

117TH CONGRESS  
1ST SESSION

# S. 2243

To amend the Farm Security and Rural Investment Act of 2002 to improve the Rural Energy for America Program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 24, 2021

Ms. SMITH (for herself and Mr. LUJÁN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Farm Security and Rural Investment Act of 2002 to improve the Rural Energy for America Program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rural Energy for  
5 America Program (REAP) Improvement Act of 2021”.

6 **SEC. 2. RURAL ENERGY FOR AMERICA PROGRAM.**

7 (a) IN GENERAL.—Section 9007 of the Farm Secu-  
8 rity and Rural Investment Act of 2002 (7 U.S.C. 8107)  
9 is amended—

1 (1) in subsection (a)—

2 (A) by redesignating paragraphs (1) and  
3 (2) as subparagraphs (A) and (B), respectively,  
4 and indenting appropriately;

5 (B) in the matter preceding subparagraph  
6 (A) (as so redesignated), by striking “The Sec-  
7 retary” and inserting the following:

8 “(1) IN GENERAL.—The Secretary”;

9 (C) in paragraph (1) (as so designated), in  
10 the matter preceding subparagraph (A) (as so  
11 redesignated), by inserting “(referred to in this  
12 section as the ‘Program’)” after “Program”;  
13 and

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

15 “(2) CLIMATE BENEFITS.—In carrying out the  
16 Program, the Secretary shall promote the reduction  
17 of greenhouse gas emissions in projects funded by  
18 grants and other financial assistance under the Pro-  
19 gram.”;

20 (2) in subsection (b)—

21 (A) in paragraph (2)—

22 (i) in subparagraph (D), by striking  
23 “and” at the end;

24 (ii) by redesignating subparagraph  
25 (E) as subparagraph (G); and

1 (iii) by inserting after subparagraph

2 (D) the following:

3 “(E) a producer cooperative;

4 “(F) a nongovernmental organization;

5 and”; and

6 (B) in paragraph (3)—

7 (i) in subparagraph (E), by striking

8 “and” at the end;

9 (ii) in subparagraph (F), by striking

10 the period at the end and inserting “;

11 and”; and

12 (iii) by adding at the end the fol-

13 lowing:

14 “(G) the potential of the proposed program

15 to reduce greenhouse gas emissions and provide

16 other climate benefits.”;

17 (3) in subsection (c)—

18 (A) in paragraph (1)(A)—

19 (i) in clause (i), in the matter pre-

20 ceding subclause (I), by striking “pro-

21 ducers” and inserting “producers, producer

22 cooperatives, electric cooperatives,”; and

23 (ii) in clause (ii), in the matter pre-

24 ceding subclause (I), by striking “pro-

1           ducers” and inserting “producers, producer  
2           cooperatives, and electric cooperatives”;

3           (B) in paragraph (2)—

4                 (i) in subparagraph (F), by striking  
5                 “and” at the end;

6                 (ii) by redesignating subparagraph  
7                 (G) as subparagraph (H); and

8                 (iii) by inserting after subparagraph  
9                 (F) the following:

10                 “(G) the potential of the renewable energy  
11                 system to reduce greenhouse gas emissions and  
12                 result in other climate benefits; and”;

13                 (C) in paragraph (3)(A), by striking “25  
14                 percent” and inserting “50 percent”;

15                 (4) by redesignating subsections (d), (e), and  
16                 (f) as subsections (e), (f), and (i), respectively;

17                 (5) by inserting after subsection (c) the fol-  
18                 lowing:

19                 “(d) STREAMLINED APPLICATION PROCESS.—The  
20                 Office of Rural Development shall develop a streamlined  
21                 application process, including within each tier described  
22                 in subsection (c)(4), under which an entity may apply for  
23                 a grant under subsection (b), financial assistance under  
24                 subsection (c), or both.”;

25                 (6) in subsection (e) (as so redesignated)—

1 (A) in the subsection heading, by striking  
2 “OUTREACH” and inserting “OUTREACH,  
3 TECHNICAL ASSISTANCE, AND EDUCATION”;

4 (B) by striking “that adequate” and in-  
5 serting the following: “that—  
6 “(1) adequate”;

7 (C) in paragraph (1) (as so designated), by  
8 striking the period at the end and inserting “;  
9 and”; and

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

11 “(2) outreach, technical assistance, and edu-  
12 cation is provided to recipients of grants and other  
13 financial assistance under the Program relating to  
14 integrating renewable energy projects on land shared  
15 with crops or livestock.”;

16 (7) by inserting after subsection (f) (as so re-  
17 designated) the following:

18 “(g) STUDY.—

19 “(1) DEFINITION OF DUAL-USE ENERGY SYS-  
20 TEM.—In this subsection, the term ‘dual-use energy  
21 system’ means a system under which renewable en-  
22 ergy production and agricultural production, includ-  
23 ing crop or animal production, occur together on the  
24 same piece of land.

1           “(2) STUDY.—The Secretary shall carry out a  
2 study on dual-use energy systems.

3           “(3) REPORT.—Not later than 2 years after the  
4 date of enactment of the Rural Energy for America  
5 Program (REAP) Improvement Act of 2021, the  
6 Secretary shall submit to Congress a report on the  
7 results of the study carried out under paragraph (2),  
8 which shall include a recommendation as to whether  
9 the scope of grants and other financial assistance  
10 under the Program should be expanded to cover  
11 projects that generate more energy without signifi-  
12 cantly impacting farm operations or leading to the  
13 conversion of existing farm land.

14          “(h) ENERGY GENERATED.—There shall not be any  
15 restriction imposed on the quantity of energy that is gen-  
16 erated under a project funded by a grant or other financial  
17 assistance provided under the Program for the benefit of  
18 the recipient of the grant or other financial assistance.”;  
19 and

20           (8) in subsection (i) (as so redesignated)—

21           (A) in paragraph (1)—

22           (i) in the matter preceding subpara-  
23 graph (A), by striking “expended—” and  
24 all that follows through the period at the  
25 end of subparagraph (E) and inserting

1 “expended, \$150,000,000 for each of fiscal  
2 years 2021 through 2030.”;

3 (ii) by striking “Of the funds” and in-  
4 sserting the following:

5 “(A) IN GENERAL.—Of the funds”; and

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

8 “(B) ADDITIONAL FUNDS.—In addition to  
9 amounts made available under subparagraph  
10 (A), there is appropriated to the Secretary to  
11 carry out this section, out of funds in the  
12 Treasury not otherwise appropriated,  
13 \$1,000,000,000, to remain available until ex-  
14 pended.”;

15 (B) in paragraph (2)(A), by striking  
16 “paragraph (1)” and inserting “paragraph  
17 (1)(A)”; and

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

19 “(4) RESERVE FUND.—

20 “(A) IN GENERAL.—There is established a  
21 reserve fund for the purpose of providing grants  
22 and other financial assistance under the Pro-  
23 gram relating to underused renewable energy  
24 technologies.

1           “(B) FUNDS.—For each fiscal year, not  
2           less than 15 percent of the funds made avail-  
3           able under paragraphs (1)(A) and (3) to carry  
4           out this section for that fiscal year shall be  
5           transferred to the reserve fund established by  
6           subparagraph (A).”.

7           (b) CONFORMING AMENDMENTS.—Section 9007 of  
8           the Farm Security and Rural Investment Act of 2002 (7  
9           U.S.C. 8107) is amended by striking “subsection (f)” each  
10          place it appears and inserting “subsection (i)”.

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