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1635(b)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5852(b)(2)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7207. NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

Section 1644(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amended—

(1) in the heading, by inserting ‘‘TO PHENOME’’ after ‘‘GENOME’’;

(2) by striking subsection (a) and inserting the following:

(a) GOALS.—The goals of this section are—

(1) to expand knowledge concerning genomes and phenomes of crops and animals of importance to the agriculture sector of the United States;

(2) to understand how variable weather, environment, and production systems impact the growth and productivity of specific varieties of crops and species of animals in order to provide greater accuracy in predicting crop and animal performance under variable conditions;

(3) to support research that leverages plant and animal genomic information with phenomic and environmental data through an interdisciplinary framework, leading to a novel understanding of plant and animal
processes that affect growth, productivity, and the ability to predict performance, which will result in the deployment of superior varieties and species to producers and improve plant and animal management recommendations for farmers and ranchers; 

(4) to catalyze and coordinate research that links genomics and predictive phenomics at important sites along the United States to achieve advances in crops and animals that generate societal benefits; 

(5) to combine fields such as genomics, genomics, plant pathology, agronomy, climatology, and crop modeling with computation and informatics, statistics, and engineering; 

(6) to combine fields such as genetics, genomics, animal physiology, meat science, animal nutrition, and veterinary science with computational and informatics, statistics, and engineering; 

(7) to focus on crops and animals that will yield scientifically important results that will enhance the usefulness of many other crops and animals; 

(8) to build on genomic research, such as the Plant Genome Research Project and the National Animal Genome Research Program, to understand gene function in production environments that is expected to have considerable returns for crops and animals of importance to the agriculture of the United States; 

(9) to develop improved data analytics to enhance understanding of the biological function of genes; 

(10) to allow resources developed under this section, including data, software, germplasm, and other biological materials, to be open to the public; and subject to any confidentiality requirements imposed by law; and 

(11) to encourage international partnerships with each partner country responsible for financing its own research.

(b) Duties of Secretary.—The Secretary of Agriculture (referred to in this section as the 'Secretary') shall conduct a research initiative, to be known as the 'Agricultural Genome to Phenome Initiative', for the purpose of—

(1) studying agriculturally significant crops and animals and production environments to achieve sustainable and secure agricultural production; 

(2) ensuring that current gaps in existing knowledge of agricultural crops and animal genetics and phenomics are filled; 

(3) identifying and developing a functional understanding of relevant genes from animals and agriculturally relevant genes from crops that are of importance to the agriculture sector of the United States; 

(4) ensuring future genetic improvement of crops and production environments to achieve sustainable and secure agricultural production; 

(5) studying the relevance of diverse germplasm as a source of unique genes that may be used in the management of pathogens; 

(6) enhancing genetics to reduce the economic impact of pathogens on crops and animals of importance to the agriculture sector of the United States; 

(7) disseminating findings to relevant audiences; and 

(8) otherwise carrying out this section.

(c) Authorization of Appropriations.—

(1) in subsection (c)(1), by inserting 'Authentication of Appropriations.—There shall be appropriated to carry out this section $30,000,000 for each of fiscal years 2019 through 2023.',

(2) in subsection (c)(2), by inserting 'Authorization of Appropriations.—There shall be appropriated to carry out this section $30,000,000 for each of fiscal years 2019 through 2023.'.

SEC. 7209. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

(a) HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.—The Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(g)) is amended by striking '2018' and inserting '2023'.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall, in consultation with the Administrator of the Environmental Protection Agency (referred to in this paragraph as the 'Administrator'), shall reconstitute the Pollinator Health Task Force (referred to in this paragraph as the 'Task Force') to carry out the purposes described in subparagraph (B).

(2) PURPOSES.—The Task Force shall—

(i) address issues relating to pollinator health and disease, pollinator population decline, and Federal pollinator protection activities; and 

(ii) ensure effective implementation of the 2015 National Pollinator Health Strategy, as modified under subparagraph (D)(1).

(3) COMPOSITION.—

(i) CO-CHAIRS.—The Secretary and the Administrator shall serve as co-chairs of the Task Force.

(ii) MEMBERS.—

(A) The Task Force shall be composed of not less than 15 members, each of whom shall be appointed by the Secretary, in consultation with the Administrator.

(B) MEMBERS.—The members of the Task Force—

(aa) shall include a qualified representative from each of—

(1) the Department of Agriculture; 

(2) the Department of Defense; 

(3) the Department of the Interior; 

(4) the Department of Housing and Urban Development; 

(5) the Department of Transportation; 

(6) the Department of Energy; 

(7) the Department of Commerce; 

(8) the Department of the Treasury; 

(9) the Department of Health and Human Services; 

(10) the Department of the Interior; 

(11) the Department of Agriculture; 

(12) the Department of Commerce; 

(13) the Department of the Treasury; 

(14) the Department of Energy; 

(bb) may include—

(1) 1 or more representatives from the other Federal department, agency, or office, as determined by the Secretary and the Administrator; and

(2) 1 or more nongovernmental individuals that have adequate scientific credentials to make meaningful contributions to the activities of the Task Force, as determined by the Secretary and the Administrator.

(4) DUTIES.—The Task Force shall—

(i) review and modify the 2015 National Pollinator Health Strategy to reflect the evolving science on which the 2015 National Pollinator Health Strategy is based; 

(ii) implement the 2015 National Pollinator Health Strategy as modified under clause (i); and 

(iii) ensure that Federal resources are used effectively to improve pollinator habitat and health; 

(iv) engage in regular collaboration with the Department of Agriculture, other governmental and institutional entities, and private persons to leverage Federal funding to create public-private partnerships that will achieve the long-term improvement of pollinator habitat and health, consistent with the 2016 Pollinator Partnership Action Plan; and 

(v) not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, host a joint summit of the
Department of Agriculture and the Environmental Protection Agency on crop protection tools that examines—

(1) the science relating to the impact of crop protection tools on pollinators;

(2) the techniques used to mitigate the impact of crop protection tools; and

(3) the gaps in research relating to crop protection tools administered by the Secretary on native and managed pollinator protection and relevant grant recipients needed and conducted by the Department of Agriculture and relevant grant recipients under projects of the Chief Scientist in carrying out the following:

(A) may be—

(aa) an employee of the Department of Agriculture, as a Honeybee and Pollinator Research Coordinator, who—

(i) may be—

(aa) an employee of the Department of Agriculture, as a Honeybee and Pollinator Research Coordinator, who—

(bb) a detailed employee of the research, economics, and education mission area; and

(ii) shall be responsible for leading the efforts of the Chief Scientist in carrying out the following:

(1) impact the pollinator health research efforts described in the 2015 report of the Pollinator Health Task Force entitled ‘Pollinator Research Action Plan’;

(2) establish annual strategic priorities and goals for the Department of Agriculture for native and managed pollinator research;

(3) communicate those priorities and goals to each agency in the Department of Agriculture and relevant grant recipients under programs administered by the Secretary; and

(4) direct and identify all research needed and conducted by the Department of Agriculture and relevant grant recipients under programs administered by the Secretary on native and managed pollinator health that is not intended duplication of effort.

(5) POLLINATOR RESEARCH.—

(A) IN GENERAL.—The Chief Scientist shall—

(i) assign an individual to serve in the Office of the Chief Scientist as a Honeybee and Pollinator Research Coordinator, who—

(ii) may be—

(aa) an employee of the Department of Agriculture, as a Honeybee and Pollinator Research Coordinator, who—

(bb) a detailed employee of the research, economics, and education mission area; and

(iii) shall be responsible for leading the efforts of the Chief Scientist in carrying out the following:

(B) DUTIES.—To carry out subparagraph (A), the Chief Scientist shall—

(I) assign an individual to serve in the Office of the Chief Scientist as a Honeybee and Pollinator Research Coordinator, who—

(ii) may be—

(aa) an employee of the Department of Agriculture, as a Honeybee and Pollinator Research Coordinator, who—

(bb) a detailed employee of the research, economics, and education mission area; and

(ii) shall be responsible for leading the efforts of the Chief Scientist in carrying out the following:

(1) implement the pollinator health research efforts described in the 2015 report of the Pollinator Health Task Force entitled ‘Pollinator Research Action Plan’;

(2) establish annual strategic priorities and goals for the Department of Agriculture for native and managed pollinator research;

(3) communicate those priorities and goals to each agency in the Department of Agriculture and relevant grant recipients under programs administered by the Secretary; and

(4) direct and identify all research needed and conducted by the Department of Agriculture and relevant grant recipients under programs administered by the Secretary on native and managed pollinator health that is not intended duplication of effort.

(C) POLLINATOR RESEARCH.—

(I) IN GENERAL.—In coordinating research under paragraph (A), the Chief Scientist shall ensure that research is conducted—

(1) to evaluate the impact of horticultural and agricultural pest management practices on native and managed pollinator colonies in diverse agro-ecosystems;

(2) to document pesticide residues—

(aa) that are found in native and managed pollinator colonies; and

(bb) that are associated with commercial crop pest management practices;

(3) with respect to native and managed pollinator colonies as a viable crop for pollination or honey production purposes, to document—

(aa) the strength and health of those colonies;

(bb) survival, growth, reproduction, and production of those colonies;

(4) to assess the environmental conditions of those colonies; and

(5) to assess the human health risks associated with the health of native and managed pollinator colonies.

(II) in the case of the research described in clause (i)(VI), immediately publish any data or reports that were previously produced by the Secretary on native and managed pollinator colonies, to continue gathering data on—

(aa) annual colony losses; and

(bb) rising input costs associated with managing colonies; and

(cc) the overall economic value of commercially managed pollinators to the food economy; and

(VIII) the gaps in research relating to any other aspect of native and managed pollinators, as determined by the Chief Scientist, in consultation with scientific experts.

(III) Public Availability.—The Chief Scientist shall—

(I) make publicly available the results of the research described in clause (i)(VI), immediately publish any data or reports that were previously produced by the Secretary on native and managed pollinator colonies;

(II) in the case of the research described in clause (i)(VI), immediately publish any data or reports that were previously produced by the Secretary on native and managed pollinator colonies after “DISORDER”; and

(III) in subparagraph (C)—

(I) by striking “regarding how” and inserting the following: “regarding:”

(II) by inserting at the end, and inserting the following: “how”;

(III) by adding at the end: “; and

(IV) in the case of commercially managed pollinator colonies, to continue gathering data on—

(aa) annual colony losses; and

(bb) rising input costs associated with managing colonies; and

(cc) the overall economic value of commercially managed pollinators to the food economy; and

(VII) the gaps in research relating to any other aspect of native and managed pollinators, as determined by the Chief Scientist, in consultation with scientific experts.

(IV) the science relating to the impact of crop protection tools on pollinators;

(V) the gaps in research relating to crop protection tools administered by the Secretary on native and managed pollinator protection and relevant grant recipients needed and conducted by the Department of Agriculture and relevant grant recipients under projects of the Chief Scientist in carrying out the following:

(A) may be—

(aa) an employee of the Department of Agriculture, as a Honeybee and Pollinator Research Coordinator, who—

(bb) a detailed employee of the research, economics, and education mission area; and

(ii) shall be responsible for leading the efforts of the Chief Scientist in carrying out the following:

(1) implement the pollinator health research efforts described in the 2015 report of the Pollinator Health Task Force entitled ‘Pollinator Research Action Plan’;

(2) establish annual strategic priorities and goals for the Department of Agriculture for native and managed pollinator research;

(3) communicate those priorities and goals to each agency in the Department of Agriculture and relevant grant recipients under programs administered by the Secretary; and

(4) direct and identify all research needed and conducted by the Department of Agriculture and relevant grant recipients under programs administered by the Secretary on native and managed pollinator health that is not intended duplication of effort.

(C) POLLINATOR RESEARCH.—

(I) IN GENERAL.—In coordinating research under paragraph (A), the Chief Scientist shall ensure that research is conducted—

(1) to evaluate the impact of horticultural and agricultural pest management practices on native and managed pollinator colonies in diverse agro-ecosystems;

(2) to document pesticide residues—

(aa) that are found in native and managed pollinator colonies; and

(bb) that are associated with commercial crop pest management practices;

(3) with respect to native and managed pollinator colonies as a viable crop for pollination or honey production purposes, to document—

(aa) the strength and health of those colonies;

(bb) survival, growth, reproduction, and production of those colonies;

(4) to assess the environmental conditions of those colonies; and

(5) to assess the human health risks associated with the health of native and managed pollinator colonies.

(II) in the case of the research described in clause (i)(VI), immediately publish any data or reports that were previously produced by the Secretary on native and managed pollinator colonies, to continue gathering data on—

(aa) annual colony losses; and

(bb) rising input costs associated with managing colonies; and

(cc) the overall economic value of commercially managed pollinators to the food economy; and

(VII) the gaps in research relating to any other aspect of native and managed pollinators, as determined by the Chief Scientist, in consultation with scientific experts.

(III) Public Availability.—The Chief Scientist shall—

(I) make publicly available the results of the research described in clause (i)(VI), immediately publish any data or reports that were previously produced by the Secretary on native and managed pollinator colonies;

(II) in the case of the research described in clause (i)(VI), immediately publish any data or reports that were previously produced by the Secretary on native and managed pollinator colonies after “DISORDER”; and

(III) in subparagraph (C)—

(I) by striking “regarding how” and inserting the following: “regarding:”

(II) by inserting at the end, and inserting the following: “how”;

(III) by adding at the end: “; and

(IV) in the case of commercially managed pollinator colonies, to continue gathering data on—

(aa) annual colony losses; and

(bb) rising input costs associated with managing colonies; and

(cc) the overall economic value of commercially managed pollinators to the food economy; and

(VII) the gaps in research relating to any other aspect of native and managed pollinators, as determined by the Chief Scientist, in consultation with scientific experts.

(IV) the science relating to the impact of crop protection tools on pollinators;

(V) the gaps in research relating to crop protection tools administered by the Secretary on native and managed pollinator protection and relevant grant recipients needed and conducted by the Department of Agriculture and relevant grant recipients under projects of the Chief Scientist in carrying out the following:

(A) may be—

(aa) an employee of the Department of Agriculture, as a Honeybee and Pollinator Research Coordinator, who—

(bb) a detailed employee of the research, economics, and education mission area; and

(ii) shall be responsible for leading the efforts of the Chief Scientist in carrying out the following:

(1) implement the pollinator health research efforts described in the 2015 report of the Pollinator Health Task Force entitled ‘Pollinator Research Action Plan’;

(2) establish annual strategic priorities and goals for the Department of Agriculture for native and managed pollinator research;

(3) communicate those priorities and goals to each agency in the Department of Agriculture and relevant grant recipients under programs administered by the Secretary; and

(4) direct and identify all research needed and conducted by the Department of Agriculture and relevant grant recipients under programs administered by the Secretary on native and managed pollinator health that is not intended duplication of effort.

(C) POLLINATOR RESEARCH.—

(I) IN GENERAL.—In coordinating research under paragraph (A), the Chief Scientist shall ensure that research is conducted—

(1) to evaluate the impact of horticultural and agricultural pest management practices on native and managed pollinator colonies in diverse agro-ecosystems;

(2) to document pesticide residues—

(aa) that are found in native and managed pollinator colonies; and

(bb) that are associated with commercial crop pest management practices;

(3) with respect to native and managed pollinator colonies as a viable crop for pollination or honey production purposes, to document—

(aa) the strength and health of those colonies;

(bb) survival, growth, reproduction, and production of those colonies;
paragraph (1), there is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2019 through 2023.

(2) Authorization of Appropriations.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2019 through 2023.

SEC. 7213. CENTERS OF EXCELLENCE AT 1890 INSTITUTIONS.

Section 1673 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5926) is amended by adding at the end the following:

‘‘(d) Centers of Excellence at 1890 Institutions.—

‘‘(1) Establishment.—The Secretary shall establish not less than 3 centers of excellence, each led by an 1890 Institution (as defined in section 202(a) of the Agriculture Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)), to focus on 1 or more of the areas described in paragraph (2).

‘‘(2) Areas of focus.—

‘‘(A) Student success and workforce development.—A center of excellence established under paragraph (1) may engage in activities to ensure that students have the skills and education needed to work in agriculture and food industries, agriculture science, technology, engineering, mathematics, and related fields of study.

‘‘(B) Nutrition, health, wellness, and quality of life.—A center of excellence established under paragraph (1) may carry out research, extension, and education programs that increase access to healthy food, improve nutrition, mitigate preventive disease, and develop strategies to assist limited resource individuals in accessing health and nutrition resources.

‘‘(C) Farming systems, rural prosperity, and economic sustainability.—A center of excellence established under paragraph (1) may share best practices with farmers to improve agricultural production, processing, and marketing, reduce urban food deserts, manage pests; and the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing:

‘‘(A) the resources invested in the centers of excellence established under paragraph (1); and

‘‘(B) the work being done by those centers of excellence.

‘‘(3) Authorization of Appropriations.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2019 through 2023.

SEC. 7214. OF FARM TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1)(B) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(e)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7215. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

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

SEC. 7301. NATIONAL FOOD SAFETY TRAINING, EDUCATION, EXTENSION, OUT- REACH, AND TECHNICAL ASSISTANCE PROGRAM.

Section 405(j) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7625(j)) is amended by striking ‘‘there are authorized’’ and all that follows through the period at the end and inserting ‘‘there is authorized to be appropriated $10,000,000 for each of fiscal years 2019 through 2023.’’

SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE PROGRAM.

Section 406(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(e)) is amended by striking ‘‘efforts to improve’’ and all that follows through ‘‘and Education Reform Act of 2018’’ and inserting ‘‘of specialty crops;’’.

SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY Fusarium GRAMINEARUM OR BY Tilletia INDICA.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended—

(1) in paragraph (1), by striking ‘‘and’’ at the end;

(2) in paragraph (2), by striking the period at the end and inserting ‘‘; and’’; and

(3) by adding at the end the following:

‘‘(b) von der Harsen disease;’’.

SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.

Section 410(d)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(d)(2)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7305. SPECI AL CROP RESEARCH INITIATIVE.

(a) Industry Needs.—Section 412(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(b)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F); and

(B) by inserting after subparagraph (A) the following:

‘‘(B) size-controlling rootstock systems for perennial crops;’’.

(2) in paragraph (2), by striking ‘‘including threats to specialty crop pollinators’’ and inserting the following: ‘‘such as—

(A) threats to specialty crop pollinators;’’.

(3) in paragraph (3)—

(A) by striking ‘‘efforts to improve’’ and inserting the following: ‘‘efforts—

(A) to improve’’;

(B) in subparagraph (A) (as so designated), by adding ‘‘and’’ at the end; and

(C) by adding at the end the following:

‘‘(B) to achieve a better understanding of—

(i) the soil rhizosphere microbiome;

(ii) pesticide application systems and certified drift-reduction technologies; and

(iii) systems to improve and extend the storage life of specialty crops.’’

(4) in paragraph (4), by striking ‘‘including improved mechanization and technologies that delay or inhibit ripening; and’’ and inserting the following: ‘‘such as—

(A) mechanization and automation of labor-intensive tasks in production and processing;

(B) technologies that delay or inhibit ripening;

(C) decision support systems driven by phenology and environmental factors;’’.

(5) in paragraph (5), by striking ‘‘improved monitoring systems for agricultural pests; and’’

(6) in paragraph (6), by striking ‘‘effective systems for preharvest and postharvest management of quarantine pests’’;

(b) FUNDING.—Section 412(k) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(k)) is amended—

(1) in paragraph (2)—

(A) in the paragraph heading, by striking ‘‘FOR FISCAL YEARS 2014 THROUGH 2018’’;

(B) by striking ‘‘In addition’’ and inserting the following:

‘‘(A) in general.—In addition;’’;

(C) in subparagraph (A) (as so designated), by striking ‘‘2018’’ and inserting ‘‘2023’’;

(D) in subparagraph (B) (as so designated), by striking ‘‘2018’’ and inserting ‘‘2023’’;

(E) in subparagraph (C) (as so designated), by striking ‘‘2018’’ and inserting ‘‘2023’’;

(F) and (G) in subparagraph (D) (as so designated), by striking ‘‘2018’’ and inserting ‘‘2023’’;

(G) by redesigning paragraph (4) as subparagraphs (A) through (G) as subparagraphs (A) through (G), respectively.

SEC. 7306. FOOD ANIMAL RESIDUE AVA NCE DATABASE PROGRAM.

Section 601(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7642(e)) is amended by striking $5,000,000 and inserting $15,000,000.

SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.

Section 614(f)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)(2)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

SEC. 7308. FORESTRY PRODUCTS ADVANCED UTILIZATION RESEARCH.

Section 617(f)(1) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7655b(f)(1)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

Subtitle D—Other Laws

SEC. 7401. CRITICAL AGRICULTURAL MATERIALS ACT.

(a) Hemp Research.—Section 5(b)(9) of the Critical Agricultural Materials Act (7 U.S.C. 178c(b)(9)) is amended by inserting ‘‘, and including hemp (as defined in section 297A of
the Agricultural Marketing Act of 1946)” after “hydrocarbon-containing plants.”

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 16(a)(2) of the Critical Agricultural Materials Act (7 U.S.C. 1780(a)(2)) is amended by striking “2018” and inserting “2023.”

SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

(a) DEFINITION OF INSTITUTION.—(1) IN GENERAL.—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended—

(A) by striking paragraph (11);

(B) by redesigning paragraphs (12) through (23) and (25) through (35) as paragraphs (11) through (22) and (26) through (36), respectively;

(C) in paragraph (20) (as so redesignated), by striking “College” and inserting “University”;

(D) by inserting after paragraph (22) (as so redesignated) the following:

“(25) Nuea Hidatsa Sahni College.”; and

(E) by inserting after paragraph (24) the following:

“(26) Red Lake Nation College.”;

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect on October 1, 2018.

(b) ENDOWMENT FOR 1994 INSTITUTIONS.—Section 533(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended in the first sentence by striking “2018” and inserting “2023.”

(c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—Section 534 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended in the first sentence by striking “2018” and inserting “2023.”

(d) IN SEARCH GRANTS.—Section 534(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended in the first sentence by striking “2018” and inserting “2023.”

SEC. 7403. RESEARCH FACILITIES ACT.

Section 6(a) of the Research Facilities Act (7 U.S.C. 390d(a)(3)) is amended by striking “2018” and inserting “2023.”

SEC. 7404. AGRICULTURAL AND FOOD RESEARCH INITIATIVE.

Subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157b) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

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

(ii) in clause (vii), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(viii) soil health.”; and

(B) in subparagraph (E)—

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

(ii) in clause (iv), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(v) automation or mechanization in the production of specialty crops, with a focus on labor-intensive tasks.”;

(2) in paragraph (6)—

(A) in subparagraph (D), by striking “and” at the end;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”;

(C) by inserting after paragraph (11)(A), in the matter preceding clause (i), by striking “2018” and inserting “2023”;

(3) in subsection (c)(2), by striking “subparagraph” in clause (i), by striking “subparagraph” in clause (ii), and by striking “subparagraph” in clause (iii);

(4) in subsection (d)(2), by striking “2018” and inserting “2023”;

(5) in paragraph (9), by adding the following:

“(A) in subparagraph (B), by striking the period at the end and inserting “; or”;

(B) in subparagraph (A), by striking “or” and inserting “and”;

(C) by adding at the end the following:

“(v) carbon dioxide that—

“(1) is intended for permanent sequestration or utilization; and

“(2) is a byproduct of the production of the products described in subparagraphs (A) and (B);”;

(6) in subsection (h), by striking “2018” and inserting “2023.”

SEC. 7405. EXTENSION DESIGN AND DEMONSTRATION INITIATIVES.

(a) IN GENERAL.—(1) The Competitive, Special, and Facilities Research Act (7 U.S.C. 3157) is amended by striking after “nature” in the first sentence of the section “2018” each place it appears and inserting “2023”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 6(a) of the Agricultural and Food Research Initiative in the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3157) is amended by striking “2018” and inserting “2023.”

SEC. 7406. REPEAL OF REVIEW OF AGRICULTURAL RESEARCH SERVICE.

Section 7404 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3157 note) is repealed.


Section 9008 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108) is amended by—

(1) in subsection (a)(1)—

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

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

(C) by adding at the end the following:

“(2) GRANTS.—The Secretary shall award grants on a competitive basis—

“(A) for the design of 1 or more extension and education prototype systems—

“(i) that leverage digital platforms or other novel means of translating, delivering, or demonstrating agricultural research; and

“(ii) to adopt, apply, translate, or demonstrate scientific findings, data, technology, and other research outcomes to producers, the agricultural industry, and other interested persons or organizations; and

“(B) to demonstrate, by incorporating analytical and modeling systems, the value, impact, and return on the Federal investment in a prototype system described under paragraph (A) as a model for use by other eligible entities described in paragraph (3) for improving, modernizing, and adapting applied research, demonstration, and extension services.

(3) ELIGIBLE ENTITIES.—An entity that is eligible to receive a grant under paragraph (2) is—

“(A) a State agricultural experiment station;

“(B) a land-grant college or university (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

“(d) REQUIREMENT.—The Secretary shall award grants under paragraph (2) to not fewer than 2 and not more than 5 eligible entities described in paragraph (3) for improving, modernizing, and adapting applied research, demonstration, and extension services.

(2) IN SEARCH GRANTS.—Section 534(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended by inserting after sub-paragraph (c)(ii) the following:

“(D) a State agricultural experiment station; and

“(E) a land-grant college or university (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

“(d) REQUIREMENT.—The Secretary shall award grants under paragraph (2) to not fewer than 2 and not more than 5 eligible entities described in paragraph (3) that represent a diversity of regions, commodities, and agricultural or food production issues.

(3) IN SEARCH GRANTS.—Section 534(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended by inserting after sub-paragraph (c)(ii) the following:

“(D) a State agricultural experiment station; and

“(E) a land-grant college or university (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

“(d) REQUIREMENT.—The Secretary shall award grants under paragraph (2) to not fewer than 2 and not more than 5 eligible entities described in paragraph (3) that represent a diversity of regions, commodities, and agricultural or food production issues.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.

(4) TECHNICAL AND CONFORMING AMENDMENTS.—The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157) is amended—

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1767 note; Public Law 95-306) is amended after “2018” each place it appears and inserting “2023”.

(b) TERMINATION DATE.—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1767 note; Public Law 95-306) is amended by striking “2018” and inserting “2023”. 

SEC. 7407. NATIONAL AQUACULTURE ACT OF 1980.

(a) IN GENERAL.—Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by striking “2018” each place it appears and inserting “2023.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2018.

SEC. 7411. REPEAL OF AUTHORITY TO USE IN EXTENSION WORK AT THE UNIVERSITY OF THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Section 308(a) of the District of Columbia Public Postsecondary Education Reorganization Act (88 Stat. 1328; section 38-1202.09(c), D.C. Official Code) is amended by striking after “2018” each place it appears and inserting “2023”. 

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2018.

SEC. 7411. ENHANCED USE LEASE AUTHORITY PILOT PROGRAM.

Section 308 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 312a note; Public Law 108-354) is amended—

(1) in subsection (b)(6)(A), by striking “10 years” and inserting “15 years”; and

(2) in subsection (b)(9)(A), by striking “2018” each place it appears and inserting “2023”.
(2) in subsection (d)(2), in the matter preceding subparagraph (A), by striking “6, 8, and 10 years” and inserting “13 years”.

SEC. 7412. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER PORTION OF HENRY A. WALLACE BELTSVILLE AGRICULTURAL RESEARCH CENTER, BELTSVILLE, MARYLAND.

(a) TRANSFER AUTHORIZED.—Subject to subsection (e), the Secretary may transfer to the Secretary of the Treasury under this Act, except that the Secretary may have the same force and effect as if included and map prepared under paragraph (1) shall be part of real property to be transferred under subsection (a).

(b) LEGAL DESCRIPTION AND MAP.—

(1) PREPARATION.—The Secretary shall prepare a legal description and map of the parcel to be transferred under subsection (a).

(2) FORCE OF LAW.—The legal description and map prepared under paragraph (1) shall have the same force and effect as if included and map prepared under paragraph (1) shall be part of real property to be transferred under subsection (a), including the costs for—

(A) preparing a legal description and map of the parcel to be transferred under subsection (a), including the costs for—

(i) in clause (i), by striking “and” and inserting “any” and;

(ii) in clause (ii), by striking “and” and inserting “any”;

(iii) by inserting after clause (iii) the following:

“(iv) actively solicit and accept funds, gifts, grants, devises, or bequests of real or personal property, and include in the description of the Foundation, including from private entities; and”;

(B) in paragraph (3)(B)—

(i) in clause (i)(I), by striking “and” and inserting “any”;

(ii) in clause (ii), by striking “a report” and inserting “a detailed plan”;

(iii) by adding at the end the following:

“(c) a description of available agricultural research programs and priorities for the upcoming fiscal year;”;

and

(iv) by adding at the end the following:

“(d) W AIVER.—The parcel of real property under subsection (a) shall be exempt from Federal screening for other possible use due to an identified Federal need for the parcel as the site of Bureau of Engraving and Printing facilities.

(e) CONDITIONS FOR TRANSFER.—As a condition of the transfer of administrative jurisdiction under subsection (a), the Secretary of the Treasury shall agree to pay the Secretary the costs incurred to carry out the transfer of administrative jurisdiction under subsection (a), including the costs for—

(A) preparing a legal description and map of the parcel to be transferred under subsection (a);

(B) a survey, if needed; and

(C) any hazardous substances assessment of the parcel to be transferred under subsection (a).

(f) HAZARDOUS MATERIALS.—

(1) IN GENERAL.—For the parcel to be transferred under subsection (a), the Secretary shall meet the applicable disclosure requirements relating to hazardous substances.

(2) REMEDIATION.—The Secretary shall not be required to remediate or abate any hazardous substances disclosed under paragraph (1) or any other hazardous pollutants, contaminants, or waste that may be present at or on the parcel on the date of the transfer of administrative jurisdiction under subsection (a).

SEC. 7413. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

Section 7601 of the Agricultural Act of 2014 (7 U.S.C. 5939) is amended—

(a) in subsection (d)(1)(D), by inserting “and agriculture stakeholders” after “community”; and

(b) in subsection (e)—

(1) in paragraph (2)(C)(ii)(I), by inserting “agriculture or” before “agriculture research”; and

(2) in paragraph (4)(A)—

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

(ii) by redesigning clause (iv) as clause (v); and

(iii) by inserting after clause (iii) the following:

“(v) actively solicit and accept funds, gifts, grants, devises, or bequests of real or personal property, and include in the description of the Foundation, including from private entities; and”;

(b) LEGAL DESCRIPTION AND MAP.—

(1) IN GENERAL.—For the parcel to be transferred under subsection (a), including the costs for—

(A) preparing a legal description and map of the parcel to be transferred under subsection (a), including the costs for—

(i) in clause (i), by striking “and” and inserting “any” and;

(ii) in clause (ii), by striking “a report” and inserting “a detailed plan”;

(iii) by adding at the end the following:

“(c) a description of available agricultural research programs and priorities for the upcoming fiscal year;”;

and

(iv) by adding at the end the following:

“(d) W AIVER.—The parcel of real property under subsection (a) shall be exempt from Federal screening for other possible use due to an identified Federal need for the parcel as the site of Bureau of Engraving and Printing facilities.

(e) CONDITIONS FOR TRANSFER.—As a condition of the transfer of administrative jurisdiction under subsection (a), the Secretary of the Treasury shall agree to pay the Secretary the costs incurred to carry out the transfer of administrative jurisdiction under subsection (a), including the costs for—

(A) preparing a legal description and map of the parcel to be transferred under subsection (a);

(B) a survey, if needed; and

(C) any hazardous substances assessment of the parcel to be transferred under subsection (a).

(f) HAZARDOUS MATERIALS.—

(1) IN GENERAL.—For the parcel to be transferred under subsection (a), the Secretary shall meet the applicable disclosure requirements relating to hazardous substances.

(2) REMEDIATION.—The Secretary shall not be required to remediate or abate any hazardous substances disclosed under paragraph (1) or any other hazardous pollutants, contaminants, or waste that may be present at or on the parcel on the date of the transfer of administrative jurisdiction under subsection (a).

SEC. 7414. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

Section 7601 of the Agricultural Act of 2014 (7 U.S.C. 5939) is amended—

(a) in subsection (d)(1)(D), by inserting “and agriculture stakeholders” after “community”; and

(b) in subsection (e)—

(1) in paragraph (2)(C)(ii)(I), by inserting “agriculture or” before “agriculture research”; and

(2) in paragraph (4)(A)—

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

(ii) by redesigning clause (iv) as clause (v); and

(iii) by inserting after clause (iii) the following:

“(v) actively solicit and accept funds, gifts, grants, devises, or bequests of real or personal property, and include in the description of the Foundation, including from private entities; and”;

(b) LEGAL DESCRIPTION AND MAP.—

(1) IN GENERAL.—For the parcel to be transferred under subsection (a), including the costs for—

(A) preparing a legal description and map of the parcel to be transferred under subsection (a), including the costs for—

(i) in clause (i), by striking “and” and inserting “any” and;

(ii) in clause (ii), by striking “a report” and inserting “a detailed plan”;

(iii) by adding at the end the following:

“(c) a description of available agricultural research programs and priorities for the upcoming fiscal year;”;

and

(iv) by adding at the end the following:

“(d) W AIVER.—The parcel of real property under subsection (a) shall be exempt from Federal screening for other possible use due to an identified Federal need for the parcel as the site of Bureau of Engraving and Printing facilities.

(e) CONDITIONS FOR TRANSFER.—As a condition of the transfer of administrative jurisdiction under subsection (a), the Secretary of the Treasury shall agree to pay the Secretary the costs incurred to carry out the transfer of administrative jurisdiction under subsection (a), including the costs for—

(A) preparing a legal description and map of the parcel to be transferred under subsection (a);

(B) a survey, if needed; and

(C) any hazardous substances assessment of the parcel to be transferred under subsection (a).

(f) HAZARDOUS MATERIALS.—

(1) IN GENERAL.—For the parcel to be transferred under subsection (a), the Secretary shall meet the applicable disclosure requirements relating to hazardous substances.

(2) REMEDIATION.—The Secretary shall not be required to remediate or abate any hazardous substances disclosed under paragraph (1) or any other hazardous pollutants, contaminants, or waste that may be present at or on the parcel on the date of the transfer of administrative jurisdiction under subsection (a).

SEC. 7415. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Agricultural Improvement Act of 2018, the Foundation shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a strategic plan describing a path for the Foundation to become self-sustaining, including—

(1) a forecast of major agricultural challenge opportunities identified by the scientific advisory councils of the Foundation and approved by the Board, including short- and long-term objectives;

(2) an overview of the efforts that the Foundation will take to be transparent in each of the processes of the Foundation, including—

(A) processes relating to grant awards, including the selection, review, and notification processes;

(B) communication of past, current, and future research priorities; and

(C) plans to solicit and respond to public input on the opportunities identified in the strategic plan;

(3) a description of financial goals and benchmarks for the next 10 years, including a detailed plan for raising funds in amounts greater than the amounts required under this section; and

(4) other related issues, as determined by the Board.

(b) STUDY AND REPORT.—

(1) IN GENERAL.—The Secretary shall conduct a study of agricultural pilot programs—

(A) to determine the economic viability of the domestic production and sale of industrial hemp; and

(B) that shall include a review of—

(i) each agricultural pilot program; and

(ii) any other agricultural economic research relating to industrial hemp.

(2) REPORT.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit to Congress a report describing the results of the study conducted under paragraph (1).

(b) REPEAL.—Effective on the date that is 1 year after the date on which the Secretary establishes a plan under section 297C of the Agricultural Act of 1946, section 7601 of the Agricultural Act of 2014 (7 U.S.C. 5940) is repealed.

SEC. 7416. COLLECTION OF DATA RELATING TO BARLEY AREA PLANTED AND HARVESTED.

For all acreage reports published after the date of enactment of this Act, the Secretary, acting through the Administrator of the National Agricultural Statistics Service, shall include the State of New York in the States surveyed to produce the table entitled “Barley Area Planted and Harvested” in those reports.

SEC. 7417. COLLECTION OF DATA RELATING TO THE SIZE AND LOCATION OF DAIRY FARMS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary, acting through the Administrator of the Economic Research Service, shall update the report entitled “Changes in the Size of..."
and Location of US Dairy Farms” contained in the report of the Economic Research Serv-

cice entitled “Profits, Costs, and the Changing Structure of Dairy Farming” and pub-

(b) REQUIREMENT.—In updating the report described in subsection (a), the Secretary shall publish a report entitled Table 2 of that report containing the full range of herd sizes that are detailed in Table 1 of that report.

SEC. 7419. AGRICULTURE INNOVATION CENTER ADMINISTRATION PROGRAM.

Section 6402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1623b) is amended—

(1) in subsection (e)(1), by striking “subsection (f)” and inserting “subsection (h)”;

(2) by striking subsection (g);

(3) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(4) in subsection (h) (as so redesignated), by striking “is authorized” and all that follows through “2010” and inserting “are authorized to be appropriated such sums as are necessary to carry out this section”.

SEC. 7418. SMITH-LEVER COMMUNITY EXTENSION PROGRAM.

(a) In General.—Section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(d) ADMINISTRATION, TECHNICAL, AND EXTENSION SERVICES.—

“(1) GENERAL. The Secretary;”

(2) in paragraph (1) (as designated by paragraph (1)), by striking the second sentence; and

(3) by adding at the end the following:

“(2) COMPETITIVE FUNDING.—The Secretary of Agriculture may provide funding, on a competitive basis, to—

(A) a college or university eligible to receive funds under the Act of August 13, 1890 (7 U.S.C. 321–328a and 328), including Tuskegee University; or

(B) Institutions of Higher Education (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)) for—

(i) the Children, Youth, and Families at Risk funding program under subsection (b)(3); and

(ii) the Federally Recognized Tribes Extension Program.

(b) CONFORMING AMENDMENTS.—

(1) Section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)) is amended—

(A) by striking “(as so redesignated)” and inserting the following:

“(1) IN GENERAL.—There shall”; and

(B) by adding at the end the following:

“(2) EXCEPTION NOT APPLICABLE.—Paragraph (1) shall not apply to a 1994 Institution receiving funding under subsection (d)(2)(B) for the Children, Youth, and Families at Risk funding program under subsection (b)(3) or for the Federally Recognized Tribes Extension Program.

(2) Section 333(a)(3)(A) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended by striking clause (ii) and inserting the following:

“(ii) the Smith-Lever Act (7 U.S.C. 341 et seq.), except as provided under—

(1) section 3(b)(3) of that Act (7 U.S.C. 343(b)(3)); or

(2) paragraph (2) of section 3(d) of that Act (7 U.S.C. 343(d)); or”.

Subtitle E—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNIC-

ATION CENTER.

Section 14112(c)(2) of the Food, Conserva-

tion, and Energy Act of 2008 (7 U.S.C. 8912(c)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPAC-

ITY IN AGRIBIOSECURITY PLANNING, PREPARATION, AND RESPONSE.

Section 14113 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8913) is amended—

(1) in subsection (a)(2)(B), by striking “2018” and inserting “2023”;

and

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

SEC. 7503. RECONCILIATION OF AG-

RICAL COUNTERMEASURES.

Section 1412(b)(2) of the Food, Conserva-

tion, and Energy Act of 2008 (7 U.S.C. 8920(b)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.

Section 14122(c)(2) of the Act of the Food, Conserva-

tion, and Energy Act of 2008 (7 U.S.C. 8922(c)(2)) is amended by striking “2018” and inserting “2023”.

PART II—MISCELLANEOUS PROVISIONS

SEC. 7511. FARM AND RANCH STRESS ASSIST-

ANCE NETWORK.

Section 7522 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936) is amended—

(1) in subsection (a), by striking “to support cooperative programs between State co-

operative extension services and nonprofit organizations” and inserting “to eligible ent-

ities described in subsection (c)”; and

(2) in subsection (b)—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting the subpara-

graphs appropriately;

(C) by striking subparagraph (B) (as so redesig-

nated), by striking the second sentence; and

and

(D) in paragraph (1), by striking “2018” and insert-

ing “2023”.

SEC. 7512. ASSISTANCE TO BUILD LOCAL CAPAC-

ITY IN FARM AND RANCH STRESS RESPONSE.

Section 7526(g) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936) is amended by striking “2018” and inserting “2023”.

SEC. 7513. SUN GRANT PROGRAM.

Section 7526(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7514. MECHANIZATION AND AUTOMATION FOR SPECIALTY CROPS.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct a review of the pro-

grams of the Department of Agriculture that affect the production or processing of spe-

cialty crops.

(b) REQUIREMENTS.—The review under sub-

section (a) shall identify—

(1) in General.—Not later than 1 year after the date of enactment of this sub-

section, the Secretary, in coordination with the Secretary of Health and Human Services, shall submit to Congress any other rel-

vant Federal department or agency, and

and

make publicly available, a report describing the state of behavioral and mental health of individuals who are engaged in farming, ranching, and other occupations relating to agriculture by—

(i) the Federal Government, States, and units of local government;

(ii) communities comprised of those individ-

uals;

(iii) healthcare providers;

(iv) State cooperative extension services; and

(v) other appropriate entities, as deter-

mined by the Secretary;

(B) a description of the challenges faced by individuals who are in farming, ranching, and other occupations relating to agriculture that may impact the behavioral and mental health of farmers and ranchers;

(C) a description of how the Department of Agriculture can improve coordination and cooperation with Federal health depart-

ments and agencies, including the Depart-

ment of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the Health Resources and Services Administration, the Centers for Dis-

ease Control and Prevention, and the Na-

tional Institutes of Health, to best address the behavioral and mental health of individ-

uals who are engaged in farming, ranching, and other occupations relating to agri-

culture;

(D) a long-term strategy for responding to the challenges described under subparagraph (B) and recommendations based on best prac-

tices for further action to be carried out by appropriate Federal departments or agencies to improve Federal Government response to the suicide among individ-

uals who are engaged in farming, ranching, and other occupations relating to agri-

culture; and

(E) an evaluation of the impact of suicide among individuals who are engaged in farming,

and other occupations relating to agriculture on—

(i) the agricultural workforce;

(ii) agricultural production;

(iii) rural families and communities; and

(iv) succession planning.

SEC. 7512. NATURAL PRODUCTS RESEARCH PRO-

GRAM.

Section 7522(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7513. SUN GRANT PROGRAM.

Section 7522(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7514. MECHANIZATION AND AUTOMATION FOR SPECIALTY CROPS.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct a review of the pro-

grams of the Department of Agriculture that affect the production or processing of spe-

cialty crops.

(b) REQUIREMENTS.—The review under sub-

section (a) shall identify—
programs that currently are, or previously have been, effectively used to accelerate the development and use of automation or mechanization in the production or processing of specialty crops.

(2) programs that may be more effectively used to accelerate the development and use of automation or mechanization in the production or processing of specialty crops.

(c) STRATEGY.—With respect to programs identified under subsection (b), the Secretary shall develop and implement a strategy to accelerate the development and use of automation and mechanization in the production or processing of specialty crops.

**Subtitle F—Matching Funds Requirement**

SEC. 7601. MATCHING FUNDS REQUIREMENT.


(b) **FORMING AMENDMENTS.**—

(1) NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.—

(A) NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION ADVISORY BOARD.—Section 1406(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3122c) is amended by striking subparagraph (B) and inserting the following:

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(1) by striking “The Secretary” and inserting the following:
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(1) IN GENERAL.—The Secretary; and
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(ii) by adding at the end the following:

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(2) MATCHING REQUIREMENT.—A State receiving a grant under paragraph (1) shall provide non-Federal matching funds equal to not less than the amount of the grant.
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(B) GRANTS TO ENHANCE RESEARCH CAPACITY IN SCHOOLS OF VETERINARY MEDICINE.—Section 1415(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151(a)) is amended—

(i) by striking “The Secretary” and inserting the following:

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(1) IN GENERAL.—The Secretary; and
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(ii) by adding at the end the following:

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(2) MATCHING REQUIREMENT.—A State receiving a grant under paragraph (1) shall provide non-Federal matching funds equal to not less than the amount of the grant.
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(C) AQUACULTURE ASSISTANCE GRANT PROGRAM.—Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(b)) is amended by striking “The Secretary” and all that follows through the period at the end and inserting the following:

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(1) IN GENERAL.—Subject to paragraph (3), the Secretary may make competitive grants to entities eligible for grants under paragraph (1) to conduct aquacultural research and development and information program) equal to not less than the amount of the grant.
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(D) AGRICULTURAL GENOME INITIATIVE.—Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924) is amended—

(i) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(ii) by inserting after paragraph (2) the following:

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(c) WAIVER.—The Secretary may make a competitive grant under paragraph (1) to—

(A) a land-grant or seagrant college or university;

(B) a State agricultural experiment station;

(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary;

(D) a nonprofit private research institution.

(3) MATCHING STATE GRANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall not make a grant under paragraph (1) unless the State in which the grant recipient is located makes a grant to that recipient in an amount equal to not less than the amount of the grant under paragraph (1) of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

(B) NO ELIGIBLE ENTITIES.—The Secretary may make a competitive grant under paragraph (1) to—

(A) a land-grant or seagrant college or university;

(B) a State agricultural experiment station;

(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary;

(D) a nonprofit private research institution.

(3) MATCHING STATE GRANTS.—

(A) IN GENERAL.—Subject to paragraph (4), the Secretary may make a competitive grant to a State in the amount of the grant under paragraph (1) of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

(B) MATCHING FUNDS REQUIREMENT.—

(A) IN GENERAL.—Subject to paragraph (3), the Secretary may make a competitive grant under paragraph (1) to—

(A) a land-grant or seagrant college or university;

(B) a State agricultural experiment station;

(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary;

(D) a nonprofit private research institution.

(3) MATCHING STATE GRANTS.—

(A) IN GENERAL.—Subject to paragraph (4), the Secretary may make a competitive grant to a State in the amount of the grant under paragraph (1) of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

(B) MATCHING FUNDS REQUIREMENT.—

(A) IN GENERAL.—Subject to paragraph (3), the Secretary may make a competitive grant under paragraph (1) to—

(A) a land-grant or seagrant college or university;

(B) a State agricultural experiment station;

(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary;

(D) a nonprofit private research institution.

(3) MATCHING STATE GRANTS.—

(A) IN GENERAL.—Subject to paragraph (4), the Secretary may make a competitive grant to a State in the amount of the grant under paragraph (1) of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

(B) MATCHING FUNDS REQUIREMENT.—

(A) IN GENERAL.—Subject to paragraph (3), the Secretary may make a competitive grant under paragraph (1) to—

(A) a land-grant or seagrant college or university;

(B) a State agricultural experiment station;

(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary;

(D) a nonprofit private research institution.

(3) MATCHING STATE GRANTS.—

(A) IN GENERAL.—Subject to paragraph (4), the Secretary may make a competitive grant to a State in the amount of the grant under paragraph (1) of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

(B) MATCHING FUNDS REQUIREMENT.—

(A) IN GENERAL.—Subject to paragraph (3), the Secretary may make a competitive grant under paragraph (1) to—

(A) a land-grant or seagrant college or university;

(B) a State agricultural experiment station;

(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary;

(D) a nonprofit private research institution.

(3) MATCHING STATE GRANTS.—

(A) IN GENERAL.—Subject to paragraph (4), the Secretary may make a competitive grant to a State in the amount of the grant under paragraph (1) of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

(B) MATCHING FUNDS REQUIREMENT.—

(A) IN GENERAL.—Subject to paragraph (3), the Secretary may make a competitive grant under paragraph (1) to—

(A) a land-grant or seagrant college or university;

(B) a State agricultural experiment station;

(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary;

(D) a nonprofit private research institution.

(3) MATCHING STATE GRANTS.—

(A) IN GENERAL.—Subject to paragraph (4), the Secretary may make a competitive grant to a State in the amount of the grant under paragraph (1) of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.
Federal matching funds (including funds from a generic agricultural commodity program, research, and information program) equal to not less than the amount of the grant.

"(B) IN-KIND SUPPORT.—Non-Federal matching funds described in subparagraph (A) may include in-kind support.

(4) OTHER AID.—


(B) AGRICULTURE AND FOOD RESEARCH INITIATIVE.—Subsection (b)(9) of the Competitive, Research, Nonindustrial Private Forest Land, and Agriculture and Food Research Act of 2008 (7 U.S.C. 5317(b)(9)) is amended—

(i) in subparagraph (A), by striking clause (iii);

(ii) in subparagraph (B)—

(I) in clause (i), by striking "clauses (ii) and (iii)," and inserting "clause (ii);" and

(II) by striking clause (iii); and

(iii) by adding at the end the following:

"(C) APPLIED RESEARCH.—An entity receiving a grant under paragraph (5)(B) for applied research that is commodity-specific and not of national scope shall provide non-Federal matching funds equal to not less than the amount of the grant.

(c) APPLICATION OF AMENDMENTS.—

(1) GRANTS AWARDED ON OR BEFORE OCTOBER 1, 2018.—The amendments made by subsections (a) and (b) shall apply with respect to grants described in subsection (b) that are awarded on or before October 1, 2018.

(2) GRANTS AWARDED ON OR BEFORE OCTOBER 1, 2018.—Notwithstanding the amendments made by subsections (a) and (b), a matching funds requirement in effect on the day before the date of enactment of this Act under a provision of law amended by subsection (a) or (b) shall continue to apply to a grant described in subsection (b) that is awarded on or before October 1, 2018.

TITLE VIII—FORESTRY

Subtitle A—Cooperative Forestry Assistance Act of 1979

SEC. 8101. STATE AND PRIVATE FOREST LAND-SCAPE-SCALE RESTORATION PROGRAM.

(a) IN GENERAL.—Section 13A of the Cooperative Forestry Assistance Act of 1976 (16 U.S.C. 2109a) is amended to read as follows:

"SEC. 13A. STATE AND PRIVATE FOREST LAND-SCAPE-SCALE RESTORATION PROGRAM.

"(a) PURPOSE.—The purpose of this section is to encourage collaborative, science-based restoration of priority forest landscapes.

"(b) DEFINITIONS.—In this section:

"(1) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given in the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

"(2) NONINDUSTRIAL PRIVATE FOREST LAND.—The term "nonindustrial private forest land" means land that—

(A) is rural, as determined by the Secretary;

(B) has existing tree cover or is suitable for growing trees; and

(C) is owned by any private individual, group, association, corporation, Indian tribe, or other private legal entity.

"(3) STATE FOREST LAND.—The term 'State forest land' means land that—

(A) is rural, as determined by the Secretary; and

(B) is owned by State or local governmental ownership and considered to be non-Federal forest land.

"(c) ESTABLISHMENT.—The Secretary, in consultation with the States and non-Federal forest landowners or appropriate State agencies, shall establish a competitive grant program to provide financial and technical assistance to encourage collaborative, science-based restoration of priority forest landscapes.

"(d) ELIGIBILITY.—To be eligible to receive a grant under this section, an applicant shall submit to the Secretary, through the State forestry or appropriate State agency, a State and private forest landscape-scale restoration proposal based on a restoration strategy that—

(1) is complete or substantially complete;

(2) is for a multiyear period;

(3) covers a nonindustrial private forest land or State forest land;

(4) is accessible by wood-processing infrastructure; and

(5) is based on the best available science.

"(e) PLAN CRITERIA.—A State and private forest landscape-scale restoration proposal submitted under this section shall include plans—

(1) to reduce the risk of uncharacteristic wildfires;

(2) to improve fish and wildlife habitats, including the habitats of threatened and endangered species;

(3) to maintain or improve water quality and watershed function;

(4) to mitigate invasive species, insect infestation, and disease;

(5) to improve important forest ecosystems;

(6) to measure ecological and economic benefits, including air quality and soil quality and productivity; and

(7) to take other relevant actions, as determined by the Secretary.

"(f) PRIORITIES.—In making grants under this section, the Secretary shall give priority to plans that—

(1) further a statewide forest assessment and resource strategy;

(2) promote cross-boundary landscape collaboration; and

(3) leverage public and private resources.

"(g) COLLABORATION AND CONSULTATION.—

The Chief of the Forest Service, the Chief of the National Resources Conservation Service, and relevant stakeholders shall collaborate and consult on an ongoing basis regarding—

(1) administration of the program established under this section; and

(2) identification of other applicable resources for landscape-scale restoration.

"(h) MATCHING REQUIREMENTS.—As a condition of receiving a grant under this section, the Secretary shall require the grantee of the grant to provide funds or in-kind support from non-Federal sources in an amount that is at least equal to the amount of Federal funds.

"(i) COORDINATION AND PROXIMITY ENCOURAGEMENT.—In making grants under this section, the Secretary may consider coordination with and proximity to other landscape-scale projects on other land under the jurisdiction of the Secretary, the Secretary of the Interior, or a Governor of a State, including—

(1) the Collaborative Forest Landscape Restoration Program established under section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303);

(2) landscape areas designated for insect and disease treatments under section 662 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 659aa);

(3) good neighbor authority under section 19.

(4) stewardship end result contracting projects authorized under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 659aa);

(5) appropriate State-level programs; and

(6) other relevant programs, as determined by the Secretary.

"(j) REGULATIONS.—The Secretary shall promulgate such regulations as the Secretary determines necessary to carry out this section.

"(k) REPORT.—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on—

(1) the status of development, execution, and administration of selected projects;

(2) the accounting of program funding expenditures; and

(3) specific accomplishments that have resulted from landscape-scale projects.

"(l) FUND.—In addition to—

(1) the Fund of the Cooperative Forestry Assistance Act of 1976 (16 U.S.C. 2109b) is repealed;

(2) Section 19(a)(4)(C) of the Cooperative Forestry Assistance Act of 1976 (16 U.S.C. 2113(a)(4)(C)) is amended by striking "section 13A and 13B" and inserting "section 13A."

Subtitle B—Forest and Rangeland Renewable Resources Research Act of 1978

SEC. 8201. REPEAL OF RECYCLING RESEARCH.

Section 9 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1648) is repealed.

SEC. 8202. REPEAL OF FORESTRY STUDENT GRANT PROGRAM.

Section 10 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1649) is repealed.

Subtitle C—Global Climate Change Prevention Act of 1990

SEC. 8301. REPEALS.

(a) BIOMASS ENERGY DEMONSTRATION PROJECTS.—Section 2410 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 7610) is repealed.

(b) INTERAGENCY COOPERATION TO MAXIMIZE BIOMASS GROWTH.—Section 2411 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 7610b) is amended in the matter preceding paragraph (1) by striking "to—" and all that follows through "such forests and lands" in paragraph (2) and inserting "to develop a program to manage forests and land on Department of Defense military installations".

Subtitle D—Healthy Forests Restoration Act of 2003

SEC. 8401. PROMOTING CROSS-BOUNDARY WILDFIRE MITIGATION.

Section 103 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6513) is amended by adding at the end the following:

"(c) CROSS-BOUNDARY HAZARDOUS FUEL REDUCTION PROJECTS.—

(1) DEFINITIONS.—In this subsection:

(A) HAZARDOUS FUEL REDUCTION PROJECT.—The term ‘hazardous fuel reduction project’ means a hazardous fuel reduction project described in paragraph (2).

(B) NON-FEDERAL LAND.—The term ‘non-Federal land’ includes—

(i) State land;
"(ii) county land;
"(iii) Tribal land;
"(iv) private land; and
"(v) other non-Federal land.

(2) GRANTS.—The Secretary may make grants to State foresters to support hazardous fuel reduction projects that incorporate treatments in landscapes across ownership boundaries on Federal and non-Federal land, particularly in areas identified as priorities in applicable State-wide forest resource assessments or strategies under section 2(a) of the Cooperative Forests Assistance Act of 1976 (16 U.S.C. 2101a(a)), as mutually agreed to by the State forester and the Regional Forester.

(3) REQUIREMENTS.—To conduct and fund treatments for hazardous fuel reduction projects carried out by State foresters using grants under paragraph (2), the Secretary may use the authorities of the Secretary relating to cooperation and technical and financial assistance, including the good neighbor authority under—

(A) section 209(e) of the Agricultural Act of 2014 (16 U.S.C. 2113a); and


(4) COOPERATION.—In carrying out a hazardous fuel reduction project using a grant under paragraph (2) on non-Federal land, the State forester, in consultation with the Secretary—

(A) shall consult with any applicable owners of the non-Federal land; and

(B) shall not implement the hazardous fuel reduction project on non-Federal land without the consent of the owner of the non-Federal land.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2019 through 2023.

SEC. 8402. AUTHORIZATION OF APPROPRIATIONS FOR HAZARDOUS FUEL REDUCTION ON FEDERAL LAND.

Section 108 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 651b) is amended by striking "$760,000,000 for each fiscal year" and inserting "$680,000,000 for each of fiscal years 2019 through 2023".

SEC. 8403. REPEAL OF BIOMASS COMMERCIAL UTILIZATION GRANT PROGRAM.

(a) IN GENERAL.—Section 203 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6531) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 2601 note; Public Law 108–148) is amended by striking the item relating to section 203.

SEC. 8404. WATER SOURCE PROTECTION PROGRAM.

(a) IN GENERAL.—Title III of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6531 et seq.) is amended by adding at the end the following:

"SEC. 303. WATER SOURCE PROTECTION PROGRAM.

(a) DEFINITIONS.—In this section:

"(1) water source protection project means the term ‘water source protection project’ as defined in section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6531); and

"(2) forest management activity means a project carried out by the Secretary on National Forest System land.

"(b) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ means a land management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 8 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

"(c) water quality and quantity means the term ‘water quality and quantity’ as defined in section 601 of the Safe Drinking Water Act (42 U.S.C. 300f).

"(d) water source protection project means the term ‘water source protection project’ as defined in section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6531); and

"(e) water quality means the term ‘water quality’ as defined in section 101(13) of the Safe Drinking Water Act (42 U.S.C. 300f).


(b) REQUIREMENT.—A water source protection project is carried out on Federal land if—

(1) the Secretary has prepared a water source management plan that describes the measures necessary to protect and restore the water quality and quantity from non-Federal activities; and

(2) the measures described in paragraph (1) are necessary to protect and restore the water quality and quantity.

(c) MANAGEMENT AGREEMENT.—A water source management plan shall be conducted in a manner mutually agreed to by the State forester and the Secretary—

"(A) a memorandum of understanding;

"(B) a cost-share or collection agreement;

"(C) a long-term funding matching commitment; or

"(D) another appropriate instrument, as determined by the Secretary.

"(d) WATER SOURCE MANAGEMENT PLAN.—

"(1) IN GENERAL.—In carrying out the Program, the Secretary shall enter into water source protection partnership agreements with end water users to protect and restore the condition of National Forest watersheds that provide water to the end water user.

"(2) FORM.—A partnership agreement described in paragraph (1) may take the form of—

"(A) a memorandum of understanding;

"(B) a cost-share or collection agreement;

"(C) an interagency agreement;

"(D) another appropriate instrument, as determined by the Secretary.

"(e) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ means a land management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 8 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

"(4) water quality and quantity means the term ‘water quality and quantity’ as defined in section 601 of the Safe Drinking Water Act (42 U.S.C. 300f).

"(5) water source protection project means the term ‘water source protection project’ as defined in section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6531); and

"(B) flood risk;
"(C) fish and wildlife;
"(D) drinking water supplies;
"(E) irrigation water supplies;
"(F) critical dependent communities; and
"(G) other significant impacts, as determined by the Secretary;

"(i) to develop a watershed protection and restoration action plan for each priority watershed that—

"(1) takes into account existing restoration activities being implemented in the watershed;

"(2) includes, at a minimum—

"(I) the major stressors responsible for the impaired condition of the watershed;

"(II) specific restoration projects that, once completed, will address the identified stressors and improve watershed conditions;

"(iii) a proposed implementation schedule;

"(iv) potential partners and funding sources;

"(v) a monitoring and evaluation program;

"(vi) to prioritize protection and restoration activities for each watershed restoration action plan; and

"(G) to implement each watershed protection and restoration action plan; and

"(b) COORDINATION.—In carrying out subsection (a), the Secretary shall—

"(1) coordinate with interested non-Federal landowners and State, Tribal, and local governments within the relevant watershed; and

"(2) provide for an active and ongoing public engagement process.

"(c) EMERGENCY DESIGNATION.—Notwithstanding paragraph (2) of subsection (a), the Secretary may identify a watershed as a priority for rehabilitation in the Watershed Condition Framework without using the process described in that subsection if a Forest Supervisor determines that—

"(I) a wild fire has significantly diminished the condition of the watershed; and

"(II) the emergency stabilization activities of the Burned Area Emergency Response Team are insufficient to return the watershed to proper function.

(b) CONFORMING AMENDMENT.—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108–148) is amended by striking the item redesignated as section 606 of title V of that Act and inserting the following:

"SEC. 606. TERMINATION OF EFFECTIVENESS.

"The authority provided by this title terminates on October 1, 2023.

(b) CONFORMING AMENDMENT.—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108–148) is amended by striking the item relating to section 406 and inserting the following:

"Sec. 406. Termination of effectiveness.

SEC. 8408. AUTHORIZATION OF APPROPRIATIONS FOR DESIGNATION OF TREATMENT AREAS.


SEC. 8409. ADMINISTRATIVE REVIEW OF COLLABORATIVE RESTORATION PROJECTS.

Section 603(c) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) is amended by striking subsection (f).

SEC. 8501. REPEAL OF REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.


SEC. 8502. SEMIARID AGROFORESTRY RESEARCH CENTER.

Section 1243(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 1624; Public Law 101–624) is amended by striking "annually" and inserting "for each of fiscal years 2019 through 2023."

SEC. 8503. NATIONAL FOREST FOUNDATION ACT.

Section 530(b) of the National Forest Foundation Act (16 U.S.C. 5831–3(b)) is amended by striking "2018" and inserting "2023."

SEC. 8504. CONVEYANCE OF FOREST SERVICE ADMINISTRATIVE SITES.


SEC. 8505. REPEAL OF REVISION OF STRATEGIC PLAN FOR THE NATIONAL FOREST FOUNDATION.


SEC. 8506. DEFINITIONS.

SEC. 8601. CONCLUSION FOR GREATER SAGE-GROUSE AND MULE DEER HABITAT.

(a) IN GENERAL.—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591 et seq.) is amended by adding at the end the following:

"SEC. 606. CATEGORICAL EXCLUSION FOR GREATER SAGE-GROUSE AND MULE DEER HABITAT.

"(a) DEFINITIONS.—In this section:

"(1) COVERED VEGETATION MANAGEMENT ACTIVITY.—

"(A) IN GENERAL.—The term 'covered vegetation management activity' means any activity described in subparagraph (B) that—

"(i) is carried on National Forest System land administered by the Forest Service; or

"(ii) is carried on public land administered by the Bureau of Land Management;

"(ii) with respect to public land, meets the standards published by the Mule Deer Working Group and the Bureau of Land Management; and

"(ii) with respect to public land, meets the standards published by the Mule Deer Working Group and the Bureau of Land Management.


"(ii) the habitat guidelines for mule deer published by the Mule Deer Working Group of the Western Association of Fish and Wildlife Agencies;

"(i) maximizes the retention of old-growth and large trees, as appropriate for the forest type;

"(ii) considers the best available scientific information to maintain or restore the ecological integrity, including maintaining or restoring structure, function, composition, and connectivity;

"(iii) is developed and implemented through a collaborative process that—

"(aa) includes multiple interested persons representing diverse interests; and

"(bb) (AA) is transparent and nonexclusive; or

"(BB) meets the requirements for a resource advisory committee under section 505(c) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125); and

"(ii) may include the implementation of a proposal that complies with the eligibility requirements of the Collaborative Forest Landscape Restoration Program under section 4003(b) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(b)).

"(B) DESCRIPTION OF ACTIVITIES.—An activity referred to in subparagraph (A) is—

"(i) manual cutting and removal of juniper trees, pinyon pine trees, and other associated conifers, or other nonnative or invasive vegetation;

"(ii) mechanical mastication, cutting, and mechanical chipping and burning, chaining, broadcast burning, or burning;

"(iii) removal of cheat grass, medusa head rye, or other nonnative, invasive vegetation;

"(iv) collection and seeding or planting of native vegetation using a manual, mechanical, or aerial method;
“(v) seeding of nonnative, noninvasive, ruderal vegetation only for the purpose of emergency stabilization;

“(vi) targeted use of a herbicide, subject to the condition that the use shall be in accordance with applicable legal requirements, Federal agency procedures, and land use plans;

“(vii) targeted livestock grazing to mitigate hazardous fuels and control noxious and invasive weeds;

“(viii) temporary removal of wild horses or burros from a parcel of not more than 1 acre adjacent to the parcel used as a cemetery, a landfill, or a sewage treatment plant; for special use authorization issued or otherwise authorized by the Secretary.”;

“(c) DISPOSITION OF VEGETATIVE MATERIAL.—Subject to applicable local restrictions, any vegetative material resulting from a covered vegetation management activity that is covered by the categorical exclusion under subsection (b) may be—

“(i) used for—

“(A) fuel wood; or

“(B) other products; or

“(2) piled or burned, or both.

“(3) TEMPORARY ROAD.—The term ‘temporary road’ means a road that is—

“(A) authorized—

“(i) by a contract, permit, lease, other written authorization; or

“(ii) pursuant to an emergency operation;

“(B) not intended to be part of the permanent transportation system of a Federal department or agency;

“(C) not necessary for long-term resource management;

“(D) designed in accordance with standards appropriate for the intended use of the road, taking into consideration—

“(i) safety;

“(ii) the cost of transportation; and

“(iii) impacts to land and resources; and

“(E) managed to minimize—

“(i) erosion; and

“(ii) the introduction or spread of invasive species.

“(b) CATEGORICAL EXCLUSION.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary concerned shall develop a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation)) for covered vegetation management activities carried out to protect, restore, or improve habitat for greater sage-grouse or mule deer.

“(2) ADMINISTRATION.—In developing and administering a categorical exclusion under paragraph (1), the Secretary concerned shall—

“(A) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) with respect to National Forest System land, comply with the applicable land and resource management plan; or

“(C) with respect to public land, apply the extraordinary circumstances procedures under section 220.6 of title 36, Code of Federal Regulations (or successor regulations), in determining whether to use the categorical exclusion; and

“(D) consider—

“(i) the relative efficacy of landscape-scale habitat projects;

“(ii) the likelihood of continued declines in the populations of greater sage-grouse and mule deer in the absence of landscape-scale vegetation management; and

“(iii) the need for habitat restoration activities after wildfire or other natural disturbances.

“(c) IMPLEMENTATION OF COVERED VEGETATIVE MANAGEMENT ACTIVITIES WITHIN THE RANGE OF GREATER SAGE-GROUSE AND MULE DEER.—If the categorical exclusion developed under subsection (b) is used to implement a covered vegetation management activity in an area within the range of both greater sage-grouse and mule deer, the covered vegetation management activity shall be—

“(A) managed to minimize—

“(i) impacts to land and resources; and

“(ii) the cost of transportation; and

“(B) designed in accordance with standards appropriate for the intended use of the road, taking into consideration—

“(i) safety;

“(ii) the cost of transportation; and

“(iii) impacts to land and resources; and

“(E) managed to minimize—

“(i) erosion; and

“(ii) the introduction or spread of invasive species.

“(b) CATEGORICAL EXCLUSION.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary concerned shall develop a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation)) for covered vegetation management activities carried out to protect, restore, or improve habitat for greater sage-grouse or mule deer.

“(2) ADMINISTRATION.—In developing and administering a categorical exclusion under paragraph (1), the Secretary concerned shall—

“(A) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) with respect to National Forest System land, comply with the applicable land and resource management plan; or

“(C) with respect to public land, apply the extraordinary circumstances procedures under section 220.6 of title 36, Code of Federal Regulations (or successor regulations), in determining whether to use the categorical exclusion; and

“(D) consider—

“(i) the relative efficacy of landscape-scale habitat projects;
“(2) Use.—Amounts deposited under paragraph (1) shall be available to the Secretary until expended for—

(A) the acquisition of land or interests in land and interests in forest or recreation lands in the National Forest System in the State from which the amounts were derived;

(B) the acquisition or improvement of land or of any improvement in the National Forest System in that State, including land or interests in land that enhance opportunities for recreational access;

(C) the reimbursement of the Secretary for costs incurred in preparing a sale conducted under the authority of section 3 of the sale is competitive sale.

SEC. 8622. FOREST SERVICE PARTICIPATION IN ACES PROGRAM.

Section 3 of the Agricultural Act of 2014 (16 U.S.C. 3383) is amended—

(1) by striking “The Secretary” and inserting the following:

(a) In General.—The Secretary; and

(b) by adding at the end the following:

“(b) TERMINATION OF EFFECTIVENESS.—The authority provided to the Secretary to carry out this section terminates effective October 1, 2023.”.

SEC. 8623. AUTHORIZATION FOR LEASE OF FOREST SERVICE SITES.

(a) DEFINITION OF SITE.—

(A) ADMINISTRATIVE SITE.—

(i) IN GENERAL.—The term “administrative site” means—

(I) any land within a unit of the National Forest System that is exclusively designated for natural area or recreational purposes;

(II) a component of the National Wilderness Preservation System;

(III) a component of the National Wild and Scenic Rivers System; or

(IV) a National Monument;

(b) FORM OF CONSIDERATION.—

(i) Cash; and

(ii) in-kind, including—

(I) cash;

(ii) in-kind, including—

(I) the construction of new facilities or improvements, the title to which shall be transferred by the Secretary to the person; or

(ii) by competitive lease.

(iii) A person to whom a lease of an administrative site is made under this section shall provide to the Secretary consideration described in subparagraph (B) in an amount that is not less than the market value of the administrative site, as determined in accordance with subparagraph (C).

(B) FORM OF CONSIDERATION.—The consideration referred to in subparagraph (A) may be—

(i) cash; and

(ii) in-kind, including—

(I) the construction of new facilities or improvements, the title to which shall be transferred by the Secretary to the person; or

(ii) the Uniform Standards of Professional Appraisal Practice or—

(iii) by competitive lease.

(C) DETERMINATION OF MARKET VALUE.—

(i) IN GENERAL.—The Secretary shall determine the market value of an administrative site to be leased under this section by—

(A) the acquisition, improvement, maintenance, reconstruction, or construction of a facility or improvement for the National Forest System; and

(B) the lease of an administrative site under this section.

(ii) any Federal land that—

(I) is needed for resource management purposes or to provide access to other land or water; or

(ii) would be in the public interest not to lease.

(f) USE OF CONSIDERATION.—Cash consideration for a lease of an administrative site under this section shall be available to the Secretary, until expended and without further appropriation, to pay—

(i) any necessary and accidental costs incurred by the Secretary in connection with—

(A) the acquisition, improvement, maintenance, reconstruction, or construction of a facility or improvement for the National Forest System; and

(B) the lease of an administrative site under this section; and

(ii) reasonable commissions or fees for brokerage services obtained in connection with the lease, subject to the conditions that the Secretary—

(A) determines that the services are in the public interest; and

(B) shall provide public notice of any brokerage services contract entered into in connection with a lease under this section.

(h) CONGRESSIONAL NOTIFICATIONS.—

(1) ANTICIPATED USE OF AUTHORITY.—As part of the annual budget justification documents provided to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, the Secretary shall include—
(A) a list of the anticipated leases to be made, including the anticipated revenue that may be obtained, under this section;
(B) a description of the intended use of any revenue obtained under a lease under this section, including a list of any projects that cost more than $500,000; and
(C) a description of accomplishments during previous years using the authority of the Secretary under this section.

(2) CHANGES TO LEASE LIST.—If the Secretary desires to lease an administrative site under this section that is not included on a list provided under paragraph (1)(A), the Secretary shall submit to the congressional committees described in paragraph (3) a notice of the lease, including an anticipated revenue that may be obtained from the lease.

(3) USE OF AUTHORITY.—Not less frequently than once each year, the Secretary shall submit to the Committee on Agriculture, the Committee on Appropriations, and the Committee on Natural Resources of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate to use rounds each land area made by the Secretary under this section during the period covered by the report.

(1) EXPIRATION OF AUTHORITY.—(1) IN GENERAL.—The authority of the Secretary to make a lease of an administrative site under this section expires on October 1, 2023.
(2) EFFECT ON LEASE AGREEMENT.—Paragraph (1) shall not affect the authority of the Secretary to carry out this section in the case of any lease agreement that was entered into before October 1, 2023.

SEC. 8624. GOOD NEIGHBOR AUTHORITY.

(a) INCLUSION OF INDIAN TRIBES.—Section 6301(a) of the Agricultural Act of 2014 (16 U.S.C. 2701(a)) is amended—

(1) in paragraph (1)(A), by striking "land and non-Federal land" and inserting "land, Federal land, and non-Federal land,";

(2) in paragraph (3), by inserting "Indian tribe" after "affected State;"

(b) ADDITIONS TO CHEROKEE NATIONAL FOREST.—

(1) DESIGNATION OF WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following parcels of Federal land in the Cherokee National Forest in the State of Tennessee are designated as wilderness and as additions to the National Wilderness Preservation System:

(A) certain land comprising approximately 348 acres, as generally depicted as the "Big Frog Mountain Addition NW" on the Map entitled "Proposed Wilderness Areas and Additions to the National Wilderness Preservation System"; and

(B) land in the Cherokee National Forest in the State of Georgia, U.S. Forest Service–Southern Region, Oconee and Chattahoochee National Forests, U.S. Congressional Districts 8, 9, 10 & 14" and dated September 24, 2013.

(2) MAP.—The maps described in subparagraph (A) shall be on file and available for public inspection at the office of the Forest Service–Southern Region, Oconee and Chattahoochee National Forests, U.S. Congressional Districts 8, 9, 10 & 14 and dated September 24, 2013.

(3) FORM OF CONVEYANCE.—(A) CASH.—Consideration for a sale of National Forest System land or equalization of the sale or exchange of National Forest System land under paragraph (1) shall be available to the Secretary until expended, without further appropriation, for the acquisition of land for National Forest purposes in the State of Georgia.

(B) E XCHANGE.—Notwithstanding section 290(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept consideration in payment in excess of 25 percent of the value of any National Forest land exchanged under paragraph (1).

(4) VALUATION.—(A) IN GENERAL.—The consideration for a sale of National Forest System land or equalization of the sale or exchange of National Forest System land under paragraph (1) shall be

(C) in paragraph (3), by inserting "or county" after "Governor;" and

(D) by adding at the end the following:

(4) RECEIPTS.—Notwithstanding any other provision of law, the proceeds from the sale of National Forest System land under subsection (b)(1) would be used by the Forest Service to purchase land for National Forest purposes in the State of Georgia.

(b) LAND CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Under such terms and conditions as the Secretary may prescribe, the Secretary may sell or exchange any or all rights, title, and interest of the United States in and to the National Forest System land described in paragraph (2)(A).

(2) LAND AUTHORIZED FOR DISPOSAL.—

(A) IN GENERAL.—The National Forest System land referred to in paragraph (1) is the 30 tracts of land totaling approximately 3,841 acres that are generally depicted on the 2 maps entitled "Priority Land Adjustments, State of Georgia, U.S. Forest Service–Southern Region, Oconee and Chattahoochee National Forests, U.S. Congressional Districts 8, 9, 10 & 14" and dated September 24, 2013.

(B) MAP.—The maps described in subparagraph (A) shall be on file and available for public inspection at the office of the Forest Service–Southern Region, Oconee and Chattahoochee National Forests, U.S. Congressional Districts 8, 9, 10 & 14 and dated September 24, 2013.

(2) STATE.—The term "State" means the State of Tennessee.

(b) ADDITIONS TO CHEROKEE NATIONAL FOREST.—

(1) D ESIGNATION OF WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following parcels of Federal land in the Cherokee National Forest in the State of Tennessee are designated as wilderness and as additions to the National Wilderness Preservation System:

(A) Certain land comprising approximately 9,038 acres, as generally depicted as the "Upper Bald River Wilderness" on the Map and which shall be known as the "Upper Bald River Wilderness";

(B) Certain land comprising approximately 38 acres, as generally depicted as the "Big Frog Addition" on the Map and which shall be incorporated in, and shall be considered to be a part of, the Big Frog Wilderness;

(C) Certain land comprising approximately 630 acres, as generally depicted as the "Little Frog Mountain Addition NW" on the Map and which shall be incorporated in, and shall be considered to be a part of, the Little Frog Mountain Wilderness.
(D) Certain land comprising approximately 336 acres, as generally depicted as the “Little Frog Mountain Addition NE” on the Map and which shall be incorporated in, and shall become a part of, the Little Frog Mountain Wilderness.

(E) Certain land comprising approximately 2,922 acres, as generally depicted as the “Samson Mountain Addition” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Samson Mountain Wilderness.

(F) Certain land comprising approximately 4,416 acres, as generally depicted as the “Big Laurel Branch Addition” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Big Laurel Branch Wilderness.

(G) Certain land comprising approximately 1,836 acres, as generally depicted as the “Joyce Kilmer-Slickrock Addition” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Joyce Kilmer-Slickrock Wilderness.

(2) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit maps and legal descriptions of the wilderness areas designated by paragraph (1) to the Congress.

(B) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the office of the Chief of the Forest Service and in the office of the Supervisor of the Cherokee National Forest.

(C) FORCE OF LAW.—The maps and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this Act, except that the Secretary may correct typographical errors in the maps and descriptions.

(3) ADMINISTRATION.—

(A) IN GENERAL.—Subject to valid existing rights, the Federal land designated as wilderness by paragraph (1) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be deemed to be a reference to the date of enactment of this Act.

(B) FISH AND WILDLIFE MANAGEMENT.—In accordance with paragraph (6)(B), the Wilderness Act (16 U.S.C. 1131(d)(7)), nothing in this section affects the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas designated by paragraph (1).

SEC. 8628. ADDITIONS TO ROUGH MOUNTAIN AND RICH HOLE WILDERNESSES.

(a) ROUGH MOUNTAIN ADDITION.—Section 1 of Public Law 100–326 (16 U.S.C. 1132 note; 102 Stat. 2057; 123 Stat. 1002) is amended by adding at the end the following:

“(22) ROUGH MOUNTAIN ADDITION.—Certain land in the George Washington National Forest comprising approximately 1,000 acres, as generally depicted as the ‘Rough Mountain Addition’ on the map entitled ‘GEORGE WASHINGTON NATIONAL FOREST – South half – Alternative I – Selected Alternative Management Prescriptions – Land and Resources Management Plan Final Environmental Impact Statement’ and dated March 4, 2014, which is incorporated in the Prich Mountain Wilderness Area designated by paragraph (1).”.

(b) RICH HOLE ADDITION.—

(1) MANAGER.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the George Washington National Forest comprising approximately 700 acres, as generally depicted as the “Rich Hole Addition” on the map entitled “GEORGE WASH-
that subparagraph, the Secretary shall require, as a condition of the conveyance, that Collins Camp Properties administer the special use authorization according to the terms of the special use authorization until the date on which the special use authorization expires.

SEC. 8630. PURCHASE OF NATURAL RESOURCES CONSERVATION SERVICE PROPERTY, RIVERSIDE COUNTY, CALIFORNIA.

(a) FINDINGS.—Congress finds as follows:

(1) Since 1935, the United States has owned a parcel of land in Riverside, California, consisting of approximately 8,75 acres, more particularly described in subsection (b)(1) in this section referred to as the "property".

(2) The property is under the jurisdiction of the Department of Agriculture and has been variously used for research and plant materials purposes.

(3) Since 1998, the property has been administered by the Natural Resources Conservation Service of the Department of Agriculture.

(4) Since 2002, the property has been co-managed under a cooperative agreement between the Natural Resources Conservation Service and the Riverside Corona Resource Conservation District, which is a legal subdivision of the California Department of Agriculture and has been variously used for research and plant materials purposes.

(b) LAND PURCHASE, NATURAL RESOURCES CONSERVATION SERVICE PROPERTY, RIVERSIDE COUNTY, CALIFORNIA.

(1) PURCHASE AUTHORIZED.—The Secretary shall sell and quitclaim to the Riverside Corona Resource Conservation District in this section referred to as the "Conservation District") all, right, title, and interest of the United States in and to a parcel of real property, including improvements thereof, that is located in Riverside County, California, consists of approximately 8,75 acres, and is administered by the Natural Resources Conservation Service of the Department of Agriculture. As necessary or desirable to facilitate the purchase of the property under this subsection, the Secretary or the Conservation District may survey all or portions of the property.

(2) CONSIDERATION.—As consideration for the purchase of the property under this subsection, the Conservation District shall pay to the Secretary an amount equal to the appraised value of the property.

(3) PROHIBITION ON RESERVATION OF INTEREST.—The Secretary shall not reserve any future property to be purchased under this subsection, except such interest as may be acceptable to the Conservation District.

(4) HAZARDOUS SUBSTANCES.—Notwithstanding section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) or the Solid Waste Disposal Act (42 U.S.C. 6911 et seq.), in the case of the property purchased by the Conservation District under this subsection, the Secretary shall be only required to meet the requirements concerning hazardous substances, pollutants, or contaminants, but shall otherwise not be required to remediate or abate any such releases of hazardous substances, pollutants, or contaminants, including petroleum and petroleum derivatives.

(5) COOPERATIVE AUTHORITY.—

(A) LEASES, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.—In conjunction with, or in addition to, the purchase of the property by the Conservation District under this subsection, the Secretary may enter into leases, contracts and cooperative agreements with the Conservation District.

(B) SALE AUTHORIZED.—The Secretary may sell the property or any property acquired by the Secretary as a result of the special use authorization according to the terms described in section 1305, 3301, and 3303 to 3305 of title 41, United States Code, or any other provision of law, the Secretary may lease real property from the Conservation District on a non-competitive basis.

(C) NON-EXCLUSIVE AUTHORITY.—The authority provided by this subsection is in addition to any other authority of the Secretary.

SEC. 8631. COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM.

(a) REAUTHORIZATION.—Section 4003(h)(6) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(h)(6)) is amended by striking "$40,000,000 for each of fiscal years 2009 through 2019 and inserting "$80,000,000 for each of fiscal years 2019 through 2023".

(b) REPORTING REQUIREMENTS.—Section 4003(c) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(c)) is amended by—

(1) in paragraph (3), by striking and after the semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ;"; and);

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

(4) by inserting after paragraph (2) the following:

"(3) the Committee on Agriculture, Nutrition, and Forestry of the Senate;"; and

(5) by adding at the end the following:

"(6) the Committee on Agriculture of the House of Representatives."

SEC. 8632. UTILIZATION OF INFRASTRUCTURE RIGHTS-OF-WAY VEGETATION MANAGEMENT PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) NATIONAL FOREST SYSTEM LAND.—

(A) IN GENERAL.—The term "National Forest System land" means land within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(B) EXCLUSIONS.—The term "National Forest System land" does not include—

(i) a National Grassland; or

(ii) a land utilization project on land designated as a National Grassland and administered pursuant to sections 31, 32, and 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1019, 1011, 1012).

(b) PASSING WILDFIRE.—The term "passing wildfire" means a wildfire that originates outside of a right-of-way.

(c) PILOT PROGRAM.—The term "pilot program" means the pilot program established by the Secretary under subsection (b).

(d) RIGHT-OF-WAY.—The term "right-of-way" means any road, easement, or comparable right granted by the United States for damage proximately related to activities conducted pursuant to an approved vegetation management project conducted under the pilot program.

(e) PROJECT WORK.—A participant in the pilot program shall not be liable to the United States for damage proximately related to activities conducted pursuant to an approved vegetation management project conducted under the pilot program, unless—

(1) the activity was carried out in a manner that was grossly negligent or that violated criminal law; or

(2) the damage was caused by the failure of the participant to comply with specific safety requirements expressly imposed by the Forest Service as a condition of participation in the pilot program.

(f) IMPLEMENTATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall use the authority of the Secretary under other laws (including regulations) to carry out the pilot program.

(B) MODIFICATION OF REGULATIONS.—In order to implement the pilot program in an
-efficient and expeditious manner, the Secretary may waive or modify specific provisions of the Federal Acquisition Regulation, including waivers or modifications to allow for the implementation of contracts or agreements on a noncompetitive basis.

(b) TREATMENT OF PROCEEDS.—Notwithstanding any other provision of law, the Secretary may—

(1) retain any funds provided to the Forest Service by a participant in the pilot program; and

(2) use funds retained under paragraph (1), in such amounts as may be appropriated, to carry out the pilot program.

(i) TEMPORARILY APPROPRIATED FUND.—Not later than December 31, 2020, and 2 years thereafter, the Secretary shall submit a report describing the status of the pilot program and vegetation management projects conducted under the pilot program to—

(1) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(2) the Committee on Agriculture of the House of Representatives.

(j) DURATION.—The authority to carry out the pilot program, including any vegetation management projects conducted under the pilot program, expires on October 1, 2023.

SEC. 8633. OKHISSA LAKE RURAL ECONOMIC DEVELOPMENT LAND CONVEYANCE.

(a) DEFINITION OF ALLIANCE.—In this section, the term ‘‘Alliance’’ means the Scenic Rivers Development Alliance.

(b) LAND TO BE CONVEYED.—Subject to the requirements of this section, if the Alliance submits a written request for conveyance by not later than 180 days after the date of enactment of this Act and the Secretary determines that it is in the public interest to convey the National Forest System land described in subsection (c), the Secretary shall convey to the Alliance all right, title, and interest of the United States in and to the National Forest System land described in subsection (c) by quitclaim deed through a public or private sale, including a competitive sale by auction or bid.

(c) DESCRIPTION OF NATIONAL FOREST SYSTEM LAND TO BE CONVEYED.—In general—

(1) the point of beginning shall be—

(C) the point of beginning described in subsection (b) (1), the point of beginning described in subsection (b) (2), and the point of beginning described in subsection (b) (3).

(2) IN GENERAL.—The consideration for the conveyance of any National Forest System land under this section shall be—

(A) provided in the form of cash; and

(B) in an amount equal to the fair market value of the National Forest System land being conveyed, as determined under paragraph (2).

(2) FAIR MARKET VALUE DETERMINATION.—The fair market value of the National Forest System land conveyed under this section shall be determined—

(A) in the case of a method of conveyance described in subsection (b), by an appraisal that is—

(i) conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) approved by the Secretary; or

(B) in the case of a conveyance by a method other than a method described in subsection (b), by an appraisal that is—

(i) conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) approved by the Secretary.

(d) TERMS AND CONDITIONS.—The conveyance under this section shall be subject to—

(1) valid existing rights; and

(2) other terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.

(e) CONSIDERATION.—The consideration for the conveyance under this section shall be—

(1) IN GENERAL.—In this section, the term ‘‘consideration’’ means the Secretary shall deposit the proceeds of the conveyance of any National Forest System land under this section in the fund established under Public Law 90–579 (commonly known as the ‘‘Sisk Act’’) (16 U.S.C. 484a).

(2) ACTION REQUIRED.—Not later than 1 year after the date that the Secretary carries out the pilot program, the Secretary shall—

(3) PRIORITIES.—The research and development, education, and technical assistance conducted under subsection (a) shall give priority to—

(1) improving the commercialization of innovative wood products; and

(2) analyzing the safety of tall wood buildings.

(2) ACTION REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Chief of the Forest Service shall—

(a) report findings of the research and development, education, and technical assistance conducted under subsection (c).

(b) RECOMMENDATION.—Not later than 3 years after the date of enactment of this Act, the Chief of the Forest Service shall—

(1) make recommendations to the Secretary for the implementation of any research, development, education, and technical assistance conducted under subsection (c).

(c) ANNUAL REPORT.—The Chief of the Forest Service shall submit to Congress an annual report—

(1) describing the accomplishments of the program for the previous year; and

(2) describing any activities conducted in the previous year.

(d) TERM.—The program authorized by this section shall terminate—

(1) at the end of the 3-year period described in section (b); or

(2) at such earlier time as the Secretary determines appropriate.
(2) SECRETARY.—The term ‘‘Secretary’’ means the Secretary, acting through the Chief of the Forest Service.

(b) GRANT PROGRAM.—

(1) GRANTS.—The Secretary, in carrying out the wood innovation grant program of the Secretary described in the notice of the Secretary entitled ‘‘Request for Proposals: 2016 Wood Innovations Funding Opportunity’’ (80 Fed. Reg. 63948 (October 20, 2015)), may make a wood innovation grant to 1 or more eligible entities each year for the purpose of advancing the use of innovative wood products.

(2) PROPOSALS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(c) INCENTIVIZING USE OF EXISTING MILLING CAPACITY.—In selecting among proposals of eligible entities under subsection (b)(2), the Secretary shall give priority to proposals that include the use or retrofitting (or both) of existing sawmill facilities located in counties in which the average annual unemployment rate exceeded the national average unemployment rate by more than 1 percent in the previous calendar year.

(d) MATCHING REQUIREMENT.—As a condition of a grant under subsection (b), an eligible entity shall provide funds equal to the amount received by the eligible entity under the grant, to be derived from non-Federal sources.

TITLE IX—ENERGY

SEC. 9101. DEFINITIONS.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended—

(1) in paragraph (4)(A), by striking ‘‘agricultural materials’’ and inserting ‘‘agricultural materials, renewable chemicals,’’;

(2) in paragraph (7)(A), by striking ‘‘biofuels and biobased products’’ and inserting the following: ‘‘or an intermediate ingredient or feedstock of renewable biomass into any 1 or more, or a combination of—’’;

‘‘(i) biofuels;’’

‘‘(ii) renewable chemicals; or’’

‘‘(iii) biobased products’’; and

(3) in paragraph (10)(B), by striking ‘‘(B) in subparagraph (B), by striking ‘‘pro-’’ and inserting ‘‘(B)’’;

and

SEC. 9102. BIОBASED MARKETS PROGRAM.

Section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) is amended—

(1) in subsection (a)(2)(A)(i)(III), by inserting ‘‘, acting through the rural development mission area (referred to in this subsection as the ‘Secretary’’);’’ before the period at the end;

(2) in subsection (b)(2)(A), by adding at the end the following:

‘‘(III) RENEWABLE CHEMICALS.—Not later than 90 days after the date of enactment of this clause, the Secretary shall update the criteria issued under clause (i) to provide criteria for determining which renewable chemicals may qualify to receive the label under paragraph (1).’’;

(3) in subsection (f), by striking the subsection designation and all that follows through ‘‘The Secretary’’ and inserting the following:

‘‘(F) MANUFACTURERS OF RENEWABLE CHEMICALS AND BIOBASED PRODUCTS.—

(1) NAICS CODES.—The Secretary and the Secretary of Commerce shall jointly develop North American Industry Classification System codes for—

(A) renewable chemicals manufacturers; and

(B) biobased products manufacturers.

(2) NATIONAL TESTING CENTER REGISTRY.—The Secretary shall submit to the Secretary a proposal for—

(i) the Federal procurement of biobased products under subsection (a); and

(ii) the voluntary labeling program under subsection (b).

(3) STREAMLINING.—

‘‘(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall establish guidelines for an integrated process under which biobased products may be, in 1 expedited approval process—

(A) determined to be eligible for a Federal procurement preference under subsection (a); and

(B) approved to use the ‘USDA Certified Biobased Product’ label under subsection (b).

‘‘(2) INITIATION.—The Secretary shall ensure that a review of a biobased product under the integrated qualification process established pursuant to paragraph (1) may be initiated on receipt of a recommendation or petition from a manufacturer, vendor, or other interested party.

‘‘(3) PRODUCT DESIGNATIONS.—The Secretary may issue a product designation pursuant to subsection (a)(3)(B), or approve the use of the ‘USDA Certified Biobased Product’ label under subsection (b), through streamlined procedures, which shall not be subject to chapter 7 of title 5, United States Code.

‘‘(4) REQUIREMENT OF PROCUREMENT AGENCY.—(A) The provisions of this section (as so redesignated) in paragraph (3), by striking ‘‘$20,000,000 for each of fiscal years 2014 through 2018’’ and inserting ‘‘$15,000,000 for each of fiscal years 2019 through 2023’’.

and

SEC. 9103. BIOENERGY PROGRAM FOR ADVANCED BIOFUEL.

Section 9003(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ‘‘and’’ at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ‘‘; and’’;

and

(C) by adding at the end the following:

‘‘(F) $15,000,000 for each of fiscal years 2019 through 2023.’’.

and

SEC. 9104. REPPOWERING ASSISTANCE PROGRAM.

Section 9004 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104) is repealed.

SEC. 9105. BIOENERGY PROGRAM FOR ADVANCED BIOFUEL.

Section 9005(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105)(g) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ‘‘and’’ at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ‘‘; and’’;

and

(C) by adding at the end the following:

‘‘(I) $3,000,000 for each of fiscal years 2014 through 2018’’.

and

SEC. 9106. BIOFUEL FUEL EDUCATION PROGRAM.

Section 9006(d)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106)(d)(2) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

and

SEC. 9107. RURAL ENERGY FOR AMERICA PROGRAM.

Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended—

(1) in subsection (e), by striking ‘‘(g)’’ each place it appears and inserting ‘‘(f)’’;

(2) by striking subsection (f);

(3) by redesigning subsection (g) as subsection (f); and

(4) in subsection (g) (as so redesignated), in paragraph (3), by striking ‘‘$20,000,000 for each of fiscal years 2014 through 2018’’ and inserting ‘‘$50,000,000 for each of fiscal years 2019 through 2023’’.

and

SEC. 9108. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.

Section 9009 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109) is repealed.

SEC. 9109. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

Section 9010(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110)(b) is amended, in paragraphs (1)(A) and (2)(A), by striking ‘‘2018’’ each place it appears and inserting ‘‘2023’’.

and

SEC. 9110. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is amended—

(1) in subsection (a)(6)—

(A) in subparagraph (B), by striking ‘‘and’’ at the end;

(ii) in clause (ii), by striking ‘‘and’’; and

(iii) by adding at the end the following:

‘‘(iv) algae;’’

and

(B) in subparagraph (C)—
(1) by striking clause (iv); and
(2) by redesignating clauses (v) through (vii) as clauses (iv) through (vi), respectively;
(3) in subsection (b)(2), by inserting "(including eligible material harvested for the purpose of hazardous woody fuel reduction) after "material"; and
(4) in (A) in paragraph (1)—
(i) by striking "Of the funds" and inserting the following:
"(A) MANDATORY FUNDING.—Of the funds;
(ii) in subparagraph (A) (as so designated), by striking "2018" and inserting "2023"; and
(iii) by adding at the end the following:
"(B) S TUDY.—Under the agreement described in paragraph (A), the study conducted under this paragraph shall be submitted to Congress not later than 18 months after the date of enactment of the Act.

(912) COMMUNITY WOOD ENERGY PROGRAM.

Title IX of the Farm Security and Rural Investment Act of 2002 is amended by inserting after section 9011 (7 U.S.C. 8111) the following:

"SEC. 9012. BIOGAS RESEARCH AND ADOPTION OF BIOGAS SYSTEMS.

(9a) DEFINITIONS.—In this section:
(1) ANAEROBIC DIGESTION.—The term 'anaerobic digestion' means a biological process or series of biological processes—
(A) through which microorganisms break down biodegradable material in the absence of oxygen; and
(B) the end products of which are biogas and digestate. The term 'biogas' means a mixture of primarily methane and carbon dioxide produced by the bacterial decomposition of organic materials in the absence of oxygen.
(2) BIOGAS.—The term 'biogas processing' means the process by which water, inorganic compounds, and other trace compounds are removed from biogas, as determined by the end user.
(3) BIOGAS SYSTEM.—The term 'biogas system' means a system—
(A) with the potential to capture and use biogas, including biogas from organic waste, including animal manure, food waste, waste from landfills and wastewater; and
(B) that includes—
(i) the infrastructure necessary to manage the organic waste referred to in subparagraph (A); and
(ii) the equipment necessary to generate—
(I) electricity, heat, or fuel; and
(II) biogas system co-products, and
(iii) the equipment necessary for biogas processing.
(4) BIOGAS SYSTEM CO-PRODUCT.—The term 'biogas system co-product' means a non-energy biogas system product produced from digested material, including soil amendments, fertilizers, compost, animal bedding, and feedstock for farm animals and other livestock.
(5) DIGESTED MATERIAL.—The term 'digested material' means solid or liquid digested material.
(6) ELECTRICITY.—The term 'electricity' means electricity that is produced by renewable energy sources, as determined by the Task Force.

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(A) with the potential to capture and use biogas, including biogas from organic waste, including animal manure, food waste, waste from landfills and wastewater; and
(B) that includes—
(i) the infrastructure necessary to manage the organic waste referred to in subparagraph (A); and
(ii) the equipment necessary to generate—
(I) electricity, heat, or fuel; and
(II) biogas system co-products, and
(iii) the equipment necessary for biogas processing.
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(B) the end products of which are biogas and digestate. The term 'biogas' means a mixture of primarily methane and carbon dioxide produced by the bacterial decomposition of organic materials in the absence of oxygen.
(2) BIOGAS.—The term 'biogas processing' means the process by which water, inorganic compounds, and other trace compounds are removed from biogas, as determined by the end user.
(3) BIOGAS SYSTEM.—The term 'biogas system' means a system—
(A) with the potential to capture and use biogas, including biogas from organic waste, including animal manure, food waste, waste from landfills and wastewater; and
(B) that includes—
(i) the infrastructure necessary to manage the organic waste referred to in subparagraph (A); and
(ii) the equipment necessary to generate—
(I) electricity, heat, or fuel; and
(II) biogas system co-products, and
(iii) the equipment necessary for biogas processing.
(4) BIOGAS SYSTEM CO-PRODUCT.—The term 'biogas system co-product' means a non-energy biogas system product produced from digested material, including soil amendments, fertilizers, compost, animal bedding, and feedstock for farm animals and other livestock.
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(a) DEFINITIONS.—In this section:
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(A) through which microorganisms break down biodegradable material in the absence of oxygen; and
(B) the end products of which are biogas and digestate. The term 'biogas' means a mixture of primarily methane and carbon dioxide produced by the bacterial decomposition of organic materials in the absence of oxygen.
(2) BIOGAS.—The term 'biogas processing' means the process by which water, inorganic compounds, and other trace compounds are removed from biogas, as determined by the end user.
(3) BIOGAS SYSTEM.—The term 'biogas system' means a system—
(A) with the potential to capture and use biogas, including biogas from organic waste, including animal manure, food waste, waste from landfills and wastewater; and
(B) that includes—
(i) the infrastructure necessary to manage the organic waste referred to in subparagraph (A); and
(ii) the equipment necessary to generate—
(I) electricity, heat, or fuel; and
(II) biogas system co-products, and
(iii) the equipment necessary for biogas processing.
(4) BIOGAS SYSTEM CO-PRODUCT.—The term 'biogas system co-product' means a non-energy biogas system product produced from digested material, including soil amendments, fertilizers, compost, animal bedding, and feedstock for farm animals and other livestock.
(5) DIGESTED MATERIAL.—The term 'digested material' means solid or liquid digested material.
(6) ELECTRICITY.—The term 'electricity' means electricity that is produced by renewable energy sources, as determined by the Task Force.
“(ii) aggregation of organic waste from multiple sources into a single biogas system; and

“(C) has a demonstrated ability to conduct educational or technical support programs.

“(b) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Energy, shall make competitive grants to eligible entities for each of fiscal years 2019 through 2023—

“(A) $1,000,000 to carry out subsection (b)(1); and

“(B) $1,000,000 to carry out subsection (b)(2).

“(2) DISCRETIONARY FUNDING.—There are authorized to be appropriated for each of fiscal years 2019 through 2023—

“(A) $1,000,000 to carry out subsection (b)(1); and

“(B) $1,000,000 to carry out subsection (b)(2).

TITLE X—HORTICULTURE

SEC. 10101. SPECIALTY CROPS MARKET NEWS LOCATION.

Section 10101(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622(b)) is amended by striking “2018” and inserting “2023.”

SEC. 10102. LOCAL AGRICULTURE MARKET PROGRAM.

(a) PURPOSE.—The purpose of this section is to combine the purposes and coordinate the functions of the programs covered by this title on or before the date of enactment of this Act, to—

(1) the Farmers’ Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 2279(a));

(2) the value-added agricultural product market development grants under section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1991(a));

(b) LOCAL AGRICULTURE MARKET PROGRAM.—Subtitle A of the Agricultural Marketing Act of 1981 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

“SEC. 210A. LOCAL AGRICULTURE MARKET PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) BEGINNING FARMER OR RANCHER.—The term ‘beginning farmer or rancher’ means the person specified in section 3802(b)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).

“(2) DIRECT PRODUCER-TO-CONSUMER MARKETING.—The term ‘direct producer-to-consumer marketing’ has the meaning given the term ‘direct marketing from farmers to consumers’ in section 3 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 2002).

“(3) ELIGIBLE ACTIVITY.—The term ‘eligible activity’ means an activity described in subsection (d)(2) that is carried out using a grant provided under subsection (d)(1).

“(4) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a producer;

“(B) a producer network or association;

“(C) a farmer or rancher cooperative;

“(D) an agricultural business entity or majority-controlled producer-based business venture;

“(E) a food council;

“(F) a local or Tribal government;

“(G) a nonprofit corporation;

“(H) an economic development corporation;

“(I) a public benefit corporation;

“(J) a community-supported agriculture network or association; and

“(K) a regional farmers’ market authority.

“(b) ELIGIBLE PARTNER.—The term ‘eligible partner’ means—

“(A) a State agency or regional authority;

“(B) a philanthropic organization;

“(C) a private corporation;

“(D) an institution of higher education;

“(E) a commercial, Federal, or Farm Credit System lending institution; and

“(F) another entity, as determined by the Secretary.

“(c) ESTABLISHMENT.—

“(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use for each of fiscal years 2019 through 2023—

“(A) $1,000,000 to carry out subsection (b)(1); and

“(B) $1,000,000 to carry out subsection (b)(2).

“(2) DISCRETIONARY FUNDING.—There are authorized to be appropriated for each of fiscal years 2019 through 2023—

“(A) $1,000,000 to carry out subsection (b)(1); and

“(B) $1,000,000 to carry out subsection (b)(2).

“(d) REGIONAL PARTNERSHIPS.—

“(1) DEFINITIONS.—In this section:

“(A) IN GENERAL.—The term ‘majority-controlled producer-based business venture’ means a business venture that is—

“(i) majority-owned by a majority-controlled producer; and

“(ii) organized under State law.

“(B) 1 or more eligible entities.

“(C) determines the local, regional, State, multi-State, or other geographic area covered;
(C) create and conduct a feasibility study, implementation plan, and assessment of eligible activities under the partnership agreement;

(4) conduct outreach and education to other eligible entities and eligible partners for potential participation in the partnership agreement and eligible activities;

(5) conduct measures to be taken through the partnership agreement to obtain funding for the eligible activities to be carried out under the partnership agreement;

(F) request of a producer or eligible entity desiring to participate in eligible activities under the partnership agreement, act on applications submitted by, or on behalf of, a producer or eligible entity in applying for a grant under subsection (d).

(G) monitor, evaluate, and periodically report to the Secretary on progress made toward attaining the objectives of eligible activities under the partnership agreement; or

(H) at the conclusion of the partnership agreement, submit to the Secretary a report describing—

(i) the results and effects of the partnership agreement; and

(ii) funds provided under paragraph (3).

(8) A partnership receiving a grant under paragraph (1) shall provide funding in an amount equal to not less than 5 percent of the total amount of the grant.

(4) APPLICATIONS.—

(A) IN GENERAL.—To be eligible to receive a grant under paragraph (1), a partnership shall—

(i) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary considers necessary to evaluate and select applications;

(ii) assess and rank applications with similar purposes as a group; and

(iii) make public the criteria to be used in evaluating applications prior to accepting applications.

(C) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary may give priority to applications submitted under subparagraph (A) that—

(i) leverage significant non-Federal financial and technical resources; and

(ii) coordinate with other local, State, Tribal, and Federal entities; and

(iii) cover an area that includes distressed low-income rural or urban communities, including areas with persistent poverty.

(D) PRODUCER OR FOOD BUSINESS BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), an application submitted for a grant under paragraph (1) shall include a description of the direct or indirect producer or food business benefits intended by the eligible entity to result from the proposed project with a reasonable period of time after the receipt of a grant.

(ii) EXCEPTION.—Clause (i) shall not apply to a planning or feasibility project.

(E) ADMINISTRATION.—Unless otherwise determined by the Secretary, the amount of a grant under this subsection shall not be more than $500,000.

(5) DEVELOPMENT GRANTS AVAILABLE TO PRODUCERS.—In the case of a grant provided under paragraph (1) to an eligible entity described in any of subparagraphs (A) through (D) of subsection (a)(4), the following shall apply:

(A) ADMINISTRATION.—The Secretary shall carry out this subsection through the Administrator of the Agricultural Marketing Service, in coordination with the Administrator of the Rural Business-Cooperative Service.

(B) PRIORITIES.—The Secretary shall give priority to applications that—

(i) benefit underserved communities, including communities that are located in areas of concentrated poverty with limited access to fresh locally or regionally grown food; or

(ii) are used to carry out eligible activities under a partnership agreement under subsection (c)(5).

(C) LIMITATION ON USE OF FUNDS.—

(i) IN GENERAL.—Except as provided in clause (ii), an eligible entity may not use a grant for the purchase or construction of a building, general purpose equipment, or structure.

(ii) EXCEPTION.—An eligible entity may use not more than $5,500 of the amount of a grant for an eligible activity described in paragraph (2)(J) to purchase or upgrade equipment to improve food safety.

(D) MATCHING FUNDS.—An eligible entity receiving a grant shall provide matching funds in the form of cash or an in-kind contribution in an amount that is equal to 25 percent of the total amount of the grant.

(6) DEVELOPMENT GRANTS FOR OTHER ELIGIBLE ENTITIES.—In the case of a grant provided under paragraph (1) to an eligible entity described in any of subparagraphs (A) through (K) of subsection (a)(4), the following shall apply:

(A) ADMINISTRATION.—The Secretary shall carry out this subsection through the Administrator of the Agricultural Marketing Service, in coordination with the Administrator of the Rural Business-Cooperative Service.

(B) PRIORITIES.—The Secretary shall give priority to applications that—

(i) are used to carry out eligible activities under a partnership agreement under subsection (c)(5);

(ii) are used to carry out eligible activities under a grant that is structured as a family farm;

(iii) are used to carry out eligible activities under a grant that is structured as an employee farm; and

(iv) are used to carry out eligible activities under a grant that is structured as a farmer or rancher cooperative.

(C) LIMITATION ON USE OF FUNDS.—

(i) IN GENERAL.—Except as provided in clause (ii), an eligible entity may not use a grant for the purchase or construction of a building, general purpose equipment, or structure.

(ii) EXCEPTION.—An eligible entity may use not more than $5,500 of the amount of a grant for an eligible activity described in paragraph (2)(J) to purchase or upgrade equipment to improve food safety.
scribing the evaluation conducted under 
section for a fiscal year, 35 percent shall be reserved 
for disadvantaged farmers or ranchers 
subsection (d)(5), 10 percent shall be reserved for grants under 
section (d)(6).

3. UNOBLIGATED FUNDS.—Any funds 
paragraph (1) (as so redesignated), by striking 
section (a) (as so redesignated)—

(A) $5,000,000 for each of the periods of fiscal 
years 2008 through 2012 and 2014 through 2018; and

(B) $5,000,000 for the period of fiscal years 
2019 through 2023.

section 210A of the Agricultural Marketing 
Center established under 
section 205.101 of title 7, Code of Federal 
Regulations to limit the type of organic operations 
under part 205 of title 7, Code of Federal 
Regulations.

(B) Sections 6, 7, and 8 of the Farmer-to- 

SEC. 10103. ORGANIC PRODUCTION AND MARKET 
DATA INITIATIVES

Section 7407(d) of the Farm Security and 
Rural Investment Act of 2002 (7 U.S.C. 
5925(d)) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking 
Notwithstanding'' and all 
paragraph (2), as paragraphs (1) and (2), respectively,

(ii) by striking the subsection designation 
and heading;

(D) UNOBLIGATED FUNDS.—Any funds 
paragraph (1) and (2), respectively, 
and indenting appropriately; and

(ii) by striking the subsection designation 
and heading;

(D)(2) AUTHORIZATION OF APPROPRIATIONS .— 

(A) to provide grants to support partnerships 
under subsection (d);

(2) REPORT.—Not later than 3 years after 
the date of enactment of this section, the 
Secretary shall submit to the Committee on 
Agriculture of the House of Representatives 
and the Committee on Agriculture, 
Nutrition, and Forestry of the Senate a report 
describing the evaluation conducted under 
paragraph (1), including a thorough 
analysis of the outcomes of the evaluation.

1. MANDATORY FUNDING.—Of the funds 
of the Commodity Credit Corporation, the Sec- 
retary shall use to carry out this section 
$60,000,000 for fiscal year 2019 and each fiscal 
year thereafter, to remain available until 
expired.

2. AUTHORIZATION OF APPROPRIATIONS.— 

There are authorized to be appropriated 
to carry out this section $20,000,000 for fiscal 
year 2019 and each fiscal year thereafter, to 
remain available until expended.

3. CONFORMING AMENDMENTS.—

(A) REGIONAL PARTNERSHIPS.—Of the 
funds made available to carry out this section 
for a fiscal year, 10 percent shall be used to 
provide grants to support partnerships 
under subsection (c).

(B) DEVELOPMENT GRANTS FOR PRO- 
DUCERS.—

(1) IN GENERAL.—Subject to clause (ii), of 
the funds made available to carry out this 
section for a fiscal year, 35 percent shall be 
used for grants under subsection (d)(5).

(2) RURAL, VETERAN, AND SOCIALLY 
DISADVANTAGED FARMERS AND RANCHERS.—Of the 
funds made available for grants under 
subsection (d)(5), 10 percent shall be reserved for 
grants to beginning, veteran, and socially 
disadvantaged farmers or ranchers.

(3) MINI-TIER VALUE CHAINS.—Of the 
funds made available for grants under 
subsection (d)(5), 10 percent shall be reserved for 
development of mid-tier value chains.

(4) PROGRAM METRICS.—Section 6209(a) of 
the Agricultural Act of 2014 (7 U.S.C. 
2207(a)) is amended by striking paragraph (1) 
and inserting the following:

"(a) IN GENERAL.—"The Secretary''; and

(ii) by adding at the end the following:

"(b) AUTHORIZATION OF APPROPRIATIONS.— 
There are authorized to be appropriated such 
sums as are necessary to carry out this 
section.

Sections 6, 7, and 8 of the Farmer-to- 
“(B) which shall include, at a minimum, information sufficient to indicate, with respect to the agricultural product—

(1) the origin;

(2) the country of production; and

(3) the certifying agent issuing the national organic program import certificate;

(iv) the harmonized tariff code, if a harmonized tariff code exists for the agricultural product;

(v) the total weight; and

(vi) the organic standard to which the agricultural product is certified.”.

(c) DOCUMENTATION AND TRACEABILITY ENHANCEMENT; DATA COLLECTION.—Section 2106(b) of the Organic Foods Production Act of 1990 (7 U.S.C. 655(b)) is amended—

(1) by striking “Imported” and inserting the following:

“(A) ACCREDITATION OF FOREIGN ORGANIC CERTIFICATION PROGRAM.—Imported; and

(2) by adding at the end the following:

“(2) IMPORT CERTIFICATION.—For an agricultural product being imported into the United States to be represented as organically produced, the Secretary shall require that the agricultural product be accompanied by a complete and valid national organic program import certificate, which shall be available as an electronic record.”.

(2) by adding at the end the following:

“(2) TRACKING SYSTEM.—

(i) IN GENERAL.—The Secretary shall establish a system to track national organic program import certificates.

(ii) ADMINISTRATION.—The Secretary shall establish the system under clause (i), the Secretary may integrate the system into any existing information tracking systems for imports of agricultural products.

(iii) MODERNIZATION OF TRADE TRACKING AND DATA COLLECTION SYSTEMS.—

(A) The Secretary shall modernize international trade tracking and data collection systems of the national organic program established under this title.

(B) ACTIVITIES.—In carrying out subparagraph (A), the Secretary shall modernize trade and transaction certificates to ensure full traceability to the port of entry without unduly hindering trade, such as through an electronic trade document exchange system.

(4) REPORTS.—

(A) IN GENERAL.—On an annual basis, the Secretary shall submit to Congress and make publicly available on the website of the Department of Agriculture a report providing detailed quantitative data on imports of organically produced agricultural products accepted into the United States during the year covered by the report.

(B) REQUIREMENTS.—The data described in subparagraph (A) shall be broken down by agricultural product type, quantity, value, and month.

(C) EXCEPTION.—Any data that is specific enough to be protected as confidential business information shall not be provided in the report under subparagraph (A).

(d) ACCREDITATION PROGRAM.—Section 2115 of the Organic Foods Production Act of 1990 (7 U.S.C. 6514) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) OVERSIGHT OF SATISFICE OFFICERS AND FOREIGN CERTIFICATION PROGRAMS.—As part of the accreditation of certifying agents under this section, the Secretary shall oversee any certifying agent operating in a foreign country.”.

(e) DATA ORGANIZATION AND ACCESS.—Section 2122 of the Organic Foods Production Act of 1990 (7 U.S.C. 6521) is amended by adding at the end the following:

“(1) ACCESS TO DATA DOCUMENTATION SYSTEMS.—The head of each Federal agency that administers a cross-border documentation system shall provide to the head of each other Federal agency that administers such a system access to available data from the system, including—

(A) the Automated Commercial Environment system of U.S. Customs and Border Protection; and

(B) the Phytosanitary Certificate Issuance and Tracking System of the Animal and Plant Health Inspection Service.

(2) DATA COLLECTION AND ORGANIZATION SYSTEM.—

(A) IN GENERAL.—The Secretary shall establish a new system or modify an existing data collection and organization system to collect and organize in a single system quantitative data on imports of each organically produced agricultural product accepted into the United States.

(B) ACCESS.—The single system under subparagraph (A) shall be accessible by any agency with the authority to engage in inspection of imports of agricultural products;

(ii) trade data collection and organization requirements;

(iii) enforcement of trade requirements for organically produced agricultural products.

(f) ORGANIC AGRICULTURAL PRODUCT IMPORTS INTERAGENCY WORKING GROUP.—The Organic Foods Production Act of 1990 is amended by inserting after section 2122 (7 U.S.C. 6521) the following:

“SEC. 2122A. ORGANIC AGRICULTURAL PRODUCT IMPORTS INTERAGENCY WORKING GROUP.

“(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary and the Secretary of Homeland Security shall jointly establish a working group to facilitate coordination and information sharing between the Department of Agriculture and U.S. Customs and Border Protection relating to imports of organically produced agricultural products (referred to in this section as the ‘working group’).

(2) MEMBERS.—The working group—

(A) shall include—

(i) the Secretary (or a designee); and

(ii) the Secretary of Homeland Security (or a designee); and

(B) shall not include any non-Federal officer or employee.

(3) DUTIES.—The working group shall facilitate coordination and information sharing between the Department of Agriculture and U.S. Customs and Border Protection for the purposes of—

(A) identifying imports of organically produced agricultural products;

(B) verifying the authenticity of organically produced agricultural product import documentation, such as national organic program import certificates;

(C) ensuring imported agricultural products represented as organically produced meet the requirements under this title;

(D) reviewing the collection and organization of quantitative data on imports of organically produced agricultural products; and

(E) reporting to Congress on—

(i) enforcement activity carried out by the Department of Agriculture or U.S. Customs and Border Protection in the United States or abroad; and

(ii) barriers to preventing agricultural products fraudulently represented as organically produced from entry into the United States.

(b) DESIGNATED EMPLOYEES AND OFFICIALS.—An employee or official designated to carry out the duties of the Secretary or the Secretary of Homeland Security on the working group shall submit to Congress and make publicly available on the websites of the Department of Agriculture and U.S. Customs and Border Protection the following reports:

(1) ORGANIC TRADE ENFORCEMENT INTERAGENCY COORDINATION REPORT.—A report—

(2) DATA COLLECTION AND ORGANIZATION SYSTEM.

(A) IN GENERAL.—The Secretary shall establish a new system or modify an existing data collection and organization system to collect and organize in a single system quantitative data on imports of each organically produced agricultural product accepted into the United States.

(B) ACCESS.—The single system under subparagraph (A) shall be accessible by any agency with the authority to engage in inspection of imports of agricultural products;
“(A) identifying existing barriers to cooperation between the agencies involved in agricultural product import inspection, trade data collection and organization, and organic products produced by agricultural product trade enforcement, including—

“(i) U.S. Customs and Border Protection; 

“(ii) the Agricultural Marketing Service; and

“(iii) the Animal and Plant Health Inspection Service;

“(B) assessing progress toward integrating organic product enforcement into import inspection procedures of U.S. Customs and Border Protection and the Animal and Plant Health Inspection Service, including an assessment of—

“(i) the status of the development of systems for—

“(A) tracking the fumigation of imports of organically produced agricultural products into the United States; and 

“(B) electronically verifying national organic program import certificate authenticity; and

“(ii) training of U.S. Customs and Border Protection personnel on—

“(A) the systems described in clause (i); and

“(B) requirements and protocols under this title;

“(C) establishing outcome-based goals for ensuring imports of agricultural products represented as organically produced meet the requirements under this title;

“(D) providing for improved documentation and traceability of imported organically produced agricultural products;

“(E) recommending and describing steps toward the goals of—

“(i) achieving complete compliance with the requirements of this title for all agricultural products imported into the United States and represented as organically produced; and

“(ii) ensuring accurate labeling and marketing of imported agricultural products represented as organically produced by the exporter;

“(F) providing a timeline for implementing the steps described in subparagraph (E); and

“(G) identifying additional resources needed to achieve any unmet goals; and

“(H) describing staffing needs for U.S. Customs and Border Protection and the Department of Agriculture to achieve the goals for ensuring organic integrity described in the report.

“(2) REPORT ON ENFORCEMENT ACTIONS TAKEN ON ORGANIC IMPORTS.—A report—

“(A) providing detailed quantitative data (broken down by commodity type, quantity, value, month, and origin) on imports of agricultural products represented as organically produced found to be fraudulent or lacking any documentation required under this title at the port of entry during the report year;

“(B) providing data on domestic enforcement actions taken on imported agricultural products represented as organically produced, including—

“(i) the number and type of actions taken by United States officials at ports of entry in response to violations of this title; and

“(ii) the total quantity and value of the agricultural products that were the subject of the actions, broken down by product variety and country of origin;

“(C) providing data on fumigation of agricultural products represented as organically produced at ports of entry and notifications of fumigation actions to shipowners, broken down by product variety and country of origin; and

“(D) providing information on enforcement activities involving inspections and compliance actions taken within that year, including—

“(1) the number of investigations by country; and

“(2) a descriptive summary of compliance actions taken by certifying agents in each country.

“SEC. 10105. NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.

“(a) ELIMINATION OF DIRECTED DELEGATION.—Section 10606(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523(a)) is amended by striking “(acting through the Agricultural Marketing Service)”.

“(b) FUNDING.—Section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523) is amended by striking subsection (d) and inserting the following:

“(d) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out section 6523(a) $5,000,000 for fiscal year 2019, to remain available until expended.

“SEC. 10106. FOOD SAFETY EDUCATION INITIATIVES.

“Section 10105(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7665(a)) is amended by striking ‘‘2018’’ and inserting ‘‘2023’’.

“SEC. 10107. SCRAPYARD BLOCK GRANTS.

“Section 10107 of the Specialty Crops Competitive Grants Act of 2004 (7 U.S.C. 1621 note; Public Law 108–165) is amended—

“(1) in subsection (a), by striking ‘‘2018’’ and inserting ‘‘2023’’;

“(2) in subsection (b)(1), by striking ‘‘2018’’ and inserting ‘‘2023’’;

“(3) in subsection (c)—

“(A) in the second sentence, by striking ‘‘Secretary’’ and inserting the following: ‘‘(2) ACCEPTANCE OR REJECTION.—The Secretary shall require the applicant to—

“(A) carry’’;

“(B) in paragraph (2) (as so designated), by striking ‘‘2018’’ and inserting ‘‘2023’’; and

“(C) in paragraph (1) (as so designated)—

“(i) by striking ‘‘conduct an audit’’ and inserting ‘‘conduct’’;

“(ii) by deleting ‘‘or tuber propagated’’ and inserting ‘‘tuber propagated or asexually propagated’’.

“SEC. 10109. MULTIPLE CROP AND PESTICIDE USE SURVEY.

“(a) IN GENERAL.—The Secretary, acting through the State of the Office of Pest Management Policy, shall conduct a multiple crop and pesticide use survey of farmers to collect data for risk assessment modeling and mitigation for an active ingredient.

“(b) SUBMISSION.—The Secretary shall submit to the Administrator of the Environmental Protection Agency and make publically available the survey described in subsection (a).

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to—

“(A) carry’’;

“(B) in paragraph (2) (as so designated), by striking ‘‘2018’’ and inserting ‘‘2023’’;

“(C) in paragraph (1) (as so designated), by striking ‘‘crops at the national, regional, and local levels’’; and

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

“(3) include performance measures developed by the States department of agriculture, in consultation with specialty crop stakeholders, to be used as the primary means for performing an evaluation; and

“(4) provide best practices for methods used to enhance the competitiveness of specialty crop commodities, types of production, and geographic locations;’’.

“(B) in the second sentence, by striking ‘‘The Secretary’’ and inserting the following: ‘‘(2) ACCEPTANCE OR REJECTION.—The Secretary shall—

“(1) in general.—In reviewing and

“(C) in paragraph (1) (as so designated)—

“(i) by striking ‘‘would carry’’ and inserting the following: ‘‘would—

“(A) carry’’;

“(B) in paragraph (2) (as so designated), by striking ‘‘2018’’ and inserting ‘‘2023’’; and

“(C) in paragraph (1) (as so designated)—

“(i) by striking ‘‘conduct an audit’’ and inserting ‘‘conduct’’;

“(ii) by deleting ‘‘or tuber propagated’’ and inserting ‘‘tuber propagated or asexually propagated’’.

“(B) in the second sentence, by striking ‘‘Not later than 30 days after the completion of the audit, and inserting the following: ‘‘(2) SUBMISSION OF AUDIT.—Not later than 30 days after the completion of the audit under paragraph (1A);’’.

“(3) in subsection (c)—

“(A) in paragraph (1), by striking ‘‘3’’ and inserting ‘‘4’’;

“(B) in paragraph (2), by striking ‘‘8’’ and inserting ‘‘9’’; and

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

“(3) GUIDANCE.—

“(A) IN GENERAL.—Each year, prior to the submission of State plans under subsection (d), the Secretary shall provide guidance to States regarding best practices and national and regional priorities.

“(B) NATIONAL AND REGIONAL PRIORITIES.—National and regional priorities described in subparagraph (A) shall be—

“(i) based on formal stakeholder input; and

“(ii) considered by the Secretary as States develop State plans under subsection (d).

“(4) MULTISTATE PROJECTS.—Notwithstanding subsection (a) and paragraph (1), the Administrator of the Agricultural Marketing Service shall administer the funds of approved multistate projects under subsection (j); and

“(B) in subsection (1)(2)(E), by inserting ‘‘and each fiscal year thereafter’’ before the period at the end.

“SEC. 10108. PLANT VARIETY PROTECTION.

“Section 42(a) of the Plant Variety Protection Act (7 U.S.C. 2420(a)) is amended in the matter preceding paragraph (1) by striking ‘‘or tuber propagated’’ and inserting ‘‘tuber propagated or asexually propagated’’.

“SEC. 10109. MULTIPLE CROP AND PESTICIDE USE SURVEY.

“(a) IN GENERAL.—The Secretary, acting through the Director of the Office of Pest Management Policy, shall conduct a multiple crop and pesticide use survey of farmers to collect data for risk assessment modeling and mitigation for an active ingredient.

“(b) SUBMISSION.—The Secretary shall submit to the Administrator of the Environmental Protection Agency and make publically available the survey described in subsection (a).

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to—
carry out this section $2,500,000, to remain available until expended.

d. CONFIDENTIALITY OF INFORMATION.—Section 1770 of the Food Security Act of 1985 (7 U.S.C. 2276) is amended—

(1) in subsection (a)—

(A) by striking “(a) in the case” and inserting the following: “(a) in the case;” and

(B) in paragraph (3), by striking “subsection (d)(12)” and inserting “paragraph (12) or (13) of subsection (d)”;

(2) in subsection (d)—

(A) by striking “(d) For purposes” and inserting the following:

“(d) PROVISIONS OF LAW REFERENCES.—For purposes of this section—

(B) in paragraph (11), by striking “or” at the end;

(C) in paragraph (12), by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(13) section 10109 of the Agriculture Improvement Act of 2018.”

SEC. 10110. CLARIFICATION OF USE OF FUNDS FOR TECHNICAL ASSISTANCE.

Section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) is amended—

(B) in paragraph (11), by striking “or” at the end and inserting “; or”;

(D) by adding at the end the following:

“(13) section 10109 of the Agriculture Improvement Act of 2018.”

SEC. 10111. HEMP PRODUCTION.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

“Subtitle G—Hemp Production

SEC. 297A. DEFINITIONS.

“In this subtitle:

“(1) HEMP.—The term ‘hep’ means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

“(2) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“(4) STATE.—The term ‘State’ means—

“(A) a State;

“(B) the District of Columbia;

“(C) the Commonwealth of Puerto Rico; and

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

“(5) STATE DEPARTMENT OF AGRICULTURE.—The term ‘State department of agriculture’ means the agency, commission, or department of a State government responsible for agriculture in the State.

“(6) TRIBAL GOVERNMENT.—The term ‘Tribal government’ means the governing body of an Indian tribe.

SEC. 297B. STATE AND TRIBAL PLANS.

(a) SUBMISSION.—

“(1) IN GENERAL.—A State or Indian tribe desiring to have primary regulatory authority over the production of hemp in the State or territory of the Indian tribe shall submit to the Secretary, through the State department of agriculture (in consultation with the Governor and chief law enforcement officer of the State) or the Tribal government, as applicable, a plan under which the State or Indian tribe monitors and regulates that production as described in paragraph (2).

“(2) CONTENTS.—A State or Tribal plan referred to in paragraph (1)—

“(A) shall only be required to include—

“(i) a practice to maintain relevant information regarding land on which hemp is produced in the State or territory of the Indian tribe, including a legal description of the land, for a period of not less than 3 calendar years;

“(ii) a procedure for testing, using post-decarboxylation or other similarly reliable methods, any hemp or extract of hemp, to the extent that law is consistent with this subtitle;

“(iii) a procedure for the effective disposal of products that are produced in violation of this subtitle;

“(iv) a procedure to comply with the enforcement procedures under subsection (d);

“(v) a providing annual inspections of a random sample of hemp producers—

“(I) to verify that hemp is not produced in violation of this subtitle; and

“(II) in a manner that ensures that a hemp producer is subject to not more than 1 inspection each year; and

“(vi) a certification that the State or Indian tribe has the resources and personnel to carry out the practices and procedures described in clauses (i) through (v); and

“(B) may include a plan for an enforcement procedure established by a State or Indian tribe, as applicable, to the extent that the practices or procedures are consistent with this subtitle.

“(3) RELATION TO STATE AND TRIBAL LAW.—

“(A) NO PREEMPTION.—Nothing in this subsection preempts or limits any law of a State or Indian tribe regulating the production of hemp, to the extent that law is consistent with this subtitle.

“(B) REFERENCES IN PLANS.—A State or Tribal plan referred to in paragraph (1) may include a reference to a law of the State or Indian tribe regulating the production of hemp, to the extent that law is consistent with this subtitle.

“(2) AMENDED PLANS.—If the Secretary disapproves a plan under paragraph (1), the Secretary may approve an amended plan established in consultation with the Governor and chief law enforcement officer of the State or the Tribal government, as applicable, to the extent that the Secretary approves the amended plan.

“(A) IN GENERAL.—A hemp producer in a State or Tribal plan may apply for an amended plan referred to in paragraph (1) if the Secretary determines that a hemp producer in the State or Tribal plan has negligently violated the State or Tribal plan.

“(2) NEGLIGENT VIOLATIONS.—

“(A) IN GENERAL.—For purposes of this subsection, a hemp producer has negligently violated the State or Tribal plan if the hemp producer has negligently violated the State or Tribal plan.

“(B) CORRECTIVE ACTION PLAN.—A hemp producer that negligently violates a State or Tribal plan under paragraph (A) shall immediately report the hemp producer to—

“(I) the Attorney General; and

“(II) in the case of a State department of agriculture, the chief law enforcement officer of the State; and

“(C) RESULT OF NEGLIGENT VIOLATION.—Excess, as provided in paragraph (B)(i), of a hemp producer that negligently violates a State or Tribal plan under subparagraph (A) shall not as a result of that violation be subject to any criminal or civil enforcement action by the Federal Government or any State government, Tribal government, or local government other than the enforcement action authorized under subparagraph (B).

“(D) REPEAT VIOLATIONS.—A hemp producer that negligently violates a State or Tribal plan under subparagraph (A) 3 times in a 5 year period shall be ineligible to produce hemp for a period of 5 years beginning on the date of the third violation.

“(E) OTHER VIOLATIONS.—

“(A) IN GENERAL.—If a State department of agriculture or Tribal government in a State or the territory of an Indian tribe for which a State or Tribal plan is approved under subsection (b), as applicable, determines that a hemp producer in the State or territory has violated the State or Tribal plan with a culpable mental state greater than negligence—

“(i) the State department of agriculture or Tribal government, as applicable, shall immediately report the hemp producer to—

“(I) the Attorney General; and

“(II) in the case of a State department of agriculture, the chief law enforcement officer of the State; and

“(ii) paragraph (1) of this subsection shall not apply to the violation.

“(B) Felony.—Any person convicted of a felony relating to a controlled substance under State or Federal law shall be ineligible—

“(i) to participate in the program established under this section; and

“(ii) to produce hemp under any regulations or guidelines issued under section 297(a).

“(C) FALSE STATEMENT.—Any person who materially falsifies any information contained in an application to participate in the program established under this section shall be ineligible to participate in that program.

“(D) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

“(E) EFFECT.—Nothing in this section prohibits the production of hemp in a State or the territory of an Indian tribe for which a State or Tribal plan is not approved under this section in accordance with section 297C or other Federal laws (including regulations promulgated under such laws).

SEC. 297C. DEPARTMENT OF AGRICULTURE.

“(a) DEPARTMENT OF AGRICULTURE.—
"(1) IN GENERAL.—In the case of a State or Indian tribe for which a State or Tribal plan is not approved under section 297B, the production of hemp in that State or the territory of the Indian tribe shall be subject to a plan established by the Secretary to monitor and regulate that production in accordance with paragraph (2).

(2) EFFECT ON OTHER LAW.—Nothing in this subtitle shall affect or modify—

(1) the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

(2) the authority of the Commissioner of Food and Drugs and the Secretary of Health and Human Services under that Act.

SEC. 297D. AUTHORITY TO ISSUE REGULATIONS AND GUIDELINES; EFFECT ON OTHER LAW.

(1) AUTHORITY.—

(1) IN GENERAL.—The Secretary shall have sole charge and supervision of the Federal regulations and guidelines that relate to the production of hemp, including Federal regulations and guidelines that relate to the implementation of sections 297B and 297C.

(2) CONSULTATION WITH ATTORNEY GENERAL.—The Attorney General shall consult with the Secretary in the development of regulations and guidelines to ensure that—

(1) the Federal law establishing the Secretary’s authority to regulate hemp production is applied consistently with this subtitle;

(2) the authority of the Commissioner of Food and Drugs and the Secretary of Health and Human Services under that Act.

(2) EFFECT ON OTHER LAW.—Nothing in this subtitle shall affect or modify—

(1) the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

(2) the authority of the Commissioner of Food and Drugs and the Secretary of Health and Human Services under that Act.

SEC. 11105. SPECIALTY CROPS.

(a) SPECIALTY CROPS COORDINATOR.—Section 507(e) of the Federal Crop Insurance Act (7 U.S.C. 1507(e)) is amended by adding at the end the following:

"(6) COVER CROP TERMINATION.—The term ‘cover crop termination’ means a practice that, historically and under reasonable circumstances results in the termination of the growth of a cover crop.”.

SEC. 11106. SHAREHOLDERS OF INSURANCE COMPANY.

Section 297B(a)(3) of the Federal Crop Insurance Act (7 U.S.C. 297B(a)(3)) is amended by striking "(A)" and inserting in its place—

"(A) the determination of individual producer yields;"

"(B) sharing information on beginning farmers and ranchers; and

"(C) investigating potential waste, fraud, or abuse;"

"(D) sharing information to support the transition of crops and counties from the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) to insurance under this subtitle; and

"(E) serving as a local point of contact for the dissemination of information on risk management options available to farmers and ranchers; and

"(4) other Federal agencies, in assisting the Board in any way the Board determines is necessary in carrying out this subtitle.”.

(2) in paragraph (2), by striking “(3)” and inserting the following:

"(a) the classification of land as to risk and production capability;"

"(b) the assessment of—

"(i) long-term trends in, and impacts from, weather variability; and

"(ii) opportunities to ameliorate the impacts described in clause (i); and

"(C) the consideration of acceptable conservation practices, including good farming practices with respect to conservation (such as cover crop termination)."

SEC. 11105. SPECIALTY CROPS.

(a) SPECIALTY CROPS COORDINATOR.—Section 507(e) of the Federal Crop Insurance Act (7 U.S.C. 1507(e)) is amended by adding at the end the following:

"(4) SPECIALTY CROP LIASIONS.—The Specialty Crops Coordinator shall—

"(A) designate a Specialty Crops Liaison in each regional field office; and

"(B) share the contact information of the Specialty Crops Liaisons with specialty crop producers.

(b) WEBSITE.—

"(A) IN GENERAL.—The Specialty Crops Coordinator shall—

"(B) share the contact information of the Specialty Crops Liaisons with specialty crop producers.

(c) OTHER VALUE-ADDED CROPS.—Section 508(a)(6) of the Federal Crop Insurance Act (7 U.S.C. 2276) is amended—

"(1) by striking paragraphs (5) and (6) and inserting in their place—

"(5) to provide information to specialty crop producers and ranchers; and

"(6) in paragraph (5), by striking "(5)” and inserting the following:

"(E) serving as a local point of contact for the dissemination of information on risk management options available to farmers and ranchers; and

"(4) other Federal agencies, in assisting the Board in any way the Board determines is necessary in carrying out this subtitle.”.

(2) in paragraph (2), by striking “(3)” and inserting the following:

"(a) the classification of land as to risk and production capability;"

"(b) the assessment of—

"(i) long-term trends in, and impacts from, weather variability; and

"(ii) opportunities to ameliorate the impacts described in clause (i); and

"(C) the consideration of acceptable conservation practices, including good farming practices with respect to conservation (such as cover crop termination)."

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"(A) designate a Specialty Crops Liaison in each regional field office; and

"(B) share the contact information of the Specialty Crops Liaisons with specialty crop producers.

(b) WEBSITE.—

"(A) IN GENERAL.—The Specialty Crops Coordinator shall—

"(B) share the contact information of the Specialty Crops Liaisons with specialty crop producers.

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"(1) by striking paragraphs (5) and (6) and inserting in their place—

"(5) to provide information to specialty crop producers and ranchers; and

"(6) in paragraph (5), by striking "(5)” and inserting the following:

"(E) serving as a local point of contact for the dissemination of information on risk management options available to farmers and ranchers; and

"(4) other Federal agencies, in assisting the Board in any way the Board determines is necessary in carrying out this subtitle.”.

(2) in paragraph (2), by striking “(3)” and inserting the following:

"(a) the classification of land as to risk and production capability;"

"(b) the assessment of—

"(i) long-term trends in, and impacts from, weather variability; and

"(ii) opportunities to ameliorate the impacts described in clause (i); and

"(C) the consideration of acceptable conservation practices, including good farming practices with respect to conservation (such as cover crop termination)."

SEC. 11105. SPECIALTY CROPS.

(a) SPECIALTY CROPS COORDINATOR.—Section 507(e) of the Federal Crop Insurance Act (7 U.S.C. 1507(e)) is amended by adding at the end the following:

"(4) SPECIALTY CROP LIASIONS.—The Specialty Crops Coordinator shall—

"(A) designate a Specialty Crops Liaison in each regional field office; and

"(B) share the contact information of the Specialty Crops Liaisons with specialty crop producers.

(b) WEBSITE.—

"(A) IN GENERAL.—The Specialty Crops Coordinator shall—

"(B) share the contact information of the Specialty Crops Liaisons with specialty crop producers.

(c) OTHER VALUE-ADDED CROPS.—Section 508(a)(6) of the Federal Crop Insurance Act (7 U.S.C. 2276) is amended—

"(1) by striking paragraphs (5) and (6) and inserting in their place—

"(5) to provide information to specialty crop producers and ranchers; and

"(6) in paragraph (5), by striking "(5)” and inserting the following:

"(E) serving as a local point of contact for the dissemination of information on risk management options available to farmers and ranchers; and

"(4) other Federal agencies, in assisting the Board in any way the Board determines is necessary in carrying out this subtitle.”.

(2) in paragraph (2), by striking “(3)” and inserting the following:

"(a) the classification of land as to risk and production capability;"

"(b) the assessment of—

"(i) long-term trends in, and impacts from, weather variability; and

"(ii) opportunities to ameliorate the impacts described in clause (i); and

"(C) the consideration of acceptable conservation practices, including good farming practices with respect to conservation (such as cover crop termination)."
other data, and present to the Board not less than 2 of each of the following:

“(i) Research and development for a policy or plan of insurance for a new crop.

(ii) Evaluation of an existing policy or plan of insurance to additional counties or States, including marketing and endorsement contracts.

(iii) Evaluation of the development for a new policy or plan of insurance, or endorsement, for crops with existing policies or plans of insurance, such as dollar plans.

(iv) Employment of the practices described in subclause (I) or (II) of clause (i) or (C) of subparagraph (C), in the paragraph heading, by striking “ADDITION OF NEW CROPS” and inserting “REPORT”; and

(v) by striking subparagraphs (C) and (D).

SEC. 11106. INSURANCE PERIOD.

Section 508(a)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(7)) is amended by striking “and sweet potatoes” and inserting “sweet potatoes, and hemp.”

SEC. 11107. COVER CROPS.

Section 508(a)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(7)) is amended—

(1) in paragraph (3)—

(A) by striking “of the practices described in subclauses (I) and (II) of clause (i) or (C) of subparagraph (C) and (D), respectively;”;

(B) by striking subparagraphs (C) and (D), respectively;

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

“(B) Voluntary Good Farming Practices.—

“(i) In general.—Subject to clause (ii), the following voluntary practices shall be considered good farming practices under subparagraph (A)(iii):

“(I) A scientifically sound, sustainable, and organic farming practice, as determined by the Secretary;

“(II) A conservation activity or enhancement (including cover crops) that is approved by the Natural Resources Conservation Service or an agricultural expert, as determined by the Secretary.

“(ii) Expected Growth.—A practice described in subclause (I) or (II) of clause (i) shall be considered a good farming practice only if under that practice the insured crop may be expected to make normal progress toward maturity under typical growing conditions, as determined by the Secretary.

“(D) in subparagraph (C) (as so redesignated), in the paragraph heading, by inserting “and determining the risk relative to other practices.”

“(E) In general.—Cover crop termination shall not affect the insurability of a subsequently planted insured crop if the cover crop termination is carried out according to guidelines—

“(i) established by the Secretary; or

“(ii) approved by—

“(A) the Natural Resources Conservation Service; or

“(B) an agricultural expert, as determined by the Corporation.

“(F) Summer Fallow.—In a county in which summer fallow is an insurable practice, a cover crop in that county that is terminated according to guidelines established by the Secretary shall be considered as summer fallow for the purposes of insurability.”.

SEC. 11108. UNDERSERVED PRODUCERS.

Section 508(a)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(7)) is amended—

(1) in the paragraph heading, by inserting “AND UNDERSERVED PRODUCERS” after “STATES”; and

(2) in subparagraph (A)—

(A) by striking the designation and heading and all that follows through “the term” and inserting the following:

“(A) Definitions.—In this paragraph:

“(i) Adequate departure.—The term;”;

(B) in clause (i) (as so designated), by striking “participation rate” and inserting “participation rate, by crop; “;

(C) by adding to the following:

“(ii) Underserved Producer.—The term ‘underserved producer’ means a beginning farmer or rancher, a veteran farmer or rancher, or a socially disadvantaged farmer or rancher.”;

(3) in subparagraph (B)—

(A) by striking “The Board” and inserting the following:

“(i) In general.—The Board;”;

(B) in clause (i) (as so designated), by striking “subject to paragraph (B)” and inserting “subject to clause (ii),” before “will likely”; and

(C) by adding to the end the following:

“(ii) Types of Construction.—In conducting the review under clause (i), the Board shall examine the types of production common among underserved producers, such as diversified production for local markets;”;

(4) by adding at the end:

“(D) Types of Construction.—In conducting the review under clause (i), the Board shall examine the types of production common among underserved producers, including policies and plans of insurance for underserved producers;”;

(5) by adding to the end:

“(D) Types of Construction.—In conducting the review under clause (i), the Board shall examine the types of production common among underserved producers, including policies and plans of insurance for underserved producers.”

SEC. 11109. EXPANSION OF PERFORMANCE-BASED DISCOUNT.

Section 508(d)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(3)) is amended—

(1) by striking “The Corporation” and inserting “The Corporation and”;

(2) by adding at the end the following:

“(A) Risk-Reducing Practice Discount.—

“(i) In general.—The Corporation and the Board shall pay to the approved insurance provider, to the extent of the premium subsidy for a member of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f), as certified to the Secretary by the Chairperson of that Indian tribe (or a designee), shall be 90 percent for the first purchase of that policy or plan of insurance by that member of an Indian tribe.”

SEC. 11112. SUBMISSION OF POLICIES AND MATERIALS TO BOARD.

Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (1)(B)—

(A) by redesignating clauses (i) through (iii) as clauses (I) through (III), respectively, and inserting therein:

“(B) in the matter preceding subclause (I) (as so redesignated), by striking “The Corporation shall and inserting the following:

“(i) In general.—The Corporation shall consider the following:

“(A) the amount authorized under the Standard Reinsurance Revenue Policy, or successor policy, in addition to any amount authorized under subclause (I), the reimbursement shall be $300 for each Whole Farm Revenue Agent Incentive.”

SEC. 11111. PASTURE, RANGELAND, AND FORAGE POLICY FOR MEMBERS OF INDIAN TRIBES.

Section 508(e)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(7)) is amended by adding at the end the following:

“(D) Pasture, Rangeland, and Forage Policy for Members of Indian Tribes.—With respect to a policy or plan of insurance established under this subtitle for producers of livestock commodities the source of feedstock which is pasture, rangeland, and forage, the premium subsidy for a member of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f), as certified to the Secretary by the Chairperson of that Indian tribe (or a designee), shall be 90 percent for the first purchase of that policy or plan of insurance by that member of an Indian tribe.”

SEC. 11113. WHOLE FARM REVENUE AGENT INCENTIVES.

Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following:

“(G) Whole Farm Revenue Agent Incentives.—

“(i) In general.—Beginning with the 2019 reinsurance year, in the case of an agent that sells a Whole Farm Revenue Policy, or a successor policy, the Corporation shall provide to the approved insurance provider, to pay to the agent, an additional reimbursement, determined in accordance with the following:

“(ii) If the compensation of the agent authorized under the Standard Reinsurance Agreement for the policy is less than $1,000, the reimbursement shall be an amount equal to the difference between

“(aa) $1,000; and

“(bb) the amount authorized under the Standard Reinsurance Agreement for the policy.

“(ii) If the producer, or any entity in which the producer had an insurable interest, has never previously obtained coverage under a Whole Farm Revenue Policy, or a successor policy, in addition to any amount authorized under subclause (I), the reimbursement shall be $300 for each Whole Farm Revenue Policy, or successor policy.

“(ii) Limitation on Use.—Any additional reimbursement authorized under clause (i)

SEC. 11111. PASTURE, RANGELAND, AND FORAGE POLICY FOR MEMBERS OF INDIAN TRIBES.

Section 508(e)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(7)) is amended by adding at the end:

“(D) Pasture, Rangeland, and Forage Policy for Members of Indian Tribes.—With respect to a policy or plan of insurance established under this subtitle for producers of livestock commodities the source of feedstock which is pasture, rangeland, and forage, the premium subsidy for a member of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f), as certified to the Secretary by the Chairperson of that Indian tribe (or a designee), shall be 90 percent for the first purchase of that policy or plan of insurance by that member of an Indian tribe.”

SEC. 11112. SUBMISSION OF POLICIES AND MATERIALS TO BOARD.

Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (1)(B)—

(A) by redesignating clauses (i) through (iii) as clauses (I) through (III), respectively, and inserting therein:

“(B) in the matter preceding subclause (I) (as so redesignated), by striking “The Corporation shall and inserting the following:

“(i) In general.—The Corporation shall consider the following:

“(A) the amount authorized under the Standard Reinsurance Revenue Policy, or successor policy, in addition to any amount authorized under subclause (I), the reimbursement shall be $300 for each Whole Farm Revenue Agent Incen-
shall not be included for the purpose of establishing the limitation on the compensation for agents under the Standard Reinsurance Agreement.”.

SEC. 11114. CROP PRODUCTION ON NATIVE SOD.
Section 508(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—
(1) in paragraph (2), by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—

(1) AGRICULTURAL ACT OF 2014.—Native sod acreage that has been tilled for the production of an insurable crop during the period beginning on February 8, 2014, and ending on the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to 4 cumulative years of a reduction in benefits under this subsection as described in this paragraph.

(2) AVERAGE ACRES.—During each crop year of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an insurable hay or forage crop after the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to 4 cumulative years of a reduction in benefits under this subsection as described in this paragraph.

(3) BY SUBTRACTION.—During each crop year of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an insurable crop after the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to 4 cumulative years of a reduction in benefits under this subsection as described in this paragraph.

(4) BY REDISEGREGATION.—During each crop year of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an insurable crop after the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to 4 cumulative years of a reduction in benefits under this subsection as described in this paragraph.

(5) BY ALTERATION.—(A) by striking “The information required by paragraph (1)” and inserting the following:

“(A) IN GENERAL.—The information required to be submitted under subparagraph (A) (through C) of paragraph (1); and

(B) by adding at the end the following:

“(B) ACTUAL PRODUCTION HISTORY.—The information required to be submitted under paragraph (1)(D) with respect to an applicable policy or plan of insurance shall be submitted so as to ensure receipt by the Corporation not later than the Saturday of the week containing the calendar day that is 30 days after the applicable production reporting date for the crop to be insured.”.

SEC. 11117. ACREAGE REPORT STREAMLINING INITIATIVE.
Section 515(g) of the Federal Crop Insurance Act (7 U.S.C. 1515(g)) is amended—
(1) in paragraph (1), by adding at the end the following:

“(D) The actual production history to be used to establish allowable yields.; and

(2) in paragraph (2) —

(A) by striking “The information required by paragraph (1)” and inserting the following:

“(A) IN GENERAL.—The information required to be submitted under subparagraphs (A) (through C) of paragraph (1); and

(B) by adding at the end the following:

“(B) ACTUAL PRODUCTION HISTORY.—The information required to be submitted under paragraph (1)(D) with respect to an applicable policy or plan of insurance shall be submitted so as to ensure receipt by the Corporation not later than the Saturday of the week containing the calendar day that is 30 days after the applicable production reporting date for the crop to be insured.”.

SEC. 11115. USE OF NATIONAL AGRICULTURAL STATISTICS SERVICE DATA TO COMPUTE WASTE, FRAUD, AND ABUSE.
Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—
(1) in subsection (d)(1) —

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(D) using any published aggregate data from the National Agricultural Statistics Service or any other data source to

(ii) detect yield disparities or other data anomalies that indicate potential fraud; and

(iii) target the relevant counties, crops, regions, companies, or agents associated with that potential fraud for audits and enforcement actions.”; and

(2) in subsection (f)(2)(A), by striking “pur- suant to” each place it appears and inserting “under”.

SEC. 11116. SUBMISSION OF INFORMATION TO CORPORATION.
Section 515(g) of the Federal Crop Insurance Act (7 U.S.C. 1515(g)) is amended—
(1) in paragraph (1), by adding at the end the following:

“(B) The actual production history to be used to establish allowable yields.”;

(2) in paragraph (2) —

(A) by striking “The information required by paragraph (1)” and inserting the following:

“(A) IN GENERAL.—The information required to be submitted under subparagraphs (A) (through C) of paragraph (1); and

(B) by adding at the end the following:

“(B) ACTUAL PRODUCTION HISTORY.—The information required to be submitted under paragraph (1)(D) with respect to an applicable policy or plan of insurance shall be submitted so as to ensure receipt by the Corporation not later than the Saturday of the week containing the calendar day that is 30 days after the applicable production reporting date for the crop to be insured.”.

SEC. 11119. FUNDING FOR INFORMATION TECHNOLOGY.
Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended in subsection (i)(1)(A) (as redesignated by section 11118(i))—
(1) by striking clause (ii); and

(2) in clause (i) —

(A) by striking “(ii)” for and inserting the following:

“(i)”;

(B) by striking “and” at the end; and

(C) by redesignating clause (ii) as clause (i)(ii).

(3) in clause (i)(ii) (as so redesignated), by striking “or” at the end and inserting “and”;

(4) by inserting after clause (ii) (as so redesignated) the following:

“(iii) for each of fiscal years 2019 and 2020, $1,000,000.”.

SEC. 11120. AGRICULTURAL COMMODITY.
Section 518 of the Federal Crop Insurance Act (7 U.S.C. 1518) is amended by inserting “hemp,” before “aquacultural species”.

SEC. 11121. REIMBURSEMENT, DEVELOPMENT, AND MAINTENANCE COSTS.
Section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)) is amended—
(1) in paragraph (2), by adding at the end the following:

“(A) by adding at the end the following:

“(A) BY WAIVER FOR HEMP.—The Board may waive the viability and marketability requirements under this paragraph in the case of research and development relating to a policy to insure the production of hemp.”;

(2) in paragraph (3)—

(A) by striking “The Corporation” and inserting the following:

“(A) the Corporation;”;

(B) by adding at the end the following:

“(B) WAIVER FOR HEMP.—The Corporation may waive the marketability requirements under subparagraph (A) in the case of research and development relating to a policy to insure the production of hemp.”.

SEC. 11122. RESEARCH AND DEVELOPMENT AUTHORITY.
Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—
(1) by striking paragraphs (7) through (18) and (20) through (23); and

(2) by redesignating paragraphs (19) and (24) as paragraphs (7) and (8), respectively.

(3) in paragraph (7) (as so redesignated) (entitled “Whole farm diversified risk management insurance plan”), by adding at the end the following:

“(E) REVIEW OF MODIFICATIONS TO IMPROVE EFFECTIVENESS.—

“(1) IN GENERAL.—Not later than 2 years after the date of the enactment of the Agriculture Improvement Act of 2018, the Corporation shall—

(i) hold stakeholder meetings to solicit producers and agent feedback;

(ii) review procedures and paperwork requirements on agents and producers; and
“(III) modify procedures and requirements, as appropriate, to decrease burdens on farmers; and increase flexibility and effectiveness.

“(ii) FACTORS.—In carrying out subclauses (II) and (III) of clause (i), the Corporation shall consider—

“(I) removing caps on nursery and livestock production;

“(II) resulting in a waiver to expand operations, especially for small and beginning farmers;

“(III) minimizing paperwork for producers and agents;

“(IV) implementing an option for producers with less than $1,000,000 in gross revenue that requires significantly less paperwork and recordkeeping;

“(V) developing, using and alternative records such as time-stamped photographs or technology applications to document planting and production history;

“(VI) treating the different growth stages of aquaculture species as separate crops to recognize the difference in perils at different phases of growth;

“(VII) moderating the impacts of disaster years on historic revenue, such as—

“(aa) using an average of the historic and projected revenue;

“(bb) using an assigned yield floor similar to a T-Yield, as determined by the Secretary; and

“(cc) using an assigned yield floor similar to a T-Yield, as determined by the Secretary.

“(VIII) improving agent training and outreach to underserved regions and sectors such as specialty crops.”

“(4) by inserting after paragraph (8) (as so redesignated) the following:

“(9) IRRIGATED GRAIN SORGHUM CROP INSURANCE.

“(A) IN GENERAL.—The Corporation shall—

“(i) carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development and

“(ii) consider any recommendations with respect to how to improve participation in that program.

“(B) RESEARCH.—In carrying out research under subparagraph (A), a qualified person shall—

“(i) collaborate with researchers on the subjects of—

“(aa) reduced irrigation practices or limited irrigation and water conservation practices; and

“(bb) expected yield reductions following the application of reduced irrigation;

“(ii) collaborate with State and Federal officials responsible for the collection of water and the regulation of water use for the purpose of irrigation;

“(iii) provide recommendations to encourage producers to carry out limited irrigation practices or reduced irrigation and water conservation practices; and

“(iv) develop applications that will streamline access to coverage for producers electing to conserve water use on irrigated crops.

“(C) REPORT.—Not later than 18 months after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research carried out under subparagraphs (A) and (B);

“(ii) any recommendations to encourage producers to carry out limited irrigation practices or reduced irrigation and water conservation practices; and

“(iii) the actions taken by the Corporation to carry out the recommendations described in clause (ii).

“(11) QUALITY LOSS.—

“(A) IN GENERAL.—The Corporation shall—

“(i) carry out research, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding the establishment of new, alternative or expanded methods of adjusting for quality losses:

“(I) a method that does not impact the average production history of a producer;

“(II) a method that is optional for a producer to elect to use;

“(III) a method that provides that, in circumstances in which a producer has suffered a quality loss to the insured crop of the producer that is insufficient to trigger an indemnity payment, the producer may elect to exclude that quality loss from the actual production history of the producer.

“(iv) 1 or more methods that combine 2 or more of the methods described in clauses (i) through (iii).

“(B) REQUIREMENTS.—Notwithstanding subsections (g) and (m) of section 508b, any method developed under subparagraph (A) that is used by the Corporation shall be—

“(i) optional for a producer to use; and

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

“(C) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the research and development carried out under subparagraph (A).

“(12) CITRUS.—

“(A) IN GENERAL.—The Corporation shall—

“(i) carry out research, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding the insurance of citrus fruit commodities and commodity types, including research and development of—

“(I) improvements to 1 or more existing policies, including the whole-farm revenue protection pilot policy;

“(II) alternative methods of insuring revenue for citrus fruit commodities and commodity types;

“(III) the development of new, or expansion policies for citrus fruit commodities and commodity types;

“(B) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraph (A); and

“(ii) any recommendations with respect to those results.

“(13) HOPS.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure the production of hops derived from the production of hops.

“(B) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraph (A); and

“(ii) any recommendations with respect to those results.
the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(i) the results of the research and development conducted under subparagraph (A); and

(ii) any recommendations with respect to those results.

(15) LOCAL FOODS.—

(A) IN GENERAL.—

(i) RESEARCH AND DEVELOPMENT.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure production—

(I) of floriculture, fruits, vegetables, poultry, or livestocks; and

(ii) that is targeted toward local consumers and markets.

(ii) AVAILABILITY OF POLICY OR PLAN OF INSURANCE.—Notwithstanding the last sentence of section 508(a)(1), and section 508(a)(2), the Corporation shall make a policy or plan of insurance described in clause (i) available if the requirements of section 508(h) are met.

(B) RESEARCH AND DEVELOPMENT DESCRIBED.—Research and development described in subparagraph (A)(i) shall evaluate the effectiveness of policies and plans of insurance for producers in high risk areas, including policies and plans of insurance that—

(i) consider small-scale production in various areas, including urban, suburban, and rural areas;

(ii) consider a variety of marketing strategies, including—

(I) direct-to-consumer marketing;

(II) farmers markets;

(III) farm-to-institution marketing; and

(IV) marketing through community-supported agriculture;

(iii) allow for production in soil and in alternative systems such as vertical systems, greenhouses, rooftops, or hydroponic systems;

(iv) consider the price premium when accounting for production or revenue losses;

(v) consider whether to provide coverage—

(I) for various types of production under 1 policy or plan of insurance; and

(II) for the loss of each specific type of plant per policy or plan of insurance; and

(vi) have streamlined reporting and paperwork requirements.

(C) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(i) examines whether a version of existing policies as the whole-farm revenue protection insurance plan may be tailored to provide improved coverage for producers of local foods;

(ii) describes the results of the research and development conducted under subparagraphs (A) and (B); and

(iii) includes any recommendations with respect to those results.

SEC. 11213. EDUCATION ASSISTANCE.


SEC. 11124. CROPLAND REPORT ANNUAL UPDATES.

Section 1010(c)(2) of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 963) is amended in the matter preceding subparagraph (A) by striking “2018” and inserting “2023”.

(16) INSURABLE IRRIGATION PRACTICES FOR BATTURE-LAND PRODUCERS.—

(A) IN GENERAL.—In carrying out the Agriculture Improvement Act of 2018, the Corporation shall submit a report to the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(i) the results of the research and development carried out under paragraph (1); and

(ii) any recommendations with respect to those results.

(B) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(i) the results of the research and development carried out under paragraph (1); and

(ii) any recommendations with respect to those results.

(17) HIGH-RISK, HIGHLY PROTECTIVE BATTURE-LAND POLICY.—

(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure producers of cotton, cotton, soybeans—

(I) that have a history of production of not less than 5 years; and

(II) that have been impacted by more frequent flooding over the past 10 years due to sedimentation and federally constructed engineering improvements.

(B) AVAILABILITY OF POLICY OR PLAN OF INSURANCE.—Notwithstanding the last sentence of section 508(a)(1), and section 508(a)(2), the Corporation shall make a policy or plan of insurance described in clause (i) available if the requirements of section 508(h) are met.

(C) RESEARCH AND DEVELOPMENT DESCRIBED.—Research and development described in subparagraph (A)(i) shall evaluate the feasibility of less cost-prohibitive policies and plans of insurance for batture-land producers in high risk areas, including policies and plans of insurance that—

(i) consider small-scale production in various areas, including urban, suburban, and rural areas;

(ii) consider a variety of marketing strategies, including—

(I) direct-to-consumer marketing;

(II) farmers markets;

(III) farm-to-institution marketing; and

(IV) marketing through community-supported agriculture;

(iii) allow for production in soil and in alternative systems such as vertical systems, greenhouses, rooftops, or hydroponic systems;

(iv) consider the price premium when accounting for production or revenue losses;

(v) consider whether to provide coverage—

(I) for various types of production under 1 policy or plan of insurance; and

(II) for the loss of each specific type of plant per policy or plan of insurance; and

(vi) have streamlined reporting and paperwork requirements.

(D) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(i) examines whether a version of existing policies as the whole-farm revenue protection insurance plan may be tailored to provide improved coverage for batture-land producers;

(ii) describes the results of the research and development conducted under subparagraphs (A) and (B); and

(iii) includes any recommendations with respect to those results.

SEC. 12101. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

Section 209 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627a) is amended by striking subsection (c) and inserting the following:

(c) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to the Secretary to carry out this section $1,000,000 for each of fiscal years 2019 through 2023.

SEC. 12102. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

Section 109(b)(d) of the Animal Health Protection Act (7 U.S.C. 8308a(d)) is amended by striking “$15,000,000 for each of fiscal years 2014 through 2018” and inserting “$30,000,000 for each of fiscal years 2019 through 2023.”

SEC. 12103. NATIONAL ANIMAL DISEASE PREPAREDNESS, RESPONSE, AND RECOVERY PROGRAM; NATIONAL ANIMAL VACCINE AND VETERINARY COUNTERMEASURES BANK.

The Animal Health Protection Act is amended by inserting a new section 10409A (7 U.S.C. 8308a) the following:

SEC. 10409A. NATIONAL ANIMAL DISEASE PREPAREDNESS, RESPONSE, AND RECOVERY PROGRAM; NATIONAL ANIMAL VACCINE AND VETERINARY COUNTERMEASURES BANK.

(A) NATIONAL ANIMAL DISEASE PREPAREDNESS, RESPONSE, AND RECOVERY PROGRAM.—

(i) IN GENERAL.—To prevent the introduction into or the dissemination within the United States of any pest or disease of animals affecting the economic interests of the livestock and related industries of the United States (including the maintenance and expansion of export market potential), the Secretary shall enter into an agreement known as the ‘National Animal Disease Preparedness, Response, and Recovery Program’ (referred to in this subsection as the Program).

(ii) ELIGIBLE ACTIVITIES.—Under the Program, the Secretary shall support activities to prevent, detect, and rapidly respond to animal pests and diseases, including—

(A) enhancing animal pest and disease analysis and surveillance;

(B) expanding education and outreach;

(C) targeting domestic or imported activities at vulnerable points in the safeguarding continuum;

(D) enhancing and strengthening threat identification and traceback capabilities;

(E) improving biosecurity;

(F) enhancing emergency preparedness and response capabilities, including training additional emergency response personnel;

(G) conducting technology development to enhance electronic sharing of animal health data for risk analysis between State and Federal animal health officials;

(H) enhancing the development and effectiveness of animal health technologies to detect and prevent disease, including veterinary diagnostics, animal medical devices, and emerging veterinary countermeasures; and

(i) such other activities as determined appropriate by the Secretary, in consultation with entities described in paragraph (3)(B).

(B) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—In carrying out the Program, the Secretary shall enter into cooperative agreements or other legal instruments with entities described in subparagraph (B) to carry out activities described in paragraph (A).

(ii) ELIGIBLE ENTITIES.—The Secretary may enter into a cooperative agreement or...
other legal instrument under subparagraph (A) with 1 or more of the following entities:

(i) A State department of agriculture.

(ii) The State veterinarian or chief animal health officer of a State.

(iii) A land-grant college or university (as defined in section 140B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 318(b))).

(iv) A NLGCA Institution (as defined in section 140B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 318(b))).

(v) A college of veterinary medicine.

(vi) A State or national livestock producer organization with a direct and significant economic interest in livestock production.

(vii) A State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association.

(viii) An Indian tribe.

(ix) A State emergency management agency.

(x) A Federal agency.

(C) SPECIAL FUNDING CONSIDERATIONS.—In entering into cooperative agreements or other legal instruments under subparagraph (A), the Secretary shall give priority to—

(i) a State department of agriculture;

(ii) the State veterinarian or chief animal health officer of a State; and

(iii) an eligible entity that shall carry out Program activities in a State or region in which—

(A) an animal disease or pest is a Federal concern, as determined by the Secretary; or

(B) there is potential for the spread of an animal disease or pest, as determined by the Secretary, taking into consideration—

(aa) factors contributing to animal disease or pest spread in that State or region, such as climate, natural resources, geography, native or exotic wildlife species, and other disease vectors; and

(bb) the movement of animals in that State or region.

(D) APPLICATIONS.—

(i) IN GENERAL.—An entity described in subparagraph (A) or (B) may enter into 1 or more contracts with 1 or more of the following entities:

(A) a cooperative agreement or other legal instrument under subparagraph (A) to enter into a subagreement with an entity for auditing of, and reporting on, the administrative costs incurred by the entity in carrying out the cooperative agreement or other legal instrument;

(B) ADMINISTRATION.—Of amounts made available to carry out the Program, not more than 10 percent may be retained by an entity that receives funds under a cooperative agreement or other legal instrument under subparagraph (A), including a subagreement or other legal instrument.

(ii) CONSULTATION.—The Secretary shall consult with entities described in paragraph (3) in establishing priorities under the Program.

(G) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any consultation by the Secretary with an entity described in paragraph (3) under the Program.

(II) NOTIFICATION.—The Secretary shall give priority to—

(A) to enter into 1 or more contracts with 1 or more of the following entities:

(i) with 1 or more of the following entities:

(A) to enter into a subagreement with an entity for auditing of, and reporting on, the administrative costs incurred by the entity in carrying out the cooperative agreement or other legal instrument;

(ii) to enter into 1 or more contracts with 1 or more of the following entities:

(A) to enter into a subagreement with an entity for auditing of, and reporting on, the administrative costs incurred by the entity in carrying out the cooperative agreement or other legal instrument.

(iii) to enter into 1 or more contracts with 1 or more of the following entities:

(A) to enter into a subagreement with an entity for auditing of, and reporting on, the administrative costs incurred by the entity in carrying out the cooperative agreement or other legal instrument.

(iv) a cooperative agreement or other legal instrument under subparagraph (A), to pay administrative costs incurred by the entity in carrying out the cooperative agreement or other legal instrument under subparagraph (A), including a subagreement or other legal instrument.

(E) USE OF FUNDS.—

(i) IN GENERAL.—In carrying out paragraph (2), the Secretary shall give priority to the maintenance of a sufficient quantity of foot-and-mouth disease vaccine, as determined by the Secretary, and accompanying diagnostic products, covering, to the maximum extent practicable, an appropriate representation of foot-and-mouth disease serotypes and strains for which appropriate vaccine products are available.

(ii) CONTRACTS.—The Secretary may enter into contracts with more entities that produce foot-and-mouth disease vaccine—

(A) to maintain a bank of viral antigen concentrate or vaccine products for, to the maximum extent practicable, an appropriate representation of foot-and-mouth disease serotypes (as determined by the Secretory) for which antigen concentrate is available; and

(B) to maintain surge production capacity to produce, as quickly as practicable, foot-and-mouth disease vaccine.

(iii) USE OF FUNDS.—

(A) FEDERAL ADMINISTRATION.—Of amounts made available to carry out this section, not greater than 4 percent may be retained by the Secretary to pay administrative costs incurred by the Secretary in carrying out this section.

(ii) BUILDINGS AND FACILITIES.—None of the amounts made available to carry out this section shall be used for—

(A) the construction of a new building or facility;

(B) the acquisition or expansion of an existing building or facility;

(C) site grading and improvement; or

(D) architect fees.

(iii) PROCEDURES.—The proceeds from the sale of vaccine or any assets by the National Animal Vaccine and Veterinary Countermeasures Bank shall—

(A) be deposited in the Treasury;

(B) be credited to the account established under the operation of the National Animal Vaccine and Veterinary Countermeasures Bank;

(C) be available for expenditure without further appropriation; and

(D) remain available until expended.

(iv) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.

SEC. 12104. STUDY ON LIVESTOCK DEALER STATUTORY TRUST

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of establishing a livestock dealer statutory trust.

(b) CONTENTS.—The study conducted under subsection (a) shall—

(1) analyze how the establishment of a livestock dealer statutory trust would affect buyer and seller behavior in markets for livestock (as defined in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 1921));

(2) consider what potential effects a livestock dealer statutory trust would have on credit availability, including impacts on lenders and lending behavior and other industry participants;

(3) examine unique circumstances common to livestock dealers and how those circumstances could impact the functionality of a livestock dealer statutory trust;

(4) study the feasibility of the industry-wide adoption of electronic funds transfer or another expeditious method of payment to provide sellers of livestock protection from nonsufficient funds payments;

(5) assess the effectiveness of statutory trusts in other segments of agriculture and whether similar effects could be experienced under a livestock dealer statutory trust; and

(6) consider the effects of exempting dealers from the average account balance under a de minimis threshold from being subject to the livestock dealer statutory trust.

(c) REPORT.—Not later than 45 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings of the study conducted under subsection (a).

SEC. 12105. DEFINITION OF LIVESTOCK

Section 602(2) of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471(2)) is amended in the matter preceding subparagraph (A) by striking “fish” and all that follows through “that—” and inserting “llemas, alpacas, live fish, c”.

Subtitle B—Agriculture and Food Defense

SEC. 12201. REPEAL OF OFFICE OF HOMELAND SECURITY

Section 14111 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8911) is repealed.

SEC. 12202. OFFICE OF HOMELAND SECURITY

Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 8601 et seq.) is repealed.

Subtitle B—Agriculture and Food Defense
SEC. 212. OFFICE OF HOMELAND SECURITY.

(a) DEFINITION OF AGRICULTURE AND FOOD DEFENSE.—The term ‘‘agriculture and food defense’’ means any action to prevent, protect against, mitigate the effects of, respond to, or recover from a naturally occurring, or intentional threat to the agriculture and food system.

(b) AUTHORIZATION.—The Secretary shall establish in the Department of Homeland Security—

(1) an interagency exchange program of personnel and information to improve communication and analysis for the defense of the food and agriculture critical infrastructure sector; and

(2) collaborate with Federal, State, and local authorities. To carry out the program established under paragraph (1), the Secretary may—

(A) enter into 1 or more cooperative agreements or contracts with Federal, State, or local authorities that have analysis and intelligence capabilities and expertise relating to the defense of the food and agriculture critical infrastructure sector; and

(B) coordinate such activity under any other authority of the Secretary that is appropriate to engage the authorities described in subparagraph (A) for the defense of the food and agriculture critical infrastructure sector, as determined by the Secretary.

SEC. 212A. AGRICULTURE AND FOOD DEFENSE.

(a) DEFINITIONS.—In this section:

(1) ANIMAL.—The term ‘‘animal’’ has the meaning given the term in section 10203 of the Animal Health Protection Act (7 U.S.C. 8302).

(2) DISEASE OR PEST OF CONCERN.—The term ‘‘disease or pest of concern’’ means a plant or animal disease or pest that—

(A) is—

(i) a transboundary disease; or

(ii) an established disease; and

(B) is likely to pose a significant risk to the food and agriculture critical infrastructure sector that warrants efforts at prevention, protection, mitigation, response, and recovery.

(3) ESTABLISHED DISEASE.—The term ‘‘established disease’’ means a plant or animal disease or pest that—

(A)(i) if it becomes established, poses an imminent threat to agriculture in the United States; or

(ii) has become established, as defined by the Secretary, within the United States; and

(B) requires management.

(4) HIGH-CONSEQUENCE PLANT TRANSBOUNDARY DISEASE.—The term ‘‘high-consequence plant transboundary disease’’ means a transboundary disease that is—

(A)(i) a plant disease; or

(ii) a plant pest; and

(B) of high consequence, as determined by the Secretary.

(5) PLANT.—The term ‘‘plant’’—

(A) with respect to a plant, has the meaning given the term ‘‘plant pest’’ in section 403 of the Plant Protection Act (7 U.S.C. 7702) and

(B) with respect to an animal, has the meaning given in section 10403 of the Animal Health Protection Act (7 U.S.C. 8302).

(6) PLANT. The term ‘‘plant’’ has the meaning given in section 403 of the Plant Protection Act (7 U.S.C. 7702).

(7) PLANT HEALTH MANAGEMENT STRATEGY.—The term ‘‘plant health management strategy’’ means a strategy to timely control and eradicate a plant disease or plant pest outbreak, including through mitigation (such as chemical control), surveillance, the use of diagnostic tools and procedures, and the use of existing resistant seed stock.

(8) TRANSPORTATION OR TRANSMISSION.—The term ‘‘transmission or transportation’’ has the meaning given in section 3003(f) of the Homeland Security Act of 2002 (6 U.S.C. 124(j));

(9) VETERINARY COUNTERMEASURE.—The term ‘‘veterinary countermeasure’’ means any action to plant health from diseases or pests of concern; and

(b) DISEASE OR PEST OF CONCERN RESPONSE PLANNING.—

(1) IN GENERAL.—The Secretary shall—

(A) establish a list of diseases or pests of concern by—

(i) developing a process to solicit and receive expert opinion and evidence relating to the diseases and pests of concern entered on the list established under paragraph (1); and

(ii) reviewing all available evidence relating to the diseases and pests of concern entered on the list, including classified information; and

(B) periodically update the list established under subparagraph (A).

(2) RESPONSE PLAN.—

(A) COMPREHENSIVE STRATEGIC RESPONSE PLAN OR PLANS.—The Secretary shall develop, in collaboration with appropriate Federal, State, regional, and local officials, a comprehensive strategic response plan or plans, as appropriate, for the diseases or pests of concern that are entered on the list established under paragraph (1).

(B) STATE OR REGION RESPONSE PLAN OR PLANS.—The Secretary shall provide information to a State or regional authority to assist in developing a comprehensive strategic response plan or plans for that State or region that shall—

(i) include—

(I) a concept of operations for each disease or pest of concern; or

(II) a platform concept of operations for response to transboundary diseases or pests, as determined by the Secretary;

(ii) describe the appropriate interactions among, and roles of—

(I) Federal, State, Tribal, and units of local government; and

(II) plant or animal industry partners; and

(iii) include a decision matrix that shall, as appropriate, include—

(aa) information and timing requirements necessary for the use of veterinary countermeasures; and

(bb) strategic information to guide investment in any appropriate research to mitigate the risk of a disease or pest of concern; and

(b) be updated periodically, as determined to be appropriate by the Secretary, including in response to—

(I) an exercise evaluation; or

(II) new risk information becoming available regarding a disease or pest of concern.

(3) PLANS.—

(A) NATIONAL PLANT DIAGNOSTIC NETWORK.—In general—

(i) the Secretary shall establish the National Plant Diagnostic Network to monitor and surveil through diagnostics threats to plant health from diseases or pests of concern in the United States.

(ii) the National Plant Diagnostic Network established under paragraph (1) shall—

(1) coordinate the conduct, evaluation, or other intelligence products, that intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), law enforcement agencies, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Health and Human Services, and State fusion centers (as defined in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124(j)));

(2) coordinate activities of the Department with other Federal departments and agencies in activities relating to homeland security, including emergency management and agriculture and food defense;

(3) act as the primary liaison on behalf of the Department with other Federal departments and agencies in activities relating to homeland security, including emergency management and agriculture and food defense, and provide for interagency coordination and data sharing;

(4)(A) coordinate in the Department the gathering of information relevant to early warning and awareness of threats and risks to the food and agriculture critical infrastructure sector; and

(B) share that information with, and provide interpretation and risk characterization of that information to, the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)); law enforcement agencies, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Health and Human Services, and State fusion centers (as defined in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124(j)));

(5) liaise with the Director of National Intelligence to assist in the development of periodic assessments of intelligence estimates, or other intelligence products, that support the defense of the food and agriculture critical infrastructure sector;

(6) conduct, evaluate, and improve exercises to identify and eliminate gaps in preparedness and response;

(7) produce a Department-wide centralized strategic coordination plan to provide a high-level perspective of the operations of the Department relating to homeland security, including emergency management and agriculture and food defense; and

(8) carry out other appropriate duties, as determined by the Secretary.

(e) FOOD THREAT AWARENESS PARTNERSHIP PROGRAM.—

(1) INTERAGENCY EXCHANGE PROGRAM.—The Secretary, in partnership with the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) and fusion centers (as defined in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124(j))) that have analysis and intelligence capabilities relating to the defense of the food and agriculture critical infrastructure sector, shall establish and carry out an interagency exchange program of personnel and information to improve communication and analysis for the defense of the food and agriculture critical infrastructure sector.

(2) COLLABORATION WITH FEDERAL, STATE, AND LOCAL AUTHORITIES.—To carry out the program established under paragraph (1), the Secretary may—

(A) enter into 1 or more cooperative agreements or contracts with Federal, State, or local authorities that have analysis and intelligence capabilities and expertise relating to the defense of the food and agriculture critical infrastructure sector; and

(B) coordinate such activity under any other authority of the Secretary that is appropriate to engage the authorities described in subparagraph (A) for the defense of the food and agriculture critical infrastructure sector, as determined by the Secretary.
(A) provide for increased awareness, surveillance, early identification, rapid communication, warning, and diagnosis of a threat to plant health from a disease or pest of concern; and

(B) coordinate and collaborate with agencies of the Department of Agriculture and State agencies and authorities involved in plant health;

(C) establish diagnostic laboratory standards;

(D) establish regional hubs throughout the United States that provide expertise, leadership, and support to diagnostic labs relating to the agricultural crops and plants in the covered regions of those hubs; and

(E) establish a national repository for records of endemic or emergent diseases and pests.

(3) HEAD OF NETWORK.—

(A) IN GENERAL.—The Director of the National Institute of Food and Agriculture shall serve as the head of the National Plant Diagnostic Network.

(B) DUTIES.—The head of the National Plant Diagnostic Network shall:

(1) engage in strategic long-range planning to establish in the Department of Agriculture a National Plant Diagnostic Network, including the sharing of biosurveillance information.

(2) coordinate with land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3102)) in carrying out the requirements under paragraph (2), including through cooperative agreements described in paragraph (3);

(3) partner with the Administrator of the Animal and Plant Health Inspection Service for assistance with plant health regulation and inspection; and

(4) collaborate with Federal and other Federal agencies, as appropriate, in carrying out activities relating to the National Plant Diagnostic Network.

(4) COLLABORATION WITH LAND-GRANT COLLEGES AND UNIVERSITIES.—The Secretary shall seek to establish cooperative agreements with land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3102)) that have the appropriate level of skill, experience, and competence with plant diseases or pests of concern.

(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts made available under this subtitle, there is authorized to be appropriated

(A) for assistance with plant health regulation and inspection $5,000,000 for each of fiscal years 2019 through 2023.
(II) by striking "(2)" and inserting "(3)"; and

(III) by inserting "to socially disadvantaged farmers and ranchers and veteran farmers and ranchers" after "assistance."

(II) redesignated the following:

(A) shall be—

(E) natural resource management and planning;

(F) diversification and marketing strategies;

(G) curriculum development:

(H) mentoring, apprenticeships, and internships;

(I) resources and referral;

(J) farm financial benchmarking;

(K) assistance to farmers and ranchers in acquiring land from retiring farmers and ranchers;

(L) agricultural rehabilitation and vocational training for veteran farmers and ranchers;

(M) farm safety and awareness;

(N) food safety and recordkeeping; and

(O) other strategies of use to beginning farmers and ranchers.

(C) REQUISITE.—

(A) IN GENERAL.—To be eligible to receive a grant under this subsection, the recipient of the grant shall be a collaborative State, Tribal, local, or regionally-based network or partnership of public or private entities.

(B) Achievability.—A recipient of a grant described in subparagraph (A) may include—

(i) a State cooperative extension service;

(ii) a Federal, State, municipal, or Tribal agency;

(iii) a community-based or nongovernmental organization;

(iv) a college or university including an institution awarding an associate’s degree or foundation maintained by a college or university; or

(v) any other appropriate partner, as determined by the Secretary.

(4) TERMS OF GRANTS.—A grant under this subsection shall—

(A) be for a term of not longer than 3 years; and

(B) provide not more than $250,000 for each year.

(5) EVALUATION CRITERIA.—In making grants under this subsection, the Secretary shall evaluate, with respect to applications for the grants—

(A) relevancy;

(B) technical merit;

(C) achievability;

(D) the expertise and track record of 1 or more applicants;

(E) the consultation of beginning farmers and ranchers in decisionmaking relating to an initiative described in paragraph (1);

(F) the adequacy of plans for—

(i) a participatory evaluation process;

(ii) outcome-based reporting; and

(iii) the communication of findings and results beyond the immediate target audience; and

(G) other appropriate factors, as determined by the Secretary.

(6) REGIONAL BALANCE.—To the maximum extent practicable, the Secretary shall ensure the geographical diversity of eligible entities to which grants are made and contracts and other agreements are entered into under this subsection.

(7) PROHIBITION.—A grant, contract, or other agreement under subparagraph (A) may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

(8) by inserting after subsection (f) the following:

(8) EDUCATION TEAMS.—

(A) IN GENERAL.—The Secretary shall establish beginning farmer and rancher education teams to develop curricula and conduct educational programs and workshops for beginning farmers and ranchers in diverse geographical areas of the United States.

(B) CURRICULUM.—In promoting the development of curricula under paragraph (1), the Secretary shall, to the maximum extent practicable, include modules tailored to specific audiences of beginning farmers and ranchers, based on crop diversity or regional diversity.

(C) COMPOSITION.—In establishing an educational team under paragraph (1) for a specific program or workshop, the Secretary shall, to the maximum extent practicable—

(A) obtain the short-term services of specialists with knowledge and experience in programs serving beginning farmers and ranchers; and

(B) use officers and employees of the Department with direct experience in programs of the Department that may be taught as part of the curriculum for the program or workshop.

(9) COOPERATION.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary shall cooperate, to the maximum extent practicable, with—

(i) State cooperative extension services;

(ii) Federal, State, and Tribal agencies;

(iii) community-based and nongovernmental organizations;

(iv) colleges and universities (including an institution awarding an associate’s degree) or foundations maintained by a college or university; and

(v) other appropriate partners, as determined by the Secretary.

(B) COOPERATIVE AGREEMENTS.—Notwithstanding chapter 63 of title 21, United States Code, the Secretary may enter into a cooperative agreement to reflect the terms of any cooperation under subparagraph (A).
beginning farmers and ranchers education curricula and training materials and programs, which may include online courses for direct use by beginning farmers and ranchers; “(1) STAKEHOLDER INPUT.—In carrying out this section, the Secretary shall seek stakeholder input from—
   “(1) beginning farmers and ranchers;
   “(2) socially disadvantaged farmers and ranchers;
   “(3) veteran farmers and ranchers;
   “(4) national, State, Tribal, and local organizations and other persons with expertise in operating programs for—
   “(A) beginning farmers and ranchers;
   “(B) socially disadvantaged farmers and ranchers; or
   “(C) veteran farmers and ranchers;
   “(5) the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1920 note; Public Law 102–554);
   “(6) the Advisory Committee on Minority Farmers established under section 14008 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2279 note; Public Law 110–246); and
   “(7) the Tribal Advisory Committee established pursuant to section 309 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921);”;
   “(B) VETERAN FARMERS AND RANCHERS.—
   “(i) farmworkers desiring to become
   “(A) beginning farmers and ranchers;
   “(B) socially disadvantaged farmers and ranchers; or
   “(C) veteran farmers and ranchers;
   “(D) operating programs for—
   “(i) direct assistance programs involved in training, education, and coordination, including
   “(ii) activities to support programs and services that address the needs of—
   “(I) limited resource beginning farmers and ranchers, as defined by the Secretary;
   “(II) socially disadvantaged farmers and ranchers that are beginning farmers and ranchers; and
   “(III) farmworkers desiring to become farmers or ranchers.
   “(II) VETERAN FARMERS AND RANCHERS.—
   “(1) not fewer than 2 individuals shall be farmers that use innovative technology, including indoor farming and rooftop agriculture;
   “(ii) 2 shall be representatives from an institution of higher education or extension program;
   “(iii) 1 shall be an individual who represents a nonprofit organization, which may include a public health, environmental, or community organization;
   “(D) creating resources that identify common and innovative production practices, as determined by the Secretary.
   “(E) engaging in external relations with stakeholders and coordinating external external partnerships to share best practices, provide mentorship, and offer technical assistance;
   “(F) facilitating interagency program coordination and developing interagency tools for the promotion of existing programs and resources;
   “(G) creating resources that identify common State and municipal best practices for navigating local policies;
   “(H) reviewing and improving farm enterprise development programs that provide information on agriculture, business planning, and food safety record keeping;
   “(I) coordinating networks of community gardens and facilitating connections to local food banks;”
   “(2) AUTHORIZATION OF APPROPRIATIONS.—
   “(1) IN GENERAL.—The Secretary shall estab—
   “(i) 5 shall be individuals who are agricultu—
   “(ii) 1 shall be an individual with supply chain experience, which may include a food aggregator, wholesale food distributor, food hub, or an individual who has direct-to-consumer market experience;
   “(ii) 1 shall be an individual from a financing entity; and
   “(iii) 5 shall be individuals with related experience or expertise in urban, indoor, and other emerging agriculture production practices, as determined by the Secretary.
   “(B) INITIAL APPOINTMENTS.—The Secre—
   “(i) 5 of the members, as determined by th—
   “(ii) 5 of the members, as determined by th—
   “(iii) 5 of the members, as determined by th—
   “(C) VACANCIES.—Any vacancy in the Com—
   “(D) CONSECUTIVE TERMS.—An initial ap—
   “(E) MEETINGS.—
   “(A) IN GENERAL.—The Committee shall meet not fewer than 3 times per year;
   “(i) INITIAL MEETING.—Not later than 60 days after the date on which the members are appointed under paragraph (2) (B), the Committee shall hold the first meeting of the Committee; and
   “(ii) 2 shall be representatives from an institution of higher education or extension program;
   “(i) 1 shall be an individual who represents a nonprofit organization, which may include a public health, environmental, or community organization;
   “(G) creating resources that identify common and innovative production practices, as determined by the Secretary.
   “(E) engaging in external relations with stakeholders and coordinating external external partnerships to share best practices, provide mentorship, and offer technical assistance;
   “(F) facilitating interagency program coordination and developing interagency tools for the promotion of existing programs and resources;
   “(G) creating resources that identify common State and municipal best practices for navigating local policies;
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   “(i) INITIAL MEETING.—Not later than 60 days after the date on which the members are appointed under paragraph (2) (B), the Committee shall hold the first meeting of the Committee; and
   “(ii) 2 shall be representatives from an institution of higher education or extension program;
   “(i) 1 shall be an individual who represents a nonprofit organization, which may include a public health, environmental, or community organization;
   “(G) creating resources that identify common and innovative production practices, as determined by the Secretary.
   “(E) engaging in external relations with stakeholders and coordinating external external partnerships to share best practices, provide mentorship, and offer technical assistance;
   “(F) facilitating interagency program coordination and developing interagency tools for the promotion of existing programs and resources;
   “(G) creating resources that identify common State and municipal best practices for navigating local policies;
   “(H) reviewing and improving farm enterprise development programs that provide information on agriculture, business planning, and food safety record keeping;
   “(I) coordinating networks of community gardens and facilitating connections to local food banks;”
“(i) develop recommendations—

(ii) to further the mission of the Office of Urban Agriculture and Innovative Production described in subsection (a)(3);

(iii) to establish urban agriculture policy priorities and goals within the Department;

(iv) to advise the Director on policies and initiatives recommended by the Office of Urban Agriculture and Innovative Production;

(v) to evaluate ongoing research and extension activities relating to urban, indoor, and other emerging agricultural practices;

(vi) to provide additional assistance and advice to the Director as appropriate.

(B) REPORTS.—Not later than 1 year after the date of enactment of this section, and each year thereafter, the Committee shall submit to the Secretary, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the recommendations developed under subparagraph (A)(i).

(C) PERSONNEL MATTERS.—

(A) COMPENSATION.—A member of the Committee shall serve without compensation.

(B) TRAVEL EXPENSES.—A member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code.

(C) REPORT.—For fiscal year 2019 and each fiscal year thereafter through fiscal year 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing a summary of—

(i) the status of the pilot program under subparagraph (A);

(ii) the meeting and other activities of the committees established under that subparagraph; and

(iii) the types and volume of assistance and services provided to farmers in counties in which county committees are established under that subparagraph.

(D) FUNDING.—In awarding grants under this subsection, priority shall be given to an eligible entity that uses and provides an evaluation of a grant received under this subsection—

(A) to plan and construct gardens or nonprofit farms;

(B) to operate community gardens or nonprofit farms that—

(i) produce food for donation;

(ii) have a demonstrated environmental benefit and educational component; and

(iii) are part of community efforts to address local food security needs;

(C) to educate a community on—

(i) food systems, including connections between rural farmers and urban communities;

(ii) nutrition;

(iii) environmental impacts, including pollinator health, soil fertility, composting, heat islands, and storm water runoff; and

(iv) agricultural production, including pest and disease management; and

(D) to provide multiple small dollar equity investments to help offset start-up costs relating to a new farm, land access, and equipment for new and beginning farmers who—

(i) develop a 3-year business plan;

(ii) live in a community in which they plan to farm; and

(iii) provide a match to the start-up investment in the form of cash or an in-kind contribution.

(E) PILOT PROJECTS.—

(1) URBAN AND SUBURBAN COUNTY COMMITTEES.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a pilot program for not fewer than 5 years that establishes 10 county committees in accordance with section 6921(b) and (c) to operate in counties located in or within urban or suburban areas with a high concentration of urban or suburban farms.

(B) EFFECT.—Nothing in this paragraph requires or precludes the establishment of a Farm Service Agency office in a county in which a county committee is established under subparagraph (A).

(F) INCREASING COMMUNITY COMPOST AND REDUCING FOOD WASTE.—

(A) IN GENERAL.—The Secretary, acting through the Director (referred to in this Act as the "Secretary") shall carry out the following:

(i) the amount of Federal funds used for the purchase of compost;

(ii) the types and volume of assistance and services provided to farmers in counties in which county committees are established under that subparagraph.

(B) ELIGIBLE ENTITIES AND PURPOSES OF PILOT PROJECTS.—Under a cooperative agreement entered into under this paragraph, the Secretary shall provide assistance to municipalities, counties, local governments, or city planners, or a combination thereof, to carry out planning and implementing municipal compost plans and food waste reduction plans.

(C) EVALUATION AND RANKING OF APPLICATIONS.—

(i) CRITERIA.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish criteria for the selection of pilot projects under this paragraph.

(ii) PRIORITY.—In selecting a pilot project under this paragraph, the Secretary shall give priority to an application for a pilot project that—

(A) identifies a gap in the provision of compost and reducing municipal food waste services provided to farmers in counties in which county committees are established under that subparagraph; and

(B) demonstrates an evaluation of—

(i) the amount of Federal funds used for the purchase of compost;

(ii) the types and volume of assistance and services provided to farmers in counties in which county committees are established under that subparagraph.

(2) PILOT PROJECTS.—

(3) MEMBERSHIP.—

(4) FUNDING.—

(5) MATCHING REQUIREMENT.—

(6) Authorization of Appropriations.—

There is authorized to be appropriated to carry out this section such sums as may be necessary.
“(ii) subject to clause (i), shall be appointed to a 3-year term; and

(iii) may be reappointed to not more than 3 consecutive terms.

(ii) INITIAL STAGGERING.—The first 7 appointments to the Secretary under paragraph (5)(A)(i) shall be for a 2-year term.

(iii) VACANCIES.—Any vacancy in the Council shall be filled in the same manner as the original appointment not more than 90 days after the date on which the position becomes vacant.

(F) MEETINGS.—

(i) IN GENERAL.—The Council shall meet in person not less than twice each year.

(ii) OFFICE OF TRIBAL RELATIONS REPRESENTATIVE.—Not fewer than 1 representative from the Office of Tribal Relations of the Department shall be present at each meeting of the Committee.

(iii) DEPARTMENT OF INTERIOR REPRESENTATIVE.—The Assistant Secretary for Indian Affairs of the Department of the Interior (or a designee) shall be present at each meeting of the Committee.

(iv) NONVOTING REPRESENTATIVES.—The individuals described in clauses (ii) and (iii) shall be nonvoting representatives.

(4) DUTIES OF COMMITTEE.—The Committee shall:

(A) identify evolving issues of relevance to Indian tribes relating to programs of the Department;

(B) communicate to the Secretary the issues identified under subparagraph (A);

(C) submit to the Secretary recommendations for and solutions to—

(i) issues identified under subparagraph (A);

(ii) issues raised at the Tribal, regional, or national level; and

(iii) issues relating to any Tribal consultation carried out by the Department;

(D) discuss issues and proposals for changes to the regulations, policies, and procedures of the Department that impact Indian tribes;

(E) identify priorities and provide advice on appropriate strategies for Tribal consultation carried out by the Department;

(F) ensure that pertinent issues of the Department are brought to the attention of an Indian tribe in a timely manner so that timely feedback from an Indian tribe can be obtained; and

(G) identify and propose solutions to any interdepartmental barriers between the Department and other Federal agencies.

(5) REPORTS.—

(A) IN GENERAL.—Not less frequently than once each year, the Committee shall submit to the Secretary and the relevant Committees of Congress a report that describes—

(i) the activities of the Committee during the previous year; and

(ii) recommendations for legislative or administrative action for the following year.

(B) REPORTS TO SECRETARY.—Not more than 45 days after the date on which the Secretary receives a report under subparagraph (A), the Secretary shall submit a written response to that report to—

(i) the Committee; and

(ii) the relevant Committees of Congress.

(6) COMPENSATION OF MEMBERS.—Members of the Committee shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(7) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

SEC. 12305. EXPERIMENTAL SERVICES PROGRAM.

(a) IN GENERAL.—Section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended—

(1) in the section heading, by striking “AGRICULTURE CONSERVATION”;

(2) in subsection (a),—

(A) in the first sentence—

(i) by striking “a conservation” and inserting “an”;

(ii) by striking “(in this section referred to as the ‘ACES Program’)” and inserting “(referred to in this section as the ‘program’);” and

(iii) by striking “provide technical and inserting the following:—provide—

(1) technical;

(B) in paragraph (1) (as so designated)—

(i) by striking “Secretary. Such technical services may include” and inserting “Secretary, including”;

(ii) by striking the period at the end and inserting “; and”;

(iii) by adding at the end following services to support the research, education, and economics mission area of the Department of Agriculture (including the Agricultural Research Service, the Economic Research Service, the National Agricultural Library, the National Agricultural Statistics Service, the Office of the Chief Scientist, and the National Institute of Food and Agriculture), including—

(A) supporting agricultural research and information;

(B) providing scientific knowledge relating to agriculture;

(C) enhancing access to agricultural information;

(D) providing statistical information and research results to farmers, ranchers, agricultural, business, and public officials; and

(E) assisting research, education, and extension programs in land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3838));

(3) by striking “ACES” each place it appears;

(4) by striking “technical services” each place it appears (other than in subsection (a)) and inserting “technical, professional, or administrative services, as applicable.”;

(6) in subsection (c)(1)—

(A) by striking paragraph heading and inserting “CONSERVATION TECHNICAL SERVICES—”;

(B) by inserting “with respect to sub-
paragraph (2), the National Coordinator may enter into a contract or cooperative agreement with an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), cooperative extension services (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)), or a nonprofit organization—

(A) to conduct research on the profitability of new farms in operation for not less than 5 years in a region;

(B) to develop educational materials;

(C) to conduct workshops, courses, training, or certified vocational training; or

(D) to conduct mentoring activities.

(3) STATE BEGINNING FARMER AND RANCHER COORDINATOR.—

(A) DESIGNATION.—The National Coordinator, in consultation with State food and agriculture councils and directors of State offices, shall designate in each State a State beginning farmer and rancher coordinator from among employees of State offices.

(B) REQUIREMENTS.—To be designated as a State employee the State coordinator shall—

(i) be familiar with issues relating to beginning farmers and ranchers; and

(ii) have the ability to interface with other Federal departments and agencies.

(2) TRAINING.—The Secretary shall develop a training plan to provide to each State coordinator knowledge of programs and services from the Department for beginning farmers and ranchers, taking into consideration the needs of all production types and sizes of agricultural operations.

(3) DUTIES.—A State coordinator shall—

(A) coordinate technical assistance at the State level to assist beginning farmers and ranchers in accessing programs of the Department;

(B) develop and submit to the National Coordinator for approval under subsection (b)(2)(A)(ii) a State plan to improve the coordination, delivery, and efficacy of programs of the Department to beginning farmers and ranchers, taking into consideration the needs of all types of production programs and sizes of agricultural operations, at each county and area office in the State;

(C) oversee implementation of an approved State plan described in subparagraph (B);

(D) work with outreach coordinators in the State offices to ensure appropriate information and technical assistance is available at outreach events and activities; and

(E) coordinate partnerships and joint outreach efforts with other organizations and government agencies serving beginning farmers and ranchers.

(d) AGRICULTURAL YOUTH COORDINATOR.—

(1) ESTABLISHMENT.—The Secretary shall establish in the Department the position of Agricultural Youth Coordinator.

(2) DUTIES.—The Agricultural Youth Coordinator shall—

(A) promote the role of school-based agricultural education and youth-serving organizations in motivating and preparing young people to pursue careers in the agriculture, food, and natural resources systems;

(B) coordinate outreach to programs and agencies within the Department—

(i) to work with schools and youth-serving organizations to develop joint programs and initiatives, such as internships; and

(ii) to provide resources and input to schools and youth-serving organizations regarding agricultural education and preparing young people to pursue careers in the agriculture, food, and natural resources systems;

(C) raise awareness among youth about the importance of agriculture in a diversity of fields and disciplines;

(D) provide information to persons involved in science, technology, and agriculture organizations about the availability of, and eligibility requirements for, agricultural programs, with particular emphasis on—

(i) beginning farmer and rancher programs;

(ii) agriculture education;

(iii) nutrition education;

(iv) science, technology, engineering, and mathematics education; and

(iv) other food and agriculture programs for youth;

(E) serve as a resource for youth involved in food and agriculture applying for participation in agricultural programs;

(F) conduct outreach to youth agriculture organizations; and

(G) advocate on behalf of youth involved in food and agriculture and youth organizations in interactions with employees of the Department.

(3) CONTRACTS AND COOPERATIVE AGREEMENTS.—For purposes of carrying out the duties described in paragraph (2), the Agricultural Youth Coordinator—

(A) shall not, in its written or oral communications, use terms such as "federally funded" or "federally supported" in a manner that implies government endorsement or guarantee of a program or activity;

(B) shall not use language such as "federally funded" or "federally supported" in a manner that implies government endorsement or guarantee of a program or activity.

(4) AGRICULTURAL YOUTH COORDINATOR.—The National Coordinator may enter into contracts or cooperative agreements with the research centers of the Agricultural Research Service, institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or nonprofit organizations for—

(i) the development of educational materials;

(ii) the conduct of workshops, courses, and certified vocational training; or

(iii) the provision of internship opportunities.

SEC. 12307. AVAILABILITY OF AGRICULTURAL PROGRAMS FOR VETERAN FARMERS AND RANCHERS.

(a) DEFINITION OF VETERAN FARMER OR RANCHER.—Paragraph (7) of subsection (a) (as redesignated by section 12201(b)(3) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)) is amended—

(1) in subsection (a)(1), by striking "qualified beginning farmers or ranchers" and inserting "eligible farmers or ranchers";

(2) in subparagraph (B), by striking the period at the end and inserting "and veteran farmers or ranchers";

(B) in subparagraph (E), by striking the period at the end and inserting "and veteran farmers or ranchers";

(c) DOWN PAYMENT LOAN PROGRAM.—Section 5202 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935) is amended—

(1) in subsection (a)(1), by striking "qualified beginning farmers or ranchers and socially disadvantaged farmers or ranchers" and inserting "eligible farmers or ranchers";

(2) by striking subsection (e) and inserting the following:

""(i) A beginning farmer or rancher;

(ii) a socially disadvantaged farmer or rancher, as defined in section 355(e); or

(iii) a veteran farmer or rancher, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)); and

(D) credit and guarantee programs as defined in section 5201(a)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)) are made available to eligible farmers or ranchers; and

(E) a veteran farmer or rancher means—

""(1) a qualified beginning farmer or rancher;

(2) a socially disadvantaged farmer or rancher, as defined in section 355(e); and

(3) a veteran farmer or rancher, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)) is amended—

Agricultural Youth Coordinator.

(a) ESTABLISHMENT.—The Secretary shall establish in the Department the position of Agricultural Youth Coordinator.

(b) DUTIES.—The Agricultural Youth Coordinator shall—

(A) promote the role of school-based agricultural education and youth-serving organizations in motivating and preparing young people to pursue careers in the agriculture, food, and natural resources systems;
Subtitle D—Department of Agriculture Reorganization Act of 1994 Amendments

SEC. 12401. OFFICE OF CONGRESSIONAL RELATIONS AND INTERGOVERNMENTAL AFFAIRS.

(a) ASSISTANT SECRETARIES OF AGRICULTURE.—Section 218(a)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 9081(a)) is amended—

(1) in the subparagraph heading, by inserting “and veteran” after “beginning”;

(2) in clause (i), by inserting “or veteran farms or ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))” before the period at the end; and

(3) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively.

(b) NATIONAL FOOD SAFETY TRAINING, EDUCATION, EXTENSION, OUTREACH, AND TECHNICAL ASSISTANCE PROGRAM.—Section 405(c) of the Nutrition, Education, and Food Protection Act of 1990 (7 U.S.C. 2279(a)) is amended by striking “beginning farmers and socially disadvantaged farmers and ranchers” and inserting “covered farmers or ranchers, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))”, after “socially disadvantaged farmers,”.

(c) ADMINISTRATION AND OPERATION OF NON-INSURABLE LIVESTOCK AND HONEY BEE INSURANCE PROGRAMS.—Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (k)(2), by inserting “, or a veteran farmer or rancher (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))” before the period at the end; and

(2) in subsection (l), in paragraph (3) as redesignated by section 1961(b)(2)(A), by inserting “, or socially disadvantaged farmers and ranchers” and inserting “socially disadvantaged farmers and ranchers” and inserting “covered farmers or ranchers, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))” before “in exchange”.

(d) FUNDING FOR TRANSITION OPTION FOR CERTAIN FARMERS OR RANCHERS.—Section 1241(a)(1)(B) of the Food Security Act of 1985 (7 U.S.C. 2101(a)(1)(B)) is amended by striking “beginning farmers or socially disadvantaged farmers or ranchers” and inserting “covered farmers or ranchers, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))” before “in exchange”.

(e) SUPPLEMENTAL AGRICULTURAL DISASSISTANCE.—

(1) DEFINITION OF COVERED PRODUCER.—Section 1241 of the Agricultural Act of 2014 (7 U.S.C. 9081(a)) is amended—

(A) by redesigning paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(B) by inserting “or a veteran farm or rancher, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))” before “in exchange”; and

(C) by inserting “and veterans of the United States Armed Forces or veterans of the United States Navy, Marine Corps, Air Force, or Coast Guard” after “socially disadvantaged farmers or ranchers”.

(2) BAIL-OUT FUNDING.—Section 1243 of the Agricultural Act of 2014 (7 U.S.C. 9081(d)) is amended by adding at the end the following:

“(4) PAYMENT RATE FOR COVERED PRODUCERS.—In the case of a covered producer that is eligible to receive assistance under this section, the Secretary shall provide a reimbursement of 90 percent of the cost of losses described in paragraph (1) or (2).”.

SEC. 12402. MILITARY VETERANS AGRICULTURAL LIAISON.

Section 219 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6919) is amended—

(1) in subsection (b)—

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

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(2) by adding at the end the following:

“(d) WEBSITE REQUIRED.—

“(1) IN GENERAL.—The website required under subsection (b)(5) shall include the following:

“(A) Positions identified within the Department of Agriculture that are available to veterans for apprenticeships.

“(B) Apprenticeships, programs of training on the job, and programs of education that are approved for purposes of chapter 36 of title 38, United States Code.

“(C) Employment skills training programs for members of the Armed Forces carried out pursuant to section 1142(e) of title 10, United States Code.

“(D) Information designed to assist businesses, nonprofit entities, educational institutions, and farmers interested in developing apprenticeships, on-the-job training, educational, or entrepreneurial programs for veterans in navigating the process of having a program approved by a State approving agency for purposes of chapter 36 of title 38, United States Code, including—

“(i) contact information for relevant offices in the Department of Defense, Department of Veterans Affairs, Department of Labor, and Small Business Administration;

“(ii) basic requirements for approval by each State approving agency;

“(iii) recommendations with respect to training and coursework to be used during apprenticeships or on-the-job training that will enable a veteran to be eligible for agricultural purposes; and

“(iv) examples of successful programs and curricula that have been approved for purposes of chapter 36 of title 38, United States Code.

“(E) Information designed to assist veterans for apprenticeships, or veteran farms or ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))”.

(2) in subsection (c), by redesigning paragraphs (1) through (4) as paragraphs (2) through (5), respectively, and inserting “a veteran farm or rancher (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))” before “in exchange”;

(3) by redesigning paragraph (2) as so redesignated the following:

“(1) COVERED PRODUCER.—The term ‘covered producer’ means an eligible producer on a farm that is—

“(A) as determined by the Secretary—

“(i) a beginning farmer or rancher;

“(ii) a socially disadvantaged farmer or rancher; or

“(iii) a limited resource farmer or rancher; or

“(B) a veteran farmer or rancher, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

(4) FUNDING FOR OCCUPATIONAL TRAINING.—The Secretary shall—

“(A) as determined by the Secretary—

“(i) identify the needs of veterans, including veterans of the United States Armed Forces, for education and training opportunities;

“(ii) determine what is the best way to fill those needs; and

“(iii) recommend programs, activities, or policies to meet those needs, including—

“(I) the expansion of existing programs, activities, or policies;

“(II) the development of new programs, activities, or policies; and

“(III) the elimination of duplicative programs, activities, or policies;

“(B) as determined by the Secretary—

“(i) notify the agriculture and veterans committees referred to in subparagraph (A)(i) of—

“(I) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(II) the Committee on Veterans’ Affairs of the House of Representatives; and

“(C) submit a report on beginning farmer training for veterans for apprenticeships.

“(2) CONSULTATION REQUIRED.—In preparing the report submitted under paragraph (1), the Secretary shall consult with organizations that serve veterans.

“(3) REPORT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Secretary shall submit a report on beginning farmer training for veterans and agricultural vocational and rehabilitation programs for veterans to—

“(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(B) the Committee on Veterans’ Affairs of the House of Representatives; and

“(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(D) the Committee on Veterans’ Affairs of the House of Representatives.

“(2) CONTENTS OF REPORT.—The report submitted under paragraph (1) shall include—

“(A) a summary of the measures taken to carry out this section, and annually thereafter, the Mili-

“tary Veterans Agricultural Liaison shall submit a report on beginning farmer training for veterans and agricultural vocational and rehabilitation programs for veterans to—

“(A) the Committee on Agriculture of the House of Representatives;

“(B) the Committee on Veterans’ Affairs of the House of Representatives;

“(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(D) the Committee on Veterans’ Affairs of the Senate.

“(3) PUBLIC DISSEMINATION OF INFORMATION.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Milit-

“tary Veterans Agricultural Liaison shall submit a report on beginning farmer training for veterans and agricultural vocational and rehabilitation programs; and

“(2) FURTHER DISSEMINATION.—Not later than the day before the date on which the
Military Veterans Agricultural Liaison makes publicly available the information under paragraph (1), the Military Veterans Agricultural Liaison shall provide that information to the Department of Defense, the Department of Veterans Affairs, the Small Business Administration, and the Department of Labor.

**SEC. 12403. CIVIL RIGHTS ANALYSES.**

(a) IN GENERAL.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6911 et seq.) (as amended by section 12303(b)(1)(A) of the Higher Education Act of 1965 (20 U.S.C. 1131c(e)(1)(A)) is amended by striking “Secretary” and inserting “the Under Secretary” and all that follows through “Secretary of Agriculture for Farm and Foreign Agricultural Affairs, or the designee of that Under Secretary”.

(b) IN GENERAL.—Section 12303(d)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941) is amended by—

(1) in subsection (a), by striking “is authorized to” and inserting “shall”;

(2) in subsection (b), by striking “If the Secretary” and all that follows through “Secretary” and inserting “The Under Secretary” and all that follows through “Secretary”;

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

“(g) TERMINATION OF AUTHORITY.—Section 296(b)(9) shall not apply to this section.”.

**SEC. 12404. FARM SERVICE AGENCY.**

(1) STUDY.—Not later than 2 years after the date of completion of the study under paragraph (1) of section 231 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6923) is amended—

(A) the Committee on Agriculture of the House of Representatives; and

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect on the day before the effective date of the amendment made by section 223(b) of the Higher Education Act of 1965 (20 U.S.C. 1131c(c)(1)(A)) is amended—

(A) the Executive Schedule) as paragraph 4900.

(b) IN GENERAL.—Section 223 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962) is amended—

(1) in subsection (c), by striking “Consolidated Farm” each place it appears and inserting “Farm”.

(2) in subsection (b), in the subsection heading, by striking “OF CONSOLIDATED FARM SERVICE AGENCY” and inserting “OF CONSOLIDATED FARM”.

(3) by striking Consolidated Farm” each place it appears and inserting “Farm”.

**SEC. 12405. UNDER SECRETARY OF AGRICULTURE FOR RURAL DEVELOPMENT.**

(a) IN GENERAL.— Section 231 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941) is amended—

(1) by striking paragraph (2) (relating to the Executive Schedule) as paragraph (2), and

(2) by redesignating paragraph (3) (relating to the Executive Schedule) as paragraph (2).

(b) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect on the day before the effective date of the amendment made by section 223(b) of the Higher Education Act of 1965 (20 U.S.C. 1131c(c)(1)(A)) is amended—

(A) the Executive Schedule) as paragraph 4900.

**SEC. 12406. ADMINISTRATOR OF THE RURAL UTILITIES SERVICE.**

(a) IN GENERAL.—Section 232 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6942) is amended by—

(1) Technical Correction.—Section 232(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6942(b)) (as amended by section 202 of the Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112–166; 126 Stat. 1283, 1290)) is amended—

(A) in the section heading, by striking “and” and inserting “, and”; and

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

“federal compensation of the Administrator of the Rural Utilities Service shall receive basic pay at a rate not to exceed the maximum amount of compensation payable to a member of the Senior Executive Service under subsection (b) of section 5382 of title 5, United States Code, except that the certification requirement under that subsection shall not apply to the compensation of the Director.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 3315 of title 5, United States Code, is amended by striking “Administrator, Rural Utilities Service, Department of Agriculture.” and inserting “the Administrator of the Rural Utilities Service”.

(2) Section 602 of Public Law 107–76 (7 U.S.C. 918b) is amended by striking “the Administrator of the Rural Utilities Service” and inserting “the Secretary of Agriculture”.

(3) Section 379(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008(a)) is amended by striking “Secretary” and all that follows through “may” and inserting “Secretary may”.

(4) Section 6107(b)(4) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(a)) is amended by inserting “Secretary” and all that follows through “Serv- ice” and inserting “Secretary”.  

**SEC. 12407. CONGRESSIONAL RECORD — SENATE June 27, 2018**
(5) Section 1004 of the Launching our Communities’ Access to Local Television Act of 2000 (7 U.S.C. 1103) is amended—
   (A) in subsection (b)(1), by striking “The Administrator (as defined in section 905)” and inserting “The Secretary of Agriculture”;
   (B) in subsection (b)(2)(D), by striking “Ad-\n   ministration” and inserting “Governmental agencies; and
   (C) in subsection (b)(2)(D) of section 1005 of the Launching our Communities’ Access to Local Television Act of 2000 (7 U.S.C. 1103) as amended—
   (A) in subsection (a), by striking “The Administrator and all that follows through “shall” and inserting “The Secretary of Agriculture (referred to in this section as the ‘Secretary’) shall” and
   (B) by striking “Administrator” each place it appears and inserting “Secretary”;.

SEC. 12408. RURAL HEALTH LIAISON.

Subtitle C of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941 et seq.) is amended by adding at the end the following:

SEC. 236. RURAL HEALTH LIAISON.

“(a) AUTHORIZATION.—The Secretary shall establish the position of Rural Health Liaison.

“(b) DUTIES.—The Rural Health Liaison shall—
   (1) in consultation with the Secretary of Health and Human Services, coordinate the role of the Department with respect to rural health;
   (2) integrate across the Department the strategic planning and activities relating to rural health;
   (3) improve communication relating to rural health within the Department and between Federal agencies;
   (4) advocate on behalf of the health care and relevant infrastructure needs in rural areas;
   (5) provide to stakeholders, potential grant applicants, Federal agencies, State agencies, Indian Tribes, private organizations, and academic institutions relevant data and information, including the eligibility requirements for, and availability and outcomes of, Department programs applicable to the advancement of rural health;
   (6) maintain communication with public health, medical, occupational safety, and telecommunication associations, research entities, and other stakeholders to ensure that the Department is aware of current and upcoming issues relating to rural health;
   (7) consult on programs, pilot projects, research, training, and other affairs relating to rural health at the Department and other Federal agencies;
   (8) provide expertise on rural health to support the activities of the Secretary as Chair of the Interagency Task Force on Agriculture and Rural Prosperity; and
   (9) advise on assistance and guidance with respect to activities relating to rural health to the outreach, extension, and county offices of the Department.”.

SEC. 12409. HEALTHY FOOD FINANCING INITIATIVE.

Section 243 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6953) is amended—
   (1) in subsection (a), by inserting “and enterprises after “retailers”;
   (2) in subsection (b)(3)(i), by inserting “and enterprises after “retailers”;
   (3) in subsection (c)(2)(B)(ii), by inserting “as applicable,” before “to accept.”.

SEC. 12410. NATURAL RESOURCES CONSERVA-\nTION SERVICE.

(a) FIELD OFFICES.—Section 246 of the De-\npartment of Agriculture Reorganization Act of 1994 (7 U.S.C. 7001 et seq.) is amended by—
   (1) in the subsection heading of the section, by inserting “and enterprises after “retailers”;
   (2) in paragraph (1), by striking “Research, Education, and Extension Office” and inserting “Office of the Chief Scientist”;
   (3) in paragraph (2), in the matter preceding paragraph (1), by striking “paragraphs (1), (2), and (4) of subsection (b)” and inserting “paragraphs (1) and (3) of subsection (b)”;
   (4) in paragraph (3), by striking “Office of the Chief Scientist” and inserting “Office of the Chief Scientist”;
   (5) by redesigning paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and
   (6) by inserting after paragraph (3) the fol-\n   lowing:

   “(4) ADDITIONAL LEADERSHIP DUTIES.—In addition to selecting the Division Chiefs under paragraph (3), using available per-\n   sonnel authority under title 5, United States Code, the Under Secretary shall select per-\n   sonnel—

   “(A) to oversee implementation, training, and compliance with the scientific integrity policies of the Department; and
   “(B)(i) to integrate strategic program planning and evaluation functions across the programs of the Department; and
   “(ii) to help prepare the annual report to Congress on the relevance and adequacy of programs under the jurisdiction of the Under Secretary;

   “(C) to assist the Chief Scientist in coordi-\n   nating the international engagements of the Department with the Department of State and other international agencies and offices of the Federal Government; and
   “(D) to oversee other duties as may be re-\n   quired by law or Department policy.”.

   (b) CONFORMING AMENDMENTS.—
   (2) Subtitle J—Trade and Foreign Agricultural Affairs

SEC. 12412. TRADE AND FOREIGN AGRICUL-\nURAL AFFAIRS.

The Department of Agriculture Reor-\nganization Act of 1994 is amended—
   (1) by redesigning title J (7 U.S.C. 7001 et seq.) as title K;
   (2) by inserting after title K (7 U.S.C. 7005 et seq.) the following:

   “Subtitle J—Trade and Foreign Agricultural Affairs

SEC. 287. UNDER SECRETARY OF AGRICULTURE FOR TRADE AND FOREIGN AGRICUL-\nURAL AFFAIRS.

“(a) ESTABLISHMENT.—There is established in the Department the position of Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

“(b) APPOINTMENT.—The Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs shall be appointed by the President, by and with the advice and consent of the Senate.

“(c) FUNCTIONS.—

   “(1) PRINCIPAL FUNCTIONS.—The Secretary shall delegate to the Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs those functions and duties under the
jurisdiction of the Department that are related to trade and foreign agricultural affairs.

(2) ADDITIONAL FUNCTIONS.—The Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs shall perform such other functions and duties as may be—

(A) required by law; or

(B) prescribed by the Secretary.

SEC. 12143. REPEALS.

(a) DEPARTMENT OF AGRICULTURE REORGANIZATION ACT OF 1994.—The following provisions of the Department of Agriculture Reorganization Act of 1994 are repealed:

(1) Section 211 (7 U.S.C. 6911).

(2) Section 213 (7 U.S.C. 6913).

(3) Section 214 (7 U.S.C. 6914).

(4) Section 217 (7 U.S.C. 6917).

(5) Section 223 (7 U.S.C. 6923).

(6) Section 252 (7 U.S.C. 6972).

(7) Section 295 (7 U.S.C. 7013).

(b) OTHER PROVISION.—Section 2308 of the Agricultural Act of 2014 (7 U.S.C. 6935) is repealed.

SEC. 12144. TECHNICAL CORRECTIONS.

(a) OFFICE OF RISK MANAGEMENT.—Section 229A(a) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6919) is amended by striking “Subject to subsection (e), the Secretary” and inserting “The Secretary.”

(b) CORRECTION OF ERROR.—

(1) ASSISTANT SECRETARIES OF AGRICULTURE.—Section 218 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918) (as in effect on the day before the effective date of the amendments made by section 2(a)(1) of the Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112–166; 126 Stat. 1283, 1285)) is amended by striking “Senate.” in subsection (b) and all that follows through “responsibility for—” and inserting—

“responsibility for—”

(2) SAVINGS CLAUSE.—Nothing in this paragraph shall be construed to require—

(i) the executive function vested in the Secretary to allow for the temporary shelter, housing, or relocation of victims; or

(ii) the needs of domestic violence victims.

(3) RULES OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require—

(i) the executive function vested in the Secretary to allow for the temporary shelter, housing, or relocation of victims; or

(ii) the needs of domestic violence victims.

SEC. 12415. EFFECT OF SUBTITLE.

(a) EFFECTIVE DATE.—Except as provided in section 12418, this subtitle shall take effect on the date of enactment of this Act.

(b) SAYINGS CLAUSE.—Nothing in this subtitle or an amendment made by this subtitle affects—

(1) the authority of the Secretary to continue to carry out a function vested in, and performed by, the Secretary as of the date of enactment of this Act; or

(2) the authority of an agency, office, officer, or employee of the Department of Agriculture to continue to perform all functions delegated or assigned to the agency, office, officer, or employee as of the date of enactment of this Act.

SEC. 12416. TERMINATION OF AUTHORITY.

Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following:

“(9) The authority of the Secretary to carry out the amendments made to this title by the Agriculture Improvement Act of 2018.”
(A) to be bound by the nondisclosure of confidential information requirements of section 40002(b)(2) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b)(2)); and

(B) ASSISTANCE.—Subject to subparagraph (B), assistance provided with respect to a pet of a domestic violence victim using funds awarded under this subsection shall be provided for a period not more than 1 year after the date on which an eligible entity receives a grant under this subsection, information on—

(i) has made a good faith effort to acquire permanent housing for the victim’s pet during that 1-year period; and

(ii) has been unable to acquire such permanent housing for the victim’s pet within such period.

(6) REPORT TO THE SECRETARY.—Not later than 1 year after the date on which an eligible entity receives a grant under paragraph (5) of this section and each year thereafter, the eligible entity shall provide to the Secretary a report that contains, for each eligible entity that receives a grant under this subsection, information on—

(A) the number of domestic violence victims whose pets received such assistance; and

(B) the number, type, and duration of such assistance.

(7) REPORT TO CONGRESS.—

(A) REPORTING REQUIREMENT.—Not later than November 1 of each even-numbered fiscal year, the Secretary shall submit to the Senate, pursuant to section 102 of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), a report that contains a compilation of the information contained in the reports submitted under paragraph (6).

(B) AVAILABILITY OF REPORT.—The Secretary shall transmit a copy of the report submitted under subparagraph (A) to—

(i) the Office on Violence Against Women of the Department of Justice;

(ii) the Office of Community Planning and Development of the Department of Housing and Urban Development; and

(iii) the administration for children and families of the Department of Health and Human Services.

(8) AWARD OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated for the carry out this subsection $3,000,000 for each of fiscal years 2019 through 2023.

(B) LIMITATION.—Of the amount made available under subparagraph (A) in any fiscal year, not more than 5 percent may be used by the Secretary for coordination, monitoring, salaries, and administrative expenses.

(9) DEFINITIONS.—In this subsection:

(A) DOMESTIC VIOLENCE VICTIM DEFINED.—The term ‘domestic violence victim’ means a victim of domestic violence, dating violence, sexual assault, or stalking.

(B) ELIGIBLE ENTITY.—The term ‘eligible entity’ includes—

(i) a State;

(ii) a unit of local government;

(iii) an Indian tribe; or

(iv) an organization that has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking (as determined by the Secretary).

(I) a domestic violence and sexual assault victim service provider;

(II) a domestic violence and sexual assault coalition;

(III) a community-based and culturally specific organization;

(IV) a nonprofit, nongovernmental organization; and

(V) any organization that works directly with pets and collaborates with any organization referred to in clauses (I) through (IV), including—

(aa) an animal shelter; and

(bb) an animal welfare organization.

(III) A VAILABILITY OF REPORT .—The Secretary shall—

(a) establish a conservation and farm program, in coordination with the Risk Management Agency, in accordance with section 1227g of the Farm Security Act of 1985 (7 U.S.C. 2276); and

(b) research and analyze how yield variations and risk are affected by different soil types for major crops.

(IV) SENSE OF CONGRESS.—It is the sense of Congress that States should encourage the inclusion of provisions against violent or threatening acts against the pet of a person in domestic violence protection orders.

(SEC. 12504. DATA ON CONSERVATION PRACTICES.

(a) PURPOSE.—The purpose of this section is to increase the knowledge of how covered conservation practices or suites of covered conservation practices impact farm and ranch soil and crop yields, soil health, and other risk-reducing factors by using an appropriate collection, review, and analysis of data.

(b) DEFINITIONS.—In this section:

(1) COVERED CONSERVATION PRACTICE.—The term ‘covered conservation practice’ means a conservation practice—

(A) that is approved and supported by the Department; and

(B) for which the Department has developed 1 or more practice standards.

(2) DEPARTMENT.—The term ‘Department’ means the Department of Agriculture.

(3) PRIVACY AND CONFIDENTIALITY REQuIREMENTS.—

(A) IN GENERAL.—The term ‘privacy and confidentiality requirements’ means all laws applicable to the Department and the agencies of the Department that include—

(i) any law, regulation, or legal proceeding that pertains to, or is collected by, the agencies of the Department from being disclosed to the public in any manner except as authorized by those laws, regulations, or legal proceedings;

(ii) any other organization that has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking; and

(iii) any organization that has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking (as determined by the Secretary).
(ii) allow access to the data warehouse established under clause (i) by an academic institution or researcher, if the academic institution or researcher has compiled with all requirements of the National Agricultural Statistics Service under section 1779 of the Food Security Act of 1985 (7 U.S.C. 2276) relating to the sharing of data of the Natural Agricultural Statistics Service; and

(K) not less frequently than annually, and, if practicable, more frequently than annually, disseminate the results of the research and analysis obtained through carrying out this section and other sources of relevance, including through internet-based tools, after the date of enactment of this section, yielding, soil health, risk, and farm and ranch profitability in an aggregate manner that protects individual producer data and makes the results of the research and analysis easily used and implemented by producers and other stakeholders.

(2) PROCEDURES TO PROTECT INTEGRITY AND CONFIDENTIALITY.—

(A) IN GENERAL.—Before providing access to any data under paragraph (1), the Secretary shall establish procedures to protect the integrity and confidentiality of any data identified, collected, or warehoused under this subsection.

(B) REQUIREMENTS.—Procedures under subparagraph (A) shall—

(i) ensure that any research or analysis published utilizing any person with access to the data identified, collected, or warehoused under this section complies with all applicable privacy and confidentiality requirements relating to that data; and

(ii) limit access to data to only individuals specifically authorized to access the data by the Secretary.

(3) ADMINISTRATION.—The Secretary shall carry out paragraph (1) using—

(A) authorities available to the Secretary under laws and regulations established under paragraph (1)(J)(i) that shall not modify or otherwise affect the privacy and confidentiality requirements that protect the data; and

(B) PROTECTIONS FROM RELEASE.—Data provided by an agency of the Department under this section shall continue to be covered by the same protections from release as if that data were in the possession of the agency.

(d) PRODUCER TOOLS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this section, the Secretary shall provide technical assistance, including through internet-based tools, based on feedback conducted in carrying out this section and other sources of relevant data, to assist producers in improving sustainable production practices that increase yields and enhance environmental outcomes.

(2) INTERNET-BASED TOOLS.—Internet-based tools described in paragraph (1) shall provide to producers, to the maximum extent practicable—

(A) confidential data specific to each farm or ranch of the producer; and

(B) data relating to the impacts of covered conservation practices on crop yields, soil health, risk, and farm and ranch profitability.

(e) REPORTING.—Nothing in this section mandates the submission of information by a producer that is not already required for another purpose under a program of the Department.

(f) REPORTING.—Not later than 1 year after the date of enactment of this section, and each year thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

(1) a summary of the analysis conducted under this section;

(2) the number and regions of producers that have voluntarily submitted information under subparagraphs (C) and (F) of section 12505; and

(3) a description of any additional or new activities to be pursued under this section in the next fiscal year, including—

(A) research relating to any additional conservation practices;

(B) any type of data to be collected;

(C) any improved or streamlined data collection efforts associated with this section; and

(D) any new research projects; and

(4) in the case of the first 2 reports submitted under this subsection, a description of the current status of the implementation of the activities described in paragraph (3).

SEC. 12505. MARKETING ORDERS.

Section 6(e) of the Agricultural Adjustment Act (7 U.S.C. 608e–1(a)), reenacted with amendments by the Uruguay Round Agreement Act of 1993, is amended by inserting—

"cherries, pecans," after "walnuts,".

SEC. 12506. STUDY ON FOOD WASTE.

(a) DEFINITION OF FOOD WASTE.—In this section, the term "food waste" means food waste that occurs—

(1) on the farm and ranch production level; and

(2) before and after the harvest period.

(b) STUDY.—The Secretary shall conduct a study to evaluate and determine—

(1) methods of measuring food waste;

(2) standards for the volume of food waste;

(3) factors that create food waste;

(4) the cost and volume of food loss of—

(A) domestic fresh food products; and

(B) imported fresh food products that pass import inspection but do not make it to markets in the United States, consistent with article XI:3 of the General Agreement on Tariffs and Trade in the United States, as defined in section 2 of the Uruguay Round Agreement Act (19 U.S.C. 2501); and

(5) the reason for the waste described in subparagraphs (A) and (B) of paragraph (4); and

(c) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

(1) the number and regions of producers that have not yet submitted data covered by lesser protections or no initiality requirements relating to that data; and

(2) any new types of data to be collected; and

(3) any positive or negative impact that the business centers have had on the functionality of the Department of Agriculture described in paragraph (1) or (2) of this subsection; and

(4) any new types of data to be collected; and

(5) the best practices or other recommendations that the Secretary, producers, or other stakeholders may consider to reduce food waste.

SEC. 12507. REPORT ON BUSINESS CENTERS.

(a) IN GENERAL.—Not later than 965 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating each business center established in the Department of Agriculture.

(b) INCLUSIONS.—The report under subsection (a) shall include—

(1) an examination of the effectiveness of each business center in carrying out its mission, including any recommendations to improve the operation of and function of any of those business centers; and

(2) an evaluation of—

(A) the impact the business centers have on customer service of the Department of Agriculture; and

(B) the impact on the annual budget for agencies the budget offices of which have been relocated to the business center, and the effectiveness of funds used to support the business centers, including an accounting of all discretionary and mandatory funding provided to the business center for conservation activities described in paragraph (1) of subsection (a) of section 12508.

(c) ADMINISTRATION.—The Secretary shall carry out this section, after the date of submission of the report required by this subsection, in consultation with the Comptroller General.

SEC. 12508. INFORMATION TECHNOLOGY MODERNIZATION.

(a) IN GENERAL.—The Comptroller General of the United States shall examine efforts of the Department of Agriculture that relate to information technology for the business center established by the Secretary for the farm production and conservation activities of the Department of Agriculture and—

(1) relating to information technology for the business center established by the Secretary for the farm production and conservation activities of the Department of Agriculture; and

(2) to modernize or otherwise improve information technology for—

(A) the Centers of Excellence of the Department of Agriculture; and

(B) other major information technology projects of the Department of Agriculture that have the potential to impact the ability of the Department of Agriculture to serve farmers, ranchers, and families.

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an initial report or a detailed briefing on the efforts examined under subsection (a), including—

(A) a detailed description of each ongoing or planned information technology modernization project and investment in information technology at the Department of Agriculture; and

(B) any new types of data to be collected; and

(2) the best practices or other recommendations that the Secretary, producers, or other stakeholders may consider to reduce food waste.
SEC. 12509. REPORT ON PERSONNEL.

For the period of fiscal years 2019 through 2023, the Secretary shall submit to Congress a report describing the effects of absent landlords on the long-term economic health of agricultural production, including the effect of absent landlords on—

(1) land valuation;

(2) soil health; and

(3) the economic stability of rural communities.

(b) CONTENTS.—The report shall include—

(1) a description of the positive and negative effects of an absent landlord on the land valued by the landlord, including—

(A) the relationship of the absent landlord on the long-term value of the land; and

(B) the environmental and economic impact of an absent landlord on the surrounding community; and

(2) recommendations to policymakers concerning how to mitigate those effects when necessary.

SEC. 12511. RESTRICTION ON USE OF CERTAIN POISON FOR PREDATOR CONTROL.

(a) Purpose.—The purpose of this section is to restrict the use of sodium cyanide to kill predatory animals in a predator control device described in subsection (b) to—

(1) a dispenser designed to propel sodium cyanide when activated by an animal;

(2) a gas cartridge or other pyrotechnic device designed to emit sodium cyanide fumes; and

(3) any other means of dispensing sodium cyanide, including in the form of capsules, for wildlife management or other animal control purposes.

(b) Predator control device described.—A predator control device referred to in subsection (b) is—

(1) a dispenser designed to propel sodium cyanide when activated by an animal;

(2) a gas cartridge or other pyrotechnic device designed to emit sodium cyanide fumes; and

(3) any other means of dispensing sodium cyanide, including in the form of capsules, for wildlife management or other animal control purposes.

SEC. 12512. CENTURY FARMS PROGRAM.

The Secretary shall establish a program under which the Secretary recognizes any farm that—

(1) is a State department of agriculture or similar statewide agricultural organization recognized as a Century Farm; or

(2)(A) is described under section 2294.902 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

(B) has been in continuous operation for at least 100 years; and

(c) has been owned by the same family for at least 100 consecutive years, as verified through deeds, wills, abstracts, tax statements, or other similar legal documents considered appropriate by the Secretary.

SEC. 12513. REPORT ON THE IMPORTATION OF LIVE DOGS.

(a) In general.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, the Secretary of Labor, the Comptroller General, the Secretary of Health and Human Services, and the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Agriculture, the Attorney General, the Secretary of Commerce, the Secretary of the Treasury, the Secretary of Transportation, and other agencies as appropriate.

(b) Authorization and number of designations.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the importation of live dogs into the United States.

(c) Effective dates of designations.—The designation of any Tribal Promise Zone shall take effect—

(A) for purposes of priority consideration in Federal grant programs and initiatives (other than this section), upon execution of the Tribal Promise Zone agreement with the Secretary; and

(B) for purposes of this section, on January 1 of the first calendar year beginning after the date of the execution of the Tribal Promise Zone agreement.

SEC. 12515. PROMISE ZONES.

(a) In general.—Not later than 10 years after the date of enactment of this Act, the Secretary shall designate a minimum number of Tribal Promise Zones as Tribal Promise Zones.

(b) Authorization and number of designations.—No more than 10 Tribal Promise Zones may be designated by the Secretary.

(c) Period of designations.—The designation of any Tribal Promise Zone shall terminate—

(1) on the date of the expiration of the Tribal Promise Zone agreement; or

(2) if the Tribal Promise Zone falls into liquidation.

(d) Limitations on designations.—No area shall be designated as a Tribal Promise Zone in the absence of a Tribal Promise Zone agreement.

(e) Economic conditions of the area.—A Tribal Promise Zone shall be designated only if the Secretary determines that the economic conditions of the area (including the number of Tribal Promise Zones remaining in the area) meet the requirements of this Act.

(f) Area may be designated under this section unless—

(1) the area is not a Tribal Promise Zone;

(2) the area is not a Tribal Promise Zone; or

(3) the area is not a Tribal Promise Zone.

(g) Congressional record.—In this section, the term Tribal Promise Zone means an area that—

(1) is nominated by 1 or more Indian tribes (as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)));

(2) is designated as a Tribal Promise Zone (as in this section referred to as a "designated zone");

(3) has a continuous boundary; and

(4) the Secretary designates as a Tribal Promise Zone, after consultation with the Secretary of Commerce, the Secretary of Education, the Attorney General, the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Treasury, the Secretary of Transportation, and other agencies as appropriate.

(h) Authorization and number of designations.—Not later than 1 year after the date of enactment of this Act, the Secretary shall designate a minimum number of nominated zones, as determined by the Secretary in consultation with Indian tribes, to be designated as Tribal Promise Zones.

(i) Period of designations.—The designation of any Tribal Promise Zone shall take effect—

(A) for purposes of priority consideration in Federal grant programs and initiatives (other than this section), upon execution of the Tribal Promise Zone agreement with the Secretary; and

(B) for purposes of this section, on January 1 of the first calendar year beginning after the date of the execution of the Tribal Promise Zone agreement.

SEC. 12514. ESTABLISHMENT OF TECHNICAL ASSISTANCE PROGRAM.

(a) Definition.—In this section, the term "tribally designated housing entity" has the meaning given the term in section 4 of the Self-Determination Act of 1996 (25 U.S.C. 4103).

(b) Technical assistance program established.—The Secretary shall establish a technical assistance program to improve access to technical assistance programs by tribal entities described in subsection (c) to address the needs of Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(c) Technical assistance program established.—The Secretary shall establish a technical assistance program to improve access to technical assistance programs by tribal entities described in subsection (c) to address the needs of Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(d) Limitations on designations.—No area may be designated under this section unless—

(1) the area is a Tribal Promise Zone;

(2) the area is a Tribal Promise Zone; or

(3) the area is a Tribal Promise Zone.

(e) Congressional record.—In this section, the term Tribal Promise Zone means an area that—

(1) is nominated by 1 or more Indian tribes (as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)));

(2) is designated as a Tribal Promise Zone (as in this section referred to as a "designated zone");

(3) has a continuous boundary; and

(4) the Secretary designates as a Tribal Promise Zone, after consultation with the Secretary of Commerce, the Secretary of Education, the Attorney General, the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Treasury, the Secretary of Transportation, and other agencies as appropriate.
(3) the Secretary determines that any information furnished is reasonably accurate.

(e) APPLICATION.—No area may be designated under this section unless the application
(A) demonstrates that the nominated area satisfies the eligibility criteria described in subsection (a); and
(B) includes a competitiveness plan that—
(1) addresses the need of the nominated area to attract investment and jobs and improve educational opportunities;
(2) outlines the nominated area’s economic strengths and outlines targeted investments to develop competitive advantages;
(3) demonstrates collaboration across a wide range of stakeholders;
(4) outlines a strategy that connects the nominated area to drivers of regional economic growth; and
(5) proposes a strategy for focusing on increased access to high quality affordable housing and improved public safety.

(f) SELECTION CRITERIA.—
(I) IN GENERAL.—From among the nominated zones eligible for designation under this section, the Secretary shall designate Tribal Promise Zones on the basis of—
(A) the effectiveness of the competitiveness plan submitted under subsection (e) and the assurance made under subsection (d);
(B) unemployment rates, poverty rates, vacancy rates, crime rates, and such other factors as the Secretary may identify, including household income, labor force participation, and educational attainment; and
(C) other criteria as determined by the Secretary.

(ii) MINIMAL STANDARDS.—The Secretary may set minimal standards for the levels of unemployment and poverty that must be satisfied for designation as a Tribal Promise Zone.

(g) COMPETITIVE ENHANCEMENT IN FEDERAL AWARDS TO TRIBAL PROMISE ZONES.—Notwithstanding any other provision of law, each Federal grant program, technical assistance, and capacity-building competitive funding application opportunity, made available under any appropriations law in effect for a year in which the designation of a Tribal Promise Zone is in effect, shall provide preference points or priority special consideration in each application which advances the specific objectives of a Tribal Promise Zones competitiveness plan described in subsection (e) if the project or activity to be funded is designed and definable services or benefits that will be delivered to residents of a Tribal Economic Opportunity Area.

SEC. 12516. PRECISION AGRICULTURE CONNECTIVITY.
(a) FINDINGS.—Congress finds the following:
(1) Precision agriculture technologies and practices allow farmers to significantly increase crop yields, eliminate overlap in operations, and promote sustainable practices and animal welfare.

(ii) These technologies allow farmers to collect data in real time about their fields, automate field management, and maximize resources.

(iii) Studies estimate that precision agriculture technologies can reduce agricultural operation costs by up to 25 dollars per acre and increase farm yields by up to 70 percent by 2050.

(iv) The critical cost savings and productivity gains of precision agriculture cannot be realized without the availability of reliable broadband Internet access service to the agricultural land of the United States.

(v) The deployment of broadband Internet access service to unserved agricultural land is critical to the United States economy and to the continued leadership of the United States in global food production.

(vi) Despite the growing demand for broadband Internet access on farms, unserved agricultural land, broadband Internet access service is not consistently available where needed for agricultural operations.

(vii) The Federal Communications Commission has an important role to play in the deployment of broadband Internet access service on unserved agricultural land to promote precision agriculture.

(b) TASK FORCE.—
(1) DEFINITIONS.—In this subsection—
(A) the term “broadband Internet access service” has the meaning given the term in section 5214 of title 47, United States Code;
(B) the term “Commission” means the Federal Communications Commission;
(C) the term “Department” means the Department of Agriculture; and
(D) the term “Task Force” means the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States.

(3) DUTIES.—
(A) IN GENERAL.—The Task Force shall consult with the Secretary, or a designee of the Secretary, and collaborate with public and private stakeholders in the agriculture and technology fields to—
(i) identify and measure current gaps in the availability of broadband Internet access service on agricultural land;
(ii) develop policy recommendations to promote the rapid, expanded deployment of broadband Internet access service on unserved agricultural land, with a goal of achieving reliable capabilities on 95 percent of agricultural land in the United States by 2025;
(iii) promote effective policy and regulatory solutions that encourage the adoption of broadband Internet access service on farms and ranches and promote precision agriculture;
(iv) recommend specific new rules or amendments to the rules of the Commission that the Commission should issue to achieve the goals and purposes of the policy recommendations described in clause (ii); and
(v) recommend specific new rules or amendments to the rules of the Commission that the Commission should issue to achieve the goals and purposes of the policy recommendations described in clause (ii).

(B) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Commission shall establish the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States.

(C) HOLD HARMLESS.—The Task Force and the Commission shall not interpret the phrase “future programs of the Commission”, as used in clauses (v) and (vi) of subsection (a), to include the universal service programs of the Commission established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(D) MINORITY REPRESENTATION.—The Secretary, or a designee of the Secretary, shall explain and make available to the Task Force the expertise, data mapping information, and resources of the Department that the Department uses to identify cropland, ranchland, and other areas with agricultural operations where unserved broadband Internet access service may be helpful by developing the recommendations required under subsection (a).

(E) LIST OF AVAILABLE FEDERAL PROGRAMS AND RESOURCES.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Commission shall jointly submit to the Task Force a list of all Federal programs or resources available for the expansion of broadband Internet access service on unserved agricultural land to assist the Task Force in carrying out the duties of the Task Force.

(F) MEMBERSHIP.—
(A) IN GENERAL.—The Task Force shall be—
(i) composed of not more than 15 voting members who shall—
(I) be selected by the Chairman of the Commission; and
(II) include—
(aa) agricultural producers representing diverse geographic regions and farm sizes, including owners and operators of farms of less than 100 acres;
(bb) an agricultural producer representing tribal agriculture;
(cc) Internet service providers, including rural or fixed and mobile broadband Internet access service providers and telecommunications infrastructure providers;
(dd) representatives from the electric cooperative industry;
(ee) representatives from the satellite industry;
(ff) representatives from precision agriculture equipment manufacturers, including drone manufacturers, manufacturers of autonomous agricultural machinery, and manufacturers of farming robotics technologies; and
(gg) representatives from State and local governments; and
(ii) fairly balanced in terms of technologies, points of view, and fields represented on the Task Force.

(B) PERIOD OF APPOINTMENT; VACANCIES.—
(I) IN GENERAL.—A member of the Committee appointed under subparagraph (A)(i) shall serve for a single term of 2 years.

(ii) VACANCIES.—Any vacancy in the Task Force—
(I) shall not affect the powers of the Task Force; and
(II) shall be filled in the same manner as the original appointment.

(C) EX-OFFICIO MEMBER.—The Secretary, or a designee of the Secretary, shall serve as an ex-officio, nonvoting member of the Task Force.

(D) REPORTS.—Not later than 1 year after the date on which the Commission establishes the Task Force, and annually thereafter, the Task Force shall submit to the Chairman of the Commission a report, which shall be made public not later than 30 days after the date on which the Chairman receives the report, that details—
(A) the status of fixed and mobile broadband Internet access service coverage of agricultural land; and
(B) the projected future connectivity needs of agricultural operations, farmers, and ranchers; and
(C) the steps being taken to accurately measure the availability of broadband Internet access service on agricultural land and the limitations of current, as of the date of the report, proposals to address those limitations.

(6) TERMINATION.—The Commission shall renew the Task Force every 2 years until the Task Force terminates on January 1, 2025.

SEC. 12517. IMPROVED SOIL MOISTURE MONITORING AND PRE-CISION MONITORING.

(a) IMPROVED SOIL MOISTURE MONITORING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct and implement a strategy to improve the accuracy of the United States Drought Monitor through increased geographic coverage of rural in situ soil moisture profile observation or other soil moisture profile measuring devices, as the Secretary considers appropriate.

(2) IMPLEMENTATION.—

(A) In general.—In implementing the strategy required by paragraph (1), the Secretary shall prioritize adding soil moisture profile stations in States described in subparagraph (B) so that the number of drought monitoring stations is increased to an average of 1 soil moisture profile station per 1,250 square miles. The stations described in subparagraph (B) or by 50 stations in each State described in subparagraph (B), whichever is less.

(B) STATES DESCRIBED.—A State described in this paragraph is a State that has experienced D3 (extreme drought) or D4 (exceptional drought) (as defined by the United States Drought Monitor) within any 6 months during the period beginning on January 1, 2016, and ending on the date of the enactment of this Act.

(B) Coordination.—In carrying out this subsection, the Secretary may coordinate with other Federal agencies, State and local governments, and non-Federal entities that collaborate with the United States Drought Monitor.

(4) COST-EFFECTIVENESS.—In carrying out this subsection, the Secretary shall consider cost-effective solutions to maximize the efficiency and accuracy of the United States Drought Monitor; and

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $5,000,000 for each of fiscal years 2019 through 2023 to carry out this subsection.

(b) STANDARDS FOR INTEGRATING CITIZEN SCIENCE INTO DROUGHT MODELS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, acting through the Director of the Office of Management and Budget, and the Administrator of the National Oceanic and Atmospheric Administration, shall establish a partnership to carry out a study on—

(i) the availability of traditional foods, Tribally produced artisanal products, and products that use traditional foods;

(ii) the means by which authentic traditional foods and Tribally produced foods might be protected against the impact of fraudulent foods in the marketplace.

(2) INCLUSION.—The study conducted under subsection (a) shall include—

(i) a consideration of the circumstances under which fraudulent foods in the marketplace occur; and

(ii) an analysis of Federal laws administered by Federal agencies or Tribes that protect against fraudulent foods in the context of Tribally produced foods.

(c) SELECTION OF INITIATIVES.—An initiative under this section may be provided directly to dairy businesses or through widely available distribution, and

(d) ENTITIES ELIGIBLE TO HOST INITIATIVE.—

(1) IN GENERAL.—Any of the following entities may submit to the Secretary an application to host an initiative—

(A) A State department of agriculture or other State entity;

(B) A nonprofit entity with capacity to provide consultation, expertise, and grant administration and tracking;

(C) An institution of higher education;

(D) A cooperative extension service.

(2) PARTNERS.—An entity described in paragraph (1) may establish partners prior to the submission of the application under that paragraph, or add partners in consultation with the Secretary, which may include organizations or entities with expertise or experience in dairy, including the marketing, research, education, or promotion of dairy products.

(e) ACTIVITIES OF INITIATIVES.—

(1) DIRECT ASSISTANCE TO DAIRY BUSINESSES.—An initiative shall provide non-dollar assistance to dairy businesses in accordance with the following:

(I) PROVISION OF DIRECT ASSISTANCE.—Assistance may be provided directly to businesses in a private consultation or through widely available distribution, and may be provided—

(i) directly by the entity that hosts the initiative under subsection (d)(1); and

(ii) through contracting with industry experts;

(ii) through the provision of technical assistance services, such as informational websites, webinars, conferences, trainings, plant tours, and field days; and

(iv) through research institutions, including cooperative extension services.

(B) TYPES OF ASSISTANCE.—Eligible forms of assistance include—

(2) INCLUSION OF DATA FROM COOPERATIVE OBSERVER PROGRAM.—For purposes of paragraph (1)(A), data derived from citizen science includes data from the Cooperative Observer Program of the National Weather Service.

(c) REQUIREMENT FOR ELEMENTS OF DEPARTMENT OF AGRICULTURE TO USE THE SAME MONITORING DATA.—

(1) IN GENERAL.—To be consistent with assistance provided under the livestock forage disaster program established under section 1910(c)(1) of the Agricultural Act of 2014 (7 U.S.C. 9081(c)) and a policy or plan of insurance established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for producers of livestock forage, the committee on grazing rates, as applicable, on Forest Service grasslands and other applicable land, the Secretary shall use the United States Drought Monitor, in situ soil moisture profile monitoring stations described in subsection (a), data from the Cooperative Observer Program described in subsection (b)(2), and any other applicable data to determine whether grazing loss assistance and grazing loss protection are warranted and grazing loss assistance may be provided.

(2) COORDINATION.—In carrying out this subsection, the Secretary may coordinate with—

(A) other Federal agencies, State and local governments, and non-Federal entities that collaborate with the United States Drought Monitor; and

(B) other Federal and non-Federal entities involved in collecting data on precipitation and soil monitoring.

(3) COST-EFFECTIVENESS.—In carrying out this subsection, the Secretary shall consider cost-effective solutions to maximize the efficiency and accuracy of the data utilized to determine eligibility for assistance under the program.

SEC. 12518. STUDY OF MARKETPLACE FRAUD OF UNIQUE TRADITIONAL FOODS.

(a) DEFINITIONS.—In this section:

(1) DAIRY BUSINESS.—The term ‘‘dairy business’’ means a business that develops, produces, markets, or distributes dairy products.

(2) INITIATIVE.—The term ‘‘initiative’’ means a dairy product and business innovation initiative established under subsection (b).

(b) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Agricultural Marketing Service, shall establish not less than 3 regionally located dairy product and business innovation initiatives for the purposes of—

(1) encouraging the use of regional milk production;

(2) creating higher-value uses for dairy products;

(3) promoting business development that diversifies farmer income through processing and marketing innovation;

(4) diversifying dairy product markets to reduce risk; and

(5) leveraging Federal resources by encouraging entities that host initiatives and partners of those entities to provide matching funds.

(c) SELECTION OF INITIATIVES.—An initiative—

(1) shall be located in a region with a history of dairy farming;

(2) shall be positioned to draw on existing dairy industry resources, including research capacity, academic and industry expertise, a density of dairy farms or farmland suitable for dairy farming, and dairy businesses; (3) may serve a specific product niche, such as artisanal cheese, or serve dairy businesses with dairy products derived from a specific type of dairy animal including dairy products made from cow milk, sheep milk, and goat milk; and

(4) shall serve dairy businesses in other regions.

(d) ENTITIES ELIGIBLE TO HOST INITIATIVE.—

(1) IN GENERAL.—Any of the following entities may submit to the Secretary an application to host an initiative—

(A) A State department of agriculture or other State entity;

(B) A nonprofit entity with capacity to provide consultation, expertise, and grant administration and tracking.

(C) An institution of higher education.

(D) A cooperative extension service.

(E) PARTNERS.—An entity described in paragraph (1) may establish partners prior to the submission of the application under that paragraph, or add partners in consultation with the Secretary, which may include organizations or entities with expertise or experience in dairy, including the marketing, research, education, or promotion of dairy products.

(e) ACTIVITIES OF INITIATIVES.—

(1) DIRECT ASSISTANCE TO DAIRY BUSINESSES.—An initiative shall provide non-dollar assistance to dairy businesses in accordance with the following:

(I) PROVISION OF DIRECT ASSISTANCE.—Assistance may be provided directly to businesses in a private consultation or through widely available distribution, and may be provided—

(i) directly by the entity that hosts the initiative under subsection (d)(1); and

(ii) through contracting with industry experts;

(ii) through the provision of technical assistance services, such as informational websites, webinars, conferences, trainings, plant tours, and field days; and

(iv) through research institutions, including cooperative extension services.

(B) TYPES OF ASSISTANCE.—Eligible forms of assistance include—

(2) INCLUSION OF DATA FROM COOPERATIVE OBSERVER PROGRAM.—For purposes of paragraph (1)(A), data derived from citizen science includes data from the Cooperative Observer Program of the National Weather Service.

(c) REQUIREMENT FOR ELEMENTS OF DEPARTMENT OF AGRICULTURE TO USE THE SAME MONITORING DATA.—

(1) IN GENERAL.—To be consistent with assistance provided under the livestock forage disaster program established under section 1910(c)(1) of the Agricultural Act of 2014 (7 U.S.C. 9081(c)) and a policy or plan of insurance established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for producers of livestock forage, the committee on grazing rates, as applicable, on Forest Service grasslands and other applicable land, the Secretary shall use the United States Drought Monitor, in situ soil moisture profile monitoring stations described in subsection (a), data from the Cooperative Observer Program described in subsection (b)(2), and any other applicable data to determine whether grazing loss assistance and grazing loss protection are warranted and grazing loss assistance may be provided.

(2) COORDINATION.—In carrying out this subsection, the Secretary may coordinate with—

(A) other Federal agencies, State and local governments, and non-Federal entities that collaborate with the United States Drought Monitor; and

(B) other Federal and non-Federal entities involved in collecting data on precipitation and soil monitoring.

(3) COST-EFFECTIVENESS.—In carrying out this subsection, the Secretary shall consider cost-effective solutions to maximize the efficiency and accuracy of the data utilized to determine eligibility for assistance under the program.
(i) business consulting, including business plan development for processed dairy products;
(ii) accounting and financial literacy training;
(iii) market evaluation;
(iv) strategic planning assistance;
(v) product innovation, including relating to value-added; and
(vi) marketing and branding assistance, including market messaging, consumer assessments, and evaluation of regional, national, and international markets.

(vii) innovation in emerging market opportunities, including agritourism, and marketing communication methods;

(viii) packaging, distribution, and supply chain innovation;

(ix) dairy product production training, including in new, rare, or innovative techniques;

(x) innovation in byproduct reprocessing and use maximization; and

(xi) other non-monetary assistance, as determined by the Secretary.

(2) GRANTS TO DAIRY BUSINESSES.—

(A) IN GENERAL.—An initiative shall provide grants for new and existing dairy businesses for the purposes of—

(i) modernization, specialization, and grazing transition on dairy farms;

(ii) value chain and commodity innovation and facility and process updates for dairy processors; and

(iii) product development, packaging, and marketing of dairy products.

(B) GRANTS.—An initiative shall provide grants under subparagraph (A) on a competitive basis, with opportunities to apply for funding available on a rolling basis; and

(ii) to an entity that receives assistance under paragraph (1) to advance the business activities recommended as a result of that assistance.

(C) CONSULTATION.—An entity that hosts an initiative shall consult with the Secretary and the Administrator of the Agricultural Marketing Service in carrying out the initiative.

(3) CONFLICT OF INTEREST.—

(i) IN GENERAL.—The Secretary shall establish guidelines and procedures to prevent any conflict of interest or the appearance of a conflict of interest by an initiative (including in new, rare, or innovative techniques; and

(ii) performing competitively in the marketplace; and

(iii) returning gains to members or reinvesting the gains in ways that benefit the long-term financial viability of the majority of member-owned dairy firms and the members of that firm.

(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each fiscal year.

Subtitle F—General Provisions

SEC. 12001. EXPEDITE AND EXPORTATION OF CERTAIN SPECIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the United States Fish and Wildlife Service (referred to in this section as the "Director") shall issue a proposed rule to amend section 3, 4, 9, 10, 16, or 23 of title 50, Code of Federal Regulations, to provide for the exportation of certain species.

(b) PERMIT.—(1) IN GENERAL.—As part of the rulemaking under subsection (a), subject to paragraph (2), the Director may provide an exemption from the requirement to procure a permit under section 9(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(d)(1)); or

(b) an export license under subpart I of part 14 of title 50, Code of Federal Regulations.

(2) LIMITATIONS.—The Director shall not provide an exemption under paragraph (1)—

(A) unless the Director determines that the exemption will not have a negative impact on the conservation of the species that is the subject of the exemption;

(B) to an entity that has been convicted of a violation of a Federal law relating to the transportation, importation, exportation or release of a wildlife during a period of not less than 5 years ending on the date on which the entity applies for exemption under paragraph (1); or

(c) COVERED FISH OR WILDLIFE.—The fish or wildlife referred to in subsection (b) includes—

(I) sea urchin or sea cucumber; and

(ii) returning gains to members or reinvesting the gains in ways that benefit the long-term financial viability of the majority of member-owned dairy firms and the members of that firm.

(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each fiscal year.

Subtitle F—General Provisions

SEC. 12001. EXPEDITED EXPORTATION OF CERTAIN SPECIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the United States Fish and Wildlife Service (referred to in this section as the "Director") shall issue a proposed rule to amend section 3, 4, 9, 10, 16, or 23 of title 50, Code of Federal Regulations, to provide for the exportation of certain species.

(b) PERMIT.—(1) IN GENERAL.—As part of the rulemaking under subsection (a), subject to paragraph (2), the Director may provide an exemption from the requirement to procure a permit under section 9(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(d)(1)); or

(b) an export license under subpart I of part 14 of title 50, Code of Federal Regulations.

(2) LIMITATIONS.—The Director shall not provide an exemption under paragraph (1)—

(A) unless the Director determines that the exemption will not have a negative impact on the conservation of the species that is the subject of the exemption;

(B) to an entity that has been convicted of a violation of a Federal law relating to the transportation, importation, exportation or release of a wildlife during a period of not less than 5 years ending on the date on which the entity applies for exemption under paragraph (1); or

(c) COVERED FISH OR WILDLIFE.—The fish or wildlife referred to in subsection (b) includes—

(I) sea urchin or sea cucumber; and

(ii) returning gains to members or reinvesting the gains in ways that benefit the long-term financial viability of the majority of member-owned dairy firms and the members of that firm.

(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each fiscal year.

Subtitle F—General Provisions

SEC. 12001. EXPEDITED EXPORTATION OF CERTAIN SPECIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the United States Fish and Wildlife Service (referred to in this section as the "Director") shall issue a proposed rule to amend section 3, 4, 9, 10, 16, or 23 of title 50, Code of Federal Regulations, to provide for the exportation of certain species.

(b) PERMIT.—(1) IN GENERAL.—As part of the rulemaking under subsection (a), subject to paragraph (2), the Director may provide an exemption from the requirement to procure a permit under section 9(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(d)(1)); or

(b) an export license under subpart I of part 14 of title 50, Code of Federal Regulations.

(2) LIMITATIONS.—The Director shall not provide an exemption under paragraph (1)—

(A) unless the Director determines that the exemption will not have a negative impact on the conservation of the species that is the subject of the exemption;

(B) to an entity that has been convicted of a violation of a Federal law relating to the transportation, importation, exportation or release of a wildlife during a period of not less than 5 years ending on the date on which the entity applies for exemption under paragraph (1); or

(c) COVERED FISH OR WILDLIFE.—The fish or wildlife referred to in subsection (b) includes—

(I) sea urchin or sea cucumber; and

(ii) returning gains to members or reinvesting the gains in ways that benefit the long-term financial viability of the majority of member-owned dairy firms and the members of that firm.

(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each fiscal year.
(2) in consultation with the Secretary of the Interior and after seeking input from the heads of State departments of fish and wildlife or the Regional Migratory Bird Flyway Councils of the United States Fish and Wildlife Service, publicly post a report on the impact that rice ratooning and post-disaster flooding have on the behavior of migratory birds. Such a report shall be submitted to the Secretary in paragraph (B) and inserting “submitted to the Secretary”.

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “subsection (b)—” and inserting “subsection (b)—not later than April 15 of the year of the payment.”;

(B) by striking clauses (1) and (2).

SEC. 12605. WOOL RESEARCH AND PROMOTION.

Section 1231-a of the Agricultural Act of 2014 (7 U.S.C. 7101 note; Public Law 113–79) is amended by striking “2018” each place it appears and inserting “2023”;

(2) by striking “calendar year 2013” each place it appears and inserting “the prior calendar year”;

(3) in subsection (b)(2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (1) and (2), respectively;

(B) in the matter preceding clause (i) (as so redesignated), by striking “(2) Twenty-five-” and inserting the following:

“(2)(A) Except as provided in subparagraph (B),”;

(C) in subparagraph (A)(ii) (as so designated), by striking “subsection (A)” and inserting “clause (i)”;

(D) by adding at the end the following:

“(B)(1) A yarn spinner shall not receive an amount under subparagraph (A) that exceeds the cost of pima cotton that—

(I) was purchased during the prior calendar year;

(II) was used in spinning any cotton yarn;

(III) The Secretary shall reallocate any amounts reduced by reason of the limitation under clause (i) to spinners using the ratio described in subparagraph (A), disregarding production of any spinner subject to that limitation.”;

(4) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “(b)(2)(A)” and inserting “(b)(2)(A)(i)”; and

(B) in paragraph (2), by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) the dollar amount of pima cotton purchased—

(I) under a calendar year—

(A) that was used in spinning any cotton yarn; and

(B) for which the producer maintains supporting documentation.”;

(5) in subsection (e)—

(A) in the matter preceding paragraph (1), by striking “by the Secretary not later than March 15 of the applicable calendar year.”; and

(B) by striking paragraphs (1) and (2); and

(6) in subsection (f), by striking “subsection (b)—” in the matter preceding paragraph (1) and all that follows through “not later than” in paragraph (2) and inserting “subsection (b)—not later than”.

SEC. 12606. EMERGENCY CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) DEFINITION OF CITRUS.—In this section, the term “citrus” means edible fruit of the family Rutaceae, including any hybrid of that fruit and any product of that hybrid that is produced for commercial purposes in the United States.

(b) ESTABLISHMENT OF TRUST FUND.—There is established a trust fund with the United States a trust fund, to be known as the “Emergency Citrus Disease Research and Development Trust Fund” (referred to in this section as the “Citrus Trust Fund”), consisting of such amounts as shall be transferred to the Citrus Trust Fund pursuant to subsection (d).

(c) DISTRIBUTION OF FUNDS.—

(1) IN GENERAL.—From amounts in the Citrus Trust Fund, the Secretary shall make payments annually beginning in fiscal year 2019 to—

(A) entities engaged in scientific research and extension activities, technical assistance, or development activities to combat domestic or invasive citrus diseases and pests that pose imminent harm to the United States citrus production and threaten the future viability of the citrus industry, including huanglongbing and the Asian Citrus Psyllid; and

(B) entities engaged in supporting the dissemination and commercialization of relevant technologies discovered under research and extension activities funded through—

(1) the Citrus Trust Fund; or

(2) other research and extension projects intended to solve problems caused by citrus production diseases and invasive pests.

(2) PRIORITY.—In making payments under paragraph (1), the Secretary shall give priority to entities that use the payments to address the research and extension priorities established pursuant to section 140A(a)(4) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(g)(4)).

(3) COORDINATION.—In determining how to distribute funds under paragraph (1), the Secretary shall—

(A) seek input from Federal and State agencies and other entities involved in citrus disease response; and

(B) take into account other public and private citrus-related research and extension projects and the funding for those projects.

(4) BENEFIT.—The Secretary shall ensure that funds provided under paragraph (1) shall be in addition to and not supplant funds made available to carry out other citrus disease research and extension projects authorized under the Department of Agriculture in consultation with State agencies.

(d) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Citrus Trust Fund $25,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.

SEC. 12607. EXTENSION OF MERCHANDISE PROCESSING FEES.

Section 1-2 of the United States-Korea Free Trade Agreement Implementation Act (Public Law 112–41; 19 U.S.C. 3805 note) is amended by striking “February 24, 2027” and inserting “May 26, 2027”.

SEC. 12608. CONFORMING CHANGES TO CONTROLLED SUBSTANCES ACT.

(a) IN GENERAL.—Section 102(b)(16) of the Controlled Substances Act (21 U.S.C. 802(16)) is amended by—

(1) by striking “(16) The” and inserting “(16)(A) Subject to subparagraph (B), the”;

(2) by striking “Such term does not include” and inserting the following:

“(B) The term ‘marihuana’ does not include—

(1) hemp, as defined in section 297A of the Agricultural Marketing Act of 1946; or

(2) the term ‘tetrahydrocannabinol’.”

Schedule I, as set forth in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)), is amended in subsection (c)(17) by inserting after “except for tetrahydrocannabinols in hemp as defined in section 297A of the Agricultural Marketing Act of 1946”.

SEC. 12609. NATIONAL FLOOD INSURANCE PROGRAM REAUTHORIZATION.

(a) FINANCING.—Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking “September 30, 2017” and inserting “January 31, 2019”.

(b) PROGRAM EXPIRATION.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking “September 30, 2019” and inserting “January 31, 2019”.

SEC. 12610. EMERGENCY ASSISTANCE FOR LIVE- STOCK, HONEY BEES, AND FARM- RAISED FISH.

Section 1501(d)(2) of the Agricultural Act of 2014 (7 U.S.C. 9001(d)(2)) is amended by inserting “including insect or cattle tick fever” before the period at the end.

SEC. 12611. ADMINISTRATIVE UNITS.

Section 1117 of the Agricultural Act of 2014 (7 U.S.C. 9004(g)(6)(A)) is amended by adding at the end the following:

“(1) ADMINISTRATIVE UNITS.—

(3) In general.—For purposes of agriculture risk coverage payments in the case of county coverage, a county may be divided into not greater than 2 administrative units in accordance with this subsection.

(4) ELIGIBLE COUNTIES.—A county that may be divided into administrative units under this subsection is a county that—

(A) is larger than 1,400 square miles; and

(B) in contained within a State that is larger than 140,000 square miles; and

(C) contains more than 190,000 base acres.

(5) ELECTIONS.—Before making any agriculture risk coverage payments for the 2019 crop year, the Farm Service Agency State committee, in consultation with the Farm Service Agency county or area committee of a county described in paragraph (2), may make a 1-time election to divide the county into administrative units under this subsection along a boundary that reflects differences in weather patterns, soil types, or other factors.

(6) ADMINISTRATION.—For purposes of providing agriculture risk coverage payments in the case of county coverage, the Secretary shall consider an administrative unit elected...
under the by the end of the 60-day period beginning on the date on which the agricultural producer receives those funds, the funds shall be returned within a reasonable timeframe, as determined by the Secretary.

(2) CONFORMING AMENDMENTS.—

(A) Sections 402, 403, 404, and 405 of the Agricultural Credit Act of 1978 (16 U.S.C. 2202, 2203, 2204, and 2205) are amended by striking "Secretary of Agriculture" each place it appears and inserting "Secretary".

(B) Section 407(a) of the Agricultural Credit Act of 1978 (16 U.S.C. 2206(a)) is amended by striking paragraph (4).

(b) Cost Share Payments.—Title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) is amended by inserting after section 402 the following:

"SEC. 402A. Cost-share Requirement.  
(a) Cost-share Rate.—Subject to subsections (b) and (c), the maximum cost-share payment under sections 401 and 402 shall not exceed, 75 percent of the total allowable cost, as determined by the Secretary.

(b) Exception.—Notwithstanding subsection (a), a payment to a limited resource farmer or rancher, a socially disadvantaged farmer or rancher (as defined in section 2501(a) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 1997 (7 U.S.C. 2270a(a)), or a beginning farmer or rancher under section 401 or 402 shall not exceed 90 percent of the total allowable cost, as determined by the Secretary.

(c) Limitation.—The total payment under sections 401 and 402 for a single event may not exceed 50 percent of the agriculture value of the land, as determined by the Secretary.".

SEC. 1261C. FUND DONATION STANDARDS.

Section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 2050) is amended by inserting after section 4115(c) is amended by adding at the end the following:

"(f) Food Donation Standards.—

(1) Definitions.—In this section:

(A) Apparently wholesome food.—The term ‘apparently wholesome food’ has the meaning given the term in section 22(c) of the Child Nutrition Act of 1966 (42 U.S.C. 1701(c)).

(B) Institution of higher education.—The term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(C) Qualified direct donor.—The term ‘qualified direct donor’ means a retail food store, wholesaler, agricultural producer, restaurant, caterer, school food authority or institution, or other education.

(2) Guidance.—

(A) In general.—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall issue guidance to promote awareness of donations of apparently wholesome food protected under section 22(c) of the Child Nutrition Act of 1966 (42 U.S.C. 1701(c)) by qualified direct donors in compliance with applicable State and local health, food safety, and food handling laws (including regulations).

(B) Issuance.—The Secretary shall encourage State and emergency feeding organizations to share the guidance issued under subparagraph (A) with qualified direct donors.

SEC. 12616. MICRO-GRANTS FOR FOOD SECURITY.

The Food, Conservation, and Energy Act of 2008 is amended by inserting after section 4405 (7 U.S.C. 3507) the following:


(a) Purpose.—The purpose of this section is to encourage and support food insecurity and import communities in areas of the United States that have significant levels of food insecurity and import a significant quantity of food.

(b) Definitions.—In this section:

(1) Eligible entity.—The term ‘eligible entity’ means an entity that—

(A) is—

(i) an individual; or

(ii) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5391)) or a consortium of Indian tribes;

(2) Nonprofit organization engaged in increasing food security, as determined by the Secretary, including—

(i) a religious organization;

(ii) a food bank; and

(iii) a food pantry;

(iv) a federally funded educational facility; and

(V) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

(2) public elementary school or public secondary school;

(3) a public institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(B) is located in an eligible State.

(c) Eligible State.—The term ‘eligible State’ means—

(1) the State of Alaska;

(2) the State of Hawaii;

(3) American Samoa;

(4) the Commonwealth of the Northern Mariana Islands;

(5) the Commonwealth of Puerto Rico;

(6) the Federated States of Micronesia;

(7) Guam;

(8) the Republic of the Marshall Islands;

(9) the Republic of Palau; and

(10) the United States Virgin Islands.

(d) Establishment.—The Secretary shall award funds to the agricultural department or agency of each eligible State for the competitive distribution of subgrants to eligible entities to increase the quantity and quality of locally grown food in food insecure communities, including through small-scale growing, herding, and livestock operations.

(2) Distribution of funds.—

(A) In general.—Of the amount made available under subsection (g), the Secretary shall distribute—

(i) 40 percent to the State of Alaska;

(ii) 40 percent to the State of Hawaii; and

(iii) 25 percent to each insular area described in subparagraphs (B) through (J) of section 203E(c)(1) of the Nutrition Act of 1966 (42 U.S.C. 1719(c)).

(B) Administrative funds.—An eligible State that receives funds under paragraph (1) may use not more than 3 percent of those funds—

(1) to administer the competition for providing subgrants to eligible entities that

(2) to provide oversight of the subgrants recipients that eligible State; and

(3) to collect data and submit a report to the Secretary under subsection (f)(2).

(e) Subgrants to eligible entities.—

(1) Amount of subgrants.—

(A) In general.—The amount of a subgrant to an eligible entity under this section shall be—
“(i) a State cooperative extension service; or
(ii) a land-grant college or university (as defined in section 1416 of the National Agricultural Research, Extension, and Teaching Policy Act of 1997 (7 U.S.C. 3100));
(iii) a Tribal College or University (as defined in section 316b of the Higher Education Act of 1965 (20 U.S.C. 1065(b)));
(iv) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as those terms are defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b))); or
(v) a Federal or State agency;
(J) paying for shipping of purchased items related to food security;
(K) creating or expanding avenues for—
(i) the sale of food commodities, specialty crops, and meats that are grown by the eligible entity's local community;
(ii) the availability of fresh, locally grown, and nutritious food; and
(L) engaging in other activities relating to increasing food security (including subsistence), as determined by the Secretary.
(5) ELIGIBILITY FOR OTHER FINANCIAL ASSISTANCE.—The Secretary may make a loan guarantee to an eligible recipient to be eligible to receive financial assistance under another program administered by the Secretary as a condition of receiving a subgrant under this section.
(6) REPORTING REQUIREMENT.—
(i) SUBGRANT RECIPIENTS.—As a condition of receiving a subgrant under this section, an eligible entity shall submit to the Secretary a report that describes, in the aggregate, the information and data contained in the reports received from those eligible entities.
(g) FUNDING.—
(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000 for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.
(2) APPROPRIATIONS IN ADVANCE.—Only funds appropriated under paragraph (1) in advance specifically to carry out this section shall be available to carry out this section.
(b) EFFECTIVE DATE.—This section takes effect on the date of enactment of the Agriculture Improvement Act of 2018.
SEC. 12617. USE OF ADDITIONAL COMMODITY CREDIT CORPORATION FUNDS FOR DIRECT OPERATING MICROLOANS UNDER CERTAIN CONDITIONS.
Section 346(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1993(b)) is amended by adding at the end the following:
"(8) USE OF ADDITIONAL COMMODITY CREDIT CORPORATION FUNDS FOR DIRECT OPERATING MICROLOANS UNDER CERTAIN CONDITIONS.—
(A) IN GENERAL.—If the Secretary determines that the amount needed for a fiscal year for direct operating loans (including microloans) under subtitle B is greater than the amount authorized for that fiscal year by this Act, an appropriation Act, or any other provision of law, the Secretary shall make additional microloans under subtitile B using amounts made available under subparagraph (B).
(B) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to make additional microloans under subtitile B, the Secretary may make loans and loan guarantees to the Secretary a report that describes, in the aggregate, the information and data contained in the reports received from those eligible entities.
("SEC. 379I. RURAL INNOVATION STRONGER ECONOMY GRANT PROGRAM.
Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) is amended by adding at the end the following:
"SEC. 12618. BUSINESS AND INNOVATION SERVICES ESSENTIAL COMMUNITY FACILITIES.
Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1928(a) (as amended by section 6105) is amended by adding at the end the following:
"(28) BUSINESS AND INNOVATION SERVICES ESSENTIAL COMMUNITY FACILITIES.—The Secretary may make loans and loan guarantees under this subsection and grants under paragraphs (19), (20), and (21) for essential community facilities for business and innovation services such as incubators, co-working spaces, maker spaces, and residential entrepreneur and innovation centers.
SEC. 12619. RURAL INNOVATION STRONGER ECONOMY GRANT PROGRAM.
Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) is amended by adding at the end the following:
"SEC. 379I. RURAL INNOVATION STRONGER ECONOMY GRANT PROGRAM.
"(a) DEFINITIONS.—In this section:
"(i) ELIGIBLE ENTITY.—The term 'eligible entity' means a rural businesses accelerator partnership established after the date of enactment of this section that—
"(I) is an operating business accelerator partnership in which the shared goals and needs of the industry clusters that are objectively identified as existing, emerging, or declining are focused on.
"(ii) represents a region defined by the partnership in accordance with subparagraph (B);
"(iii) includes 1 or more representatives of—
"(I) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));
"(II) a private entity; or
"(III) a government entity;
"(iv) may include 1 or more representatives of—
"(I) an economic development or other community or labor organization;
"(II) a financial institution, including a community development financial institution (as defined in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702));
"(III) a philanthropic organization; or
"(IV) a rural cooperative, if the cooperative is organized as a nonprofit organization; and
"(v) has, as a lead applicant—
"(I) a District Organization (as defined in section 300.3 of title 13, Code of Federal Regulations (or a successor regulation));
"(II) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5302)), or a consortium of Indian tribes;
"(III) a State or a political subdivision of a State, including a special purpose unit of a State or local government engaged in economic development activities, or a consortium of political subdivisions;
"(IV) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or
"(V) a public or private nonprofit organization; and
"(B) subject to approval by the Secretary, may—
"(i) serve a region that is—
"(I) single jurisdiction; or
"(II) if the region is a rural area, multi-jurisdictional; and
"(ii) define the region that the partnership represents, if the region is—
"(I) large enough to contain critical elements of the industry cluster prioritized by the partnership; and
"(II) small enough to enable close collaboration among members of the partnership;
In-kind contributions of goods or services...
“(v) new business formations;
“(vi) new products or services commercialized;
“(vii) improvement of the value of existing products and services under development;
“(viii) regional collaboration, as measured by such metrics as—
“(I) the number of organizations actively engaged in the cluster;
“(II) the number of symposia held by the industry cluster, including organizations that are not located in the immediate region defined by the partnership; and
“(III) the number of further cooperative agreements;
“(ix) the number of education and training activities and initiatives that promote the cluster;
“(x) the amount of new or increased investments in industry cluster firms;
“(xi) the amount and number of new loans to industry cluster firms;
“(xii) the dollar increase in exports resulting from the project activities;
“(xiii) the number of employees for which training was provided;
“(xiv) the percentage of employees for which training was provided;
“(xv) improvement in sales of participating businesses;
“(xvi) improvement in wages paid at participating businesses;
“(xvii) improvement in income of participating workers;
“(xviii) any other measure the Secretary determines to be appropriate.
“(f) INTERAGENCY TASK FORCE.—
“(1) IN GENERAL.—The Secretary shall establish an interagency Federal task force to support the network of jobs accelerators by—
“(A) providing successful applicants with available information and technical assistance on Federal resources relevant to the project and region;
“(B) establishing a Federal support team comprised of staff from participating agencies in the task force that shall provide coordinated and dedicated support services to jobs accelerators; and
“(C) providing opportunities for the network of jobs accelerators to share best practices and further collaborate to achieve the purposes of this section.
“(2) MEMBERSHIP.—The task force established under paragraph (1) shall—
“(A) be co-chaired by—
“(i) the Secretary of Commerce (or a designee); and
“(ii) the Secretary (or a designee); and
“(B) include—
“(i) the Secretary of Education (or a designee);
“(ii) the Secretary of Energy (or a designee);
“(iii) the Secretary of Labor (or a designee);
“(iv) the Secretary of Housing and Urban Development (or a designee);
“(v) the Secretary of Transportation (or a designee);
“(vi) the Secretary of the Treasury (or a designee);
“(vii) the Administrator of the Environmental Protection Agency (or a designee);
“(viii) the Administrator of the Small Business Administration (or a designee);
“(ix) the Federal Co-Chair of the Appalachian Regional Commission (or a designee);
“(x) the Federal Co-Chairman of the Board of the Delta Regional Authority (or a designee);
“(xi) the Federal Co-Chair of the Northern Border Regional Commission (or a designee);
“(xii) national and local organizations that have relevant programs and interests that could serve the needs of the jobs accelerators;
“(xiii) representatives of State and local governments or State and local economic development agencies; and
“(xiv) representatives of institutions of higher education, including land-grant universities; and
“(xv) such other heads of Federal agencies and non-Federal partners as determined appropriate by the co-chairs of the task force.

SEC. 12620. DRYLAND FARMING AGRICULTURAL SYSTEMS.

Section 1672(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1922(b)) is amended by adding at the end the following:—
“(15) DRYLAND FARMING AGRICULTURAL SYSTEMS.—Research and extension grants may be made under this section for the purposes of carrying out or enhancing research on the utilization of big data for more precise management of dryland farming agricultural systems.

SEC. 12621. REMOTE SENSING TECHNOLOGIES.

The Chief of the Forest Service shall—
“(1) continue to find efficiencies in the operations of data collection and analysis of program under section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1622(e)) through the implementation of advanced remote sensing technologies to provide estimates for State- and national-level inventories, where appropriate; and
“(2) partner with States and other interested stakeholders to carry out the program described in paragraph (1).

SEC. 12622. BUY AMERICAN REQUIREMENTS.

Not later than 180 days after the date of enactment of this Act, the Secretary shall—
“(1) fully enforce the Buy American provisions applicable to domestic food assistance programs administered by the Food and Nutrition Service and
“(2) submit to Congress a report on the actions the Secretary has taken and plans to take to comply with paragraph (1).

SEC. 12623. ELIGIBILITY FOR OPERATORS ON HEIRS PROPERTY LAND TO OBTAIN A FARM NUMBER.

(a) DEFINITION.—In this section:
“(1) ELIGIBLE DOCUMENTATION.—The term ‘eligible documentation’, with respect to land for which a farm operator seeks assignment of a farm number under subsection (b)(i), includes—
“(A) in States that have adopted a statute consisting of an enactment or adoption of the Uniform Partition of Heirs Property Act, as approved and recommended for enactment in all States by the National Conference of Commissioners on Uniform State Laws in 2010—
“(i) a court order verifying the land meets the definition of heirs property (as defined in that Act); or
“(ii) a certification from the local recorder of deeds that the recorded owner of the land is deceased and not less than 1 hears of the recorded owner of the land has initiated a procedure to settle the land in the name of the rightful heir;
“(B) a fully executed, unrecorded tenancy-in-common agreement that sets out ownership rights and responsibilities among all of the owners of the land that—
“(i) has been approved by a majority of the ownership interests in that property; and
“(ii) has given a particular owner the right to manage and control any portion or all of the land for purposes of operating a farm or ranch; and
“(C) was validly entered into under the authority of the jurisdiction in which the land is located;
“(D) the tax return of a farm operator farming a property with undivided interests for each of the 5 years preceding the date on which the farm operator submits the tax return with eligible documentation under subsection (b);
“(E) self-certification that the farm operator has control of the land for purposes of operating a farm or ranch;
“(F) any other documentation identified by the Secretary under subsection (c).

(b) FARM NUMBER.—The term ‘farm number’ has the meaning given the term in section 718.2 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) ELIGIBLE DOCUMENTATION.—The Secretary shall identify alternative forms of eligible documentation that a farm operator may provide in seeking the assignment of a farm number under subsection (b)(i).

SEC. 12624. LOANS TO PURCHASERS OF LAND WITH UNDIVIDED INTEREST AND NO ADMINISTRATIVE AUTHORITY.

(a) REAUTHORIZATION OF BEGINNING FARMER AND RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.—Section 333(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1923(b)) (as amended by section 5301) is amended by striking ‘‘2023’’ and inserting ‘‘2024’’.

(b) PILOT PROGRAM.—Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) is amended by adding after section 333D the following:

SEC. 333E. FARMER LOAN PILOT PROJECTS.

(a) IN GENERAL.—The Secretary may conduct pilot projects of limited scope and duration that are consistent with subtitles A, B, C, and D, and this subtitle to evaluate processes and techniques that may improve the efficiency and effectiveness of the credit programs under subtitles A, B, C, and D, and this subtitle.

(b) NOTIFICATION.—The Secretary shall—
“(1) not less than 60 days before the date on which the Secretary announces a pilot project under subsection (a), submit notice of the proposed pilot project to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and
“(2) consider any recommendations or feedback provided to the Secretary in response to the notice provided under paragraph (1).

(c) RELENDING PROGRAM.—Subtitle A of title III of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.) is amended by adding at the end the following:

SEC. 3101. RELENDING PROGRAM TO RESOLVE OWNERSHIP AND SUCCESSION ON FARMLAND.

(a) IN GENERAL.—The Secretary may make or guarantee loans to eligible entities described in subsection (b) (using amounts made available for farm ownership loans under this subtitle so that the eligible entities may reloan the funds to individuals and entities for the purposes described in subsection (c)).

(b) ELIGIBLE ENTITIES.—Entities eligible for farm and loan guarantee loans described in subsection (a) are cooperatives, credit unions, and nonprofit organizations with—
"(1) certification under section 1805.201 of title 12, Code of Federal Regulations (or successor regulations) to operate as a lender; "(2) experience assisting socially disadvantaged farmers and ranchers; and "(3) ability to provide adequate assurance of the repayment of a loan."

"(c) ELIGIBLE PURPOSES.—The proceeds from loans made or guaranteed by the Secretary pursuant to subsection (a) shall be repayable in accordance with a repayment plan adopted under section 2279(a) or limited resource or new and beginning farmers and ranchers, rural businesses, cooperatives, or credit unions, including experience in making and servicing agricultural and commercial loans; and "(d) PREFERENCE.—In making loans under subsection (a), the Secretary shall give preference to eligible entities— "(1) with not less than 10 years of experience serving socially disadvantaged farmers and ranchers; and "(2) in States that have adopted a statute consistent with the Uniform Partition of Heirs Property Act, as approved and recommended for enactment in all States by the National Conference of Commissioners on Uniform State Laws in 2010, that relates to heirs with undivided ownership interests in farmland that have multiple owners."

"(e) LOAN TERMS AND CONDITIONS.—The following terms and conditions shall apply to loans made or guaranteed under this section: "(1) the interest rate at which intermediares may borrow funds under this section shall not be less than the rate at which farm ownership loans under this subtitle are made; "(2) the rates, terms, and payment structure of borrowers to which intermediares lend shall be— "(A) determined by the intermediary in an amount sufficient to cover the cost of operating and sustaining the revolving loan fund; and "(B) clearly and publicly disclosed to qualified ultimate borrowers; "(3) borrowers to which intermediares lend shall be— "(A) required to complete a succession plan as a condition of the loan; and "(B) clearly and publicly disclosed to qualified ultimate borrowers; "(4) reports to be made pursuant to paragraph (1) for the purpose of providing the Secretary with information on the success of the loan made shall be— "(A) in the paragraph heading, by stripping ‘venture’; and "(B) in the report of the Tenure, Ownership, and Transition of Agricultural Land survey the results of the questions relating to— "(i) the extent to which non-farming landowners are purchasing and holding onto farmland for the sole purpose of real estate investment; "(ii) the extent to which farmland ownership trends on the successful entry and viability of beginning farmers and ranchers and socially disadvantaged farmers and ranchers; "(iii) the extent to which beginning farmers and ranchers, including a regular follow-on survey to each Census of Agriculture with results of the follow-on surveys made public 5 years after the previous Census of Agriculture; and "(iv) the extent of land tenure patterns, categorized by— "(I) race, gender, and ethnicity; and "(II) region; and "

"(f) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the operation and outcomes of the program under this section, with recommendations on how to strengthen the program."

"(g) FUNDING.—The Secretary shall carry out this section using funds otherwise made available to the Secretary."

SEC. 12625. FARMLAND OWNERSHIP DATA COLLECTION.

(a) IN GENERAL.—The Secretary shall collect and, not less frequently than once every 5 years, report data and analysis on farmland ownership, tenure, transition, and entry of beginning farmers and ranchers (as defined in section 229(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))) and

(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall, at a minimum— "(1) collect and distribute comprehensive re- porting trends in farm ownership, tenure, transition, barriers to entry, profitability, and viability of beginning farmers and ranchers and socially disadvantaged farmers and ranchers; "(2) develop surveys and report statistical and economic analysis on farmland ownership, tenure, transition, barriers to entry, profitability, and viability of beginning farmers and ranchers, including a regular follow-on survey to each Census of Agriculture; and "(3) require the National Agricultural Statistics Service— "(A) to include in the Tenure, Ownership, and Transition of Agricultural Land survey the results of the questions under subparagraph (A)."

SEC. 12626. RURAL BUSINESS INVESTMENT PROGRAM.

(a) DEFINITIONS.—Section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–3) is amended by— "(1) in paragraph (2), by striking ‘venture’; and "(B) by striking ‘venture’; and "(2) by striking paragraph (4) and inserting the following: "(4) EQUITY CAPITAL.—The term ‘equity capital’ means— "(A) common or preferred stock or a similar instrument, including subordinated debt with equity features; and "(B) any other equity-like financing that might be necessary to facilitate the purposes of this Act, excluding financing such as senior debt or other types of financing that competes with routine loanmaking of commercial lenders."

(b) PURPOSES.—Section 384B of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–4) is amended by— "(1) in paragraph (1), by striking ‘venture’; and "(2) in paragraph (2), by striking ‘venture’; and "(3) by striking subparagraph (A), by striking ‘venture’; and "(4) in subparagraph (B), by striking ‘venture’; and "(5) by striking paragraph (6) as redesignated and inserting the following: "(6) FUNDING.—The Secretary may not obligate, expend, or borrow against amounts required under section 706(f)(2)(B) as of the beginning of the fiscal year that amount which obligates, is less than the amount that may be obligated, is determined, less the amount that may be obligated, is less than the amount that may be obligated."

(c) SELECTION OF RURAL BUSINESS INVESTMENT COMPANIES.—Section 384D of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–5) is amended by— "(1) in subsection (a), by striking ‘venture’; and "(2) by striking paragraph (4) and inserting the following: "(4) EQUITY CAPITAL.—The term ‘equity capital’ means— "(A) common or preferred stock or a similar instrument, including subordinated debt with equity features; and "(B) any other equity-like financing that might be necessary to facilitate the purposes of this Act, excluding financing such as senior debt or other types of financing that competes with routine loanmaking of commercial lenders."

SEC. 12627. NATIONAL OILHEAT RESEARCH ALLIANCE.

(a) IN GENERAL.—Section 713 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is repealed.

(b) LIMITATIONS ON OBLIGATIONS OF FUNDS.—The National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by inserting after section 707 the following: "SEC. 708. LIMITATIONS ON OBLIGATIONS OF FUNDS.

"(a) IN GENERAL.—In each fiscal year of the covered period, the Alliance may obligate an amount greater than the sum of— "(1) 75 percent of the amount of assessments actually collected under section 707 in the most recent fiscal year for which an audit report has been submitted under section 706(f)(2)(B) as of the beginning of the fiscal year for which the amount that may be obligated is determined, less the estimate made pursuant to paragraph (1) for that most recent fiscal year; and "(2) amounts permitted in preceding fiscal years to be obligated pursuant to this paragraph that have not been obligated.

"(b) EXCESS AMOUNTS DEPOSITED IN ESCROW ACCOUNT.—Assessments collected under section 707 in excess of the amount permitted to be obligated under subsection (a) in a fiscal year shall be deposited in an escrow account for the duration of the covered period.

"(c) TREATMENT OF AMOUNTS IN ESCROW ACCOUNTS.— "(1) IN GENERAL.—During the covered period, the Alliance may not obligate, expend, or borrow against amounts required under subsection (a) to be deposited in the escrow account.

"(2) INTEREST.—Any interest earned on amounts described in paragraph (1) shall be— "(A) credited in the escrow account; and "(B) unavailable for obligation for the duration of the covered period.
programs of the Department of Agriculture through fiscal year 2023, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

**SECT. 125.—PROHIBITION ON SLAUGHTER OF DOGS AND CATS FOR HUMAN CONSUMPTION.**

(a) In General—Except as provided in subsection (c), no person may—

(1) knowingly slaughter a dog or cat for human consumption; or

(2) knowingly ship, transport, move, deliver, receive, possess, purchase, sell, or donate—

(A) a dog or cat to be slaughtered for human consumption; or

(B) a dog or cat part for human consumption.

(b) Scope.—Subsection (a) shall apply only with respect to conduct—

(1) in or affecting interstate commerce or foreign commerce; or

(2) within the special maritime and territorial jurisdiction of the United States.

(c) Exception for Indian Tribes.—The prohibition in subsection (a) shall not apply to an Indian (as defined in section 4 of the Indian Self-Determination and Educational Assistance Act (25 U.S.C. 5304)) carrying out any activity described in subsection (a) for the purpose of scientific research.

(d) Penalty.—Any person who violates subsection (a) shall be subject to a fine in an amount not greater than $5,000 for each violation.

(e) Effect on State Law.—Nothing in this section—

(1) limits any State or local law or regulation protecting the welfare of animals; or

(2) prevents a State or unit of local government from adopting and enforcing an animal welfare law or regulation that is more stringent than this section.

**SA 3225. Mrs. GILLIBRAND (for herself, Mr. ROBERO, and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:**

After section 411, insert the following:

**SEC. 411.—CONSOLIDATED BLOCK GRANTS FOR THE COMMONWEALTH OF PUERTO RICO.**

Section 19(a)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(a)(2)(B)) is amended by adding at the end the following:

(2) prevents a State or unit of local government from adopting and enforcing an animal welfare law or regulation that is more stringent than this section.

**SA 3227. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:**

At the appropriate place, insert the following:

**SEC. 126.—STOP SUBSIDIZING CHILDHOOD OBESITY.**

(a) Findings.—Congress finds the following:

(1) Childhood obesity has more than doubled in children and tripled in adolescents in the past 30 years. Currently, more than 1/3 of children and adolescents in the United States are overweight or obese, the highest adult obesity rates could exceed 65 percent in a number of States by 2030.

(2) A report by the Robert Wood Johnson Foundation and Trust for America’s Health found that if the population of the United States were to follow current dietary recommendations, adult obesity rates could exceed 65 percent in a number of States by 2030.

(3) Health-related behaviors, such as eating habits and physical activity patterns, develop early in life and affect behavior and health in adulthood. The diets of American children and adolescents depart substantially from healthy dietary patterns that put their health at risk. Overall, American children and youth are not achieving basic nutritional goals. They are consuming excess calories and poor quality foods higher than recommended intakes of sodium, total fat, and saturated fats.

(4) According to a 2012 report from the Federal Trade Commission, the total amount spent on food marketing to children is about $2,000,000,000 per year.

(b) Institutions of higher education, school districts, and organizations that provide food service and other Federal, State, and local health and human service programs that serve children and adolescents.

(5) According to a comprehensive review by the National Academy of Medicine, studies demonstrate that television food advertising and marketing of high-calorie foods to children and adolescents is one of the major contributors to childhood obesity.

(6) A study published in the Journal of Law and Economics and funded by the National Institutes of Health found that the elimination of the tax deduction that allows companies to deduct costs associated with advertising food of poor nutritional quality to children could reduce the rates of childhood obesity by 5 to 7 percent.

(c) Any State or unit of local government from adopting and enforcing an animal welfare law or regulation that is more stringent than this section.

(7) More than 80 percent of the food advertisements seen by children on television are for foods of poor nutritional quality.

(8) A study published in the Journal of Law and Economics and funded by the National Institutes of Health found that the elimination of the tax deduction that allows companies to deduct costs associated with advertising food of poor nutritional quality to children could reduce the rates of childhood obesity by 5 to 7 percent.

(9) A study published in the Journal of Health Affairs found that the elimination of the tax deduction for costs described in paragraph (a) would save up to $260,000,000 in health care costs and prevent nearly 130,000 cases of childhood obesity over 10 years.

**B.** In general.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**SEC. 2601.—DENIAL OF DEDUCTION FOR ADVERTISING AND MARKETING DIRECTED AT CHILDREN TO PROMOTE THE CONSUMPTION OF FOOD OF POOR NUTRITIONAL QUALITY.**

(a) In general.—No deduction shall be allowed under this chapter with respect to—

(1) any advertisement or marketing—

(A) primarily directed at children for purposes of promoting the consumption by children of any food of poor nutritional quality, or

(B) of a brand primarily associated with food of poor nutritional quality that is primarily directed at children;

(2) any of the following which are incurred or provided primarily for purposes described in paragraph (1):—

(A) Travel expenses (including meals and lodging).

(B) Goods or services of a type generally considered to constitute entertainment, amusement, or recreation or the use of a facility in connection with providing such goods and services.

(C) Gifts.

(D) Other promotion expenses.

(b) NAM STUDY.—

(1) In general.—Not later than 60 days after the date of the enactment of this section, the Secretary shall report to the Council on the data required by this section.

(2) Council to request additional data.—Not later than 12 months after the date of the enactment of this section, the Secretary shall direct the Council to submit to the Secretary a report that establishes the proposed procedures described in paragraph (1).
or a mark, regardless of whether it may legally qualify as a trademark, used by a seller or manufacturer to identify goods or services and to distinguish them from the goods of a competitor.

(2) CHILD.—The term ‘child’ means an individual who is age 14 or under.

(3) FOOD.—The term ‘food’ shall include beverages, the sale of which is permitted by law.

(c) REGULATIONS.—Not later than 18 months after the date of the enactment of this section, the Secretary, in consultation with the Secretary of Health and Human Services and the Federal Trade Commission and based on the report prepared by the National Academy of Medicine pursuant to subsection (b), shall promulgate such regulations as may be necessary to carry out the purposes of this section, including regulations defining the terms ‘marketing’, ‘directed at children’, ‘food of poor nutritional quality’, and ‘brand primarily associated with food of poor nutritional quality’ for purposes of this section.

SA 3228. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 125. FOOD DATE LABELING.

(a) DEFINITIONS.—In this section:

(1) QUALITY DATES.—The term ‘quality date’ means a date voluntarily printed on food packaging that is intended to communicate to consumers the date after which the product may begin to deteriorate, but is not a date at which the product is unsafe to eat.

(2) SAFETY DATES.—The term ‘safety date’ means a date voluntarily printed on food packaging that is intended to communicate to consumers the date after which the product may pose a health risk.

(b) Food labeler. — The term ‘food labeler’ means the manufacturer, distributor, or retailer that places a date label on food packaging.

(c) Quality dates. — The term ‘quality date and safety date label phrase’ means a phrase under subparagraph (A).

(d) Option of labeler. — The decision to include a quality date and safety date label phrase on the discretion of the food labeler.

(c) High-risk ready-to-eat products. — The administering Secretaries, acting jointly, shall issue regulations to establish criteria for determining the conditions under which ready-to-eat products may have a high level of risk associated with consumption after a certain day and (ii) for determining safety dates for high-risk ready-to-eat products described in clause (i).

(d) Quality date and safety date labeling. — (A) In general. — The quality date and safety date, as applicable, and immediately adjacent uniform quality date label phrase or safety date label phrase shall be—

(i) in single easy-to-read type style; and

(ii) located in a conspicuous place on the package of the food.

(B) Date format. — Each quality date and safety date shall be stated in terms of day and month and, as appropriate, year.

(C) Abbreviations. — A food labeler may use a standard abbreviation of ‘BB’ and ‘UB’ for the quality date and safety date, respectively, only if the food packaging is treated, for purposes of including such phrase described in paragraph (1)(B) or (2)(B), as applicable.

(D) Freeze by. — A food labeler may add ‘freezing by’ following a date or safety date uniform phrase described in paragraph (1)(B) or (2)(B), as applicable.

(E) Sale or donation after quality date or safety date. — A food labeler may not sell or donate any product that shall not be prohibited based on passage of the quality date of the product.
with the Federal Trade Commission, shall provide consumer education and outreach on the meaning of quality date and safety date food labels.

(6) RULE OF CONSTRUCTION; PREEMPTION.—(A) RULE OF CONSTRUCTION.—Nothing in this subsection applies to any State or political subdivision of a State from establishing or continuing in effect any requirement that prohibits the sale or donation of foods based on passing or failing the safety date.

(B) PREEMPTION.—No State or political subdivision of a State may establish or continue a requirement that—

(i) relates to the inclusion in food labeling of a quality date or a safety date that is different from or in addition to, or that is otherwise not identical with, the requirements under this section; or

(ii) prohibits the sale or donation of foods based on passage of the quality date.

(7) ENFORCEMENT.—The administering Secretaries, acting jointly and in coordination with the Federal Trade Commission, shall ensure that the uniform quality date label phrase and the safety date label phrase are standardized across all food products.

(8) SAVINGS.—Nothing in this section, any amendment made by this section, or any standard, condition, or requirement imposed pursuant to this section preempts, displaces, or supplants any State or Federal common law rights or any State or Federal statute creating a penalty for civil relief, including those for civil damage, or a penalty for criminal conduct.

SEC. 1755. ACTIVELY ENGAGED IN FARMING REQUIREMENT.

Section 1001(a)(b) of the Food Security Act of 1985 (7 U.S.C. 1308–b(b)) is amended by adding at the end the following:

"(A) IN GENERAL.—Notwithstanding any other provision of this section, section 1001, and sections 1001B through 1001F, and any rules or regulations to implement those provisions or sections, the Secretary shall consider not more than 1 person or legal entity to be actively engaged in farming for purposes of this section if the Secretary determines that the farming operation qualifies as actively engaged in farming under subparagraph (B).

(B) ARE PERFORMED FOR AT LEAST 500 HOURS—

(i) if the farming operation relies on or receives any income from farming, the farming operation must be actively engaged in farming using personal management; and

(ii) if the farming operation does not rely on or receive any income from farming, the farming operation must be actively engaged in farming using personal management.

(C) IN GENERAL.—For each of fiscal years 2019 through 2023, the Secretary shall allocate the total amount of payments to States for the purposes described in paragraph (1) in accordance with subparagraph (B).

(D) DETERMINATION.—The Secretary shall determine the allocation to a State under this subsection based on—

(i) the number of persons or legal entities in the farming operation qualifying as actively engaged in farming using personal management; and

(ii) the number of persons or legal entities in the farming operation qualifying as actively engaged in farming using personal management (referred to in this section as "the number of persons or legal entities qualifying as actively engaged in farming using personal management") that, together with the person or legal entity that is actively engaged in farming using personal management, are not substantially engaged in farming using personal management for at least one of the fiscal years 2019 through 2023.

(E) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall report to the appropriate committees of Congress on the number of persons or legal entities that are actively engaged in farming using personal management and the number of persons or legal entities that apply for or receive payments to States for the purposes described in paragraph (1) in accordance with subparagraph (B).

SEC. 1756. SIGNIFICANT CONTRIBUTION OF ACTIVE PERSONAL MANAGEMENT.

Section 1308(a)(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)(a)) is amended by adding at the end the following:

"(6) SIGNIFICANT CONTRIBUTION OF ACTIVE PERSONAL MANAGEMENT.—The term "significant contribution of active personal management" means active personal management that is performed by a direct or indirect ownership interest in the farming operation on a regular, continuous, and substantial basis to the farming operation that meets at least one of the following to be considered significant:

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

(B) Are performed for at least 500 hours annually for the farming operation."
(A) any infrastructure, including any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with an application and permitted unlicensed wireless or wireline transmission of writings, signs, signals, data, images, pictures, and sounds of all kinds; and
(B) any antenna that is—
(1) designed for the purpose of emitting radio frequency;
(2)(I) designed to be operated, or is operating, at a fixed location pursuant to a lease, license, or other authorization to locate or modify a communications facility on covered land;
(II) using duly authorized devices that do not require individual licenses; and
(3) is added to a tower, building, or other structure.

(2) COMMUNICATIONS SITE.—The term "communications site" means an area of covered land designated for communications use.

(3) COMMUNICATIONS USE.—The term "communications use" means the placement and operation of communications facility.

(4) COMMUNICATIONS USE AUTHORIZATION.—The term "communications use authorization" means an easement, right-of-way, lease, license, or other authorization to locate or modify a communications facility on covered land by the Forest Service for the primary purpose of authorizing the occupancy and use of the covered land for communications use.

(5) COVERED LAND.—The term "covered land" means National Forest System land.

(6) ORGANIZATIONAL UNIT.—The term "organizational unit", with respect to the Forest Service, means—
(A) a regional office;
(B) the headquarters;
(C) a management unit; or
(D) a ranger district office.

(7) SPECIAL ACCOUNT.—The term "special account" means the special account established for the Forest Service under subsection (f)(1).

(b) REGULATIONS.—Notwithstanding section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455(b)(3)(A)), the Forest Service shall be deemed to have granted the application; and
(b) provide for prioritization or streamlining of the consideration of applications to locate or modify communications facilities on covered land in a previously disturbed right-of-way.

(d) ADDITIONAL CONSIDERATIONS.—In promulgating regulations under subsection (b), the Secretary shall—
(1) require the Forest Service to—
(A) submitting an application described in paragraph (1) of that subsection can be conducted simultaneously, rather than separately, by any organizational units of the Forest Service that must approve the location or modification; and
(B) how to eliminate overlapping requirements among the organizational units of the Forest Service with respect to the location or modification of a communications facility on covered land administered by those organizational units.
(2) DEPOSIT OF FEES.—Fees collected by the Forest Service under paragraph (4) of subsection (e) shall be deposited in the special account established for the Forest Service under subsection (f)(1).

(e) COMMUNICATION OF STREAMLINED PROCESSES TO ORGANIZATIONAL UNITS.—With respect to the regulations promulgated under subsection (b), the Secretary shall—
(1) communicate the regulations to the organizational units of the Forest Service; and
(2) ensure that the organizational units of the Forest Service follow the regulations.

(f) DEPOSIT OF FEES.—Fees collected by the Forest Service under paragraph (4) of subsection (e) shall be deposited in the special account.

(g) AVAILABILITY OF FEES.—Amounts deposited in the special account shall be available, to the extent and in such amounts as are provided in advance in appropriation Acts, to the Secretary to cover costs incurred by the Forest Service described in subsection (c)(4), including—
(A) preparing needs assessments or other programmatic analyses necessary to designate communications sites and issue communications use authorizations on covered land;
(B) developing management plans for communications sites;
(C) training for management of communications sites;
(D) obtaining or improving access to communications sites.

(h) ACCOUNT.—Fees collected by the Forest Service under paragraph (4) of subsection (e) shall be deposited in the special account.

(i) ACCOUNT.—Fees collected by the Forest Service under paragraph (4) of subsection (e) shall be deposited in the special account established for the Forest Service under subsection (f)(1).

(j) ACCOUNT.—Fees collected by the Forest Service under paragraph (4) of subsection (e) shall be deposited in the special account established for the Forest Service under subsection (f)(1).

(2) EFFECT ON OTHER LAWS.—Nothing in this section provides any executive agency to sell, dispose of, declare excess or surplus, lease, reprogram any Federal real property pursuant to title 40, United States Code, the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287, 40 U.S.C. 1303 note), or any other law affecting property activities of the Federal Government.

(B) AGREEMENTS.—No agreement entered into pursuant to this section obligates the Federal Government to hold, control, or otherwise retain or use real property that may otherwise be deemed as excess, surplus, or that could otherwise be sold, leased, or redeveloped.

SA 2323. Mr. DAINES (for himself and Mr. Risch) submitted an amendment extending the period of time for amendment SA 3224 proposed by Mr. Roberts (for himself and Ms. Stabenow) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title VIII, add the following:

Sec. 502. LONGER FOREST PLAN AMENDMENTS.

Section 6(d) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1606(d)) is amended by adding at the end the following:

(3) CONSULTATION WITH SECRETARIES OF THE INTERIOR AND COMMERCE.—
(A) DEFINITION OF NEW, SIGNIFICANT INFORMATION.—In this paragraph, the term ‘new, significant information’ means new, significant information relevant to the listing of a species as threatened or endangered, or the determination of an action that may affect the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) on a unit of the National Forest System covered by a land management plan under this section.

(B) CONSULTATION.—If appropriate or on request of the Secretary of the Interior or the Secretary of Commerce, as appropriate, if new, significant information becomes available to the Secretary, the Secretary, in accordance with applicable regulations, shall consult with the Secretary of the Interior or the Secretary of Commerce, as applicable, for the sole purpose of assessing whether the new, significant information indicates that the applicable land management plan should be amended or revised.

(C) APPLICATION.—The consultation under subparagraph (B) shall not be subject to—
(1) section 7(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1537(d)(1)); or
(2) judicial review.

SA 3234. Mr. DAINES (for himself and Mr. McCaskill) submitted an amendment extending the period of time for amendment SA 3224 proposed by Mr. Roberts (for himself and Ms. Stabenow) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VI, add the following:

SEC. 62. USE OF ASSISTANCE FOR DEPLOYMENT OF BROADBAND INFRASTRUCTURE.

Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 956b et seq.) (as amended by section 6236) is amended by adding at the end the following:

"SEC. 606. USE OF ASSISTANCE FOR DEPLOYMENT OF BROADBAND INFRASTRUCTURE.

"(a) Definition of Qualifying Broadband-Capable Infrastructure.—In this section, the term 'qualifying broadband-capable infrastructure' means fixed broadband-infrastructure—

"(1) used by a service provider to provide fixed broadband service for which the service provider receives universal service support under section 254 of the Communications Act of 1934 (47 U.S.C. 254), if—

"(A) the broadband service satisfies any applicable broadband speed standards under that section and the regulations issued under that section; or

"(B) the service provider is in compliance with buildout obligations to provide retail fixed broadband service that will comply with applicable broadband speed standards described in subparagraph (A); or

"(ii) was financed with funds provided by the Secretary under this Act or any other program carried out by the Secretary for the purposes of communications, written or otherwise, regarding the objection; or

"(B) designated under subsection (d)(1)(B)(ii).

"(3) Project.—The term 'project' means any project carried out by the Chief of the Forest Service that is developed through a collaborative process, including—

"(A) an authorized hazardous fuel reduction project under section 102 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512); and

"(B) the Collaborative Forest Landscape Restoration Program under section 606(b)(1)(C) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(b)).

"(C) CDIP ACTION.—Antidwitting any other provision of law, an individual or entity that files a predecisional administrative objection to a project, or any portion of a project, may only commence a civil action for review of the project, subject to subsection (d).

"(3) Treatment of Collaborative Members.—For purposes of a civil action for review of a project commenced under section (b), any individual or entity that is recognized by the Secretary as a member of the collaborative process for that project shall be—

"(1) entitled to intervene, as of right, in any subsequent civil action; and

"(2) considered a full participant in any settlement negotiation regarding the project.

"(d) Administrative Remedies.—

"(1) M EETINGS REQUIRED.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, subject to subparagraph (C), on request by the Secretary, an individual or entity that files a predecisional administrative objection regarding a project, or any portion of a project, shall publicly meet with the Secretary to resolve the objection before filing a petition for review of the project with a court of competent jurisdiction.

"(B) MULTIPLE OBJECTORS.—

"(1) In General.—If multiple individuals or entities are listed on an objection, on request for a meeting under subparagraph (A), identification of the lead objector shall be provided to the Secretary.

"(2) Designation of Lead Objector.—If identification of the lead objector is not provided under clause (i), the Secretary shall designate a lead objector.

"(C) TELEPHONE CONFERENCES.—The Secretary may, on a limited, case-by-case basis, hold a meeting under subparagraph (A) through a telephone conference call, if the Secretary determines an in-person meeting to be impracticable.

SA 3235. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part II of title VIII, add the following:

SEC. 863. COLLABORATIVE PROJECTS.

(a) Definitions.—In this section:

(1) Collaborative project.—The term "collaborative project" means a project carried out under a collaboratively developed forest project.

(2) Indivisible project.—The term "indivisible project" means a project that is not divisible into smaller projects.

(b) In General.—If a collaborative project is carried out under this Act, the project shall be—

(1) considered to have failed to exhaust administrative remedies; and

(2) ineligible to seek judicial review of the applicable project.

SA 3236. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 84. INJUNCTIONS FOR AGENCY ACTIONS UNDER COLLABORATIVELY DEVELOPED FOREST PROJECTS.

"(a) In General.—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591 et seq.) (as amended by section 8611(a)) is amended by adding at the end the following:

"SEC. 867. INJUNCTIONS FOR AGENCY ACTIONS UNDER COLLABORATIVELY DEVELOPED FOREST PROJECTS.

"A court may not enjoin an agency action under a collaboratively developed forest project carried out under this Act, section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303), or any other applicable law, unless it determines that the plaintiff has demonstrated that the claim is likely to succeed on the merits.

(b) Conforming Amendment.—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108-148) (as amended by section 8611(b)) is amended by inserting after the item relating to section 867 the following:

"Sec. 867. Injunctions for agency actions under collaboratively developed forest projects.

SA 3237. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part I of title VIII, add the following:

SEC. 861. EMERGENCY SITUATION DETERMINATIONS.

(a) Definitions.—In this section:

(1) Emergency action.—The term "emergency action" means an action carried out pursuant to an emergency situation determination.

(2) Emergency situation.—The term "emergency situation" means a situation on
National Forest System land for which immediate implementation of a decision is necessary to mitigate harm to life, property, or important natural or cultural resources on National Forest System land or adjacent land.

(3) EMERGENCY SITUATION DETERMINATION.—The term ‘emergency situation determination’ means a determination that an emergency situation exists.


(5) SECRETARY.—The term ‘Secretary’ means the Secretary, acting through the Chief of the Forest Service.

(b) AUTHORIZED EMERGENCY ACTIONS TO RESPECT TO EMERGENCY SITUATIONS.—(1) AUTHORIZED EMERGENCY ACTIONS.—After making an emergency situation determination with respect to National Forest System land, the Secretary may carry out emergency actions on that National Forest System land, including—

(A) the salvage of dead or dying trees;

(B) the harvest of trees damaged by wind or ice;

(C) the commercial and noncommercial sanitization harvest of trees to control insects or disease;

(D) the felling and harvest of trees infected with insects or disease;

(E) the construction or reconstruction of existing utility lines; and

(F) replacing underground cables.

(2) RELATION TO LAND AND RESOURCE MANAGEMENT PLAN.—To the maximum extent practicable, an emergency action carried out under paragraph (1) shall be conducted consistent with the land and resource management plan.

(c) ENVIRONMENTAL ANALYSIS.—(1) ENVIRONMENTAL ASSESSMENT OR ENVIRONMENTAL IMPACT STATEMENT.—If the Secretary determines that an emergency action requires an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary shall study, develop, and determine—

(A) the proposed emergency action; and

(B) the alternative of no action.

(2) PUBLIC NOTICE.—The Secretary shall provide notice of each emergency action that the Secretary determines requires an environmental assessment or environmental impact statement under paragraph (1), in accordance with applicable regulations and administrative guidelines.

(3) PUBLIC COMMENT.—The Secretary shall provide an opportunity for public comment during the preparation of any environmental assessment or environmental impact statement under paragraph (1).

(d) SAVINGS CLAUSE.—Nothing in this subsection prohibits the Secretary from making an emergency situation determination including a determination that an emergency exists pursuant to section 220(b) of title 36, Code of Federal Regulations (or successor regulation). It is necessary to take an emergency action before preparing an environmental assessment or environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(e) ADMINISTRATIVE REVIEW OF EMERGENCY ACTIONS.—An emergency action carried out under this section shall not be subject to objection under the predecisional administrative review process established under section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515) and section 428 of the Department of the Interior, Environmental Protection, and Related Agencies Appropriations Act, 2012 (16 U.S.C. 6515 note; Public Law 112–74).

(f) JUDICIAL REVIEW OF EMERGENCY ACTIONS.—(1) JUDICIAL REVIEW OF PROJECTS.—Section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516) shall apply to an emergency action carried out under this subsection.

(2) INJUNCTIONS.—A court of competent jurisdiction may not enjoin an emergency action based solely on a finding by the court that—

(A) an environmental assessment was improperly prepared in lieu of an environmental impact statement for the emergency action; or

(B) any other procedural error was made with respect to the environmental analysis or implementation of the emergency action.

(g) ENVIRONMENTAL AND JUDICIAL REVIEW OF EMERGENCY SITUATION DETERMINATIONS.—An emergency situation determination under this section shall not be subject to—

(1) review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) judicial review.

(h) AUTHORIZED EMERGENCY ACTIONS.—After making an emergency situation determination with respect to National Forest System land, the Secretary may carry out emergency actions on that National Forest System land, including—

(A) the salvage of dead or dying trees;

(B) the harvest of trees damaged by wind or ice;

(C) the commercial and noncommercial sanitization harvest of trees to control insects or disease;

(D) the felling and harvest of trees infected with insects or disease;

(E) the construction or reconstruction of existing utility lines; and

(F) replacing underground cables.

(i) RELATION TO LAND AND RESOURCE MANAGEMENT PLAN.—To the maximum extent practicable, an emergency action carried out under subsection (a) shall be conducted consistent with the land and resource management plan.

(j) ENVIRONMENTAL ANALYSIS.—(1) ENVIRONMENTAL ASSESSMENT OR ENVIRONMENTAL IMPACT STATEMENT.—If the Secretary determines that an emergency action requires an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary shall study, develop, and determine—

(A) the proposed emergency action; and

(B) the alternative of no action.

(2) PUBLIC NOTICE.—The Secretary shall provide notice of each emergency action that the Secretary determines requires an environmental assessment or environmental impact statement under paragraph (1), in accordance with applicable regulations and administrative guidelines.

(3) PUBLIC COMMENT.—The Secretary shall provide an opportunity for public comment during the preparation of any environmental assessment or environmental impact statement under paragraph (1).

(k) SAVINGS CLAUSE.—Nothing in this subsection prohibits the Secretary from making an emergency situation determination including a determination that an emergency exists pursuant to section 220(b) of title 36, Code of Federal Regulations (or successor regulation). It is necessary to take an emergency action before preparing an environmental assessment or environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(l) ADMINISTRATIVE REVIEW OF EMERGENCY ACTIONS.—An emergency action carried out under this section shall not be subject to objection under the predecisional administrative review process established under section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515) and section 428 of the Department of the Interior, Environmental Protection, and Related Agencies Appropriations Act, 2012 (16 U.S.C. 6515 note; Public Law 112–74).

(m) JUDICIAL REVIEW OF EMERGENCY ACTIONS.—(1) JUDICIAL REVIEW OF PROJECTS.—Section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516) shall apply to an emergency action carried out under this subsection.

(2) INJUNCTIONS.—A court of competent jurisdiction may not enjoin an emergency action based solely on a finding by the court that—

(A) an environmental assessment was improperly prepared in lieu of an environmental impact statement for the emergency action; or

(B) any other procedural error was made with respect to the environmental analysis or implementation of the emergency action.

(n) ENVIRONMENTAL AND JUDICIAL REVIEW OF EMERGENCY SITUATION DETERMINATIONS.—An emergency situation determination under this section shall not be subject to—

(1) review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) judicial review.

SEC. 125. BUY AMERICAN REQUIREMENTS.

(a) Secretary.—The Secretary shall—

(1) fully enforce the Buy American requirements applicable to domestic food assistance programs administered by the Food and Nutrition Service; and

(2) not later than 180 days after the date of enactment of this Act, submit to Congress a report on the actions the Secretary has taken to comply with paragraph (1).

(b) Buy American Act.—In this subsection—

(1) Federal land.—(A) In general.—The term ‘Federal land’ means land owned by the Federal Government.

(B) Exclusion.—The term ‘Federal land’ does not include land held in trust for an Indian tribe.

(2) Publicly owned land.—The term ‘publicly owned land’ means land owned by the Federal Government, a State, or a unit of local government.

(c) Federal land.—Federal land includes—

(1) Federal land owned by the Federal Government, a State, or a unit of local government.

(2) Publicly owned land.—The term ‘publicly owned land’ means land owned by the Federal Government, a State, or a unit of local government.

(d) Eligible land for conservation programs.—Notwithstanding any other provision of law, the following land shall be eligible for enrollment in any conservation program administered by the Secretary:

(1) Privately owned land.

(2) Publicly owned land, if—

(A) the land is a working component of an agricultural or forestry operation of a producer under the applicable conservation program;

(B) a producer under the applicable conservation program has control of the land for the term of the contract under that program; and

(C) the practices to be implemented on the publicly owned land are necessary and will contribute to an improvement in an identified resource concern, as determined by the Secretary.

(e) Tribal land.—Tribal land includes land held in trust for an Indian tribe.

(f) Contracts.—The Secretary may enter into a contract with a soil and water conservation district or another local partner, or a combination of them, to coordinate projects under conservation programs administered by the Secretary on publicly owned land, in accordance with paragraph (4) of section 106 of the Federal Land Management and Review Act of 2017 (43 U.S.C. 1725).

(g) Injunctive relief.—Injunctions may not enjoin an emergency action.

(h) Officials and employees.—Nothing in this section prohibits an emergency action carried out under this subsection from interfering with the enforcement of an injunction.
"(A) IN GENERAL.—The Federal agency that manages Federal land enrolled in a conservation program administered by the Secretary may contribute matching funds or other kinds to the conservation project carried out on that land.

"(B) USE OF MATCHING FUNDS.—Matching funds provided by a Federal agency under subparagraph (A) may be used by the Secretary or a local partner, including a soil and water conservation district, for costs relating to planning or technical assistance.''

SA 3242. Mr. JONES submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

In subtitle C of title V, add at the end the following:

SEC. 53. REFINANCING OF CERTAIN RURAL HOSPITAL DEBT.

Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 374 (7 U.S.C. 2008b) the following:

SEC. 375. REFINANCING OF CERTAIN RURAL HOSPITAL DEBT.

"(a) In General.—The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled ‘Clean Water Rule: Definition of ‘Waters of the United States’’ (80 Fed. Reg. 37646 (June 29, 2015)) is void.

"(b) Sense of Congress.—It is the sense of Congress that the amendment made by subsection (a) is intended to support—

(1) monetization replacement activities; and

(2) an expansion of market-based food assistance modalities, such as food vouchers or local and regional procurement of commodities.

SA 3244. Mr. KENNEDY (for himself, Mr. CASSIDY, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

Strike section 7313 and insert the following:

SEC. 7313. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1848 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3176) is amended—

(1) in subsection (a)(2), by striking "2018" and inserting "2023"; and

(2) in subsection (b)(3), in clause (A) in the matter preceding paragraph (1), by inserting "and competitive agreements" after "competitive grants";

(b) SENSE OF CONGRESS.—It is the sense of Congress that the amendment made by subsection (a) is intended to support—

(1) In General.—Subject to paragraph (2), not later than 120 days after the date of enactment of this Act, the Chief of the Forest Service shall permit prairie dogs to occupy not more than 2.5 percent of each total grazing allotment acreage.

(2) REQUIREMENT.—Paragraph (1) shall apply only to grazing allotments where prairie dogs are or have previously been present and at the date of enactment of this Act.

SA 3245. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title I, add the following:

SEC. 17. STORAGE FACILITY LOANS.

Section 1614(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8789(a)) is amended to read as follows:

"(a) IN GENERAL.—The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled ‘Clean Water Rule: Definition of ‘Waters of the United States’’ (80 Fed. Reg. 37646 (June 29, 2015)) is void.

"(b) EFFECT.—Until such time as the Administrator of the Environmental Protection Agency and the Secretary of the Army issue a rule to rescind the final rule made by the Department of the Interior defining the scope of waters protected under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and that final rule goes into effect, any regulation or policy revised under, or otherwise affected as a result of, the rule voided by this section shall be applied as if the voided rule had not been issued.

SA 3246. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 637, strike lines 11 and 12 and insert the following:

"(4) In subsection (e)—

(A) by striking "$1,000,000" and inserting "$2,000,000"; and

(B) by striking "2018" and inserting "2023".

SA 3247. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 38. INCREASED SUPPORT FOR ELIGIBLE ORGANIZATIONS.

(a) In General.—Section 202(e)(1) of the Food for Peace Act (7 U.S.C. 1722(e)(1)) is amended 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

"(a) IN GENERAL.—The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled ‘Clean Water Rule: Definition of ‘Waters of the United States’’ (80 Fed. Reg. 37646 (June 29, 2015)) is void.

"(b) EFFECT.—Until such time as the Administrator of the Environmental Protection Agency and the Secretary of the Army issue a rule to rescind the final rule made by the Department of the Interior defining the scope of waters protected under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and that final rule goes into effect, any regulation or policy revised under, or otherwise affected as a result of, the rule voided by this section shall be applied as if the voided rule had not been issued.

SA 3249. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. WATERS OF THE UNITED STATES NAVIGABLE WATERS.

(a) Waters of the United States Rule Repeal.—The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled ‘Clean Water Rule: Definition of

"
The term ‘relatively permanent, standing, or contiguous’ means that the waters have a natural physical condition of being present for a continuous period of time, including by surface flow or underground flow, and that the waters are inundated or saturated by surface or ground waters at least periodically.

(b) Conversion from wetlands to cropland took place so that the waters on the property of the affected person are navigable waters, the determination of which the Secretary receives a written request from an affected person.

(c) The Secretary does not make a determination by the end of the period described in paragraph (1), the waters on the property of the affected person shall not be considered to be navigable waters.

(d) TERM OF DETERMINATION.—

(1) FINDING OF NAVIGABLE WATERS.—If the Secretary determines under subsection (b) that the waters on the property of the affected person are navigable waters, the determination shall be binding on the Secretary and the Administrator for as long as the affected person is located on such property.

(2) FINDING OF NONNAVIGABLE WATERS.—If the Secretary determines under subsection (b) that the waters on the property of the affected person are not navigable waters, the determination shall be binding on the Secretary and the Administrator.

(3) EGG HATCHERY.—The term ‘egg hatchery’ includes hatcheries, incubators, and similar areas.

(c) JURISDICTIONAL DETERMINATION.—Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1351 note) as section 528; and

(2) by inserting after section 518 (33 U.S.C. 1357) the following:

SEC. 518. JURISDICTIONAL DETERMINATIONS.

(a) DEFINITIONS.—In this section:

(1) AFFECTED PERSON.—The term ‘affected person’ means an applicant for a permit under section 402, landowner, or other affected person with a substantial legal interest in the property.

(2) FINDING OF NONNAVIGABLE WATERS.—If the Secretary receives a written request from an affected person.

(b) BINDING DETERMINATION.—On written request from an affected person. The Secretary shall provide a binding determination of whether the waters on the property of the affected person are navigable waters that meet the requirements described in section 502(7)(A)(iv).

(c) COSTS.—A determination of the Secretary under subsection (b) shall be made at the cost of the Secretary.

(d) TERM OF DETERMINATION.—

(1) IN GENERAL.—The Secretary shall make a determination under subsection (b) not later than 60 days after the date of the written request from an affected person.

(2) EFFECT OF NONRESPONSE.—If the Secretary does not make a determination by the end of the period described in paragraph (1), the waters on the property of the affected person shall not be considered to be navigable waters.

(e) PROCEDURE.—

(1) EGG HATCHERY.—The term ‘egg hatchery’ includes hatcheries, incubators, and similar areas.

(2) INCLUSION.—The term ‘prior converted cropland’ means areas that are inundated or saturated by surface or ground water at least periodically, and that are, as a result of such inundation or saturation, in a natural or primarily natural condition.

(3) RELATIVELY PERMANENT, STANDING, OR CONTINUOUSLY FLOWING WATERS.—The term ‘relatively permanent, standing, or continuously flowing bodies of water’ means waters that stand or have continuous flow for not less than 290 days each year, except in cases of extreme events, such as a drought.
(c) VOLUNTARY PARTICIPATION.—Producer participation in a checkoff program shall be voluntary at the point of sale.

SA 3251. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

Strike subtitle C of title II and insert the following:

Subtitle C—Repeal of Environmental Quality Incentives Program

SEC. 2301. REPEAL OF ENVIRONMENTAL QUALITY INCENTIVES PROGRAM

(a) IN GENERAL.—Chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 1211(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(3)) is amended—

(A) by striking subparagraph (A); (B) by redesignating paragraphs (B) through (D) as subparagraphs (A) through (C), respectively; and

(C) by substituting (A) (as so redesignated), by striking “any other provision of”,

(ii) in paragraph (2), by striking “5 percent” each place it

(iii) in paragraph (3); and

(2) Section 1221(b)(3) of the Food Security Act of 1985 (16 U.S.C. 3821(b)(3)) is amended—

(A) by striking subparagraph (A); (B) by redesignating paragraphs (B) through (D) as subparagraphs (A) through (C), respectively; and

(C) by substituting (A) (as so redesignated), by striking “any other provision of”.

(3) Section 1235(e)(1)(D) of the Food Security Act of 1985 (16 U.S.C. 3835(e)(1)(D)) (as amended by section 2106a(2)) is amended by striking “or the environmental quality incentives program”.

(4) Section 1241(I) of the Food Security Act of 1985 (16 U.S.C. 3841(I)) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

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

(A) in subsection (c)—

(i) in paragraph (1)(B), by adding “and” at the end;

(ii) in paragraph (2), by striking “; and” and inserting a period; and

(iii) in paragraph (3); and

(B) in subsection (1), by striking “and” and the environmental quality incentives program under chapter 4 of subtitle D.

(6) Section 1244(I) of the Food Security Act of 1985 (16 U.S.C. 3841(I)) is amended—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(7) Section 344(f)(8) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(8)) is amended in the proviso of the first sentence by striking “Act, the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985,” and inserting “Act.”;

(8) Section 377 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1377) is amended in the first proviso by striking “Act or the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985,” and inserting “Act.”;

(9) “D” is the matter of the provision under the heading “CONSERVATION RESERVE PROGRAM” under the heading “SOIL BANK PROGRAMS” of title I of the Department of Agriculture and Farm Credit Administration Appropriation Act, 1959 (7 U.S.C. 1831a), is amended by striking “(1) payments” and all that follows through “or (2);”.

(10) Section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) is amended by striking paragraph (1); (11) Section 1271(c)(3)(C) of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 2106c)(3)(C) is amended—

(A) by striking “section the” and inserting “section and the”; and

(B) by striking “(16 U.S.C. 2101 et seq.” and all that follows through “or other” and inserting “(16 U.S.C. 2101 et seq.) or any other applicable”.

(12) Section 204 of the Lake Champlain Special Designation Act of 1990 (33 U.S.C. 1270 note; Public Law 101–596) is amended—

(A) by striking subsection (a); (B) by redesigning subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (c) (as so redesignated)—

(i) by striking “(1) There are” in paragraph (1) and all that follows through “(2) There are” in paragraph (2) and inserting “(1) There are” and (ii) by striking “(b) and (c)” and inserting “(a) and (b)”.

(13) Section 202 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1592) is amended by striking subsection (c).

In section 1271a(1) of the Food Security Act of 1985 (16 U.S.C. 3841(a), redesignated subparagraphs (E) and (F) (as added by section 2411(b)(1)(B)) as subparagraphs (D) and (E), respectively.

In section 2501(a), strike paragraph (4) and insert the following:

(4) by striking paragraph (5). In section 2501, strike subsection (d) and insert the following:

(d) ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.—Section 1241(b) of the Food Security Act of 1985 (16 U.S.C. 3841(b) is amended—

(A) in paragraph (1)—

(i) by striking “2018” and inserting “2023”;

(ii) by striking “funds and inserting “acres” and

(iii) by striking “to carry out the environmental quality incentives program and the acres made available for each of such fiscal years”;

and

(B) by striking “5 percent” each place it appears and inserting “15 percent.”

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

SA 3255. Mr. LEE (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

After section 12608, insert the following:

SEC. 12609. CONGRESSIONAL REVIEW OF REGULATIONS.

(a) CONGRESSIONAL REVIEW.—

(1) PUBLICATION AND SUBMISSION TO CONGRESS OF DRAFT REGULATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of this Act, before a regulation prescribed by the Secretary to carry out this Act or any amendment made by this Act may take effect, the Secretary shall—

(i) publish in the Federal Register a list of information on which the regulation is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online; and

(ii) submit to each House of Congress and to the Comptroller General of the United States a report containing—

(I) a copy of the regulation; and

(II) a concise general statement relating to the regulation;

(III) a classification of the regulation as a major regulation or a minor regulation, including an explanation of the classification specifically addressing each criteria for a major regulation contained within subpart A of part 4 of subpart A of part 553 of title 5; and

(IV) a list of any other related regulatory actions intended to implement the same provision of or amendment made by this Act, as specified in paragraphs (A) through (C) of section (1); and

(b) ADDITIONAL SUBMISSIONS.—On the date of the submission of the report under paragraph (A), the Secretary shall submit to
the Comptroller General and make available to each House of Congress—

(i) a complete copy of the cost-benefit analysis of the regulation, if any, including an analysis of the jobs created, jobs added or lost, differentiating between public and private sector jobs;

(ii) the Secretary's consonance pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532, 1533, 1534, 1535); and

(iii) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) COPIES TO COMMITTEES AND MEMBERS OF CONGRESS.—A major regulation shall be submitted to the committees of jurisdiction in each House of Congress having jurisdiction over the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the regulation is issued and, upon request, any Member of Congress.

(2) REPORT BY GAO.—

(A) IN GENERAL.—The Comptroller General of the United States shall submit a report on each major regulation to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report submitted under this subsection shall include an assessment of the Secretary's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the regulation imposes any new limits or mandates on private-sector activity.

(B) COOPERATION OF FEDERAL AGENCIES.—The Secretary shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under paragraph (1).

(3) EFFECTIVE DATE OF REGULATIONS.—

(A) MAJOR REGULATIONS.—A major regulation relating to a report submitted under subsection (a) shall take effect upon enactment of a joint resolution of approval described in subsection (c) or as provided for in the regulation following enactment of a joint resolution of approval described in subsection (c), whichever is later.

(B) NONMAJOR REGULATIONS.—A nonmajor regulation shall take effect as provided by the submission of the joint resolution of approval to Congress under paragraph (1).

(4) PROHIBITION ON SUBSEQUENT CONSIDERATION.—A major regulation, or a report of a joint resolution of approval relating to a major regulation that is not enacted within the period provided in subsection (b)(2), shall not be subject to amendment at any stage of proceeding.

(B) EFFECT OF NOT ENACTING JOINT RESOLUTION OF APPROVAL.—If a joint resolution of approval described in subsection (c) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the regulation described in that resolution shall be deemed disapproved and such regulation shall not take effect.

(3) TEMPORARY EFFECTIVENESS.—

(A) IN GENERAL.—Notwithstanding any other provision of this section (except with respect to subparagraph (C)), a major regulation may take effect for one 90-calendar-day period if the President makes a determination under subparagraph (B) and submits written notice of such determination to Congress.

(B) DETERMINATION.—Subparagraph (A) applies to a determination made by the President by Executive order that a major regulation should take effect because such regulation is—

(i) necessary because of an imminent threat to health or safety or other emergency;

(ii) necessary for the enforcement of criminal laws;

(iii) necessary for national security; or

(iv) issued pursuant to any statute implementing an international trade agreement.

(C) EFFECT ON OTHER PROVISIONS.—An exercise by the President of the authority under this paragraph shall have no effect on the procedures under subsection (c).

(D) CONGRESSIONAL REVIEW AROUND ADJOURNMENTS OF CONGRESS.—

(A) IN GENERAL.—In addition to the opportunity for review otherwise provided under this section, in the case of any regulation for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

(i) in the case of the Senate, 60 session days, or

(ii) in the case of the House of Representatives, 60 legislative days,

before the date on which it is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, subsection (c) or (d) shall apply in the succeeding session of Congress.

(B) SPECIAL RULES.—

(I) IN GENERAL.—In applying subsections (c) and (d) for purposes of this subsection, the term "joint resolution" shall be treated as though—

(i) such regulation were published in the Federal Register;

(ii) bears the following title (with blanks filled as appropriate): ''Approving the regulation described in subparagraph (A);''

(ii) bears no preamble;

(iii) includes after its resolving clause only the text of the regulation described in paragraph (1); and

(iv) is issued pursuant to any statute implementing an international trade agreement.

(ii) bears the following title (with blanks filled as appropriate): ''Approving the regulation described in subparagraph (A);''

(iii) includes after its resolving clause only the text of the regulation described in paragraph (1); and

(iv) is issued pursuant to any statute implementing an international trade agreement.

(C) PRIVATE SECTOR REGULATIONS.—In any concurrent resolution on the departure of a Member of Congress that includes consideration of a joint resolution described in paragraph (1), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in subparagraph (A) that—

(i) in the case of the House of Representatives, within 3 legislative days, and

(ii) in the case of the Senate, within 3 session days.

(D) PROHIBITION ON AMENDMENTS.—A joint resolution described in subparagraph (A) shall not be subject to amendment at any stage of proceeding.

(E) REFERERAL.—A joint resolution described in paragraph (1) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the regulation is issued.

(A) IN GENERAL.—In the Senate, if the committee or committees to which a joint resolution described in paragraph (1) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the joint resolution and it shall be placed on the calendar. A vote on passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees after which time such committee or committees have been discharged from further consideration of the resolution.

(4) FLOOR CONSIDERATION IN SENATE.—

(A) MOTIONS TO PROCEED.—In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under paragraph (3)) from further consideration of a joint resolution described in paragraph (1), it shall be in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution and all points of order against consideration of the joint resolution are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order to proceed to the consideration of the joint resolution agreed to, the joint resolution shall be in order in the other chamber of the Senate until disposed of.

(B) DEBATE.—In the Senate, debate on the joint resolution, and on all debatable motions, appeals from the decision of the Chair relating to the joint resolution, and all appeals from the decisions of the Chair relating to the joint resolution, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, can only be made after the Committee on the Budget has reported the joint resolution.

(C) VOTE ON FINAL PASSAGE.—In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the Senate shall then vote on final passage of the joint resolution shall occur.

(D) APPEALS FROM DECISIONS OF CHAIR.—Appeals from the decisions of the Chair relating to the joint resolution, and all appeals from the decisions of the Chair relating to the joint resolution, and all appeals from the decisions of the Chair relating to the joint resolution described in paragraph (1) shall be decided without debate.

(A) IN GENERAL.—In the Senate, if any committee to which a joint resolution
described in paragraph (1) has been referred to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time to consider any joint resolution that has been referred to the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debateable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

(6) PROCEDURES UPON RECEIPT OF RESOLUTION OR REPORT OF COMMITTEE—
(A) IN GENERAL.—If, before passing a joint resolution described in paragraph (1), one House receives from the other a joint resolution described in subsection (a)(1)(A), then—
(i) the joint resolution of the other House shall not be referred to a committee; and
(ii) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

(B) REVENUE MEASURES.—This paragraph shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(C) FINAL VOTE.—If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in subsection (b)(2), then such vote shall be taken on that day.

(d) RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE.—This section and subsection (d) are enacted by Congress—
(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and
(B) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(2) REFERRAL.—A joint resolution described in paragraph (1) shall be referred to the committees in each House of Congress with jurisdiction.

(3) DISCHARGE OF JOINT RESOLUTION—
(A) IN GENERAL.—In the Senate, if the committee to which is referred a joint resolution described in paragraph (1) has not reported such joint resolution (or an identical resolution) at the end of 30 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution. Such a resolution shall be supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

(B) IN THE HOUSE.—If the joint resolution of the other House is referred to any committee in the House, such committee may be discharged (under paragraph (3)) from further consideration of such joint resolution described in paragraph (1), if at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order, amendment, or any other matter in the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to take under consideration other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(C) VOTE ON FINAL PASSAGE.—In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (1), or at any time after the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(D) APPEALS FROM DECISIONS OF THE CHAIR.—Appeals from the decisions of the Chair relating to the application of the rules (so far as they relate to the procedure of the Senate) at any time after the Senate takes up a joint resolution, shall be decided without debate.

(E) SPECIAL RULES.—In the Senate, the procedure specified in paragraph (3) or (4) shall not apply to the consideration of a joint resolution respecting a nonmajor regulation—
(A) after the expiration of the 60 session days beginning with the applicable submission or publication date; or
(B) if the report under subsection (a)(1)(A) was submitted during the period referred to in subsection (b)(2), after the expiration of the 60 session days beginning on the 65th session day after the succeeding session of Congress first convenes.

(F) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before the passage by one House of a joint resolution described in paragraph (1), that House receives from the other House a joint resolution described in paragraph (1), then the following procedures shall be followed:

(A) The joint resolution of the other House shall not be referred to a committee.

(B) With respect to a joint resolution described in paragraph (1) of the House receiving the joint resolution—
(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but
(ii) the vote on final passage shall be on the joint resolution of the other House.

(1) MAJOR REGULATION.—The term “major regulation” means any regulation, including an implementation final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—
(A) an annual effect on the economy of $100 million or more;
(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

(2) NONMAJOR REGULATION.—The term “nonmajor regulation” means any regulation that is not a major regulation.

(3) REGULATION.—The term “regulation” has the meaning given the term “rule” in section 551 of title 5, United States Code, except that—
(A) any rule of particular applicability, including a rule that approves orprescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing; or
(B) any rule relating to agency management or personnel; or
(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

(4) SUBMISSION OF PUBLICATION DATE.—The term “submission or publication date”, except as otherwise provided in this section, means—
(A) in the case of a major regulation, the date on which Congress receives the report submitted under subsection (a)(1); and
(B) in the case of a nonmajor regulation, the later of—
(i) the date on which the Congress receives the report submitted under subsection (a)(1); and
(ii) the date on which the nonmajor regulation is published in the Federal Register, if so published.

(1) JUDICIAL REVIEW.—
(A) IN GENERAL.—No determination, finding, action, or omission under this section shall be subject to judicial review.

(B) DETERMINATION OF COMPLIANCE WITH REQUIREMENTS.—Notwithstanding subsection (a), a court may determine whether the Secretary has completed the necessary requirements under this section for a regulation described in subsection (a)(1) to take effect.

(C) EFFECT.—The enactment of a joint resolution of approval under subsection (c) shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a regulation, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a regulation, and shall not affect the rights or obligations of non-agency parties.

(2) MAGNITUDE OF NEW COSTS.—If a regulatory action, as defined in section 551 of title 5, United States Code, results in or is likely to result in—
(A) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
(B) a major increase in costs or prices for Federal, State, or local government agencies, or geographic regions, or
(C) a major decrease in employment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

(A) THE REGULATION.—The term “regulation” means any regulation that is not a major regulation.

(B) SUBMISSION OF PUBLICATION DATE.—The term “submission or publication date”, except as otherwise provided in this section, means—
(A) in the case of a major regulation, the date on which Congress receives the report submitted under subsection (a)(1); and
(B) in the case of a nonmajor regulation, the later of—
(i) the date on which the Congress receives the report submitted under subsection (a)(1); and
(ii) the date on which the nonmajor regulation is published in the Federal Register, if so published.

(1) JUDICIAL REVIEW.—
(A) IN GENERAL.—No determination, finding, action, or omission under this section shall be subject to judicial review.

(B) DETERMINATION OF COMPLIANCE WITH REQUIREMENTS.—Notwithstanding subsection (a), a court may determine whether the Secretary has completed the necessary requirements under this section for a regulation described in subsection (a)(1) to take effect.

(C) EFFECT.—The enactment of a joint resolution of approval under subsection (c) shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a regulation, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a regulation, and shall not affect the rights or obligations of non-agency parties.

(2) MAGNITUDE OF NEW COSTS.—If a regulatory action, as defined in section 551 of title 5, United States Code, results in or is likely to result in—
(A) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
(B) a major increase in costs or prices for Federal, State, or local government agencies, or geographic regions, or
(C) a major decrease in employment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.
U.S.C. 907(b)(2)) is amended by adding at the end the following: “(E) BUDGETARY EFFECTS OF CERTAIN REGULATIONS—OF THE DEPARTMENT OF AGRICULTURE.—Any regulation, or subject to the congressional approval procedure under section 135(b) of the Agriculture Improvement Act of 2018 affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”

SA 3256. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, to provide for the reauthorization of the continuity of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following: **Subtitle D—Congressional Review of Unilateral Trade Actions**

SEC. 3301. CONGRESSIONAL REVIEW OF UNILATERAL TRADE ACTIONS.

(a) In General.—In this section, the term ‘unilateral trade action’ means any of the following actions taken with respect to the importation of an article pursuant to a provision of law specified in paragraph (2):

(A) A prohibition on importation of the article;

(B) The imposition of or an increase in a duty applicable to the article;

(C) The imposition or tightening of a tariff-rate quota applicable to the article;

(D) The imposition or tightening of a quantitative restriction on the importation of the article;

(E) The suspension, withdrawal, or prevention of the application of trade agreement concessions with respect to the article.

(F) Any other restriction on importation of the article.

(b) Provisions of Law Specified.—The provisions of law specified in this paragraph are the following:

(1) UNILATERAL TRADE ACTION DEFINED.—

(1) In General.—In this section, the term ‘unilateral trade action’ means any of the following actions taken with respect to the importation of an article pursuant to a provision of law specified in paragraph (2):

(A) A prohibition on importation of the article;

(B) The imposition of or an increase in a duty applicable to the article;

(C) The imposition or tightening of a tariff-rate quota applicable to the article;

(D) The imposition or tightening of a quantitative restriction on the importation of the article;

(E) The suspension, withdrawal, or prevention of the application of trade agreement concessions with respect to the article.

(F) Any other restriction on importation of the article.

(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are the following:

(A) Section 122 of the Trade Act of 1974 (19 U.S.C. 2191 et seq.), is amended by adding at the end the following:

“(a) UNILATERAL TRADE ACTION DEFINED.—

(1) In General.—In this section, the term ‘unilateral trade action’ means any of the following actions taken with respect to the importation of an article pursuant to a provision of law specified in paragraph (2):

(A) A prohibition on importation of the article;

(B) The imposition of or an increase in a duty applicable to the article;

(C) The imposition or tightening of a tariff-rate quota applicable to the article;

(D) The imposition or tightening of a quantitative restriction on the importation of the article;

(E) The suspension, withdrawal, or prevention of the application of trade agreement concessions with respect to the article.

(F) Any other restriction on importation of the article.

(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are the following:

(A) Sections 406, 421, and 422.

(B) Title III.

(C) Subtitle D—Congressional Review of Unilateral Trade Actions.


(F) Section 135(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4232(a)).

(G) The Trading with the Enemy Act (50 U.S.C. 50 et seq.).


(I) Any provision of law enacted to implement a trade agreement to which the United States is a party.

(2) EXCEPTION FOR TECHNICAL CORRECTIONS TO HARMONIZED TARIFF SCHEDULE.—A technical correction to the Harmonized Tariff Schedule of the United States shall not be considered a unilateral trade action for purposes of this section.

(3) CONGRESSIONAL APPROVAL REQUIRED.—Except as provided by subsection (d), a unilateral trade action may not take effect unless:

(A) the President submits to Congress and to the Comptroller General of the United States a report that includes—

(1) a description of the proposed unilateral trade action;

(2) the proposed effective period for the action;

(3) an analysis of the action, including whether the action is in the national economic interest of the United States;

(4) an assessment of the potential effect of retaliation by trading partners affected by the action; and

(5) a list of articles that will be affected by the action by subheading number of the Harmonized Tariff Schedule of the United States; and

(2) a joint resolution of approval is enacted pursuant to paragraph (1).

(3) REPORT OF COMPTROLLER GENERAL.—Not later than 15 days after the submission of the report required by subsection (b)(1) with respect to a proposed unilateral trade action, the Comptroller General shall submit to Congress a report on the proposed action resolving clause of which is as follows: ‘That Congress approves the action proposed by the President under section 155(b) of the Trade Act of 1974 in the report submitted to Congress pursuant to section 155(a)(2) of this Act, with the blank space being filled with the appropriate date.’

(4) INTRODUCTION.—After a House of Congress receives a copy of a joint resolution submitted under subsection (b)(1) with respect to a unilateral trade action, the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution—

(A) in the case of the House of Representatives, within 3 legislative days; and

(B) in the case of the Senate, within 3 session days.

(5) APPLICATION OF SECTION 152.—The provisions of subsections (b) through (f) of section 152 shall apply to a joint resolution under this subsection to the same extent those provisions apply to a resolution under section 152.

(6) REPORT BY THE UNITED STATES INTERNATIONAL TRADE COMMISSION.—Not later than 12 months after the date of a unilateral trade action taken pursuant to this section, the United States International Trade Commission shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the effects of the action on the United States economy, including a comprehensive assessment of the economic effects of the action on producers and consumers in the United States.”

(b) CEREMONIAL AMENDMENT.—The table of contents for this Act is amended by inserting after the item relating to section 154 the following:

“Sec. 155. Congressional review of unilateral trade actions.”

(c) CONFIRMING AMENDMENTS.—

(1) BALANCE-OF-PAYMENTS AUTHORITY.—Section 122 of the Trade Act of 1974 (19 U.S.C. 2132) is amended—

(A) in subsection (a), in the flush text following paragraph (3), by inserting “and subject to approval under section 155” after “Congress”;

(B) in subsection (c), in the flush text following paragraph (2), by inserting “and subject to approval under section 155” after “Congress”;

(C) in subsection (g), by inserting “and subject to approval under section 155” after “Congress”;

(2) RULES OF HOUSE AND SENATE.—Section 151(a) of the Trade Act of 1974 (19 U.S.C. 2131(a)) is amended by—

(A) in the matter preceding paragraph (1), by striking “and 153” and inserting “, 153, and 155”; and

(B) in paragraph (1), by striking “and 153(a)” and inserting “, 153(a), and 155(e)”.

(3) ENFORCEMENT OF RIGHTS UNDER TRADE AGREEMENTS.—Title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is amended—

(A) in section 301—

(i) in subsection (a), in the flush text, by inserting “to approval under section 155 and after “subsection (c),”

(ii) in subsection (b)(2), by inserting “to approval under section 155 and” after “subsection (c),”

and

(B) in section 306(a)(1), by inserting “to approval under section 155 and” after “section 301, subject”; and

(C) in section 307(a)(1), in the matter preceding subparagraph (A), by inserting “to approval under section 155 and” after “any action, subject.”

(4) MARKET DISRUPTION.—Section 406 of the Trade Act of 1974 (19 U.S.C. 2436) is amended—

(A) in subsection (b), in the matter preceding paragraph (1), by striking “With respect to” and inserting “Subject to approval under section 155, with respect to”; and

(B) in subsection (c), in the second sentence, by striking “If the President” and inserting “Subject to approval under section 155, if the President.”

(5) ACTION TO ADDRESS MARKET DISRUPTION.—Section 621 of the Trade Act of 1974 (19 U.S.C. 2651) is amended—

(A) in subsection (a), by inserting “and subject to approval under section 155” after “this section”;

(B) in subsection (b)(4)(A), by inserting “subject to approval under section 155,” after “provisional relief and”;

(C) in subsection (k)(1), by striking “Within in 15 days” and inserting “Subject to section 155, within 15 days”;

(D) by striking subsection (m) and by redesignating subsections (n) and (o) as subsections (m) and (n), respectively;

(E) in subsection (m), as redesignated by subparagraph (D)—

(i) in paragraph (1), by striking “subsection (m)” and inserting “this section”;

(ii) in paragraph (2), by inserting “and subject to approval under section 155” after “paragraph (1)”;

and

(F) in paragraph (3) of subsection (n), as redesignated by subparagraph (D), by striking “subsection (m)” and inserting “this section”;

(6) ACTION IN RESPONSE TO TRADE DISRUPTION.—Section 422(h) of the Trade Act of 1974 (19 U.S.C. 2461a(h)) is amended by striking “Within 20 days” and inserting “Subject to approval under section 155, within 20 days”.

(7) NEUTRALIZATION.—Section 338 of the Tariff Act of 1930 (19 U.S.C. 1338) is amended—
(A) in subsection (a), in the matter preceeding paragraph (1), by inserting "subject to approval under section 155 of the Trade Act of 1974," after "by proclamation;"

(B) by inserting "subject to approval under section 155 of the Trade Act of 1974 and" after "hereby authorized;"

(C) in subsection (c), by striking "Any proclamation" and inserting "Subject to section 155 of the Trade Act of 1974, any proclamation;"

(D) in subsection (d), by inserting "subject to approval under section 155 of the Trade Act of 1974 and" after "he shall:" and

(E) in subsection (e), by inserting "subject to approval under section 155 of the Trade Act of 1974, after "shall";

(9) BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT OF 2015.—Section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 2402(a)) is amended—

(A) in paragraph (1)(B), by inserting "and approving under section 155 of the Trade Act of 1974 after paragraphs (2) and (3); and"

(B) in paragraph (7), by inserting "and approving under section 155 of the Trade Act of 1974 after "3324);"


(11) TRADE AGREEMENT WITH THE ENEMY.—Section 11 of the Trading with the Enemy Act (50 U.S.C. 4311) is amended by striking "Whenever" and inserting "Subject to approval under section 155 of the Trade Act of 1974, whenever;"

(12) FREE TRADE AGREEMENT IMPLEMENTING HISTORIES

(A) NORTH AMERICAN FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3311) is amended—

(i) in subsection (a)(1), in the matter preceeding subparagraph (A), by striking "may" and inserting "may, subject to approval under section 155 of the Trade Act of 1974;"

and

(ii) in subsection (b)(1), in the matter preceeding subparagraph (A), by striking "and" and inserting "may, subject to approval under section 155 of the Trade Act of 1974;"

(B) URUGUAY ROUND AGREEMENTS.—Section 111 of the Uruguay Round Agreement Act (19 U.S.C. 3521) is amended—

(i) in the matter preceeding paragraph (1), by inserting "subject to approval under section 155 of the Trade Act of 1974 after "2002);"

(ii) in subsection (b), in the matter preceeding paragraph (1), by inserting "subject to approval under section 155 of the Trade Act of 1974 after "section 115;"

(iii) in subsection (c)(1)(A), in the flush text at the end, by striking "may" and inserting "may, subject to approval under section 155 of the Trade Act of 1974,;" and

(iv) in subsection (e)(1), in the matter preceeding subparagraph (A), by inserting "and approval under section 155 of the Trade Act of 1974 after "section 115;"

(C) UNITED STATES-ISRAEL FREE TRADE AREA IMPLEMENTATION ACT OF 1985.—Section 4 of the United States-Israel Free Trade Area Implementation Act of 1985 (Public Law 99–47; 19 U.S.C. 2122 note) is amended—

(i) in subsection (a), in the matter preceeding paragraph (1), by inserting "subject to approval under section 155 of the Trade Act of 1974," after "by proclamation;"

(ii) by inserting "subject to approval under section 155 of the Trade Act of 1974 and" after "hereby authorized;"

(iii) in subsection (c), by striking "Any proclamation" and inserting "Subject to section 155 of the Trade Act of 1974, any proclamation;"

(iv) in subsection (d), by inserting "subject to approval under section 155 of the Trade Act of 1974 and" after "he shall:" and

(v) in subsection (e), by inserting "subject to approval under section 155 of the Trade Act of 1974, after "shall";


(11) TRADE AGREEMENT WITH THE ENEMY.—Section 11 of the Trading with the Enemy Act (50 U.S.C. 4311) is amended by striking "Whenever" and inserting "Subject to approval under section 155 of the Trade Act of 1974, whenever;"

(12) FREE TRADE AGREEMENT IMPLEMENTING HISTORIES

(A) NORTH AMERICAN FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3311) is amended—

(i) in subsection (a)(1), in the matter preceeding subparagraph (A), by striking "may" and inserting "may, subject to approval under section 155 of the Trade Act of 1974;"

and

(ii) in subsection (b)(1), in the matter preceeding subparagraph (A), by striking "and" and inserting "may, subject to approval under section 155 of the Trade Act of 1974;"

(B) URUGUAY ROUND AGREEMENTS.—Section 111 of the Uruguay Round Agreement Act (19 U.S.C. 3521) is amended—

(i) in the matter preceeding paragraph (1), by inserting "subject to approval under section 155 of the Trade Act of 1974 after "2002);"

(ii) in subsection (b), in the matter preceeding paragraph (1), by inserting "subject to approval under section 155 of the Trade Act of 1974 after "section 115;"

(iii) in subsection (c)(1)(A), in the flush text at the end, by striking "may" and inserting "may, subject to approval under section 155 of the Trade Act of 1974,;" and

(iv) in subsection (e)(1), in the matter preceeding subparagraph (A), by inserting "and approval under section 155 of the Trade Act of 1974 after "section 115;"

(C) UNITED STATES-ISRAEL FREE TRADE AREA IMPLEMENTATION ACT OF 1985.—Section 4 of the United States-Israel Free Trade Area Implementation Act of 1985 (Public Law 99–47; 19 U.S.C. 2122 note) is amended—

(i) in subsection (a), in the matter preceeding paragraph (1), by inserting "subject to approval under section 155 of the Trade Act of 1974," after "by proclamation;"

(ii) by inserting "subject to approval under section 155 of the Trade Act of 1974 and" after "hereby authorized;"

(iii) in subsection (c), by striking "Any proclamation" and inserting "Subject to section 155 of the Trade Act of 1974, any proclamation;"

(iv) in subsection (d), by inserting "subject to approval under section 155 of the Trade Act of 1974 and" after "he shall:" and

(v) in subsection (e), by inserting "subject to approval under section 155 of the Trade Act of 1974, after "shall";
under section 155 of the Trade Act of 1974;”;

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting “and approve such amendments under section 155 of the Trade Act of 1974” after “section 104”.

SA 3257. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtile F of title XII, add the following:

SEC. 12609. PRIVATE FLOOD INSURANCE.

(a) MANDATORY PURCHASE REQUIREMENT.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by striking “Sec. 102. (a) and all that follows through the end of subsection (a) and inserting the following:

“Sec. 102. (a) AMOUNT AND TERM OF COVERAGE.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by striking “Sec. 102. (a)” and all that follows through the end of subsection (a) and inserting:

“(1) REGULATED LENDING INSTITUTIONS.—(A) MANDATORY PURCHASE REQUIREMENT.—Except as provided in subparagraph (B), paragraph (1) shall apply with respect to any loan made, increased, extended, or renewed after the expiration of the 1-year period beginning on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.).

(B) EXCEPTIONS.—Paragraphs (a) and (b) shall not apply only to any loan made, increased, extended, or renewed after the expiration of the 1-year period beginning on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.).

(h) REQUIREMENT FOR MORTGAGE LOANS.—The term ‘flood insurance’ means—

(i) Federal flood insurance; and

(ii) private flood insurance.

(C) PRIVATE FLOOD INSURANCE.—The term ‘private flood insurance’ means an insurance policy that—

(i) is issued by an insurance company that—

(1) licensed, admitted, or otherwise approved to engage in the business of insurance in the State in which the insured building is located by the insurance regulator of that State; or

(II) eligible as a nonadmitted insurer to provide insurance in the home State of the insured building, in accordance with sections 521 through 527 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8201 through 8206); and

(II) is issued by an insurance company that is not otherwise disapproved as a surplus lines insurer by the insurance regulator of the State in which the property is located;

(II) provides flood insurance coverage that complies with the laws and regulations of that State.

(II) The term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the District of Guam, the Northern Mariana Islands, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands. 

SEC. 12610. APPLICABILITY.—

(A) EXISTING COVERAGE.—Except as provided in subparagraph (B), paragraph (1) shall apply on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.).

(B) NEW COVERAGE.—Paragraphs (a) and (b) shall apply only to any loan made, increased, extended, or renewed after the expiration of the 1-year period beginning on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.).

(II) in the case of any loan made, increased, extended, or renewed after the expiration of the 1-year period beginning on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.), the following:

(1) in the case of a loan made, increased, extended, or renewed after the expiration of the 1-year period beginning on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.), the financial strength of private insurance providers to the federal entity, the financial strength of private insurance companies from which the entity or agency will accept private flood insurance, provided that such requirements shall not affect or conflict with any State law, regulation, or procedure concerning the regulation of the business of insurance.”; and

(B) by striking paragraph (7) and inserting the following new paragraph:

(7) DEFINITIONS.—In this section—

(A) FLOOD INSURANCE.—The term ‘flood insurance’ means—

(i) Federal flood insurance; and

(E) ELIGIBLE INSURERS.—During the term of the loan, the Administrator, as an area having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), unless the building or mobile home and any personal property to which such financial assistance relates is covered by insurance:

Provided, That the amount of flood insurance in the case of Federal flood insurance, is at least equal to the development or provided is in the form of a loan or an insurance or guaranty of a loan, the amount of insurance required need not exceed the outstanding principal balance of the loan or the maximum limit of Federal flood insurance coverage made available with respect to the particular type of property, whichever is less:

(2) FEDERAL AGENCY LENDERS.—(A) In general.—A Federal agency lender may not make, increase, extend, or renew any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Administrator as an area having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance:

Provided, That the amount of flood insurance furnished with respect to the particular type of property, whichever is less:

(3) GOVERNMENT-SPONSORED ENTERPRISES.—(A) Secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Administrator as an area having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance:

Provided, That the amount of flood insurance furnished with respect to the particular type of property, whichever is less:

(4) APPLICABILITY.—

(A) EXISTING COVERAGE.—Except as provided in subparagraph (B), paragraph (1) shall apply on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.).

(B) NEW COVERAGE.—Paragraphs (a) and (b) shall apply only to any loan made, increased, extended, or renewed after the expiration of the 1-year period beginning on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.).

Paragraph (1) shall apply with respect to any loan made, increased, extended, or renewed after the expiration of the 1-year period beginning on the date of enactment of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.).
Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

(b) EFFECT OF PRIVATE FLOOD INSURANCE COVERAGE ON CONTINUOUS COVERAGE REQUIREMENTS.—Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by adding at the end the following:

"(D) EFFECT OF PRIVATE FLOOD INSURANCE COVERAGE ON CONTINUOUS COVERAGE REQUIREMENTS.—For purposes of applying any statutory, regulatory, or administrative continuous coverage requirement, including under section 1306(c)(1)(A), the Administrator shall consider any period during which a property was continuously covered by private flood insurance (as defined in section 1307(g)(1), the Department of Agriculture through fiscal year 2023, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection D of title II, add the following:

SEC. 24. PERMANENT REAUTHORIZATION OF THE LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (4), by striking "During the period ending September 30, 2018, there," and inserting "There;" and

(2) in subsection (c)(1), by striking "through the end of 2018".

(b) PUBLIC ACCESS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

"(c) PUBLIC ACCESS.—An amount equal to the greater of not less than 1.5 percent of amounts made available for expenditure in any fiscal year under section 200303 and $10,000,000 shall be used for the development and continuous recreational public access to existing Federal public land for hunting, fishing, and other recreational purposes."

SA 3258. Mr. BURR (for himself, Mr. BENNET, and Mr. Tester) submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subsection D of title II, add the following:

SEC. 24. PERMANENT REAUTHORIZATION OF THE LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (4), by striking "During the period ending September 30, 2018, there," and inserting "There;" and

(2) in subsection (c)(1), by striking "through the end of 2018".

(b) PUBLIC ACCESS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

"(c) PUBLIC ACCESS.—An amount equal to the greater of not less than 1.5 percent of amounts made available for expenditure in any fiscal year under section 200303 and $10,000,000 shall be used for the development and continuous recreational public access to existing Federal public land for hunting, fishing, and other recreational purposes."

SA 3259. Mr. UDALL (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

In section 2303(4)(A), strike clause (iii) and insert the following:

"(iii) by striking "production." and inserting "production, including grazing management practices, non-lethal predator deterrence, and agricultural management practices that reduce wildlife conflict.";"

SA 3260. Mr. KING (for himself, Ms. COLLINS, and Mr. BOOKMAN) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABELOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

Strike section 3206(3)(D) and insert the following:

"(D) in paragraph (4)—

(i) by striking "loan or" and inserting "grant, loan, or;" and

(ii) by striking "provide and inserting "provide, or contract for the provision of;"

SA 3261. Mr. RUBIO (for himself, Mr. NELSON, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 257, line 2, insert after the period the following: "Funds may not be used as described in the previous sentence until the date that is 30 days after the date on which Cuba holds free and fair elections for a new government—

'(1) with the participation of multiple independent political parties that have full access to the media; and

'(2) that are conducted under the supervision of internationally recognized observers, such as the Organization of American States, the United Nations, and other election monitors; and

"(3) that are certified by the Secretary of State."

SA 3262. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 257, line 2, insert after the period the following: "Funds may not be used as described in the previous sentence in contravention of the National Security Presidential Memorandum entitled ‘Strengthening the Policy of the United States Toward Cuba’ issued by the President on June 16, 2017, and regulations implementing that memorandum authorizing transactions with entities owned, controlled, or operated by or on behalf of military intelligence or security services of Cuba.

SA 3263. Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subsection C of title IV, add the following:

SEC. 43. NATIONAL NUTRITIONAL AND DIETARY INFORMATION AND GUIDELINES FOR CERTAIN WOMEN AND CHILDREN.

Section 301(a)(3) of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341(a)(3)) is amended—

(1) by striking the paragraph designation and heading and all that follows through “Not later” and inserting the following:

'(3) CERTAIN WOMEN AND CHILDREN.—

'(A) IN GENERAL.—Not later;

'(B) IN GENERAL.—Not later; and

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

"(B) TREATMENT.—The most recent guide lines published under subparagraph (A) shall supersede any previous Federal nutrition guidance relating to the population described in that subparagraph; and

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

"(II) be promoted by each applicable Federal department or agency in carrying out any food, nutrition, or health program."

SA 3264. Ms. COLLINS (for herself, Mr. KING, Mr. JONES, Mr. WHITEHOUSE, Mr. BARRASSO, Mrs. FISCHER, Ms. MURKOWSKI, Mr. CARTER, Mr. SHAHEEN, Mr. SCHATZ, Mr. SULLIVAN, Mr. BLUNT, Ms. HASSAN, Mr. TOOMEY, Mrs. CAPITO, Mr. MARKEY, Mr. ROUNDS, and Mr. REED) submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle D—Other Matters

SEC. 3401. STUDY OF NEWSPRINT INDUSTRY WELL-BEING.

(a) STUDY.—The Secretary of Commerce shall conduct a study of the economic well-being, health, and vitality of the newspaper industry and the local newspaper publishing industry in the United States, which shall include an assessment of the following:

(1) The trends in demand for newspaper and traditional printed newspapers.

(2) The trends in demand for digital or online consumption of news.

(3) The costs of inputs in the production of traditional printed newspapers, including the use of newsprint.

(4) The effect of declining readership of traditional printed newspapers on the continued viability of the newspaper and newsprint publishing industries and the continued availability of coverage of local news, local sports, local government, and local disaster prevention and awareness.

(5) The trends in the pulp and paper industry of the United States, and whether such measures have harmed local news coverage or reduced employment in the newspaper and publishing industries.

(6) Whether measures undertaken by printers and newspaper publishers to reduce costs in response to increased costs for newsprint in the United States, and whether such measures have harmed local news coverage or reduced employment in the newspaper and publishing industries.

(7) Whether measures undertaken by printers and publishers to reduce costs have harmed local businesses that advertise in local newspapers.

(8) The global production capacity for newsprint in light of the declining demand for newsprint.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the President and Congress a report on—

(1) the findings of the study required by subsection (a); and

(2) any recommendations that the Secretary considers appropriate.

(c) STAY OF DETERMINATIONS.—

(1) IN GENERAL.—Subject to paragraph (2) and notwithstanding any provision of title VII of the Tariff Act of 1930 (19 U.S.C. 1711 et seq.), the Secretary shall not, and the United States International Trade Commission may not give effect to an affirmative
determination in an antidumping or countervailing duty investigation relating to imports of uncoated groundwood paper conducted under that title until the President certifies to the Secretary and the Chairman of the Commission that the President—
(A) has received the report required by subsection (b); and
(B) has concluded that giving effect to the determination is in the economic interest of the United States.
(2) RATES.
(A) IN GENERAL.—Until such time as the President issues the certification described in paragraph (1), the administering authority (as defined in section 771(i) of the Tariff Act of 1930 (19 U.S.C. 1671b(i))) shall order a rate of zero for deposits posted pursuant to sections 736(d), 705(c)(1), 733(d), and 735(c)(1) of that Act (19 U.S.C. 1671b(d), 1671b(c)(1), 1673b(d), and 1675(c)(1)) in an investigation described in paragraph (1).
(B) EFFECTIVE DATE.—This paragraph shall take effect on the date of the enactment of this Act without regard to any later effective date of an order required by subparagraph (A).
(3) CANADA AND MEXICO.—Pursuant to article 10.33 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 4348), this subsection applies to goods from Canada and Mexico.
(4) APPLICATION.—This subsection applies only to an antidumping or countervailing duty investigation that is ongoing as of the date of the enactment of this Act.

SA 3265. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:
In section 5409(b)(2)(A)(i)(III), strike “and” at the end.
In section 5409(b)(2)(A)(i)(IV), strike “and” at the end.
In section 5409(b)(2)(A)(i), insert at the end the following:
(V) the Committee on Financial Services of the House of Representatives;
(VI) the Committee on Banking, Housing, and Urban Affairs of the Senate;
(VII) the Committee on the Budget of the House of Representatives; and
(VIII) the Committee on the Budget of the Senate;

SEC. 9110. BIOMASS CROP ASSISTANCE PROGRAM

SA 3268. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:
In section 9110 (relating to the Biomass Crop Assistance Program) and insert the following:

SA 3269. Mr. KING (for himself, Mr. ROUNDS, Mr. THUNE, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:
At the end of subtitle E of title XII, add the following:

SEC. 125. STATE MEMORANDA OF UNDERSTANDING REGARDING INTERSTATE SHIPMENT OF STATE-INSPECTED POULTRY AND MEAT ITEMS.

(a) MEAT ITEMS.—Section 501 of the Federal Meat Inspection Act (21 U.S.C. 683) is amended—
(1) in subsection (a)—
(A) in paragraph (1), by inserting “that is located in a State that has enacted a mandatory State meat product inspection law that imposes ante mortem and post mortem inspection, reinspection, and sanitation requirements that are at least equal to those under this Act” before the period at the end; and
(B) by striking paragraph (2); and
(2) by striking paragraphs (b) through (e) and inserting the following:
(b) STATE MEMORANDA OF UNDERSTANDING REGARDING INTERSTATE SHIPMENT OF STATE-INSPECTED MEAT ITEMS. —
(1) IN GENERAL.—Notwithstanding any other provision of law (including regulations), a State may enter into a memorandum of understanding with another State under which meat items from an eligible establishment in 1 State are sold in interstate commerce in the other State, in accordance with the requirements of the Federal Meat Inspection Act (21 U.S.C. 673) and with the following:
(2) REQUIREMENTS.—To be eligible to enter into a memorandum of understanding under paragraph (1), a State, acting through the appropriate State agency, shall receive a certification from the Secretary that—
(A) the ante mortem and post mortem inspection, reinspection, and sanitation requirements of the State are at least equal to those under this Act; and
(B) the State employs designated personnel to inspect poultry items to be shipped by eligible establishments in interstate commerce. ;

SA 3270. Mr. UDALL (for himself and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:
On page 609, line 25, strike “services.” and insert “services, including applicants seeking to implement technology-enabled collaborative learning and capacity building models, as defined in section 2 of the Expanding Capacity for Health Outcomes Act (Public Law 114-279; 130 Stat. 1390).”;

SA 3271. Mr. YOUNG (for himself, Mr. DONNELLY, Mr. LANKFORD, and Mr. JONES) submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:
At the end of title XII, add the following:
Subtitle G—National FFA Organization's Federal Charter Amendments Act

SEC. 12701. SHORT TITLE.
This subtitle may be cited as the “National FFA Organization's Federal Charter Amendments Act”.

SEC. 12702. ORGANIZATION.
Section 70901 of title 36, United States Code, is amended—
(1) in subsection (a), by striking “corporation” and inserting “FFA”; and
(2) in subsection (b), by striking “corporation” and inserting “FFA”.

SEC. 12703. PURPOSES OF THE CORPORATION.
Section 70902 of title 36, United States Code, is amended—
(1) in the matter preceding paragraph (1), by striking “corporation” and inserting “FFA”;
(2) by redesignating paragraphs (1) and (2) as paragraphs (7) and (8), respectively;
(3) by striking paragraphs (3), (4), (6), and (7);
(4) by redesignating paragraph (5) as paragraph (11);
(5) by redesigning paragraphs (8) and (9) as paragraphs (12) and (13), respectively;
(6) by inserting before paragraph (7), as redesignated by paragraph (2), the following:

“(2) to advance comprehensive agricultural education in the United States, including in public schools, by supporting contextual classroom and laboratory instruction and work-based experiential learning;

“(3) to prepare students for successful entry into productive careers in fields relating to agriculture, food, and natural resources, by connecting students to the real world in agricultural education, and staff to reflect the belief of the FFA in the value of all human beings;”;

(7) in paragraph (7), as redesignated by paragraph (2), the following:

“(A) shall consist of—

“(i) the Secretary of Education, or the Secretary of Education’s designee who has experience in agricultural education, the FFA, or career and technical education; and

“(ii) other individuals—

“(I) representing the fields of education, agriculture, food, and natural resources; or

“(II) with experience working closely with the FFA; and

“(B) shall not include any individual who is a current employee of the National FFA Organization.”;

(8) in paragraph (10), by inserting “education” before “members”; and

SEC. 12704. GOVERNING BODY.
Section 70904 of title 36, United States Code, is amended—
(1) in subsection (a)—

(A) in paragraph (1), by striking “corporation” and inserting “FFA” each place the term appears;

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2) The board—

(A) shall consist of—

(1) the Secretary of Education, or the Secretary of Education’s designee who has experience in agricultural education, the FFA, or career and technical education; and

(2) other individuals—

(I) representing the fields of education, agriculture, food, and natural resources; or

(II) with experience working closely with the FFA; and

(B) shall not include any individual who is a current employee of the National FFA Organization.”;

(2) in paragraph (4)—

(C) in paragraph (4)—

(1) in the first sentence, by striking “bylaws” and inserting “corporation”;

(4) in paragraph (6), by striking “corporation” and inserting “FFA”;

SEC. 12705. POWERS.
Section 70905 of title 36, United States Code, is amended—
(1) by striking “corporation” and inserting “FFA” each place the term appears;

(2) by striking “name” and inserting “FFA”;

(3) by striking “chairman” and inserting “chair”;

(4) by striking paragraph (8) to read as follows:

“(8) use FFA funds to give prizes, awards, loans, and grants to deserving members, chapters, associations, programs, services, and other media;”;

(5) in paragraph (9) to read as follows:

“(9) produce publications, websites, and other media;”;

(6) by striking “chairman” wherever it appears in paragraphs (10) and (11) and inserting “chair”;

(7) by striking “FFA” and inserting “National FFA Organization”;

(8) by striking “FFA” and inserting “National FFA Organization”;

(9) by striking “FFA” and inserting “National FFA Organization”;

(10) by striking “FFA” and inserting “National FFA Organization.”;

SEC. 12706. NAME, SEALS, EMBLEMS, AND BADGES.
Section 70906 of title 36, United States Code, is amended—
(1) in the matter preceding paragraph (1), by striking “corporation” and inserting “FFA”;

(2) in paragraph (2), by striking “corporation” and inserting “FFA”;

(3) in paragraph (4), by striking “corporation” and inserting “FFA”;

(4) in paragraph (6), by striking “corporation” and inserting “FFA”;

(5) by amending paragraph (8) to read as follows:

“(8) use FFA funds to give prizes, awards, loans, and grants to deserving members, chapters, associations, programs, services, and other media;”;

(6) by striking paragraph (9) and inserting “FFA”;

(7) by striking “name” and inserting “FFA”;

(8) by striking “chairman” and inserting “chair”;

(9) by striking paragraph (8) to read as follows:

“(8) use FFA funds to give prizes, awards, loans, and grants to deserving members, chapters, associations, programs, services, and other media;”;

(10) by striking “FFA” and inserting “National FFA Organization”;

(11) by striking “FFA” and inserting “National FFA Organization”;

(12) by striking “FFA” and inserting “National FFA Organization.”;

SEC. 12707. POWERS.
Section 70907 of title 36, United States Code, is amended—
(1) by striking “corporation” and inserting “FFA” each place the term appears;

(2) by striking “name” and inserting “names”;

(3) by striking “Future Farmers of America” and inserting “Future Farmers of America and National FFA Organization”;

(4) by striking “education” and inserting “education”;

SEC. 12708. RESTRICTIONS.
Section 70908 of title 36, United States Code, is amended—
(1) in subsection (a), by striking “corporation” and inserting “FFA”;

(2) in subsection (b), by striking “corporation” and inserting “FFA”.
such” and inserting “FFA or a director, officer, or member acting on behalf of the FFA”;
(3) in subsection (c), by striking “corporation” and inserting “FFA” each place the term appears; and
(4) in subsection (d)—
(A) in the first sentence, by striking “corporation” and inserting “FFA”;
(B) by striking “Officials who vote for or” and inserting “the FFA or a director, officer, or employee, and officers who participate in making the loan to a director, officer, or employee”;
(C) by striking “amount of the loan until it is repaid.”.

SEC. 12710. RELATIONSHIP TO FEDERAL AGENCIES.

Section 70909 of title 36, United States Code, is amended to read as follows:

“(a) In General.—On request of the board of directors, the FFA may collaborate with Federal agencies, including the Department of Education and the Department of Agriculture on matters of mutual interest and benefit.

“(b) Agency Assistance.—Those Federal agencies may make personnel, services, and facilities available to administer or assist in the administration of the activities of the FFA.

“(c) Agency Compensation.—Personnel of the Federal agencies may not receive compensation for their services to the FFA except that travel and other legitimate expenses as defined by the Federal agencies and approved by the board may be paid.

“(d) Farm Service Agency.—The Federal agencies also may cooperate with State boards and other organizations for career and technical education to assist in the administration of activities of the FFA.

SEC. 12711. HEADQUARTERS AND PRINCIPAL OFFICE.

Section 70910 of title 36, United States Code, is amended—

(1) in subsection (a)—
(A) in paragraph (1), by striking “DISTRICT OF COLUMBIA” and inserting “FFA”;
(B) in paragraph (2), by striking “District of Columbia” and inserting “FFA”;
(C) in paragraph (3), by striking “entitled to vote”; and

(2) in subsection (b), by striking “corporation” and inserting “FFA”.

SEC. 12712. RECORDS AND INSPECTION.

Section 70901 of title 36, United States Code, is amended—

(1) in subsection (a)—
(A) in paragraph (1), by striking “corporation” and inserting “FFA”; and
(B) in paragraph (3), by striking “entitled to vote”; and

(2) in subsection (b), by striking “corporation” and inserting “FFA”.

SEC. 12713. SERVICE OF PROCESS.

Section 70912 of title 36, United States Code, is amended—

(1) in subsection (a)—
(A) by striking “DISTRICT OF COLUMBIA” and inserting “FFA”;
(B) by striking “corporation” and inserting “FFA” each place the term appears; and
(C) by striking “of the FFA” after “association or chapter”.

SEC. 12714. LIABILITY FOR ACTS OF OFFICERS OR AGENTS.

Section 70914 of title 36, United States Code, is amended—

(1) by striking “corporation” and inserting “FFA”; and

(2) by striking “vocational agriculture” and inserting “agricultural education”.

SA 3272. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 281, strike line 19 and insert the following:

(A) in paragraph (1)—
(i) by striking subparagraph (B);
(ii) in subparagraph (A)—
(I) by striking clauses (i) and (ii) and inserting the following:

“(i) without good cause, fails to work or refuses to participate in an employment assistance program, or any combination of work, an employment assistance program, and a work program for—

(1) during any of fiscal years 2021 through 2025, a minimum of 20 hours per week, averaged monthly; and

(2) during fiscal year 2026 and each fiscal year thereafter, a minimum of 25 hours per week, averaged monthly;”;

(II) in clause (vi), by striking “30 hours per week” and inserting “the applicable hourly requirement under clause (i)”;

(B) in paragraphs (i), (iv), and (v) as clauses (ii), (iii), and (iv), respectively; and

(C) by inserting “FFA” before “or assistance program” in the following:

“(B) in the case of an individual described in subparagraph (A), the applicable State agency makes a determination of noneligibility to participate in the applicable food assistance program under that subpart after determining that—

(1) the individual is not otherwise eligible to participate in the supplemental nutrition assistance program under section 1837 of the Food and Nutrition Act of 2008, as in effect on the date of enactment of this Act; and

(2) the applicable State agency makes a determination that the individual—

(I) during any of fiscal years 2021 through 2025, is not more than 59 years of age; and

(II) during fiscal year 2026 and each fiscal year thereafter, is not more than 60 years of age; and

(III) during any of fiscal years 2021 through 2025, has retired or otherwise is not subject to the work requirement under clause (i); or

(IV) during fiscal year 2026 and each fiscal year thereafter, is not subject to the work requirement under clause (i);”;

(D) by redesignating clauses (ii), (iii), and (iv) as clauses (i), (ii), and (iii), respectively; and

SEC. 12715. DISTRIBUTION OF ASSETS IN DISSOLUTION OR FINAL LIQUIDATION.

Section 70914 of title 36, United States Code, is amended—

(1) by striking “corporation” and inserting “FFA”;

(2) by striking “vocational agriculture” and inserting “agricultural education”.

SA 3273. Mr. TILLIS (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. RELEASE OF INTEREST IN LAND, PINE TREE RESEARCH STATION, ARKANSAS.

(a) RELEASE OF INTEREST.—

(1) IN GENERAL.—Subject to paragraph (2), after execution of the agreement described in paragraph (1), the Secretary shall release the condition in the deed with respect to the land described in subsection (c) that the land shall be used for public purposes, and if at any time the land ceases to so use, the land conveyed shall immediately revert to and become vested in the United States.

(2) CONDITION.—The release under paragraph (1) shall be subject to the condition that—

(A) proceeds from the sale of any land described in subsection (c) shall be reinvested by the Board of Trustees of the University of Arkansas to benefit the public research and extension programs of the University of Arkansas System Division of Agriculture; and

(B) if the proceeds are not used as described in subparagraph (A), the proceeds from the sale of the land described in subsection (c) shall be transferred to the United States.

(3) APPLICATION OF BANKHEAD-JONES FARM TENANT ACT.—Section 3(c) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 101(c)) shall not apply to the release under paragraph (1).

(b) AGREEMENT.—The Secretary shall enter into an agreement with the Board of Trustees of the University of Arkansas, satisfactory to the Secretary of Agriculture, that requires that—

(1) the proceeds from a sale of any portion of the land described in subsection (c) shall inure to the benefit of the University of Arkansas System Division of Agriculture for use in the public research and extension programs of the University of Arkansas System Division of Agriculture, including facilities and operations for those programs; and

(2) the public record disposition described in paragraph (1) shall be—

(A) deposited and held in an open account subject to the Secretary; and

(B) if withdrawn from the account, used for the purpose described in paragraph (1).

(c) LAND DESCRIPTION.—The land referred to in subsections (a) and (b) is the land conveyed, sold, and transferred to the Board of Trustees of the University of Arkansas by the United States, through the Director of the Arkansas Farm Research Station in accordance with the Bankhead-Jones Farm Tenant Act (7 U.S.C. 101(c)) on February 2, 1978, containing 11,849.90 acres from 23 different sections, with the deed recorded in the St. Francis County records in book 376, page 376 by the St. Francis Circuit Court Clerk, and generally described as: “all those certain tracts, or parcels of land embraced within the Forrest City (Pine Tree) Land Utilization Project, AR-LU-4, lying and being in the County of St. Francis, State of Arkansas, 5th Principal Meridian”.

SEC. 70909. RELATIONSHIP TO FEDERAL AGENCIES.

Section 70909 of title 36, United States Code, is amended—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) in subparagraph (A)—

(I) by striking clauses (i) and (ii) and inserting the following:

“(i) without good cause, fails to work or refuses to participate in an employment assistance program, or any combination of work, an employment assistance program, and a work program for—

(1) during any of fiscal years 2021 through 2025, a minimum of 20 hours per week, averaged monthly; and

(2) during fiscal year 2026 and each fiscal year thereafter, a minimum of 25 hours per week, averaged monthly;”;

(ii) by striking clause (vi);

(iii) in clause (iv), by adding “or” after the semicolon at the end;

(iv) in clause (v)(II), by striking “30 hours per week” and inserting “the applicable hourly requirement under clause (i)”;

(v) as clauses (ii), (iii), (iv), and (v) respectively; and

(vi) by striking the subparagraph designation and heading and all that follows through “individual”— in the matter preceding clause (i) and inserting the following:

“(A) DEFINITION OF WORK PROGRAM.—In this paragraph, the term ‘work program’ means—

(i) a program under title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.);

(ii) a program under section 236 of the Trade Act of 1974 (29 U.S.C. 2296); and

(iii) a program of employment and training other than a program under paragraph (4) that—

(I) is operated or supervised by a State or political subdivision of a State; and

(II) achieves compliance with applicable standards approved by—

(aa) the chief executive officer of the State; and

(bb) the Secretary.

(B) GENERAL REQUIREMENT.—Subject to subparagraph (C), no physically and mentally fit individual aged not less than 18, and not more than 59, years shall be eligible to participate in the supplemental nutrition assistance program if the applicable State agency determines that the individual—

(i) is not otherwise eligible to participate in the food assistance program under that subpart beginning on the date that is 30 days after the date on which the applicable State agency makes a determination of noneligibility to participate in the supplemental nutrition assistance program with respect to the individual;”;

(ii) by striking subparagraph (D);
(I) in clause (iii)(1), by striking “subparagraph (A)” each place it appears and inserting “subparagraph (B)”;

(ii) in clause (iv), by striking “subparagraph (B)” and inserting “subparagraph (B)(iv)”;

(iii) by striking clauses (v) and (vi);

(v) by adding at the end the following:

"(P) TRANSITION PERIOD.—During each of fiscal years 2019 and 2020, a State agency shall continue to implement and enforce applicable work program and employment and training program requirements in accordance with this subsection, sections (e) and (o) (other than paragraph (6)(F) of that subsection), and sections 7(f), 11(e)(19), and 16 (other than section 16(a)) (A) through (B) to the extent that those provisions were in effect on the day before the date of enactment of the Agriculture Improvement Act of 2018.

(G) ADDITIONAL FLEXIBILITY.—

"(i) IN GENERAL.—On receipt of an application from a State agency that demonstrates to the satisfaction of the Secretary that—

(I) the date that is 3 years after the date on which the individual became ineligible;

(II) the date on which the individual receives a notice of adverse action under clause (i), the individual shall remain ineligible to participate in the supplemental nutrition assistance program until the earliest of—

(I) the date that is 1 year after the date on which the individual became ineligible;

(II) the date that is 10 days after the date on which the State agency determines that the individual has failed to meet an applicable requirement under subparagraph (B);

(III) the date on which the individual is no longer subject to subparagraph (B).

(ii) INITIAL VIOLATION.—The first instance in which an individual receives a notice of adverse action under clause (i), the individual shall remain ineligible to participate in the supplemental nutrition assistance program until the earliest of—

(I) the date that is 3 years after the date on which the individual became ineligible;

(II) the date that is 1 year after the date on which the individual became ineligible;

(III) the date on which the individual is no longer subject to subparagraph (B).

(iii) SUBSEQUENT VIOLATIONS.—The second, or any subsequent, instance in which an individual receives a notice of adverse action under clause (i), the individual shall remain ineligible to participate in the supplemental nutrition assistance program until the earliest of—

(I) the date that is 3 years after the date on which the individual became ineligible;

(II) the date on which the individual fails to meet the applicable hourly requirements under subparagraph (B)(i);

(III) the date on which the individual is no longer subject to subparagraph (B).

(iv) INELIGIBILITY.—On receipt of an application from a State agency that demonstrates to the satisfaction of the Secretary that the State agency is unable to implement and enforce applicable work program and employment and training program requirements in accordance with the requirements of this Act (as amended by the Agriculture Improvement Act of 2018) that would otherwise be applicable to the work programs and employment and training programs of the State, the Secretary may—

"(I) for such additional period as the Secretary determines to be appropriate, permit the State agency to continue to implement and enforce those programs as described in subparagraph (F); or

"(II) subject to clause (i), provide to the State agency—

(I) a waiver of the requirement to enforce the those programs in accordance with the requirements of this Act (as amended by the Agriculture Improvement Act of 2018) that would otherwise be applicable to the programs.

(ii) CONDITION ON WAIVER.—For any fiscal year during which a waiver under clause (i)(II) is in effect with respect to a State agency, the Secretary shall not pay to the State agency the administrative cost payment under section 16(a).

(H) INELIGIBILITY.—

"(i) NOTIFICATION OF FAILURE TO MEET WORK REQUIREMENTS.—The State agency shall issue a notice of adverse action to an individual by not later than 10 days after the date on which the State agency determines that the individual has failed to meet an applicable requirement under subparagraph (B).

(ii) INITIAL VIOLATION.—The first instance in which an individual receives a notice of adverse action under clause (i), the individual shall remain ineligible to participate in the supplemental nutrition assistance program until the earliest of—

(I) the date that is 1 year after the date on which the individual became ineligible;

(II) the date that is 10 days after the date on which the State agency determines that the individual has failed to meet an applicable requirement under subparagraph (B);

(III) the date on which the individual is no longer subject to subparagraph (B).

(iii) SUBSEQUENT VIOLATIONS.—The second, or any subsequent, instance in which an individual receives a notice of adverse action under clause (i), the individual shall remain ineligible to participate in the supplemental nutrition assistance program until the earliest of—

(I) the date that is 3 years after the date on which the individual became ineligible;

(II) the date that is 1 year after the date on which the individual became ineligible;

(III) the date on which the individual is no longer subject to subparagraph (B).

(H) INELIGIBILITY.—On receipt of an application from a State agency that demonstrates to the satisfaction of the Secretary that the State agency is unable to implement and enforce applicable work program and employment and training program requirements in accordance with this subsection, sections (e) and (o) (other than paragraph (6)(F) of that subsection), and sections 7(f), 11(e)(19), and 16 (other than section 16(a)) (A) through (B) to the extent that those provisions were in effect on the day before the date of enactment of the Agriculture Improvement Act of 2018.

(J) ADDITIONAL FLEXIBILITY.—

"(i) IN GENERAL.—On receipt of an application from a State agency that demonstrates to the satisfaction of the Secretary that the State agency is unable to implement and enforce applicable work program and employment and training program requirements in accordance with the requirements of this Act (as amended by the Agriculture Improvement Act of 2018) that would otherwise be applicable to the work programs and employment and training programs of the State, the Secretary may—

"(I) for such additional period as the Secretary determines to be appropriate, permit the State agency to continue to implement and enforce those programs as described in subparagraph (I); or

"(II) subject to clause (i), provide to the State agency—

(I) a waiver of the requirement to enforce the those programs in accordance with the requirements of this Act (as amended by the Agriculture Improvement Act of 2018) that would otherwise be applicable to the programs.

(ii) CONDITION ON WAIVER.—For any fiscal year during which a waiver under clause (i)(II) is in effect with respect to a State agency, the Secretary shall not pay to the State agency the administrative cost payment under section 16(a).

SA 3274. Mr. TILLIS (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

In section 4104, add at the end the following:

(e) MOBILE TECHNOLOGIES.—Section 7(h)(14) of the Food and Nutrition Act of 2008 (7 U.S.C. 1791(h)(14)) is amended—

by striking paragraph (A) and inserting the following:

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall authorize the use of mobile technologies for the purpose of accessing supplemental nutrition assistance program benefits;.

(2) in subparagraph (B)—

(A) by striking the heading and inserting "DEMONSTRATION PROJECTS ON ACCESS OF BENEFITS THROUGH MOBILE TECHNOLOGIES";

(B) by striking clause (i) and inserting the following:

"(i) DEMONSTRATION PROJECTS.—Before authorizing the implementation of subparagraph (A) in all States, the Secretary shall approve not more than 5 demonstration project proposals submitted by State agencies that will pilot the use of mobile technologies for supplemental nutrition assistance program benefits access;.

(C) in clause (i)—

(i) in the heading, by striking "DEMONSTRATION PROJECTS AND INSERTING "DEMONSTRATION PROJECTS";

(ii) in the matter preceding subclause (I) (by striking "retail food store" the first place it appears and inserting "State agency"; and

(iii) by striking "that includes—" and inserting "that—"; and
(11) by striking subclauses (I), (II), (III), and (IV), and inserting the following:

"(I) provides recipient protections with respect to privacy, ease of use, household access to benefits, and support similar to the protections provided under existing methods;

(II) ensures that all recipients, including recipients without access to mobile payment technology and recipients who shop across State borders, have a means of benefit access;

(III) requires retail food stores, unless exempt under subsection (c)(2)(B), to bear the costs of acquiring and arranging for the implementation of point-of-sale equipment and supplies for the redemption of benefits that are accessed through mobile technologies, including any fees not described in paragraph (13);

(IV) requires that foods purchased with benefits issued under this section through mobile technologies are purchased at a price not higher than the price of the same food purchased by other methods used by the retail food store, as determined by the Secretary;

(V) ensures adequate documentation for each authorized transaction, adequate security measures to deter fraud, and adequate access to retail food stores that accept benefits accessed through mobile technologies, as determined by the Secretary;

(VI) provides for an evaluation of the demonstration project, including an evaluation of household access to benefits; and

(VII) meets other criteria as established by the Secretary;"

(B) by striking clause (ii) and inserting the following:

"(ii) that are located in a State with the highest age-adjusted drug overdose mortality rates, as determined by the Centers for Disease Control and Prevention, with priority under this clause based on an ordinal ranking of States with the highest age-adjusted drug overdose mortality rates;"

(c) MEMBERS.—The working group shall develop a common, single website to be used by each Federal agency or department participating in the working group that will:

(1) describe each Federal rural economic development program or grant;

(2) allow and supply for those programs or grants on that single website;

SA 2726. Ms. KLOBUCAR (for herself and Mr. GARDNER) submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

In section 9101, redesignate paragraphs (1) through (3) as paragraphs (2) through (4), respectively.

In section 9101, insert before paragraph (2) (as so redesignated) the following:

"(1) in paragraph (3)(A), by inserting "ethanol derived from" after "other than";

SA 2727. Ms. KLOBUCAR (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

In section 9106, redesignate paragraphs (1) through (3) as paragraphs (2) through (4), respectively.

In section 9106, insert the following:

References to "biological materials" in the Food and Drug Administration, shall be construed to include—

SEC. 63. INTERAGENCY WORKING GROUP ON RURAL ECONOMIC DEVELOPMENT.

(a) In General.—The Secretary shall establish an interagency working group (referred to in this section as the "working group")—

(1) to study the process and implementation of rural economic development grants and funding at agencies and departments within the Federal Government; and

(2) to develop a website to provide information about those grants and funding in a central location.

(b) Members.—The working group shall include—

(1) the Secretary; and

(2) the head of each Federal agency or department that provides rural economic development grants or funding;

(c) Duties.—The working group shall develop a common, single website to be used by each Federal agency or department participating in the working group that will:

(1) describe each Federal rural economic development program or grant;

(2) allow and supply for those programs or grants on that single website;

SEC. 67. SOURCES OF DOGS AND CATS FOR RESEARCH FACILITIES.

(a) Definition of Person.—In this section, the term "person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, pound, shelter, or other legal entity.

(b) Use of Dogs and Cats.—No research facility or Federal research facility may use a dog or cat for research or educational purposes if the dog or cat was obtained from a person other than a person described in subsection (d).

(c) Selling, Donating, or Offering Dogs and Cats.—No person described in subsection (d), may sell, donate, or offer a dog or cat to any research facility or Federal research facility.

(d) Permissible Sources.—A person from whom a research facility or a Federal research facility may obtain a dog or cat for research or educational purposes under subsection (b), and a person who may sell, donate, or offer a dog or cat to a research facility or a Federal research facility under subsection (c), shall—

(1) a dealer licensed under section 3 that has bred and raised the dog or cat;

(2) a publicly owned and operated pound or shelter that—

(A) is registered with the Secretary;

(B) is in compliance with section 28(a)(1) and with the requirements for dealers in subsections (b) and (c) of section 28; and

(C) obtained the dog or cat from its legal owner, other than a pound or shelter;

(3) a person that is donating the dog or cat that—

(A) bred and raised the dog or cat; or

(B) owned the dog or cat for not less than 1 year immediately preceding the donation;

(4) a research facility licensed by the Secretary; and

(5) a Federal research facility licensed by the Secretary.

(e) Penalties.—

(1) In General.—A person that violates this section shall be fined $1,000 for each violation.

(2) Additional Penalty.—A penalty under this subsection shall be in addition to any other applicable penalty.

(3) No Required Sale or Donation.—Nothing in this section requires a pound or shelter to sell, donate, or offer a dog or cat to a research facility or Federal research facility.

(f) Federal Research Facilities.—Section 8 of the Animal Welfare Act (7 U.S.C. 2138) is amended—

(1) by striking the section designation and all that follows through "No department" and inserting the following:

"SEC. 8. FEDERAL RESEARCH FACILITIES.

"Except as provided in section 7, no department shall—

(1) by striking "research or experimentation or"; and

(3) by striking "such purposes" and inserting "that purpose".

SEC. 25. CERTIFICATION.—Section 28(b)(1) of the Animal Welfare Act (7 U.S.C. 2138(b)(1)) is amended by striking "individual or entity"
and inserting ‘research facility or Federal research facility’.

SA 3280. Mr. CRUZ (for himself and Mr. ROBIO) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STEHLOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 256, strike line 21 and all that follows through page 257, line 4, and insert the following:

“(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts provided under this section,

SA 3281. Mr. ROUNDS (for himself, Mr. KING, Mr. THUNE, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STEHLOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 125. STATE MEMORANDA OF UNDERSTANDING REGARDING INTERSTATE SHIPMENT OF STATE-INSPECTED MEAT ITEMS.

(a) MEAT ITEMS. —Section 501 of the Federal Meat Inspection Act (21 U.S.C. 683) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ‘that is located in a State that has enacted a mandatory State meat product inspection law that imposes ante mortem and post mortem inspection, reinspection, and sanitation requirements that are at least equal to those under this Act’ before the period at the end; and

(B) by striking paragraph (3); and

(2) by striking subsections (b) through (e) and inserting the following:

‘‘(b) STATE MEMORANDA OF UNDERSTANDING REGARDING INTERSTATE SHIPMENT OF STATE-INSPECTED MEAT ITEMS.—

‘‘(1) IN GENERAL.—Notwithstanding any other provision of law (including regulations), a State may enter into a memorandum of understanding with another State under which meat items from an eligible establishment in 1 State are sold in interstate commerce in the other State, in accordance with the requirements of paragraph (2).

‘‘(2) REQUIREMENTS.—To be eligible to enter into a memorandum of understanding under paragraph (1), a State, acting through the appropriate State agency, shall receive a certification from the Secretary that—

(A) the ante mortem and post mortem inspection, reinspection, and sanitation requirements of the State are at least equal to those under this Act; and

(B) the State employs designated personnel to inspect meat items to be shipped by eligible establishments in interstate commerce, ‘‘

(3) by redesignating subsection (h) as subsection (c); and

(4) by striking subsection (i).

SA 3282. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 125. QUALIFIED PROJECT.—Section 4(e) of the Poultry Products Inspection Act (21 U.S.C. 453(e)) is amended by inserting ‘including quail,’ before ‘whether’.

SA 3283. Mr. PERDUE (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STEHLOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 125. JURISDICTION OF THE COMMISSION. —Section 2(a)(1)(A) of the Commodity Exchange Act (42 Stat. 998, chapter 369; 7 U.S.C. 7(a)(1)(A)) is amended by striking “pursuant to section 5 or a swap execution facility pursuant to section 5h or any other” and inserting “pursuant to section 5, a swap execution facility pursuant to section 5h, or a reporting entity sets or reports reference prices for aluminum premiums, or any other”.

SA 3284. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

After section 8401, insert the following:

SEC. 84. INJUNCTIONS.

Section 106(c) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(c)) is amended by adding at the end the following:

‘‘(4) LIMITATION.—A court of competent jurisdiction may not enjoin an authorized hazardous fuel reduction project that is located in part on Federal land on a case-by-case basis, and on a project-by-project basis, based solely on a finding by the court that—

(A) a categorical exclusion, in lieu of an environmental assessment, was improperly prepared for the authorized hazardous fuel reduction project;

(B) an environmental assessment, in lieu of an environmental impact statement, was improperly prepared for the authorized hazardous fuel reduction project; or

(C) any other procedural error was made with respect to the environmental analysis required for, or the implementation of, the authorized hazardous fuel reduction project.’’.

SA 3285. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title VIII, add the following:

SEC. 86. ALTERNATIVE DISPUTE RESOLUTION PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) PARTICIPANT.—The term ‘participant’ means an individual or entity that files an objection or scoping comments on a draft environmental document with respect to a project that is subject to an objection at the project level under part 218 of title 36, Code of Federal Regulations (or successor regulations).

(2) PILOT PROGRAM.—The term ‘pilot program’ means the pilot program established under subsection (b).

(3) PROJECT.—The term ‘project’ means a project described in subsection (c).

(4) SECRETARY.—The term ‘Secretary’ means the Secretary, acting through the Chief of the Forest Service.

(b) ARBITRATION PILOT PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish with Region 2 of the Forest Service an arbitration pilot program as an alternative dispute resolution process in lieu of judicial review for projects described in subsection (c).

(c) DESCRIPTION OF PROJECTS.—(1) IN GENERAL.—The Secretary, at the sole discretion of the Secretary, may designate for arbitration projects that—

(A)(i) are developed through a collaborative process (within the meaning of section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C));

(ii) are carried out under the Collaborative Forest Landscape Restoration Program established under section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7360); or

(iii) are identified in a community wildfire protection plan (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)).
(B) have as a purpose—
(i) hazardous fuels reduction; or
(ii) mitigation of insect or disease infesta-
tion; and
(C) is located, in whole or in part, in a wildland-urban interface (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)).

2. In designating projects for arbitration, the Secretary may include projects that receive categorical exclusions for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

3. The Secretary may not designate for arbitration the project or projects described in clause (i) for which the Secretary recommends that the project has been designated for arbitration in accordance with this section, and

4. The Secretary shall—
(i) notify each applicable participant and the Chair of the United States District Court for the district in which the project is lo-
cated that the project has been designated for arbitration in accordance with this section,
and
(ii) include in the decision document a statement that the project has been designated for arbitration.

5. INITIATION.—

(A) IN GENERAL.—A participant may ini-
tiate arbitration regarding a project that has been designated for arbitration under this section in accordance with—

(i) sections 571 through 584 of title 5, United States Code; and
(ii) this paragraph.

(B) REQUIREMENTS.—A request to initiate arbitration under subparagraph (A) shall—

(i) be filed not later than the date that is 30 days after the date of the notification by the Secretary referred to in paragraph (1); and
(ii) include an alternative proposal for the applicable project that describes each modi-
fication sought by the participant with re-
spect to the project.

(C) NO JUDICIAL REVIEW.—A project for which arbitration is initiated under subparagraph (A) shall not be subject to judicial re-
view.

6. COMPULSORY ARBITRATION.—

(A) MOTION TO COMPEL ARBITRATION.—

(i) IN GENERAL.—If a participant seeks judi-
cial review of a decision with respect to a project, the Secretary may file in the ap-
propriate court a motion to compel arbitra-
tion in accordance with this section.

(ii) FEES AND COSTS.—For any motion de-
scribed in clause (i) for which the Secretary is the prevailing party, the applicable court shall award to the Secretary—

(I) court costs; and
(II) attorney’s fees.

(B) ARBITRATION COMPelled BY COURT.—If a participant seeks judicial review of a project and is ordered to lie on the table; as fol-

(C) no application for arbitration shall be permitted to the applicable participant in respect to the project.

7. SELECTION OF ARBITRATOR.—For each arbitration commenced under this section—

(A) the Secretary shall select 3 arbitrators from the list published under subsection (e)(1); and

(B) the applicable participant shall select 1 arbitrator from the list of arbitrators pro-
posed under paragraph (1).

8. RESPONSIBILITY OF ARBITRATOR.—

(A) IN GENERAL.—An arbitrator selected under subsection (e)—

(i) shall address all claims of each party seeking arbitration with respect to a project under this Act;

(ii) may consolidate into a single arbitra-
tion all requests to initiate arbitration by all participants with respect to a project;

(iii) shall make a decision with respect to each applicable request for initiation of arbitra-
tion under this section by—

(I) selecting the project, as approved by the Secretary;

(II) selecting an alternative proposal sub-
mitted by the applicable participant; or

(III) rejecting both projects described in subparagraphs (A) and (B);

(iv) scope of review.—In carrying out arbi-
tration under this section if, with respect to the party to which the arbitra-

(v) effect of arbitration decision.—A decision of an arbitrator under this section—

(I) shall not be considered to be a major Federal action;

(II) shall be binding; and

(III) shall not be subject to judicial review, except as provided in section 19(a) of title 9, United States Code.

(m) ADMINISTRATIVE COSTS.—

(A) IN GENERAL.—The Secretary shall—

(i) be responsible for the professional fees of arbitrators participating in the pilot program; and

(ii) use funds made available to the Sec-
retary by the Act for purposes otherwise obligated to carry out subparagraph (A).

(B) ATTORNEY’S FEES.—No arbitrator may award attorney’s fees in any arbitration brought under this section.

(n) REPORTs.—

(A) IN GENERAL.—Not later than 1 year after the date on which the pilot program is estab-
lished, the Comptroller General of the United States shall submit to the Committee on Agri-
culture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representa-
tives a report describing the results of the applica-
ble review.

(B) TERMINATION.—The pilot program shall terminate on the date that is 5 years after the date.

(p) EFFECT.—Nothing in this section affects the responsibility of the Secretary to comply with—

(1) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(2) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SA 2386. Mr. Paul (for himself, Mr. Lee, and Mr. Cruz) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. Roberts (for himself and Ms. Stabenow) to the bill H.R. 2, 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; which was ordered to lie on the table; as fol-

At the appropriate place, insert the fol-

SEC. 4. WATERS OF THE UNITED STATES RE-
PEAL.

(a) IN GENERAL.—The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled ‘‘Clean Water Rule: Definition of ‘Waters of the United States’’ (80 Fed. Reg. 37064 (June 29, 2015)) is null.

(b) EFFECT.—Until such time as the Admin-
istrator of the Environmental Protection Agency and the Secretary of the Army issue new rules that are not in conflict with this Act defining the scope of waters pro-
tected under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and that final rule goes into effect, any regulation or policy revised under, or otherwise affected as a result of, the rule voided by this section shall be applied as if the voided rule had not been issued.

SA 2387. Mr. Heinrich (for himself and Mr. Udall) submitted an amendment intended to be proposed to the bill H.R. 2, to authorize the Secretary for the re-
form and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023,
and for other purposes; which was ordered to lie on the table; as follows:

Strike section 12518 and insert the following:

SEC. 12518. STUDY OF MARKETPLACE FRAUD OF TRADITIONAL FOODS AND TRIBAL SEEDS.

(a) In general.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on—

(1) the market impact of traditional foods, Tribally produced products, and products that are considered to be traditional foods;

(2) fraudulent foods that mimic traditional foods or Tribal seeds that are available in the commercial marketplace as of the date of enactment of this Act;

(3) the means by which authentic traditional foods and Tribally produced foods might be protected against the impact of fraudulent foods in the marketplace; and

(4) the availability and long-term viability of Tribal seeds, including an analysis of the storage, cultivation, harvesting, and commercialization of Tribal seeds.

(b) Inclusions.—The study conducted under subsection (a) shall include—

(1) consideration of the circumstances under which fraudulent foods in the marketplace occur; and

(2) an analysis of Federal laws, including intellectual property laws and trademark laws, that might offer protections for Tribal seeds and traditional foods against fraudulent foods.

(c) Report.—Not later than 60 days after the date of completion of the study, the Comptroller General of the United States shall submit a report describing the results of the study under this section to—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on the Judiciary of the House of Representatives;

(3) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(4) the Committee on the Judiciary of the Senate; and

(5) the Committee on Indian Affairs of the Senate.

(d) Privacy of information.—Notwithstanding any other provision of law, the Comptroller General of the United States shall protect sensitive Tribal information gained through the study conducted under subsection (a), including information about Indian sacred places.

SA 3288. Mr. HEINRICH (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STAEBENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 577, strike line 9 and insert the following:

"(6) DEFINITION OF MULTIGENERATIONAL POVERTY.—In this subsection, the term ‘multigenerational poverty’ means pervasive poverty transferred from parents to their children through structural and systemic factors.”

SA 3289. Mr. MANCHIN (for himself, Mr. HELLER, and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STAEBENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 881, strike lines 4 through 13 and insert the following:

“(1) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out this section $300,000,000 for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.

(2) LIMITATION ON USE OF FUNDS.—No funds under this section may be used—

(A) to entities with net sales of more than $50,000,000; or

(B) to support products with well-established product markets, as determined by the Secretary.

SA 3292. Mr. BARRASSO (for himself and Mr. DAINES) submitted an amendment intended to be proposed to him by the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title VIII, add the following:

SEC. 862. EXPEDITED FOREST MANAGEMENT ACTIVITIES.

(a) Definitions.—In this section:

(1) COLLABORATIVE PROCESS.—The term ‘collaborative process’ means a process relating to the management of National Forest System land or public land under which a project or forest management activity is developed and implemented by the Secretary concerned through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 659b(b)(1)(C)).

(2) COMMUNITY WILDFIRE PROTECTION PLAN.—The term ‘community wildfire protection plan’ has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(3) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ means a project or activity carried out by the Secretary concerned on National Forest System land or public land consistent with the forest plan covering the National Forest System land or public land.

(4) FOREST PLAN.—The term ‘forest plan’ means—

(A) a land use plan prepared by the Bureau of Land Management for public land pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 5 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(b) Analysis of 2 Alternatives in Proposed Collaborative Forest Management Activities.—

(1) IN GENERAL.—In preparing an environmental assessment or environmental impact
statement under section 192(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4321(2)) for a forest management activity described in paragraph (2), the Secretary concerned shall study, develop, and describe only the following 2 alternatives:

(A) The forest management activity.

(B) The alternative of no action.

(2) Forest management activity described in paragraph (1) is a forest management activity—

(A) that is—

(i) developed through a collaborative process;

(ii) proposed by a resource advisory committee; and

(iii) included in a selected proposal under the Collaborative Forest Landscape Restoration Program established under section 4803 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303);

(iv) conducted on land designated by the Secretary concerned (or a designee of the Secretary concerned) under section 602(b) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591(b)), notwithstanding whether the forest management activity is initiated before November 30, 2018; or

(v) covered by a community wildfire protection plan; and

(B) the primary purpose of which is—

(i) forest health;

(ii) forest condition and rate of fuel reduction; or

(iii) a combination of 2 or more of the purposes described in clauses (i) through (v) of clause (i).

(3) Elements of no action alternative.

In studying, developing, and describing the alternative of no action under paragraph (1)(B), the Secretary concerned shall consider—

(A) the effect of no action on—

(i) forest health;

(ii) forest productivity;

(iii) wildfire potential;

(iv) insect and disease potential; and

(v) timber production; and

(B) the implications of a resulting decline in forest conditions and the loss of habitat diversity, wildlife, or insect or disease infestation, given fire and insect and disease historical cycles, on—

(i) domestic water supply in the project area;

(ii) wildlife habitat loss; and

(iii) land and social factors.

(c) Expansion of categorical exclusion for insect and disease infestation.

Section 603 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 659b) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “described in subsection (b)”;

(2) by striking subsection (b);

(3) by amending subsections (c) through (g) as subsections (b) through (f), respectively; and

(4) in subsection (b) (as so redesignated)—

(A) in paragraph (1), by striking “3000” and inserting “10,000”; and

(B) in paragraph (2)—

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

(ii) in subparagraph (B), by striking “or III, outside the wildland-urban interface.” and inserting “III, IV, or V, outside the wildland-urban interface; or”; and

(iii) by adding at the end the following:

“(C) designated under section 602(b)(1).”;

(5) Pilot alternative dispute process.

(1) Arbitration.

(A) In general.

The Secretary, acting through the Chief of the Forest Service (referred to in this subsection as the “Secretary”), shall—

(i) during the 10-year period following the Start of the Forest Service a 10-year arbitration pilot program as an alternative dispute resolution process in lieu of judicial review for the projects described in paragraph (2);

(ii) Notification to objectors.

On issuance of an appeal response to an objection filed with respect to a project subject to section 603 of the Healthy Forests Restoration Act of 2003, the Secretary shall notify each applicable individual or entity that submitted the objection (referred to in this subsection as the “objector”) that any further appeal may be subject to arbitration in accordance with this subsection.

(C) Maximum number of arbitrations.

Under the pilot program under this subsection, the Secretary may not arbitrate more than 5 projects in a fiscal year in each Region of the Forest Service.

(2) Description of projects.

The Secretary shall, within 30 days of the designation of the applicable Region of the Forest Service, designate any type of project under this section for arbitration under this subsection.

(3) Arbitrators.

(A) Appointment.

The Secretary shall—

(i) develop and publish a list of not fewer than 20 arbitrators with respect to a project.

(ii) establish a 10-year arbitration program and select arbitrators from the list published under paragraph (4)(A).

(B) Qualifications.

In order to be eligible to serve as an arbitrator under this paragraph, an individual shall be currently recognized by the American Arbitration Association to serve as an arbitrator under this paragraph.

(C) Selection of proposals.

Subject to subparagraph (B), an arbitrator shall select—

(i) the applicable administrative record;

(ii) the consistency of a proposal with—

(I) the applicable forest plan; and

(II) applicable laws (including regulations); and

(iii) which proposal best meets the purpose and need described in the applicable environmental review documents for the project.

(D) Appointment of arbitrator.

An arbitrator may not modify any proposal contained in a demand for arbitration of an objector under this subsection.

(4) Initiation of arbitration.

(A) In general.

Not later than 7 days after the date of receipt of a notice of intent to file suit challenging a project, the Secretary shall notify each applicable objector and the court of jurisdiction that the project has been selected for arbitration in accordance with this subsection.

(B) Demand for arbitration.

(I) In general.

An objector that sought judicial review of a project that has not been designated by the Secretary for arbitration under this subsection may file a demand for arbitration in accordance with—

(i) sections 351 through 364 of title 5, United States Code; and

(ii) this subparagraph.

(II) Requirements.

A demand for arbitration under clause (i) shall—

(1) be filed not later than the date that is 30 days after the date of the notification by the Secretary under subparagraph (A); and

(2) include an alternative proposal to the applicable project that describes each modification sought by the objector with respect to the project.

(5) Selection of arbitrator.

(A) In general.

For each arbitration commenced under this subsection, the Secretary and each applicable objector shall agree on an acceptable arbitrator from the list published under paragraph (3)(A).

(B) Appointment.

No agreement is reached on an acceptable arbitrator under subparagraph (A) by the date that is 21 days after the date on which demand for arbitration is filed, the Secretary shall appoint an arbitrator from the list published under paragraph (3)(A).

(6) Responsibilities of arbitrator.

(A) In general.

An arbitrator selected under paragraph (5)—

(i) shall address each demand filed for arbitration with respect to a project under this subsection; but

(ii) may consolidate into a single arbitration all demands for arbitration by all objectors with respect to a project.

(B) Selection of proposals.

Subject to subparagraph (C), an arbitrator shall make a decision regarding each applicable demand for arbitration under this subsection by selecting—

(i) the project, as approved by the Secretary; or

(ii) an alternative proposal submitted by the applicable objector.

(C) Selection criteria.

In selecting a proposal under subparagraph (B), an arbitrator shall consider—

(i) the applicable administrative record;

(ii) the consistency of a proposal with—

(I) the applicable forest plan; and

(II) applicable laws (including regulations); and

(iii) which proposal best meets the purpose and need described in the applicable environmental review documents for the project.

(D) Appointment of arbitrator.

An arbitrator may not modify any proposal contained in a demand for arbitration of an objector under this subsection.

(7) Effect of arbitration decision.

A decision of an arbitrator under this subsection—

(A) shall not be considered to be a major Federal action;

(B) shall be binding; and

(C) shall not be subject to judicial review, except as provided in section 10(a) of title 9, United States Code.

(9) Report on the pilot program.

(A) In general.

Not later than 1 year before the date on which the pilot program terminates under paragraph (10), the Secretary shall submit to the Committees on Energy and Natural Resources and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Natural Resources and Agriculture, Nutrition, and Forestry of the House of Representatives, a report describing the implementation and results of the pilot program under this subsection.

(B) Recommendations.

The report under subparagraph (A) shall include recommendations as the Secretary is relating to—

(i) whether the pilot program under this subsection should be extended, let expire, or made permanent;

(ii) the manner in which the pilot program under this subsection should be modified; and

(iii) if and how the scope of the pilot program under this subsection should be expanded.

(10) Termination of pilot program.

The authority provided by this subsection terminates effective January 1, 2027.

SA 3293. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:
SEC. 125. PROTECTION OF NATURAL RESOURCES FROM INVASIVE SPECIES.

(a) PURPOSE.—The purpose of this section is to ensure the effective management of Federal lands, including the National Monuments and National Heritage Areas, to protect from invasive species important natural resources, including—

(1) soil;
(2) vegetation;
(3) archeological sites;
(4) water resources; and
(5) other biological material of the species that are capable of propagating the species that is native to the affected ecosystem.

(b) ASSOCIATED DEFINITION.—For purposes of subparagraph (A), the term “alien species” means any species (including the subspecies) of an invasive species.

(c) HEAD.—The head of a Federal department or agency shall implement a method to be used to control or manage an invasive species, including—

(1) the purchase of necessary products, equipment, or services to conduct that control and management;
(2) the use of integrated pest management options, including pesticides authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.);
(3) the use of biological control agents that are proven to be effective to reduce invasive species; and
(4) the use of other effective mechanical or manual control methods.

(d) INVESTIGATIONS, OUTREACH, AND PUBLIC AWARENESS.—Of the amount appropriated or otherwise made available to each Secretary concerned during the period for which the area.

(e) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this Act, each Secretary concerned shall submit to Congress—

(1) a description of the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and
(2) a description of the use of any funds expended for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(f) RESOURCE CONSERVATION.—Nothing in this section precludes the Secretary concerned from pursuing or supporting, pursuant to any other provision of

(g) PROGRAM FUNDING ALLOCATIONS.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(h) PREVENT.—The term “prevent”, with respect to an invasive species, means—

(1) to reduce or stop the spread of the invasive species; or
(2) to inhibit other infestations of the invasive species.

(i) FACTORS FOR CONSIDERATION.—In developing a strategic plan under this paragraph, the Secretary concerned shall take into consideration the environmental and ecological costs of action or inaction, as applicable.

(j) CONTROL AND MANAGEMENT.—Of the amount appropriated or otherwise made available to each Secretary concerned during the period for which the area.

(k) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this Act, each Secretary concerned shall submit to Congress—

(1) a description of the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and
(2) a description of the use of any funds expended for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(l) INQUIRY.—Nothing in this section precludes the Secretary concerned from pursuing or supporting, pursuant to any other provision of

(m) PROGRAM FUNDING ALLOCATIONS.—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(n) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this Act, each Secretary concerned shall submit to Congress—

(1) a description of the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and
(2) a description of the use of any funds expended for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(o) RESOURCE CONSERVATION.—Nothing in this section precludes the Secretary concerned from pursuing or supporting, pursuant to any other provision of

(p) PROGRAM FUNDING ALLOCATIONS.—Of the amount appropriated or otherwise made available to each Secretary concerned during the period for which the area.

(q) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this Act, each Secretary concerned shall submit to Congress—

(1) a description of the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and
(2) a description of the use of any funds expended for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(r) RESOURCE CONSERVATION.—Nothing in this section precludes the Secretary concerned from pursuing or supporting, pursuant to any other provision of

(s) PROGRAM FUNDING ALLOCATIONS.—Of the amount appropriated or otherwise made available to each Secretary concerned during the period for which the area.

(t) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this Act, each Secretary concerned shall submit to Congress—

(1) a description of the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and
(2) a description of the use of any funds expended for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(u) RESOURCE CONSERVATION.—Nothing in this section precludes the Secretary concerned from pursuing or supporting, pursuant to any other provision of

(v) PROGRAM FUNDING ALLOCATIONS.—Of the amount appropriated or otherwise made available to each Secretary concerned during the period for which the area.

(w) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this Act, each Secretary concerned shall submit to Congress—

(1) a description of the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and
(2) a description of the use of any funds expended for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).

(x) RESOURCE CONSERVATION.—Nothing in this section precludes the Secretary concerned from pursuing or supporting, pursuant to any other provision of

(y) PROGRAM FUNDING ALLOCATIONS.—Of the amount appropriated or otherwise made available to each Secretary concerned during the period for which the area.

(z) REPORTING REQUIREMENTS.—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this Act, each Secretary concerned shall submit to Congress—

(1) a description of the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and
(2) a description of the use of any funds expended for programs that address or include invasive species management, not more than 10 percent may be used for administrative costs incurred to carry out programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c)(2).
law, any activity regarding the control, prevention, or management of an invasive species, including investigations to improve the control, prevention, or management of the invasive species.

(B) Public water supply systems.—Nothing in this section authorizes the Secretary concerned to suspend any water delivery or distribution, or otherwise to prevent the control or management of a public water supply system, as a measure to control, manage, or prevent the introduction or spread of an invasive species.

(f) Use of partnerships.—
   (1) In general.—Subject to the requirements of paragraph (2), the Secretary concerned may enter into any contract or cooperative agreement with another Federal agency, an eligible State, a political subdivision of an eligible State, or a private individual or entity to assist with the control and management of an invasive species.

(2) Memorandum of understanding.—
   (A) In general.—As a condition of a contract or cooperative agreement under paragraph (1), the Secretary concerned and the applicable Federal agency, eligible State, political subdivision of an eligible State, or private individual or entity shall enter into a memorandum of understanding that describes—
      (i) the nature of the partnership between the parties to the memorandum of understanding; and
      (ii) the control and management activities to be conducted under the contract or cooperative agreement.
   (B) Contents.—A memorandum of understanding under this paragraph shall contain, at a minimum:
      (i) a prioritized listing of each invasive species to be controlled or managed;
      (ii) an assessment of the total acres or area infested by the invasive species after control and management of the invasive species is attempted;
      (iii) a description of each specific, integrated pest management option to be used, including a comparative economic assessment to determine the least-costly method;
      (iv) a memorandum of understanding under this paragraph shall include a description of—
         (I) the means by which each applicable control or management effort will be coordinated; and
         (II) the expected outcomes of managing and controlling the invasive species.
   (C) Coordination.—If a partner to a contract or cooperative agreement under paragraph (1) is an eligible State, political subdivision of an eligible State, or private individual or entity, the memorandum of understanding under this paragraph shall include—
      (i) a list of goals and objectives for control and management of invasive species; and
      (ii) specifically to provide faster implementation of management methods.
   (g) Coordination with affected local governments.—Each project and activity carried out under this section shall be coordinated with affected local governments, in accordance with section 202(c)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(9)).

SA 3294. Mr. BARRASSO (for himself, Mr. Risch, Mrs. CAPITO, Mr. CRAPO, Mr. COTTON, Mrs. FISCHER, Mr. INHOFE, and Mr. ENZI) submitted an amendment to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 125. MODIFICATION OF ENVIRONMENTAL PERFORMANCE REQUIREMENTS FOR AGRICULTURE AND AGRICULTURE PRODUCERS.

(A) PREDATORY AND OTHER WILD ANIMALS.—
   (1) Use of authorized pesticides; discharge of pesticides; report.—
      (A) Use of authorized pesticides.—Section 302 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:
         (5) Use of authorized pesticides.—Except as provided in subsection (a) of section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342), the Administrator of a State shall not require a permit under such Act for a discharge from a point source into navigable waters of—
            (A) a pesticide authorized for sale, distribution, or use under this Act; and
            (B) the residue of the pesticide, resulting from the application of the pesticide.
         (B) Discharges of pesticides.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:
            (g) Discharges of pesticides.—Except as provided in subsection (a) of such section, a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of—
               (A) a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); or
               (B) the residue of the pesticide, resulting from the application of the pesticide.
   (B) Stormwater discharges subject to regulation under subsection (p).—
      (C) The following discharges subject to regulation under this section:
         (i) Manufacturing or industrial effluent.
         (ii) Treatment works effluent.
         (iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofueling prevention.
      (3) Report.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Committee on Environment and Public Works and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Transportation and Infrastructure and the Committee on Agriculture of the House of Representatives that includes the Committees on Agriculture, shall submit to the Congress a report on the status of intra-agency coordination between the Office of Water and the Office of Pesticide Programs of the Environmental Protection Agency regarding streamlining information collection, standards of review, and data use relating to water quality impacts from the registration and use of pesticides;
      (C) any recommendations on how the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) can be modified to better protect water quality and human health;
      (D) Farmer Identity Protection.—
         (1) Definitions.—In this subsection:
            (A) Agency.—The term "Agency" means the Environmental Protection Agency;
            (B) Livestock operation.—The term "livestock operation" includes any operation involved in the raising or finishing of livestock animals.
      (2) Procurement and disclosure of information.—
         (A) Prohibition.—Except as provided in subparagraph (B), the Administrator, any officer or employee of the Agency, or any contractor or cooperative of the Agency, shall not disclose the information of any owner, operator, or employee of a livestock operation provided to the Agency by a livestock producer or a State agency in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any other law, including—
            (i) names;
            (ii) telephone numbers;
            (iii) email addresses;
            (iv) physical addresses;
            (B) Global Positioning System coordinates;
(vi) financial information, including business
records and production data; or
(vii) other identifying information regard-
ing the location of the owner, operator, live-
stock, or crop.

(B) EFFECT.—Nothing in this subsection af-
fcts—
(i) the disclosure of information described in
subsection (A); or
(ii) the identification of the agricultural oper-
ar or agricultural producer; or
(iii) the authority of the Agency to dis-
close;
(B)(ii), the livestock producer consents to the
disclosure;
(ii) the authority of any State agency to
collect information on livestock operations;
or
(iii) the authority of the Agency to dis-
close the information on livestock oper-
ations to State or other Federal govern-
ment agencies.

(C) CONDITION OF PERMIT OR OTHER PRO-
GRAMS.—The approval of any permit, prac-
tice, or program administered by the Admin-
istrator shall not be conditioned on the con-
sent of the livestock producer under subpara-
graph (B)(ii).

(d) PRIVACY OF AGRICULTURAL PRO-
DUCERS.—

(1) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term "Adminis-
trator" means—

(i) the Administrator; and
(ii) in the case of an action taken pursuant to
a permit program approved under section
402 of the Federal Water Pollution Control
Act (33 U.S.C. 1342), the head of the State
agency administering the program.

(B) AERIAL SURVEILLANCE.—The term "aer-
ial surveillance" means any surveillance from
the air, including—

(i) surveillance conducted from manned or
unmanned aircraft; or
(ii) the use of aerial or satellite images, re-
gardless of whether the images are publicly
available.

(C) AGRICULTURAL LAND.—

(i) cropland;
(ii) grassland;
(iii) prairie land;
(iv) improved pastureland;
(v) rangeland;
(vi) croppable woodland;
(vii) cropped woodland;
(VII) reclaimed land;
(IX) fish or other aquatic species habitat;
(X) land used for—

(1) agriculture; or
(bb) the production of livestock; and
(XI) land that contains existing infrastruc-
ture used for—

(aa) the production of livestock; or
(bb) another agricultural operation.

(2) LIMITATION ON USE OF AERIAL SURVEIL-
LANCE.

(A) IN GENERAL.—Subject to subparagraph
(B), in exercising any authority under the
Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Administrator may
not conduct aerial surveillance of agricul-
tural land.

(B) EXCEPTIONS.—The Administrator may
conduct aerial surveillance of agricultural
land under the Federal Water Pollution Con-
trol Act (33 U.S.C. 1251 et seq.) if the Admin-
istrator—

(i) has obtained the voluntary written con-
tent of the owner or operator of the land to
be surveilled in accordance with paragraph
(3); or
(ii) has obtained a certification of reason-
able suspicion in accordance with paragraph
(4).

(3) VOLUNTARY WRITTEN CONSENT.—

(A) IN GENERAL.—In order to conduct aera-
l surveillance under paragraph (2)(B)(i), the Administrator shall obtain from the
owner or operator of the land to be surveilled written consent to such surveil-
ance.

(B) CONTENTS.—The Administrator shall
ensure that any written consent required
under subparagraph (A)—

(i) specifies the period during which the
consent is effective, which may not exceed 1
year;
(ii) contains a specific description of the
geographical area to be surveilled; and
(iii) on the request of the owner or oper-
ator of the lands, contain reasonable
limitations on the days and times during
which the surveillance may be conducted.

(C) ASSURANCE OF VOLUNTARY CONSENT.—
The Administrator—

(i) shall ensure that any written consent
required under subparagraph (A) is granted
voluntarily by the owner or operator of the
land to be surveilled; and

(ii) may not threaten additional, more de-
tailed, or more thorough inspections, or oth-
erwise coerce or entice the owner or oper-
ar, in order to obtain written consent.

(4) CERTIFICATION OF REASONABLE SUS-
PICION.—The Administrator—

(A) IN GENERAL.—In order to conduct aera-
l surveillance under paragraph (2)(B)(i), the Administrator shall obtain from a United
States district court of competent jurisdic-
tion (referred to in this paragraph as a "Court") a certification of reasonable sus-
picion in accordance with this paragraph.

(B) CERTIFICATION REQUIREMENTS.—A Court
may issue a certification of reasonable sus-
picion if—

(i) the Administrator submits to the Court
an affidavit setting forth specific and
articular facts that would indicate to a
reasonable person that a violation of the
Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) exists in the area to be
surveilled; and

(ii) the Court finds that the Administrator
has shown reasonable suspicion that an
owner or operator of agricultural land in the
area to be surveilled has violated the Federal
Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(5) DISCLOSURE OF INFORMATION.—

(A) IN GENERAL.—Except as provided in
subparagraph (C), or for the purposes of an
investigation or prosecution by the Adminis-
terator, the Administrator may not disclose
information collected through aerial surveil-
sance conducted under paragraph (2)(B).

(B) APPLICABILITY OF FOIA.—Section 552 of
title 5, United States Code, shall not apply to
any information collected through aerial surveil-
sance conducted under paragraph (2)(B).

(C) RIGHT TO PETITION.—The owner or oper-
or of land surveilled under this subsection
has the right to petition for copies of the in-
formation collected through such surveil-
lance.

(6) DESTRUCTION OF INFORMATION.—The Admin-
is trator shall destroy information col-
clected through aerial surveillance conducted
under paragraph (2)(B) not later than 30 days
after collection, unless the information is
pertinent to an active investigation or pros-
cution by the Administrator.

(7) RULE OF CONSTRUCTION.—Nothing in this
section expands the power of the Adminis-
terator to inspect, monitor, or conduct sur-
evillance under any program administered
by the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any other Federal law.

(e) REGULATIONS RELATING TO THE TAKING
OF DOUBLE-CRESTED CORMORANTS.—

(1) FORCE AND EFFECT.—

(A) IN GENERAL.—Subject to paragraph (2),
section 214 of title 33, section 48 of title 50, Code of Federal Regulations (as in effect on
January 1, 2016), shall have the force and effect of law.

(B) PUBLIC NOTICE.—The Secretary of the In-
terior (referred to in this section as the "Dir-
ector") shall not notify the public of the authority provided by paragraph (A) in a manner
determined to be appropriate by the Sec-
director.

(2) SUNSET.—The authority provided by para-
graph (1)(A) shall terminate on the effec-
tive date of a regulation promulgated by the
Director after the date of enactment of
this Act to control depredation of double-
crested cormorant populations.

(3) RULE OF CONSTRUCTION.—Nothing in this
subsection limits the authority of the Direc-
tor to promulgate regulations relating to the
taking of double-crested cormorants under
any other law.

(f) APPLICABILITY OF SPILL PREVENTION,
CONTROL, AND COUNTERMEASURE RULE.—

Sec-
tion 1049 of the Water Resources Reform and
Development Act of 2014 (33 U.S.C. 1361 note;
128 Stat. 1257, 130 Stat. 1902) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by striking "2,000", and inserting "42,000";

(B) in paragraph (2), by striking paragraph
(A) and inserting the following:

"(A) an aggregate aboveground storage ca-
pacity greater than 10,000 gallons but less than
42,000 gallons; and"

(C) in paragraph (3)—

(i) by striking subparagraph (A) and insert-
ing the following:

"(A) with an aggregate aboveground stor-
capacity of less than or equal to 10,000
gallons; and"

(ii) in subparagraph (B), by striking ";
and" and inserting a period; and

(D) by striking paragraph (4);

(ii) in subparagraph (B), by striking ";
" and inserting ";"

(B) in clause (ii), by striking "1,000" and in-
serting "1,320";

(C) in paragraph (4)—

(i) by striking subparagraph (A) and insert-
ing the following:

"(A) with an aggregate aboveground stor-
capacity greater than 10,000 gallons but less than
42,000 gallons; and"

(ii) in subparagraph (B), by striking ";
and" and inserting a period; and

(D) by striking paragraph (4);

(ii) in subparagraph (B), by striking "", and in-
serting ";"

(C) by striking subparagraph (C) and insert-
ing the following:

"(C) the following:

"(1) a capacity greater than 10,000 gallons but
less than 42,000 gallons;

(ii) a capacity greater than 42,000 gallons but
less than 1,000 gallons;

(iii) a capacity greater than 1,000 gallons but
less than 1,320 gallons; and"

(D) in paragraph (5)—

(i) by striking subparagraph (A), and (B)
and inserting the following:

"(A) a capacity less than 10,000 gallons; and"
the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 126. COMPLIANCE WITH SMALL BUSINESS ACT.

Not later than 60 days after the date of enactment of this Act, the Secretary shall—

(1) ensure that the Office of Small and Disadvantaged Business Utilization of the Department of Agriculture achieves compliance with paragraph (2) (i), (15), and (17) of section 15(k) of the Small Business Act (15 U.S.C. 64(k)); or

(2) submit to Congress a report that describes—

(a) each instance in which the Office of Small and Disadvantaged Business Utilization failed to achieve that compliance, if applicable;

(b) the reasons for the failure; and

(c) recommendations for amendments to applicable laws (including regulations) to provide to the Office of Small and Disadvantaged Business Utilization appropriate flexibility or exceptions, if any.

SA 3297. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 125. HORSE SLAUGHTER PREVENTION.

(a) PURPOSES.—The purposes of this section are—

(1) to prohibit the slaughter of horses for human consumption;

(2) to prohibit the sale, possession, and trade of horseflesh for human consumption; and

(3) to prohibit the sale, possession, and trade of live horses for slaughter for human consumption.

(b) DEFINITIONS.—In this section:

(1) ENTHANASIA.—The term "enthanasia" means to kill an animal humanely by means that immediately render the animal unconscious, with this state remaining until the swiftest death of the animal.

(2) EXPORT.—The term "export" means to take from any place subject to the jurisdiction of the United States to a place not subject to that jurisdiction, whether or not the taking constitutes an exportation within the meaning of the customs laws of the United States.

(3) HORSE.—The term "horse" means all members of the equid family, including horses, ponies, donkeys, mules, asses, and burros.

(4) HORSEFLESH.—The term "horseflesh" means the flesh of a dead horse, including the viscera, skin, hair, hide, hooves, and bones of the horse.

(5) HUMAN CONSUMPTION.—The term "human consumption" means ingestion by people as a source of food.

(6) IMPORT.—The term "import" means to bring into any place subject to the jurisdiction of the United States from a place not subject to that jurisdiction, whether or not the bringing constitutes an importation within the meaning of the customs laws of the United States.

(7) PERSON.—The term "person" means—

(A) an individual, corporation, partnership, trust, association, or other private entity;

(B) an officer, employee, agent, department, or instrumentality of—

(i) the Federal Government; or

(ii) any State, municipality, or political subdivision of a State; or

(iii) any other entity subject to the jurisdiction of the United States;

(8) SLAUGHTER.—The term "slaughter" means the commercial slaughter of 1 or more horses with an intent to sell, barter, or trade horseflesh for human consumption.

(9) STATE.—The term "State" means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau;

(J) the United States Virgin Islands; and

(K) any other territory or possession of the United States.

(10) TRANSPORT.—The term "transport" means—

(A) to move by any means; or

(B) to receive or load onto a vehicle for the purpose of movement.

(11) UNITED STATES.—The term "United States" means the States, the District of Columbia, and the Commonwealth of Puerto Rico.

(c) PROHIBITED ACTS.—A person shall not—

(1) slaughter a horse for human consumption;

(2) import, into, or export from, the United States—

(A) horseflesh for human consumption; or

(B) live horses intended for slaughter for human consumption;

(3) sell or barter, offer to sell or barter, purchase, possess, transport, deliver, or receive—

(A) horseflesh for human consumption; or

(B) live horses intended for slaughter for human consumption; or

(4) solicit, request, or otherwise knowingly cause any act prohibited under paragraph (1), (2), or (3).

(d) PENALTIES.—

(1) CRIMINAL PENALTIES.—A person that violates subsection (a) shall be fined under title 18, United States Code, imprisoned for not more than 1 year, or both.

(2) CIVIL PENALTIES.—In addition to any other civil or criminal penalty that may be imposed under title 18, United States Code, or any other provision of law, if a person violates subsection (a), the Secretary shall—

(i) assess a civil penalty against the person for not less than $2,500 but not more than $5,000; and

(ii) confiscate all horses in the physical or presence or view of the authorized person a violation of this section (including a regulation promulgated under this section) or that reasonably appears to have been so used or employed; and

(iii) seize, whenever and wherever found, all horses and horseflesh possessed in violation of this section (including a regulation promulgated under this section) and dispose of the horses and horseflesh, in accordance with this subsection (including a regulation promulgated under this section).

(3) PLACEMENT OF CONFISCATED HORSES.—

(A) TEMPORARY PLACEMENT.—After confiscation of a live horse under this section, an arresting authority shall work with animal welfare societies and animal control departments—

(i) to ensure the temporary placement of the horse with an animal rescue facility that is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code, while the person charged with violating this section is prosecuted; or

(ii) to establish at such a facility is not practicable, to temporarily place the horse with—

(I) a facility that has as its primary purpose the humane treatment of animals; or

(II) another suitable location, as determined by the Secretary or arresting authority.

(B) BONDS.—

(1) IN GENERAL.—The owner of a horse confiscated under this section may prevent permanent placement of the horse by the facility or by posting a bond with a court of competent jurisdiction in an amount the court determines is sufficient to provide for the necessary care and keeping of the horse for at least 60 days, including the day on which the horse was taken into custody.

(2) TIMING.—The bond shall be filed with the court not later than 10 days after the horse is confiscated.

(3) TIMING.—The bond shall be filed with the court not later than 10 days after the horse is confiscated.

(4) BONDS.—For good cause shown, the Secretary may remit or mitigate any civil penalty that has been imposed under this section.

(e) ENFORCEMENT.—

(1) IN GENERAL.—The Secretary shall enforce this section directly or by agreement with any other Federal, State, or local agency.

(2) ADMINISTRATION.—Any person authorized by the Secretary to enforce this section—

(A) may execute any warrant or process issued by any officer or court of competent jurisdiction to enforce this section; and

(B) if so authorized, may, in addition to any other authority conferred by law—

(i) enter, in the absence of a court order, any place subject to the jurisdiction of the United States, as defined in general note 2 of the Harmonized Tariff Schedule of the United States;

(ii) seize the cargo of any truck or other conveyance used or employed to violate this section (including a regulation promulgated under this section) or that reasonably appears to have been so used or employed; and

(iii) seize, whenever and wherever found, all horses and horseflesh possessed in violation of this section (including a regulation promulgated under this section) and dispose of the horses and horseflesh, in accordance with this subsection (including a regulation promulgated under this section).

(B) SEPARATE OFFENSES.—

(A) LIVESTOCK.—Each livestock transported, traded, slaughtered, or possessed in violation of this section shall constitute a separate offense.

(B) HORSEFLESH.—Each 400 hundred pounds or less of horseflesh transported, traded, slaughtered, or possessed in violation of this section shall constitute a separate offense.

(e) ENFORCEMENT.—

(1) IN GENERAL.—The Secretary shall enforce this section directly or by agreement with any other Federal, State, or local agency.

(2) ADMINISTRATION.—Any person authorized by the Secretary to enforce this section—

(A) may execute any warrant or process issued by any officer or court of competent jurisdiction to enforce this section; and

(B) if so authorized, may, in addition to any other authority conferred by law—

(i) enter, in the absence of a court order, any place subject to the jurisdiction of the United States, as defined in general note 2 of the Harmonized Tariff Schedule of the United States;

(ii) seize the cargo of any truck or other conveyance used or employed to violate this section (including a regulation promulgated under this section) or that reasonably appears to have been so used or employed; and

(iii) seize, whenever and wherever found, all horses and horseflesh possessed in violation of this section (including a regulation promulgated under this section) and dispose of the horses and horseflesh, in accordance with this subsection (including a regulation promulgated under this section).

(f) ENFORCEMENT.—

(1) IN GENERAL.—The owner of a horse confiscated under this section may prevent permanent placement of the horse by the facility or by posting a bond with a court of competent jurisdiction in an amount the court determines is sufficient to provide for the necessary care and keeping of the horse for at least 60 days, including the day on which the horse was taken into custody.

(2) TIMING.—The bond shall be filed with the court not later than 10 days after the horse is confiscated.

(3) BONDS.—For good cause shown, the Secretary may remit or mitigate any civil penalty that has been imposed under this section.

(4) LACK OF BOND.—If a bond is not posted in accordance with this paragraph, the current facility shall discontinue the permanent placement of the horse in accordance with reasonable practices for the humane treatment of animals.

(5) TREATMENT FOLLOWING BOND PERIOD.—

(A) NEW BOND.—If the animal has not yet been returned to the owner at the end of the
time for which expenses are covered by the bond and if the owner desires to prevent permanent placement of the animal by the custodial facility, the owner shall post a new bond in the sum of $10,000 within 10 days after expiration of the prior bond.

(II) PERMANENT PLACEMENT.—If a new bond is not posted in accordance with subclause (I), the custody shall determine permanent placement of the horse in accordance with reasonable practices for the humane treatment of animals.

(v) FOR PROVIDING CARE FOR HORSE DEDUCTED FROM BOND.—If a bond is posted in accordance with this subparagraph, the custodial facility shall deduct the actual reasonable costs incurred by the facility in providing the necessary care and keeping of the confiscated horse from the date of the initial confiscation of the horse to the date of final disposition of the horse in the criminal action charging a violation of this section.

(C) PERMANENT PLACEMENT.—Except as provided in paragraph (4), any horse confiscated pursuant to this section and not returned to the owner after confiscation shall be placed permanently with an animal rescue facility or other suitable facility as described in this section on—

(i) the conviction under this section of the owner;

(ii) the surrender of the horse by the owner;

(iii) the failure of the owner of the horse to post a bond as required under subparagraph (B); or

(iv) the inability of the Secretary to identify the owner.

(4) EUTHANASIA OF HORSES.—

(A) EMERGENCY CIRCUMSTANCES.—The Secretary or any law enforcement authority charged with enforcing this section may order or perform the immediate euthanasia of any horse in the field if the horse is injured beyond recovery and suffering irreversibly.

(B) HORSES BEYOND RECOVERY AND UNPLACED.—The Secretary or any law enforcement authority charged with enforcing this section may order or perform the immediate euthanasia of any horse in the field if—

(i) the horse is injured, disabled, or diseased beyond recovery; or

(ii) placement at an animal rescue facility or other suitable facility, as described in this subsection, is not practicable within 90 days of any circumstance described in paragraph (3)(C).

(C) METHOD.—In euthanizing a horse under subparagraph (B), the Secretary, law enforcement authority charged with enforcing this section, or a licensed veterinarian conducting the euthanasia shall use a method of euthanasia rated as "Acceptable" for horses in the most recent Report of the American Veterinary Medical Association’s Panel on Euthanasia.

(5) FINDING OF ANIMAL RESCUE FACILITIES.—

(A) GRANTS.—Subject to the availability of appropriated funds, the Secretary shall make grants to animal rescue facilities described in paragraph (3)(A)(i) that have given adequate assurances to the Secretary that the facilities are willing to accept horses under this section.

(B) PENALTIES, FINES, AND FORFEITED PROPERTY.—Amounts received as penalties or fines under this section, and property forfeited under this section, shall be used for the care of and for horses seized from violators of this section and taken into the possession by the United States or placed with an animal rescue facility or other suitable location.

(f) REPORTS.—Not later than 2 years after the date of enactment of this Act, and on an annual basis thereafter, the Secretary shall submit to Congress a report on—

(1) actions taken by the Secretary and other Federal agencies to carry out this section; and

(2) the adequacy of resources to carry out this section.

(g) EXEMPTIONS.—

(1) in subsection (c) and paragraph (2), nothing in this section affects the regulation of horses by a State.

(2) LAW ENFORCEMENT AUTHORITIES.—

(i) In general.—A State or local law enforcement or arresting authority may take such actions as are necessary under subsection (e) to facilitate an enforcement action.

(ii) Enforcement.—A person described in subsection (b)(7)(B) may engage in activities described in paragraphs (2), (3), and (4) of subsection (e) solely for the purposes of enforcing the SAFE Act.

(h) REGULATIONS.—The Secretary shall promulgate such regulations as are necessary to carry out this section.

(i) EFFECTIVE DATE.—This section takes effect on the date that is 1 year after the date of enactment of this Act.

SA 3298. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of section 112, add the following:

SEC. 113. SLAUGHTER OF HORSES.

Notwithstanding any other provision of law, the Secretary shall not—

(1) carry out any inspection of horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) carry out any inspection of horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

SA 3300. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

AFTER section 7405, insert the following:

SEC. 7406. INTER-REGIONAL RESEARCH PROJECT NUMBER 4.

Subsection (e) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(e)) is amended by striking paragraph (7) and inserting the following:

(7) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out this subsection $50,000,000 for each fiscal year.

SA 3301. Ms. MURKOWSKI (for herself, Mr. LIEE, and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title VIII, add the following:

SEC. 86. APPLICATION OF THE ROADLESS AREA CONSERVATION RULE IN THE STATES OF ALASKA AND UTAH.

The Roadless Area Conservation Rule established under part 291 of title 36, Code of Federal Regulations (or successor regulations), shall not apply to National Forest System land in the State of Alaska or the State of Utah.

SA 3302. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title VIII, add the following:

SEC. 86. APPLICATION OF THE ROADLESS AREA CONSERVATION RULE IN THE STATE OF TONGASS.

The Roadless Area Conservation Rule established under part 291 of title 36, Code of Federal Regulations (or successor regulations), shall not apply to National Forest System land in the State of Alaska or the State of Utah.

SEC. 86. APPLICATION OF THE ROADLESS AREA CONSERVATION RULE IN THE STATES OF ALASKA AND UTAH.

The Roadless Area Conservation Rule established under part 291 of title 36, Code of Federal Regulations (or successor regulations), shall not apply to National Forest System land in the State of Alaska or the State of Utah.

SEC. 86. APPLICATION OF THE ROADLESS AREA CONSERVATION RULE IN THE STATE OF TONGASS.

The Roadless Area Conservation Rule established under part 291 of title 36, Code of
Federal Regulations (or successor regulations), shall not apply to National Forest System land in the Tongass National Forest in the State of Alaska.

SEC. 3303. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 3324 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) for the purpose of providing for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes; which was ordered to lie on the table; as follows:

On page 1203, strike lines 20 through 22 and insert the following:

(1) fully enforce the Buy American provisions applicable to domestic food assistance programs administered by the Food and Nutrition Service, including, for use in those domestic food assistance programs, the purchase of a fish or fish product that substantially contains:

(A) fish (including tuna) harvested within:

(i) a State;

(ii) the District of Columbia; or

(iii) the Exclusive Economic Zone of the United States, as described in Presidential Proclamation 5950 (48 Fed. Reg. 10855; March 10, 1983); or

(B) tuna harvested by a United States flagged vessel; and

SEC. 3304. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 12628. ALTERNATIVE NATIONAL PER RESIDENT PAYMENT FOR RESIDENTS TRAINING IN RURAL TRAINING LOCATIONS.

(a) In general.—Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended by adding at the end the following new subsection:

"(u) ALTERNATIVE NATIONAL PER RESIDENT PAYMENT AMOUNT FOR RESIDENTS TRAINING IN RURAL TRAINING LOCATIONS.—

"(1) IN GENERAL.—The Secretary shall establish a national per resident payment (NPRP) amount for time spent by residents training in rural training locations in accordance with paragraph (2).

"(2) FOR COST REPORTING PERIODS BEGINNING ON OR AFTER THE DATE THAT IS 1 YEAR AFTER THE DATE OF ENACTMENT OF THIS SUBSECTION.—For each subsequent cost reporting period beginning on or after the date that is 1 year after the date of enactment of this subsection, the number of residents in allopathic or osteopathic medicine for purposes of subsection (d)(5)(B) and (h) with respect to which the applicable hospital receives a national per resident payment under this subsection shall be based on the number of residents for the time spent training in a rural training location (as defined in paragraph (6)(C)), regardless of the location or training setting for purposes of counting resident time in a rural training location.

"(3) ALLOCATION OF PAYMENTS.—In proportion to which training occurs that, based on the 2010 consumer price index and the 2012 consumer price index, is equal to or greater than 1.0.

"(4) BUDGET NEUTRALITY REQUIREMENT.—The Secretary shall ensure that aggregate payments for direct medical education costs and indirect medical education costs under this title, including any payments under this subsection, for each year (effective beginning on or after the date that is 1 year after the date of enactment of this subsection) are not greater than the aggregate payments for such costs that would have been made under this title for the year without the application of this subsection. For purposes of carrying out the budget neutrality requirement under the preceding sentence, the Secretary may make appropriate adjustments to the amount of such payments for direct medical education costs and indirect medical education costs under subsections (h) and (d)(5)(B), respectively.

(b) TREATMENT OF CRITICAL ACCESS HOSPITALS AND SOLIC COMMUNITY HOSPITALS.—

"(1) CRITICAL ACCESS HOSPITALS.—Section 1814(l) of the Social Security Act (42 U.S.C. 1395ww) is amended by adding at the end the following new paragraph:

"(4) ELIGIBILITY FOR PAYMENT.—

"(A) IN GENERAL.—An applicable hospital shall be eligible for payment of the national per resident payment amount under this subsection for time spent by a resident training in a rural training location if the following requirements are met:

(i) The resident spends the equivalent of at least 8 weeks over the course of their training in a rural training location.

(ii) The hospital pays the salary and benefits of the resident for the time spent training in a rural training location.

"(B) TREATMENT OF CRITICAL ACCESS HOSPITALS.—An applicable hospital shall be eligible for payment of the national per resident payment amount under this subsection for time spent training in an approved medical residency program (or separately defined track within a program) that provides 50 percent or more of the total resident training time in approved medical residency programs (or separately defined tracks within programs) that provides 50 percent or more of the total resident training time to residents training in rural training locations (as defined in paragraph (6)(C)), regardless of the workplace where the training occurs and regardless of specialty.

"(C) DETERMINATION OF FULL-TIME-EQUIVALENT RESIDENTS.—The determination of full-time-equivalent residents for purposes of this subsection shall be made in the same manner as the determination of full-time-equivalent residents under subsection (h)(4).

"(6) DEFINITIONS.—In this subsection:

"(A) APPLICABLE HOSPITAL.—The term ‘applicable hospital’ means a hospital or critical access hospital.

"(B) APPROVED MEDICAL RESIDENCY TRAINING PROGRAM; DIRECT GRADUATE MEDICAL EDUCATION COSTS; RESIDENT.—The term ‘an approved medical residency training program’, ‘direct graduate medical education costs’, and ‘resident’ have the meanings given those terms in subsection (h)(6).

"(C) RURAL TRAINING LOCATION.—The term ‘rural training location’ means a location in which training occurs that, based on the 2010 consumer price index and the 2012 consumer price index, is equal to or greater than 1.0.

"(D) TREATMENT OF CRITICAL ACCESS HOSPITALS.—For purposes of this subsection, each critical access hospital (as defined in section 1814(l)(1)(B)), including any critical access hospital under this title, any critical access hospital under the Patient Protection and Affordable Care Act (42 U.S.C. 18001 et seq.), any critical access hospital under section 1864(i) of the Social Security Act (42 U.S.C. 1395ww(i)), and any critical access hospital under section 201(i)(2) of the Affordable Care Act (42 U.S.C. 18001(i)(2)), shall be treated as a hospital or as a non-provider of services under each respective provision of this Act.

"(F) ELIGIBILITY FOR PAYMENT.—An applicable hospital may elect to be treated as a hospital or as a non-provider setting for purposes of counting resident time in a rural training location.
setting under subsections (d)(5)(B) and (h), respectively, of section 1866.

"(2) "Medical education costs shall not be considered reasonable costs of a critical access hospital’s payment amount under paragraph (1), to the extent that the critical access hospital or another hospital receives payment for such costs for the time spent by the resident in that setting pursuant to subsection (u), in that setting pursuant to subsection (u)."

(c) CONFORMING AMENDMENTS.—

(1) Section 1866 of the Social Security Act (42 U.S.C. 1395ww) is amended—

(A) in subsection (d)(5)(B), in the matter preceding clause (i), by striking "in accordance with the second sentence of clause (i) of such subparagraph";

(B) in subsection (h)—

(i) in paragraph (1), by adding "subject to subsection (u), the Secretary"; and

(ii) in paragraph (3), in the flush matter at the end, by striking "subsection (k)" and inserting "subsection (k) or subsection (u)".

(2) Sole Community Hospitals.—Section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) is amended by adding at the end the following new clause:

"(vi) For cost reporting periods beginning on or after October 1, 1997, and before the date that is 1 year after the date of enactment of this paragraph, the hospital-specific payment amount determined under paragraph (1) with respect to a sole community hospital shall not include medical education costs, to the extent that the sole community hospital receives payment for such costs for the time spent by the resident in that setting pursuant to subsection (u)."

(d) SEC. 12692. SUPPORTING NEW, EXPANDING, AND EXISTING RURAL TRAINING RESIDENCIES.

(1) DIRECT GRADUATE MEDICAL EDUCATION.—Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended—

(A) in paragraph (4)—

(i) in subparagraph (A)(vi)(I), by striking "130 percent" and inserting "for cost reporting periods beginning on or after October 1, 1997, and before the date that is 1 year after the date of enactment of the Agriculture Improvement Act of 2018, 130 percent"; and

(ii) by adding at the end the following:

"(B) other indicators of effective administration determined by the Secretary.";

(2) IN DIRECT GRADUATE MEDICAL EDUCATION.—Section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) is amended—

(A) in subparagraph (A), in the matter preceding clause (i), by striking "130 percent" and inserting "50 percent or more of the total residency training time in rural training locations (as defined in subsection (u)(6)(C)), regardless of where the training occurs and regardless of specialty, for purposes of applying the limitation under this subparagraph. For special rules regarding application of the national per resident payment amount under subsection (u), see paragraph (1)(C) of such subsection.";

SA 3305. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

"(B) in subparagraph (B), by striking "6" and inserting "3"; and

(C) in subparagraph (C), by striking "due to—

(i) the death of all members of the household; or

(ii) on verification that all members of the household are deceased."; and

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

"(13) an evaluation of the risks and benefits of developing a program to provide non-recourse marketing assistance loans for loan commodities that are certified organic during the 2014 through 2018 crop years, organized by State and type of loan commodity; and an evaluation of the ability to adjust nonrecourse loan rates under section 1210 for loan commodities that are certified organic; (3) an evaluation of the expected impact of the adjustment described in paragraph (2) on loan rates for loan commodities that are not certified organic; (4) an analysis on whether premiums associated with loan commodities that are certified organic are sufficiently significant to affect loan rates for loan commodities that are not certified organic; (5) an evaluation of the risks and benefits of developing a program to provide non-recourse marketing assistance loans for loan commodities that are certified organic that includes a premium paid at the time that the loan is made; (6) an evaluation of the logistics of— (A) verifying the certification of loan commodities that are certified organic for the 2014 through 2018 crop years, organized by State and type of loan commodity; and (B) storing those commodities; and (C) handling commodities that are forfeited to maintain segregation of those commodities and (7) any other relevant information, as determined by the Secretary.".

SA 3308. Ms. WARREN (for herself and Mr. UDALL) submitted an amendment intended to be proposed to...
amendment SA 3221 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subsection E of title XII, add the following:

SEC. 12518. STUDY ON THE AVAILABILITY OF AGRICULTURAL CREDIT IN INDIAN COUNTRY.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall—
(1) conduct an in-depth analysis into the nature of agricultural credit access in Indian country (as defined in section 151 of title 18, United States Code) and surrounding areas, and to Tribal communities, specifically examining—
(A) compliance with the Community Reinvestment Act of 1977 (12 U.S.C. 2901 et seq.) by banks lending within Indian country (as defined in section 151 of title 18, United States Code) and surrounding areas, and to Tribal communities, for agricultural enterprises;
(B) real estate mortgage lending on Indian trust or restricted land;
(C) agricultural credit provided by commercial banks and lending institutions;
(D) compliance with section 184 of the Housing and Community Development Act of 1992 (42 U.S.C. 17051a); and
(E) compliance with the authority for the approval of mortgages and deeds for individual Indian trust land owners under the Act entitled ’’An Act to authorize the execution of mortgages and deeds of trust on individual Indian trust or restricted land’’, approved March 29, 1956 (25 U.S.C. 531b); and
(2) submit a report with all findings and recommendations actions to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Indian Affairs of the Senate.

SA 3309. Mr. TOOMEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subsection E of title XII, add the following:

SEC. 125. FEDERAL RESEARCH INVOLVING CATS AND DOGS.

Section 14 of the Animal Welfare Act (7 U.S.C. 2141c) is amended—
(1) by striking ‘’sections 13(a), (f), (g), and (h)’’ each place it appears and inserting ‘’subsections (a), (f), (g), and (h) of section 13’’;
(2) in the second sentence, by striking ‘’Any department’’ and inserting the following:
‘’(b) EXHIBITIONS.—Any department’’;
(3) by striking the section designation and heading and all that follows through ‘’Any department’’ in the first sentence and inserting the following:
‘’SEC. 14. STANDARDS FOR FEDERAL FACILITIES. ’’
(a) LABORATORIES.—Any department'; and

(4) by adding at the end the following:
‘’(c) RESEARCH INVOLVING CATS AND DOGS.—The Secretary shall conduct a study of the practicability of providing for the adoption, as the Secretary determines to be appropriate, of any cats and dogs that—
(1) are, or have been, located at any research facility of the Department of Agriculture, for use in testing, or experimentation on cats or dogs is conducted; and
(2) are no longer needed for that research, testing, or experimentation.’’

SA 3310. Mr. DURBIN (for Ms. DUCKWORTH (for herself, Mrs. MURRAY, and Mr. UDALL)) submitted an amendment intended to be proposed to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 11. NONRECOURSE CONSERVATION AND BEGINNING FARMERS LOAN ASSISTANCE PILOT PROGRAM.

(a) DEFINITIONS.—In this section:
(1) ELIGIBLE COMMODITY.—The term ‘’eligible commodity’’ means corn, soybeans, and wheat.
(2) QUALIFIED PRODUCER.—The term ‘’qualified producer’’ means a producer eligible for a nonrecourse mortgage loan under section 1201 of the Agricultural Act of 2014 (7 U.S.C. 9931) that agrees to not apply for that loan for any eligible commodity in each of the 2019 through 2023 crop years.
(b) NONRECOURSE CONSERVATION AND BEGINNING FARMERS LOAN ASSISTANCE PILOT PROGRAM.—The Secretary shall establish a nonrecourse conservation and beginning farmers loan assistance pilot program (referred to in this section as the ‘’pilot program’’) to make available to qualified producers on a farm nonrecourse conservation assistance loans for each eligible commodity for each of the 2019 through 2023 crop years.
(c) ELIGIBILITY.—A qualified producer on a farm shall be eligible for a loan under the pilot program for any quantity of an eligible commodity specified by the Secretary.
(d) LOAN RATES FOR NONRECOURSE CONSERVATION ASSISTANCE LOANS.—
(1) IN GENERAL.—Subject to paragraph (2), for purposes of each of the 2019 through 2023 crop years, the loan rate for a loan under the pilot program for an eligible commodity shall be—
(A) for beginning farmers and ranchers (as determined by the Secretary), 70 percent of the national average price received by producers during the 12-month marketing year for the eligible commodity for the 5 crop years immediately prior to the crop year in which the conservation assistance loan will be made, excluding—
(i) the crop year with the highest price; and
(ii) the crop year with the lowest price; and
(B) for qualified producers not described in subparagraph (A), 55 percent of the national average price received by producers during the 12-month marketing year for the eligible commodity, the applicable loan rate under paragraph (1) shall be increased by an amount equal to $0.20 per bushel.
(B) EFFECT OF FAILURE TO PLANT COVER CROP.—In the case of a qualified producer who agrees to plant a cover crop on acres associated with the eligible commodity, the applicable loan rate under paragraph (1) shall be increased by the following:
(i) the crop year with the highest price; and
(ii) the crop year with the lowest price.
(2) SPECIAL RULE FOR COVER CROPS.—
(A) IN GENERAL.—In the case of a qualified producer who agrees to plant a cover crop on acres associated with the eligible commodity, the applicable loan rate under paragraph (1) shall be increased by the following:
(i) the crop year with the highest price; and
(ii) the crop year with the lowest price.
(e) TERMS OF LOANS.—
(1) IN GENERAL.—In the case of each eligible commodity, a loan under the pilot program shall have a term of 9 months beginning on the first day of the month after the month in which the loan is made.
(2) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a loan under the pilot program for any eligible commodity.
(f) REPAYMENT OF LOANS.—
(1) IN GENERAL.—The Secretary shall permit the qualified producers on a farm to repay the loan under the pilot program for an eligible commodity at a rate that is the lesser of—

At the end of subtitle A of title I, add the following:

SEC. 11. NONRECOURSE CONSERVATION AND BEGINNING FARMERS LOAN ASSISTANCE PILOT PROGRAM.

(a) DEFINITIONS.—In this section:
(1) ELIGIBLE COMMODITY.—The term ‘’eligible commodity’’ means corn, soybeans, and wheat.
(2) QUALIFIED PRODUCER.—The term ‘’qualified producer’’ means a producer eligible for a nonrecourse mortgage loan under section 1201 of the Agricultural Act of 2014 (7 U.S.C. 9931) that agrees to not apply for that loan for any eligible commodity in each of the 2019 through 2023 crop years.
(b) NONRECOURSE CONSERVATION AND BEGINNING FARMERS LOAN ASSISTANCE PILOT PROGRAM.—The Secretary shall establish a nonrecourse conservation and beginning farmers loan assistance pilot program (referred to in this section as the ‘’pilot program’’) to make available to qualified producers on a farm nonrecourse conservation assistance loans for each eligible commodity for each of the 2019 through 2023 crop years.
(c) ELIGIBILITY.—A qualified producer on a farm shall be eligible for a loan under the pilot program for any quantity of an eligible commodity specified by the Secretary.
(d) LOAN RATES FOR NONRECOURSE CONSERVATION ASSISTANCE LOANS.—
(1) IN GENERAL.—Subject to paragraph (2), for purposes of each of the 2019 through 2023 crop years, the loan rate for a loan under the pilot program for an eligible commodity shall be—
(A) for beginning farmers and ranchers (as determined by the Secretary), 70 percent of the national average price received by producers during the 12-month marketing year for the eligible commodity for the 5 crop years immediately prior to the crop year in which the conservation assistance loan will be made, excluding—
(i) the crop year with the highest price; and
(ii) the crop year with the lowest price; and
(B) for qualified producers not described in subparagraph (A), 55 percent of the national average price received by producers during the 12-month marketing year for the eligible commodity, the applicable loan rate under paragraph (1) shall be increased by an amount equal to $0.20 per bushel.
(B) EFFECT OF FAILURE TO PLANT COVER CROP.—In the case of a qualified producer who agrees to plant a cover crop on acres associated with the eligible commodity, the applicable loan rate under paragraph (1) shall be increased by the following:
(i) the crop year with the highest price; and
(ii) the crop year with the lowest price.
(2) SPECIAL RULE FOR COVER CROPS.—
(A) IN GENERAL.—In the case of a qualified producer who agrees to plant a cover crop on acres associated with the eligible commodity, the applicable loan rate under paragraph (1) shall be increased by the following:
(i) the crop year with the highest price; and
(ii) the crop year with the lowest price.
(e) TERMS OF LOANS.—
(1) IN GENERAL.—In the case of each eligible commodity, a loan under the pilot program shall have a term of 9 months beginning on the first day of the month after the month in which the loan is made.
(2) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a loan under the pilot program for any eligible commodity.
(f) REPAYMENT OF LOANS.—
(1) IN GENERAL.—The Secretary shall permit the qualified producers on a farm to repay the loan under the pilot program for an eligible commodity at a rate that is the lesser of—
(a) the loan rate established under subsection (d); (b) a rate that is equal to the expected market price for the eligible commodity as calculated with credit insurance, as determined by the Secretary; and (c) such other rate the Secretary determines will avoid or minimize potential loan forfeitures. 

(2) ADJUSTMENTS.—The Secretary shall make such adjustments that the Secretary determines necessary— (A) to avoid fees or the accumulation of stocks of the commodities placed under a loan under the pilot program; (B) to minimize the costs incurred by the Federal Government; and (C) to allow the commodity produced to be marketed freely and competitively, both domestically and internationally; and 

(d) to minimize discrepancies in conservation loan benefits across State boundaries and across county boundaries. 

(g) COMPLIANCE REQUIREMENTS.—As a condition of the receipt of a loan under the pilot program, the qualified producer shall, during the crop year in which the loan was provided— (1) comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.), wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.); (2) agree to use a reduced tillage method and nutrient management practices (as determined by the Secretary to be appropriate for soil health management) for the acres associated with the commodity covered by the loan; (3) in the case of a loan calculated under subsection (d)(2), agree to plant a cover crop on the acres associated with the eligible commodity, as determined by the Secretary to be appropriate; (h) FARM SERVICE AGENCY REPORT.—The Administrator of the Farm Service Agency shall submit an annual report to the Secretary that includes the information with respect to the compliance requirements described in paragraphs (1) and (2) of subsection (g) with respect to each loan under the pilot program that was fully repaid in the preceding fiscal year. 

SA 3313. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows: 

At the end of subtitle E of title XII, add the following: 

SEC. 125. PROHIBITION ON CONVENTIONAL ETHANOL. (a) DEFINITION OF CONVENTIONAL ETHANOL.—In this section, the term "conventional ethanol" has the meaning given the term "conventional biofuel" in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)). 

(b) PROHIBITION.—The Secretary shall not use any funds authorized under this Act or an amendment made by this Act to provide a grant or other financial support to any individual or entity for the development and production of conventional ethanol. 

SA 3315. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows: 

On page 254, line 18, strike "226(c)(4)" and insert "226(c)(5)". 

On page 254, strike lines 23 and 24 and insert the following: 

(a) FUNDING.— (1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out section 222 $200,000,000 for each of fiscal years 2022 through 2023. 

(2) COMMODITY CREDIT CORPORATION.—In addition to the amounts made available under paragraph (1), the Secretary shall use, in accordance with subsection (b), the funds, facilities, and authorities of the 

On page 255, line 8, strike "$259,500,000." and insert "$50,500,000." 

On page 255, strike lines 9 through 14 and insert the following: 

(1) FOREIGN MARKET DEVELOPMENT COOP.—On page 255, line 19, strike "(b)" and insert "(2)". 

(2) On page 255, line 24, strike "(4)" and insert "(b)". 

On page 256, line 4, strike "(6)" and insert "(4)". 

On page 256, line 7, strike "(4)" and insert "(3)". 

On page 257, line 7, strike "subsection (c)(5)" and insert "subsection (c)(4)". 

SA 3316. Mr. RUBIO submitted an amendment intended to be proposed by amendment SA 3244 proposed by Mr. ROBERTS (for himself and Ms. STABE-NOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows: 

At the end of subtitle E of title XII, add the following: 

SEC. 125. INVESTIGATIONS AND INSPECTIONS OF RESEARCH FACILITIES UNDER THE ANIMAL WELFARE ACT. Section 16(a) of the Animal Welfare Act (7 U.S.C. 2146(a)) is amended, in the second sentence, by striking "inspect each research facility at least once each year" and inserting "determine the frequency of inspections for research facilities through the risk-based inspection process, consistent with the treatment of other regulated entities under this Act.". 

SA 3317. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows: 

At the end, add the following: 

The provisions in the Act shall go into effect 4 days after enactment. 

SA 3318. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows: 

At the end, add the following: 

The provisions in this Act shall go into effect 1 day after enactment. 

SA 3319. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows: 

At the end, add the following: 

The provisions in the Act shall go into effect 2 days after enactment. 

SA 3320. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows: 

At the end, add the following: 

The provisions in the Act shall go into effect 3 days after enactment.
SA 3321. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3244 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle F of title I, add the following:

SEC. 61. ADDITIONAL ASSISTANCE FOR CERTAIN PRODUCERS.

(a) DEFINITION OF QUALIFYING NATURAL DISASTER DECLARATION.—In this section, the term ‘‘qualifying natural disaster declaration’’ means—

(1) a natural disaster declared by the Secretary under section 521(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

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

SEC. 62. REDISTRIBUTION OF FUNDS.

In making a determination on an application for a loan, loan guarantee, or grant under this Act, the Secretary shall, to the maximum extent practicable, consider the funding challenges posed by any large quantity of Federal land in or near a community or county in which the project to be carried out using the loan, loan guarantee, or grant is located.

SA 3323. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3244 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 61. ADDITIONAL ASSISTANCE FOR CERTAIN PRODUCERS.

(a) DEFINITION OF QUALIFYING NATURAL DISASTER DECLARATION.—In this section, the term ‘‘qualifying natural disaster declaration’’ means—

(1) a natural disaster declared by the Secretary under section 521(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

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

SEC. 62. REDISTRIBUTION OF FUNDS.

In making a determination on an application for a loan, loan guarantee, or grant under this Act, the Secretary shall, to the maximum extent practicable, consider the funding challenges posed by any large quantity of Federal land in or near a community or county in which the project to be carried out using the loan, loan guarantee, or grant is located.

SA 3322. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 3244 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 1. EXTENSION AND AGRICULTURAL RESEARCH AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) EXTENSION AND AGRICULTURAL RESEARCH.—Section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 2231) is amended—

(i) in paragraph (a), by adding at the end the following:

(5) FISCAL YEAR 2020, 2021, OR 2022.—In addition to other amounts authorized to be appropriated to carry out this section, there are authorized to be appropriated for 1 of fiscal year 2020, 2021, or 2022 such sums as are necessary to ensure that an eligible institution receiving a distribution of funds under this section for that fiscal year receives not less than the amount of funds received by that eligible institution under this section for the preceding fiscal year; and

(ii) in paragraph (b), by adding at the end the following:

(6) FISCAL YEAR 2020, 2021, OR 2022.—In addition to other amounts authorized to be appropriated to carry out this section, there are authorized to be appropriated for 1 of fiscal year 2020, 2021, or 2022 such sums as are necessary to ensure that an eligible institution receiving a distribution of funds under this section for that fiscal year receives not less than the amount of funds received by that eligible institution under this section for the preceding fiscal year.: 

(b) RESEARCH.—Section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 2232) is amended—

(1) in subsection (a), by adding at the end the following:

(6) FISCAL YEAR 2019, 2020, 2021, OR 2022.—In addition to other amounts authorized to be appropriated to carry out this section, there are authorized to be appropriated for 1 of fiscal year 2019, 2020, 2021, or 2022 such sums as are necessary to ensure that an eligible institution receiving a distribution of funds under this section for that fiscal year receives not less than the amount of funds received by that eligible institution under this section for the preceding fiscal year; and

(ii) in general.—Subject to clause (1), for 1 of fiscal year 2019, 2020, or 2021, if the calculation under subparagraph (C) would result in a distribution of less than $3,000,000 to an eligible institution that first received funds under this section after the date of enactment of the Agricultural Act of 2014 (Public Law 113-79; 128 Stat. 649), that institution shall receive a distribution of $3,000,000 for that fiscal year.

(c) AMOUNT.—In making a determination on an application for a loan, loan guarantee, or grant under this Act, the Secretary shall, to the maximum extent practicable, consider the funding challenges posed by any large quantity of Federal land in or near a community or county in which the project to be carried out using the loan, loan guarantee, or grant is located.

SA 3324. Mrs. HYDE-SMITH (for herself, Mr. WICKER, Mr. BOOZMAN, Mr.
intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 26, line 16, strike “2020” and insert “2023”.

SA 3325. Mrs. HYDE–SMITH submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 10. REPORT ON REGULATION OF PLANT BIOSTIMULANTS.

(a) Definition of Plant Biostimulant.—In this section—

(1) the term "plant biostimulant" means a substance or microorganism that, when applied to seeds, plants, or the rhizosphere, stimulates natural processes to enhance or benefit crop quality and yield.

(b) Report.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the President and Congress a report that identifies potential regulatory and legislative reforms to ensure the expeditious and appropriate review, approval, uniform national labeling, and availability of plant biostimulant products to agricultural producers.

(c) Consultation.—In preparing the report under subsection (b), the Secretary shall consult with the Administrator of the Environmental Protection Agency, States, industry stakeholders, and any other stakeholders that the Secretary determines to be necessary.

SA 3326. Mrs. HYDE–SMITH submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 6. REPORT ON FUNDING FOR THE NATIONAL INSTITUTE OF FOOD AND AGRICULTURE AND OTHER EXTENSION PROGRAMS.

(a) In General.—Not later than 2 years after the date on which the census of agriculture, nutrition, and forestry of the United States required to be conducted in calendar year 2017 under section 2 of the Census of Agriculture Act of 1997 (7 U.S.C. 2284f) is released, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the funding necessary to adequately address the needs of the National Institute of Food and Agriculture, activities carried out under the Smith–Lever Act (7 U.S.C. 341 et seq.), and research and extension programs carried out at an 1890 institution (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7861)) or an institution designated under the Act of July 2, 1862 (commonly known as the ‘‘First Morrill Act’’) (12 Stat. 503, chapter 360, 7 U.S.C. 301 et seq.), to provide adequate services for the growth and development of the economies of rural communities based on the changing demographic in rural and farming communities in the United States.

(b) Requirements.—In preparing the report under subsection (a), the Secretary shall focus on the funding needs of the programs described in subsection (a) with respect to carrying out activities relating to small and diverse farms and ranches, veteran farmers and ranchers, value-added agriculture, direct-to-consumer sales, and specialty crops.

SA 3329. Ms. CORTEZ MASTO (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 43. REPORT ON FOOD DISTRIBUTION PROGRAMS REACHING UNDERSERVED POPULATIONS.

The Secretary shall conduct a study on the challenges that the food distribution program on Indian reservations established under section 4(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) and other food distribution programs administered by the Secretary face in reaching underserved populations, with an emphasis on the homebound and elderly, to better capture data on the population of people unable to physically travel to a distribution location for food.

SA 3330. Mrs. CORTEZ MASTO (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 63. COUNCIL ON RURAL COMMUNITY INNOVATION AND ECONOMIC DEVELOPMENT.

(a) Findings.—Congress makes the following findings:

(1) 16 percent of the population of the United States lives in rural counties.

(2) Strong, sustainable communities are essential to future prosperity and ensuring United States competitiveness in the years ahead.

(3) Rural communities supply the food, fiber, and energy of the United States, safeguard the natural resources of the United States, and are essential to the development of science and innovation.

(4) Though rural communities face numerous challenges, they also present enormous economic potential.

(5) The Federal Government has an important role to play in expanding access to the capital necessary for economic growth, promoting innovation, increasing energy resiliency and reliability, improving access to health care and education, and expanding outdoor recreational activities on public land.

(b) Purpose.—The purpose of this section is to enhance the efforts of the Federal Government to address the needs of rural areas in the United States by—

(1) establishing a council to better coordinate Federal programs directed to rural communities;

(2) maximising the impact of Federal investment to promote economic prosperity and quality of life in rural communities in the United States; and

(3) resolving to remove local and regional challenges faced by rural communities.
(c) Establishment.—There is established a Council on Rural Community Innovation and Economic Development (referred to in this section as the “Council”).

(1) In general.—The membership of the Council shall be composed of the heads of the following executive branch departments, agencies, and offices:

(A) The Department of Agriculture.
(B) The Department of the Treasury.
(C) The Department of Commerce.
(D) The Department of Defense.
(E) The Department of Justice.
(F) The Department of the Interior.
(G) The Department of Labor.
(H) The Department of Health and Human Services.
(I) The Department of Housing and Urban Development.
(J) The Department of Transportation.
(K) The Department of Energy.
(L) The Department of Education.
(M) The Department of Veterans Affairs.
(O) The Environmental Protection Agency.
(P) The Federal Communications Commission.
(Q) The Office of Management and Budget.
(R) The Office of Science and Technology Policy.
(S) The Office of National Drug Control Policy.
(T) The Council of Economic Advisers.
(U) The Domestic Policy Council.
(V) The National Economic Council.
(W) The Small Business Administration.
(X) The Council on Environmental Quality.
(Z) The White House Office of Cabinet Affairs.

(aa) Such other executive branch departments, agencies, and offices as the President or the Secretary may, from time to time, designate.

(2) Chair.—The Secretary shall serve as the Chair of the Council.

(3) Designees.—A member of the Council may designate, to perform the Council functions of the member, a senior-level official who is—

(A) part of the department, agency, or office of the member; and
(B) a full-time officer or employee of the Federal Government.

(4) Administration.—The Council shall coordinate policy development through the rural development mission area.

(b) Funding.—The Secretary shall provide funding and administrative support for the Council to the extent permitted by law and within existing appropriations.

(c) Mission and function of the Council.—The Council shall work across executive departments, agencies, and offices to coordinate development of policy recommendations—

(1) to maximize the impact of Federal investments in rural communities;
(2) to promote economic prosperity and quality of life in rural communities; and
(3) to use innovation to resolve local and regional challenges faced by rural communities.

(d) Duties.—The Council shall—

(1) make recommendations to the President, acting through the Director of the Domestic Policy Council and the Director of the National Economic Council, on streamlining and leveraging Federal investments in rural areas, where appropriate, to increase the impact of Federal dollars and create economic opportunities to improve the quality of life in rural areas in the United States,
(2) coordinate Federal efforts directed toward the growth and development of rural geographic regions that encompass both metropolitan and nonmetropolitan areas,
(3) coordinate Federal efforts directed toward the growth and development of rural geographic regions that encompass both metropolitan and nonmetropolitan areas,
(4) identify and facilitate rural economic opportunities associated with energy development, outdoor recreation, and other conservation-related activities, and
(5) identify common economic and social challenges faced by rural communities that could be served through—

(A) better coordination of existing Federal and non-Federal resources; and
(B) innovative solutions utilizing governmental and nongovernmental resources.

(e) Executive departments and agencies.—

(1) In general.—The heads of executive departments and agencies shall assist and provide information to the Council, consistent with applicable law, as may be necessary to carry out the functions of the Council.

(2) Expenses.—Each executive department or agency shall be responsible for paying any expenses of the executive department or agency for participating in the Council.

(f) Report on rural smart communities.—

(1) In general.—Not later than 1 year after the establishment of the Council, the Council shall submit to Congress a report describing efforts of rural areas to integrate “smart” technology into their communities to solve challenges related to energy, transportation, health care, law enforcement, housing, or other local issues, as determined by the Secretary.

(2) Smart rural communities.—The report under paragraph (1) shall include a description of efforts of rural communities to apply innovative and advanced technologies and related mechanisms (such as telecommunications, energy, transportation, housing, economic development, and law enforcement) to improve the health and quality of life of residents;

(B) to increase the efficiency and cost-effectiveness of local services, including public safety and other vital public functions;

(C) to promote economic growth;

(D) to enhance the use of electricity in the community and reduce pollution; and

(E) to create a more sustainable and resilient community.

(3) Other inclusions.—The report under paragraph (1) may include—

(A) an analysis of efforts to integrate “smart” technology into rural communities across the United States;

(B) an analysis of barriers and challenges faced by rural areas in integrating “smart” technology into their communities;

(C) an analysis of Federal efforts to assist rural areas with the development and integration of “smart” technology into rural communities;

(D) recommendations, if any, on how to improve coordination and deployment of Federal efforts to assist rural areas develop and integrate “smart” technology into their communities;

(E) recommendations, if any, on how rural areas developing “smart” communities can better leverage private sector resources; and

(F) strategies and best practices for rural areas that desire to use “smart” technology to overcome local challenges.

(g) Review of public benefit to rural communities on the creation of rural smart community demonstration projects.—

(1) In general.—On completion of the report under subsection (i)(1), the Council shall review the benefits of the creation of a rural smart community demonstration projects program for the purposes of coordinating Department of Agriculture rural development, housing, energy, and telecommunication programs, and other Federal programs specific to rural communities, to expand innovative technologies and address local challenges specific to rural communities.

(h) Definitions.—In this paragraph—

(A) the term “rural smart community demonstration project program” means—

(1) demonstrate smart community technologies that can be adapted and repeated by other rural communities;

(B) encourage public, private, local, or regional solutions, if necessary, that can be replicated by other rural communities;

(C) encourage private sector innovation and investment in rural communities; and

(D) promote the skills and services of academic institutions and other rural community organizations that could be used to leverage private sector funding to solve similar local challenges;

(E) available local demonstration projects for local rural communities to facilitate integration of smart technologies with new and existing infrastructure and systems.

(i) Resource guide.—

(1) In general.—The Council shall create, publish, and maintain a resource guide designed to assist States and other rural communities in developing and implementing rural smart community programs.

(2) Inclusions.—A resource guide under paragraph (1) may include—

(A) such other topics as are requested by industry entities or local governments or determined to be necessary by the Council;

(B) available local examples of rural communities engaging private sector entities to implement smart community solutions, including public-private partnership models that could be used to leverage private sector funding to solve similar local challenges;

(C) available national methods and best practices from demonstration projects, including on investment and performance information to help other rural communities decide how to integrate integration of smart technologies; and

(D) such other topics as are requested by industry entities or local governments or determined to be necessary by the Council.

(j) Utilization of existing guides.—In creating, publishing, and maintaining the guide under paragraph (1), the Council shall—

(A) demonstrate that Federal, State, and local agencies have already published relating to smart community goals, activities, and best practices;

(B) to prevent duplication of efforts by the Federal Government; and

(B) to leverage existing complementary efforts.
(C) to identify—
(i) barriers to rural smart community technology adoption; and
(ii) any research, development, and assistance that could be included in the guide published under paragraph (1);-
(D) to respond to requests for assistance, advice, or consultation from rural communities;
(E) for other purposes, as identified by the Council.
(5) SUBSEQUENT RESOURCE GUIDES.—The Council shall update the guide published under paragraph (1) every 5 years.
(I) RURAL BROADBAND INTEGRATION WORKING GROUP.—
(1) FINDINGS.—Congress makes the following findings:
(A) Access to high-speed broadband is no longer a luxury and is a necessity for United States families, businesses, and consumers.
(B) Affordable, reliable access to high-speed broadband is critical to United States economic growth and competitiveness.
(C) High-speed broadband enables the people of the United States to use the Internet in new ways, expands access to health services and education, increases the productivity of businesses, and drives innovation throughout the economy.
(D) The private sector and Federal, State, and local governments have made substantial investments in broadband services in the United States, but more must be done to improve the availability and quality of high-speed broadband, particularly in areas lacking competitive access.
(E) Today, more than 50,000,000 people of the United States cannot purchase a wired broadband connection at speeds that the Federal Communications Commission has defined as the minimum for adequate broadband service, and only 29 percent of people of the United States can choose from more than one service provider at that speed.
(F) As a result of the statistics described in subparagraph (E), the costs, benefits, and availability of high-speed broadband Internet are not evenly distributed, with considerable variation among States and between urban and rural areas.
(G) The Federal Government has an important role to play in developing coordinated policies to promote broadband deployment and adoption, including promoting best practices, breaking down regulatory barriers, and encouraging investment, which will help deliver higher quality, lower cost broadband to more families, businesses, and communities and allow communities to benefit from those investments.
(2) POLICY.—
(A) IN GENERAL.—It is the policy of the Federal Government for executive departments and agencies having statutory authorities applicable to broadband deployment (referred to in this subsection as the "agencies") to use all available and appropriate authorities to—
(i) to identify and address regulatory barriers that may unduly impede either wired broadband deployment or the infrastructure to augment broadband deployment, which will help deliver higher quality, lower cost broadband to more families, businesses, and communities and allow communities to benefit from those investments;
(ii) to encourage further public and private investment in broadband networks and services;
(iii) to promote the adoption and meaningful use of broadband technology; and
(iv) to otherwise encourage or support broadband deployment, competition, and adoption in ways that promote the public interest.
(B) PRIORITIES.—In carrying out the policy under subparagraph (A), the agencies shall focus on—
(i) opportunities to promote broadband adoption and competition through incentives to new entrants in the market for broadband services;
(ii) modernizing regulations;
(iii) accurately measuring real-time broadband availability and speeds; (iv) increasing broadband access for underserved communities, including in rural areas; (v) exploring opportunities to reduce costs for potential low-income users; and (vi) other possible measures, including supporting State, local, and Tribal governments interested in encouraging or investing in high-speed broadband networks.
(C) EFFECT.—In carrying out the policy under subparagraph (A), the agencies shall ensure that existing and planned Federal, State, local, and Tribal government missions and capabilities for delivering services to the public, including those missions and capabilities relating to national security, public safety, and emergency response, are maintained.
(D) COORDINATION.—The agencies shall coordinate the policy under subparagraph (A) through the Rural Broadband Integration Working Group established under paragraph (3).
(3) ESTABLISHMENT OF RURAL BROADBAND INTEGRATION WORKING GROUP.—
(A) IN GENERAL.—There is established the Rural Broadband Integration Working Group (referred to in this subsection as the "Working Group").
(B) MEMBERSHIP.—The membership of the Working Group shall be composed of the heads, or their designees, of—
(i) the Department of Agriculture;
(ii) the Department of Commerce;
(iii) the Department of Defense;
(iv) the Department of State;
(v) the Department of the Interior;
(vi) the Department of Labor;
(vii) the Department of Health and Human Services;
(viii) the Department of Homeland Security;
(ix) the Department of Housing and Urban Development;
(x) the Department of Justice;
(xi) the Department of Transportation;
(xii) the Department of the Treasury;
(xiii) the Department of Energy;
(xiv) the Department of Education;
(xv) the Department of Veterans Affairs;
(xvi) the Environmental Protection Agency;
(xvii) the Department of Homeland Security;
(xviii) the General Services Administration;
(xix) the Institute of Museum and Library Services;
(xx) the National Archives and Records Administration;
(xxi) the National Science Foundation; (xxii) the Council on Environmental Quality;
(xxiii) the Office of Science and Technology Policy;
(xxiv) the Office of Management and Budget; and
(xxv) the Economic Development Administration.
(C) CO-CHAIRES.—The Secretary of Commerce and the Secretary of Agriculture shall serve as Co-Chairs of the Working Group.
(D) CONSULTATION; COORDINATION.—
(i) CONSULTATION.—The Working Group shall consult, as appropriate, with the following:
(ii) EXCLUSION.—Spectrum allocation decisions are excluded from—
(iii) CHANGES.—The Director of the National Economic Council and the Director of the Office of Science and Technology Policy may add or remove members of the Council, as appropriate, based on the review under clause (i).
(4) FUNCTIONS OF THE WORKING GROUP.—
(A) CONSULTATION.—As permitted by law, the membership of the Working Group shall consult with State, local, Tribal, and territorial governments, telecommunications companies, utilities, trade associations, philanthropic entities, policy experts, and other interested parties to identify and assess regulatory barriers described in paragraphs (1)(G) and (2)(A)(i) and opportunities described in clauses (v) and (vi) of paragraph (2)(B) to determine possible actions relating to those barriers and opportunities.
(B) POINT OF CONTACT.—Not later than 15 days after the date of enactment of this Act, each member of the Working Group shall—
(i) designate a representative to serve as the main point of contact for matters relating to the Working Group; and
(ii) notify the Co-Chairs of the Working Group of that designee.
(C) SURVEY.—
(I) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the members of the Working Group shall submit to the Working Group a comprehensive survey of—
(I) Federal programs, including the allocated funding amounts, that currently support or could reasonably be modified to support broadband deployment and adoption; and
(II) all agency-specific policies and rules with the direct or indirect effect of facilitating or regulating investment in or deployment of wired and wireless broadband networks.
(II) EXCLUSION.—Spectrum allocation decisions affecting broadband deployment and other policies relating to spectrum allocation are excluded from—
(aa) the survey under clause (i); and
(bb) the matters of the Working Group; and
(III) shall continue to coordinate with the Presidential Memorandum of June 14, 2013 (Expanding America’s Leadership in Wireless Innovation).
(LIST OF ACTIONS.—Not later than 120 days after the date of enactment of this Act, the members of the Working Group shall submit to the Working Group an initial list of actions that each agency could take to identify and address regulatory barriers, incentivize investment, promote best practices, align funding decisions, and otherwise support wired broadband deployment and adoption.
(5) FUNCTIONS OF THE WORKING GROUP.—
(A) GENERAL.—The Director of the National Economic Council and the Director of the Office of Science and Technology Policy shall review, on a periodic basis, the membership of the Working Group established under paragraph (3) of this subsection to determine the effectiveness of the Working Group in carrying out the policy under subparagraph (A).
(B) PURPOSE.—The Director of the National Economic Council and the Director of the Office of Science and Technology Policy may add or remove members of the Council, as appropriate, based on the review under clause (i).
(I) a list of priority actions and rulemakings; and
(II) timelines to complete the priority actions and rulemakings under subclause (I).

(16) GENERAL PROVISIONS.—

(a) EFFECT.—Nothing in this section—

(1) impairs or otherwise affects—

(i) the authority granted by law to a department or agency to carry out, and monitor, certain forest management activities on National Forest System land;

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals;

(iii) the authority of the Federal Communications Commission concerning spectrum allocation decisions;

(iv) the right to receive, or the right to be represented by, the disclosure of classified information, law enforcement sensitive information, or other information that shall be protected in the interests of national security; or

(v) creates any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, any Federal department, agency, or entity, any officer, employee, or agent, of the United States, or any other person.

(2) IMPLEMENTATION.—This section shall be implemented consistent with applicable law and subject to the availability of appropriations.

SA 3331. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Mr. STAEBENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title VIII, add the following:

SEC. 86. STATE-SUPPORTED PLANNING OF FOREST MANAGEMENT ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ‘‘eligible entity’’ means—

(A) a State or political subdivision of a State that contains National Forest System land;

(B) a publicly chartered utility serving 1 or more States or political subdivisions of a State;

(C) a rural electric company; and

(D) any other entity determined by the Secretary to be appropriate for participation in the Fund.

(2) FOREST MANAGEMENT ACTIVITY.—The term ‘‘forest management activity’’ means a project or activity carried out by the Secretary on National Forest System land in accordance with the applicable forest plan.

(3) FOREST PLAN.—The term ‘‘forest plan’’ means a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601).

(4) FUND.—The term ‘‘Fund’’ means the State-Supported Forest Management Fund established by subsection (b).

(b) NATIONAL FOREST SYSTEM.—The term ‘‘National Forest System’’ has the meaning given the term in section 1(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601).

(c) SECRETARY.—The term ‘‘Secretary’’ means the Secretary, acting through the Chief of the Forest Service.

(d) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ‘‘State-Supported Forest Management Fund’’, to cover the cost of projects prioritizing priority to compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)), carrying out, and monitoring certain forest management activities on National Forest System land.

(e) CONTENTS.—The Fund shall consist of such amounts as may be—

(1) contributed by an eligible entity for deposit in the Fund;

(2) appropriated to the Fund; or
(3) generated by forest management activities planned or carried out using amounts in the Fund, as provided in subsection (f).

(d) GEOGRAPHICAL AND USE LIMITATIONS.—Except as provided in subsection (e) carried out using amounts in the Fund shall be used to carry out planning and the plan established under subsection (a) to develop a collaborative forest management activity on National Forest System land that is—

(1) developed through a collaborative process;

(2) proposed by a resource advisory committee; or

(3) covered by a community wildfire protection plan.

(g) RELATION TO OTHER LAWS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (f), the Secretary shall carry out this section $80,000,000 for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.

(2) LIMITATION ON USE OF FUNDS.—No funds under this section may be used—

(A) to entities with net sales of more than $50,000; or

(B) to support products with well-established product markets, as determined by the Secretary.

SA 3335. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

SEC. 63. STUDY ON RURAL DEVELOPMENT LOAN PROGRAMS.

(a) IN GENERAL.—The Secretary shall conduct a study to establish a plan that, with respect to the Rural Energy for America Program under section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) and the business and industry loan program under section 310BB of the Consolidated Farm and Rural Development Act (7 U.S.C. 1923(g)), results in the costs of subsidies for the loans guaranteed under each program to equal zero or a negative number.

(b) REPORT.—Not later than September 30, 2019, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the study conducted and the plan established under subsection (a).

SA 3336. Mr. LEAHY (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABAENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

SEC. 4113. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

(a) FINDINGS.—Congress finds that—

(1) according to the Wisconsin HOPE Lab, at least 36 percent of 4-year college and university students and 42 percent of 2-year community college students have experienced food insecurity in 2018;

(2) hunger threatens the health, cognitive ability, and economic security of students;

(3) institutions of higher education should strive to collect edible surplus food from campus-operated dining facilities and distribute that food to students experiencing hunger instead of throwing that food away;

(4) institutions of higher education should partner with local organizations such as regional food banks to reduce hunger and support the operation of food pantries on campus.

(b) ASSISTANCE.—Section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively;

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

"(1) COMMUNITY COLLEGE.—The term 'community college' means a junior or community college (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1063(f)))"; and

(C) by adding at the end the following:

"(5) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 48(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));";

(2) in subsection (b)(2)—

(A) in subparagraph (B) by striking "and" and inserting "and each of fiscal years 2015 through 2018;";

(B) in subparagraph (C) by striking "fiscal year 2015 and each fiscal year thereafter." and inserting "each of fiscal years 2015 through 2018;"; and

(C) by adding at the end the following:

"(D) $5,000,000 for fiscal year 2019 and each fiscal year thereafter.";

and

(D) in subsection (c), in the matter preceding paragraph (1), by inserting "an institution of higher education, a community college," before "or a private":

SA 3337. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABAENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

Strike section 4113 and insert the following:

SEC. 4113. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

(a) FINDINGS.—Congress finds that—

(1) according to the Wisconsin HOPE Lab, at least 36 percent of 4-year college and university students and 42 percent of 2-year community college students have experienced food insecurity in 2018;

(2) hunger threatens the health, cognitive ability, and economic security of students;

(3) institutions of higher education should strive to collect edible surplus food from campus-operated dining facilities and distribute that food to students experiencing hunger instead of throwing that food away;

(4) institutions of higher education should partner with local organizations such as regional food banks to reduce hunger and support the operation of food pantries on campus.
SEC. 4103. WORK REQUIREMENTS FOR ABLE-BODIED ADULTS WITHOUT DEPENDENTS; WORK ACTIVATION PROGRAM FOR ADULTS WITH DEPENDENT CHILDREN.

(a) DECLARATION OF POLICY.—Section 2 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended by adding at the end the following: "Congress further finds that it should also be the purpose of the supple-

mentation assistance program to in-
crease employment, to encourage healthy
marriage, and to promote prosperous self-

sufficiency of households to maintain an above the poverty level without services and benefits from the Federal Government.''.

(b) REPEAL.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) by striking subsection (k); and

(2) by inserting after subsection (l) the following:

"(m) the following:

"(1) FOOD.—Section 3(k) of the Food and Nu-

trition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in paragraph (2), by striking "3(v)(4)'' and placing it in the column immediately preceding the paragraph heading, by striking "3(u)(4)'' and placing it in the column immediately preceding the paragraph heading, by striking "INTERCHANGE FEES.—No interchange fee shall be imposed on an electronic benefit trans-

fer transaction under this subsection.

(ii) IN GENERAL.—No interchange fee shall be imposed on an electronic benefit trans-

fer transaction under this subsection.

(iii) IN GENERAL.—No fee charged by a ben-

efit issuer (including any affiliate of a ben-

efit issuer) for transferring or routing of an intrastate or interstate trans-

action that consists of transmitting the de-

tails of a transaction electronically recorded through the use of an EBT card in 1 State to the issuer of the card in—

(i) the same State; or

(ii) another State.

(B) PROHIBITED FEES.—Section 7 of the

Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (f)(2)(C), in the subpara-

graph, the term 'switching' means the

routing of an intrastate or interstate trans-

action that consists of transmitting the de-

tails of a transaction electronically recorded

through the use of an EBT card in 1 State to the issuer of the card in—

(i) the same State; or

(ii) another State.

(ii) another State.

(C) OPERATION OF INDIVIDUAL POINT OF SALE DEVICE BY FARMERS' MARKETS AND DIRECT MARKETING FARMERS.—Section 202 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) by striking the first sentence of clause (i); and

(2) by inserting after clause (i) the following:

"(ii) an individual electronic benefit trans-

fer transaction under this subsection.

(iii) the same State; or

(iv) another State.

(B) PROHIBITED FEES.—Section 7 of the

Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (f)(2)(C), in the subpara-

graph, the term 'switching' means the

routing of an intrastate or interstate trans-

action that consists of transmitting the de-

tails of a transaction electronically recorded

through the use of an EBT card in 1 State to the issuer of the card in—

(i) the same State; or

(ii) another State.

(ii) another State.

(C) OPERATION OF INDIVIDUAL POINT OF SALE DEVICE BY FARMERS' MARKETS AND DIRECT MARKETING FARMERS.—Section 202 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) by striking the first sentence of clause (i); and

(2) by inserting after clause (i) the following:

"(ii) an individual electronic benefit trans-

fer transaction under this subsection.

(iii) the same State; or

(iv) another State.

(B) PROHIBITED FEES.—Section 7 of the

Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (f)(2)(C), in the subpara-

graph, the term 'switching' means the

routing of an intrastate or interstate trans-

action that consists of transmitting the de-

tails of a transaction electronically recorded

through the use of an EBT card in 1 State to the issuer of the card in—

(i) the same State; or

(ii) another State.

(ii) another State.

(C) OPERATION OF INDIVIDUAL POINT OF SALE DEVICE BY FARMERS' MARKETS AND DIRECT MARKETING FARMERS.—Section 202 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) by striking the first sentence of clause (i); and

(2) by inserting after clause (i) the following:

"(ii) an individual electronic benefit trans-

fer transaction under this subsection.

(iii) the same State; or

(iv) another State.

(B) PROHIBITED FEES.—Section 7 of the

Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (f)(2)(C), in the subpara-

graph, the term 'switching' means the

routing of an intrastate or interstate trans-

action that consists of transmitting the de-

tails of a transaction electronically recorded

through the use of an EBT card in 1 State to the issuer of the card in—

(i) the same State; or

(ii) another State.

(ii) another State.
“(ii) a description of emerging entities, services, and technologies in use with respect to electronic benefit transfer systems of State agencies; and

(2) REGULATIONS.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Appropriations, Nutrition, and Forestry of the Senate a report that includes a description of the effects, if any, on an electronic benefit transfer system of a State agency from the use of third-party applications that access the electronic benefit transfer system to provide electronic benefit transfer account information to participating household.

(d) APPROVAL OF RETAIL FOOD STORES.—Section 9 of the Food and Nutrition Act (7 U.S.C. 2018) is amended—

(1) in subsection (a)(1), by striking ‘‘No retail food store’’ and inserting the following:—

‘‘(A) identified for increased consumption of Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341); and

‘‘(B) a fruit, a vegetable, low-fat dairy, or a whole grain.

(2) REGULATIONS.—

(A) IN GENERAL.—The Secretary shall promulgate regulations to clarify the process by which an approved retail food store may seek to offer an approved incentive food that may be used only for the purchase of eligible incentive food at the point of purchase to a household purchasing food with benefits issued under this Act.

(B) REGULATIONS.—The regulations under subparagraph (A) shall establish a process under which an approved retail food store, proposing to participate in the program under this subsection, shall provide to the Secretary information describing the incentive program, including—

(i) the types of incentives that will be offered;

(ii) the types of foods that will be incentivized for purchase; and

(iii) an explanation of how the incentive program intends to support meeting dietary intake goals.

(C) CERTIFICATE.—Approval of retail food stores on how to select electronic benefit transfer systems, including—

(i) the use of third-party applications that access the electronic benefit transfer system; and

(ii) the use of third-party applications that access the electronic benefit transfer system to provide electronic benefit transfer account information to participating households.

(D) SELECTION CRITERIA.—The Secretary shall select for the review under clause (i) not fewer than 5 electronic benefit transfer systems of State agencies, of which—

(i) with respect to each benefit issuer that provides electronic benefit transfer-related services to 1 or more State agencies, not fewer than 1 shall be provided by that benefit issuer; and

(ii) not more than 4 shall have experienced significant or frequent outages during the 2-year period preceding the date of enactment of this Act.

(3) by adding at the end the following:

‘‘(b) AGENCY GUIDANCE.—Based on the study conducted by the Comptroller General of the United States under paragraph (b)(B) and the review conducted by the Secretary under subparagraph (A), the Secretary shall promulgate such regulations or issue such guidance as the Secretary determines appropriate—

(i) to prohibit the imposition of any fee that is inconsistent with paragraph (13); and

(ii) to minimize electronic benefit system outages;

(iii) to update procedures to handle electronic benefit transfer system outages that minimize disruption to participating households and retail food stores while protecting against fraud and abuse;

(iv) to develop cost-effective customer service standards for benefit issuers, including benefit issuer call centers or other customer service options equivalent to call centers, that would ensure adequate customer service for participating households;

(v) to identify the use of third-party applications that access electronic benefit transfer systems to provide electronic benefit transfer account information to participating households and related services, including safeguards consistent with sections 9(c) and 11(e)(d) to protect the privacy of data relating to participating households and approved retail food stores; and

(vi) to improve the reliability of electronic benefit transfer systems.

SEC. 4106. REQUIRED ACTION ON DATA MATCH INFORMATION.

Section 11(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (24), by striking ‘‘and’’ after the semicolon;

(2) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

‘‘(26) that for a household receiving benefits in the supplemental nutrition assistance program, the State agency shall pursue clarification and verification, if applicable, of information relating to the income of the household received from data matches for the purpose of ensuring an accurate eligibility and benefit determination, only if the information—

(A) appears to present significantly conflicting information from the information that was used by the State agency at the time of certification of the household;

(B) is obtained from data matches carried out under subsection (q), (r), or (w); or

(C) is fewer than 60 days old relative to the current month of participation of the household; and

(II) if accurate, would have been required to be reported by the household based on the reporting requirements assigned to the household by the State agency under section 6(c).’’;

SEC. 4107. INCOME VERIFICATION.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by adding at the end the following:

‘‘(4) E F FECT.—Regulations promulgated under this subsection shall not affect any requirements under section 4095 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5357) or section 4384 of the Agriculture Improvement Act of 2018, including the eligibility of a retail food store to participate in a project funded under those sections.

(B) REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report describing the types of incentives approved under this subsection.’’. 
appropriate, the Secretary shall establish a pilot program (referred to in this subsection as the ‘pilot program’) under which not more than 8 States may carry out pilot projects to test and evaluate the Secretary and the efficiency of the process for verification of earned income at certification and recertification of applicant households for the supplemental nutrition assistance program.

(2) CONTRACT OPTIONS.—

(A) IN GENERAL.—In carrying out the pilot project, the Secretary shall—

(i) enter into a contract described in subparagraph (A)(i) of that subparagraph; or

(ii) enter into an agreement described in subparagraph (A)(ii) of that subparagraph to certify and recertify of applicant households for the supplemental nutrition assistance program in the State.

(3) SELECTION CRITERIA.—Pilot projects shall be evaluated against publicly disseminated criteria that shall include—

(A) improved nutritional outcomes for participating individuals or households; and

(B) changes in purchasing and consumption of fluid milk among participating individuals or households; or

(C) diets more closely aligned with healthy eating patterns consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(4) REPORT.—Not later than 1 year after the date on which the Secretary enters into an agreement under paragraph (3)(A) to collaborate with an entity that is an independent evaluation of the pilot project, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the pilot project.

(5) TERMINATION.—The pilot program shall terminate not later than September 30, 2022.

SEC. 4108. PILOT PROJECTS TO IMPROVE HEALTHY DIETARY PATTERNS RELATED TO FLUID MILK IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 11 of the Food and Nutrition Act of 2006 (7 U.S.C. 5326) (as amended by section 4107) is amended by adding at the end the following:

(1) PILOT PROJECTS TO IMPROVE HEALTHY DIETARY PATTERNS RELATED TO FLUID MILK CONSUMPTION AMONG PARTICIPANTS OR HOUSEHOLDS IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM THAT UNDER-CONSUME FLUID MILK.

(A) DEFINITION OF FLUID MILK.—In this subsection, the term ‘fluid milk’ means cow milk, without flavoring or sweeteners, contained in fluid milk cartons, bottles, and other similar containers for sale at the point of purchase to a household purchasing food with supplemental nutrition assistance program benefits.

(B) GRANTS OR COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The Secretary shall, subject to the availability of funds, carry out pilot projects under this subsection to increase fluid milk consumption among participating individuals or households.

(B) AUTHORITY TO ENTER INTO CONTRACTS.—If determined appropriate by the Secretary, the Secretary may, based on the cost-effectiveness determination described in subparagraph (A)(i) of that subparagraph, enter into a contract described in subparagraph (A)(i) of that subparagraph, or enter into an agreement described in subparagraph (A)(ii) of that subparagraph to certify and recertify of applicant households for the supplemental nutrition assistance program in the State. The terms of contracts and agreements described in subsection (A) shall include—

(i) a description of how the proposed changes to the process for verifying earned income used by the State agency; and

(ii) a description of how the proposed changes to the process for verifying earned income used by the State agency; and

(iii) a commitment to a pilot project that limits the use of benefits under this subsection.

(2) SELECTION CRITERIA.—Pilot projects shall be evaluated against publicly disseminated criteria that shall include—

(A) the improvement of a scientifically based study that is designed to improve diet quality through the increased purchase of fluid milk by individuals or households in the supplemental nutrition assistance program that under-consume fluid milk.

(B) a description of how the proposed changes to the process for verifying earned income used by the State agency; and

(C) an evaluation of projects selected under this subsection that measures the impact of the pilot program on health and nutrition as described in subparagraph (A).
methodologies, particularly random assignment or other methods that are capable of producing scientifically valid information regarding which activities are effective.

(ii) the results of the evaluation completed during the previous fiscal year; and

(iii) to the maximum extent practicable—

(I) the impact of the pilot project on appropriate health, nutrition, and associated behavioral outcomes among households participating in the pilot project;

(II) baseline information relevant to the stated goals and desired outcomes of the pilot project; and

(III) Secretary information about similar or identical measures among control or comparison groups that did not participate in the pilot project.

(2) PUBLIC DISSEMINATION.—In addition to the reporting requirements under subparagraph (B), evaluation results shall be shared broadly to inform policy makers, service providers, other partners, and the public to promote wide use of successful strategies.

(3) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $20,000,000, to remain available until expended.

(B) APPROPRIATIONS IN ADVANCE.—Only funds authorized under subparagraph (A) in advance specifically to carry out this subsection shall be available to carry out this subsection.

SEC. 4109. INTERSTATE DATA MATCHING TO PREVENT MULTIPLE ISSUANCES.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

"(w) NATIONAL ACCURACY CLEARINGHOUSE.—

"(1) DEFINITION OF INDICATION OF MULTIPLE ISSUANCES.—In this section, the term "indication of multiple issuance" means an indication, based on a computer match, that benefits are being issued to an individual under the supplemental nutrition assistance program from more than 1 State simultaneously.

"(2) ESTABLISHMENT.—The Secretary shall establish an interstate data system, to be known as the ‘National Accuracy Clearinghouse’, to prevent the simultaneous issuance of benefits by more than 1 State under the supplemental nutrition assistance program.

"(B) DATA MATCHING.—The Secretary shall require that States make available to the National Accuracy Clearinghouse only such information as is necessary for the purpose described in subparagraph (A).

"(C) DATA PROTECTION.—The information made available by States under subparagraph (B)—

(i) shall be used only for the purpose described in subparagraph (A); and

(ii) shall not be retained for longer than is necessary to accomplish that purpose.

"(D) ISSUANCE OF INTERIM FINAL REGULATIONS.—In advance of enactment of this subsection, the Secretary shall promulgate regulations (which shall include interim final regulations) to carry out this subsection that—

"(A) incorporate best practices and lessons learned from the pilot program under section 30502(c) of the Agriculture Act of 2014 (7 U.S.C. 2036c(c));

"(B) require a State to take appropriate action, as determined by the Secretary, with respect to each indication of multiple issuance or indication that an individual receiving benefits in 1 State has applied to receive benefits in another State, while ensuring timely and fair service to applicants for, and participants in, the supplemental nutrition assistance program;

"(C) limit the information submitted through or retained by the National Accuracy Clearinghouse to information necessary to accomplish the purpose described in paragraph (2)(A); and

"(D) establish safeguards to protect—

(i) the information submitted through or retained by the National Accuracy Clearinghouse, including by limiting the period of time that information is retained to the period necessary to accomplish the purpose described in paragraph (2)(A); and

(ii) the privacy of information that is submitted through or retained by the National Accuracy Clearinghouse, which shall include—

(I) prohibiting a contractor who has access to information that is submitted through or retained by the National Accuracy Clearinghouse from using that information for purposes not directly related to the purpose described in paragraph (2)(A); and

(II) other safeguards, consistent with section 5(b);

(E) establish a process by which a State shall—

(i) not later than 3 years after the date of enactment of this subsection, conduct a computer match using the National Accuracy Clearinghouse; and

(ii) after the first computer match under clause (i), conduct computer matches on an ongoing basis, as determined by the Secretary;

(F) identify and take appropriate action, as determined by the Secretary, with respect to each indication of multiple issuance or indication that receiving benefits in 1 State has applied to receive benefits in another State; and

(G) protect the identity and location of a vulnerable individual (including a victim of domestic violence) that is an applicant to or participant in the supplemental nutrition assistance program; and

(II) inclusion of rules and standards, as determined by the Secretary.

SEC. 4110. QUALITY CONTROL.

(a) RECORDS.—

(1) IN GENERAL.—Section 11(a)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020a(3)(B)) is amended in the matter preceding clause (i) by striking “subparagraph (A)” and inserting “subparagraph (B)”; and

(2) COST SHARING FOR COMPUTATION.—

Section 16(g)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036g(1)) is amended—

(A) in subparagraph (B), by striking “and” at the end;

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

(C) by adding at the end the following:

"(G) would be accessible by the Secretary for inspection and audit under section 11(a)(3)(B); and"

(b) QUALITY CONTROL SYSTEM.—

Section 16(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036c(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) QUALITY CONTROL SYSTEM INTEGRITY.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall issue interim final regulations that—

(I) ensure that the quality control system established under this subsection produces valid statistical results;

(II) provide for oversight of contracts entered into by a State agency for the purpose of improving payment accuracy;

(III) ensure the accuracy of data collected under the quality control system established under this subsection;

(IV) to the maximum extent practicable, for each fiscal year, evaluate the integrity of the quality control process of not fewer than 2 State agencies, selected in accordance with criteria determined by the Secretary;

(2) CONFORMING AMENDMENT.—Section 16(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036c(1)) is amended by striking “(as defined in subsection (d)(1))”.

(c) ELIMINATION OF STATE BONUSES FOR ERROR RATES.—

(1) IN GENERAL.—Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036d) is amended—

(A) by striking the subsection heading and inserting “STATE PERFORMANCE INDICATORS AND BONUSES.—”; and

(B) in paragraph (1) in subparagraph (A)(i), by striking “(B)” and inserting “(C)”;

and

(i) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking “With respect” and all that follows through the end of clause (i) and inserting the following:

"(I) PERFORMANCE MEASUREMENT.—With respect to fiscal year 2005 and each fiscal year thereafter, the Secretary shall measure the performance of each State agency with regard to each of the criteria established under paragraph (A)(1)."

(II) in clause (i), by striking “(ii)” subject to paragraph (3), and inserting the following:

"(II) PERFORMANCE BONUSES FOR FISCAL YEARS 2005 THROUGH 2017.—With respect to each of fiscal years 2005 through 2017, subject to paragraph (3), the Secretary shall award performance bonus payments in the following fiscal year, in a total amount of $6,000,000 for each fiscal year, to State agencies that meet standards for high or most improved performance established by the Secretary under subparagraph (A)(ii)."

(III) by adding at the end the following:

"(III) PERFORMANCE BONUSES FOR FISCAL YEARS 2018 AND THEREAFTER.—

"(1) IN GENERAL.—With respect to fiscal year 2018 and each fiscal year thereafter, subject to subsection (II) and paragraph (3), the Secretary shall award performance bonus payments in the following fiscal year, in a total amount of $6,000,000 for each fiscal year, to State agencies that meet standards for high or most improved performance established by the Secretary under subparagraph (A)(ii) for the purpose of application processing timeliness.

"(2) PERFORMANCE BONUS PAYMENTS FOR FISCAL YEAR 2018 PERFORMANCE.—The Secretary shall award performance bonus payments in the following fiscal year, in a total amount of $6,000,000 for each fiscal year, to State agencies that meet standards for high or most improved performance established by the Secretary under subparagraph (A)(ii)."

(3) CONFORMING AMENDMENT.—Section 16(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036c(1)) is amended by striking “(as defined in subsection (d)(1))”.
SEC. 4111. REQUIREMENT OF LIVE-PRODUCTION ENVIRONMENTS FOR CERTAIN PILOT PROJECTS RELATING TO COST SHARING FOR COMPUTERIZATION.

Section 16(g)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2032a(g)(1)) (as amended by section 4110(a)(2)) is amended—

(1) in subparagraph (F), by redesignating clauses (i) and (ii) as clauses (I) and (II), respectively, and indenting appropriately;

(2) by redesigning subparagraphs (A) through (G) as clauses (i) through (vii), respectively, and indenting appropriately; and

(3) in the matter preceding clause (i) (as so redesignated)—

(A) by striking “paragraphs (2) and (3)” and inserting “paragraph (2)”;

(B) by inserting “the” before “planning” and inserting the following: “in the—

“(A) planning;”

(4) in clause (v) (as so redesignated) of subparagraph (B), by striking “implementation, including through pilot projects in limited areas for major systems changes as determined under rules promulgated by the Secretary, data from which” and inserting the following: “implementation, including a requirement that—

“(1) such testing shall be accomplished through pilot projects in limited areas for major systems changes as determined under rules promulgated by the Secretary;”

(II) each pilot project described in subclause (I) that is carried out before the implementation of a system shall be conducted in a live-production environment; and

(III) the data resulting from each pilot project shall be provided out under this clause”; and

(5) by adding at the end the following:

“(B) operation of 1 or more automatic data processing and information retrieval systems that the Secretary determines may continue to be operated in accordance with clauses (i) through (vii) of subparagraph (A).”

SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.

Section 16(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2032a(a)(1)) is amended in the first sentence by striking “2018” and inserting “2022.”

SEC. 4113. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

Section 25(b)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2035(b)(2)) is amended—

(1) in subparagraph (B) by striking “and” at the end;

(2) in subparagraph (C) by striking “fiscal year 2015 through fiscal year 2016”, and inserting “each of fiscal years 2015 through 2018”; and

(3) by adding at the end the following:

“(D) $5,000,000 for fiscal year 2019 and each fiscal year thereafter.”

SEC. 4114. NUTRITION EDUCATION STATE PLANS.

The Food and Nutrition Act of 2008 (7 U.S.C. 2031 et seq.) is amended by adding at the end the following:

“SEC. 30. WORK ACTIVATION PROGRAM FOR ADULTS WITH DEPENDENT CHILDREN.

(a) IN GENERAL.—In this section:

(1) ELIGIBLE PARTICIPANT.—The term ‘eligible participant’ means an individual who, during a particular month, is—

(A) a parent in a household with dependent children;

(B) at least 19, and not more than 55, years of age;

(C) not disabled;

(D) a member of a household in which 1 or more parents or children receive supplemental nutrition assistance program benefits in the month;

(E) a member of a household that received supplemental nutrition assistance program benefits for more than 3 months in the year; and

(F) employed less than 100 hours in the month.

(2) MARRIED COUPLE HOUSEHOLD.—The term ‘married couple household’ means a household that includes 2 eligible participants who are married to each other and have dependent children.

(3) SUCCESSFUL ENGAGEMENT IN WORK ACTIVATION.—The term ‘successful engagement in work activation’ means—

(A) in the case of an individual who is eligible and required to participate in interim work activation, performance during the month that fulfills the activity and hour requirements of subsection (c); and

(B) in the case of an individual who is required to participate in full work activation, performance during the month that fulfills the activity and hour requirements of subsection (c); and

(C) in the case of an individual who meets the eligibility criteria described in subsection (a)(1) and fails to engage in the activity and hour requirements of subsection (c) for the month.

(4) WORK AND WORK PREPARATION ACTIVITIES.—The term ‘work and work preparation activities’ means—

(A) unsubsidized employment;

(B) subsidized private sector employment;

(C) subsidized public sector employment;

(D) work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;

(E) on-the-job training;

(F) job readiness assistance;

(G) a community service program;

(H) vocational educational training (not to exceed 1 year with respect to any individual);

(I) job skills training directly related to employment;

(J) education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;

(K) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of an eligible recipient who has not completed a secondary school or received such a certificate;

(2) full work activation as described in subsection (b); or

(3) an individual who is participating in a community service program.

(4) FAIL TO PARTICIPATE.—A participant in the work activation program shall be considered to have failed to comply with the requirements of this section in the following cases:

(I) the participant fails to participate in the work activation program under this section during any 3 months; or

(II) the participant fails to participate in the work activation program under this section during any 12 months.

(5) TIME LIMIT ON INTERIM WORK ACTIVATION.—

(A) IN GENERAL.—As a condition of receipt of supplemental nutrition assistance program funds under this Act, a State agency shall be required to operate a work activation program for eligible participants.

(B) TOTAL REQUIRED HOURS.—The total number of hours required for work and work preparation activities for both spouses in a married couple household shall not be greater than the total number of hours required for a single head of household.

(C) REQUIREMENT.—In carrying out this section, a State agency shall ensure that, for each month—

(i) the proportion that—

(I) the number of married couple households that are required to participate in work activation under this section in a month; bears to

(II) the number of all households that are required to participate in work activation under this section in the same month; is not greater than—

(1) the proportion that—

(II) the number of all married couple households with eligible participants in the month; bears to

(III) the number of all households with eligible participants in the same month; and

(6) REPORT.—The State agency shall submit to the Secretary an annual evaluation report in accordance with regulations issued by the Secretary.”.
shall require all or part of the eligible participants in the State to engage in full work activation under this section.

(2) REQUIREMENTS.—An eligible participant who is required to participate in full work activation in a month shall be required to engage in 1 or more work and work preparation activities for an average of at least 100 hours per month.

(3) LIMITATION.—Of the total number of required hours described in paragraph (2), no fewer than 20 hours per week shall be attributable to an activity described in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (L), (M), or (N) of subsection (a)(4).

(4) PARTICIPATION IN COMMUNITY SERVICE OR WORKFARER.—At least 10 percent of the eligible participants that a State requires to participate in full work activation under this section shall be required to participate in activities described in subparagraph (D), (G), or (M) of subsection (a)(4).

(5) WORK ACTIVATION NOT EMPLOYMENT.—Other than unsubsidized employment described in subsection (a)(4)(A), participation in work and work preparation activities under this section shall not be—

(A) considered to be employment; or

(B) subject to any law pertaining to wages, compensation, hours, or conditions of employment under any law administered by the Secretary of Labor.

(6) ADDITIONAL REQUIRED ACTIVITY.—Except as provided in subsection (g), nothing in this section prevents a State from requiring more than 100 hours per month of participation in work and work preparation activities.

(7) LIMITATIONS AND SPECIAL RULES.—

(A) SINGLE TEEN HEAD OF HOUSEHOLD OR MARRIED TEEN WHO MAINTAINS SATISFACTORY SCHOOL ATTENDANCE.—For purposes of determining monthly participation rates under this section, an eligible participant who is a single head of household or who has not attained 20 years of age shall be considered to have completed successful engagement in work activation for a month if the eligible participant—

(i) is a single teen head of household or a married teen who maintains satisfactory school attendance; and

(ii) participates in education directly related to employment for an average of at least 20 hours per week during the month; or

(B) participates in education directly related to employment for an average of at least 20 hours per week during the month.

(B) LIMITATION ON NUMBER OF PERSONS WHO MAY BE TREATED AS ENGAGED IN WORK ACTIVATION.—For purposes of determining monthly participation rates under this section, no more than 30 percent of the number of participants in a State who are treated as having completed successful engagement in work activation for a month may be individuals who are determined to be engaged in work activity for the month by reason of participation in vocational educational training.

(C) STATE OPTION FOR PARTICIPATION REQUIREMENT EXEMPTIONS.—

(1) IN GENERAL.—For any fiscal year, a State agency, at the option of the State agency, may—

(A) exempt a household that includes a child who has not attained 12 months of age from engaging in work activation; and

(B) disregard household in determining the monthly participation rates under this section until the child has attained 12 months of age.

(2) EXCLUSION.—For purposes of determining monthly participation rates under this section, a household that includes a child who has not attained 6 years of age shall be considered to be successfully engaged in work activation for a month if a member of the household receiving supplemental nutrition assistance program benefits is engaged in work activation for an average of at least 20 hours per week during the month.

(D) PENALTIES AGAINST INDIVIDUALS.—

(1) IN GENERAL.—Except as provided in paragraph (3), if an eligible participant in a household receiving assistance under the State program funded under this section fails to complete successful engagement in work activation in accordance with this section, the State agency shall—

(A) in accordance with paragraph (2), reduce the amount of assistance otherwise payable to the entire household pro rata (or more, at the option of the State agency) with respect to the month immediately after any month in which the eligible participant fails to perform; or

(B) terminate the assistance entirely.

(2) PRO RATA REDUCTION.—For purposes of paragraph (1)(A), the amount of the pro rata reduction shall equal the product obtained by multiplying—

(A) the normal monthly amount of assistance to the entire household that would have been received if not for the reduction under paragraph (1)(A); by

(B) the proportion that—

(i) the hours of required work and work preparation activities performed by the eligible participant during the month; bears to

(ii) the number or hours of work and work preparation activities the State agency required the eligible participant to perform in accordance with this section.

(3) EXCEPTION.—A State may not reduce or terminate assistance under the State program funded under this section or any other State program funded with qualified State expenditures (as defined in section 409a(a)(7)(B)(ii) of that Act (42 U.S.C. 609(a)(7)(B)(ii))), if an eligible participant in an assisted household has not attained 12 months of age.

(A) a single custodial parent caring for a child who has not attained 6 years of age; and

(B) the eligible participant proves that the eligible participant has a demonstrated inability (as determined by the State agency) to obtain needed child care within a reasonable distance from the home or work site of the eligible participant; or

(4) ADJUSTMENT IF RECESSIONARY PERIOD.—If the average national unemployment rate during a quarter of a fiscal year, as determined by the Bureau of Labor Statistics of the Department of Labor, is more than 8 percent, the participation goal for the immediately succeeding quarter shall equal the product obtained by multiplying—

(5) UNAVAILABILITY OF ALL MEANS-TESTED BENEFITS DEFINED.—

(1) IN GENERAL.—As a condition of receiving supplemental nutrition assistance program funds under this Act, except as provided in paragraph (2), a State agency shall achieve for each quarter of the fiscal year with respect to all eligible participants receiving assistance under the State program funded under this section for that fiscal year at least the participation rate specified in the following table:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Participation Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>20 percent</td>
</tr>
<tr>
<td>2020</td>
<td>35 percent</td>
</tr>
<tr>
<td>2021</td>
<td>50 percent</td>
</tr>
<tr>
<td>2022</td>
<td>65 percent</td>
</tr>
<tr>
<td>2023</td>
<td>80 percent</td>
</tr>
</tbody>
</table>

(2) LIMITATION ON REQUIRED PARTICIPATION IN COMMUNITY SERVICE OR WORKFARER.—

(1) IN GENERAL.—The maximum number of hours during a month that an eligible participant shall be required to participate in work and work preparation activities pursuant to the section funded by the $0.01 million per capita amount for fiscal year 2019 request under section 311(a)(8) of the Workforce Investment Act of 2002 (42 U.S.C. 3622) is 30 percent.
“(A) the applicable quarterly participation rate under paragraph (1); by
“(B) 0.8.
“(1) CALCULATION OF WORK ACTIVATION PARTICIPATION RATE.—
“(1) DEFINITION OF SANCTIONED RECIPIENT.—
In this subsection, the term ‘sanctioned recipient’ means any eligible participant who—
“(A) was required to participate in work activation in a month;
“(B) failed to perform the assigned work and related preparation activities so as to meet the relevant hourly requirements in subsection (c), (d), or (e)(2); and
“(C) was sanctioned by a reduced benefit payment under the subsequent month under subsection (g).
“(2) REQUIREMENTS.—The work activation participation rate for a State for any quarter of a fiscal year shall equal the average of the monthly participation rates for the State during the 3 months of that quarter.
“(3) MONTHLY PARTICIPATION RATE.—For purposes of paragraph (2), the monthly participation rate shall equal the ratio of all countable participants to all eligible participants in the month, as determined under paragraph (4).
“(4) RATIO OF ALL COUNTABLE PARTICIPANTS TO ALL ELIGIBLE PARTICIPANTS.—Subject to paragraph (5), the ratio of all countable participants to all eligible participants in a month equals the proportion that—
“(A) the sum obtained by adding—
“(i) all eligible participants who—
“(I) were required by the State to engage in interim work activation, full work activation, or education under subsection (e)(1) during the month;
“(II) reduced hours for a sanction for an eligible recipient agency, as determined under paragraph (5); and
“(B) the average number of eligible participants in the State in that month.
“(5) MULTIPLE ELIGIBLE PARTICIPANTS.—A married couple household consisting of more than 1 eligible participant shall be counted as a single eligible participant for purposes of calculating the participation rate under this subsection.
“(6) PENALTIES FOR INADEQUATE STATE PERFORMANCE.—
“(1) IN GENERAL.—Beginning in the first quarter of fiscal year 2020 and for each subsequent quarter of fiscal year 2020 and of each subsequent quarter of fiscal year 2020 and for each subsequence for which funding is reduced under paragraph (2), a State that receives supplemental nutrition assistance program funds under this Act may use during that fiscal year to carry out the work activation program of the State under this section—
“(i) any of the Federal funds available to the State through the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) in that fiscal year; and
“(ii) any of the funds from State sources allocated to the operation of the program described in clause (1).
“(B) EFFECT.—Any State that uses State funds allocated to the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) to administer the work activation program of that State under this section may use those funds as specified in section 409(a)(7)(B)(i) of that Act (42 U.S.C. 609(a)(7)(B)(i)) for purposes of meeting the requirements of section 409(a)(7) of that Act (42 U.S.C. 609(a)(7)) in that fiscal year.
“(2) WORKFORCE INVESTMENT ACT FUNDING.—Notwithstanding any other provision of law, for fiscal year 2019 and each subsequent fiscal year, a State that receives funds under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) may use up to 50 percent of those fiscal year funds to carry out work activation programs of the State under this section.
“(3) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EMPLOYMENT AND TRAINING PROGRAM.—Notwithstanding any other provision of law, for fiscal year 2019 and each subsequent fiscal year, a State that receives Federal funds under this Act for an employment and training program under section 6(d) may use those funds during that fiscal year to carry out the work activation program of the State under this section.

SEC. 416. EMERGENCY FOOD ASSISTANCE PROGRAM.

(a) STATE PLAN.—Section 202(b) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502(b)) is amended—
“(1) in paragraph (3), by striking ‘‘and’’ after the semicolon;
“(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and
“(3) by adding at the end following:
“(6) at the option of the State agency, describe a plan of operation for 1 or more projects in partnership with 1 or more emergency feeding organizations located in the State to harvest, process, and package donated commodities received under section 203(d); and
“(7) describe a plan, which may include the use of a State advisory board established under subsection (c), that provides emergency feeding organizations or eligible recipient agencies within the State an opportunity to provide input on the commodity preferences of the emergency feeding organization or eligible recipient agency.”.

(b) STATE AND LOCAL SUPPLEMENTATION OF COMMODITIES.—Section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507) is amended by adding at the end the following:
“(7) Projects to harvest, process, and package donated commodities.—
“(1) DEFINITION OF PROJECT.—In this subsection, the term means the harvesting, processing, or packaging of unharvested, unprocessed, or unpackaged commodities donated by agricultural producers, processors, or distributors for use by emergency feeding organizations under subsection (a).
“(2) FEDERAL FUNDING FOR PROJECTS.—
“(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and paragraph (3), using funds made available under paragraph (5), the Secretary may allocate such funds for the purposes of carrying out a project.
“(B) FEDERAL SHARE.—The Federal share of the cost of a project under subparagraph (A) shall not exceed 50 percent of the total cost of the project.
“(C) ALLOCATION.—
“(1) IN GENERAL.—Each fiscal year, the Secretary shall allocate such funds to States that have submitted under section 202(b)(5) a State plan describing a plan of operation for a project the funds made available under subparagraph (A) based on a formula determined by the Secretary.
“(2) REALLOCATION.—If the Secretary determines that a State will not expend all of the funds allocated to the State for a fiscal year under clause (1), the Secretary shall reallocate the unexpended funds to other States that have submitted under section 202(b)(5) a State plan describing a plan of operation for a project the funds made available under subparagraph (A) based on a formula determined by the Secretary.
“(3) PROJECT PURPOSES.—A State may only use Federal funds received under paragraph (2) for a project the purposes of which are to build relationships between agricultural producers, processors, and distributors and emergency feeding organizations through the donation of food;
“(B) to provide food to individuals in need; and
“(C) to build relationships between agricultural producers, processors, and distributors and emergency feeding organizations through the donation of food.
“(4) COOPERATIVE AGREEMENTS.—The Secretary may encourage a State agency that carries out a project using Federal funds received under subparagraph (2) to enter into cooperative agreements with State agencies of other States under section 203(b)(d) to maximize the use of commodities donated under the project.
“(5) FUNDING.—Out of funds not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture for use by States under this subsection $1,000,000 for each fiscal years 2019 through 2023, to remain available until the end of the subsequent fiscal year.
“(c) FUNDING.—Section 203D(b) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507) is amended by inserting ‘‘2018’’ and inserting ‘‘2023’’.
“(d) FUNDING.—Out of funds not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture for use by States under this subsection $1,000,000 for each fiscal years 2019 through 2023, to remain available until the end of the subsequent fiscal year.

(e) AVAILABILITY OF COMMODITIES FOR THE EMERGENCY FOOD ASSISTANCE PROGRAM.—
Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—
“(1) in paragraph (1), by striking ‘‘2018’’ and inserting ‘‘2023’’; and
“(2) in paragraph (2)—
“(A) in subparagraph (C), by striking ‘‘2018’’ and inserting ‘‘2023’’; and
“(B) in subparagraph (D), by striking ‘‘2018’’ and inserting ‘‘2023’’;

(f) GRANTS.—Notwithstanding any other provision of law or any other provision of law or any other provision of law or any other provision of law or any other provision of law, a cooperative agreement under this section shall be subject to the requirements of part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) to administer the work activation program of that State under this section.

(g) GRANTS.—Notwithstanding any other provision of law, a cooperative agreement under this section shall be subject to the requirements of part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) to administer the work activation program of that State under this section.
was ordered to lie on the table; as follows:

(1) in subsection (a), by striking “in rural areas” and inserting “in rural areas or to residents of rural areas”;
(2) by striking subsections (b) through (f) and inserting the following:

(b) ELIGIBILITY; APPLICATION.—To be eligible to receive grant under this section, an entity shall—
(1) be—
(A) an emergency medical services agency operated by a local or tribal government (including fire-based and non-fire based); or
(B) an emergency medical services agency that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(c).
(2) submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(c) USE OF FUNDS.—An entity—
(1) shall use amounts received through a grant under subsection (a) to—
(A) train emergency medical services personnel as appropriate to obtain and maintain licenses and certifications relevant to services in an emergency medical services agency described in section 501(c) of the Internal Revenue Code of 1986 that is exempt from tax under section 501(c); and
(B) conduct courses that qualify graduates to serve in an emergency medical services agency described in subsection (b)(1) in accordance with State and local requirements;
(C) fund specific training to meet Federal or State licensing or certification requirements; and
(D) acquire emergency medical services equipment; and
(2) may use amounts received through a grant under subsection (a) to—
(A) recruit and retain emergency medical services personnel, which may include volunteer personnel;
(B) develop new ways to educate emergency health care providers through the use of technology-enhanced educational methods; or
(C) acquire personal protective equipment for emergency medical services personnel as required by the Occupational Safety and Health Administration.

(d) GRANT AMOUNTS.—Each grant awarded under this section shall be in an amount not to exceed $200,000.

(e) DEFINITIONS.—In this section:

(i) The term ‘emergency medical services’ means resources used by a public or private emergency medical services provider or other provider that is licensed or certified by the State involved as an emergency medical technician, a paramedic, or an equivalent professional (as determined by the State).

(ii) The term ‘rural area’ means—
(A) a nonmetropolitan statistical area; and
(B) an area designated as a rural area by any law or regulation of a State; or
(C) a rural census tract of a metropolitan statistical area (as determined under the most recent rural urban commuting area code as set forth by the Office of Management and Budget).

(f) MATCH REQUIREMENT.—The Secretary may not award a grant under this section to an entity unless the entity agrees that the entity will make available (directly or through contributions from other public or private entities) non-Federal contributions toward the activities to be carried out under this section in an amount equal to 15 percent of the amount received under the grant; and

SA 3339. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3234 proposed by Mr. ROBERTS (for himself and Ms. STabenow) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

The amendment provided for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 4. IDENTIFICATION FOR CARD USE. Section 7(h)(9) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(9)) is amended—
(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;
(3) by inserting before clause (i) (as so redesignated) the following:

(A) LISTED BENEFICIARIES.—A State agency shall require that an electronic benefit card lists the names of—
(i) the head of the household;
(ii) each adult member of the household; and
(iii) each child that is not a member of the household that is authorized to use that card.

(B) PHOTOGRAPHIC IDENTIFICATION REQUIRED.—
(i) IN GENERAL.—Except as provided under clause (ii), any individual listed on an electronic benefit card under subparagraph (A) shall be required to show photographic identification at the point of sale when using the card.

(ii) HEAD OF HOUSEHOLD.—A head of a household is not required to show photographic identification under clause (i) if the electronic benefit card contains a photograph of that individual under subparagraph (C).

(C) OPTIONAL PHOTOGRAPHIC IDENTIFICATION.—
(4) by adding at the end the following:

(V) VISUAL VERIFICATION.—Any individual that is shown photographic identification or an electronic benefit card containing a photograph, as applicable, under subparagraph (B) shall visually confirm that the photograph on the identification or the electronic benefit card, as applicable, is a clear and accurate likeness of the individual using the electronic benefit card.

SA 3341. Mr. BENNET (for himself, Mr. BARRASSO, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STabenow) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VI, add the following:
SEC. 41. CATEGORICAL ELIGIBILITY.

(a) In General.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “Assistance” and inserting the following:

“(A) in the second sentence—Notwithstanding any other provision of law (including regulations), in carrying out any program under this Act under which the Secretary provides a loan or loan guarantee, the Secretary may provide such a loan or loan guarantee to facilities employing commercially demonstrated technologies for carbon dioxide capture and utilization.”;

(b) Authorization of Appropriations.—

Section 3 of the Rural Electrification Act of 1936 (7 U.S.C. 903) is amended—

(1) by striking “There are” and inserting the following:

“(a) In General.—Subject to subsection (b)(2), there are;” and

(2) by adding at the end the following:

“(b) LOANS FOR CARBON DIOXIDE CAPTURE AND UTILIZATION.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out section 20.

(2) SEPARATE APPROPRIATIONS.—The sums appropriated under paragraph (1) shall be separate and distinct from the sums appropriated under subsection (a).”.

SA 3342

Mr. BENNET (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

Strike paragraph (1) of section 903 and insert the following:

(1) [subsection (b)(2)---

(A) in subparagraph (A), by striking “produces an advanced biofuel;” and inserting the following: “produces any 1 or more, or a combination of—

“(i) an advanced biofuel;”

“(ii) a renewable chemical; or

“(iii) a biobased product;”;

(B) in subparagraph (B), by striking “produces an advanced biofuel.” and inserting the following: “produces any 1 or more, or a combination of—

“(i) an advanced biofuel;”

“(ii) a renewable chemical; or

“(iii) a biobased product;”; and

(C) by striking at the end the following:

“(C) a technology for the capture, compression, or utilization of carbon dioxide that is produced at a biorefinery producing an advanced biofuel, a renewable chemical, or a biobased product.”;

SA 3343.

Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. STABENOW) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

Subtitle A—Nutrition Assistance Block Grant Program

SEC. 4001. NUTRITION ASSISTANCE BLOCK GRANT PROGRAM.

(a) In General.—For each of fiscal years 2019 through 2023, the Secretary shall establish a nutrition assistance block grant program under which the Secretary shall make payment of grants to each participating State that establishes a nutrition assistance program in the State and submits to the Secretary annual reports under subsection (d). REQUISITES.—In the case of receiving grants under this section, the Governor of each participating State shall certify that the State nutrition assistance program includes—

(1) work requirements;

(2) mandatory drug testing;

(3) verification of citizenship or proof of lawful permanent residency of the United States; and

(4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2001 et seq.) as of May 31, 2021.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

(1) the amount made available under section 4002 for the applicable fiscal year; and

(2) the proportion of the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), including any revision required by that section) applicable to a family of the size involved; bears to the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

(1) In General.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the nutrition assistance program of the State, including the manner in which residents of the State qualify for the program;

(b) the cost the State incurs to administer the program;

(c) whether the State has established a rainy day fund for the nutrition assistance program of the State; and

(d) general statistics about participation in the nutrition assistance program.

(2) AUDIT.—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

(i) the results of the audit; and

(ii) the manner in which the State will carry out the supplemental nutrition assistance program in the State, including the manner in which the State will implement the program in the State, including eligibility and fraud prevention requirements.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide nutrition assistance to the legal residents of the State.

(2) AVAILABILITY OF FUNDS.—Grant funds made available to a State under this section shall—
(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 4002. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

(1) for fiscal year 2019, $33,750,000,000;

(2) for fiscal year 2020, $34,500,000,000;

(3) for fiscal year 2021, $35,300,000,000;

(4) for fiscal year 2022, $37,100,000,000;

(5) for fiscal year 2023, $38,800,000,000;

(6) for fiscal year 2024, $40,000,000,000;

(7) for fiscal year 2025, $42,000,000,000;

(8) for fiscal year 2026, $43,200,000,000;

(9) for fiscal year 2027, $45,000,000,000; and

(10) for fiscal year 2028, $46,300,000,000.

(b) ADJUSTMENT TO DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

"(G) NUTRITION ASSISTANCE BLOCK GRANT PROGRAM.—If a bill or joint resolution making appropriations for a fiscal year is enacted after that fiscal year, the amount for the nutrition assistance block grant program established under section 4001(a) of the Agriculture Improvement Act of 2018, the adjustment for that fiscal year shall be the additional new budget authority provided in that bill or joint resolution for that block grant program.".

SEC. 4003. REPEALS.

(a) IN GENERAL.—Effective September 30, 2018, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) shall be amended—

(1) by striking subparagraph (C).

(b) IN GENERAL.—Effective September 30, 2018, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c))) prior to the amendment made by paragraph (2).

(c) IN GENERAL.—Effective September 30, 2018, the Commodity Credit Corporation, the Secretary shall make available to carry out this section $19,000,000 for each of fiscal years 2018 through 2023.

SEC. 4004. BASELINE.

The amendment made by section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2018, no benefit shall be under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

SA 3345. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3224 proposed by Mr. ROBERTS (for himself and Ms. SMITH) to the bill H.R. 2, 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; which was ordered to lie on the table; as follows:

On page 669, strike lines 10 through 15 and insert the following:

"(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section $19,000,000 for each of fiscal years 2018 through 2023.

SEC. 4005. AUTHORITY FOR COMMITTEES TO MEET

Mrs. BLUNT. Mr. President, I have 8 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, June 27, 2018, at 2:30 p.m., to conduct a hearing entitled “Examining the Eligibility Requirements for the Radiation Exposure Compensation Program to Ensure all Downwinders Receive Coverage.”

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, June 27, 2018, at 2:30 p.m., to conduct a hearing on the nomination of Robert L. Wilkie, of North Carolina, to be Secretary of Veterans Affairs.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, June 27, 2018, at 2:15 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

The Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, June 27, 2018, at 10 a.m., to conduct a hearing entitled “Protecting our Elections: Examining Shell Companies and Virtual Currencies as Avenues for Foreign Interference.”

PRIVILEGES OF THE FLOOR

Mr. LANKFORD. Mr. President, I ask unanimous consent that the following individuals with the Committee on Agriculture, Nutrition, and Forestry be granted floor privileges for the duration of debate on the farm bill: detaillee Chu-Yuan Hwang and interns Lane Cobery, Hannah Taylor, and Clara Wicoff.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEITKAMP. Mr. President, I ask unanimous consent that Alexis Young, an intern in my office, be granted floor privileges for the duration of today’s session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOKER. Mr. President, I ask unanimous consent that two members of my staff, Lauren Tavar and Ariana Spawn, be granted floor privileges for the duration of the consideration of the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.