

115TH CONGRESS
2D SESSION

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2018

Mr. CONAWAY introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

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

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

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

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

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

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

- Sec. 1111. Definitions.
- Sec. 1112. Base acres.
- Sec. 1113. Payment yields.
- Sec. 1114. Payment acres.
- Sec. 1115. Producer election.
- Sec. 1116. Price loss coverage.
- Sec. 1117. Agriculture risk coverage.
- Sec. 1118. Producer agreements.

Subtitle B—Marketing Loans

- Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commodities.
- Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
- Sec. 1203. Term of loans.
- Sec. 1204. Repayment of loans.
- Sec. 1205. Loan deficiency payments.
- Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.
- Sec. 1207. Special marketing loan provisions for upland cotton.
- Sec. 1208. Special competitive provisions for extra long staple cotton.
- Sec. 1209. Availability of recourse loans.
- Sec. 1210. Adjustments of loans.

Subtitle C—Sugar

- Sec. 1301. Sugar policy.

Subtitle D—Dairy Risk Management Program and Other Dairy Programs

- Sec. 1401. Dairy risk management program for dairy producers.
- Sec. 1402. Class I skim milk price.
- Sec. 1403. Extension of dairy forward pricing program.
- Sec. 1404. Extension of dairy indemnity program.
- Sec. 1405. Extension of dairy promotion and research program.
- Sec. 1406. Repeal of dairy product donation program.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

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

Subtitle F—Administration

- Sec. 1601. Administration generally.
- Sec. 1602. Suspension of permanent price support authority.
- Sec. 1603. Payment limitations.
- Sec. 1604. Adjusted gross income limitation.
- Sec. 1605. Prevention of deceased individuals receiving payments under farm commodity programs.
- Sec. 1606. Assignment of payments.
- Sec. 1607. Tracking of benefits.
- Sec. 1608. Signature authority.
- Sec. 1609. Personal liability of producers for deficiencies.
- Sec. 1610. Implementation.
- Sec. 1611. Exemption from certain reporting requirements for certain producers.

TITLE II—CONSERVATION

Subtitle A—Wetland Conservation

- Sec. 2101. Program ineligibility.
- Sec. 2102. Minimal effect regulations.

Subtitle B—Conservation Reserve Program

- Sec. 2201. Conservation reserve.
- Sec. 2202. Farmable wetland program.
- Sec. 2203. Duties of owners and operators.
- Sec. 2204. Duties of the Secretary.
- Sec. 2205. Payments.
- Sec. 2206. Contracts.

Subtitle C—Environmental Quality Incentives Program

- Sec. 2301. Definitions.
- Sec. 2302. Establishment and administration.
- Sec. 2303. Limitation on payments.
- Sec. 2304. Conservation innovation grants and payments.

Subtitle D—Other Conservation Programs

- Sec. 2401. Conservation of private grazing land.
- Sec. 2402. Grassroots source water protection program.
- Sec. 2403. Voluntary public access and habitat incentive program.
- Sec. 2404. Watershed protection and flood prevention.
- Sec. 2405. Feral swine eradication and control pilot program.

Subtitle E—Funding and Administration

- Sec. 2501. Commodity Credit Corporation.
- Sec. 2502. Delivery of technical assistance.
- Sec. 2503. Administrative requirements for conservation programs.
- Sec. 2504. Establishment of State technical committees.

Subtitle F—Agricultural Conservation Easement Program

- Sec. 2601. Establishment and purposes.
- Sec. 2602. Definitions.
- Sec. 2603. Agricultural land easements.
- Sec. 2604. Wetland reserve easements.
- Sec. 2605. Administration.

Subtitle G—Regional Conservation Partnership Program

- Sec. 2701. Definitions.
- Sec. 2702. Regional conservation partnerships.
- Sec. 2703. Assistance to producers.
- Sec. 2704. Funding.
- Sec. 2705. Administration.
- Sec. 2706. Critical conservation areas.

Subtitle H—Repeals and Transitional Provisions; Technical Amendments

- Sec. 2801. Repeal of conservation security and conservation stewardship programs.

- Sec. 2802. Repeal of terminal lakes assistance.
- Sec. 2803. Technical amendments.

TITLE III—TRADE

Subtitle A—Food for Peace Act

- Sec. 3001. Findings.
- Sec. 3002. Labeling requirements.
- Sec. 3003. Food aid quality assurance.
- Sec. 3004. Local sale and barter of commodities.
- Sec. 3005. Minimum levels of assistance.
- Sec. 3006. Extension of termination date of Food Aid Consultative Group.
- Sec. 3007. Issuance of regulations.
- Sec. 3008. Funding for program oversight, monitoring, and evaluation.
- Sec. 3009. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.
- Sec. 3010. Consideration of impact of provision of agricultural commodities and other assistance on local farmers and economy.
- Sec. 3011. Prepositioning of agricultural commodities.
- Sec. 3012. Annual report regarding food aid programs and activities.
- Sec. 3013. Deadline for agreements to finance sales or to provide other assistance.
- Sec. 3014. Minimum level of nonemergency food assistance.
- Sec. 3015. Termination date for micronutrient fortification programs.
- Sec. 3016. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.

Subtitle B—Agricultural Trade Act of 1978

- Sec. 3101. Findings.
- Sec. 3102. Consolidation of current programs as new International Market Development Program.

Subtitle C—Other Agricultural Trade Laws

- Sec. 3201. Local and regional food aid procurement projects.
- Sec. 3202. Promotion of agricultural exports to emerging markets.
- Sec. 3203. Bill Emerson Humanitarian Trust Act.
- Sec. 3204. Food for Progress Act of 1985.
- Sec. 3205. McGovern-Dole International Food for Education and Child Nutrition Program.
- Sec. 3206. Cochran fellowship program.
- Sec. 3207. Borlaug fellowship program.
- Sec. 3208. Global Crop Diversity Trust.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

- Sec. 4001. Duplicative enrollment database.
- Sec. 4002. Retailer-funded incentives pilot.
- Sec. 4003. Gus Schumacher food insecurity nutrition incentive program.
- Sec. 4004. Re-evaluation of thrifty food plan.
- Sec. 4005. Food distribution programs on Indian reservations.
- Sec. 4006. Update to categorical eligibility.
- Sec. 4007. Child support; cooperation with child support agencies.
- Sec. 4008. Basic allowance for housing.

- Sec. 4009. Earned income deduction.
- Sec. 4010. Simplified homeless housing costs.
- Sec. 4011. Availability of standard utility allowances based on receipt of energy assistance.
- Sec. 4012. Adjustment to asset limitations.
- Sec. 4013. Updated vehicle allowance.
- Sec. 4014. Savings excluded from assets.
- Sec. 4015. Workforce solutions.
- Sec. 4016. Modernization of electronic benefit transfer regulations.
- Sec. 4017. Mobile technologies.
- Sec. 4018. Processing fees.
- Sec. 4019. Replacement of EBT cards.
- Sec. 4020. Benefit recovery.
- Sec. 4021. Requirements for online acceptance of benefits.
- Sec. 4022. National gateway.
- Sec. 4023. Access to State systems.
- Sec. 4024. Transitional benefits.
- Sec. 4025. Incentivizing technology modernization.
- Sec. 4026. Supplemental nutrition assistance program benefit transfer transaction data report.
- Sec. 4027. Adjustment to percentage of recovered funds retained by States.
- Sec. 4028. Tolerance level for payment errors.
- Sec. 4029. State performance indicators.
- Sec. 4030. Public-private partnerships.
- Sec. 4031. Authorization of appropriations.
- Sec. 4032. Emergency food assistance.
- Sec. 4033. Nutrition education.
- Sec. 4034. Retail food store and recipient trafficking.
- Sec. 4035. Technical corrections.
- Sec. 4036. Implementation funds.

Subtitle B—Commodity Distribution Programs

- Sec. 4101. Commodity distribution program.
- Sec. 4102. Commodity supplemental food program.
- Sec. 4103. Distribution of surplus commodities to special nutrition projects.

Subtitle C—Miscellaneous

- Sec. 4201. Purchase of fresh fruits and vegetables for distribution to schools and service institutions.
- Sec. 4202. Seniors farmers' market nutrition program.
- Sec. 4203. Healthy food financing initiative.
- Sec. 4204. Amendments to the fruit and vegetable school lunch program.

TITLE V—CREDIT

Subtitle A—Farm Ownership Loans

- Sec. 5101. Modification of the 3-year experience eligibility requirement for farm ownership loans.
- Sec. 5102. Conservation loan and loan guarantee program.
- Sec. 5103. Farm ownership loan limits.

Subtitle B—Operating Loans

- Sec. 5201. Limitations on amount of operating loans.

Sec. 5202. Microloans.

Subtitle C—Administrative Provisions

Sec. 5301. Beginning farmer and rancher individual development accounts pilot program.

Sec. 5302. Loan authorization levels.

Sec. 5303. Loan fund set-asides.

Subtitle D—Technical Corrections to the Consolidated Farm and Rural Development Act

Sec. 5401. Technical corrections to the Consolidated Farm and Rural Development Act.

Subtitle E—Amendments to the Farm Credit Act of 1971

Sec. 5501. Elimination of obsolete references.

Sec. 5502. Conforming repeals.

Sec. 5503. Facility headquarters.

Sec. 5504. Sharing privileged and confidential information.

Sec. 5505. Scope of jurisdiction.

Sec. 5506. Definition.

Sec. 5507. Expansion of acreage exception to loan amount limitation.

Sec. 5508. Compensation of bank directors.

Sec. 5509. Prohibition on use of funds.

Subtitle F—Miscellaneous

Sec. 5601. State agricultural mediation programs.

Sec. 5602. Study on loan risk.

TITLE VI—RURAL INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

Subtitle A—Improving Health Outcomes in Rural Communities

Sec. 6001. Prioritizing projects to meet health crises in rural America.

Sec. 6002. Distance learning and telemedicine.

Sec. 6003. Reauthorization of the Farm and Ranch Stress Assistance Network.

Sec. 6004. Supporting agricultural association health plans.

Subtitle B—Connecting Rural Americans to High Speed Broadband

Sec. 6101. Establishing forward-looking broadband standards.

Sec. 6102. Incentives for hard to reach communities.

Sec. 6103. Requiring guaranteed broadband lending.

Sec. 6104. Smart utility authority for broadband.

Sec. 6105. Modifications to the Rural Gigabit Program.

Sec. 6106. Unified broadband reporting requirements.

Sec. 6107. Improving access by providing certainty to broadband borrowers.

Sec. 6108. Simplified application window.

Sec. 6109. Elimination of requirement to give priority to certain applicants.

Sec. 6110. Modification of buildout requirement.

Sec. 6111. Improving borrower refinancing options.

Sec. 6112. Elimination of unnecessary reporting requirements.

Sec. 6113. Access to broadband telecommunications services in rural areas.

Sec. 6114. Effective date.

Subtitle C—Consolidated Farm and Rural Development Act

- Sec. 6201. Strengthening regional economic development incentives.
- Sec. 6202. Expanding access to credit for rural communities.
- Sec. 6203. Providing for additional fees for guaranteed loans.
- Sec. 6204. Water, waste disposal, and wastewater facility grants.
- Sec. 6205. Rural water and wastewater technical assistance and training programs.
- Sec. 6206. Rural water and wastewater circuit rider program.
- Sec. 6207. Tribal college and university essential community facilities.
- Sec. 6208. Emergency and imminent community water assistance grant program.
- Sec. 6209. Water systems for rural and native villages in Alaska.
- Sec. 6210. Household water well systems.
- Sec. 6211. Solid waste management grants.
- Sec. 6212. Rural business development grants.
- Sec. 6213. Rural cooperative development grants.
- Sec. 6214. Locally or regionally produced agricultural food products.
- Sec. 6215. Appropriate technology transfer for rural areas program.
- Sec. 6216. Rural economic area partnership zones.
- Sec. 6217. Intermediary relending program.
- Sec. 6218. Exclusion of prison populations from definition of rural area.
- Sec. 6219. National Rural Development Partnership.
- Sec. 6220. Grants for NOAA weather radio transmitters.
- Sec. 6221. Rural microentrepreneur assistance program.
- Sec. 6222. Health care services.
- Sec. 6223. Delta Regional Authority.
- Sec. 6224. Northern Great Plains Regional Authority.
- Sec. 6225. Rural business investment program.

Subtitle D—Rural Electrification Act of 1936

- Sec. 6301. Guarantees for bonds and notes issued for electrification or telephone purposes.
- Sec. 6302. Expansion of 911 access.
- Sec. 6303. Improvements to the guaranteed underwriter program.
- Sec. 6304. Extension of the rural economic development loan and grant program.

Subtitle E—Farm Security and Rural Investment Act of 2002

- Sec. 6401. Rural energy savings program.
- Sec. 6402. Biobased markets program.
- Sec. 6403. Biorefinery, renewable, chemical, and biobased product manufacturing assistance.
- Sec. 6404. Repowering assistance program.
- Sec. 6405. Bioenergy program for advanced biofuels.
- Sec. 6406. Biodiesel fuel education program.
- Sec. 6407. Rural Energy for America Program.
- Sec. 6408. Rural Energy Self-Sufficiency Initiative.
- Sec. 6409. Feedstock flexibility.
- Sec. 6410. Biomass Crop Assistance Program.

Subtitle F—Miscellaneous

- Sec. 6501. Value-added agricultural product market development grants.
- Sec. 6502. Agriculture innovation center demonstration program.

- Sec. 6503. Regional economic and infrastructure development commissions.
- Sec. 6504. Definition of rural area for purposes of the Housing Act of 1949.

Subtitle G—Program Repeals

- Sec. 6601. Elimination of unfunded programs.
- Sec. 6602. Repeal of Rural Telephone Bank.
- Sec. 6603. Amendments to LOCAL TV Act.

Subtitle H—Technical Corrections

- Sec. 6701. Corrections relating to the Consolidated Farm and Rural Development Act.
- Sec. 6702. Corrections relating to the Rural Electrification Act of 1936.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

- Sec. 7101. International agriculture research.
- Sec. 7102. Matters related to certain school designations and declarations.
- Sec. 7103. National Agricultural Research, Extension, Education, and Economics Advisory Board.
- Sec. 7104. Specialty crop committee.
- Sec. 7105. Renewable energy committee discontinued.
- Sec. 7106. Report on allocations and matching funds for 1890 institutions.
- Sec. 7107. Grants and fellowships for food and agriculture sciences education.
- Sec. 7108. Agricultural and food policy research centers.
- Sec. 7109. Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions.
- Sec. 7110. Repeal of nutrition education program.
- Sec. 7111. Continuing animal health and disease research programs.
- Sec. 7112. Extension carryover at 1890 land-grant colleges, including Tuskegee University.
- Sec. 7113. Scholarships for students at 1890 institutions.
- Sec. 7114. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.
- Sec. 7115. Grants to upgrade agriculture and food sciences facilities and equipment at insular area land-grant institutions.
- Sec. 7116. Hispanic-serving institutions.
- Sec. 7117. Land-grant designation.
- Sec. 7118. Competitive grants for international agricultural science and education programs.
- Sec. 7119. Limitation on indirect costs for agricultural research, education, and extension programs.
- Sec. 7120. Research equipment grants.
- Sec. 7121. University research.
- Sec. 7122. Extension service.
- Sec. 7123. Supplemental and alternative crops.
- Sec. 7124. Capacity building grants for NLGCA institutions.
- Sec. 7125. Aquaculture assistance programs.
- Sec. 7126. Rangeland research programs.
- Sec. 7127. Special authorization for biosecurity planning and response.
- Sec. 7128. Distance education and resident instruction grants program for insular area institutions of higher education.
- Sec. 7129. Removal of matching funds requirement for certain grants.

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

- Sec. 7201. Best utilization of biological applications.
- Sec. 7202. Integrated management systems.
- Sec. 7203. Sustainable agriculture technology development and transfer program.
- Sec. 7204. National training program.
- Sec. 7205. National Genetics Resources Program.
- Sec. 7206. National Agricultural Weather Information System.
- Sec. 7207. Agricultural genome to phenome initiative.
- Sec. 7208. High-priority research and extension initiatives.
- Sec. 7209. Organic agriculture research and extension initiative.
- Sec. 7210. Farm business management.
- Sec. 7211. Clarification of veteran eligibility for assistive technology program for farmers with disabilities.
- Sec. 7212. National Rural Information Center Clearinghouse.

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

- Sec. 7301. National food safety training, education, extension, outreach, and technical assistance program.
- Sec. 7302. Integrated research, education, and extension competitive grants program.
- Sec. 7303. Support for research regarding diseases of wheat, triticale, and barley caused by *Fusarium graminearum* or by *Tilletia indica*.
- Sec. 7304. Grants for youth organizations.
- Sec. 7305. Specialty crop research initiative.
- Sec. 7306. Food Animal Residue Avoidance Database program.
- Sec. 7307. Office of Pest Management Policy.
- Sec. 7308. Forestry products advanced utilization research.

Subtitle D—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

- Sec. 7401. Agricultural biosecurity communication center.
- Sec. 7402. Assistance to build local capacity in agricultural biosecurity planning, preparation, and response.
- Sec. 7403. Research and development of agricultural countermeasures.
- Sec. 7404. Agricultural biosecurity grant program.

PART II—MISCELLANEOUS

- Sec. 7411. Grazinglands research laboratory.
- Sec. 7412. Natural products research program.
- Sec. 7413. Sun grant program.

Subtitle E—Amendments to Other Laws

- Sec. 7501. Critical Agricultural Materials Act.
- Sec. 7502. Equity in Educational Land-Grant Status Act of 1994.
- Sec. 7503. Research Facilities Act.
- Sec. 7504. Competitive, Special, and Facilities Research Grant Act.
- Sec. 7505. Renewable Resources Extension Act of 1978.
- Sec. 7506. National Aquaculture Act of 1980.
- Sec. 7507. Beginning farmer and rancher development program.

- Sec. 7508. Federal agriculture research facilities.
- Sec. 7509. Biomass research and development.

Subtitle F—Other Matters

- Sec. 7601. Enhanced use lease authority program.
- Sec. 7602. Functions and Duties of the Under Secretary.
- Sec. 7603. Reinstatement of District of Columbia matching requirement for certain land-grant university assistance.
- Sec. 7604. Farmland tenure, transition, and entry data initiative.
- Sec. 7605. Transfer of administrative jurisdiction, portion of Henry A. Wallace Beltsville Agricultural Research Center, Beltsville, Maryland.
- Sec. 7606. Simplified plan of work.
- Sec. 7607. Time and effort reporting exemption.

TITLE VIII—FORESTRY

Subtitle A—Reauthorization and Modification of Certain Forestry Programs

- Sec. 8101. Support for State assessments and strategies for forest resources.
- Sec. 8102. Forest legacy program.
- Sec. 8103. Community forest and open space conservation program.
- Sec. 8104. State and private forest landscape-scale restoration program.
- Sec. 8105. Rural revitalization technologies.
- Sec. 8106. Community wood energy and wood innovation program.
- Sec. 8107. Healthy Forests Restoration Act of 2003 amendments.
- Sec. 8108. National Forest Foundation Act authorities.

Subtitle B—Secure Rural Schools and Community Self-Determination Act of 2000 Amendments

- Sec. 8201. Use of reserved funds for title II projects on Federal land and certain non-Federal land.
- Sec. 8202. Resource advisory committees.
- Sec. 8203. Program for title II self-sustaining resource advisory committee projects.

Subtitle C—Availability of Categorical Exclusions To Expedite Forest Management Activities

PART I—GENERAL PROVISIONS

- Sec. 8301. Definitions.
- Sec. 8302. Rule of application for National Forest System lands and public lands.
- Sec. 8303. Consultation under the Endangered Species Act.
- Sec. 8304. Secretarial discretion in the case of two or more categorical exclusions.

PART II—CATEGORICAL EXCLUSIONS

- Sec. 8311. Categorical exclusion to expedite certain critical response actions.
- Sec. 8312. Categorical exclusion to expedite salvage operations in response to catastrophic events.
- Sec. 8313. Categorical exclusion to meet forest plan goals for early successional forests.
- Sec. 8314. Categorical exclusion for hazard trees.

- Sec. 8315. Categorical exclusion to improve or restore National Forest System lands or public land or reduce the risk of wildfire.
- Sec. 8316. Categorical exclusion for forest restoration.
- Sec. 8317. Categorical exclusion for infrastructure forest management activities.
- Sec. 8318. Categorical exclusion for developed recreation sites.
- Sec. 8319. Categorical exclusion for administrative sites.
- Sec. 8320. Categorical exclusion for special use authorizations.
- Sec. 8321. Clarification of existing categorical exclusion authority related to insect and disease infestation.

PART III—MISCELLANEOUS FOREST MANAGEMENT ACTIVITIES

- Sec. 8331. Good neighbor agreements.
- Sec. 8332. Promoting cross-boundary wildfire mitigation.
- Sec. 8333. Regulations regarding designation of dead or dying trees of certain tree species on National Forest System lands in California as exempt from prohibition on export of unprocessed timber originating from Federal lands.

Subtitle D—Tribal Forestry Participation and Protection

- Sec. 8401. Protection of Tribal forest assets through use of stewardship end result contracting and other authorities.
- Sec. 8402. Management of Indian forest land authorized to include related National Forest System lands and public lands.
- Sec. 8403. Tribal forest management demonstration project.

Subtitle E—Other Matters

- Sec. 8501. Clarification of research and development program for wood building construction.
- Sec. 8502. Utility infrastructure rights-of-way vegetation management pilot program.
- Sec. 8503. Revision of extraordinary circumstances regulations.
- Sec. 8504. No loss of funds for wildfire suppression.
- Sec. 8505. Technical corrections.

TITLE IX—HORTICULTURE

Subtitle A—Horticulture Marketing and Information

- Sec. 9001. Specialty crops market news allocation.
- Sec. 9002. Farmers' Market and Local Food Promotion Program.
- Sec. 9003. Food safety education initiatives.
- Sec. 9004. Specialty crop block grants.
- Sec. 9005. Amendments to the Plant Variety Protection Act.
- Sec. 9006. Organic programs.

Subtitle B—Regulatory Reform

PART I—STATE LEAD AGENCIES UNDER FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

- Sec. 9101. Recognition and role of State lead agencies.

PART II—PESTICIDE REGISTRATION AND USE

- Sec. 9111. Registration of pesticides.
- Sec. 9112. Experimental use permits.
- Sec. 9113. Administrative review; suspension.
- Sec. 9114. Unlawful acts.
- Sec. 9115. Authority of States.
- Sec. 9116. Regulations.
- Sec. 9117. Use of authorized pesticides.
- Sec. 9118. Discharges of pesticides.
- Sec. 9119. Enactment of Pesticide Registration Improvement Enhancement Act of 2017.

PART III—AMENDMENTS TO THE PLANT PROTECTION ACT

- Sec. 9121. Methyl bromide.

PART IV—AMENDMENTS TO OTHER LAWS

- Sec. 9131. Definition of retail facilities.

Subtitle C—Other Matters

- Sec. 9201. Report on regulation of plant biostimulants.
- Sec. 9202. Pecan marketing orders.
- Sec. 9203. Report on honey and maple syrup.

TITLE X—CROP INSURANCE

- Sec. 10001. Treatment of forage and grazing.
- Sec. 10002. Administrative basic fee.
- Sec. 10003. Prevention of duplicative coverage.
- Sec. 10004. Repeal of unused authority.
- Sec. 10005. Continued authority.
- Sec. 10006. Program administration.
- Sec. 10007. Maintenance of policies.
- Sec. 10008. Research and development priorities.
- Sec. 10009. Extension of funding for research and development.
- Sec. 10010. Education and risk management assistance.

TITLE XI—MISCELLANEOUS

Subtitle A—Livestock

- Sec. 11101. Animal Disease Preparedness and Response.
- Sec. 11102. National Aquatic Animal Health Plan.
- Sec. 11103. Veterinary training.
- Sec. 11104. Report on FSIS guidance and outreach to small meat processors.

Subtitle B—Beginning, Socially Disadvantaged, and Veteran Producers

- Sec. 11201. Outreach and assistance for socially disadvantaged farmers and ranchers and veteran farmers and ranchers.
- Sec. 11202. Office of Partnerships and Public Engagement.
- Sec. 11203. Commission on Farm Transitions—Needs for 2050.
- Sec. 11204. Agricultural youth organization coordinator.

Subtitle C—Textiles

- Sec. 11301. Repeal of Pima Agriculture Cotton Trust Fund.
- Sec. 11302. Repeal of Agriculture Wool Apparel Manufacturers Trust Fund.

Sec. 11303. Repeal of wool research and promotion grants funding.
 Sec. 11304. Textile Trust Fund.

Subtitle D—United States Grain Standards Act

Sec. 11401. Restoring certain exceptions to United States Grain Standards Act.

Subtitle E—Noninsured Crop Disaster Assistance Program

Sec. 11501. Eligible crops.
 Sec. 11502. Service fee.
 Sec. 11503. Payments equivalent to additional coverage.

Subtitle F—Other Matters

Sec. 11601. Under Secretary of Agriculture for Farm Production and Conservation.
 Sec. 11602. Authority of Secretary to carry out certain programs under Department of Agriculture Reorganization Act of 1994.
 Sec. 11603. Conference report requirement threshold.
 Sec. 11604. National agriculture imagery program.
 Sec. 11605. Report on inclusion of natural stone products in Commodity Promotion, Research, and Information Act of 1996.
 Sec. 11606. South Carolina inclusion in Virginia/Carolina peanut producing region.
 Sec. 11607. Establishment of Food Loss and Waste Reduction Liaison.
 Sec. 11608. Cotton classification services.

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

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

4 **TITLE I—COMMODITIES**

5 **Subtitle A—Commodity Policy**

6 **SEC. 1111. DEFINITIONS.**

7 In this subtitle and subtitle B:

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

1 (2) AGRICULTURE RISK COVERAGE.—The term
2 “agriculture risk coverage” means coverage provided
3 under section 1117.

4 (3) AGRICULTURE RISK COVERAGE GUAR-
5 ANTEE.—The term “agriculture risk coverage guar-
6 antee”, with respect to a covered commodity for a
7 crop year, means the amount determined by the Sec-
8 retary under section 1117(c).

9 (4) BASE ACRES.—The term “base acres” has
10 the meaning given the term in section 1111(4)(A) of
11 the Agricultural Act of 2014 (7 U.S.C. 9011(4)(A)),
12 subject to any reallocation, adjustment, or reduction
13 under section 1112.

14 (5) COVERED COMMODITY.—The term “covered
15 commodity” means wheat, oats, and barley (includ-
16 ing wheat, oats, and barley used for haying and
17 grazing), corn, grain sorghum, long grain rice, me-
18 dium grain rice, pulse crops, soybeans, other oil-
19 seeds, seed cotton, and peanuts.

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

1 (7) EFFECTIVE REFERENCE PRICE.—The term
2 “effective reference price”, with respect to a covered
3 commodity for a crop year, means the lesser of the
4 following:

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

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

8 (i) the reference price for such cov-
9 ered commodity; or

10 (ii) 85 percent of the average of the
11 marketing year average price of the cov-
12 ered commodity for the most recent 5 crop
13 years, excluding each of the crop years
14 with the highest and lowest marketing year
15 average price.

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

18 (A) is produced from pure strain varieties
19 of the barbadense species or any hybrid of the
20 species, or other similar types of extra long sta-
21 ple cotton, designated by the Secretary, having
22 characteristics needed for various end uses for
23 which United States upland cotton is not suit-
24 able and grown in irrigated cotton-growing re-
25 gions of the United States designated by the

1 Secretary or other areas designated by the Sec-
2 retary as suitable for the production of the vari-
3 eties or types; and

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

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

12 (10) MEDIUM GRAIN RICE.—The term “medium
13 grain rice” includes short grain rice and temperate
14 japonica rice.

15 (11) OTHER OILSEED.—The term “other oil-
16 seed” means a crop of sunflower seed, rapeseed,
17 canola, safflower, flaxseed, mustard seed, crambe,
18 sesame seed, or any oilseed designated by the Sec-
19 retary.

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

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

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

6 (B) means the yield established under sec-
7 tion 1113.

8 (14) PRICE LOSS COVERAGE.—The term “price
9 loss coverage” means coverage provided under sec-
10 tion 1116.

11 (15) PRODUCER.—

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

18 (B) HYBRID SEED.—In determining
19 whether a grower of hybrid seed is a producer,
20 the Secretary shall—

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

23 (ii) ensure that program requirements
24 do not adversely affect the ability of the

1 grower to receive a payment under this
2 title.

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

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

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

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

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

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

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

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

16 (G) For medium grain rice, \$14.00 per
17 hundredweight.

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

19 (I) For other oilseeds, \$20.15 per hundred-
20 weight.

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

22 (K) For dry peas, \$11.00 per hundred-
23 weight.

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

1 (M) For small chickpeas, \$19.04 per hun-
2 dredweight.

3 (N) For large chickpeas, \$21.54 per hun-
4 dredweight.

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

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

8 (19) SEED COTTON.—The term “seed cotton”
9 means unginmed upland cotton that includes both
10 lint and seed.

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

12 (A) a State;

13 (B) the District of Columbia;

14 (C) the Commonwealth of Puerto Rico;
15 and

16 (D) any other territory or possession of the
17 United States.

18 (21) TEMPERATE JAPONICA RICE.—The term
19 “temperate japonica rice” means rice that is grown
20 in high altitudes or temperate regions of high lati-
21 tudes with cooler climate conditions, in the Western
22 United States, as determined by the Secretary, for
23 the purpose of—

1 (A) the establishment of a reference price
 2 (as required under section 1116(g)) and an ef-
 3 fective price pursuant to section 1116; and

4 (B) the determination of the actual crop
 5 revenue and agriculture risk coverage guarantee
 6 pursuant to section 1117.

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

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

14 (24) UNITED STATES PREMIUM FACTOR.—The
 15 term “United States Premium Factor” means the
 16 percentage by which the difference in the United
 17 States loan schedule premiums for Strict Middling
 18 (SM) 1¹/₈-inch upland cotton and for Middling (M)
 19 1³/₃₂-inch upland cotton exceeds the difference in the
 20 applicable premiums for comparable international
 21 qualities.

22 **SEC. 1112. BASE ACRES.**

23 (a) ADJUSTMENT OF BASE ACRES.—

24 (1) IN GENERAL.—The Secretary shall provide
 25 for an adjustment, as appropriate, in the base acres

1 for covered commodities for a farm whenever any of
2 the following circumstances occur:

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

7 (B) Cropland is released from coverage
8 under a conservation reserve contract by the
9 Secretary.

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

17 (2) SPECIAL CONSERVATION RESERVE ACREAGE
18 PAYMENT RULES.—For the crop year in which a
19 base acres adjustment under subparagraph (A) or
20 (B) of paragraph (1) is first made, the owner of the
21 farm shall elect to receive price loss coverage or ag-
22 riculture risk coverage with respect to the acreage
23 added to the farm under this subsection or a pro-
24 rated payment under the conservation reserve con-
25 tract, but not both.

1 (b) PREVENTION OF EXCESS BASE ACRES.—

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

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

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

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

22 (C) If the Secretary designates additional
23 oilseeds, any eligible oilseed acreage, which shall
24 be determined in the same manner as eligible
25 oilseed acreage under subsection (a)(1)(C).

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

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

10 (c) REDUCTION IN BASE ACRES.—

11 (1) REDUCTION AT OPTION OF OWNER.—

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

15 (B) EFFECT OF REDUCTION.—A reduction
 16 under subparagraph (A) shall be permanent
 17 and made in a manner prescribed by the Sec-
 18 retary.

19 (2) REQUIRED ACTION BY SECRETARY.—

20 (A) IN GENERAL.—The Secretary shall
 21 proportionately reduce base acres on a farm for
 22 land that has been subdivided and developed for
 23 multiple residential units or other nonfarming
 24 uses if the size of the tracts and the density of
 25 the subdivision is such that the land is unlikely

to return to the previous agricultural use, unless the producers on the farm demonstrate that the land—

(i) remains devoted to commercial agricultural production; or

(ii) is likely to be returned to the previous agricultural use.

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

(3) TREATMENT OF UNPLANTED BASE.—In the case of a farm on which no covered commodities (including seed cotton) were planted or prevented from being planted during the period beginning on January 1, 2009, and ending on December 31, 2017, the Secretary shall allocate all base acres on the farm to unassigned crop base for which no payment shall be made under section 1116 or 1117.

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

SEC. 1113. PAYMENT YIELDS.

(a) TREATMENT OF DESIGNATED OILSEEDS.—

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

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

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

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

19 (1) ESTABLISHMENT BY SECRETARY.—In the
20 case of a covered commodity on a farm for which
21 base acres have been established, if no payment yield
22 is otherwise established for the covered commodity
23 on the farm, the Secretary shall establish an appro-
24 priate payment yield for the covered commodity on
25 the farm under paragraph (2).

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

10 (c) SINGLE OPPORTUNITY TO UPDATE YIELDS IN
11 COUNTIES AFFECTED BY DROUGHT.—

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

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

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

22 (4) UPLAND COTTON CONVERSION.—In the
23 case of seed cotton, for purposes of determining the
24 average of the yield per planted acre under para-
25 graph (2), the average yield for seed cotton per

1 planted acre shall be equal to 2.4 times the average
2 yield for upland cotton per planted acre.

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

7 **SEC. 1114. PAYMENT ACRES.**

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

13 (b) EFFECT OF MINIMAL PAYMENT ACRES.—

14 (1) PROHIBITION ON PAYMENTS.—Notwith-
15 standing any other provision of this title, a producer
16 on a farm may not receive price loss coverage pay-
17 ments or agriculture risk coverage payments if the
18 sum of the base acres on the farm is 10 acres or
19 less, as determined by the Secretary, unless the sum
20 of the base acres on the farm, when combined with
21 the base acres of other farms in which the producer
22 has an interest, is more than 10 acres.

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

1 (A) a socially disadvantaged farmer or
2 rancher (as defined in section 355(e) of the
3 Consolidated Farm and Rural Development Act
4 (7 U.S.C. 2003(e))); or

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

7 (c) EFFECT OF PLANTING FRUITS AND VEGETA-
8 BLES.—

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

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

22 (3) REDUCTION EXCEPTIONS.—No reduction to
23 payment acres shall be made under this subsection
24 if—

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

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

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

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

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

23 (2) section 1112(a) of the Agricultural Act of
24 2014 (7 U.S.C. 9012(a)).

1 **SEC. 1115. PRODUCER ELECTION.**

2 (a) ELECTION REQUIRED.—For the 2019 through
3 2023 crop years, all of the producers on a farm shall make
4 a 1-time, irrevocable election to obtain on a covered-com-
5 modity-by-covered-commodity basis—

- 6 (1) price loss coverage under section 1116; or
7 (2) agriculture risk coverage under section
8 1117.

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

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

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

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

24 **SEC. 1116. PRICE LOSS COVERAGE.**

25 (a) PRICE LOSS COVERAGE PAYMENTS.—If all of the
26 producers on a farm make the election under subsection

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

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

10 (2) the effective reference price for the covered
 11 commodity for the crop year.

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

14 (1) the marketing year average price; or

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

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

20 (1) the effective reference price for the covered
 21 commodity; and

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

24 (d) PAYMENT AMOUNT.—If price loss coverage pay-
 25 ments are required to be provided under this section for

1 any of the 2019 through 2023 crop years for a covered
 2 commodity, the amount of the price loss coverage payment
 3 to be paid to the producers on a farm for the crop year
 4 shall be equal to the product obtained by multiplying—

5 (1) the payment rate for the covered commodity
 6 under subsection (c);

7 (2) the payment yield for the covered com-
 8 modity; and

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

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

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

20 (g) REFERENCE PRICE FOR TEMPERATE JAPONICA
 21 RICE.—In order to reflect price premiums, the Secretary
 22 shall provide a reference price with respect to temperate
 23 japonica rice in an amount equal to the amount estab-
 24 lished under subparagraph (F) of section 1111(17), as ad-

1 justed by paragraph (7) of such section, multiplied by the
2 ratio obtained by dividing—

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

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

9 **SEC. 1117. AGRICULTURE RISK COVERAGE.**

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

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

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

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

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

4 (2) the higher of—

5 (A) the marketing year average price; or

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

10 (c) AGRICULTURE RISK COVERAGE GUARANTEE.—

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

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

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

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

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

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

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

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

21 (1) the amount that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

10 (1) TERMINATION.—

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

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

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

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

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

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

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

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

1 **Subtitle B—Marketing Loans**

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

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

12 (b) NONRECOURSE LOANS AVAILABLE.—

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

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

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

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

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

12 (e) SPECIAL RULES FOR PEANUTS.—

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

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

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

23 (B) the Farm Service Agency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (A) Sunflower seed.

8 (B) Rapeseed.

9 (C) Canola.

10 (D) Safflower.

11 (E) Flaxseed.

12 (F) Mustard seed.

13 (G) Crambe.

14 (H) Sesame seed.

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

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

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

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

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

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

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

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

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

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

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

12 (c) RULE FOR SEED COTTON.—

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

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

21 **SEC. 1203. TERM OF LOANS.**

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

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

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

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

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

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

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

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

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

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

8 (A) minimize potential loan forfeitures;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Secretary determines the adjustment is nec-
2 essary—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (A) minimize potential loan forfeitures;

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

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

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

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

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

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

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

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

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

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

18 (A) MARKETING ASSISTANCE LOANS.—

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

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

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

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

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

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

15 (c) PAYMENT RATE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (a) ELIGIBLE PRODUCERS.—

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

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

25 (b) PAYMENT AMOUNT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (2) AVAILABILITY.—

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

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

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

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

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

16 (a) SPECIAL IMPORT QUOTA.—

17 (1) DEFINITION OF SPECIAL IMPORT QUOTA.—

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

21 (2) ESTABLISHMENT.—

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

1 (B) PROGRAM REQUIREMENTS.—Whenever
2 the Secretary determines and announces that
3 for any consecutive 4-week period, the Friday
4 through Thursday average price quotation for
5 the lowest priced United States growth, as
6 quoted for Middling (M) 1³/₃₂-inch upland cot-
7 ton, delivered to a definable and significant
8 international market, as determined by the Sec-
9 retary, exceeds the prevailing world market
10 price, there shall immediately be in effect a spe-
11 cial import quota.

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

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

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

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

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

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

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

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

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

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

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

1 (1) DEFINITIONS.—In this subsection:

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

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

11 (ii) the larger of—

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

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

19 (B) LIMITED GLOBAL IMPORT QUOTA.—

20 The term “limited global import quota” means
21 a quantity of imports that is not subject to the
22 over-quota tariff rate of a tariff-rate quota.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (a) HIGH MOISTURE FEED GRAINS.—

17 (1) DEFINITION OF HIGH MOISTURE STATE.—

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

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

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

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

6 (B) present—

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

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

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

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

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

9 (3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—

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

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

17 (B) the lower of—

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

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

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

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

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

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

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

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

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

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

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

20 (d) ADJUSTMENT ON COUNTY BASIS.—

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

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

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

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

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

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

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

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

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

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

3 (3) CONSULTATION WITH PRIVATE SECTOR.—

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

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

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

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

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

8 **Subtitle C—Sugar**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (g) DAIRY RISK MANAGEMENT PAYMENTS.—

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

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

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

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

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

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

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

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

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

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

“Coverage Level	Premium per Cwt.
\$4.00	None
\$4.50	\$0.002
\$5.00	\$0.005
\$5.50	\$0.008
\$6.00	\$0.010
\$6.50	\$0.017
\$7.00	\$0.041
\$7.50	\$0.057
\$8.00	\$0.090
\$8.50	\$0.120
\$9.00	\$0.170”;

1 and

2 (B) by striking paragraph (3).

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

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

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

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

15 (2) DEFINITIONS.—Section 1401 of the Agri-
16 cultural Act of 2014 (7 U.S.C. 9051) is amended—
17 (A) by striking paragraphs (5) and (6) and
18 inserting the following new paragraphs:

1 “(5) DAIRY RISK MANAGEMENT PROGRAM.—

2 The terms ‘dairy risk management program’ and
3 ‘program’ mean the dairy risk management program
4 required by section 1403.

5 “(6) DAIRY RISK MANAGEMENT PAYMENT.—

6 The term ‘dairy risk management payment’ means a
7 payment made to a participating dairy operation
8 under the program pursuant to section 1406.”; and

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

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

16 (4) PROGRAM OPERATION.—Section 1403 of
17 the Agricultural Act of 2014 (7 U.S.C. 9053) is
18 amended—

19 (A) in the section heading, by striking

20 “**ESTABLISHMENT OF MARGIN PROTEC-**
21 **TION**” and inserting “**DAIRY RISK MANAGE-**
22 **MENT**”;

23 (B) by striking “Not later than September
24 1, 2014, the Secretary shall establish and ad-
25 minister a margin protection program” and in-

serting “The Secretary shall continue to administer a dairy risk management program”; and

(C) by striking “margin protection payment” both places it appears and inserting “dairy risk management payment”.

(5) PARTICIPATION.—Section 1404 of the Agricultural Act of 2014 (7 U.S.C. 9054) is amended—

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

(B) in subsection (a), by striking “margin protection program to receive margin protection payments” and inserting “dairy risk management program to receive dairy risk management payments”; and

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

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

(A) in subsection (a)(1)—

(i) by striking “margin protection program” the first place it appears and inserting “dairy risk management program”; and

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

3 (B) in subsection (c), by striking “margin
4 protection”.

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

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

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

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

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

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

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

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

1 (9) PENALTIES.—Section 1408 of the Agricul-
 2 tural Act of 2014 (7 U.S.C. 9058) is amended by
 3 striking “margin protection” both places it appears
 4 and inserting “dairy risk management”.

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

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

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

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

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

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

19 (a) CLASS I SKIM MILK PRICE.—Section 8c(5)(A) of
 20 the Agricultural Adjustment Act (7 U.S.C. 608c(5)(A)),
 21 reenacted with amendments by the Agricultural Marketing
 22 Agreement Act of 1937, is amended by striking the third
 23 and fourth sentences, including the table, and inserting
 24 the following new sentence: “Throughout the 2-year period
 25 beginning on the effective date of this sentence (and sub-

1 sequent to such 2-year period unless modified by amend-
 2 ment to the order involved), for purposes of determining
 3 prices for milk of the highest use classification, the Class
 4 I skim milk price per hundredweight specified in section
 5 1000.50(b) of title 7, Code of Federal Regulations (or suc-
 6 cessor regulation), shall be the sum of the adjusted Class
 7 I differential specified in section 1000.52 of such title 7,
 8 plus the adjustment to Class I prices specified in sections
 9 1005.51(b), 1006.51(b), and 1007.51(b) of such title 7
 10 (or successor regulation), plus the simple average of the
 11 advanced pricing factors computed in sections
 12 1000.50(q)(1) and 1000.50(q)(2) of such title 7 (or suc-
 13 cessor regulation), plus \$0.74.”.

14 (b) EFFECTIVE DATE AND IMPLEMENTATION.—

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

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

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

24 (B) The notice and hearing requirements
 25 of paragraphs (3) and (4) of section 8c of the

1 Agricultural Adjustment Act (7 U.S.C. 608c),
2 reenacted with amendments by the Agricultural
3 Marketing Agreement Act of 1937.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (1) in paragraph (1)—

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

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

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

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

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

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

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

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

7 (1) in paragraph (2)—

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

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

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

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

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

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

8 **Subtitle F—Administration**

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

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

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

17 (c) REGULATIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 (b) AGRICULTURAL ACT OF 1949.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (1) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (c) CONFORMING AMENDMENTS.—

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

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

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

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

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

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

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

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

8 (2) in subparagraph (C)—

9 (A) by inserting “title II of the Agriculture
10 and Nutrition Act of 2018,” after “under”; and

11 (B) by striking “Starting with fiscal year
12 2015, a” and inserting “A”; and

13 (3) by striking subparagraph (B) and redesign-
14 ating subparagraphs (C), (D), and (E) as subpara-
15 graphs (B), (C), and (D), respectively.

16 (b) EXCEPTIONS.—

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

20 “(3) EXCEPTIONS.—

21 “(A) EXCEPTION FOR QUALIFIED PASS
22 THROUGH ENTITIES.—Paragraph (1) shall not
23 apply with respect to a qualified pass through
24 entity (as such term is defined in section
25 1001(a)(5)).

1 “(B) WAIVER.—The Secretary may waive
2 the limitation established by paragraph (1) with
3 respect to a payment pursuant to a covered
4 benefit described in paragraph (2)(B), on a
5 case-by-case basis, if the Secretary determines
6 that environmentally sensitive land of special
7 significance would be protected as a result of
8 such waiver.”.

9 (2) CONFORMING AMENDMENTS.—Section
10 1001D of the Food Security Act of 1985 (7 U.S.C.
11 1308–3a) is amended—

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

14 (B) in subsection (d), by striking “, gen-
15 eral partnership, or joint venture” both places
16 it appears.

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

1 **SEC. 1605. PREVENTION OF DECEASED INDIVIDUALS RE-**
2 **CEIVING PAYMENTS UNDER FARM COM-**
3 **MODITY PROGRAMS.**

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

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

12 **SEC. 1606. ASSIGNMENT OF PAYMENTS.**

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

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

21 **SEC. 1607. TRACKING OF BENEFITS.**

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

1 **SEC. 1608. SIGNATURE AUTHORITY.**

2 (a) IN GENERAL.—In carrying out this title and title
3 II and amendments made by those titles, if the Secretary
4 approves a document, the Secretary shall not subsequently
5 determine the document is inadequate or invalid because
6 of the lack of authority of any person signing the docu-
7 ment on behalf of the applicant or any other individual,
8 entity, or qualified pass through entity (as such term is
9 defined in paragraph (5) of section 1001(a) of the Food
10 Security Act of 1985 (7 U.S.C. 1308(a))) or the docu-
11 ments relied upon were determined inadequate or invalid,
12 unless the person signing the program document know-
13 ingly and willfully falsified the evidence of signature au-
14 thority or a signature.

15 (b) AFFIRMATION.—

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

20 (2) NO RETROACTIVE EFFECT.—A denial of
21 benefits based on a lack of affirmation under para-
22 graph (1) shall not be retroactive with respect to
23 third-party producers who were not the subject of
24 the erroneous representation of authority, if the
25 third-party producers—

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

3 (B) substantively complied with all pro-
4 gram requirements.

5 **SEC. 1609. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.**
6

7 Section 164(a) of the Federal Agriculture Improve-
8 ment and Reform Act of 1996 (7 U.S.C. 7284(a)) is
9 amended by striking “this title” and all that follows
10 through “unless” and inserting “this title, title I of the
11 Farm Security and Rural Investment Act of 2002, title
12 I of the Food, Conservation, and Energy Act of 2008 (7
13 U.S.C. 8702 et seq.), title I of the Agricultural Act of
14 2014, or Agriculture and Nutrition Act of 2018”.

15 **SEC. 1610. IMPLEMENTATION.**

16 (a) MAINTENANCE OF BASE ACRES AND PAYMENT
17 YIELDS.—The Secretary shall maintain, for each covered
18 commodity, base acres and payment yields on a farm es-
19 tablished under sections 1001 and 1301 of the Food, Con-
20 servation, and Energy Act of 2008 (7 U.S.C. 8702, 8751),
21 as adjusted pursuant to sections 1101, 1102, 1108, and
22 1302 of such Act (7 U.S.C. 8711, 8712, 8718, 8752), as
23 in effect on September 30, 2013, and as adjusted pursu-
24 ant to sections 1112 and 1113 of the Agricultural Act of
25 2014 (7 U.S.C. 9012, 9013).

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

3 (1) continue to reduce administrative burdens
4 and costs to producers by streamlining and reducing
5 paperwork, forms, and other administrative require-
6 ments, including through the continuation of the
7 Acreage Crop Reporting and Streamlining Initiative
8 that, in part, shall ensure that—

9 (A) a producer (or an agent of a producer)
10 may report information, electronically (includ-
11 ing geospatial data) or conventionally, to the
12 Department;

13 (B) upon the request of the producer (or
14 agent thereof), the Department of Agriculture
15 electronically shares with the producer (or
16 agent) in real time and without cost to the pro-
17 ducer (or agent) the common land unit data, re-
18 lated farm level data, and other information of
19 the producer; and

20 (C) no agent, approved insurance provider,
21 or employee or contractor of an agency or ap-
22 proved insurance provider, bears responsibility
23 or liability under the Acreage Crop Reporting
24 and Streamlining Initiative for the eligibility of
25 a producer for programs administered by the

1 Department of Agriculture that are not policies
2 or plans of insurance offered under the Federal
3 Crop Insurance Act (7 U.S.C. 1501 et. seq.) ex-
4 cept in cases of misrepresentation, fraud, or
5 scheme and device;

6 (2) continue to improve coordination, informa-
7 tion sharing, and administrative work with the Farm
8 Service Agency, Risk Management Agency, and the
9 Natural Resources Conservation Service;

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

13 (4) reduce administrative burdens on producers
14 by offering such producers an option to remotely
15 and electronically sign annual contracts for partici-
16 pation in coverage under sections 1116 and 1117.

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

20 (d) LOAN IMPLEMENTATION.—

21 (1) IN GENERAL.—Section 1614(d)(1) of the
22 Agricultural Act of 2014 (7 U.S.C. 9097(d)(1)) is
23 amended—

1 (A) by inserting “or subtitles B and C of
2 the Agriculture and Nutrition Act of 2018”
3 after “this title”;

4 (B) by striking “made by subtitles B or C”
5 and inserting “made by such subtitles”; and

6 (C) by inserting “of this title, and sections
7 1207(c) and 1208 of the Agriculture and Nutri-
8 tion Act of 2018” after “1208”.

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

12 (A) by striking “of subtitles B or C” and
13 inserting “of subtitle B or C of this title, or
14 subtitle B or C of the Agriculture and Nutrition
15 Act of 2018”; and

16 (B) by striking “under subtitles B or C”
17 and inserting “of subtitle B or C of this title,
18 or subtitle B or C of the Agriculture and Nutri-
19 tion Act of 2018”.

20 **SEC. 1611. EXEMPTION FROM CERTAIN REPORTING RE-**
21 **QUIREMENTS FOR CERTAIN PRODUCERS.**

22 (a) DEFINITION OF EXEMPTED PRODUCER.—In this
23 section, the term “exempted producer” means a producer
24 or landowner eligible to participate in any conservation or
25 commodity program administered by the Secretary.

(b) EXEMPTION.—Notwithstanding any other provision of law, including the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282; 31 U.S.C. 6101 note), the requirements of parts 25 and 170 of title 2, Code of Federal Regulations (and any successor regulations), shall not apply with respect to assistance received by an exempted producer from the Secretary, acting through the Natural Resources Conservation Service or the Farm Service Agency.

TITLE II—CONSERVATION

Subtitle A—Wetland Conservation

SEC. 2101. PROGRAM INELIGIBILITY.

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

(1) by striking “Except as provided” and inserting the following:

“(A) IN GENERAL.—Except as provided”;

and

(2) by adding at the end the following:

“(B) DUTY OF THE SECRETARY.—Before determining that a person is ineligible for program benefits under this subsection, the Secretary shall determine that no exemption under section 1222 applies.”.

1 **SEC. 2102. MINIMAL EFFECT REGULATIONS.**

2 (a) IDENTIFICATION OF MINIMAL EFFECT EXEMP-
3 TIONS.—Section 1222(d) of the Food Security Act of
4 1985 (16 U.S.C. 3822(d)) is amended by inserting “not
5 later than 180 days after the date of enactment of the
6 Agriculture and Nutrition Act of 2018,” before “the Sec-
7 retary shall identify”.

8 (b) MITIGATION BANKING.—Section 1222(k)(1)(B)
9 of the Food Security Act of 1985 (16 U.S.C.
10 3822(k)(1)(B)) is amended to read as follows:

11 “(B) FUNDING.—

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

19 “(ii) AUTHORIZATION OF APPROPRIA-
20 TIONS.—In addition to amounts made
21 available under clause (i), there are au-
22 thorized to be appropriated to the Sec-
23 retary to carry out this paragraph
24 \$5,000,000 for each of fiscal years 2019
25 through 2023.”.

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

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

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

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

9 (1) in paragraph (1)—

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

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

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

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

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

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

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

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

1 (2) in paragraph (2)—

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

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

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

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

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

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

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

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

1 “(IV) fiscal year 2022, 2,500,000

2 acres; and

3 “(V) fiscal year 2023, 3,000,000

4 acres.”; and

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

6 “(D) RESERVATION OF UNENROLLED

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

8 year to enroll enough acres of land described in

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

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

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

12 serve the remaining number of acres for that

13 fiscal year for the enrollment of land described

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

15 shall not be available for the enrollment of any

16 other type of eligible land.”; and

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

18 “(3) STATE ENROLLMENT RATES.—During

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

20 imum extent practicable, the Secretary shall carry

21 out this subchapter in such a manner as to enroll

22 and maintain acreage in the conservation reserve in

23 accordance with historical State enrollment rates,

24 considering—

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

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

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

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

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

19 “(e) DURATION OF CONTRACT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(A) is contiguous to such land;

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (3) by striking paragraph (3).

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

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

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

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

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

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

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

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

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

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

18 (1) in paragraph (2)—

19 (A) in the matter preceding subparagraph

20 (A)—

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

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

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

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

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

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

13 (2) in paragraph (3)—

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

17 (B) in subparagraph (B)—

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

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

1 (iii) in clause (ii)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 **SEC. 2205. PAYMENTS.**

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

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

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

18 “(2) LIMITATIONS.—

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

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

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

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

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

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

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

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

20 (3) in paragraph (2), by striking “150 percent”
 21 and inserting “100 percent”.

22 (c) ANNUAL RENTAL PAYMENTS.—Section 1234(d)
 23 of the Food Security Act of 1985 (16 U.S.C. 3834(d))
 24 is amended—

25 (1) in paragraph (1)—

1 (A) by striking “less intensive use, the Sec-
 2 retary may consider” and inserting the fol-
 3 lowing: “less intensive use—

4 “(A) the Secretary may consider”;

5 (B) by striking the period at the end and
 6 inserting “; and”; and

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

8 “(B) the Secretary shall consider the im-
 9 pact on the local farmland rental market.”;

10 (2) in paragraph (2)—

11 (A) by amending subparagraph (A) to read
 12 as follows:

13 “(A) IN GENERAL.—

14 “(i) INITIAL ENROLLMENT.—The
 15 amounts payable to an owner or operator
 16 in the form of annual rental payments
 17 under a contract entered into under this
 18 subchapter with respect to land that has
 19 not previously been subject to such a con-
 20 tract shall be not more than 80 percent of
 21 the applicable estimated average county
 22 rental rate published pursuant to para-
 23 graph (4) for the year in which the con-
 24 tract is entered into.

1 “(ii) MULTIPLE ENROLLMENTS.—If
2 land subject to a contract entered into
3 under this subchapter is reenrolled in the
4 conservation reserve under section
5 1231(h)(1)—

6 “(I) for the first such reenroll-
7 ment, the annual rental payment shall
8 be in an amount that is not more
9 than 65 percent of the applicable esti-
10 mated average county rental rate pub-
11 lished pursuant to paragraph (4) for
12 the year in which the reenrollment oc-
13 curs;

14 “(II) for the second such re-
15 enrollment, the annual rental payment
16 shall be in an amount that is not
17 more than 55 percent of the applica-
18 ble estimated average county rental
19 rate published pursuant to paragraph
20 (4) for the year in which the reenroll-
21 ment occurs;

22 “(III) for the third such reenroll-
23 ment, the annual rental payment shall
24 be in an amount that is not more
25 than 45 percent of the applicable esti-

1 mated average county rental rate pub-
2 lished pursuant to paragraph (4) for
3 the year in which the reenrollment oc-
4 curs; and

5 “(IV) for the fourth such re-
6 enrollment, the annual rental payment
7 shall be in an amount that is not
8 more than 35 percent of the applica-
9 ble estimated average county rental
10 rate published pursuant to paragraph
11 (4) for the year in which the reenroll-
12 ment occurs.”; and

13 (B) in subparagraph (B), by striking “In
14 the case” and inserting “Notwithstanding sub-
15 paragraph (A), in the case”;

16 (3) by striking paragraph (4) and redesignating
17 paragraph (5) as paragraph (4); and

18 (4) in paragraph (4), as so redesignated—

19 (A) by striking “cash” each place it ap-
20 pears;

21 (B) in subparagraph (A)—

22 (i) by striking “, not less frequently
23 than once every other year,” and inserting
24 “annually”; and

1 (ii) by inserting “, and shall publish
 2 the estimates derived from such survey not
 3 later than September 15 of each year” be-
 4 fore the period at the end; and
 5 (C) in subparagraph (C)—

6 (i) by striking “may” and inserting
 7 “shall”; and

8 (ii) by striking “as a factor in deter-
 9 mining” and inserting “to determine”.

10 (d) PAYMENT LIMITATION FOR RENTAL PAY-
 11 MENTS.—Section 1234(g)(2) of the Food Security Act of
 12 1985 (16 U.S.C. 3834(g)(2)) is amended by adding at the
 13 end the following:

14 “(C) LIMITATION ON PAYMENTS.—Pay-
 15 ments under subparagraph (B) shall not exceed
 16 50 percent of the cost of activities carried out
 17 under the applicable agreement entered into
 18 under such subparagraph.”.

19 **SEC. 2206. CONTRACTS.**

20 (a) EARLY TERMINATION BY OWNER OR OPER-
 21 ATOR.—Section 1235(e)(1)(A) of the Food Security Act
 22 of 1985 (16 U.S.C. 3835(e)(1)(A)) is amended by striking
 23 “2015” and inserting “2019”.

1 (b) TRANSITION OPTION FOR CERTAIN FARMERS OR
2 RANCHERS.—Section 1235(f) of the Food Security Act of
3 1985 (16 U.S.C. 3835(f)) is amended—

4 (1) in paragraph (1)—

5 (A) by amending subparagraph (A) to read
6 as follows:

7 “(A) beginning on the date that is 1 year
8 before the date of termination of the contract,
9 allow the covered farmer or rancher, in conjunc-
10 tion with the retired or retiring owner or oper-
11 ator, to make conservation and land improve-
12 ments, including preparing to plant an agricul-
13 tural crop;”;

14 (B) by redesignating subparagraphs (B)
15 through (E) as subparagraphs (C) through (F),
16 respectively, and inserting after subparagraph
17 (A) the following:

18 “(B) beginning on the date that is 3 years
19 before the date of termination of the contract,
20 allow the covered farmer or rancher to begin
21 the certification process under the Organic
22 Foods Production Act of 1990 (7 U.S.C. 6501
23 et seq.);”;

24 (C) in subparagraph (D), as so redesign-
25 ated, by inserting “, and provide to such farm-

1 er or rancher technical and financial assistance
 2 to carry out the requirements of the plan, if
 3 any” before the semicolon at the end; and

4 (D) in subparagraph (E), as so redesign-
 5 nated, by striking “the conservation steward-
 6 ship program or”; and

7 (2) in paragraph (2)—

8 (A) in the matter preceding subparagraph
 9 (A), by striking “The Secretary” and inserting
 10 “To the extent the maximum number of acres
 11 permitted to be enrolled under the program has
 12 not been met, the Secretary”; and

13 (B) in subparagraph (A), by striking “eli-
 14 gible for enrollment under the continuous
 15 signup option pursuant to section
 16 1234(d)(2)(A)(ii)” and inserting “is carried out
 17 on land described in paragraph (4) or (5) of
 18 section 1231(b)”.

19 (c) END OF CONTRACT CONSIDERATIONS.—Section
 20 1235(g) of the Food Security Act of 1985 (16 U.S.C.
 21 3835(g)) is amended to read as follows:

22 “(g) END OF CONTRACT CONSIDERATIONS.—The
 23 Secretary shall not consider an owner or operator to be
 24 in violation of a term or condition of the conservation re-
 25 serve contract if—

1 “(1) during the year prior to expiration of the
2 contract, the owner or operator—

3 “(A) enters into an environmental quality
4 incentives program contract; and

5 “(B) begins the establishment of an envi-
6 ronmental quality incentives practice; or

7 “(2) during the three years prior to the expira-
8 tion of the contract, the owner or operator begins
9 the certification process under the Organic Foods
10 Production Act of 1990.”.

11 **Subtitle C—Environmental Quality** 12 **Incentives Program**

13 **SEC. 2301. DEFINITIONS.**

14 (a) PRACTICE.—Section 1240A(4)(B) of the Food
15 Security Act of 1985 (16 U.S.C. 3839aa–1(4)(B)) is
16 amended—

17 (1) in clause (i), by striking “; and” and insert-
18 ing a semicolon; and

19 (2) by redesignating clause (ii) as clause (iv)
20 and inserting after clause (i) the following:

21 “(ii) precision conservation manage-
22 ment planning;

23 “(iii) the use of cover crops and re-
24 source conserving crop rotations; and”.

1 (b) PRIORITY RESOURCE CONCERN.—Section 1240A
 2 of the Food Security Act of 1985 (16 U.S.C. 3839aa–1)
 3 is amended by redesignating paragraph (5) as paragraph
 4 (6) and inserting after paragraph (4) the following:

5 “(5) PRIORITY RESOURCE CONCERN.—The
 6 term ‘priority resource concern’ means a natural re-
 7 source concern or problem, as determined by the
 8 Secretary, that—

9 “(A) is identified at the national, State, or
 10 local level as a priority for a particular area of
 11 a State; and

12 “(B) represents a significant concern in a
 13 State or region.”.

14 (c) STEWARDSHIP PRACTICE.—Section 1240A of the
 15 Food Security Act of 1985 (16 U.S.C. 3839aa–1) is
 16 amended by adding at the end the following:

17 “(7) STEWARDSHIP PRACTICE.—The term
 18 ‘stewardship practice’ means a practice or set of
 19 practices approved by the Secretary that, when im-
 20 plemented and maintained on eligible land, address
 21 1 or more priority resource concerns.”.

22 **SEC. 2302. ESTABLISHMENT AND ADMINISTRATION.**

23 (a) ESTABLISHMENT.—Section 1240B(a) of the
 24 Food Security Act of 1985 (16 U.S.C. 3839aa–2(a)) is
 25 amended by striking “2019” and inserting “2023”.

1 (b) ALLOCATION OF FUNDING.—Section 1240B(f) of
2 the Food Security Act of 1985 (16 U.S.C. 3839aa–2(f))
3 is amended to read as follows:

4 “(f) ALLOCATION OF FUNDING.—For each of fiscal
5 years 2014 through 2023, at least 5 percent of the funds
6 made available for payments under the program shall be
7 targeted at practices benefitting wildlife habitat under
8 subsection (g).”.

9 (c) WATER CONSERVATION OR IRRIGATION EFFI-
10 CIENCY PRACTICE.—Section 1240B(h) of the Food Secu-
11 rity Act of 1985 (16 U.S.C. 3839aa–2(h)) is amended—

12 (1) by amending paragraph (1) to read as fol-
13 lows:

14 “(1) AVAILABILITY OF PAYMENTS.—The Sec-
15 retary may provide water conservation and system
16 efficiency payments under this subsection to a pro-
17 ducer for—

18 “(A) a water conservation scheduling tech-
19 nology or water conservation scheduling man-
20 agement;

21 “(B) irrigation-related structural practices;
22 or

23 “(C) a transition to water-conserving crops
24 or water-conserving crop rotations.”;

(2) by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following:

“(2) LIMITED ELIGIBILITY OF IRRIGATION DISTRICTS, IRRIGATION ASSOCIATIONS, AND ACEQUIAS.—

“(A) IN GENERAL.—Notwithstanding section 1001(f)(6), the Secretary may enter into a contract under this subsection with an irrigation district, irrigation association, or acequia to implement water conservation or irrigation practices pursuant to a watershed-wide project that will effectively conserve water, as determined by the Secretary.

“(B) IMPLEMENTATION.—Water conservation or irrigation practices that are the subject of a contract entered into under this paragraph shall be implemented on—

“(i) eligible land of a producer; or

“(ii) land that is under the control of the irrigation district, irrigation association, or acequia, and adjacent to such eligible land, as determined by the Secretary.

“(C) WAIVER AUTHORITY.—The Secretary may waive the applicability of the limitations in

1 section 1001D(b)(2) or section 1240G of this
2 Act for a payment made under a contract en-
3 tered into under this paragraph if the Secretary
4 determines that such a waiver is necessary to
5 fulfill the objectives of the project.

6 “(D) CONTRACT LIMITATIONS.—If the
7 Secretary grants a waiver under subparagraph
8 (C), the Secretary may impose a separate pay-
9 ment limitation for the contract with respect to
10 which the waiver applies.”; and

11 (3) in paragraph (3), as so redesignated—

12 (A) in the matter preceding subparagraph
13 (A), by striking “to a producer” and inserting
14 “under this subsection”;

15 (B) in subparagraph (A), by striking “the
16 eligible land of the producer is located, there is
17 a reduction in water use in the operation of the
18 producer” and inserting “the land on which the
19 practices will be implemented is located, there is
20 a reduction in water use in the operation on
21 such land”; and

22 (C) in subparagraph (B), by inserting
23 “with respect to an application under para-
24 graph (1),” before “the producer agrees”.

1 (d) STEWARDSHIP CONTRACTS.—Section 1240B of
 2 the Food Security Act of 1985 (16 U.S.C. 3839aa–2) is
 3 amended by adding at the end the following:

4 “(j) STEWARDSHIP CONTRACTS.—

5 “(1) IDENTIFICATION OF ELIGIBLE PRIORITY
 6 RESOURCE CONCERNS FOR STATES.—

7 “(A) IN GENERAL.—The Secretary, in con-
 8 sultation with the State technical committee,
 9 shall identify priority resource concerns within
 10 a State that are eligible to be the subject of a
 11 stewardship contract under this subsection.

12 “(B) LIMITATION.—The Secretary shall
 13 identify not more than 3 eligible priority re-
 14 source concerns under subparagraph (A) within
 15 each area of a State.

16 “(2) CONTRACTS.—

17 “(A) IN GENERAL.—The Secretary shall
 18 enter into contracts with producers under this
 19 subsection that—

20 “(i) provide incentives, through an-
 21 nual payments, to producers to attain in-
 22 creased conservation stewardship on eligi-
 23 ble land;

24 “(ii) adopt and install a stewardship
 25 practice to effectively address a priority re-

1 source concern identified as eligible under
2 paragraph (1); and

3 “(iii) require management and main-
4 tenance of such stewardship practice for
5 the term of the contract.

6 “(B) TERM.—A contract under this sub-
7 section shall have a term of not less than 5, nor
8 more than 10, years.

9 “(C) PRIORITIZATION.—Section 1240C(b)
10 shall not apply to applications for contracts
11 under this subsection.

12 “(3) STEWARDSHIP PAYMENTS.—

13 “(A) IN GENERAL.—The Secretary shall
14 provide payments to producers through con-
15 tracts entered into under paragraph (2) for—

16 “(i) adopting and installing steward-
17 ship practices; and

18 “(ii) managing, maintaining, and im-
19 proving the stewardship practices for the
20 duration of the contract, as determined ap-
21 propriate by the Secretary.

22 “(B) PAYMENT AMOUNTS.—In determining
23 the amount of payments under subparagraph
24 (A), the Secretary shall consider, to the extent
25 practicable—

1 “(i) the level and extent of the stew-
2 ards-ship practice to be installed, adopted,
3 completed, maintained, managed, or im-
4 proved;

5 “(ii) the cost of the installation, adop-
6 tion, completion, management, mainte-
7 nance, or improvement of the stewardship
8 practice;

9 “(iii) income foregone by the pro-
10 ducer; and

11 “(iv) the extent to which compensa-
12 tion would ensure long-term continued
13 maintenance, management, and improve-
14 ment of the stewardship practice.

15 “(C) LIMITATION.—The total amount of
16 payments a person or legal entity receives pur-
17 suant to subparagraph (A) shall not exceed
18 \$50,000 for any fiscal year.

19 “(4) RESERVATION OF FUNDS.—The Secretary
20 may use not more than 50 percent of the funds
21 made available under section 1241 to carry out this
22 chapter for payments made pursuant to this sub-
23 section.”.

1 **SEC. 2303. LIMITATION ON PAYMENTS.**

2 Section 1240G of the Food Security Act of 1985 (16
3 U.S.C. 3839aa–7) is amended by inserting “or the period
4 of fiscal years 2019 through 2023,” after “2018,”.

5 **SEC. 2304. CONSERVATION INNOVATION GRANTS AND PAY-**
6 **MENTS.**

7 (a) COMPETITIVE GRANTS FOR INNOVATIVE CON-
8 SERVATION APPROACHES.—Section 1240H(a) of the Food
9 Security Act of 1985 (16 U.S.C. 3839aa–8(a)) is amend-
10 ed—

11 (1) in paragraph (1), by inserting “use not
12 more than \$25,000,000 in each of fiscal years 2019
13 through 2023 to” after “the Secretary may”; and

14 (2) in paragraph (2)(A), by inserting “or per-
15 sons participating in an educational activity through
16 an institution of higher education, including by car-
17 rying out demonstration projects on lands of the in-
18 stitution” before the semicolon at the end.

19 (b) AIR QUALITY CONCERNS FROM AGRICULTURAL
20 OPERATIONS.—Section 1240H(b)(2) of the Food Security
21 Act of 1985 (16 U.S.C. 3839aa–8(b)(2)) is amended by
22 inserting “, and \$37,500,000 for each of fiscal years 2019
23 through 2023” after “2018”.

24 (c) ON-FARM CONSERVATION INNOVATION TRIALS;
25 REPORTING AND DATABASE.—Section 1240H of the Food

1 Security Act of 1985 (16 U.S.C. 3839aa–8) is amended
2 by striking subsection (c) and inserting the following:

3 “(c) ON-FARM CONSERVATION INNOVATION
4 TRIALS.—

5 “(1) IN GENERAL.—Using not more than
6 \$25,000,000 of the funds made available to carry
7 out this chapter in each of fiscal years 2019 through
8 2023, the Secretary shall carry out on-farm con-
9 servation innovation trials, on eligible land of pro-
10 ducers, to test new or innovative conservation ap-
11 proaches—

12 “(A) directly with producers; or

13 “(B) through eligible entities.

14 “(2) INCENTIVE PAYMENTS.—

15 “(A) AGREEMENTS.—In carrying out para-
16 graph (1), the Secretary shall enter into agree-
17 ments with producers on whose land an on-farm
18 conservation innovation trial is being carried
19 out to provide payments (including payments to
20 compensate for foregone income, as appropriate
21 to address the increased economic risk poten-
22 tially associated with new or innovative con-
23 servation approaches) to the producers to assist
24 with adopting and evaluating new or innovative
25 conservation approaches.

1 “(B) LENGTH OF INCENTIVES.—An agree-
2 ment entered into under subparagraph (A) shall
3 be for a period determined by the Secretary
4 that is—

5 “(i) not less than 3 years; and

6 “(ii) if appropriate, more than 3
7 years, including if such a period is appro-
8 priate to support—

9 “(I) adaptive management over
10 multiple crop years; and

11 “(II) adequate data collection
12 and analysis to report the natural re-
13 source and agricultural production
14 benefits of the new or innovative con-
15 servation approaches.

16 “(3) FLEXIBLE ADOPTION.—A producer or eli-
17 gible entity participating in an on-farm conservation
18 innovation trial under paragraph (1) may determine
19 the scale of adoption of the new or innovative con-
20 servation approaches in the on-farm conservation in-
21 novation trial, which may include multiple scales on
22 an operation, including whole farm, field-level, or
23 sub-field scales.

24 “(4) TECHNICAL ASSISTANCE.—The Secretary
25 shall provide technical assistance—

1 “(A) to a producer or eligible entity par-
2 ticipating in an on-farm conservation innovation
3 trial under paragraph (1), with respect to the
4 design, installation, and management of the
5 new or innovative conservation approaches; and

6 “(B) to an eligible entity participating in
7 an on-farm conservation innovation trial under
8 paragraph (1), with respect to data analyses of
9 the on-farm conservation innovation trial.

10 “(5) DEFINITIONS.—In this subsection:

11 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
12 ble entity’ means a third-party private entity
13 the primary business of which is related to agri-
14 culture.

15 “(B) NEW OR INNOVATIVE CONSERVATION
16 APPROACHES.—The term ‘new or innovative
17 conservation approaches’ means—

18 “(i) new or innovative—

19 “(I) precision agriculture tech-
20 nologies;

21 “(II) enhanced nutrient manage-
22 ment plans and fertilization systems;

23 “(III) soil health management
24 systems;

1 “(IV) water management sys-
2 tems;

3 “(V) resource-conserving crop ro-
4 tations;

5 “(VI) cover crops; and

6 “(VII) irrigation systems; and

7 “(ii) any other conservation approach
8 approved by the Secretary as new or inno-
9 vative.

10 “(d) REPORTING AND DATABASE.—

11 “(1) REPORT REQUIRED.—Not later than De-
12 cember 31, 2014, and every two years thereafter, the
13 Secretary shall submit to the Committee on Agri-
14 culture, Nutrition, and Forestry of the Senate and
15 the Committee on Agriculture of the House of Rep-
16 resentatives a report on the status of activities fund-
17 ed under this section, including—

18 “(A) funding awarded;

19 “(B) results of the activities; and

20 “(C) incorporation of findings from the ac-
21 tivities, such as new technology and innovative
22 approaches, into the conservation efforts imple-
23 mented by the Secretary.

24 “(2) CONSERVATION PRACTICE DATABASE.—

1 “(A) IN GENERAL.—The Secretary shall
 2 use the data reported under paragraph (1) to
 3 establish and maintain a publicly available con-
 4 servation practice database that provides—

5 “(i) a compilation and analysis of ef-
 6 fective conservation practices for soil
 7 health, nutrient management, and source
 8 water protection in varying soil composi-
 9 tions, cropping systems, slopes, and land-
 10 scapes; and

11 “(ii) a list of recommended new and
 12 effective conservation practices.

13 “(B) PRIVACY.—Information provided
 14 under subparagraph (A) shall be transformed
 15 into a statistical or aggregate form so as to not
 16 include any identifiable or personal information
 17 of individual producers.”.

18 **Subtitle D—Other Conservation** 19 **Programs**

20 **SEC. 2401. CONSERVATION OF PRIVATE GRAZING LAND.**

21 Section 1240M(e) of the Food Security Act of 1985
 22 (16 U.S.C. 3839bb(e)) is amended by striking “2018” and
 23 inserting “2023”.

1 **SEC. 2402. GRASSROOTS SOURCE WATER PROTECTION**
2 **PROGRAM.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
4 12400(b)(1) of the Food Security Act of 1985 (16 U.S.C.
5 3839bb–2(b)(1)) is amended by striking “2018” and in-
6 serting “2023”.

7 (b) AVAILABILITY OF FUNDS.—Section 12400(b) of
8 the Food Security Act of 1985 (16 U.S.C. 3839bb–2(b))
9 is amended by adding at the end the following:

10 “(3) ADDITIONAL FUNDING.—In addition to
11 any other funds made available under this sub-
12 section, of the funds of the Commodity Credit Cor-
13 poration, the Secretary shall use \$5,000,000 begin-
14 ning in fiscal year 2019, to remain available until
15 expended.”.

16 **SEC. 2403. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**
17 **CENTIVE PROGRAM.**

18 Section 1240R(f)(1) of the Food Security Act of
19 1985 (16 U.S.C. 3839bb–5(f)(1)) is amended—

20 (1) by striking “2012 and” and inserting
21 “2012,”; and

22 (2) by inserting “, and \$50,000,000 for the pe-
23 riod of fiscal years 2019 through 2023” before the
24 period at the end.

1 **SEC. 2404. WATERSHED PROTECTION AND FLOOD PREVEN-**
2 **TION.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
4 14(h)(2)(E) of the Watershed Protection and Flood Pre-
5 vention Act (16 U.S.C. 1012(h)(2)(E)) is amended by
6 striking “2018” and inserting “2023”.

7 (b) FUNDS OF COMMODITY CREDIT CORPORATION.—
8 The Watershed Protection and Flood Prevention Act (16
9 U.S.C. 1001 et seq.) is amended by adding at the end
10 the following:

11 **“SEC. 15. FUNDING.**

12 “In addition to any other funds made available by
13 this Act, of the funds of the Commodity Credit Corpora-
14 tion, the Secretary shall make available to carry out this
15 Act \$100,000,000 for each of fiscal years 2019 through
16 2023, to remain available until expended.”.

17 **SEC. 2405. FERAL SWINE ERADICATION AND CONTROL**
18 **PILOT PROGRAM.**

19 (a) IN GENERAL.—The Secretary of Agriculture shall
20 establish a feral swine eradication and control pilot pro-
21 gram to respond to the threat feral swine pose to agri-
22 culture, native ecosystems, and human and animal health.

23 (b) DUTIES OF THE SECRETARY.—In carrying out
24 the pilot program, the Secretary shall—

25 (1) study and assess the nature and extent of
26 damage to the pilot areas caused by feral swine;

1 (2) develop methods to eradicate or control
2 feral swine in the pilot areas;

3 (3) develop methods to restore damage caused
4 by feral swine; and

5 (4) provide financial assistance to agricultural
6 producers in pilot areas.

7 (c) ASSISTANCE.—The Secretary may provide finan-
8 cial assistance to agricultural producers under the pilot
9 program to implement methods to—

10 (1) eradicate or control feral swine in the pilot
11 areas; and

12 (2) restore damage caused by feral swine.

13 (d) COORDINATION.—The Secretary shall ensure that
14 the Natural Resources Conservation Service and the Ani-
15 mal and Plant Health Inspection Service coordinate for
16 purposes of this section through State technical commit-
17 tees established under section 1261 of the Food Security
18 Act of 1985.

19 (e) PILOT AREAS.—The Secretary shall carry out the
20 pilot program in areas of States in which feral swine have
21 been identified as a threat to agriculture, native eco-
22 systems, or human or animal health, as determined by the
23 Secretary.

24 (f) COST SHARING.—

1 (1) FEDERAL SHARE.—The Federal share of
2 the costs activities under the pilot program may not
3 exceed 75 percent of the total costs of such activi-
4 ties.

5 (2) IN-KIND CONTRIBUTIONS.—The non-Fed-
6 eral share of the costs of activities under the pilot
7 program may be provided in the form of in-kind con-
8 tributions of materials or services.

9 (g) FUNDING.—

10 (1) MANDATORY FUNDING.—Of the funds of
11 the Commodity Credit Corporation, the Secretary
12 shall use to carry out this section \$100,000,000 for
13 the period of fiscal years 2019 through 2023.

14 (2) DISTRIBUTION OF FUNDS.—Of the funds
15 made available under paragraph (1)—

16 (A) 50 percent shall be allocated to the
17 Natural Resources Conservation Service to
18 carry out the pilot program, including the pro-
19 vision of financial assistance to producers for
20 on-farm trapping and technology related to cap-
21 turing and confining feral swine; and

22 (B) 50 percent shall be allocated to the
23 Animal and Plant Health Inspection Service to
24 carry out the pilot program, including the use

1 of established, and testing of innovative, popu-
 2 lation reduction methods.

3 (3) LIMITATION ON ADMINISTRATIVE EX-
 4 PENSES.—Not more than 10 percent of funds made
 5 available under this section may be used for admin-
 6 istrative expenses of the pilot program.

7 **Subtitle E—Funding and** 8 **Administration**

9 **SEC. 2501. COMMODITY CREDIT CORPORATION.**

10 (a) ANNUAL FUNDING.—Section 1241(a) of the Food
 11 Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

12 (1) in the matter preceding paragraph (1), by
 13 striking “2018 (and fiscal year 2019 in the case of
 14 the program specified in paragraph (5))” and insert-
 15 ing “2023”;

16 (2) in paragraph (1), by striking “2018” each
 17 place it appears and inserting “2023”;

18 (3) in paragraph (2)—

19 (A) in subparagraph (D), by striking
 20 “and” at the end;

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

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

24 “(F) \$500,000,000 for each of fiscal years
 25 2019 through 2023.”;

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

4 (5) in paragraph (3) (as so redesignated), by
5 inserting “, as in effect on the day before the date
6 of enactment of the Agriculture and Nutrition Act of
7 2018, using such sums as are necessary to admin-
8 ister contracts entered into before the earlier of Sep-
9 tember 30, 2018, or such date of enactment” before
10 the period at the end; and

11 (6) in paragraph (4) (as so redesignated)—

12 (A) in subparagraph (D), by striking
13 “and” at the end;

14 (B) in subparagraph (E), by striking “each
15 of fiscal years 2018 through 2019.” and insert-
16 ing “fiscal year 2018;”; and

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

18 “(F) \$2,000,000,000 for fiscal year 2019;

19 “(G) \$2,500,000,000 for fiscal year 2020;

20 “(H) \$2,750,000,000 for fiscal year 2021;

21 “(I) \$2,935,000,000 for fiscal year 2022;

22 and

23 “(J) \$3,000,000,000 for fiscal year
24 2023.”.

1 (b) AVAILABILITY OF FUNDS.—Section 1241(b) of
2 the Food Security Act of 1985 (16 U.S.C. 3841(b)) is
3 amended by striking “2018 (and fiscal year 2019 in the
4 case of the program specified in subsection (a)(5))” and
5 inserting “2023”.

6 (c) TECHNICAL ASSISTANCE.—Section 1241(c) of the
7 Food Security Act of 1985 (16 U.S.C. 3841(c)) is amend-
8 ed—

9 (1) by amending paragraph (2) to read as fol-
10 lows:

11 “(2) PRIORITY.—In the delivery of technical as-
12 sistance under the Soil Conservation and Domestic
13 Allotment Act (16 U.S.C. 590a et seq.), the Sec-
14 retary shall give priority to producers who request
15 technical assistance from the Secretary in order to
16 comply for the first time with the requirements of
17 subtitle B and subtitle C of this title as a result of
18 the amendments made by section 2611 of the Agri-
19 cultural Act of 2014.”; and

20 (2) by striking paragraph (3) and redesignating
21 paragraph (4) as paragraph (3).

22 (d) REGIONAL EQUITY.—

23 (1) IN GENERAL.—Section 1241 of the Food
24 Security Act of 1985 (16 U.S.C. 3841) is amended
25 by striking subsection (e) and redesignating sub-

1 sections (f) through (i) as subsections (e) through
2 (h), respectively.

3 (2) CONFORMING AMENDMENTS.—Section
4 1221(c) of the Food Security Act of 1985 (16
5 U.S.C. 3821(c)) is amended by striking “1241(f)”
6 and inserting “1241(e)” each place it appears.

7 (e) RESERVATION OF FUNDS TO PROVIDE ASSIST-
8 ANCE TO CERTAIN FARMERS OR RANCHERS FOR CON-
9 SERVATION ACCESS.—Section 1241(g) of the Food Secu-
10 rity Act of 1985 (as redesignated by subsection (d) of this
11 section) is amended—

12 (1) in paragraph (1), by striking “2018 to
13 carry out the environmental quality incentives pro-
14 gram and the acres made available for each of such
15 fiscal years to carry out the conservation steward-
16 ship program” and inserting “2023 to carry out the
17 environmental quality incentives program”; and

18 (2) by striking paragraph (3) and redesignating
19 paragraph (4) as paragraph (3).

20 (f) REPORT ON PROGRAM ENROLLMENTS AND AS-
21 SISTANCE.—Section 1241(h) of the Food Security Act of
22 1985 (as redesignated by subsection (d) of this section)
23 is amended to read as follows:

24 “(h) REPORT ON PROGRAM ENROLLMENTS AND AS-
25 SISTANCE.—Not later than December 15 of each of cal-

1 endar years 2018 through 2023, the Secretary shall sub-
2 mit to the Committee on Agriculture of the House of Rep-
3 resentatives and the Committee on Agriculture, Nutrition,
4 and Forestry of the Senate an annual report containing
5 statistics by State related to enrollments in conservation
6 programs under this subtitle, as follows:

7 “(1) The annual and current cumulative activ-
8 ity reflecting active agreement and contract enroll-
9 ment statistics.

10 “(2) Secretarial exceptions, waivers, and signifi-
11 cant payments, including—

12 “(A) payments made under the agricul-
13 tural conservation easement program for ease-
14 ments valued at \$250,000 or greater;

15 “(B) payments made under the regional
16 conservation partnership program subject to the
17 waiver of adjusted gross income limitations pur-
18 suant to section 1271C(c)(3);

19 “(C) waivers granted by the Secretary
20 under section 1001D(b)(3) of this Act;

21 “(D) exceptions and activity associated
22 with section 1240B(h)(2); and

23 “(E) exceptions provided by the Secretary
24 under section 1265B(b)(2)(C).”.

1 **SEC. 2502. DELIVERY OF TECHNICAL ASSISTANCE.**

2 (a) DEFINITIONS.—Section 1242(a) of the Food Se-
3 curity Act of 1985 (16 U.S.C. 3842(a)) is amended to
4 read as follows:

5 “(a) DEFINITIONS.—In this section:

6 “(1) ELIGIBLE PARTICIPANT.—The term ‘eligi-
7 ble participant’ means a producer, landowner, or en-
8 tity that is participating in, or seeking to participate
9 in, programs in which the producer, landowner, or
10 entity is otherwise eligible to participate under this
11 title.

12 “(2) THIRD-PARTY PROVIDER.—The term
13 ‘third-party provider’ means a commercial entity (in-
14 cluding a farmer cooperative, agriculture retailer, or
15 other commercial entity (as defined by the Sec-
16 retary)), a nonprofit entity, a State or local govern-
17 ment (including a conservation district), or a Fed-
18 eral agency, that has expertise in the technical as-
19 pect of conservation planning, including nutrient
20 management planning, watershed planning, or envi-
21 ronmental engineering.”.

22 (b) CERTIFICATION OF THIRD-PARTY PROVIDERS.—
23 Section 1242(e) of the Food Security Act of 1985 (16
24 U.S.C. 3842(e)) is amended by adding at the end the fol-
25 lowing:

26 “(4) ALTERNATIVE CERTIFICATION.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary shall approve any qualified certification that the Secretary determines meets or exceeds the national criteria provided under paragraph (3)(B).

“(B) QUALIFIED CERTIFICATION.—In this paragraph, the term ‘qualified certification’ means a professional certification that is established by the Secretary, an agriculture retailer, a farmer cooperative, the American Society of Agronomy, or the National Alliance of Independent Crop Consultants, including certification—

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

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

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

SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

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

1 (1) by striking subsection (m);

2 (2) by redesignating subsections (i) through (l)
3 as subsections (j) through (m), respectively, and in-
4 serting after subsection (h) the following:

5 “(i) SOURCE WATER PROTECTION THROUGH TAR-
6 GETING OF AGRICULTURAL PRACTICES.—

7 “(1) IN GENERAL.—In carrying out any con-
8 servation program administered by the Secretary,
9 the Secretary shall encourage practices that relate to
10 water quality and water quantity that protect source
11 waters for drinking water (including protecting
12 against public health threats) while also benefitting
13 agricultural producers.

14 “(2) COLLABORATION WITH WATER SYSTEMS
15 AND INCREASED INCENTIVES.—In encouraging prac-
16 tices under paragraph (1), the Secretary shall—

17 “(A) work collaboratively with community
18 water systems and State technical committees
19 established under section 1261 to identify, in
20 each State, local priority areas for the protec-
21 tion of source waters for drinking water; and

22 “(B) offer to producers increased incen-
23 tives and higher payment rates than are other-
24 wise statutorily authorized through conservation
25 programs administered by the Secretary for

1 practices that result in significant environ-
 2 mental benefits that the Secretary determines—

3 “(i) relate to water quality or water
 4 quantity; and

5 “(ii) occur primarily outside of the
 6 land on which the practices are imple-
 7 mented.

8 “(3) RESERVATION OF FUNDS.—In each of fis-
 9 cal years 2019 through 2023, the Secretary shall
 10 use, to carry out this subsection, not less than 10
 11 percent of any funds available with respect to each
 12 conservation program administered by the Secretary
 13 under this title except the conservation reserve pro-
 14 gram.”; and

15 (3) in subsection (m), as so redesignated, by
 16 striking “the conservation stewardship program
 17 under subchapter B of chapter 2 of subtitle D and”.

18 **SEC. 2504. ESTABLISHMENT OF STATE TECHNICAL COM-**
 19 **MITTEES.**

20 Section 1261(c) of the Food Security Act of 1985 (16
 21 U.S.C. 3861(c)) is amended by adding at the end the fol-
 22 lowing:

23 “(14) The State 1862 Institution (as defined in
 24 section 2(1) of the Agricultural Research, Extension,
 25 and Education Reform Act of 1998).”.

1 **Subtitle F—Agricultural**
2 **Conservation Easement Program**

3 **SEC. 2601. ESTABLISHMENT AND PURPOSES.**

4 Section 1265(b) of the Food Security Act of 1985
5 (16 U.S.C. 3865(b)) is amended—

6 (1) in paragraph (3), by inserting “that nega-
7 tively affect the agricultural uses and conservation
8 values” after “that land”; and

9 (2) in paragraph (4), by striking “restoring
10 and” and inserting “restoring or”.

11 **SEC. 2602. DEFINITIONS.**

12 (a) AGRICULTURAL LAND EASEMENT.—Section
13 1265A(1)(B) of the Food Security Act of 1985 (16 U.S.C.
14 3865a(1)(B)) is amended by striking “subject to an agri-
15 cultural land easement plan, as approved by the Sec-
16 retary”.

17 (b) ELIGIBLE LAND.—Section 1265A(3) of the Food
18 Security Act of 1985 (16 U.S.C. 3865a(3)) is amended—

19 (1) by amending subparagraph (A)(iii)(VI) to
20 read as follows:

21 “(VI) nonindustrial private forest
22 land that contributes to the economic
23 viability of an offered parcel, or serves
24 as a buffer to protect such land from
25 development, which may include up to

1 100 percent of the parcel if the Sec-
 2 retary determines enrolling the land is
 3 important to protect a forest to pro-
 4 vide significant conservation bene-
 5 fits;” and

6 (2) in subparagraph (B)(i)(II), by striking “, as
 7 determined by the Secretary in consultation with the
 8 Secretary of the Interior at the local level”.

9 (c) MONITORING REPORT.—Section 1265A of the
 10 Food Security Act of 1985 (16 U.S.C. 3865a) is amended
 11 by redesignating paragraphs (4) and (5) as paragraphs
 12 (5) and (6), respectively, and inserting after paragraph (3)
 13 the following:

14 “(4) MONITORING REPORT.—The term ‘moni-
 15 toring report’ means a report, the contents of which
 16 are formulated and prepared by the holder of an ag-
 17 ricultural land easement, that documents whether
 18 the land subject to the agricultural land easement is
 19 in compliance with the terms and conditions of the
 20 agricultural land easement.”.

21 **SEC. 2603. AGRICULTURAL LAND EASEMENTS.**

22 (a) AVAILABILITY OF ASSISTANCE.—Section
 23 1265B(a)(2) of the Food Security Act of 1985 (16 U.S.C.
 24 3865b(a)(2)) is amended by striking “provide for the con-
 25 servation of natural resources pursuant to an agricultural

1 land easement plan” and inserting “implement the pro-
2 gram”.

3 (b) COST-SHARE ASSISTANCE.—

4 (1) SCOPE OF ASSISTANCE AVAILABLE.—Sec-
5 tion 1265B(b)(2) of the Food Security Act of 1985
6 (16 U.S.C. 3865b(b)(2)) is amended by striking sub-
7 paragraphs (B) and (C) and inserting the following:

8 “(B) NON-FEDERAL SHARE.—An eligible
9 entity may use for any part of its share—

10 “(i) a cash contribution;

11 “(ii) a charitable donation or qualified
12 conservation contribution (as defined by
13 section 170(h) of the Internal Revenue
14 Code of 1986) from the landowner from
15 which the agricultural land easement will
16 be purchased; or

17 “(iii) funding from a Federal source
18 other than the Department of Agriculture.

19 “(C) GRASSLANDS EXCEPTION.—In the
20 case of grassland of special environmental sig-
21 nificance, as determined by the Secretary, the
22 Secretary may provide an amount not to exceed
23 75 percent of the fair market value of the agri-
24 cultural land easement.”.

1 (2) EVALUATION AND RANKING OF APPLICA-
2 TIONS.—Section 1265B(b)(3) of the Food Security
3 Act of 1985 (16 U.S.C. 3865b(b)(3)) is amended by
4 redesignating subparagraph (C) as subparagraph
5 (D) and inserting after subparagraph (B) the fol-
6 lowing:

7 “(C) ACCOUNTING FOR GEOGRAPHIC DIF-
8 FERENCES.—The Secretary shall, in coordina-
9 tion with State technical committees, adjust the
10 criteria established under subparagraph (A) to
11 account for geographic differences among
12 States, if such adjustments—

13 “(i) meet the purposes of the pro-
14 gram; and

15 “(ii) continue to maximize the benefit
16 of the Federal investment under the pro-
17 gram.”.

18 (3) AGREEMENTS WITH ELIGIBLE ENTITIES.—
19 Section 1265B(b)(4) of the Food Security Act of
20 1985 (16 U.S.C. 3865b(b)(4)) is amended—

21 (A) in subparagraph (C)—

22 (i) in clause (i), by inserting “and the
23 agricultural use of the land that is subject
24 to the agricultural land easement” after
25 “the program”; and

1 (ii) by striking clauses (iii) and (iv)
2 and inserting the following:

3 “(iii) include a right of enforcement
4 for the Secretary that—

5 “(I) may be used only if the
6 terms and conditions of the easement
7 are not enforced by the eligible entity;
8 and

9 “(II) does not extend to a right
10 of inspection unless the holder of the
11 easement fails to provide monitoring
12 reports in a timely manner;

13 “(iv) include a conservation plan only
14 for any portion of the land subject to the
15 agricultural land easement that is highly
16 erodible cropland; and”;

17 (B) in subparagraph (E)(ii), by inserting
18 “in the case of fraud or gross negligence,” be-
19 fore “the Secretary may require”; and

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

21 “(F) MINERAL DEVELOPMENT.—Upon re-
22 quest by an eligible entity, the Secretary shall
23 allow, under an agreement under this sub-
24 section, mineral development on land subject to

the agricultural land easement, if the Secretary determines that the mineral development—

“(i) has limited and localized effects;

“(ii) is not irretrievably destructive of significant conservation interests; and

“(iii) would not alter or affect the topography or landscape.

“(G) ENVIRONMENTAL SERVICES MARKETS.—The Secretary may not prohibit, through an agreement under this subsection, an owner of land subject to the agricultural land easement from participating in, and receiving compensation from, an environmental services market if a purpose of the market is the facilitation of additional conservation benefits that are consistent with the purposes of the program.”.

(4) CERTIFICATION OF ELIGIBLE ENTITIES.—Section 1265B(b)(5) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(5)) is amended—

(A) in subparagraph (A)—

(i) in clause (ii), by striking “; and” and inserting a semicolon;

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

1 (iii) by adding at the end the fol-
2 lowing:

3 “(iv) allow a certified eligible entity to
4 use its own terms and conditions, notwith-
5 standing paragraph (4)(C), as long as the
6 terms and conditions are consistent with
7 the purposes of the program.”; and

8 (B) by amending subparagraph (B) to read
9 as follows:

10 “(B) CERTIFICATION CRITERIA.—In order
11 to be certified, an eligible entity shall dem-
12 onstrate to the Secretary that the entity—

13 “(i) is a land trust that has—

14 “(I) been accredited by the Land
15 Trust Accreditation Commission, or
16 by an equivalent accrediting body (as
17 determined by the Secretary); and

18 “(II) acquired not fewer than five
19 agricultural land easements under the
20 program; or

21 “(ii) will maintain, at a minimum, for
22 the duration of the agreement—

23 “(I) a plan for administering
24 easements that is consistent with the
25 purpose of the program;

1 “(II) the capacity and resources
 2 to monitor and enforce agricultural
 3 land easements; and

4 “(III) policies and procedures to
 5 ensure—

6 “(aa) the long-term integrity
 7 of agricultural land easements on
 8 land subject to such easements;

9 “(bb) timely completion of
 10 acquisitions of such easements;
 11 and

12 “(cc) timely and complete
 13 evaluation and reporting to the
 14 Secretary on the use of funds
 15 provided under the program.”.

16 (c) TECHNICAL ASSISTANCE.—Section 1265B(d) of
 17 the Food Security Act of 1985 (16 U.S.C. 3865b(d)) is
 18 amended to read as follows:

19 “(d) TECHNICAL ASSISTANCE.—The Secretary may
 20 provide technical assistance, if requested, to assist in com-
 21 pliance with the terms and conditions of easements.”.

22 **SEC. 2604. WETLAND RESERVE EASEMENTS.**

23 Section 1265C(b)(5)(D)(i)(III) of the Food Security
 24 Act of 1985 (16 U.S.C. 3865c(b)(5)(D)(i)(III)) is amend-
 25 ed by inserting after “under subsection (f)” the following:

1 “or a grazing management plan that is consistent with
 2 the wetland reserve easement plan and has been reviewed,
 3 and modified as necessary, at least every five years”.

4 **SEC. 2605. ADMINISTRATION.**

5 (a) INELIGIBLE LAND.—Section 1265D(a)(4) of the
 6 Food Security Act of 1985 (16 U.S.C. 3865d(a)(4)) is
 7 amended—

8 (1) by striking “or off-site”; and

9 (2) by striking “proposed or” and inserting
 10 “permitted or”.

11 (b) SUBORDINATION, EXCHANGE, MODIFICATION,
 12 AND TERMINATION.—

13 (1) SUBORDINATION AND EXCHANGE.—Section
 14 1265D(c)(1) of the Food Security Act of 1985 (16
 15 U.S.C. 3865d(c)(1)) is amended—

16 (A) in the paragraph heading, by striking
 17 “IN GENERAL” and inserting “SUBORDINATION
 18 AND EXCHANGE”;

19 (B) by striking “subordinate, exchange,
 20 modify, or terminate” each place it appears and
 21 inserting “subordinate or exchange”; and

22 (C) by striking “subordination, exchange,
 23 modification, or termination” each place it ap-
 24 pears and inserting “subordination or ex-
 25 change”.

1 (2) MODIFICATION; TERMINATION.—Section
2 1265D(c) of the Food Security Act of 1985 (16
3 U.S.C. 3865d(c)) is amended—

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

6 (B) by inserting after paragraph (1) the
7 following:

8 “(2) MODIFICATION.—

9 “(A) AUTHORITY.—The Secretary may
10 modify any interest in land, or portion of such
11 interest, administered by the Secretary, either
12 directly or on behalf of the Commodity Credit
13 Corporation under the program if the modifica-
14 tion—

15 “(i) has a neutral effect on, or in-
16 creases, the conservation values;

17 “(ii) is consistent with the original in-
18 tent of the easement; and

19 “(iii) is consistent with the purposes
20 of the program.

21 “(B) LIMITATION.—In modifying an inter-
22 est in land, or portion of such interest, under
23 this paragraph, the Secretary may not increase
24 any payment to an eligible entity.

1 “(3) TERMINATION.—The Secretary may termi-
 2 nate any interest in land, or portion of such interest,
 3 administered by the Secretary, either directly or on
 4 behalf of the Commodity Credit Corporation under
 5 the program if—

6 “(A) the current owner of the land that is
 7 subject to the easement and the holder of the
 8 easement agree to the termination; and

9 “(B) the Secretary determines that the ter-
 10 mination would be in the public interest.”;

11 (C) in paragraph (5) (as so redesignated),
 12 by striking “paragraph (1)” and inserting
 13 “paragraph (3)”; and

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

15 “(6) CHARITABLE CONTRIBUTION.—

16 “(A) QUALIFIED CONSERVATION CON-
 17 TRIBUTION.—An easement acquired or funded
 18 by the Secretary under this subtitle shall not
 19 fail to be treated for purposes of the Internal
 20 Revenue Code of 1986 as a qualified conserva-
 21 tion contribution described in section 170(h) of
 22 such Code merely because of—

23 “(i) the authority of the Secretary
 24 under this subsection to modify or termi-
 25 nate the easement; or

1 “(ii) any modification or termination
2 under such authority.

3 “(B) FUNDS RESULTING FROM MODIFICA-
4 TION OR TERMINATION.—If the Secretary modi-
5 fies or terminates an interest in land, or portion
6 of such interest, under paragraph (2) or (3),
7 the Secretary shall use any funds made avail-
8 able to the Secretary that are attributable to
9 such modification or termination for authorized
10 activities that are consistent with—

11 “(i) the conservation purposes of the
12 easement as it existed before such modi-
13 fication or termination; or

14 “(ii) other conservation purposes de-
15 scribed in section 170(h)(4) of the Internal
16 Revenue Code of 1986.”.

17 (c) LANDOWNER ELIGIBILITY.—Section 1265D of
18 the Food Security Act of 1985 (16 U.S.C. 3865d) is
19 amended by adding at the end the following:

20 “(f) LANDOWNER ELIGIBILITY.—The limitation de-
21 scribed in paragraph (1) of section 1001D(b) shall not
22 apply to a landowner from which an easement under the
23 program is to be purchased with respect to any benefit
24 described in paragraph (2)(C) of such section related to
25 the purchase of such easement.”.

1 **Subtitle G—Regional Conservation**
2 **Partnership Program**

3 **SEC. 2701. DEFINITIONS.**

4 (a) COVERED PROGRAM.—Section 1271A(1) of the
5 Food Security Act of 1985 (16 U.S.C. 3871a(1)) is
6 amended—

7 (1) by striking subparagraph (C) and redesign-
8 nating subparagraph (D) as subparagraph (C); and

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

10 “(D) The conservation reserve program es-
11 tablished under subchapter B of chapter 1 of
12 subtitle D.

13 “(E) Programs provided for in the Water-
14 shed Protection and Flood Prevention Act (16
15 U.S.C. 1001 et seq.), other than section 14 of
16 such Act (16 U.S.C. 1012).”.

17 (b) ELIGIBLE ACTIVITY.—Section 1271A(2) of the
18 Food Security Act of 1985 (16 U.S.C. 3871a(2)) is
19 amended—

20 (1) in subparagraph (B), by inserting “re-
21 source-conserving crop rotations,” before “or
22 dryland farming”; and

23 (2) by redesignating subparagraphs (C) through
24 (J) as subparagraphs (D) through (K), respectively,
25 and inserting after subparagraph (B) the following:

1 “(C) Protection of source waters for drink-
2 ing water.”.

3 **SEC. 2702. REGIONAL CONSERVATION PARTNERSHIPS.**

4 (a) **LENGTH.**—Section 1271B(b) of the Food Secu-
5 rity Act of 1985 (16 U.S.C. 3871b(b)) is amended to read
6 as follows:

7 “(b) **LENGTH.**—A partnership agreement, including
8 a renewal of a partnership agreement under subsection
9 (d)(5), shall be—

10 “(1) for a period not to exceed 5 years, which
11 period the Secretary may extend one time for up to
12 12 months; or

13 “(2) for a period that is longer than 5 years,
14 if such longer period is necessary to meet the objec-
15 tives of the program, as determined by the Sec-
16 retary.”.

17 (b) **DUTIES OF PARTNERS.**—Section 1271B(c)(1)(E)
18 of the Food Security Act of 1985 (16 U.S.C.
19 3871b(c)(1)(E)) is amended by inserting “, including
20 quantification of the project’s environmental outcomes”
21 before the semicolon.

22 (c) **APPLICATIONS.**—Section 1271B(d) of the Food
23 Security Act of 1985 (16 U.S.C. 3871b(d)) is amended—

24 (1) in paragraph (1), by inserting “simplified”
25 before “competitive process to select”; and

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

2 “(5) RENEWALS.—If a project that is the sub-
3 ject of a partnership agreement has met or exceeded
4 the objectives of the project, as determined by the
5 Secretary, the eligible partners may submit, through
6 an expedited program application process, an appli-
7 cation to—

8 “(A) continue to implement the project
9 under a renewal of the partnership agreement;
10 or

11 “(B) expand the scope of the project under
12 a renewal of the partnership agreement.”.

13 **SEC. 2703. ASSISTANCE TO PRODUCERS.**

14 Section 1271C(c) of the Food Security Act of 1985
15 (16 U.S.C. 3871c(c)) is amended—

16 (1) in paragraph (2), in the matter preceding
17 subparagraph (A), by striking “a period of 5 years”
18 and inserting “the applicable period under section
19 1271B(b)”; and

20 (2) in paragraph (3), by striking “the Secretary
21 may waive the applicability of the limitation in sec-
22 tion 1001D(b)(2) of this Act for participating pro-
23 ducers” and inserting “, notwithstanding the re-
24 quirements of paragraph (3) of section 1001D(b),
25 the Secretary may waive the applicability of the limi-

1 tation in paragraph (2) of such section, and any lim-
2 itation on the maximum amount of payments related
3 to the covered programs, for participating pro-
4 ducers”.

5 **SEC. 2704. FUNDING.**

6 Section 1271D(a) of the Food Security Act of 1985
7 (16 U.S.C. 3871d(a)) is amended to read as follows:

8 “(a) AVAILABILITY OF FUNDS.—Of the funds of the
9 Commodity Credit Corporation, the Secretary shall use,
10 to carry out the program—

11 “(1) \$100,000,000 for each of fiscal years 2014
12 through 2018; and

13 “(2) \$250,000,000 for each of fiscal years 2019
14 through 2023.”.

15 **SEC. 2705. ADMINISTRATION.**

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

18 (1) by redesignating subsection (b) as sub-
19 section (c) and inserting after subsection (a) the fol-
20 lowing:

21 “(b) GUIDANCE.—The Secretary shall provide eligible
22 partners and producers participating in the partnership
23 agreements with guidance on how to quantify and report
24 on environmental outcomes associated with the adoption
25 of conservation practices under the program.”; and

1 (2) in subsection (c), as so redesignated—

2 (A) in paragraph (3), by striking “; and”
3 and inserting a semicolon;

4 (B) in paragraph (4)(C), by striking the
5 period and inserting “; and”; and

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

7 “(5) the progress that eligible partners and pro-
8 ducers participating in the partnership agreements
9 are making in quantifying and reporting on environ-
10 mental outcomes associated with the adoption of
11 conservation practices under the program.”.

12 **SEC. 2706. CRITICAL CONSERVATION AREAS.**

13 Section 1271F(c) of the Food Security Act of 1985
14 (16 U.S.C. 3871f(c)) is amended by striking paragraph
15 (3).

16 **Subtitle H—Repeals and Transi-**
17 **tional Provisions; Technical**
18 **Amendments**

19 **SEC. 2801. REPEAL OF CONSERVATION SECURITY AND CON-**
20 **SERVATION STEWARDSHIP PROGRAMS.**

21 (a) REPEAL.—Except as provided in subsection (b),
22 chapter 2 of subtitle D of title XII of the Food Security
23 Act of 1985 (16 U.S.C. 3838d et seq.) is repealed.

24 (b) TRANSITIONAL PROVISIONS FOR CONSERVATION
25 STEWARDSHIP PROGRAM.—

1 (1) EFFECT ON EXISTING CONTRACTS.—The
2 amendment made by this section shall not affect the
3 validity or terms of any contract entered into by the
4 Secretary of Agriculture under subchapter B of
5 chapter 2 of subtitle D of title XII of the Food Se-
6 curity Act of 1985 (16 U.S.C. 3838d et seq.) before
7 the date of enactment of this Act, or any payments
8 required to be made in connection with the contract.

9 (2) NO RENEWALS.—Notwithstanding para-
10 graph (1), the Secretary may not renew a contract
11 described in such paragraph.

12 **SEC. 2802. REPEAL OF TERMINAL LAKES ASSISTANCE.**

13 Section 2507 of the Farm Security and Rural Invest-
14 ment Act of 2002 (16 U.S.C. 3839bb–6) is repealed.

15 **SEC. 2803. TECHNICAL AMENDMENTS.**

16 (a) DELINEATION OF WETLANDS; EXEMPTIONS.—
17 Section 1222(j) of the Food Security Act of 1985 (16
18 U.S.C. 3822(j)) is amended by striking “National Re-
19 sources Conservation Service” and inserting “Natural Re-
20 sources Conservation Service”.

21 (b) DELIVERY OF TECHNICAL ASSISTANCE.—Section
22 1242 of the Food Security Act of 1985 (16 U.S.C. 3842)
23 is amended by striking “third party” each place it appears
24 and inserting “third-party”.

1 (c) ADMINISTRATIVE REQUIREMENTS FOR CON-
 2 SERVATION PROGRAMS.—Section 1244(b)(4)(B) of the
 3 Food Security Act of 1985 (16 U.S.C. 3844(b)(4)(B)) is
 4 amended by striking “General Accounting Office” and in-
 5 serting “General Accountability Office”.

6 (d) WATERSHED PROTECTION AND FLOOD PREVEN-
 7 TION ACT.—Section 5(4) of the Watershed Protection and
 8 Flood Prevention Act (16 U.S.C. 1005(4)) is amended—

9 (1) by striking “goodwater” and inserting
 10 “floodwater”; and

11 (2) by striking “Secretary of Health, Edu-
 12 cation, and Welfare” each place it appears and in-
 13 serting “Secretary of Health and Human Services”.

14 **TITLE III—TRADE**

15 **Subtitle A—Food for Peace Act**

16 **SEC. 3001. FINDINGS.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) The United States has long been the world’s
 19 largest donor of international food assistance.

20 (2) American farmers have been instrumental
 21 in the success of United States international food
 22 assistance programs by providing an affordable,
 23 safe, and reliable source of nutritious agricultural
 24 commodities.

1 (3) Through the efforts of the United States
2 maritime industry and private voluntary organiza-
3 tions, agricultural commodities grown in the United
4 States have been delivered to millions of people in
5 need around the globe.

6 (4) The United States should continue to use
7 its abundant agricultural productivity to promote the
8 foreign policy of the United States by enhancing the
9 food security of the developing world through the
10 timely provision of agricultural commodities.

11 **SEC. 3002. LABELING REQUIREMENTS.**

12 Subsection (g) of section 202 of the Food for Peace
13 Act (7 U.S.C. 1722) is amended to read as follows:

14 “(g) LABELING OF ASSISTANCE.—Agricultural com-
15 modities and other assistance provided under this title
16 shall, to the extent practicable, be clearly identified with
17 appropriate markings on the package or container of such
18 commodities and food procured outside of the United
19 States, or on printed material that accompanies other as-
20 sistance, in the language of the locality in which such com-
21 modities and other assistance are distributed, as being fur-
22 nished by the people of the United States of America.”.

1 **SEC. 3003. FOOD AID QUALITY ASSURANCE.**

2 Section 202(h)(3) of the Food for Peace Act (7
3 U.S.C. 1722(h)(3)) is amended by striking “2018” and
4 inserting “2023”.

5 **SEC. 3004. LOCAL SALE AND BARTER OF COMMODITIES.**

6 Section 203 of the Food for Peace Act (7 U.S.C.
7 1723) is amended—

8 (1) in subsection (a), by inserting “to generate
9 proceeds to be used as provided in this section” be-
10 fore the period at the end;

11 (2) by striking subsection (b); and

12 (3) by redesignating subsections (c) and (d) as
13 subsections (b) and (c), respectively.

14 **SEC. 3005. MINIMUM LEVELS OF ASSISTANCE.**

15 Section 204(a) of the Food for Peace Act (7 U.S.C.
16 1724(a)) is amended in paragraphs (1) and (2) by striking
17 “2018” both places it appears and inserting “2023”.

18 **SEC. 3006. EXTENSION OF TERMINATION DATE OF FOOD**
19 **AID CONSULTATIVE GROUP.**

20 Section 205(f) of the Food for Peace Act (7 U.S.C.
21 1725(f)) is amended by striking “2018” and inserting
22 “2023”.

23 **SEC. 3007. ISSUANCE OF REGULATIONS.**

24 Section 207(c)(1) of the Food for Peace Act (7
25 U.S.C. 1726a(c)(1)) is amended by striking “the Agricul-

1 tural Act of 2014” and inserting “the Agriculture and Nu-
2 trition Act of 2018”.

3 **SEC. 3008. FUNDING FOR PROGRAM OVERSIGHT, MONI-**
4 **TORING, AND EVALUATION.**

5 Section 207(f)(4) of the Food for Peace Act (7
6 U.S.C. 1726a(f)(4)) is amended—

7 (1) in subparagraph (A)—

8 (A) by striking “\$17,000,000” and insert-
9 ing “1.5 percent”; and

10 (B) by striking “2014 through 2018” the
11 first place it appears and inserting “2019
12 through 2023”; and

13 (C) by striking “2018” the second place it
14 appears and inserting “2023”; and

15 (2) in subparagraph (B)—

16 (A) in clause (i), by striking “2018” and
17 inserting “2023”; and

18 (B) in clause (ii), by striking “chapter 1 of
19 part I of”.

20 **SEC. 3009. ASSISTANCE FOR STOCKPILING AND RAPID**
21 **TRANSPORTATION, DELIVERY, AND DIS-**
22 **TRIBUTION OF SHELF-STABLE PRE-**
23 **PACKAGED FOODS.**

24 Section 208 the Food for Peace Act (7 U.S.C. 1726b)
25 is amended—

1 (1) by amending the section heading to read as
 2 follows: “**INTERNATIONAL FOOD RELIEF PART-**
 3 **nership**”; and

4 (2) in subsection (f), by striking “2018” and
 5 inserting “2023”.

6 **SEC. 3010. CONSIDERATION OF IMPACT OF PROVISION OF**
 7 **AGRICULTURAL COMMODITIES AND OTHER**
 8 **ASSISTANCE ON LOCAL FARMERS AND ECON-**
 9 **OMY.**

10 (a) INCLUSION OF ALL MODALITIES.—Section
 11 403(a) of the Food for Peace Act (7 U.S.C. 1733(a)) is
 12 amended—

13 (1) in the matter preceding paragraph (1), by
 14 inserting “, food procured outside of the United
 15 States, food voucher, or cash transfer for food,”
 16 after “agricultural commodity”;

17 (2) in paragraph (1), by inserting “in the case
 18 of the provision of an agricultural commodity,” be-
 19 fore “adequate”; and

20 (3) in paragraph (2), by striking “commodity”
 21 and inserting “agricultural commodity or use of the
 22 food procured outside of the United States, food
 23 vouchers, or cash transfers for food” after “com-
 24 modity”.

1 (b) AVOIDANCE OF DISRUPTIVE IMPACT.—Section
2 403(b) of the Food for Peace Act (7 U.S.C. 1733(b)) is
3 amended—

4 (1) in the first sentence, by inserting “, food
5 procured outside of the United States, food vouch-
6 ers, and cash transfers for food” after “agricultural
7 commodities”; and

8 (2) in the second sentence, by striking “of sales
9 of agricultural commodities”.

10 **SEC. 3011. PREPOSITIONING OF AGRICULTURAL COMMOD-**
11 **ITIES.**

12 Section 407(c)(4)(A) of the Food for Peace Act (7
13 U.S.C. 1736a(c)(4)(A)) is amended by striking “2018”
14 each place it appears and inserting “2023”.

15 **SEC. 3012. ANNUAL REPORT REGARDING FOOD AID PRO-**
16 **GRAMS AND ACTIVITIES.**

17 (a) IN GENERAL.—Section 407(f) of the Food for
18 Peace Act (7 U.S.C. 1736a(f)(1)) is amended to read as
19 follows:

20 “(f) ANNUAL REPORT REGARDING FOOD AID PRO-
21 GRAMS AND ACTIVITIES.—

22 “(1) IN GENERAL.—Not later than April 1 of
23 each fiscal year, the Administrator and the Sec-
24 retary shall prepare, either jointly or separately, a
25 report regarding each program and activity carried

1 out under this Act during the prior fiscal year. If
2 the report for a fiscal year will not be submitted to
3 the appropriate committees of Congress by the date
4 specified in this subparagraph, the Administrator
5 and the Secretary shall promptly notify such com-
6 mittees about the delay, including the reasons for
7 the delay, the steps being taken to complete the re-
8 port, and an estimated submission date.

9 “(2) CONTENTS.—An annual report described
10 in paragraph (1) shall include, with respect to the
11 prior fiscal year, the following:

12 “(A) A list that contains a description of
13 each country and organization that receives
14 food and other assistance under this Act (in-
15 cluding the quantity of food and assistance pro-
16 vided to each country and organization).

17 “(B) A general description of each project
18 and activity implemented under this Act (in-
19 cluding each activity funded through the use of
20 local currencies) and the total number of bene-
21 ficiaries of the project.

22 “(C) A statement describing the quantity
23 of agricultural commodities made available to,
24 and the total number of beneficiaries in, each
25 country pursuant to—

1 “(i) this Act;

2 “(ii) section 416(b) of the Agricul-
3 tural Act of 1949 (7 U.S.C. 1431(b));

4 “(iii) the Food for Progress Act of
5 1985 (7 U.S.C. 1736o); and

6 “(iv) the McGovern-Dole International
7 Food for Education and Child Nutrition
8 Program established by section 3107 of the
9 Farm Security and Rural Investment Act
10 of 2002 (7 U.S.C. 1736o–1).

11 “(D) An assessment of the progress made
12 through programs under this Act towards re-
13 ducing food insecurity in the populations receiv-
14 ing food assistance from the United States.

15 “(E) A description of efforts undertaken
16 by the Food Aid Consultative Group under sec-
17 tion 205 to achieve an integrated and effective
18 food assistance program.

19 “(F) An assessment of—

20 “(i) each program oversight, moni-
21 toring, and evaluation system implemented
22 under section 207(f); and

23 “(ii) the impact of each program over-
24 sight, monitoring, and evaluation system

1 on the effectiveness and efficiency of as-
2 sistance provided under this title.

3 “(G) An assessment of the progress made
4 by the Administrator in addressing issues relat-
5 ing to quality with respect to the provision of
6 food assistance.

7 “(H) A statement of the amount of funds
8 (including funds for administrative costs, indi-
9 rect cost recovery, internal transportation, stor-
10 age and handling, and associated distribution
11 costs) provided to each eligible organization
12 that received assistance under this Act, that
13 further describes the following:

14 “(i) How such funds were used by the
15 eligible organization.

16 “(ii) The actual rate of return for
17 each commodity made available under this
18 Act, including factors that influenced the
19 rate of return, and, for the commodity, the
20 costs of bagging or further processing,
21 ocean transportation, inland transportation
22 in the recipient country, storage costs, and
23 any other information that the Adminis-
24 trator and the Secretary determine to be
25 necessary.

1 “(iii) For each instance in which a
 2 commodity was made available under this
 3 Act at a rate of return less than 70 per-
 4 cent, the reasons for the rate of return re-
 5 alized.

6 “(I) For funds expended for the purposes
 7 of section 202(e), 406(b)(6), and 407(c)(1)(B),
 8 a detailed accounting of the expenditures and
 9 purposes of such expenditures with respect to
 10 each section.

11 “(3) RATE OF RETURN DESCRIBED.—For pur-
 12 poses of applying subparagraph (H), the rate of re-
 13 turn for a commodity shall be equal to the propor-
 14 tion that—

15 “(A) the proceeds the implementing part-
 16 ners generate through monetization; bears to

17 “(B) the cost to the Federal Government
 18 to procure and ship the commodity to a recipi-
 19 ent country for monetization.”.

20 (b) CONFORMING REPEAL.—Subsection (m) of sec-
 21 tion 403 of the Food for Peace Act (7 U.S.C. 1733) is
 22 repealed.

1 **SEC. 3013. DEADLINE FOR AGREEMENTS TO FINANCE**
2 **SALES OR TO PROVIDE OTHER ASSISTANCE.**

3 Section 408 of the Food for Peace Act (7 U.S.C.
4 1736b) is amended by striking “2018” and inserting
5 “2023”.

6 **SEC. 3014. MINIMUM LEVEL OF NONEMERGENCY FOOD AS-**
7 **SISTANCE.**

8 Subsection (e) of section 412 of the Food for Peace
9 Act (7 U.S.C. 1736f) is amended to read as follows:

10 “(e) MINIMUM LEVEL OF NONEMERGENCY FOOD AS-
11 SISTANCE.—

12 “(1) IN GENERAL.—For each of fiscal years
13 2019 through 2023, not less than \$365,000,000 of
14 the amounts made available to carry out emergency
15 and nonemergency food assistance programs under
16 title II, nor more than 30 percent of such amounts,
17 shall be expended for nonemergency food assistance
18 programs under such title.

19 “(2) COMMUNITY DEVELOPMENT FUNDS.—
20 Funds appropriated each year to carry out part I of
21 the Foreign Assistance Act of 1961 (22 U.S.C. 2151
22 et seq.) that are made available through grants or
23 cooperative agreements to strengthen food security
24 in developing countries and that are consistent with
25 section 202(e)(1)(C) may be deemed to be expended

1 on nonemergency food assistance programs for pur-
 2 poses of this section.”.

3 **SEC. 3015. TERMINATION DATE FOR MICRONUTRIENT FOR-**
 4 **TIFICATION PROGRAMS.**

5 Section 415(c) of the Food for Peace Act (7 U.S.C.
 6 1736g–2(c)) is amended by striking “2018” and inserting
 7 “2023”.

8 **SEC. 3016. JOHN OGONOWSKI AND DOUG BEREUTER FARM-**
 9 **ER-TO-FARMER PROGRAM.**

10 (a) CLARIFICATION OF NATURE OF ASSISTANCE.—
 11 Section 501(b)(1) of the Food for Peace Act (7 U.S.C.
 12 1737(b)(1)) is amended by inserting “technical” before
 13 “assistance”.

14 (b) ELIGIBLE PARTICIPANTS.—Section 501(b)(2) of
 15 the Food for Peace Act (7 U.S.C. 1737(b)(2)) is amended
 16 by inserting “retired extension staff of the Department of
 17 Agriculture,” after “private corporations,”.

18 (c) ADDITIONAL PURPOSE.—Section 501(b) of the
 19 Food for Peace Act (7 U.S.C. 1737(b)) is amended—

20 (1) by striking “and” at the end of paragraph
 21 (5);

22 (2) by redesignating paragraph (6) as para-
 23 graph (7); and

24 (3) by inserting after paragraph (5) the fol-
 25 lowing new paragraph:

1 “(6) foster appropriate investments in institu-
2 tional capacity-building and allow longer-term and
3 sequenced assignments and partnerships to provide
4 deeper engagement and greater continuity on such
5 projects; and”.

6 (d) MINIMUM FUNDING.—Subsection (d) of section
7 501 of the Food for Peace Act (7 U.S.C. 1737) is amend-
8 ed to read as follows:

9 “(d) MINIMUM FUNDING.—

10 “(1) IN GENERAL.—Notwithstanding any other
11 provision of law, in addition to any funds that may
12 be specifically appropriated to carry out this section,
13 not less than the greater of \$15,000,000 or 0.6 per-
14 cent of the amounts made available for each of fiscal
15 years 2014 through 2023, to carry out this Act shall
16 be used to carry out programs under this section, of
17 which—

18 “(A) not less than 0.2 percent to be used
19 for programs in developing countries; and

20 “(B) not less than 0.1 percent to be used
21 for programs in sub-Saharan African and Car-
22 ibbean Basin countries.

23 “(2) TREATMENT OF EXPENDITURES.—Funds
24 used to carry out programs under this section shall
25 be counted towards the minimum level of non-

1 emergency food assistance specified in section
2 412(e).”.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
4 501(e)(1) of the Food for Peace Act (7 U.S.C. 1737(e)(1))
5 is amended in by striking “2018” and inserting “2023”.

6 **Subtitle B—Agricultural Trade Act**
7 **of 1978**

8 **SEC. 3101. FINDINGS.**

9 Congress finds the following:

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

16 (2) Our global competitors provide substantially
17 more public support for export promotion than is
18 provided to United States agricultural exporters.
19 The Market Access Program and Foreign Market
20 Development Program receive combined annual
21 funding of approximately \$234,500,000. In compari-
22 son, the European Union allocates \$255,000,000 an-
23 nually for the international promotion of wine alone.

24 (3) The preservation and streamlining of
25 United States export market development programs

1 complements the recent reorganization within the
 2 Department of Agriculture by ensuring the newly es-
 3 tablished Under Secretary for Trade and Foreign
 4 Agricultural Affairs has the tools necessary to en-
 5 hance the competitiveness of the United States agri-
 6 cultural industry on the global stage.

7 **SEC. 3102. CONSOLIDATION OF CURRENT PROGRAMS AS**
 8 **NEW INTERNATIONAL MARKET DEVELOP-**
 9 **MENT PROGRAM.**

10 (a) INTERNATIONAL MARKET DEVELOPMENT PRO-
 11 GRAM.—Section 205 of the Agricultural Trade Act of
 12 1978 (7 U.S.C. 5625) is amended to read as follows:

13 **“SEC. 205. INTERNATIONAL MARKET DEVELOPMENT PRO-**
 14 **GRAM.**

15 “(a) PROGRAM REQUIRED.—The Secretary and the
 16 Commodity Credit Corporation shall establish and carry
 17 out a program, to be known as the ‘International Market
 18 Development Program’, to encourage the development,
 19 maintenance, and expansion of commercial export markets
 20 for United States agricultural commodities.

21 “(b) MARKET ACCESS PROGRAM COMPONENT.—

22 “(1) IN GENERAL.—As one of the components
 23 of the International Market Development Program,
 24 the Commodity Credit Corporation shall carry out a
 25 program to encourage the development, mainte-

1 nance, and expansion of commercial export markets
2 for United States agricultural commodities through
3 cost-share assistance to eligible trade organizations
4 that implement a foreign market development pro-
5 gram.

6 “(2) TYPES OF ASSISTANCE.—Assistance under
7 this subsection may be provided in the form of funds
8 of, or commodities owned by, the Commodity Credit
9 Corporation, as determined appropriate by the Sec-
10 retary.

11 “(3) PARTICIPATION REQUIREMENTS.—

12 “(A) MARKETING PLAN AND OTHER RE-
13 QUIREMENTS.—To be eligible for cost-share as-
14 sistance under this subsection, an eligible trade
15 organization shall—

16 “(i) prepare and submit a marketing
17 plan to the Secretary that meets the guide-
18 lines governing such a marketing plan
19 specified in this paragraph or otherwise es-
20 tablished by the Secretary;

21 “(ii) meet any other requirements es-
22 tablished by the Secretary; and

23 “(iii) enter into an agreement with the
24 Secretary.

1 “(B) PURPOSE OF MARKETING PLAN.—A
2 marketing plan submitted under this paragraph
3 shall describe the advertising or other market
4 oriented export promotion activities to be car-
5 ried out by the eligible trade organization with
6 respect to which assistance under this sub-
7 section is being requested.

8 “(C) SPECIFIC ELEMENTS.—To be ap-
9 proved by the Secretary, a marketing plan sub-
10 mitted under this paragraph shall—

11 “(i) specifically describe the manner
12 in which assistance received by the eligible
13 trade organization, in conjunction with
14 funds and services provided by the eligible
15 trade organization, will be expended in im-
16 plementing the marketing plan;

17 “(ii) establish specific market goals to
18 be achieved under the marketing plan; and

19 “(iii) contain whatever additional re-
20 quirements are determined by the Sec-
21 retary to be necessary.

22 “(D) BRANDED PROMOTION.—A mar-
23 keting plan approved by the Secretary may pro-
24 vide for the use of branded advertising to pro-
25 mote the sale of United States agricultural

1 commodities in a foreign country under such
2 terms and conditions as may be established by
3 the Secretary.

4 “(E) AMENDMENTS.—An approved mar-
5 keting plan may be amended by the eligible
6 trade organization at any time, subject to the
7 approval by the Secretary of the amendments.

8 “(4) LEVEL OF ASSISTANCE AND COST-SHARE
9 REQUIREMENTS.—

10 “(A) IN GENERAL.—The Secretary shall
11 justify in writing the level of assistance to be
12 provided to an eligible trade organization under
13 this subsection and the level of cost sharing re-
14 quired of the organization.

15 “(B) LIMITATION ON BRANDED PRO-
16 MOTION.—Assistance provided under this sub-
17 section for activities described in paragraph
18 (3)(D) shall not exceed 50 percent of the cost
19 of implementing the marketing plan, except
20 that the Secretary may determine not to apply
21 such limitation in the case of United States ag-
22 ricultural commodities with respect to which
23 there has been a favorable decision by the
24 United States Trade Representative under sec-
25 tion 301 of the Trade Act of 1974 (19 U.S.C.

2411). Criteria used by the Secretary for determining that the limitation shall not apply shall be consistent and documented.

“(5) OTHER TERMS AND CONDITIONS.—

“(A) MULTI-YEAR BASIS.—The Secretary may provide assistance under this subsection on a multi-year basis, subject to annual review by the Secretary for compliance with the approved marketing plan.

“(B) TERMINATION OF ASSISTANCE.—The Secretary may terminate any assistance made, or to be made, available under this subsection if the Secretary determines that—

“(i) the eligible trade organization is not adhering to the terms and conditions applicable to the provision of the assistance;

“(ii) the eligible trade organization is not implementing the approved marketing plan or is not adequately meeting the established goals of the plan;

“(iii) the eligible trade organization is not adequately contributing its own resources to the implementation of the plan;
or

1 “(iv) the Secretary determines that
2 termination of assistance in a particular
3 instance is in the best interests of the pro-
4 gram.

5 “(C) EVALUATIONS.—Beginning not later
6 than 15 months after the initial provision of as-
7 sistance under this subsection to an eligible
8 trade organization, the Secretary shall monitor
9 the expenditures by the eligible trade organiza-
10 tion of such assistance, including the following:

11 “(i) An evaluation of the effectiveness
12 of the marketing plan of the eligible trade
13 organization in developing or maintaining
14 markets for United States agricultural
15 commodities.

16 “(ii) An evaluation of whether assist-
17 ance provided under this subsection is nec-
18 essary to maintain such markets.

19 “(iii) A thorough accounting of the
20 expenditure by the eligible trade organiza-
21 tion of the assistance provided under this
22 subsection.

23 “(6) RESTRICTIONS ON USE OF FUNDS.—As-
24 sistance provided under this subsection to an eligible
25 trade organization shall not be used—

1 “(A) to provide direct assistance to any
2 foreign for-profit corporation for the corpora-
3 tion’s use in promoting foreign-produced prod-
4 ucts; or

5 “(B) to provide direct assistance to any
6 for-profit corporation that is not recognized as
7 a small business concern, excluding a coopera-
8 tive, an association described in the first section
9 of the Act entitled ‘An Act To authorize asso-
10 ciation of producers of agricultural products’,
11 approved February 18, 1922 (7 U.S.C. 291), or
12 a nonprofit trade association.

13 “(7) PERMISSIVE USE OF FUNDS.—Assistance
14 provided under this subsection to a United States
15 agricultural trade association, cooperative, or small
16 business may be used for individual branded pro-
17 motional activity related to a United States branded
18 product, if the beneficiaries of the activity have pro-
19 vided funds for the activity in an amount that is at
20 least equivalent to the amount of assistance provided
21 under this subsection.

22 “(8) PROGRAM CONSIDERATIONS AND PRIOR-
23 ITIES.—In providing assistance under this sub-
24 section, the Secretary, to the maximum extent prac-
25 ticable, shall—

1 “(A) give equal consideration to—

2 “(i) proposals submitted by organiza-
3 tions that were participating organizations
4 in prior fiscal years; and

5 “(ii) proposals submitted by eligible
6 trade organizations that have not pre-
7 viously participated in the program estab-
8 lished under this title;

9 “(B) give equal consideration to—

10 “(i) proposals submitted for activities
11 in emerging markets; and

12 “(ii) proposals submitted for activities
13 in markets other than emerging markets.

14 “(9) PRIORITY.—In providing assistance for
15 branded promotion, the Secretary should give pri-
16 ority to small-sized entities.

17 “(10) CONTRIBUTION LEVEL.—

18 “(A) IN GENERAL.—The Secretary should
19 require a minimum contribution level of 10 per-
20 cent from an eligible trade organization that re-
21 ceives assistance for nonbranded promotion.

22 “(B) INCREASES IN CONTRIBUTION
23 LEVEL.—The Secretary may increase the con-
24 tribution level in any subsequent year that an

1 eligible trade organization receives assistance
2 for nonbranded promotion.

3 “(11) ADDITIONALITY.—The Secretary should
4 require each participant in the program to certify
5 that any Federal funds received supplement, but do
6 not supplant, private or third party participant
7 funds or other contributions to program activities.

8 “(12) INDEPENDENT AUDITS.—If as a result of
9 an evaluation or audit of activities of a participant
10 under the program, the Secretary determines that a
11 further review is justified in order to ensure compli-
12 ance with the requirements of the program, the Sec-
13 retary should require the participant to contract for
14 an independent audit of the program activities, in-
15 cluding activities of any subcontractor.

16 “(13) TOBACCO.—No funds made available
17 under the market promotion program may be used
18 for activities to develop, maintain, or expand foreign
19 markets for tobacco.

20 “(c) FOREIGN MARKET DEVELOPMENT COOPERATOR
21 COMPONENT.—

22 “(1) IN GENERAL.—As one of the components
23 of the International Market Development Program,
24 the Secretary shall carry out a foreign market devel-
25 opment cooperator program to maintain and develop

1 foreign markets for United States agricultural com-
2 modities.

3 “(2) COOPERATION.—The Secretary shall carry
4 out the foreign market development cooperator pro-
5 gram in cooperation with eligible trade organiza-
6 tions.

7 “(3) ADMINISTRATION.—Funds made available
8 to carry out the foreign market development coop-
9 erator program shall be used only to provide—

10 “(A) cost-share assistance to an eligible
11 trade organization under a contract or agree-
12 ment with the organization; and

13 “(B) assistance for other costs that are
14 necessary or appropriate to carry out the for-
15 eign market development cooperator program,
16 including contingent liabilities that are not oth-
17 erwise funded.

18 “(4) PROGRAM CONSIDERATIONS.—In providing
19 assistance under this subsection, the Secretary, to
20 the maximum extent practicable, shall—

21 “(A) give equal consideration to—

22 “(i) proposals submitted by eligible
23 trade organizations that were participating
24 organizations in the foreign market devel-

1 opment cooperator program in prior fiscal
2 years; and

3 “(ii) proposals submitted by eligible
4 trade organizations that have not pre-
5 viously participated in the foreign market
6 development cooperator program; and

7 “(B) give equal consideration to—

8 “(i) proposals submitted for activities
9 in emerging markets; and

10 “(ii) proposals submitted for activities
11 in markets other than emerging markets.

12 “(d) TECHNICAL ASSISTANCE FOR SPECIALTY CROPS
13 COMPONENT.—

14 “(1) IN GENERAL.—As one of the components
15 of the International Market Development Program,
16 the Secretary shall carry out an export assistance
17 program to address existing or potential barriers
18 that prohibit or threaten the export of United States
19 specialty crops.

20 “(2) PURPOSE.—The export assistance program
21 required by this subsection shall provide direct as-
22 sistance through public and private sector projects
23 and technical assistance to remove, resolve, or miti-
24 gate existing or potential sanitary and phytosanitary
25 and technical barriers to trade.

1 “(3) PRIORITY.—The export assistance pro-
2 gram required by this subsection shall address time
3 sensitive and strategic market access projects based
4 on—

5 “(A) trade effect on market retention,
6 market access, and market expansion; and

7 “(B) trade impact.

8 “(4) ANNUAL REPORT.—The Secretary shall
9 submit to the appropriate committees of Congress
10 an annual report that contains, for the period cov-
11 ered by the report, a description of each factor that
12 affects the export of specialty crops, including each
13 factor relating to any significant sanitary or
14 phytosanitary issue or trade barrier.

15 “(e) E. (KIKI) DE LA GARZA EMERGING MARKETS
16 PROGRAM COMPONENT.—

17 “(1) IN GENERAL.—

18 “(A) ESTABLISHMENT OF PROGRAM.—The
19 Secretary, in order to develop, maintain, or ex-
20 pand export markets for United States agricul-
21 tural commodities, is directed—

22 “(i) to make available to emerging
23 markets the expertise of the United States
24 to make assessments of the food and rural

1 business systems needs of such emerging
2 markets;

3 “(ii) to make recommendations on
4 measures necessary to enhance the effec-
5 tiveness of the systems, including potential
6 reductions in trade barriers; and

7 “(iii) to identify and carry out specific
8 opportunities and projects to enhance the
9 effectiveness of those systems.

10 “(B) EXTENT OF PROGRAM.—The Sec-
11 retary shall implement this paragraph with re-
12 spect to at least 3 emerging markets in each
13 fiscal year.

14 “(2) IMPLEMENTATION OF PROGRAM.—The
15 Secretary may implement the requirements of para-
16 graph (1)—

17 “(A) by providing assistance to teams con-
18 sisting primarily of agricultural consultants,
19 farmers, other persons from the private sector
20 and government officials expert in assessing the
21 food and rural business systems of other coun-
22 tries to enable such teams to conduct the as-
23 sessments, make the recommendations, and
24 identify the opportunities and projects specified
25 in such paragraph in emerging markets; and

1 “(B) by providing for necessary subsist-
2 ence and transportation expenses of—

3 “(i) United States food and rural
4 business system experts, including United
5 States agricultural producers and other
6 United States individuals knowledgeable in
7 agricultural and agribusiness matters, to
8 enable such United States food and rural
9 business system experts to assist in trans-
10 ferring knowledge and expertise to entities
11 in emerging markets; and

12 “(ii) individuals designated by emerg-
13 ing markets to enable such designated in-
14 dividuals to consult with such United
15 States experts to enhance food and rural
16 business systems of such emerging markets
17 and to transfer knowledge and expertise to
18 such emerging markets.

19 “(3) COST-SHARING.—The Secretary shall en-
20 courage the nongovernmental experts described in
21 paragraph (2) to share the costs of, and otherwise
22 assist in, the participation of such experts in the
23 program under this paragraph.

24 “(4) TECHNICAL ASSISTANCE.—The Secretary
25 is authorized to provide, or pay the necessary costs

1 for, technical assistance (including the establishment
 2 of extension services) necessary to enhance the effec-
 3 tiveness of food and rural business systems needs of
 4 emerging markets, including potential reductions in
 5 trade barriers.

6 “(5) REPORTS TO SECRETARY.—A team that
 7 receives assistance under paragraph (2) shall pre-
 8 pare such reports with respect to the use of such as-
 9 sistance as the Secretary may require.

10 “(f) DEFINITIONS.—In this section:

11 “(1) ELIGIBLE TRADE ORGANIZATION.—

12 “(A) MARKET ACCESS PROGRAM COMPO-
 13 NENT.—In subsection (b), the term ‘eligible
 14 trade organization’ means—

15 “(i) a United States agricultural trade
 16 organization or regional State-related orga-
 17 nization that promotes the export and sale
 18 of United States agricultural commodities
 19 and that does not stand to profit directly
 20 from specific sales of United States agri-
 21 cultural commodities;

22 “(ii) a cooperative organization or
 23 State agency that promotes the sale of
 24 United States agricultural commodities; or

1 “(iii) a private organization that pro-
2 motes the export and sale of United States
3 agricultural commodities if the Secretary
4 determines that such organization would
5 significantly contribute to United States
6 export market development.

7 “(B) FOREIGN MARKET DEVELOPMENT
8 COOPERATOR COMPONENT.—In subsection (c),
9 the term ‘eligible trade organization’ means a
10 United States trade organization that—

11 “(i) promotes the export of one or
12 more United States agricultural commod-
13 ities; and

14 “(ii) does not have a business interest
15 in or receive remuneration from specific
16 sales of United States agricultural com-
17 modities.

18 “(2) EMERGING MARKET.—The term ‘emerging
19 market’ means any country that the Secretary deter-
20 mines—

21 “(A) is taking steps toward a market-ori-
22 ented economy through the food, agriculture, or
23 rural business sectors of the economy of the
24 country; and

1 “(B) has the potential to provide a viable
2 and significant market for United States agri-
3 cultural commodities.

4 “(3) SMALL-BUSINESS CONCERN.—The term
5 ‘small-business concern’ has the meaning given that
6 term in section 3(a) of the Small Business Act (15
7 U.S.C. 632(a)).

8 “(4) UNITED STATES AGRICULTURAL COM-
9 MODITY.—The term ‘United States agricultural com-
10 modity’ has the meaning given the term in section
11 102 of the Agriculture Trade Act of 1978 (7 U.S.C.
12 5602) and includes commodities that are organically
13 produced (as defined in section 2103 of the Organic
14 Foods Production Act of 1990 (7 U.S.C. 6502)).”.

15 (b) FUNDING PROVISION.—Subsection (c) of section
16 211 of the Agricultural Trade Act of 1978 (7 U.S.C.
17 5641) is amended to read as follows:

18 “(c) INTERNATIONAL MARKET DEVELOPMENT PRO-
19 GRAM.—

20 “(1) IN GENERAL.—Of the funds of the Com-
21 modity Credit Corporation, the Secretary shall make
22 available for the International Market Development
23 Program under section 205 \$255,000,000 for each
24 of the fiscal years 2019 through 2023. Such
25 amounts shall remain available until expended.

1 “(2) SET-ASIDES.—

2 “(A) MARKET ACCESS PROGRAM COMPO-
3 NENT.—Of the funds made available under
4 paragraph (1) for a fiscal year, not less than
5 \$200,000,000 shall be used for the market ac-
6 cess program component of the International
7 Market Development Program under subsection
8 (b) of section 205.

9 “(B) FOREIGN MARKET DEVELOPMENT
10 COOPERATOR COMPONENT.—Of the funds made
11 available under paragraph (1) for a fiscal year,
12 not less than \$34,500,000 shall be used for the
13 foreign market development cooperator compo-
14 nent of the International Market Development
15 Program under subsection (c) of section 205.

16 “(C) TECHNICAL ASSISTANCE FOR SPE-
17 CIALTY CROPS COMPONENT.—Of the funds
18 made available under paragraph (1) for a fiscal
19 year, not more than \$9,000,000, shall be used
20 for the specialty crops component of the Inter-
21 national Market Development Program under
22 subsection (d) of section 205.

23 “(D) AGRICULTURAL EXPORTS TO EMERG-
24 ING MARKETS COMPONENT.—Of the funds
25 made available under paragraph (1) for a fiscal

1 year, not more than \$10,000,000 shall be used
2 to promote agricultural exports to emerging
3 markets under the International Market Devel-
4 opment Program under subsection (e) of section
5 205.”.

6 (c) REPEAL OF SUPERSEDED PROGRAMS.—

7 (1) MARKET ACCESS PROGRAM.—Section 203 of
8 the Agricultural Trade Act of 1978 (7 U.S.C. 5623)
9 is repealed.

10 (2) PROMOTIONAL ASSISTANCE.—Section 1302
11 of the Omnibus Budget Reconciliation Act of 1993
12 is repealed.

13 (3) FOREIGN MARKET DEVELOPMENT COOP-
14 ERATOR PROGRAM.—Title VII of the Agricultural
15 Trade Act of 1978 (7 U.S.C. 5721–5723) is re-
16 pealed.

17 (4) EXPORT ASSISTANCE PROGRAM FOR SPE-
18 CIALTY CROPS.—Section 3205 of the Farm Security
19 and Rural Investment Act of 2002 (7 U.S.C. 5680)
20 is repealed.

21 (5) EMERGING MARKETS PROGRAM.—Section
22 1542 of the Food, Agriculture, Conservation, and
23 Trade Act of 1990 (7 U.S.C. 5622 note; Public Law
24 101–624) is amended by striking subsection (d) and

1 by redesignating subsection (e) and (f) as sub-
2 sections (d) and (e), respectively.

3 (d) CONFORMING AMENDMENTS.—

4 (1) AGRICULTURAL TRADE ACT OF 1978.—The
5 Agricultural Trade Act of 1978 is amended—

6 (A) in section 202 (7 U.S.C. 5622), by
7 adding at the end the following new paragraph:

8 “(k) COMBINATION OF PROGRAMS.—The Commodity
9 Credit Corporation may carry out a program under which
10 commercial export credit guarantees available under this
11 section are combined with direct credits from the Com-
12 modity Credit Corporation under section 201 to reduce the
13 effective rate of interest on export sales of United States
14 agricultural commodities.”; and

15 (B) in section 402(a)(1) (7 U.S.C.
16 5662(a)(1)), by striking “203” and inserting
17 “205(b)”.

18 (2) AGRICULTURAL MARKETING ACT OF 1946.—
19 Section 282(f)(2)(C) of the Agricultural Marketing
20 Act of 1946 (7 U.S.C. 1638a(f)(2)(C)) is amended
21 by striking “section 203 of the Agricultural Trade
22 Act of 1978 (7 U.S.C. 5623)” and inserting “section
23 205 of the Agricultural Trade Act of 1978”.

24 (3) FOOD, AGRICULTURE, CONSERVATION, AND
25 TRADE ACT OF 1990.—Section 1543(b)(5) of the

1 Food, Agriculture, Conservation, and Trade Act of
2 1990 (7 U.S.C. 3293(b)(5)) is amended by striking
3 “1542(f)” and inserting “1542(e)”.

4 **Subtitle C—Other Agricultural**
5 **Trade Laws**

6 **SEC. 3201. LOCAL AND REGIONAL FOOD AID PROCURE-**
7 **MENT PROJECTS.**

8 Section 3206(e)(1) of the Food, Conservation, and
9 Energy Act of 2008 (7 U.S.C. 1726c(e)(1)) is amended
10 by striking “2018” and inserting “2023”.

11 **SEC. 3202. PROMOTION OF AGRICULTURAL EXPORTS TO**
12 **EMERGING MARKETS.**

13 Section 1542(a) of the Food, Agriculture, Conserva-
14 tion, and Trade Act of 1990 (7 U.S.C. 5622 note; Public
15 Law 101–624) is amended by striking “2018” and insert-
16 ing “2023”.

17 **SEC. 3203. BILL EMERSON HUMANITARIAN TRUST ACT.**

18 Section 302 of the Bill Emerson Humanitarian Trust
19 Act (7 U.S.C. 1736f–1) is amended—

20 (1) in subsection (b)(2)(B)(i), by striking
21 “2018” each place it appears and inserting “2023”;
22 and

23 (2) in subsection (h), by striking “2018” each
24 place it appears and inserting “2023”.

1 **SEC. 3204. FOOD FOR PROGRESS ACT OF 1985.**

2 (a) EXTENSION.—Section 1110 of the Food Security
3 Act of 1985 (also known as the Food for Progress Act
4 of 1985; 7 U.S.C. 1736o) is amended—

5 (1) in subsection (f)(3), by striking “2018” and
6 inserting “2023”;

7 (2) in subsection (g), by striking “2018” and
8 inserting “2023”;

9 (3) in subsection (k), by striking “2018” and
10 inserting “2023”; and

11 (4) in subsection (l)(1), by striking “2018” and
12 inserting “2023”.

13 (b) ELIGIBLE ENTITIES.—Section 1110(b)(5) of the
14 Food Security Act of 1985 (also known as the Food for
15 Progress Act of 1985; 7 U.S.C. 1736o(b)(5)) is amend-
16 ed—

17 (1) by striking “and” at the end of subpara-
18 graph (E);

19 (2) by redesignating subparagraph (F) as sub-
20 paragraph (G); and

21 (3) by inserting after subparagraph (E) the fol-
22 lowing new subparagraph:

23 “(F) a college or university (as such terms
24 are defined in section 1404(4) of the Food and
25 Agriculture Act of 1977 (7 U.S.C. 3103(4));
26 and”.

1 (c) PRIVATE VOLUNTARY ORGANIZATIONS AND
 2 OTHER PRIVATE ENTITIES.—Section 1110(o) of the Food
 3 Security Act of 1985 is amended in paragraph (1) by
 4 striking “(F)” and inserting “(G)”.

5 **SEC. 3205. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**
 6 **EDUCATION AND CHILD NUTRITION PRO-**
 7 **GRAM.**

8 (a) CONSIDERATION OF PROPOSALS.—Section
 9 3107(f)(1)(B) of the Farm Security and Rural Investment
 10 Act of 2002 (7 U.S.C. 1736o–1(f)(1)(B)) is amended by
 11 inserting before the semicolon the following: “and, to the
 12 extent practicable, that assistance will be provided on a
 13 timely basis so as to coincide with the beginning of and
 14 when needed during the relevant school year”.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 16 3107(l)(2) of the Farm Security and Rural Investment
 17 Act of 2002 (7 U.S.C. 1736o–1(l)(2)) is amended by strik-
 18 ing “2018” and inserting “2023”.

19 **SEC. 3206. COCHRAN FELLOWSHIP PROGRAM.**

20 (a) AUTHORIZED LOCATIONS FOR TRAINING.—Sec-
 21 tion 1543(a) of the Food, Agriculture, Conservation, and
 22 Trade Act of 1990 (7 U.S.C. 3293(a)) is amended by
 23 striking “for study in the United States.” and inserting
 24 the following: “for study—

25 “(1) in the United States; or

1 “(2) at a college or university located in an eli-
2 gible country that the Secretary determines—

3 “(A) has sufficient scientific and technical
4 facilities;

5 “(B) has established a partnership with at
6 least one college or university in the United
7 States; and

8 “(C) has substantial participation by fac-
9 ulty members of the United States college or
10 university in the design of the fellowship cur-
11 riculum and classroom instruction under the
12 fellowship.”.

13 (b) FELLOWSHIP PURPOSES.—Section 1543(c)(2) of
14 the Food, Agriculture, Conservation, and Trade Act of
15 1990 (7 U.S.C. 3293(c)(2)) is amended by inserting be-
16 fore the period at the end the following: “, including trade
17 linkages involving regulatory systems governing sanitary
18 and phyto-sanitary standards for agricultural products”.

19 **SEC. 3207. BORLAUG FELLOWSHIP PROGRAM.**

20 Section 1473G of the National Agricultural Research,
21 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
22 3319j) is amended to read as follows:

1 **“SEC. 1473G. BORLAUG INTERNATIONAL AGRICULTURAL**
2 **SCIENCE AND TECHNOLOGY FELLOWSHIP**
3 **PROGRAM.**

4 “(a) FELLOWSHIP PROGRAM.—

5 “(1) ESTABLISHMENT.—The Secretary shall es-
6 tablish a fellowship program, to be known as the
7 ‘Borlaug International Agricultural Science and
8 Technology Fellowship Program’.

9 “(2) FELLOWSHIPS TO INDIVIDUALS FROM ELI-
10 GIBLE COUNTRIES.—As part of the fellowship pro-
11 gram, the Secretary shall provide fellowships to indi-
12 viduals from eligible countries as described in sub-
13 section (b) who specialize in agricultural education,
14 research, and extension for scientific training and
15 study designed to assist individual fellowship recipi-
16 ents, including the following 3 programs:

17 “(A) A graduate studies program in agri-
18 culture to assist individuals who participate in
19 graduate agricultural degree training at a
20 United States institution.

21 “(B) An individual career improvement
22 program to assist agricultural scientists from
23 developing countries in upgrading skills and un-
24 derstanding in agricultural science and tech-
25 nology.

1 “(C) A Borlaug agricultural policy execu-
2 tive leadership course to assist senior agricul-
3 tural policy makers from eligible countries, with
4 an initial focus on individuals from sub-Saharan
5 Africa and the independent states of the former
6 Soviet Union.

7 “(3) FELLOWSHIPS TO UNITED STATES CITI-
8 ZENS.—As part of the fellowship program, the Sec-
9 retary shall provide fellowships to citizens of the
10 United States to assist eligible countries in devel-
11 oping school-based agricultural education and youth
12 extension programs.

13 “(b) ELIGIBLE COUNTRY DESCRIBED.—For pur-
14 poses of this section, an eligible country is a developing
15 country, as determined by the Secretary using a gross na-
16 tional income per capita test selected by the Secretary.

17 “(c) PURPOSE OF FELLOWSHIPS.—

18 “(1) FELLOWSHIPS TO INDIVIDUALS FROM ELI-
19 GIBLE COUNTRIES.—A fellowship provided under
20 subsection (a)(2) shall—

21 “(A) promote food security and economic
22 growth in eligible countries by—

23 “(i) educating a new generation of ag-
24 ricultural scientists;

1 “(ii) increasing scientific knowledge
2 and collaborative research to improve agri-
3 cultural productivity; and

4 “(iii) extending that knowledge to
5 users and intermediaries in the market-
6 place; and

7 “(B) support—

8 “(i) training and collaborative re-
9 search opportunities through exchanges for
10 entry level international agricultural re-
11 search scientists, faculty, and policymakers
12 from eligible countries;

13 “(ii) collaborative research to improve
14 agricultural productivity;

15 “(iii) the transfer of new science and
16 agricultural technologies to strengthen ag-
17 ricultural practice; and

18 “(iv) the reduction of barriers to tech-
19 nology adoption.

20 “(2) FELLOWSHIPS TO UNITED STATES CITI-
21 ZENS.—A fellowship provided under subsection
22 (a)(3) shall—

23 “(A) develop globally minded United
24 States agriculturists with experience living
25 abroad;

1 “(B) focus on meeting the food and fiber
2 needs of the domestic population of eligible
3 countries; and

4 “(C) strengthen and enhance trade link-
5 ages between eligible countries and the United
6 States agricultural industry.

7 “(d) FELLOWSHIP RECIPIENTS.—

8 “(1) FELLOWSHIPS TO INDIVIDUALS FROM ELI-
9 GIBLE COUNTRIES.—

10 “(A) ELIGIBLE CANDIDATES.—The Sec-
11 retary may provide fellowships under subsection
12 (a)(2) to individuals from eligible countries who
13 specialize or have experience in agricultural
14 education, research, extension, or related fields,
15 including—

16 “(i) individuals from the public and
17 private sectors; and

18 “(ii) private agricultural producers.

19 “(B) CANDIDATE IDENTIFICATION.—For
20 fellowships under subsection (a)(2), the Sec-
21 retary shall use the expertise of United States
22 land-grant colleges and universities and similar
23 universities, international organizations working
24 in agricultural research and outreach, and na-
25 tional agricultural research organizations to

1 help identify program candidates for fellowships
2 from the public and private sectors of eligible
3 countries.

4 “(C) LOCATION OF TRAINING.—The sci-
5 entific training or study of fellowship recipients
6 under subsection (a)(2) shall occur—

7 “(i) in the United States; or

8 “(ii) at a college or university located
9 in an eligible country that the Secretary
10 determines—

11 “(I) has sufficient scientific and
12 technical facilities;

13 “(II) has established a partner-
14 ship with at least one college or uni-
15 versity in the United States; and

16 “(III) has substantial participa-
17 tion by faculty members of the United
18 States college or university in the de-
19 sign of the fellowship curriculum and
20 classroom instruction under the fel-
21 lowship.

22 “(2) FELLOWSHIPS TO UNITED STATES CITI-
23 ZENS.—

1 “(A) ELIGIBLE CANDIDATES.—The Sec-
2 retary may provide fellowships under subsection
3 (a)(3) to citizens of the United States who—

4 “(i) hold at least a bachelors degree in
5 an agricultural related field of study; and

6 “(ii) have an understanding of United
7 States school-based agricultural education
8 and youth extension programs, as deter-
9 mined by the Secretary.

10 “(B) CANDIDATE IDENTIFICATION.—For
11 fellowships under subsection (a)(3), the Sec-
12 retary shall consult with the National FFA Or-
13 ganization, the National 4-H Council, and
14 other entities as the Secretary deems appro-
15 priate to identify candidates for fellowships.

16 “(e) PROGRAM IMPLEMENTATION.—The Secretary
17 shall provide for the management, coordination, evalua-
18 tion, and monitoring of the Borlaug International Agricul-
19 tural Science and Technology Fellowship Program and for
20 the individual programs described in subsection (a), except
21 that—

22 “(1) the Secretary may contract out to 1 or
23 more collaborating universities the management of 1
24 or more of the fellowship programs under subsection
25 (a)(2); and

1 “(2) the Secretary may contract out the man-
2 agement of the fellowship program under subsection
3 (a)(3) to an outside organization with experience in
4 implementing fellowship programs focused on build-
5 ing capacity for school-based agricultural education
6 and youth extension programs in developing coun-
7 tries.

8 “(f) AUTHORIZATION OF APPROPRIATIONS.—

9 “(1) IN GENERAL.—There are authorized to be
10 appropriated \$6,000,000 to carry out this section.

11 “(2) SET-ASIDES.—Of any funds made avail-
12 able pursuant to paragraph (1), not less than
13 \$2,800,000 shall be used to carry out the fellowship
14 program for individuals from eligible countries under
15 subsection (a)(2).

16 “(3) DURATION.—Any funds made available
17 pursuant to paragraph (1) shall remain available
18 until expended.”.

19 **SEC. 3208. GLOBAL CROP DIVERSITY TRUST.**

20 (a) UNITED STATES CONTRIBUTION LIMIT.—Section
21 3202(b) of the Food, Conservation, and Energy Act of
22 2008 (22 U.S.C. 2220a note; Public Law 110–246(b)) is
23 amended by striking “25 percent” and inserting “33 per-
24 cent”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 2 3202(c) of the Food, Conservation, and Energy Act of
 3 2008 (Public Law 110–246; 22 U.S.C. 2220a note) is
 4 amended by striking “for the period of fiscal years 2014
 5 through 2018” and inserting “for the period of fiscal years
 6 2019 through 2023”.

7 **TITLE IV—NUTRITION**
 8 **Subtitle A—Supplemental**
 9 **Nutrition Assistance Program**

10 **SEC. 4001. DUPLICATIVE ENROLLMENT DATABASE.**

11 (a) EXPANSION OF THE DUPLICATIVE ENROLLMENT
 12 DATABASE.—The Food and Nutrition Act of 2008 (7
 13 U.S.C. 2011 et seq.) is amended at the end by adding
 14 the following:

15 **“SEC. 30. DUPLICATIVE ENROLLMENT DATABASE.**

16 **“(a) IN GENERAL.—**The Secretary shall establish an
 17 interstate database, or system of databases, of supple-
 18 mental nutrition assistance program information to be
 19 known as the Duplicative Enrollment Database that shall
 20 include the data submitted by each State pursuant to sec-
 21 tion 11(e)(26) and that shall meet security standards as
 22 determined by the Secretary.

23 **“(b) PURPOSE.—**Any database, or system of data-
 24 bases, established pursuant to subsection (a) shall be used
 25 by States when making eligibility determinations to pre-

1 vent supplemental nutrition assistance program partici-
2 pants from receiving duplicative benefits in multiple
3 States.

4 “(c) IMPLEMENTATION.—

5 “(1) ISSUANCE OF INTERIM FINAL REGULA-
6 TIONS.—Not later than 18 months after the effective
7 date of this section, the Secretary shall issue interim
8 final regulations to carry out this section that—

9 “(A) incorporate best practices and lessons
10 learned from the regional pilot project ref-
11 erenced in section 4032(c) of the Agricultural
12 Act of 2014 (7 U.S.C. 2036c(c));

13 “(B) protect the privacy of supplemental
14 nutrition assistance program participants and
15 applicants consistent with section 11(e)(8); and

16 “(C) detail the process States will be re-
17 quired to follow for—

18 “(i) conducting initial and ongoing
19 matches of participant and applicant data;

20 “(ii) identifying and acting on all ap-
21 parent instances of duplicative participa-
22 tion by participants or applicants in mul-
23 tiple States;

24 “(iii) disenrolling an individual who
25 has applied to participate in another State

1 in a manner sufficient to allow the State in
2 which the individual is currently applying
3 to comply with sections 11(e)(3) and (9);
4 and

5 “(iv) complying with such other rules
6 and standards the Secretary determines
7 appropriate to carry out this section.

8 “(2) TIMING.—The initial match and cor-
9 responding actions required by paragraph (1)(C)
10 shall occur within 3 years after the date of the en-
11 actment of the Agriculture and Nutrition Act of
12 2018.

13 “(d) REPORTS.—Using the data submitted to the
14 Duplicative Enrollment Database, the Secretary shall pub-
15 lish an annual report analyzing supplemental nutrition as-
16 sistance program participant characteristics, including
17 participant tenure on the program. The report shall be
18 made available to the public in a manner that prevents
19 identification of participants that receive supplemental nu-
20 trition assistance program benefits.”.

21 (b) STATE DATA COLLECTION AND SUBMISSION RE-
22 QUIREMENTS.—Section 11(e) of the Food and Nutrition
23 Act of 2008 (7 U.S.C. 2020(e)) is amended—

24 (1) in paragraph (24) by striking “and” at the
25 end,

1 (2) in paragraph (25) by striking the period at
2 the end and inserting “; and”, and

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

4 “(26) that the State agency shall collect and
5 submit supplemental nutrition assistance program
6 data to the Duplicative Enrollment Database estab-
7 lished in section 30, in accordance with guidance or
8 rules issued by the Secretary establishing a uniform
9 method and format for the collection and submission
10 of data, including for each member of a partici-
11 pating household—

12 “(A) the social security number or the so-
13 cial security number substitute;

14 “(B) the employment status of such mem-
15 ber;

16 “(C) the amount of income and whether
17 that income is earned or unearned;

18 “(D) that member’s portion of the house-
19 hold monthly allotment, and

20 “(E) the portion of the aggregate value of
21 household assets attributed to that member.”.

22 **SEC. 4002. RETAILER-FUNDED INCENTIVES PILOT.**

23 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
24 et seq.), as amended by section 4001, is amended at the
25 end by adding the following:

1 **“SEC. 31. RETAILER-FUNDED INCENTIVES PILOT.**

2 “(a) IN GENERAL.—The Secretary shall establish a
3 pilot project in accordance with subsection (d) through
4 which participating retail food stores provide bonuses to
5 participating households based on household purchases of
6 fruits, vegetables, and fluid milk.

7 “(b) DEFINITIONS.—For purposes of this section—

8 “(1) The term ‘bonus’ means a financial incen-
9 tive provided at the point of sale to a participating
10 household that expends a portion of its allotment for
11 the purchase of fruits, vegetables, or fluid milk.

12 “(2) The term ‘fluid milk’ means cow milk
13 without flavoring or sweeteners and packaged in liq-
14 uid form.

15 “(3) The term ‘fruits’ means minimally proc-
16 essed fruits.

17 “(4) The term ‘retail food store’ means a retail
18 food store as defined in section 3(o)(1) that is au-
19 thorized to accept and redeem benefits under the
20 supplemental nutrition assistance program.

21 “(5) The term ‘vegetables’ means minimally
22 processed vegetables.

23 “(c) PROJECT PARTICIPANT PLANS.—To participate
24 in the pilot project established under subsection (a), a re-
25 tail food store shall submit to the Secretary for approval
26 a plan that includes—

1 “(1) a method of quantifying the cost of fruits,
2 vegetables, and fluid milk, that will earn households
3 a bonus;

4 “(2) a method of providing bonuses to partici-
5 pating households and adequately testing such meth-
6 od;

7 “(3) a method of ensuring bonuses earned by
8 households may be used only to purchase food eligi-
9 ble for purchase under the supplemental nutrition
10 assistance program;

11 “(4) a method of educating participating house-
12 holds about the availability and use of a bonus;

13 “(5) a method of providing data and reports, as
14 requested by the Secretary, for purposes of ana-
15 lyzing the impact of the pilot project established
16 under subsection (a) on household access, ease of
17 bonus use, and program integrity; and

18 “(6) such other criteria, including security cri-
19 teria, as established by the Secretary.

20 “(d) PILOT PROJECT REQUIREMENTS.—Retail food
21 stores with plans approved under subsection (c) to partici-
22 pate in the pilot project established under subsection (a)
23 shall—

1 “(1) provide a bonus in a dollar amount not to
2 exceed 10 percent of the price of the purchased
3 fruits, vegetables, and fluid milk;

4 “(2) fund the dollar amount of bonuses used by
5 households, and pay for administrative costs, such
6 as fees and system costs, associated with providing
7 such bonuses;

8 “(3) ensure that bonuses earned by households
9 may be used only to purchase food eligible for pur-
10 chase under the supplemental nutrition assistance
11 program; and

12 “(4) provide data and reports as requested by
13 the Secretary for purposes of analyzing the impact
14 of the pilot project established under subsection (a)
15 on household access, ease of bonus use, and program
16 integrity.

17 “(e) LIMITATION.—A retail food store participating
18 in a project under section 4405 of the Food, Conservation,
19 and Energy Act of 2008 (7 U.S.C. 7517) shall not be eligi-
20 ble to participate in the pilot project established under
21 subsection (a).

22 “(f) IMPLEMENTATION.—Not later than 18 months
23 after the date of the enactment of Agriculture and Nutri-
24 tion Act of 2018, the Secretary shall solicit and approve

1 plans submitted under subsection (c) that satisfy the re-
2 quirements of such subsection.

3 “(g) REIMBURSEMENTS.—

4 “(1) RATE OF REIMBURSEMENT.—Subject to
5 paragraphs (2) and (3), the Secretary shall reim-
6 burse retail food stores with plans approved under
7 subsection (f) in an amount not to exceed 25 percent
8 of the dollar value of bonuses earned by households
9 and used to purchase food eligible for purchase
10 under the supplemental nutrition assistance pro-
11 gram.

12 “(2) AGGREGATE AMOUNT OF REIMBURSE-
13 MENTS.—The aggregate amount of reimbursements
14 paid in a fiscal year to all retail food stores that par-
15 ticipate in the pilot project established under sub-
16 section (a) in such fiscal year shall not exceed
17 \$120,000,000.

18 “(3) REQUIREMENTS.—

19 “(A) TIMELINE.—Not later than 1 year
20 after the date of the enactment of the Agri-
21 culture and Nutrition Act of 2018, the Sec-
22 retary shall establish requirements to imple-
23 ment this section, including criteria for
24 prioritizing reimbursements to such stores with-

1 in the limit established in subparagraph (2) and
2 subject to subparagraph (B).

3 “(B) DISTRIBUTION OF REIMBURSE-
4 MENTS.—

5 “(i) MONTHLY PAYMENTS.—Reim-
6 bursements payable under this subsection
7 shall be paid on a monthly basis.

8 “(ii) PRORATED PAYMENTS.—If funds
9 made available under subsection (h) are in-
10 sufficient to pay in full reimbursements
11 payable for a month because of the oper-
12 ation of subparagraph (2), such reimburse-
13 ments shall be paid on a pro rata basis to
14 the extent funds remain available for pay-
15 ment.

16 “(h) FUNDING.—From funds made available under
17 section 18(a)(1) for a fiscal year, the Secretary shall allo-
18 cate not to exceed \$120,000,000 for reimbursements pay-
19 able under this section for such fiscal year.”.

20 **SEC. 4003. GUS SCHUMACHER FOOD INSECURITY NUTRI-**
21 **TION INCENTIVE PROGRAM.**

22 (a) AMENDMENTS.—Section 4405 of the Food, Con-
23 servation, and Energy Act of 2008 (7 U.S.C. 7517) is
24 amended—

1 (1) by striking the heading and inserting “**GUS**
 2 **SCHUMACHER FOOD INSECURITY NUTRITION**
 3 **INCENTIVE PROGRAM**”,

4 (2) in subsection (b)—

5 (A) in paragraph (2)—

6 (i) in subparagraph (A)(ii)—

7 (I) in subclause (II) by inserting
 8 “financial” after “providing”,

9 (II) by amending subclause (III)
 10 to read as follows:

11 “(III) has adequate plans to col-
 12 lect data for reporting and agrees to
 13 participate in a program evaluation;
 14 and”.

15 (III) in subclause (IV) by strik-
 16 ing “; and” at the end and inserting
 17 a period, and

18 (IV) by striking subclause (V),
 19 and

20 (ii) by amending subparagraph (B) to
 21 read as follows:

22 “(B) PRIORITIES.—In awarding grants
 23 under this section—

24 “(i) the Secretary shall give priority
 25 to projects that—

1 “(I) maximize the share of funds
2 used for direct incentives to partici-
3 pants;

4 “(II) include coordination with
5 multiple stakeholders, such as farm
6 organizations, nutrition education pro-
7 grams, cooperative extension service
8 programs, public health departments,
9 health providers, private and public
10 health insurance agencies, cooperative
11 grocers, grocery associations, and
12 community-based and non-govern-
13 mental organizations;

14 “(III) have the capacity to gen-
15 erate sufficient data and analysis to
16 demonstrate effectiveness of program
17 incentives; and

18 “(ii) the Secretary may also give pri-
19 ority to projects that—

20 “(I) are located in underserved
21 communities;

22 “(II) use direct-to-consumer sales
23 marketing;

24 “(III) demonstrate a track record
25 of designing and implementing suc-

1 successful nutrition incentive programs
2 that connect low-income consumers
3 and agricultural producers;

4 “(IV) provide locally or regionally
5 produced fruits and vegetables;

6 “(V) offer supplemental services
7 in high-need communities, including
8 online ordering, transportation be-
9 tween home and store, and delivery
10 services;

11 “(VI) provide year-round access
12 to program incentives; and

13 “(VII) address other criteria as
14 established by the Secretary.”,

15 (B) by amending paragraph (4) to read as
16 follows:

17 “(4) TRAINING, EVALUATION, AND INFORMA-
18 TION CENTER.—

19 “(A) IN GENERAL.—The Secretary, in con-
20 sultation with the Director of the National In-
21 stitute of Food and Agriculture, shall establish
22 a Food Insecurity Nutrition Incentive Program
23 Training, Evaluation, and Information Center
24 capable of providing services related to grants
25 under subsection (b), including—

1 “(i) offering incentive program train-
2 ing and technical assistance to applicants
3 and grantees to the extent practicable;

4 “(ii) collecting, evaluating, and shar-
5 ing information on best practices on com-
6 mon incentive activities;

7 “(iii) assisting with collaboration
8 among grantee projects, State agencies,
9 and nutrition education programs;

10 “(iv) facilitating communication be-
11 tween grantees and the Department of Ag-
12 riculture; and

13 “(v) compiling program data from
14 grantees and generating an annual report
15 to Congress on grant outcomes.

16 “(B) COOPERATIVE AGREEMENT.—To
17 carry out subparagraph (A), the Secretary may
18 enter into a cooperative agreement with an or-
19 ganization with expertise in the supplemental
20 nutrition assistance program incentive pro-
21 grams, including—

22 “(i) nongovernmental organizations;

23 “(ii) State cooperative extension serv-
24 ices;

25 “(iii) regional food system centers;

1 “(iv) Federal and State agencies;

2 “(v) public, private, and land-grant
3 colleges and universities; and

4 “(vi) other appropriate entities as de-
5 termined by the Secretary.

6 “(C) FUNDING LIMITATION.—Of the funds
7 made available under subsection (c), the Sec-
8 retary may use to carry out this paragraph not
9 more than—

10 “(i) \$2,000,000 for each of the fiscal
11 years 2019 and 2020, and

12 “(ii) \$1,000,000 for each fiscal year
13 thereafter.”, and

14 (3) in subsection (c)—

15 (A) in paragraph (1) by striking “2014
16 through 2018” and inserting “2019 through
17 2023”, and

18 (B) in paragraph (2)—

19 (i) in subparagraph (B) by striking
20 “and” at the end;

21 (ii) in subparagraph (C) by striking
22 the period at the end and inserting “;
23 and”, and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(D) \$45,000,000 for fiscal year 2019;
 2 “(E) \$50,000,000 for fiscal year 2020;
 3 “(F) \$55,000,000 for fiscal year 2021;
 4 “(G) \$60,000,000 for fiscal year 2022; and
 5 “(H) \$65,000,000 for fiscal year 2023 and
 6 each fiscal year thereafter.”.

7 (b) CONFORMING AMENDMENT.—The table of con-
 8 tents of Food, Conservation, and Energy Act of 2008 is
 9 amended by striking the item relating to section 4405 by
 10 inserting the following:

“Sec. 4405. Gus Schumacher food insecurity nutrition incentive program.”.

11 **SEC. 4004. RE-EVALUATION OF THRIFTY FOOD PLAN.**

12 Section 3(u) of the Food and Nutrition Act of 2008
 13 (7 U.S.C. 2012(u)) is amended by inserting after the 1st
 14 sentence the following:

15 “By 2022 and at 5-year intervals thereafter, the Secretary
 16 shall re-evaluate and publish the market baskets of the
 17 thrifty food plan based on current food prices, food com-
 18 position data, and consumption patterns.”.

19 **SEC. 4005. FOOD DISTRIBUTION PROGRAMS ON INDIAN**
 20 **RESERVATIONS.**

21 Section 4(b) of the Food and Nutrition Act of 2008
 22 (7 U.S.C. 2013(b)) is amended—

23 (1) in paragraph (6)—

1 (A) in the heading by striking by striking
 2 “LOCALLY-GROWN” and inserting “LOCALLY-
 3 AND REGIONALLY-GROWN”,

4 (B) in subparagraph (A) by striking “lo-
 5 cally-grown” and inserting “locally- and region-
 6 ally-grown”,

7 (C) in subparagraph (C)—

8 (i) by striking “LOCALLY-GROWN” and
 9 inserting “LOCALLY- AND REGIONALLY-
 10 GROWN”, and

11 (ii) by striking “locally-grown” and
 12 inserting “locally- and regionally-grown”,

13 (D) by amending subparagraph (D) to
 14 read as follows:

15 “(D) PURCHASE OF FOODS.—In carrying
 16 out this paragraph, the Secretary shall pur-
 17 chase or offer to purchase those traditional
 18 foods that may be procured cost-effectively.”;

19 (E) by striking subparagraph (E), and

20 (F) in subparagraph (F)—

21 (i) by striking “(F)” and inserting
 22 “(E)”, and

23 (ii) by striking “2018” and inserting
 24 “2023”, and

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

1 “(7) FUNDS AVAILABILITY.—Funds made avail-
2 able for a fiscal year to carry out this subsection
3 shall remain available for obligation for a period of
4 2 fiscal years.”.

5 **SEC. 4006. UPDATE TO CATEGORICAL ELIGIBILITY.**

6 Section 5 of the Food and Nutrition Act of 2008 (7
7 U.S.C. 2014) is amended—

8 (1) in the 2d sentence of subsection (a)—

9 (A) by striking “receives benefits” and in-
10 serting “(1) receives cash assistance or ongoing
11 and substantial services”,

12 (B) by striking “supplemental security”
13 and inserting “with an income eligibility limit of
14 not more than 130 percent of the poverty line
15 as defined in section 5(c)(1), (2) is elderly or
16 disabled and receives cash assistance or ongoing
17 and substantial services under a State program
18 funded under part A of title IV of the Social
19 Security Act (42 U.S.C. 601 et seq.) with an
20 income eligibility limit of not more than 200
21 percent of the poverty line as defined in section
22 5(c)(1), (3) receives supplemental security”,
23 and

24 (C) by striking “or aid” and inserting “or
25 (4) receives aid”, and

1 (2) in subsection (j)—

2 (A) by striking “or who receives benefits”
3 and inserting “cash assistance or ongoing and
4 substantial services” and

5 (B) by striking “to have” and inserting
6 “with an income eligibility limit of not more
7 than 130 percent of the poverty line as defined
8 in section 5(c)(1), or who is elderly or disabled
9 and receives cash assistance or ongoing and
10 substantial services under a State program
11 funded under part A of title IV of the Act (42
12 U.S.C. 601 et seq.) with an income eligibility
13 limit of not more than 200 percent of the pov-
14 erty line as defined in section 5(c)(1), to have”.

15 **SEC. 4007. CHILD SUPPORT; COOPERATION WITH CHILD**
16 **SUPPORT AGENCIES.**

17 (a) DEDUCTIONS FOR CHILD SUPPORT PAYMENTS.—

18 (1) AMENDMENTS.—Section 5(e) of the Food
19 and Nutrition Act of 2008 (7 U.S.C. 2014(e)) is
20 amended—

21 (A) by striking paragraph (4), and

22 (B) by redesignating paragraphs (5) and
23 (6) as paragraphs (4) and (5), respectively.

1 (2) CONFORMING AMENDMENT.—Section 5 of
2 the Food and Nutrition Act of 2008 (7 U.S.C.
3 2014) is amended—

4 (A) in subsection (k)(4)(B) by striking
5 “(e)(6)” and inserting “(e)(5)”, and

6 (B) in subsection (n) by striking “Regard-
7 less of whether a State agency elects to provide
8 a deduction under subsection (e)(4), the” and
9 inserting “The”.

10 (b) COOPERATION WITH CHILD SUPPORT AGEN-
11 CIES.—

12 (1) AMENDMENTS.—Section 6 of the Food and
13 Nutrition Act of 2008 (7 U.S.C. 2015) is amend-
14 ed—

15 (A) in subsection (l)(1) by striking “At the
16 option of a State agency, subject” and inserting
17 “Subject”,

18 (B) in subsection (m)(1) by striking “At
19 the option of a State agency, subject” and in-
20 serting “Subject”, and

21 (C) by striking subsection (n).

22 (2) CONFORMING AMENDMENT.—Section 5(a)
23 of the Food and Nutrition Act of 2008 (7 U.S.C.
24 2014(a)) is amended by striking “and (r)” and in-
25 serting “and (p)”.

1 **SEC. 4008. BASIC ALLOWANCE FOR HOUSING.**

2 (a) EXCLUSION OF BASIC ALLOWANCE FOR HOUS-
3 ING.—Section 5(d) of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2014(d)) is amended—

5 (1) in paragraph (18) by striking “and” at the
6 end,

7 (2) in paragraph (19)(B) by striking the period
8 and inserting “; and”, and

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

10 “(20) the value of an allowance received under
11 section 403 of title 37 of the United States Code
12 that does not exceed \$500 monthly.”.

13 (b) UPDATE TO EXCESS SHELTER EXPENSE DEDUC-
14 TION.—Section 5(e)(6)(A) of the Food and Nutrition Act
15 of 2008 (7 U.S.C. 2014(e)(6)(A)) is amended by inserting
16 before the period at the end the following:

17 “, except that for a household that receives the
18 allowance under section 403 of title 37, United
19 States Code, only the expenses in excess of that
20 allowance shall be counted towards a house-
21 hold’s expenses for the calculation of the excess
22 shelter deduction.”.

23 **SEC. 4009. EARNED INCOME DEDUCTION.**

24 Section 5(e)(2)(B) of the Food and Nutrition Act of
25 2008 (7 U.S.C. 2014(e)(2)(B)) is amended by striking
26 “20” and inserting “22”.

1 **SEC. 4010. SIMPLIFIED HOMELESS HOUSING COSTS.**

2 Section 5(e)(6)(D) of the Food and Nutrition Act of
3 2008 (7 U.S.C. 2014(e)(6)(D)) is amended—

4 (1) by redesignating clause (ii) as clause (iii),
5 and

6 (2) by striking clause (i) and inserting the fol-
7 lowing:

8 “(i) ALTERNATIVE DEDUCTION.—The
9 State agency shall allow a deduction of
10 \$143 a month for households—

11 “(I) in which all members are
12 homeless individuals;

13 “(II) that are not receiving free
14 shelter throughout the month; and

15 “(III) that do not opt to claim an
16 excess shelter expense deduction
17 under subparagraph (A).

18 “(ii) ADJUSTMENT.—For fiscal year
19 2019 and each subsequent fiscal year the
20 amount of the homeless shelter deduction
21 specified in clause (i) shall be adjusted to
22 reflect changes for the 12-month period
23 ending the preceding November 30 in the
24 Consumer Price Index for All Urban Con-
25 sumers published by the Bureau of Labor
26 Statistics of the Department of Labor.”.

1 **SEC. 4011. AVAILABILITY OF STANDARD UTILITY ALLOW-**
2 **ANCES BASED ON RECEIPT OF ENERGY AS-**
3 **SISTANCE.**

4 (a) ALLOWANCE TO RECIPIENTS OF ENERGY ASSIST-
5 ANCE.—

6 (1) STANDARD UTILITY ALLOWANCE.—Section
7 5(e)(6)(C)(iv)(I) of the of the Food and Nutrition
8 Act of 2008 (7 U.S.C. 2014(e)(6)(C)(iv)(I)) is
9 amended by inserting “with an elderly member”
10 after “households”.

11 (2) CONFORMING AMENDMENTS.—Section
12 2605(f)(2)(A) of the Low-Income Home Energy As-
13 sistance Act is amended by inserting “received by a
14 household with an elderly member” before “, con-
15 sistent with section 5(e)(6)(C)(iv)(I)”.

16 (b) THIRD-PARTY ENERGY ASSISTANCE PAY-
17 MENTS.—Section 5(k)(4) of the Food and Nutrition Act
18 of 2008 (7 U.S.C. 2014(k)(4)) is amended—

19 (1) in subparagraph (A) by inserting “without
20 an elderly member” after “household” the 1st place
21 it appears; and

22 (2) in subparagraph (B) by inserting “with an
23 elderly member” after “household” the 1st place it
24 appears.

1 **SEC. 4012. ADJUSTMENT TO ASSET LIMITATIONS.**

2 Section 5(g)(1) of the Food and Nutrition Act of
3 2008 (7 U.S.C. 2014(g)(1)) is amended—

4 (1) in subparagraph (A)—

5 (A) by striking “\$2,000” and inserting
6 “\$7,000”, and

7 (B) by striking “\$3,000” and inserting
8 “\$12,000”, and—

9 (2) in subparagraph (B) by striking “2008”
10 and inserting “2019”.

11 **SEC. 4013. UPDATED VEHICLE ALLOWANCE.**

12 Section 5(g) of the Food and Nutrition Act of 2008
13 (7 U.S.C. 2014(g)) is amended—

14 (1) in paragraph (1)(B)(i)—

15 (A) by striking “(i) IN GENERAL.—Begin-
16 ning” and inserting the following:

17 “(i) IN GENERAL.—

18 “(I) Beginning”, and

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

20 “(II) Beginning on October 1,
21 2019, and each October 1 thereafter,
22 the amount specified in paragraph
23 (2)(B)(iv) shall be adjusted in the
24 manner described in subclause (I).”,
25 and

26 (2) in paragraph (2)—

1 (A) by amending subparagraph (B)(iv) to
2 read as follows:

3 “(iv) subject to subparagraph (C),
4 with respect to any licensed vehicle that is
5 used for household transportation or to ob-
6 tain or continue employment—

7 “(I) 1 vehicle for each licensed
8 driver who is a member of such house-
9 hold to the extent that the fair market
10 value of the vehicle exceeds \$12,000;
11 and

12 “(II) each additional vehicle;
13 and”, and

14 (B) by striking subparagraph (D).

15 **SEC. 4014. SAVINGS EXCLUDED FROM ASSETS.**

16 Section 5(g) of the Food and Nutrition Act of 2008
17 (7 U.S.C. 2014(g)), as amended by section 4013, is
18 amended—

19 (1) in paragraph (1)(B)(i) by adding at the end
20 the following:

21 “(III) Beginning on October 1,
22 2019, and each October 1 thereafter,
23 the amount specified in paragraph
24 (2)(B)(v) shall be adjusted in the

1 manner described in subclause (I).”,
2 and
3 (2) in paragraph (2)(B)(v) by inserting “to the
4 extent that the value exceeds \$2,000” after “ac-
5 count”.

6 **SEC. 4015. WORKFORCE SOLUTIONS.**

7 (a) CONDITIONS OF PARTICIPATION.—Section 6(d)
8 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d))
9 is amended—

10 (1) in paragraph (1)—

11 (A) in subparagraph (A)—

12 (i) by striking “No” and inserting
13 “Subject to subparagraph (C), no”,

14 (ii) by striking “over the age of 15
15 and under the age of 60” and inserting “at
16 least 18 years of age and less than 60
17 years of age”,

18 (iii) by amending clause (i) to read as
19 follows:

20 “(i) without good cause, fails to work
21 or refuses to participate in either an em-
22 ployment and training program established
23 in paragraph (4), a work program, or any
24 combination of work, an employment and
25 training program, or work program—

1 “(I) a minimum of 20 hours per
2 week, averaged monthly in fiscal years
3 2021 through 2025; or

4 “(II) a minimum of 25 hours per
5 week, averaged monthly in fiscal years
6 2026 and each fiscal year there-
7 after;”.

8 (iv) by striking clauses (ii) and (vi),
9 (v) in clause (iv) by adding “or” at
10 the end,

11 (vi) in clause (v)(II) by striking “30
12 hours per week; or” and inserting “the
13 hourly requirements applicable under para-
14 graph (1)(B)(i).”, and

15 (vii) by redesignating clauses (iii),
16 (iv), and (v) as clauses (ii), (iii), and (iv),
17 respectively,

18 (B) by striking subparagraph (B),

19 (C) by amending subparagraph (C) to read
20 as follows:

21 “(C) LIMITATION.—Subparagraph (B)
22 shall not apply to an individual during the first
23 month that individual would otherwise become
24 subject to subparagraph (B) and be found in
25 noncompliance with such subparagraph.”,

1 (D) in subparagraph (D)—

2 (i) in clause (iii)(I) by striking “(A)”

3 each place it appears and inserting “(B)”,

4 (ii) in clause (iv) by striking

5 “(A)(v)” and inserting “(B)(iv)”, and

6 (iii) by striking clauses (v) and (vi),

7 (E) by redesignating subparagraphs (A)

8 and (D) as subparagraphs (B) and (I), respec-

9 tively,

10 (F) by inserting before subparagraph (B),

11 as so redesignated, the following:

12 “(A) DEFINITION OF WORK PROGRAM.—In

13 this subsection, the term ‘work program’

14 means—

15 “(i) a program under title I of the

16 Workforce Innovation and Opportunity

17 Act;

18 “(ii) a program under section 236 of

19 the Trade Act of 1974 (19 U.S.C. 2296);

20 and

21 “(iii) a program of employment and

22 training operated or supervised by a State

23 or political subdivision of a State that

24 meets standards approved by the chief ex-

25 ecutive officer of the State and the Sec-

retary, other than a program under paragraph (4).”, and

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

“(D) TRANSITION PERIOD.—During each of the fiscal years 2019 and 2020, States shall continue to implement and enforce the work and employment and training program requirements consistent with this subsection, subsection (e), subsection (o) excluding paragraph (6)(F), section 7(i), section 11(e)(19), and section 16 (excluding subparagraphs (A), (B), (D), and (C) of subsection (h)(1)) as those provisions were in effect on the day before the effective date of this subparagraph.

“(E) INELIGIBILITY.—

“(i) NOTIFICATION OF FAILURE TO MEET WORK REQUIREMENTS.—The State agency shall issue a notice of adverse action to an individual not later than 10 days after the State agency determines that the individual has failed to meet the requirements applicable under subparagraph (B).

“(ii) FIRST VIOLATION.—The 1st time an individual receives a notice of adverse

1 action issued under clause (i), the indi-
2 vidual shall remain ineligible to participate
3 in the supplemental nutrition assistance
4 program until—

5 “(I) the date that is 12 months
6 after the date the individual became
7 ineligible;

8 “(II) the date the individual ob-
9 tains employment sufficient to meet
10 the hourly requirements applicable
11 under subparagraph (B)(i); or

12 “(III) the date that the indi-
13 vidual is no longer subject to the re-
14 quirements of subparagraph (B);

15 whichever is earliest.

16 “(iii) SECOND OR SUBSEQUENT VIO-
17 LATION.—The 2d or subsequent time an
18 individual receives a notice of adverse ac-
19 tion issued under clause (i), the individual
20 shall remain ineligible to participate in the
21 supplemental nutrition assistance program
22 until—

23 “(I) the date that is 36 months
24 after the date the individual became
25 ineligible;

1 “(II) the date the individual ob-
2 tains employment sufficient to meet
3 the hourly requirements applicable
4 under subparagraph (B)(i); or

5 “(III) the date the individual is
6 no longer subject to the requirements
7 of subparagraph (B);

8 whichever is earliest.

9 “(F) WAIVER.—

10 “(i) IN GENERAL.—On the request of
11 a State agency, the Secretary may waive
12 the applicability of subparagraph (B) to in-
13 dividuals in the State if the Secretary
14 makes a determination that the area in
15 which the individuals reside—

16 “(I) has an unemployment rate
17 of over 10 percent;

18 “(II) is designated as a Labor
19 Surplus Area by the Employment and
20 Training Administration of the De-
21 partment of Labor for the current fis-
22 cal year based on the criteria for ex-
23 ceptional circumstances as described
24 in section 654.5 of title 20 of the
25 Code of Federal Regulations;

1 “(III) has a 24-month average
2 unemployment rate 20 percent or
3 higher than the national average for
4 the same 24-month period unless the
5 24-month average unemployment rate
6 of the area is less than 6 percent, ex-
7 cept that the 24-month period shall
8 begin no earlier than the 24-month
9 period the Employment and Training
10 Administration of the Department of
11 Labor uses to designate Labor Sur-
12 plus Areas for the current fiscal year;
13 or

14 “(IV) is in a State—

15 “(aa) that is in an extended
16 benefit period (within the mean-
17 ing of section 203 of the Federal-
18 State Extended Unemployment
19 Compensation Act of 1970); or

20 “(bb) in which temporary or
21 emergency unemployment com-
22 pensation is being provided under
23 any Federal law.

24 “(ii) JURISDICTIONS WITH LIMITED
25 DATA.—In carrying out clause (i), in the

1 case of a jurisdiction for which Bureau of
2 Labor Statistics unemployment data is lim-
3 ited or unavailable, such as an Indian Res-
4 ervation or a territory of the United
5 States, a State may support its request
6 based on other economic indicators as de-
7 termined by the Secretary.

8 “(iii) LIMIT ON COMBINING AREAS.—
9 In carrying out clause (i), the Secretary
10 may waive the applicability of subpara-
11 graph (B) only to a State or individual
12 areas within a State, except in the case of
13 combined areas that are designated as
14 Labor Market Areas by the Department of
15 Labor.

16 “(iv) REPORT.—The Secretary shall
17 submit to the Committee on Agriculture of
18 the House of Representatives and the
19 Committee on Agriculture, Nutrition, and
20 Forestry of the Senate, and shall make
21 available to the public, an annual report on
22 the basis for granting a waiver under
23 clause (i).

24 “(G) 15-PERCENT EXEMPTION.—

1 “(i) DEFINITIONS.—In this subpara-
2 graph:

3 “(I) CASELOAD.—The term
4 ‘caseload’ means the average monthly
5 number of individuals receiving sup-
6 plemental nutrition assistance pro-
7 gram benefits during the 12-month
8 period ending the preceding June 30.

9 “(II) COVERED INDIVIDUAL.—
10 The term ‘covered individual’ means a
11 member of a household that receives
12 supplemental nutrition assistance pro-
13 gram benefits, or an individual denied
14 eligibility for supplemental nutrition
15 assistance program benefits solely due
16 to the applicability of subparagraph
17 (B), who—

18 “(aa) is not eligible for an
19 exception under paragraph (2);

20 “(bb) does not reside in an
21 area covered by a waiver granted
22 under subparagraph (F); and

23 “(cc) is not complying with
24 subparagraph (B).

1 “(ii) GENERAL RULE.—Subject to
2 clauses (iii) through (v), a State agency
3 may provide an exemption from the re-
4 quirements of subparagraph (B) for cov-
5 ered individuals.

6 “(iii) FISCAL YEAR 2021 AND THERE-
7 AFTER.—Subject to clauses (iv) and (v),
8 for fiscal year 2021 and each subsequent
9 fiscal year, a State agency may provide a
10 number of exemptions such that the aver-
11 age monthly number of the exemptions in
12 effect during the fiscal year does not ex-
13 ceed 15 percent of the number of covered
14 individuals in the State in fiscal year 2019,
15 as estimated by the Secretary, based on
16 the survey conducted to carry out section
17 16(c) for the most recent fiscal year and
18 such other factors as the Secretary con-
19 siders appropriate due to the timing and
20 limitations of the survey.

21 “(iv) CASELOAD ADJUSTMENTS.—The
22 Secretary shall adjust the number of indi-
23 viduals estimated for a State under clause
24 (iii) during a fiscal year if the number of
25 members of households that receive supple-

1 mental nutrition assistance program bene-
2 fits in the State varies from the State's
3 caseload by more than 10 percent, as de-
4 termined by the Secretary.

5 “(v) REPORTING REQUIREMENTS.—

6 “(I) REPORTS BY STATE AGEN-
7 CIES.—A State agency shall submit
8 such reports to the Secretary as the
9 Secretary determines are necessary to
10 ensure compliance with this para-
11 graph.

12 “(II) ANNUAL REPORT BY THE
13 SECRETARY.—The Secretary shall an-
14 nually compile and submit to the
15 Committee on Agriculture of the
16 House of Representatives and the
17 Committee on Agriculture, Nutrition,
18 and Forestry of the Senate, and shall
19 make available to the public, an an-
20 nual report that contains the reports
21 submitted under subclause (I) by
22 State agencies.

23 “(H) OTHER PROGRAM RULES.—Nothing
24 in this subsection shall make an individual eligi-
25 ble for benefits under this Act if the individual

1 is not otherwise eligible for benefits under the
2 other provisions of this Act.”,

3 (2) in paragraph (2)—

4 (A) in the 1st sentence—

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

7 (ii) by striking “(E)” and all that fol-
8 lows through the period at the end, and in-
9 serting the following:

10 “(E) receiving weekly earnings which equal the minimum
11 hourly rate under section 6(a)(1) of the Fair Labor Stand-
12 ards Act of 1938 (29 U.S.C. 206(a)(1)), multiplied by the
13 hourly requirement as specified in subparagraph (B); (F)
14 medically certified as mentally or physically unfit for em-
15 ployment; or (G) a pregnant woman.”, and

16 (B) by striking the last sentence,

17 (3) in paragraph (3) by striking “registration
18 requirements” and inserting “requirement”,

19 (4) in paragraph (4)—

20 (A) in subparagraph (A)—

21 (i) by redesignating clause (ii) as
22 clause (iii), and

23 (ii) by inserting after clause (i) the
24 following:

1 “(ii) MANDATORY MINIMUM SERV-
2 ICES.—Each State agency shall offer em-
3 ployment and training program services
4 sufficient for all individuals subject to the
5 requirements of paragraph (1)(B)(i) who
6 are not currently ineligible pursuant to
7 paragraph (1)(E), exempt pursuant to sub-
8 paragraphs (F) and (G) or paragraph (2)
9 of subsection (d), and for all individuals
10 covered by paragraph (1)(C), to meet the
11 hourly requirements specified in paragraph
12 (1)(B)(i) to the extent that such require-
13 ments will not be satisfied by hours of
14 work or participation in a work program.”,
15 and
16 (B) in subparagraph (B)—
17 (i) by inserting after “contains” the
18 following:
19 “case management services consisting of comprehensive
20 intake assessments, individualized service plans, progress
21 monitoring, and coordination with service providers, and”,
22 (ii) by amending clause (i) to read as
23 follows:
24 “(i) Supervised job search programs that occur
25 at State-approved locations in which the activities of

1 participants shall be directly supervised and the tim-
2 ing and activities of participants tracked in accord-
3 ance with guidelines set forth by the State.”,

4 (iii) in clause (ii) by striking “jobs
5 skills assessments, job finding clubs, train-
6 ing in techniques for” and inserting “em-
7 ployability assessments, training in tech-
8 niques to increase”,

9 (iv) by striking clause (iii),

10 (v) in clause (iv) in the 1st sentence
11 by inserting “, including subsidized em-
12 ployment, apprenticeships, and unpaid or
13 volunteer work that is limited to 6 months
14 out of a 12-month period” before the pe-
15 riod at the end,

16 (vi) in clause (v) by inserting “, in-
17 cluding family literacy and financial lit-
18 eracy,” after “literacy”,

19 (vii) in clause (vii) by striking “not
20 more than”, and

21 (viii) by redesignating clauses (iv)
22 through (viii) as clauses (iii) through (vii),
23 respectively,

24 (C) by striking subparagraphs (D), (E),
25 and (F), and inserting the following:

1 “(D) Each State agency shall establish requirements
 2 for participation by non-exempt individuals in the employ-
 3 ment and training program components listed in clauses
 4 (i) through (vii) of subparagraph (B). Such requirements
 5 may vary among participants.”,

6 (D) in subparagraph (H) by striking
 7 “(B)(v)” and inserting “(B)(iv)”, and

8 (E) by redesignating subparagraphs (G)
 9 through (M) as subparagraphs (E) through
 10 (K), respectively.

11 (b) CONFORMING AMENDMENTS.—

12 (1) AMENDMENTS TO THE FOOD AND NUTRI-
 13 TION ACT OF 2008.—Section 5(d)(14) of the Food
 14 and Nutrition Act of 2008 (7 U.S.C. 2014(d)(14))
 15 is amended by striking “6(d)(4)(I)” and inserting
 16 “6(d)(4)(G)”.

17 (2) AMENDMENT TO OTHER LAWS.—

18 (A) INTERNAL REVENUE CODE OF 1986.—
 19 Section 51(d)(8)(A)(ii) of the Internal Revenue
 20 Code of 1986 (26 U.S.C. 51(d)(8)(A)(ii)) is
 21 amended—

22 (i) in subclause (I) by striking “, or”
 23 and inserting a period,

1 (ii) by striking “family—” and all
2 that follows through “(I) receiving” and
3 inserting “family receiving”, and

4 (iii) by striking subclause (II).

5 (B) WORKFORCE INNOVATION AND OPPOR-
6 TUNITY ACT.—The Workforce Innovation and
7 Opportunity Act (Public Law 113–128; 128
8 Stat. 1425) is amended—

9 (i) in section 103(a)(2) by striking
10 subparagraph (D), and

11 (ii) in section 121(b)(2)(B) by strik-
12 ing clause (iv).

13 (c) RELATED REQUIREMENTS.—Section 6 of the
14 Food and Nutrition Act of 2008 (7 U.S.C. 2015) is
15 amended—

16 (1) in subsection (e) by amending paragraph
17 (5) to read as follows:

18 “(5) is a parent or other household member
19 with responsibility for the care of a dependent child
20 under 6 years of age or of an incapacitated person;”,
21 and

22 (2) by striking subsection (o).

23 (d) CONFORMING AMENDMENTS.—The Food and
24 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amend-
25 ed—

1 (1) in section 6, as amended by section 4007
2 and subsection (c), by redesignating subsections (p)
3 through (s) as subparagraphs (n) through (q), re-
4 spectively, and

5 (2) in section 7(i)(1) by striking “6(o)(2)” and
6 inserting “6(d)(1)(B)”.

7 (e) STATE PLAN.—Section 11(e)(19) of the Food and
8 Nutrition Act of 2008 (7 U.S.C. 2020(e)(19)) is amended
9 by striking “geographic areas and households to be cov-
10 ered under such program, and the basis, including any
11 cost information,” and inserting “extent to which such
12 programs will be carried out in coordination with the ac-
13 tivities carried out under title I of the Workforce Innova-
14 tion and Opportunity Act, the plan for meeting the min-
15 imum services requirement under section 6(d)(4)(A)(ii) in-
16 cluding any cost information, and the basis”.

17 (f) FUNDING OF EMPLOYMENT AND TRAINING PRO-
18 GRAMS.—Section 16(h) of the Food and Nutrition Act of
19 2008 (7 U.S.C. 2025(h)) is amended—

20 (1) in paragraph (1)—

21 (A) in subparagraph (A) by striking
22 “\$90,000,000” and all that follows through the
23 period at the end and inserting the following:

24 “under section 18(a)(1)—

25 “(i) \$90,000,000 for fiscal year 2019;

1 “(ii) \$250,000,000 for fiscal year
2 2020; and

3 “(iii) \$1,000,000,000 for each fiscal
4 year thereafter.”,

5 (B) by amending subparagraph (B)(ii) to
6 read as follows:

7 “(ii) takes into account—

8 “(I) for fiscal years 2019 and
9 2020, the number of individuals who
10 are not exempt from the work require-
11 ment under section 6(o) as that sec-
12 tion existed on the day before the date
13 of the enactment of the Agriculture
14 and Nutrition Act of 2018; and

15 “(II) for fiscal years 2021 and
16 each fiscal year thereafter, the num-
17 ber of individuals who are not exempt
18 from the requirements under
19 6(d)(1)(B).”,

20 (C) in subparagraph (D) by striking
21 “\$50,000” and inserting “\$100,000”, and

22 (D) by amending subparagraph (E) to
23 read as follows:

24 “(E) RESERVATION OF FUNDS.—Of the
25 funds made available under this paragraph for

1 fiscal year 2021 and for each fiscal year there-
2 after, not more than \$150,000,000 shall be re-
3 served for allocation to States to provide train-
4 ing services by eligible providers identified
5 under section 122 of the Workforce Innovation
6 and Opportunity Act for participants in the
7 supplemental nutrition assistance program to
8 meet the hourly requirements under section
9 6(d)(1)(B) of this Act.”, and
10 (2) in paragraph (5)(C)—

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

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

15 (C) by striking clause (iv).

16 (g) WORK SUPPLEMENTATION OR WORK SUPPORT
17 PROGRAM.—

18 (1) REPEALER.—Subsection (b) of section 16 of
19 the Food and Nutrition Act of 2008 (7 U.S.C.
20 2025(b)) is repealed.

21 (2) CONFORMING AMENDMENT.—Section
22 5(e)(2)(A) of the Food and Nutrition Act of 2008
23 (7 U.S.C. 2014(e)(2)(A)) is amended to read as fol-
24 lows:

1 “(A) DEFINITION OF EARNED INCOME.—

2 In this paragraph, the term “earned income”
3 does not include income excluded by subsection
4 (d).”.

5 (h) WORKFARE.—

6 (1) REPEALER.—Section 20 of the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2029) is repealed.

8 (2) CONFORMING AMENDMENTS.—The Food
9 and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)
10 is amended—

11 (A) in section 16(h)—

12 (i) in paragraph (1)(F)—

13 (I) in clause (i)—

14 (aa) in subclause (I) by in-
15 serting “(as in effect on the day
16 before the date of the enactment
17 of the Agriculture and Nutrition
18 Act of 2018)” after “this Act”,
19 and

20 (bb) in subclause (II)(bb) by
21 inserting “(as in effect on the
22 day before the date of the enact-
23 ment of the Agriculture and Nu-
24 trition Act of 2018)” before the
25 period at the end,

1 (II) in clause (ii)—

2 (aa) in subclause (II)(cc) by
3 inserting “(as in effect on the
4 day before the date of the enact-
5 ment of the Agriculture and Nu-
6 trition Act of 2018)” after “20”,
7 and

8 (bb) in subclause
9 (III)(ee)(AA) by inserting “as in
10 effect on the day before the date
11 of the enactment of the Agri-
12 culture and Nutrition Act of
13 2018” after “6(o)”, and

14 (III) in clause (vi)(I) by inserting
15 “as in effect on the day before the
16 date of the enactment of the Agri-
17 culture and Nutrition Act of 2018”
18 after “6(d)”, and

19 (ii) in paragraph (3) by striking
20 “under section 6(d)(4)(I)(i)(II)” and in-
21 serting “for dependent care expenses under
22 section 6(d)(4)”, and

23 (B) in section 17(b)—

24 (i) in paragraph(1)(B)(iv)(III)(jj) by
25 inserting “as in effect on the day before

the date of the enactment of the Agriculture and Nutrition Act of 2018” after “20”, and

(ii) by striking paragraph (2).

**SEC. 4016. MODERNIZATION OF ELECTRONIC BENEFIT
TRANSFER REGULATIONS.**

Section 7(h)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(2)) is amended—

(1) in the 1st sentence by inserting “and shall periodically review such regulations and modify such regulations to take into account evolving technology and comparable industry standards” before the period at the end, and

(2) in subparagraph (C)—

(A) by striking “(C)(i)” and all that follows through “abuse; and”, by inserting the following:

“(C)(i) risk-based measures to maximize the security of a system using the most effective technology available that the State agency considers appropriate and cost effective while prioritizing recipient access and ease of use and which may include personal identification numbers, photographic identification on electronic benefit transfer cards, alter-

1 natives for securing transactions, and other meas-
 2 ures to protect against fraud and abuse; and”, and

3 (B) by moving the left margin of clause (ii)
 4 4 ems to the left.

5 **SEC. 4017. MOBILE TECHNOLOGIES.**

6 Section 7(h)(14) of the Food and Nutrition Act of
 7 2008 (7 U.S.C. 2016(h)(14) is amended—

8 (1) by amending subparagraph (A) to read as
 9 follows:

10 “(A) IN GENERAL.—Subject to subpara-
 11 graph (B), the Secretary shall authorize the use
 12 of mobile technologies for the purpose of access-
 13 ing supplemental nutrition assistance program
 14 benefits.”,

15 (2) in subparagraph (B)—

16 (A) by striking the heading and inserting
 17 “DEMONSTRATION PROJECTS ON ACCESS OF
 18 BENEFITS THROUGH MOBILE TECHNOLOGIES”,

19 (B) by amending clause (i) to read as fol-
 20 lows:

21 “(i) DEMONSTRATION PROJECTS.—
 22 Before authorizing implementation of sub-
 23 paragraph (A) in all States, the Secretary
 24 shall approve not more than 5 demonstra-
 25 tion project proposals submitted by State

1 agencies that will pilot the use of mobile
2 technologies for supplemental nutrition as-
3 sistance program benefits access.”,

4 (C) in clause (ii)—

5 (i) in the heading by striking “DEM-
6 ONSTRATION PROJECTS” and inserting
7 “PROJECT REQUIREMENTS”,

8 (ii) by striking “retail food store” and
9 inserting “State agency”,

10 (iii) by striking “includes”,

11 (iv) by striking subclauses (I), (II),
12 (III), and (IV), and inserting the following:

13 “(I) provides recipient protec-
14 tions regarding privacy, ease of use,
15 household access to benefits, and sup-
16 port similar to the protections pro-
17 vided under existing methods;

18 “(II) ensures that all recipients,
19 including those without access to mo-
20 bile payment technology and those
21 who shop across State borders, have a
22 means of benefit access;

23 “(III) requires retail food stores,
24 unless exempt under section
25 7(f)(2)(B), to bear the costs of acquir-

1 ing and arranging for the implementa-
2 tion of point-of-sale equipment and
3 supplies for the redemption of benefits
4 that are accessed through mobile tech-
5 nologies, including any fees not de-
6 scribed in paragraph (13);

7 “(IV) requires that foods pur-
8 chased with benefits issued under this
9 section through mobile technologies
10 are purchased at a price not higher
11 than the price of the same food pur-
12 chased by other methods used by the
13 retail food store, as determined by the
14 Secretary;

15 “(V) ensures adequate docu-
16 mentation for each authorized trans-
17 action, adequate security measures to
18 deter fraud, and adequate access to
19 retail food stores that accept benefits
20 accessed through mobile technologies,
21 as determined by the Secretary;

22 “(VI) provides for an evaluation
23 of the demonstration project, includ-
24 ing, but not limited to, an evaluation
25 of household access to benefits; and

1 “(VII) meets other criteria as es-
2 tablished by the Secretary.”,

3 (D) by amending clause (iii) to read as fol-
4 lows:

5 “(iv) DATE OF PROJECT APPROVAL.—
6 The Secretary shall solicit and approve the
7 qualifying demonstration projects required
8 under subparagraph (B)(i) not later than
9 January 1, 2020.”, and

10 (E) by inserting after clause (ii) the fol-
11 lowing:

12 “(iii) PRIORITY.—The Secretary may
13 prioritize demonstration project proposals
14 that would—

15 “(I) reduce fraud;

16 “(II) encourage positive nutri-
17 tional outcomes; and

18 “(III) meet such other criteria as
19 determined by the Secretary.”, and

20 (3) in subparagraph (C)(i)—

21 (A) by striking “2017” and inserting
22 “2022”, and

23 (B) by inserting “requires further study by
24 way of an extended pilot period or” after
25 “States” the 2d place it appears.

1 **SEC. 4018. PROCESSING FEES.**

2 (a) LIMITATION.—Section 7(h)(13) of the Food and
3 Nutrition Act of 2008 (7 U.S.C. 2016(h)(13)) is amended
4 to read as follows:

5 “(13) FEES.—No interchange fees shall apply
6 to electronic benefit transfer transactions under this
7 subsection. Neither a State, nor any agent, con-
8 tractor, or subcontractor of a State who facilitates
9 the provision of supplemental nutrition assistance
10 program benefits in such State may impose a fee for
11 switching or routing such benefits.”.

12 (b) CONFORMING AMENDMENT.—Section 7(j)(1)(H)
13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014)
14 is amended to read as follows:

15 “(H) SWITCHING.—The term ‘switching’ means the
16 routing of an intrastate or interstate transaction that con-
17 sists of transmitting the details of a transaction electroni-
18 cally recorded through the use of an electronic benefit
19 transfer card in one State to the issuer of the card that
20 may be in the same or different State”.

21 **SEC. 4019. REPLACEMENT OF EBT CARDS.**

22 Section 7(h)(8)(B)(ii) of the Food and Nutrition Act
23 of 2008 (7 U.S.C. 2016(h)(8)(B)(ii)) is amended by strik-
24 ing “an excessive number of lost cards” and inserting “2
25 lost cards in a 12-month period”.

1 **SEC. 4020. BENEFIT RECOVERY.**

2 Section 7(h)(12) of the Food and Nutrition Act of
3 2008 (7 U.S.C. 2016(h)(12)) is amended—

4 (1) in subparagraph (A) by inserting “, or due
5 to the death of all members of the household” after
6 “inactivity”,

7 (2) in subparagraph (B) by striking “6” and
8 inserting “3”, and

9 (3) in subparagraph (C) by striking “12
10 months” and inserting “6 months, or upon
11 verification that all members of the household are
12 deceased”.

13 **SEC. 4021. REQUIREMENTS FOR ONLINE ACCEPTANCE OF**
14 **BENEFITS.**

15 (a) DEFINITION.—Section 3(o)(1) of the Food and
16 Nutrition Act of 2008 (7 U.S.C. 2012(o)(1)) is amended
17 by striking “or house-to-house trade route” and inserting
18 “, house-to-house trade route, or online entity”.

19 (b) ACCEPTANCE OF BENEFITS.—Section 7(k) of the
20 Food and Nutrition Act of 2008 (7 U.S.C. 2016(k)) is
21 amended—

22 (1) by striking the heading and inserting “AC-
23 CEPTANCE OF PROGRAM BENEFITS THROUGH ON-
24 LINE TRANSACTIONS”,

25 (2) in subparagraph (4) by striking subpara-
26 graph (C), and

1 (3) by striking paragraph (5).

2 **SEC. 4022. NATIONAL GATEWAY.**

3 (a) ISSUANCE OF BENEFITS.—Section 7 of the Food
4 and Nutrition Act of 2008 (7 U.S.C. 2016) is amended—

5 (1) in subsection (d) by striking “benefits by
6 benefit issuers” and inserting “benefit issuers and
7 other independent sales organizations, third-party
8 processors, and web service providers that provide
9 electronic benefit transfer services or equipment to
10 retail food stores and wholesale food concerns,” and

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

12 “(l) REQUIREMENT TO ROUTE ALL SUPPLEMENTAL
13 NUTRITION ASSISTANCE PROGRAM BENEFIT TRANSFER
14 TRANSACTIONS THROUGH A NATIONAL GATEWAY.—

15 “(1) DEFINITIONS.—For purposes of this sec-
16 tion:

17 “(A) The term ‘independent sales organi-
18 zation’ means a person or entity that—

19 “(i) is not a third-party processor;
20 and

21 “(ii) engages in sales or service to re-
22 tail food stores with respect to point-of-sale
23 equipment necessary for electronic benefit
24 transfer transaction processing.

1 “(B) The term ‘third-party processor’
2 means an entity, including a retail food store
3 operating its own point-of-sale terminals, that is
4 capable of routing electronic transfer benefit
5 transactions for authorization.

6 “(C) The term ‘web service provider’
7 means an entity that operates a generic online
8 purchasing website that can be customized for
9 online electronic benefit transfer transactions
10 for authorized retail food stores.

11 “(2) IN GENERAL.—Subject to paragraph (5),
12 the Secretary shall establish a national gateway for
13 the purpose of routing all supplemental nutrition as-
14 sistance program benefit transfer transactions (in
15 this subsection referred to as ‘transactions’ unless
16 the context specifies otherwise) to the appropriate
17 benefit issuers for purposes of transaction validation
18 and settlement.

19 “(3) REQUIREMENTS TO ROUTE TRANS-
20 ACTIONS.—The Secretary shall—

21 “(A) ensure that protections regarding pri-
22 vacy, security, ease of use, and access relating
23 to supplemental nutrition assistance benefits
24 are maintained for benefit recipients and retail
25 food stores;

1 “(B) ensure redundancy for processing of
2 transactions;

3 “(C) ensure real-time monitoring of trans-
4 actions;

5 “(D) ensure that all entities that connect
6 to such gateway, and all others that connect to
7 such entities, meet and follow transaction mes-
8 saging standards, and other requirements, es-
9 tablished by the Secretary;

10 “(E) ensure the security of transactions by
11 using the most effective technology available
12 that the Secretary considers to be appropriate
13 and cost-effective; and

14 “(F) ensure that all transactions are rout-
15 ed through such gateway.

16 “(4) STATE AGENCY ACTION.—Each State
17 agency shall ensure that all of its benefit issuers
18 connect to such gateway. A State agency may opt to
19 require its benefit issuer to route cash transactions
20 through such gateway, subject to terms established
21 by the Secretary.

22 “(5) ROUTING OF TRANSACTIONS THROUGH A
23 NATIONAL GATEWAY.—

24 “(A) IN GENERAL.—Before the Secretary
25 implements in all the States a national gateway

1 established under paragraph (2), the Secretary
2 shall conduct a feasibility study to assess the
3 feasibility of routing transactions through such
4 gateway.

5 “(B) FEASIBILITY STUDY.—The feasibility
6 study conducted under subparagraph (A) shall
7 provide, at a minimum, all of the following:

8 “(i) A comprehensive analysis of op-
9 portunities and challenges presented by im-
10 plementation of such gateway.

11 “(ii) One or more options for carrying
12 forward each of such opportunities and for
13 mitigating each of such challenges.

14 “(iii) Data for purposes of analyzing
15 the implementation of, and on-going cost
16 of managing, such gateway.

17 “(iv) One or more models for cost-
18 neutral on-going operation of a national
19 gateway.

20 “(v) Other criteria, including security
21 criteria, established by the Secretary.

22 “(C) DATE OF COMPLETION OF STUDY.—
23 The Secretary shall complete the feasibility
24 study required by subparagraph (B) not later

1 than 1 year after the date of the enactment of
2 the Agriculture and Nutrition Act of 2018.

3 “(D) IMPLEMENTATION OF A NATIONAL
4 GATEWAY.—Not later than 1 year after the
5 date of the completion of such study, the Sec-
6 retary shall complete the nationwide implemen-
7 tation of a national gateway established under
8 paragraph (2) unless the Secretary determines,
9 based on such study, that more time is needed
10 to implement such gateway nationwide or that
11 nationwide implementation of such gateway is
12 not in the best interest of the operation of the
13 supplemental nutrition assistance program.

14 “(E) REPORT TO CONGRESS.—If the Sec-
15 retary makes a determination described in sub-
16 paragraph (D), the Secretary shall submit to
17 the Committee on Agriculture of the House of
18 Representatives and the Committee on Agri-
19 culture, Nutrition, and Forestry of the Senate
20 a report that includes the basis of such deter-
21 mination.

22 “(F) NONDISCLOSURE OF INFORMA-
23 TION.—Any information collected through such
24 gateway about a specific retail food store,
25 wholesale food concern, person, or other entity,

1 and any investigative methodology or criteria
2 used for program integrity purposes that oper-
3 ates at or in conjunction with such gateway,
4 shall be exempt from the disclosure require-
5 ments of section 552(a) of title 5 of the United
6 States Code pursuant to section 552(b)(3)(B)
7 of title 5 of the United States Code. The Sec-
8 retary shall limit the use or disclosure of infor-
9 mation obtained under this subsection in a
10 manner consistent with section 9(c).

11 “(6) AUTHORIZATION OF APPROPRIATIONS.—
12 There are authorized to be appropriated
13 \$10,500,000 for fiscal year 2019, and \$9,500,000
14 for each of the fiscal years 2020 through 2023, to
15 carry out this subsection. Not more than \$1,000,000
16 of the funds appropriated under this paragraph may
17 be used for the feasibility study under paragraph
18 (5)(B).

19 “(7) GATEWAY SUSTAINABILITY.—Benefit
20 issuers and third-party processors shall pay fees to
21 the gateway operator, in a manner prescribed by the
22 Secretary, to directly access and route transactions
23 through the national gateway.

1 “(A) PURPOSE.—The Secretary shall en-
2 sure that fees are collected and used solely for
3 the operation of the gateway.

4 “(B) AMOUNT.—Fees shall be established
5 by the Secretary in amounts proportionate to
6 the number of transactions routed through the
7 gateway by each benefit issuer and third-party
8 processor, and based on the cost of operating
9 the gateway in a fiscal year.

10 “(C) ADJUSTMENT.—The Secretary shall
11 evaluate annually the cost of operating such
12 gateway and shall adjust the fee in effect for a
13 fiscal year to reflect the cost of operating such
14 gateway, except that an adjustment under this
15 subparagraph for any fiscal year may not ex-
16 ceed 10 percent of the fee charged under this
17 paragraph in the preceding fiscal year.”.

18 (b) APPROVAL OF RETAIL FOOD STORES AND
19 WHOLESALE FOOD CONCERNS.—The 1st sentence of sec-
20 tion 9(c) of the Food and Nutrition Act of 2008 (7 U.S.C.
21 2018(c)) is amended by inserting “contracts for electronic
22 benefit transfer services and equipment, records necessary
23 to validate the FNS authorization number to accept and
24 redeem benefits,” after “invoices,”.

1 **SEC. 4023. ACCESS TO STATE SYSTEMS.**

2 (a) RECORDS.—Section 11(a)(3)(B) of the Food and
3 Nutrition Act of 2008 (7 U.S.C. 2020(a)(3)(B)) is amend-
4 ed—

5 (1) by striking “Records described” and insert-
6 ing “All records, and the entire information systems
7 in which records are contained, that are covered”,
8 and

9 (2) by amending clause (i) to read as follows:
10 “(i) be made available for inspection
11 and audit by the Secretary, subject to data
12 and security protocols agreed to by the
13 State agency and Secretary;”.

14 (b) REPORTING REQUIREMENTS.—Section 16 of the
15 Food and Nutrition Act of 2008 (7 U.S.C. 2025) is
16 amended—

17 (1) in the last sentence of subsection (c)(4) by
18 inserting “including providing access to applicable
19 State records and the entire information systems in
20 which the records are contained,” after “Secretary,”
21 and

22 (2) in subsection (g)(1)—

23 (A) in subparagraph (E) by striking “and”
24 at the end,

25 (B) in subparagraph (F) by striking the
26 period at the end and inserting “; and”, and

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

2 “(G) would be accessible by the Secretary
3 for the purposes of program oversight and
4 would be used by the State agency to make
5 available all records required by the Sec-
6 retary.”.

7 **SEC. 4024. TRANSITIONAL BENEFITS.**

8 Section 11(s) of the Food and Nutrition Act of 2008
9 (7 U.S.C. 2020(s)) is amended—

10 (1) by striking the heading and inserting
11 “TRANSITIONAL BENEFITS”,

12 (2) in paragraph (1)—

13 (A) by striking “may” and inserting
14 “shall”, and

15 (B) in subparagraph (B) by striking “at
16 the option of the State,”, and

17 (3) in paragraph (2)—

18 (A) by striking “may” and inserting
19 “shall”, and

20 (B) by striking “not more than”.

21 **SEC. 4025. INCENTIVIZING TECHNOLOGY MODERNIZATION.**

22 Section 11(t) of the Food and Nutrition Act of 2008
23 (7 U.S.C. 2020(t)) is amended—

24 (1) by striking the heading and inserting

25 “GRANTS FOR SIMPLIFIED SUPPLEMENTAL NUTRI-

1 TION ASSISTANCE PROGRAM APPLICATION AND ELI-
 2 GIBILITY DETERMINATION SYSTEMS”,

3 (2) in paragraph (1) by striking “implement—
 4 ” and all that follows through the period at the end,
 5 and inserting “implement simplified supplemental
 6 nutrition assistance program application and eligi-
 7 bility determination systems.”, and

8 (3) in paragraph (2)—

9 (A) by amending subparagraph (B) to read
 10 as follows:

11 “(B) establishing enhanced technological
 12 methods for applying for benefits and deter-
 13 mining eligibility that improve the administra-
 14 tive infrastructure used in processing applica-
 15 tions and determining eligibility; or”,

16 (B) by striking subparagraphs (C) and
 17 (D), and

18 (C) by redesignating subparagraph (E) as
 19 subparagraph (C).

20 **SEC. 4026. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**
 21 **GRAM BENEFIT TRANSFER TRANSACTION**
 22 **DATA REPORT.**

23 Section 9 of the Food and Nutrition Act of 2008 (7
 24 U.S.C. 2018) is amended—

25 (1) in subsection (a)(2)—

1 (A) in subparagraph (A) by striking “and”
2 at the end,

3 (B) in subparagraph (B) by striking the
4 period at the end and inserting “; and”, and

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

6 “(C) parameters for retail food store cooperation with
7 the Secretary sufficient to carry out subsection (i).”, and

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

9 “(i) DATA COLLECTION FOR RETAIL FOOD STORE
10 TRANSACTIONS.—

11 “(1) COLLECTION OF DATA.—To assist in mak-
12 ing improvements to supplemental nutrition assist-
13 ance program design, for each interval not greater
14 than a 2-year period, the Secretary shall—

15 “(A) collect a statistically significant sam-
16 ple of retail food store transaction data, includ-
17 ing the cost and description of items purchased
18 with supplemental nutrition assistance program
19 benefits, to the extent practicable and without
20 affecting retail food store document retention
21 practices; and

22 “(B) make a summarized report of aggre-
23 gated data collected under subparagraph (A)
24 available to the public in a manner that pre-
25 vents identification of individual retail food

1 stores, individual retail food store chains, and
 2 individual members of households that use such
 3 benefits.

4 “(2) NONDISCLOSURE.—Any transaction data
 5 that contains information specific to a retail food
 6 store, a retail food store location, a person, or other
 7 entity shall be exempt from the disclosure require-
 8 ments of Section 552(a) of title 5 of the United
 9 States Code pursuant to section 552(b)(3)(B) of
 10 title 5 of the United States Code. The Secretary
 11 shall limit the use or disclosure of information ob-
 12 tained under this subsection in a manner consistent
 13 with sections 9(c) and 11(e)(8).”.

14 **SEC. 4027. ADJUSTMENT TO PERCENTAGE OF RECOVERED**
 15 **FUNDS RETAINED BY STATES.**

16 Section 16(a) of the Food and Nutrition Act of 2008
 17 (7 U.S.C. 2025(a) is amended—

18 (1) in the 1st sentence by striking “35 percent”
 19 and inserting “50 percent”, and

20 (2) by inserting after the 1st sentence the fol-
 21 lowing:

22 “A State agency may use such funds retained only to
 23 carry out the supplemental nutrition assistance program,
 24 including investments in technology, improvements in ad-

1 ministration and distribution, and actions to prevent
2 fraud.”.

3 **SEC. 4028. TOLERANCE LEVEL FOR PAYMENT ERRORS.**

4 Section 16(c)(1) of the Food and Nutrition Act of
5 2008 (7 U.S.C. 2025(c)(1)) is amended—

6 (1) in subparagraph (A)(ii)—

7 (A) in subclause (I) by striking “and” at
8 the end,

9 (B) in subclause (II)—

10 (i) by striking “fiscal year thereafter”
11 and inserting “of the fiscal years 2015
12 through 2017”, and

13 (ii) by striking the period at the end
14 and inserting “; and”, and

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

16 “(III) for each fiscal year there-
17 after, \$0.”, and

18 (2) in subparagraph (C) by striking “fiscal year
19 2004” and all that follows through “second”, and
20 inserting “any of the fiscal years 2004 through 2018
21 for which the Secretary determines that for the sec-
22 ond or subsequent consecutive fiscal year, and with
23 respect to fiscal year 2019 and any fiscal year there-
24 after for which the Secretary determines that for the
25 third”.

1 **SEC. 4029. STATE PERFORMANCE INDICATORS.**

2 Section 16(d) of the Food and Nutrition Act of 2008
3 (7 U.S.C. 2025(d)) is amended—

4 (1) by striking the heading and inserting
5 “STATE PERFORMANCE INDICATORS”,

6 (2) in paragraph (2)—

7 (A) in the heading by striking “AND
8 THEREAFTER” and inserting “THROUGH 2017”,

9 (B) in subparagraph (A) by striking “and
10 each fiscal year thereafter” and inserting
11 “through fiscal year 2017”, and

12 (C) in subparagraph (B) by striking “and
13 each fiscal year thereafter” and inserting
14 “through fiscal year 2017”, and

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

16 “(6) FISCAL YEAR 2018 AND FISCAL YEARS
17 THEREAFTER.—With respect to fiscal year 2018 and
18 each fiscal year thereafter, the Secretary shall estab-
19 lish, by regulation, performance criteria relating
20 to—

21 “(A) actions taken to correct errors, re-
22 duce rates of error, and improve eligibility de-
23 terminations; and

24 “(B) other indicators of effective adminis-
25 tration determined by the Secretary.”.

1 **SEC. 4030. PUBLIC-PRIVATE PARTNERSHIPS.**

2 Section 17 of the Food and Nutrition Act of 2008
3 (7 U.S.C. 2026) is amended by adding at the end the fol-
4 lowing:

5 “(m) PILOT PROJECTS TO ENCOURAGE THE USE OF
6 PUBLIC-PRIVATE PARTNERSHIPS COMMITTED TO AD-
7 DRESSING FOOD INSECURITY.—

8 “(1) IN GENERAL.—The Secretary may, on ap-
9 plication, permit not more than 10 eligible entities
10 to carry out pilot projects to support public-private
11 partnerships that address food insecurity and pov-
12 erty.

13 “(2) DEFINITION.—For purposes of this sub-
14 section, an ‘eligible entity’ means—

15 “(A) a State;

16 “(B) a unit of local government;

17 “(C) a nonprofit organization;

18 “(D) a community-based organization; and

19 “(E) an institution of higher education.

20 “(3) PROJECT REQUIREMENTS.—Projects ap-
21 proved under this subsection shall be limited to 2
22 years in length and evaluate the impact of the ability
23 of eligible entities to—

24 “(A) improve the effectiveness and impact
25 of the supplemental nutrition assistance pro-
26 gram;

1 “(B) develop food security solutions that
2 are contextualized to the needs of a community
3 or region; and,

4 “(C) strengthen the capacity of commu-
5 nities to address food insecurity and poverty.

6 “(4) REPORTING.—Participating entities shall
7 report annually to the Secretary who shall submit a
8 final report to the Committee on Agriculture of the
9 House of Representatives and the Committee on Ag-
10 riculture, Nutrition, and Forestry of the Senate.
11 Such report shall include—

12 “(A) a summary of the activities conducted
13 under the pilot projects;

14 “(B) an assessment of the effectiveness of
15 the pilot projects; and

16 “(C) best practices regarding the use of
17 public-private partnerships to improve the effec-
18 tiveness of public benefit programs to address
19 food insecurity and poverty.

20 “(5) AUTHORIZATION AND ADVANCE AVAIL-
21 ABILITY OF APPROPRIATIONS.—

22 “(A) AUTHORIZATION OF APPROPRIA-
23 TIONS.—There is authorized to be appropriated
24 to carry out this subsection \$5,000,000 to re-
25 main available until expended.

1 “(B) APPROPRIATION IN ADVANCE.—Only
2 funds appropriated under subparagraph (A) in
3 advance specifically to carry out this subsection
4 shall be available to carry out this subsection.”.

5 **SEC. 4031. AUTHORIZATION OF APPROPRIATIONS.**

6 The 1st sentence of section 18(a)(1) of the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended
8 by striking “2018” and inserting “2023”.

9 **SEC. 4032. EMERGENCY FOOD ASSISTANCE.**

10 Section 27(a) of the Food and Nutrition Act of 2008
11 (7 U.S.C. 2036(a)) is amended—

12 (1) in paragraph (1) by striking “2018” and in-
13 serting “2023”,

14 (2) in paragraph (2)—

15 (A) in subparagraph (C) by striking
16 “2018” and inserting “2023”,

17 (B) in subparagraph (D)—

18 (i) by striking “2018” the 1st place it
19 appears and inserting “2019”,

20 (ii) in clause (iii) by striking “and” at
21 the end, and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(v) for fiscal year 2019,
25 \$60,000,000; and”, and

1 (C) in subparagraph (E)—

2 (i) by striking “2019” and inserting
3 “2020”,

4 (ii) by striking “(D)(iv)” and insert-
5 ing “(D)(v)”, and

6 (iii) by striking “2017” and inserting
7 “2018”, and

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

9 “(4) FARM-TO-FOOD-BANK FUND.—From
10 amounts made available under subparagraphs (D)
11 and (E) of paragraph (2), the Secretary shall dis-
12 tribute \$20,000,000 in accordance with section 214
13 of the Emergency Food Assistance Act of 1983 (7
14 U.S.C. 7515) that States shall use to procure or
15 enter into agreements with a food bank to procure
16 excess fresh fruits and vegetables grown in the
17 State, or surrounding regions in the United States,
18 to be provided to eligible recipient agencies as de-
19 fined in section 201A(3) of the Emergency Food As-
20 sistance Act of 1983 (7 U.S.C. 7501(3)).”.

21 **SEC. 4033. NUTRITION EDUCATION.**

22 (a) NUTRITION EDUCATION AND OBESITY PREVEN-
23 TION GRANT PROGRAM.—Section 28 of the Food and Nu-
24 trition Act of 2008 (7 U.S.C. 2036a) is amended—

1 (1) by amending subsection (a) to read as fol-
 2 lows:

3 “(a) DEFINITIONS.—As used in this section:

4 “(1) ELIGIBLE INDIVIDUAL.—The term ‘eligible
 5 individual’ means an individual who is eligible to re-
 6 ceive benefits under a nutrition education and obe-
 7 sity prevention program under this section as a re-
 8 sult of being—

9 “(A) an individual eligible for benefits
 10 under—

11 “(i) this Act;

12 “(ii) sections 9(b)(1)(A) and 17(c)(4)
 13 of the Richard B Russell National School
 14 Lunch Act (42 U.S.C. 1758(b)(1)(A),
 15 1766(c)(4)); or

16 “(iii) section 4(e)(1)(A) of the Child
 17 Nutrition Act of 1966 (42 U.S.C.
 18 1773(e)(1)(A));

19 “(B) an individual who resides in a com-
 20 munity with a significant low-income popu-
 21 lation, as determined by the Secretary; or

22 “(C) such other low-income individual as is
 23 determined to be eligible by the Secretary.

24 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
 25 ble institution’ includes any ‘1862 Institution’ or

1 ‘1890 Institution’, as defined in section 2 of the Re-
2 search, Extension, and Education Reform Act of
3 1998 (7 U.S.C.7601).”,

4 (2) in subsection (b) by striking “Consistent
5 with the terms and conditions of grants awarded
6 under this section, State agencies may” and insert-
7 ing “The Secretary, acting through the Adminis-
8 trator of the National Institute of Food and Agri-
9 culture, in consultation with the Administrator of
10 the Food and Nutrition Service, shall”,

11 (3) in subsection (c)—

12 (A) by amending paragraph (1) to read as
13 follows:

14 “(1) IN GENERAL.—Consistent with the terms
15 and conditions of grants awarded under this section,
16 eligible institutions shall deliver nutrition education
17 and obesity prevention services under a program de-
18 scribed in subsection (b) that—

19 “(A) to the extent practicable, provide for
20 the employment and training of professional
21 and paraprofessional aides from the target pop-
22 ulation to engage in direct nutrition education;
23 and

1 “(B) partner with other public and private
2 entities as appropriate to optimize program de-
3 livery.”,

4 (B) in paragraph (2)—

5 (i) by amending subparagraph (A) to
6 read as follows:

7 “(A) IN GENERAL.—A State agency, in
8 consultation with eligible institutions that pro-
9 vide nutrition education and obesity prevention
10 services under this subsection, shall submit to
11 the Secretary for approval a nutrition education
12 State plan.”,

13 (ii) in subparagraph (B) by striking
14 “Except as provided in subparagraph (C),
15 a” and inserting “A”, and

16 (iii) by striking subparagraph (C),
17 (C) in paragraph (3)—

18 (i) in subparagraph (A)—

19 (I) by striking “A State agency”
20 and inserting “An eligible institu-
21 tion”, and

22 (II) by inserting “the Director of
23 the National Institute of Food and
24 Agriculture and” after “by”, and

- 1 (ii) in subparagraph (B) by inserting
2 “, the Director of the National Institute of
3 Food and Agriculture, and” after “edu-
4 cation”, and
- 5 (D) in paragraph (4) by inserting “and eli-
6 gible institutions” after “agencies”, and
- 7 (E) in subparagraph (5) by striking “State
8 agency” and inserting “eligible institutions”,
9 (4) in subsection (d)—
- 10 (A) in paragraph (1)—
- 11 (i) in the heading by striking “IN
12 GENERAL” and inserting “BASIC FUND-
13 ING”,
- 14 (ii) by striking “to State agencies”,
- 15 (iii) in subparagraph (E) by striking
16 “and” at the end,
- 17 (iv) in subparagraph (F)—
- 18 (I) by striking “year 2016 and
19 each subsequent fiscal year” and in-
20 serting “years 2016 through 2018”,
21 and
- 22 (II) by striking the period at the
23 end and inserting a semicolon, and
- 24 (v) by adding at the end the following:

1 “(G) for fiscal year 2019, \$485,000,000;
2 and

3 “(H) for fiscal year 2020 and each subse-
4 quent fiscal year, the applicable amount during
5 the preceding fiscal year, as adjusted to reflect
6 any increases for the 12-month period ending
7 the preceding June 30 in the Consumer Price
8 Index for All Urban Consumers published by
9 the Bureau of Labor Statistics of the Depart-
10 ment of Labor.”,

11 (B) in paragraph (2)—

12 (i) in subparagraph (A)—

13 (I) by inserting “and appropriated
14 under the authority of paragraph (2)”
15 after “paragraph (1)”, and

16 (II) in clause (ii)—

17 (aa) by inserting ““(as that sec-
18 tion existed on the date before enact-
19 ment of the Agriculture and Nutrition
20 Act of 2018” after “(B)” and

21 (bb) in subparagraph (V) by
22 striking “and each fiscal year there-
23 after”, and

24 (ii) by amending subparagraph (B) to read
25 as follows:

1 “(C) REALLOCATION.—If the Secretary de-
2 termines that an eligible institution will not ex-
3 pend all of the funds allocated to the eligible in-
4 stitution for a fiscal year under paragraph (1)
5 or in the case of an eligible institution that
6 elects not to receive the entire amount of funds
7 allocated to the eligible institution for a fiscal
8 year, the Secretary shall reallocate the unex-
9 pended funds to other eligible institutions dur-
10 ing the fiscal year or the subsequent fiscal year
11 (as determined by the Secretary) that have ap-
12 proved State plans under which the eligible in-
13 stitutions may expend the reallocated funds.”,
14 and

15 (iii) by inserting after subparagraph (A)
16 the following:

17 “(B) SUBSEQUENT ALLOCATION.—Of the
18 funds set aside under paragraph (1) and appro-
19 priated under the authority of paragraph (2)
20 for fiscal year 2019 and each fiscal year there-
21 after, 100 percent shall be allocated to eligible
22 institutions pro rata based on the respective
23 share of each State of the number of individuals
24 participating in the supplemental nutrition as-
25 sistance program during the 12-month period

1 ending the preceding January 31, as deter-
2 mined by the Secretary.”,

3 (C) by redesignating paragraphs (2) and
4 (3) as paragraphs (3) and (4), respectively,

5 (D) by inserting after paragraph (1) the
6 following:

7 “(2) AUTHORIZATION AND ADVANCE AVAIL-
8 ABILITY OF APPROPRIATIONS.—

9 “(A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—There is authorized to be appropriated
11 to carry out this section \$65,000,000 for each
12 of the fiscal years 2019 through 2023.

13 “(B) APPROPRIATION IN ADVANCE.—Ex-
14 cept as provided in subparagraph (C), only
15 funds appropriated under subparagraph (A) in
16 advance specifically to carry out this section
17 shall be available to carry out this section.

18 “(C) OTHER FUNDS.—Funds appropriated
19 under this paragraph shall be in addition to
20 funds made available under paragraph (1).”,
21 and

22 (E) by inserting after paragraph (4), as so
23 redesignated, the following:

24 “(5) ADMINISTRATIVE COSTS.—Not more than
25 10 percent of the funds allocated to eligible institu-

(b) RELATED AMENDMENT.—Section 18(a)(3)(A)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(3)(A)(ii)) is amended by striking “, such as the expanded food and nutrition education program”.

Section 29(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036b(c)(1)) is amended by striking “2018” and inserting “2023”.

17 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
18 et seq.) is amended—

(A) in subsections (d) and (i) by striking
“7(i)” and inserting “7(h)”, and

24 (2) in section 5(a) by striking “and section”
25 each place it appears and all that follows through

1 “households” the respective next place it appears,
 2 and inserting “and section 3(m)(4), households”,

3 (3) in subsections (e)(1) and (f)(1)(A)(i) of sec-
 4 tion 8 by striking “3(n)(5)” and inserting
 5 “(3)(m)(5)”,

6 (4) in the 1st sentence of section 10—

7 (A) by striking “or the Federal Savings
 8 and Loan Insurance Corporation” each place it
 9 appears, and

10 (B) by striking “3(p)(4)” and inserting
 11 “3(o)(4)”,

12 (5) in section 11—

13 (A) in subsection (a)(2) by striking
 14 “3(t)(1)” and inserting “3(s)(1)”, and

15 (B) in subsection (d)—

16 (i) by striking “3(t)(1)” each place it
 17 appears and inserting “3(s)(1)”, and

18 (ii) by striking “3(t)(2)” each place it
 19 appears and inserting “3(s)(2)”,

20 (C) in subsection (e)—

21 (i) in paragraph (17) by striking
 22 “3(t)(1)” inserting “3(s)(1)”, and

23 (ii) in paragraph (23) by striking
 24 “Simplified Supplemental Nutrition Assist-
 25 ance Program” and inserting “simplified

1 supplemental nutrition assistance pro-
 2 gram”,

3 (6) in section 15(e) by striking “exchange” and
 4 all that follows through “anything”, and inserting
 5 “exchange for benefits, or anything”,

6 (7) in section 17(b)(1)(B)(iv)—

7 (A) in subclause (III)(aa) by striking
 8 “3(n)” and inserting “3(m)”, and

9 (B) in subclause (VII) by striking “7(i)”
 10 and inserting “7(h)”,

11 (8) in section 25(a)(1)(B) (i)(I) by striking the
 12 2d semicolon at the end, and

13 (9) in section 26(b) by striking “out” and all
 14 that follows through “(referred”, and inserting “out
 15 a simplified supplemental nutrition assistance pro-
 16 gram (referred”,

17 **SEC. 4036. IMPLEMENTATION FUNDS.**

18 Out of any funds made available under section 18(a)
 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a))
 20 for fiscal year 2019, the Secretary shall use to carry out
 21 the amendments made by this subtitle \$150,000,000, to
 22 remain available until expended.

1 **Subtitle B—Commodity**
2 **Distribution Programs**

3 **SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.**

4 The 1st sentence of section 4(a) of the Agriculture
5 and Consumer Protection Act of 1973 (7 U.S.C. 612c
6 note) is amended by striking “2018” and inserting
7 “2023”.

8 **SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

9 Section 5 of the Agriculture and Consumer Protec-
10 tion Act of 1973 (7 U.S.C. 612c note) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1) by striking “2018”
13 and inserting “2023”, and

14 (B) in paragraph (2) by striking “2018”
15 and inserting “2023”, and

16 (2) in subsection (d)(2) by striking “2018” and
17 inserting “2023”.

18 **SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO**
19 **SPECIAL NUTRITION PROJECTS.**

20 Section 1114(a)(2)(A) of the Agriculture and Food
21 Act of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended by
22 striking “2018” and inserting “2023”.

1 **Subtitle C—Miscellaneous**

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

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

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

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

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

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

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

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

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

24 (2) in subsection (a), by inserting “, canned,
25 dried, frozen, or pureed” after “fresh”;

1 (3) in subsection (b), by inserting “, canned,
2 dried, frozen, or pureed” after “fresh”; and

3 (4) in subsection (e), by inserting “, canned,
4 dried, frozen, or pureed” after “fresh”.

5 **TITLE V—CREDIT**

6 **Subtitle A—Farm Ownership Loans**

7 **SEC. 5101. MODIFICATION OF THE 3-YEAR EXPERIENCE ELI-** 8 **GIBILITY REQUIREMENT FOR FARM OWNER-** 9 **SHIP LOANS.**

10 Section 302(b) of the Consolidated Farm and Rural
11 Development Act (7 U.S.C. 1922(b)) is amended by add-
12 ing at the end the following:

13 “(4) WAIVER AUTHORITY.—In the case of a
14 qualified beginning farmer or rancher, the Secretary
15 may—

16 “(A) reduce the 3-year requirement in
17 paragraph (1) to—

18 “(i) 2 years, if the farmer or rancher
19 has—

20 “(I) 16 credit hours of post-sec-
21 ondary education in a field related to
22 agriculture;

23 “(II) at least 1 year of direct
24 substantive management experience in
25 a business;

1 “(III) been honorably discharged
2 from the armed forces of the United
3 States;

4 “(IV) successfully repaid a youth
5 loan made under section 311(b); or

6 “(V) an established relationship
7 with an individual participating as a
8 counselor in a Service Corps of Re-
9 tired Executives program authorized
10 under section 8(b)(1)(B) of the Small
11 Business Act (15 U.S.C.
12 637(b)(1)(B)), or with a local farm or
13 ranch operator or organization, ap-
14 proved by the Secretary, that is com-
15 mitted to mentoring the farmer or
16 rancher;

17 “(ii) 1 year, if the farmer or rancher
18 has military leadership or management ex-
19 perience from having completed an accept-
20 able military leadership course; or

21 “(B) waive the 3-year requirement in para-
22 graph (1) if the farmer or rancher—

23 “(i) meets a requirement of subpara-
24 graph (A)(i) (other than subclause (V)

1 thereof) and meets the requirement of sub-
 2 paragraph (A)(ii); and
 3 “(ii) meets the requirement of sub-
 4 paragraph (A)(i)(V).”.

5 **SEC. 5102. CONSERVATION LOAN AND LOAN GUARANTEE**
 6 **PROGRAM.**

7 Section 304(h) of the Consolidated Farm and Rural
 8 Development Act (7 U.S.C. 1924(h)) is amended—

9 (1) by striking “\$150,000,000” and inserting
 10 “\$75,000,000”; and

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

12 **SEC. 5103. FARM OWNERSHIP LOAN LIMITS.**

13 Section 305(a) of the Consolidated Farm and Rural
 14 Development Act (7 U.S.C. 1925(a)) is amended—

15 (1) by striking “\$700,000” and inserting
 16 “\$1,750,000”; and

17 (2) by striking “2000” and inserting “2019”.

18 **Subtitle B—Operating Loans**

19 **SEC. 5201. LIMITATIONS ON AMOUNT OF OPERATING**
 20 **LOANS.**

21 Section 313(a) of the Consolidated Farm and Rural
 22 Development Act (7 U.S.C. 1943(a)) is amended—

23 (1) by striking “\$700,000” and inserting
 24 “\$1,750,000”; and

25 (2) by striking “2000” and inserting “2019”.

1 **SEC. 5202. MICROLOANS.**

2 Section 313(c)(2) of the Consolidated Farm and
3 Rural Development Act (7 U.S.C. 1943(c)(2)) is amended
4 by striking “title” and inserting “subsection”.

5 **Subtitle C—Administrative**
6 **Provisions**

7 **SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL**
8 **DEVELOPMENT ACCOUNTS PILOT PROGRAM.**

9 Section 333B(h) of the Consolidated Farm and Rural
10 Development Act (7 U.S.C. 1983b(h)) is amended by
11 striking “2018” and inserting “2023”.

12 **SEC. 5302. LOAN AUTHORIZATION LEVELS.**

13 Section 346(b)(1) of the Consolidated Farm and
14 Rural Development Act (7 U.S.C. 1994(b)(1)) is amended
15 in the matter preceding subparagraph (A) by striking
16 “2018” and inserting “2023”.

17 **SEC. 5303. LOAN FUND SET-ASIDES.**

18 Section 346(b)(2)(A)(ii)(III) of the Consolidated
19 Farm and Rural Development Act (7 U.S.C.
20 1994(b)(2)(A)(ii)(III)) is amended by striking “2018”
21 and inserting “2023”.

1 **Subtitle D—Technical Corrections**
2 **to the Consolidated Farm and**
3 **Rural Development Act**

4 **SEC. 5401. TECHNICAL CORRECTIONS TO THE CONSOLI-**
5 **DATED FARM AND RURAL DEVELOPMENT**
6 **ACT.**

7 (a)(1) Section 310E(d)(3) of the Consolidated Farm
8 and Rural Development Act (7 U.S.C. 1935(d)(3)) is
9 amended by inserting “and socially disadvantaged farmers
10 or ranchers” after “ranchers” the 2nd place it appears.

11 (2) The amendment made by this subsection shall
12 take effect as if included in the enactment of section
13 5004(4)(A)(i) of the Food, Conservation, and Energy Act
14 of 2008 (Public Law 110–246).

15 (b)(1) Section 321(a) of the Consolidated Farm and
16 Rural Development Act (7 U.S.C. 1961(a)) is amended
17 in the 2nd sentence by striking “and limited liability com-
18 panies” and inserting “limited liability companies, and
19 such other legal entities”.

20 (2) The amendment made by this subsection shall
21 take effect as if included in the enactment of section 5201
22 of the Agricultural Act of 2014 (Public Law 113–79).

23 (c)(1) Section 331D(e) of the Consolidated Farm and
24 Rural Development Act (7 U.S.C. 1981d(e)) is amended
25 by inserting after “within 60 days after receipt of the no-

1 tice required in this section” the following: “or, in extraor-
2 dinary circumstances as determined by the applicable
3 State director, after the 60-day period”.

4 (2) The amendment made by this subsection shall
5 take effect as if included in the enactment of section 10
6 of the Agricultural Credit Improvement Act of 1992 (Pub-
7 lic Law 102–554).

8 (d)(1) Section 333A(f)(1)(A) of the Consolidated
9 Farm and Rural Development Act (7 U.S.C.
10 1983a(f)(1)(A)) is amended by striking “114” and insert-
11 ing “339”.

12 (2) The amendment made by this subsection shall
13 take effect as if included in the enactment of section 14
14 of the Agricultural Credit Improvement Act of 1992 (Pub-
15 lic Law 102–554).

16 (e) Section 339(d)(3) of the Consolidated Farm and
17 Rural Development Act (7 U.S.C. 1989(d)(3)) is amended
18 by striking “preferred certified lender” and inserting
19 “Preferred Certified Lender”.

20 (f)(1) Section 343(a)(11)(C) of the Consolidated
21 Farm and Rural Development Act (7 U.S.C.
22 1991(a)(11)(C)) is amended by striking “or joint opera-
23 tors” and inserting “joint operator, or owners”.

1 (2) The amendment made by this subsection shall
 2 take effect as of the effective date of section 5303(a)(2)
 3 of the Agricultural Act of 2014.

4 (g)(1) Section 343(b) of the Consolidated Farm and
 5 Rural Development Act (7 U.S.C. 1991(b)) is amended
 6 by striking “307(e)” and inserting “307(d)”.

7 (2) The amendment made by paragraph (1) shall
 8 take effect as if included in the enactment of section 5004
 9 of the Agricultural Act of 2014 (Public Law 113–79).

10 (h) Section 346(a) of the Consolidated Farm and
 11 Rural Development Act (7 U.S.C.1994(a)) is amended by
 12 striking the last comma.

13 **Subtitle E—Amendments to the** 14 **Farm Credit Act of 1971**

15 **SEC. 5501. ELIMINATION OF OBSOLETE REFERENCES.**

16 (a) Section 1.2(a) of the Farm Credit Act of 1971
 17 (12 U.S.C. 2002(a)) is amended to read as follows:

18 “(a) COMPOSITION.—The Farm Credit System shall
 19 include the Farm Credit Banks, banks for cooperatives,
 20 Agricultural Credit Banks, the Federal land bank associa-
 21 tions, the Federal land credit associations, the production
 22 credit associations, the Agricultural Credit Associations,
 23 the Federal Farm Credit Banks Funding Corporation, the
 24 Federal Agricultural Mortgage Corporation, service cor-
 25 porations established pursuant to section 4.25 of this Act,

1 and such other institutions as may be made a part of the
2 System, all of which shall be chartered by and subject to
3 regulation by the Farm Credit Administration.”.

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

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

8 (1) in the 3rd sentence, by striking “and a Cen-
9 tral Bank for Cooperatives”; and

10 (2) by striking the 5th sentence.

11 (d) Section 3.2(a)(1) of such Act (12 U.S.C.
12 2123(a)(1)) is amended—

13 (1) by striking “not merged into the United
14 Bank for Cooperatives or the National Bank for Co-
15 operatives”; and

16 (2) by adding at the end the following: “Section
17 7.12(c) shall apply to the board of directors of a
18 merged bank for cooperatives.”.

19 (e) Section 3.2(a)(2)(A) of such Act (12 U.S.C.
20 2123(a)(2)(A)) is amended by striking “(other than the
21 National Bank for Cooperatives)”.

22 (f) Section 3.2 of such Act (12 U.S.C. 2123) is
23 amended—

24 (1) by striking subsection (b);

1 (2) in subsection (a)(2)(B), by striking “para-
2 graph” and inserting “subsection”;

3 (3) by striking “(a)(1)” and inserting “(a)”;

4 (4) by striking “(2)(A)” and inserting “(b)(1)”;

5 (5) by striking “(i)” and inserting “(A)”;

6 (6) by striking “(ii)” and inserting “(B)”;

7 (7) by striking “(B)” and inserting “(2)”.

8 (g) Section 3.5 of such Act (12 U.S.C. 2126) is
9 amended by striking “district”.

10 (h) Section 3.7(a) of such Act (12 U.S.C. 2128(a))
11 is amended by striking the 2nd sentence.

12 (i) Section 3.8(b)(1)(A) of such Act (12 U.S.C.
13 2129(b)(1)(A)) is amended by inserting “(or successor
14 agency)” after “Rural Electrification Administration”.

15 (j) Section 3.9(a) of such Act (12 U.S.C. 2130(a))
16 is amended by striking the 3rd sentence.

17 (k) Section 3.10(e) of such Act (12 U.S.C. 2131(e))
18 is amended by striking the 2nd sentence.

19 (l) Section 3.10(d) of such Act (12 U.S.C. 2131(d))
20 is amended—

21 (1) by striking “district” each place it appears;

22 and

23 (2) by inserting “for cooperatives or successor
24 bank” before “on account of such indebtedness”.

1 (m) Section 3.11 of such Act (12 U.S.C. 2132) is
2 amended—

3 (1) in subsection (a), by striking “subsections
4 (b) and (c)” and inserting “subsection (b)”;

5 (2) in subsection (b)—

6 (A) by striking “district”; and

7 (B) by striking “Except as provided in
8 subsection (c) below, all” and inserting “All”;
9 and

10 (3) by striking subsection (c) and redesignating
11 subsections (d) through (f) as subsections (c)
12 through (e), respectively.

13 (n) The heading for part B of title III of such Act
14 is amended by striking “**UNITED AND**”.

15 (o) Section 3.20(a) of such Act (12 U.S.C. 2141(a))
16 is amended by striking “or the United Bank for Coopera-
17 tives, as the case may be”.

18 (p) Section 3.20(b) of such Act (12 U.S.C. 2141(b))
19 is amended by striking “the district banks for cooperatives
20 and the Central Bank for Cooperatives” and inserting “all
21 constituent banks referred to in section 413 of the Agricul-
22 tural Credit Act of 1987”.

23 (q) Section 3.21 of such Act (12 U.S.C. 2142) is re-
24 pealed.

1 (r) Section 3.28 of such Act (12 U.S.C. 2149) is
2 amended by striking “a district bank for cooperatives and
3 the Central Bank for Cooperatives” and inserting “its con-
4 stituent banks referred to in section 413 of the Agricul-
5 tural Credit Act of 1987”.

6 (s) Section 3.29 of such Act (12 U.S.C. 2150) is re-
7 pealed.

8 (t)(1) Section 4.0 of such Act (12 U.S.C. 2151) is
9 repealed.

10 (2) Section 5.60(b) of such Act (12 U.S.C. 2277a-
11 9(b)) is amended to read as follows:

12 “(b) AMOUNTS IN FUND.—The Corporation shall de-
13 posit in the Insurance Fund all premium payments re-
14 ceived by the Corporation under this part.”.

15 (u)(1) Section 4.8 of such Act (12 U.S.C. 2159) is
16 amended—

17 (A) by striking “(a)”;

18 (B) by striking subsection (b).

19 (2) Section 1.1(c) of such Act (12 U.S.C. 2001(c))
20 is amended by striking “including any costs of defeasance
21 under section 4.8(b),”.

22 (v) Section 4.9(d)(2) of such Act (12 U.S.C.
23 2160(d)(2)) is amended to read as follows:

24 “(2) REPRESENTATION ON BOARD.—The Farm
25 Credit System Insurance Corporation shall have no

1 representation on the board of directors of the Cor-
2 poration.”.

3 (w) Section 4.9 of such Act (12 U.S.C. 2160) is
4 amended by striking subsection (e) and redesignating sub-
5 section (f) as subsection (e).

6 (x) Section 4.9A(c) of such Act (12 U.S.C. 2162(c))
7 is amended to read as follows:

8 “(c) INABILITY TO RETIRE STOCK AT PAR VALUE.—
9 If an institution is unable to retire eligible borrower stock
10 at par value due to the liquidation of the institution, the
11 Farm Credit System Insurance Corporation, acting as re-
12 ceiver, shall retire such stock at par value as would have
13 been retired in the ordinary course of business of the insti-
14 tution. The Farm Credit System Insurance Corporation
15 shall make use of sufficient funds from the Farm Credit
16 Insurance Fund to carry out this section.”.

17 (y) Section 4.12A(a)(1) of such Act (12 U.S.C.
18 2184(a)(1)) is amended to read as follows:

19 “(1) IN GENERAL.—Every Farm Credit System
20 bank or association shall provide a current list of its
21 stockholders, within 7 calendar days after receipt of
22 a written request by a stockholder, to the requesting
23 stockholder.”.

1 (z) Section 4.14A(a) of such Act (12 U.S.C.
2 2202a(a)) is amended by inserting “and section 4.36”
3 after “As used in this part”.

4 (aa)(1) Section 4.14A of such Act (12 U.S.C. 2202a)
5 is amended—

6 (A) in subsection (l), by striking “production
7 credit”; and

8 (B) by striking subsection (h) and redesignig-
9 nating subsections (i) through (l) as subsections (h)
10 through (k), respectively.

11 (2)(A) Section 5.31 of such Act (12 U.S.C. 2267) is
12 amended by striking “4.14A(i)” and inserting
13 “4.14A(h)”.

14 (B) Section 5.32(h) of such Act (12 U.S.C. 2268(h))
15 is amended by striking “4.14A(i)” and inserting
16 “4.14A(h)”.

17 (bb)(1) Section 4.14C of such Act (12 U.S.C. 2202c)
18 is repealed.

19 (2)(A) Section 4.14A(a)(5)(B)(ii)(I) of such Act (12
20 U.S.C. 2202a(a)(5)(B)(ii)(I)) is amended by striking
21 “4.14C,”.

22 (B) Section 8.9 of such Act (12 U.S.C. 2279aa–9)
23 is amended by striking “4.14C,” each place it appears.

1 (cc) Section 4.17 of such Act (12 U.S.C. 2205) is
2 amended by striking “Federal intermediate credit banks
3 and”.

4 (dd) Section 4.19(a) of such Act (12 U.S.C. 2207(a))
5 is amended—

6 (1) by striking “district”;

7 (2) by striking “Federal land bank association
8 and production credit”; and

9 (3) by striking “units” and inserting “institu-
10 tions”.

11 (ee) Section 4.38 of such Act (12 U.S.C. 2219c) is
12 amended by striking “The Assistance Board established
13 under section 6.0 and all” and inserting “All”.

14 (ff) Section 5.17(a)(2) of such Act (12 U.S.C.
15 2252(a)(2)) is amended by striking the 2nd and 3rd sen-
16 tences.

17 (gg) Section 5.18 of such Act (12 U.S.C. 2253) is
18 repealed.

19 (hh) Section 5.19(a) of such Act (12 U.S.C. 2254(a))
20 is amended—

21 (1) by striking “Except for Federal land bank
22 associations, each” and inserting “Each”; and

23 (2) by striking the 2nd sentence.

24 (ii) Section 5.19(b) of such Act (12 U.S.C. 2254(b))
25 is amended—

1 (1) in the 2nd sentence of paragraph (1), by
2 striking “except with respect to any actions taken by
3 banks of the System under section 4.8(b),”;

4 (2) by striking the 3rd sentence of paragraph
5 (1);

6 (3) by striking “(b)(1)” and inserting “(b)”;
7 and

8 (4) by striking paragraphs (2) and (3).

9 (jj) Section 5.35(4) of such Act (12 U.S.C. 2271(4))
10 is amended—

11 (1) in subparagraph (C)—

12 (A) by striking “after December 31,
13 1992,”; and

14 (B) by striking “by the Farm Credit Sys-
15 tem Assistance Board under section 6.6 or”;
16 and

17 (2) by striking subparagraph (B) and redesign-
18 nating subparagraph (C) as subparagraph (B).

19 (kk) Section 5.38 of such Act (12 U.S.C. 2274) is
20 amended by striking “a farm credit district board, bank
21 board, or bank officer or employee shall not remove any
22 director or officer of any production credit association or
23 Federal land bank association” and inserting “a Farm
24 Credit Bank board, officer, or employee shall not remove
25 any director or officer of any association”.

1 (ll) Section 5.44 of such Act (12 U.S.C. 2275) is re-
2 pealed.

3 (mm) Section 5.58(2) of such act (12 U.S.C. 2277a-
4 7) is amended by striking the 2nd sentence.

5 (nn) Subtitle A of title VI of such Act (12 U.S.C.
6 2278a-2278a-11) is repealed.

7 (oo) Title VI of such Act (12 U.S.C. 2278a-2278b-
8 11) is amended by adding at the end the following:

9 **“SEC. 6.32 TERMINATION OF AUTHORITY.**

10 “The authority provided in this subtitle shall termi-
11 nate on December 31, 2018.”.

12 (pp) Section 7.9 of such Act (12 U.S.C. 2279c-2)
13 is amended by striking subsection (c).

14 (qq) Section 7.10(a)(4) of such Act (12 U.S.C.
15 2279d(a)(4)) is amended to read as follows:

16 “(4) the institution pays to the Farm Credit In-
17 surance Fund the amount by which the total capital
18 of the institution exceeds 6 percent of the assets;”.

19 (rr) Section 8.0(2) of such Act (12 U.S.C.
20 2279aa(2)) is amended to read as follows:

21 “(2) BOARD.—The term ‘Board’ means the
22 board of directors established under section 8.2.”.

23 (ss)(1) Section 8.0 of such Act (12 U.S.C. 2279aa)
24 is amended by striking paragraphs (6) and (8), and redes-

ignating paragraphs (7), (9), and (10) as paragraphs (6) through (8), respectively.

(2)(A) Section 4.39 of such Act (12 U.S.C. 2219d) is amended by striking “8.0(7)” and inserting “8.0(6)”.

(B) Section 8.6(e)(2) of such Act (12 U.S.C. 2279aa–6(e)(2)) is amended by striking “8.0(9)” and inserting “8.0(7)”.

(C) Section 8.11(e) of such Act (12 U.S.C. 2279aa–11(e)) is amended by striking “8.0(7)” and inserting “8.0(6)”.

(D) Section 8.32(a)(1)(B) of such Act (12 U.S.C. 2279bb–1(a)(1)(B)) is amended by striking “8.0(9)(C)” and inserting “8.0(7)(C)”.

(tt)(1) Section 8.2 of such Act (12 U.S.C. 2279aa–2) is amended—

(A) in subsection (b)—

(i) in the subsection heading, by striking “PERMANENT BOARD” and inserting “BOARD OF DIRECTORS”;

(ii) by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT.—The Corporation shall be under the management of the Board of Directors.”;

1 (iii) by striking paragraph (3) and redesignating paragraphs (4) through (10) as paragraphs (3) through (9), respectively; and

2 (iv) by striking “permanent” each place it appears in paragraphs (2) through (9), as so redesignated; and

3 (B) by striking subsection (a) and redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

4 (2) Section 8.4(a)(1) of such Act (12 U.S.C. 2279aa–4) is amended—

5 (A) by striking the 3rd sentence;

6 (B) by inserting after the 1st sentence the following: “Voting common stock shall be offered to banks, other financial entities, insurance companies, and System institutions under such terms and conditions as the Board may adopt. The voting stock shall be fairly and broadly offered to ensure that no institution or institutions acquire a disproportionate amount of the total amount of voting common stock outstanding of a class and that capital contributions and issuances of voting common stock for the contributions are fairly distributed between entities eligible to hold Class A and Class B stock, as provided under this paragraph.”;

1 (C) by striking “8.2(b)(2)(A)” and inserting
2 “8.2(a)(2)(A)”;

3 (D) by striking “8.2(b)(2)(B)” and inserting
4 “8.2(a)(2)(B)”.

5 (uu)(1) Section 8.6 of such Act (12 U.S.C. 2279aa–
6 6) is amended by striking subsection (d) and redesignating
7 subsection (e) as subsection (d).

8 (2)(A) Section 8.0(9)(B)(i) of such Act (12 U.S.C.
9 2279aa(9)(B)(i)) is amended by striking “through (d)”
10 and inserting “and (c)”.

11 (B) Section 8.33(b)(2)(A) of such Act (12 U.S.C.
12 2279bb–2(b)(2)(A)) is amended by striking “8.6(e)” and
13 inserting “8.6(d)”.

14 (vv) Section 8.32(a) of such Act (12 U.S.C. 2279bb–
15 1(a)) is amended by striking “Not sooner than the expira-
16 tion of the 3-year period beginning on the date of enact-
17 ment of the Farm Credit System Reform Act of 1996,
18 the” and inserting “The”.

19 (ww) Section 8.35 of such Act (12 U.S.C. 2279bb–
20 4) is amended by striking subsection (e).

21 (xx) Section 8.38 of such Act (12 U.S.C. 2279bb–
22 7) is repealed.

1 **SEC. 5502. CONFORMING REPEALS.**

2 (a) Sections 4, 5, 6, 7, 8, 14, and 15 of the Agricul-
3 tural Marketing Act (12 U.S.C. 1141b, 1141c, 1141d,
4 1141e, 1141f, 1141i, and 1141j) are repealed.

5 (b) The Act of June 22, 1939, (Chapter 239; 53 Stat.
6 853; 12 U.S.C. 1141d–1) is repealed.

7 (c) Section 201(e) of the Emergency Relief and Con-
8 struction Act of 1932 (12 U.S.C. 1148) is repealed.

9 (d) Section 2 of the Act of July 14, 1953, (Chapter
10 192; 67 Stat. 150; 12 U.S.C. 1148a–4) is repealed.

11 (e) Sections 32 through 34 of the Farm Credit Act
12 of 1937 (12 U.S.C. 1148b, 1148c, and 1148d) are re-
13 pealed.

14 (f) Sections 1 through 4 of the Act of March 3, 1932,
15 (12 U.S.C. 1401 through 1404) are repealed.

16 **SEC. 5503. FACILITY HEADQUARTERS.**

17 Section 5.16 of the Farm Credit Act of 1971 (12
18 U.S.C. 2251) is amended by striking all that precedes “to
19 the rental of quarters” and inserting the following:

20 **“SEC. 5.16 QUARTERS AND FACILITIES FOR THE FARM**
21 **CREDIT ADMINISTRATION.**

22 “(a) The Farm Credit Administration shall maintain
23 its principal office with the Washington D.C.-Maryland-
24 Virginia standard metropolitan statistical area, and such
25 other offices within the United States as in its judgment
26 are necessary.

1 “(b) As an alternate”.

2 **SEC. 5504. SHARING PRIVILEGED AND CONFIDENTIAL IN-**
3 **FORMATION.**

4 Section 5.19 of the Farm Credit Act of 1971 (12
5 U.S.C. 2254) is amended by adding at the end the fol-
6 lowing:

7 “(e) A System institution shall not be considered to
8 have waived the confidentiality of a privileged communica-
9 tion with an attorney or accountant if the institution pro-
10 vides the content of the communication to the Farm Cred-
11 it Administration pursuant to the supervisory or regu-
12 latory authorities of the Farm Credit Administration.”.

13 **SEC. 5505. SCOPE OF JURISDICTION.**

14 Part C of title V of the Farm Credit Act of 1971
15 (12 U.S.C. 2261–2274) is amended by inserting after sec-
16 tion 5.31 the following:

17 **“SEC. 5.31A. SCOPE OF JURISDICTION.**

18 “(a) For purposes of sections 5.25, 5.26, and 5.33,
19 the jurisdiction of the Farm Credit Administration over
20 parties, and the authority of the Farm Credit Administra-
21 tion to initiate actions, shall include enforcement authority
22 over institution-affiliated parties.

23 “(b) The resignation, termination of employment or
24 participation, or separation of an institution-affiliated
25 party (including a separation caused by the merger, con-

1 solidation, conservatorship, or receivership of a System in-
2 stitution) shall not affect the jurisdiction and authority
3 of the Farm Credit Administration to issue any notice or
4 order and proceed under this part against any such party,
5 if the notice or order is served before the end of the 6-
6 year period beginning on the date the party ceased to be
7 such a party with respect to the System institution
8 (whether the date occurs before, on, or after the date of
9 the enactment of this section).”.

10 **SEC. 5506. DEFINITION.**

11 Section 5.35 of the Farm Credit Act of 1971 (12
12 U.S.C. 2271) is amended—

13 (1) by striking “and” at the end of paragraph
14 (3); and

15 (2) by redesignating paragraph (4) as para-
16 graph (5) and inserting after paragraph (3) the fol-
17 lowing:

18 “(4) the term ‘institution-affiliated party’
19 means—

20 “(A) any director, officer, employee, share-
21 holder, or agent of a System institution;

22 “(B) any independent contractor (includ-
23 ing any attorney, appraiser, or accountant) who
24 knowingly or recklessly participates in—

1 “(i) any violation of law (including
 2 regulations) that is associated with the op-
 3 erations and activities of 1 or more institu-
 4 tions;

5 “(ii) any breach of fiduciary duty; or

6 “(iii) any unsafe or unsound practice,
 7 which caused or is likely to cause more
 8 than a minimal financial loss to, or a sig-
 9 nificant adverse effect on, a System insti-
 10 tution; and

11 “(C) any other person, as determined by
 12 the Farm Credit Administration (by regulation
 13 or on a case-by-case basis) who participates in
 14 the conduct of the affairs of a System institu-
 15 tion; and”.

16 **SEC. 5507. EXPANSION OF ACREAGE EXCEPTION TO LOAN**
 17 **AMOUNT LIMITATION.**

18 (a) IN GENERAL.—Section 8.8(c)(2) of the Farm
 19 Credit Act of 1971 (12 U.S.C. 2279aa–8(c)(2)) is amend-
 20 ed by striking “1,000” and inserting “2,000”.

21 (b) EFFECTIVE DATE.—The amendment made by
 22 subsection (a) shall take effect 1 year after the date a re-
 23 port submitted in accordance with section 5602 of this Act
 24 indicates that it is feasible to increase the acreage limita-

tion in section 8.8(c)(2) of the Farm Credit Act of 1971 to 2,000 acres.

SEC. 5508. COMPENSATION OF BANK DIRECTORS.

Section 4.21 of the Farm Credit Act of 1971 (12 U.S.C. 2209) is repealed.

SEC. 5509. PROHIBITION ON USE OF FUNDS.

Section 5.65 of the Farm Credit Act of 1971 (12 U.S.C. 2277a–14) is amended by adding at the end the following:

“(e) PROHIBITION ON USES OF FUNDS RELATED TO FEDERAL AGRICULTURAL MORTGAGE CORPORATION.—No funds from administrative accounts or from the Farm Credit System Insurance Fund may be used by the Corporation to provide assistance to the Federal Agricultural Mortgage Corporation or to support any activities related to the Federal Agricultural Mortgage Corporation.”.

Subtitle F—Miscellaneous

SEC. 5601. STATE AGRICULTURAL MEDIATION PROGRAMS.

Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking “2018” and inserting “2023”.

SEC. 5602. STUDY ON LOAN RISK.

(a) STUDY.—The Farm Credit Administration shall conduct a study that—

1 (1) analyzes and compares the financial risks
 2 inherent in loans made, held, securitized, or pur-
 3 chased by Farm Credit banks, associations, and the
 4 Federal Agricultural Mortgage Corporation and how
 5 such risks are required to be capitalized under stat-
 6 ute and regulations in effect as of the date of the
 7 enactment of this Act; and

8 (2) assesses the feasibility of increasing the
 9 acreage exception provided in section 8.8(c)(2) of
 10 the Farm Credit Act of 1971 to 2,000 acres.

11 (b) **TIMELINE.**—The Farm Credit Administration
 12 shall provide the results of the study required by sub-
 13 section (a) to the Committee on Agriculture of the House
 14 of Representatives and the Committee on Agriculture, Nu-
 15 trition, and Forestry of the Senate no later than 180 days
 16 after the date of the enactment of this Act.

17 **TITLE VI—RURAL INFRASTRUC-**
 18 **TURE AND ECONOMIC DEVEL-**
 19 **OPMENT**

20 **Subtitle A—Improving Health**
 21 **Outcomes in Rural Communities**

22 **SEC. 6001. PRIORITIZING PROJECTS TO MEET HEALTH CRI-**
 23 **SES IN RURAL AMERICA.**

24 (a) **TEMPORARY PRIORITIZATION OF RURAL HEALTH**
 25 **ASSISTANCE.**—Title VI of the Rural Development Act of

1 1972 (7 U.S.C. 2204a–2204b) is amended by adding at
2 the end the following:

3 **“SEC. 608. TEMPORARY PRIORITIZATION OF RURAL**
4 **HEALTH ASSISTANCE.**

5 “(a) AUTHORITY TO PRIORITIZE CERTAIN RURAL
6 HEALTH APPLICATIONS.—The Secretary, after consulta-
7 tion with such public health officials as may be necessary,
8 may announce a temporary reprioritization for certain
9 rural development loan and grant applications to assist
10 rural communities in responding to a specific health emer-
11 gency.

12 “(b) CONTENT OF ANNOUNCEMENT.—In the an-
13 nouncement, the Secretary shall—

14 “(1) specify the nature of the emergency affect-
15 ing the health of rural Americans;

16 “(2) describe the actual and potential effects of
17 the emergency on the rural United States;

18 “(3) identify the services and treatments which
19 can be used to reduce those effects; and

20 “(4) publish the specific temporary changes
21 needed to assist rural communities in responding to
22 the emergency

23 “(c) NOTICE.—Not later than 48 hours after making
24 or extending an announcement under this section, the Sec-
25 retary shall submit to the Committee on Agriculture of

1 the House of Representatives and the Committee on Agri-
 2 culture, Nutrition, and Forestry of the Senate, and trans-
 3 mit to the Secretary of Health and Human Services, a
 4 written notice of the declaration or extension.

5 “(d) EXTENSION.—The Secretary may extend an an-
 6 nouncement under subsection (a) if the Secretary deter-
 7 mines that the emergency will continue after the declara-
 8 tion would otherwise expire.

9 “(e) EXPIRATION.—An announcement under sub-
 10 section (a) shall expire on the earlier of—

11 “(1) the date the Secretary determines that the
 12 emergency has ended; or

13 “(2) the end of the 360-day period beginning
 14 with the later of—

15 “(A) the date the announcement was
 16 made; or

17 “(B) the date the announcement was most
 18 recently extended.”.

19 (b) DISTANCE LEARNING AND TELEMEDICINE.—
 20 Section 2333(c) of the Food, Agriculture, Conservation,
 21 and Trade Act of 1990 (7 U.S.C. 950aaa–2(c)) is amend-
 22 ed by adding at the end the following:

23 “(5) PROCEDURE DURING TEMPORARY
 24 REPRIORITIZATIONS.—

1 “(A) IN GENERAL.—While a temporary
2 reprioritization announced under section 608 of
3 the Rural Development Act of 1972 is in effect,
4 the Secretary shall make available not less than
5 10 percent of the amounts made available
6 under section 2335A for financial assistance
7 under this chapter, for telemedicine services to
8 identify and treat individuals affected by the
9 emergency, subject to subparagraph (B).

10 “(B) EXCEPTION.—In the case of a fiscal
11 year for which the Secretary determines that
12 there are not sufficient qualified applicants to
13 receive financial assistance to reach the 10-per-
14 cent requirement under subparagraph (A), the
15 Secretary may make available less than 10 per-
16 cent of the amounts made available under sec-
17 tion 2335A for those services.”.

18 (c) COMMUNITY FACILITIES DIRECT LOANS AND
19 GRANTS.—Section 306(a) of the Consolidated Farm and
20 Rural Development Act (7 U.S.C. 1926(a)) is amended
21 by adding at the end the following:

22 “(27) PROCEDURE DURING TEMPORARY
23 REPRIORITIZATIONS.—

24 “(A) SELECTION PRIORITY.—While a tem-
25 porary reprioritization announced under section 608

1 of the Rural Development Act of 1972 is in effect,
2 in selecting recipients of loans, loan guarantees, or
3 grants for the development of essential community
4 facilities under this section, the Secretary shall give
5 priority to entities eligible for those loans or
6 grants—

7 “(i) to develop facilities to provide services
8 related to reducing the effects of the health
9 emergency, including—

10 “(I) prevention services;

11 “(II) treatment services;

12 “(III) recovery services; or

13 “(IV) any combination of those serv-
14 ices; and

15 “(ii) that employ staff that have appro-
16 priate expertise and training in how to identify
17 and treat individuals affected by the emergency.

18 “(B) USE OF FUNDS.—An eligible entity de-
19 scribed in subparagraph (A) that receives a loan or
20 grant described in that subparagraph may use the
21 loan or grant funds for the development of telehealth
22 facilities and systems to provide for treatment di-
23 rectly related to the emergency involved.”.

24 (d) RURAL HEALTH AND SAFETY EDUCATION PRO-
25 GRAMS.—

1 (1) IN GENERAL.—Section 502(i) of the Rural
2 Development Act of 1972 (7 U.S.C. 2662(i)) is
3 amended—

4 (A) by redesignating paragraph (5) as
5 paragraph (6); and

6 (B) by inserting after paragraph (4) the
7 following:

8 “(5) PROCEDURE DURING TEMPORARY
9 REPRIORITIZATIONS.—While a temporary
10 reprioritization announced under section 608 of the
11 Rural Development Act of 1972 is in effect, in mak-
12 ing grants under this subsection, the Secretary shall
13 give priority to an applicant that will use the grant
14 to address the announced emergency.”.

15 (2) TECHNICAL AMENDMENTS.—Title V of the
16 Rural Development Act of 1972 (7 U.S.C. 2661 et
17 seq.), as amended by paragraph (1) of this sub-
18 section, is amended—

19 (A) in section 502, in the matter preceding
20 subsection (a), by inserting “(referred to in this
21 title as the ‘Secretary’)” after “Agriculture”;
22 and

23 (B) by striking “Secretary of Agriculture”
24 each place it appears (other than in section 502

1 in the matter preceding subsection (a)) and in-
2 serting “Secretary”.

3 **SEC. 6002. DISTANCE LEARNING AND TELEMEDICINE.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
5 2335A of the Food, Agriculture, Conservation, and Trade
6 Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking
7 “\$75,000,000 for each of fiscal years 2014 through 2018”
8 and inserting “\$82,000,000 for each of fiscal years 2019
9 through 2023”.

10 (b) CONFORMING AMENDMENT.—Section 1(b) of
11 Public Law 102–551 (7 U.S.C. 950aaa note) is amended
12 by striking “2018” and inserting “2023”.

13 **SEC. 6003. REAUTHORIZATION OF THE FARM AND RANCH**
14 **STRESS ASSISTANCE NETWORK.**

15 Section 7522 of the Food, Conservation, and Energy
16 Act of 2008 (7 U.S.C. 5936) is amended—

17 (1) in subsection (a), by striking “coordination
18 with the Secretary of Health and Human Services,
19 shall make competitive grants to support cooperative
20 programs between State cooperative extension serv-
21 ices and nonprofit organizations” and inserting
22 “consultation with the Secretary of Health and
23 Human Services, shall make competitive grants to
24 State cooperative extension services and Indian

1 Tribes to support programs with nonprofit organiza-
2 tions in order”;

3 (2) in subsection (b)—

4 (A) in paragraph (1), by inserting “Inter-
5 net” before “websites”;

6 (B) by striking paragraph (2) and insert-
7 ing the following:

8 “(2) training for individuals who may assist
9 farmers in crisis, including programs and work-
10 shops;”; and

11 (C) in paragraph (4), by inserting “, in-
12 cluding the dissemination of information and
13 materials” before the semicolon at the end;

14 (3) in subsection (c), by striking “to enable the
15 State cooperative extension services” and inserting
16 “or Indian tribes, as applicable, to”;

17 (4) in subsection (d), by striking “fiscal years”
18 and all that follows and inserting “fiscal years 2018
19 through 2023”; and

20 (5) by redesignating subsection (d) as sub-
21 section (e) and inserting after subsection (c) the fol-
22 lowing:

23 “(d) OVERSIGHT AND EVALUATION.—The Secretary,
24 in consultation with the Secretary of Health and Human

1 Services, shall review and evaluate the stress assistance
2 programs carried out pursuant to this section.

3 “(1) PROGRAM REVIEW.—Not later than 2
4 years after the date on which a grant is first pro-
5 vided under this section, and annually thereafter, the
6 Secretary shall—

7 “(A) review the programs funded under a
8 grant made under this section to evaluate the
9 effectiveness of the services offered through
10 such a program, and suggest alternative serv-
11 ices not offered by such a grant recipient that
12 would be appropriate for behavioral health serv-
13 ices; and

14 “(B) submit to the Congress, and make
15 available on the public Internet website of the
16 Department of Agriculture, a report containing
17 the results of the review conducted under sub-
18 paragraph (A) and a description of the services
19 provided through programs funded under such
20 a grant.

21 “(2) PUBLIC AVAILABILITY.—In making the re-
22 port under paragraph (1) publicly available, the Sec-
23 retary shall take such steps as may be necessary to
24 ensure that the report does not contain any informa-
25 tion that would identify any person who received

1 services under a program funded under a grant
2 made under this section.”.

3 **SEC. 6004. SUPPORTING AGRICULTURAL ASSOCIATION**
4 **HEALTH PLANS.**

5 (a) IN GENERAL.—The Secretary of Agriculture may
6 establish a loan program and a grant program to assist
7 in the establishment of agricultural association health
8 plans, in order to help bring new health options and lower
9 priced health care coverage to rural Americans.

10 (b) LOANS.—

11 (1) IN GENERAL.—With respect to plan years
12 2019 through 2022, the Secretary of Agriculture, in
13 consultation with the Secretary of Labor, may make
14 not more than 10 loans under this section, for pur-
15 poses of establishing agricultural association health
16 plans, to qualified agricultural associations that have
17 not received a loan under this section.

18 (2) USE OF FUNDS.—The proceeds of a loan
19 made under this section may only be used to finance
20 costs associated with establishing and carrying out
21 an agricultural association health plan.

22 (3) LOAN TERMS.—A loan made under this sec-
23 tion shall—

24 (A) bear interest at an annual rate equiva-
25 lent to the cost of borrowing to the Department

1 of the Treasury for obligations of comparable
2 maturities;

3 (B) have a term of such length, not ex-
4 ceeding 20 years, as the borrower may request;

5 (C) be in an amount not to exceed
6 \$15,000,000;

7 (D) require that the borrower submit an-
8 nual audited financial statements to the Sec-
9 retary; and

10 (E) include any other requirements or doc-
11 umentation the Secretary deems necessary to
12 carry out this section.

13 (c) GRANTS.—The Secretary may make grants to ag-
14 ricultural trade associations or industry associations which
15 have been in existence for at least three years prior to
16 applying for such a grant to provide for technical assist-
17 ance in establishing an agricultural association health
18 plan.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There are authorized to be
21 appropriated to carry out this section \$65,000,000
22 for the period of fiscal years 2019 through 2022, to
23 be available until expended.

24 (2) RESERVATION OF FUNDS.—Of the funds
25 made available under paragraph (1), not more than

1 15 percent of such funds shall be made available to
2 make grants under subsection (c).

3 (e) DEFINITIONS.—In this section:

4 (1) AGRICULTURAL ASSOCIATION HEALTH
5 PLAN.—The term “agricultural association health
6 plan” means a group health plan within the meaning
7 of section 733(a)(1) of the Employee Retirement In-
8 come Security Act of 1974 (42 U.S.C. 1191b)—

9 (A) that is sponsored by a qualified agri-
10 cultural association; and

11 (B) with respect to which the Secretary
12 has received a letter from the relevant State in-
13 surance commissioner certifying that such asso-
14 ciation may offer such plan in such State.

15 (2) QUALIFIED AGRICULTURAL ASSOCIATION.—
16 The term “qualified agricultural association” means
17 an association—

18 (A) composed of members that operate a
19 farm or ranch or operate an agribusiness;

20 (B) that qualifies as an association health
21 plan within the meaning of guidance or regula-
22 tion issued by the Department of Labor;

23 (C) that acts directly or indirectly in the
24 interest of its members in relation to the plan;

1 (D) that is able to demonstrate an ability
 2 to implement and manage a group health plan;
 3 and

4 (E) that meets any other criteria the Sec-
 5 retary deems necessary to meet the intent of
 6 this section.

7 **Subtitle B—Connecting Rural**
 8 **Americans to High Speed**
 9 **Broadband**

10 **SEC. 6101. ESTABLISHING FORWARD-LOOKING BROADBAND**
 11 **STANDARDS.**

12 Section 601 of the Rural Electrification Act of 1936
 13 (7 U.S.C. 950bb) is amended—

14 (1) in subsection (d)(1)(A), by striking clause
 15 (i) and inserting the following:

16 “(i) demonstrate the ability to furnish
 17 or improve service in order to meet the
 18 broadband service standards established
 19 under subsection (e)(1) in all or part of an
 20 unserved or underserved rural area;”;

21 (2) in subsection (e)—

22 (A) by striking paragraphs (1) and (2) and
 23 inserting the following:

24 “(1) IN GENERAL.—Subject to paragraph (2),
 25 for purposes of this section, the Secretary shall es-

1 tablish broadband service standards for rural areas
2 which provide for—

3 “(A) a minimum acceptable standard of
4 service; and

5 “(B) projections of minimum acceptable
6 standards of service for 5, 10, 15, 20, and 30
7 years into the future.

8 “(2) ADJUSTMENTS.—

9 “(A) IN GENERAL.—At least once every 2
10 years, the Secretary shall review, and may ad-
11 just through notice published in the Federal
12 Register, the broadband service standards in ef-
13 fect under paragraph (1) to encourage the de-
14 livery of high quality, cost-effective broadband
15 service in rural areas.

16 “(B) CONSIDERATIONS.—In establishing
17 and adjusting the broadband service standards
18 in effect under paragraph (1), the Secretary
19 shall consider—

20 “(i) the broadband service needs of
21 rural families and businesses;

22 “(ii) broadband service available to
23 urban and suburban areas;

24 “(iii) future technology needs of rural
25 residents;

1 “(iv) advances in broadband tech-
2 nology; and

3 “(v) other relevant factors as deter-
4 mined by the Secretary.”; and

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

6 “(4) AGREEMENT.—The Secretary shall not
7 provide a loan or loan guarantee under this section
8 for a project unless the Secretary determines, at the
9 time the agreement to provide the loan or loan guar-
10 antee is entered into, that, at any time while the
11 loan or loan guarantee is outstanding, the project
12 will be capable of providing broadband service at not
13 less than the minimum acceptable standard of serv-
14 ice established under paragraph (1)(B) for that
15 time.

16 “(5) SUBSTITUTE SERVICE STANDARDS FOR
17 UNIQUE SERVICE TERRITORIES.—If an applicant
18 shows that it would be cost prohibitive to meet the
19 minimum acceptable level of broadband service es-
20 tablished under paragraph (1)(B) for the entirety of
21 a proposed service territory due to the unique char-
22 acteristics of the proposed service territory, the Sec-
23 retary and the applicant may agree to utilize sub-
24 stitute standards for any unserved portion of the
25 project. Any substitute service standards should con-

1 tinue to consider the matters described in paragraph
2 (2)(B) and reflect the best technology available to
3 meet the needs of the residents in the unserved
4 area.”; and

5 (3) in subsection (g)—

6 (A) in paragraph (2)(A), by striking “level
7 of broadband service established under sub-
8 section (e)” and inserting “standard of service
9 established under subsection (e)(1)(A)”;

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

11 “(4) MINIMUM STANDARDS.—To the extent
12 possible, the terms and conditions under which a
13 loan or loan guarantee is provided to an applicant
14 for a project shall require that, at any time while the
15 loan or loan guarantee is outstanding, the
16 broadband network provided by the project will meet
17 the lower of—

18 “(A) the minimum acceptable standard of
19 service projected under subsection (e)(1)(B) for
20 that time, as agreed to by the applicant at the
21 time the loan or loan guarantee is provided; or

22 “(B) the minimum acceptable standard of
23 service in effect under subsection (e)(1)(A) for
24 that time.”.

1 **SEC. 6102. INCENTIVES FOR HARD TO REACH COMMU-**
2 **NITIES.**

3 Title VI of the Rural Electrification Act of 1936 (7
4 U.S.C. 950bb) is amended by adding at the end the fol-
5 lowing:

6 **“SEC. 604. INCENTIVES FOR HARD TO REACH COMMU-**
7 **NITIES.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ASSOCIATED LOAN.—The term ‘associated
10 loan’ means a loan or loan guarantee to finance all
11 or part of a project under title I or II or this title
12 for which an application has been submitted under
13 such title and for which an application has also been
14 submitted for a grant under this section.

15 “(2) DENSITY.—

16 “(A) IN GENERAL.—The term ‘density’
17 means service points per road mile.

18 “(B) METHOD OF CALCULATION.—The
19 Secretary shall further define, by rule, a meth-
20 od for calculating service points per road-mile,
21 where appropriate by geography, which—

22 “(i) divides the total number of serv-
23 ice points by the total number of road-
24 miles in a proposed service territory;

1 “(ii) requires an applicant to count all
2 potential service points in a proposed serv-
3 ice territory; and

4 “(iii) includes any other requirements
5 the Secretary deems necessary to protect
6 the integrity of the program.

7 “(3) ELIGIBLE PROJECT.—The term ‘eligible
8 project’ means any project for which the applicant—

9 “(A) has submitted an application for an
10 associated loan; and

11 “(B) does not receive any other broadband
12 grant administered by the Rural Utilities Serv-
13 ice; and

14 “(C) proposes to—

15 “(i) offer retail broadband service to
16 rural households;

17 “(ii) serve an area with a density of
18 less than 12;

19 “(iii) provide service that meets the
20 standard that would apply under section
21 601(e)(4) if the associated loan had been
22 applied for under section 601;

23 “(iv) provide service in an area where
24 no incumbent provider delivers fixed ter-
25 restrial broadband service at or above the

1 minimum broadband speed described in
2 section 601(e)(1); and

3 “(v) provide service in an area where
4 no eligible borrower, other than the appli-
5 cant, has outstanding Rural Utilities Serv-
6 ice telecommunications debt or is subject
7 to a current Rural Utilities Service tele-
8 communications grant agreement.

9 “(4) SERVICE POINT.—The term ‘service point’
10 means a home, business, or institution in a proposed
11 service area.

12 “(5) ROAD-MILE.—The term ‘road-mile’ means
13 a mile of road in a proposed service area.

14 “(b) ESTABLISHMENT OF GRANT PROGRAM.—The
15 Secretary shall establish a competitive grant program to
16 provide applicants funds to carry out eligible projects for
17 the purposes of construction, improvement, or acquisition
18 of facilities for the provision of broadband service in rural
19 areas.

20 “(c) APPLICATIONS.—The Secretary shall establish
21 an application process for grants under this section that—

22 “(1) has 1 application window per year;

23 “(2) permits a single application for the grant
24 and the associated loan; and

1 “(3) provides a single decision to award the
2 grant and the associated loan.

3 “(d) PRIORITY.—In making grants under this sec-
4 tion, the Secretary shall prioritize applications in which
5 the applicant proposes to—

6 “(1) provide the highest quality of service as
7 measured by—

8 “(A) network speed;

9 “(B) network latency; and

10 “(C) data allowances;

11 “(2) serve the greatest number of service
12 points; and

13 “(3) use the greatest proportion of non-Federal
14 dollars.

15 “(e) AMOUNT.—The Secretary shall make each grant
16 under this section in an amount that is—

17 “(1) not greater than 75 percent of the total
18 project cost with respect to an area with a density
19 of less than 4;

20 “(2) not greater than 50 percent of the total
21 project cost with respect to an area with a density
22 of 4 or more and not more than 9; and

23 “(3) not greater than 25 percent of the total
24 project cost with respect to an area with a density
25 of more than 9 and not more than 12.

1 “(f) TERMS AND CONDITIONS.—With respect to a
2 grant provided under this section, the Secretary shall re-
3 quire that—

4 “(1) the associated loan is secured by the assets
5 purchased with funding from the grant and from the
6 loan;

7 “(2) the agreement in which the terms of the
8 grant are established is for a period equal to the du-
9 ration of the associated loan; and

10 “(3) at any time at which the associated loan
11 is outstanding, the broadband service provided by
12 the project will meet the lower of the standards that
13 would apply under section 601(g)(4) if the associ-
14 ated loan had been made under section 601.

15 “(g) PAYMENT ASSISTANCE FOR CERTAIN APPLI-
16 CANTS UNDER THIS TITLE.—

17 “(1) IN GENERAL.—As part of the grant pro-
18 gram under this section, the Secretary, at the sole
19 discretion of the Secretary, may provide to appli-
20 cants who are eligible borrowers under this title and
21 not eligible borrowers under title I or II all or a por-
22 tion of the grant funds in the form of payment as-
23 sistance.

24 “(2) PAYMENT ASSISTANCE.—The Secretary
25 may provide payment assistance under paragraph

1 (1) by reducing a borrower’s interest rate or periodic
2 principal payments or both.

3 “(3) AGREEMENT ON MILESTONES AND OBJEC-
4 TIVES.—With respect to payment assistance pro-
5 vided under paragraph (1), before entering into the
6 agreement for the grant and associated loan under
7 which the payment assistance will be provided, the
8 applicant and the Secretary shall agree to milestones
9 and objectives of the project.

10 “(4) CONDITION.—The Secretary shall condi-
11 tion any payment assistance provided under para-
12 graph (1) on—

13 “(A) the applicant fulfilling the terms and
14 conditions of the grant agreement under which
15 the payment assistance will be provided; and

16 “(B) completion of the milestones and ob-
17 jectives agreed to under paragraph (3).

18 “(5) AMENDMENT OF MILESTONES AND OBJEC-
19 TIVES.—The Secretary and the applicant may jointly
20 agree to amend the milestones and objectives agreed
21 to under paragraph (3).

22 “(h) EXISTING PROJECTS.—The Secretary may not
23 provide a grant under this section to an applicant for a
24 project that was commenced before the date of the enact-
25 ment of this section.

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$350,000,000 for each of fiscal years 2019 to 2023.”.

4 **SEC. 6103. REQUIRING GUARANTEED BROADBAND LEND-**
5 **ING.**

6 Section 601(c)(1) of the Rural Electrification Act of
7 1936 (7 U.S.C. 950bb(c)(1)) is amended by striking “shall
8 make or guarantee loans” and inserting “shall make loans
9 and shall guarantee loans”.

10 **SEC. 6104. SMART UTILITY AUTHORITY FOR BROADBAND.**

11 (a) Section 331 of the Consolidated Farm and Rural
12 Development Act (7 U.S.C. 1981) is amended by adding
13 at the end the following:

14 “(e)(1) Except as provided in paragraph (2), the Sec-
15 retary may allow a recipient of a grant, loan, or loan guar-
16 antee provided by the Office of Rural Development under
17 this title to use not more than 10 percent of the amount
18 so provided—

19 “(A) for any activity for which assistance may
20 be provided under section 601 of the Rural Elec-
21 trification Act of 1936; or

22 “(B) to construct other broadband infrastruc-
23 ture.

24 “(2) Paragraph (1) of this subsection shall not apply
25 to a recipient who is seeking to provide retail broadband

1 service in any area where retail broadband service is avail-
2 able at the minimum broadband speeds, as defined under
3 section 601(e) of the Rural Electrification Act of 1936.”.

4 (b) Title I of the Rural Electrification Act of 1936
5 (7 U.S.C. 901–918a) is amended by inserting after section
6 7 the following:

7 **“SEC. 8. LIMITATIONS ON USE OF ASSISTANCE.**

8 “(a) Subject to subsections (b) and (c) of this section,
9 the Secretary may allow a recipient of a grant, loan, or
10 loan guarantee under this title to set aside not more than
11 10 percent of the amount so received to provide retail
12 broadband service.

13 “(b) A recipient who sets aside funds under sub-
14 section (a) of this section may use the funds only in an
15 area that is not being provided with the minimum accept-
16 able level of broadband service established under section
17 601(e), unless the recipient meets the requirements of sec-
18 tion 601(d).

19 “(c) Nothing in this section shall be construed to
20 limit the ability of any borrower to finance or deploy serv-
21 ices authorized under this title.”.

22 **SEC. 6105. MODIFICATIONS TO THE RURAL GIGABIT PRO-**
23 **GRAM.**

24 Section 603 of the Rural Electrification Act of 1936
25 (7 U.S.C. 950bb–2) is amended—

1 (1) in the section heading, by striking “**RURAL**
 2 **GIGABIT NETWORK PILOT**” and inserting “**INNO-**
 3 **VATIVE BROADBAND ADVANCEMENT**”;

4 (2) in subsection (d), by striking “2014 through
 5 2018” and inserting “2019 through 2023”;

6 (3) by redesignating subsection (d) as sub-
 7 section (e); and

8 (4) by striking subsections (a) through (c) and
 9 inserting the following:

10 “(a) **IN GENERAL.**—The Secretary shall establish a
 11 program to be known as the ‘Innovative Broadband Ad-
 12 vancement Program’, under which the Secretary may pro-
 13 vide a grant, a loan, or both to an eligible entity for the
 14 purpose of demonstrating innovative broadband tech-
 15 nologies or methods of broadband deployment that signifi-
 16 cantly decrease the cost of broadband deployment, and
 17 provide substantially faster broadband speeds than are
 18 available, in a rural area.

19 “(b) **RURAL AREA.**—In this section, the term ‘rural
 20 area’ has the meaning provided in section 601(b)(3).

21 “(c) **ELIGIBILITY.**—To be eligible to obtain assist-
 22 ance under this section for a project, an entity shall—

23 “(1) submit to the Secretary an application—

24 “(A) that describes a project designed to
 25 decrease the cost of broadband deployment, and

1 substantially increase broadband speed to not
2 less than the 20-year broadband speed estab-
3 lished by the Rural Utilities Service under this
4 title, in a rural area to be served by the project;
5 and

6 “(B) at such time, in such manner, and
7 containing such other information as the Sec-
8 retary may require;

9 “(2) demonstrate that the entity is able to
10 carry out the project; and

11 “(3) agree to complete the project build-out
12 within 5 years after the date the assistance is first
13 provided for the project.

14 “(d) PRIORITIZATION.—In awarding assistance
15 under this section, the Secretary shall give priority to pro-
16 posals for projects that—

17 “(1) involve partnerships between or among
18 multiple entities;

19 “(2) would provide broadband service to the
20 greatest number of rural residents at or above the
21 minimum broadband speed referred to in subsection
22 (c)(1)(A); and

23 “(3) the Secretary determines could be rep-
24 licated in rural areas described in paragraph (2).”.

1 **SEC. 6106. UNIFIED BROADBAND REPORTING REQUIRE-**
2 **MENTS.**

3 Section 601 of the Rural Electrification Act of 1936
4 (7 U.S.C. 950bb) is amended—

5 (1) in subsection (j)—

6 (A) in the matter preceding paragraph (1),
7 by striking “Not later than” and all that fol-
8 lows through “section” and insert “Each year,
9 the Secretary shall submit to the Congress a re-
10 port that describes the extent of participation in
11 the broadband loan, loan guarantee, and grant
12 programs administered by the Secretary”;

13 (B) in paragraph (1), by striking “loans
14 applied for and provided under this section”
15 and inserting “loans, loan guarantees, and
16 grants applied for and provided under the pro-
17 grams”;

18 (C) in paragraph (2)—

19 (i) in subparagraph (A), by striking
20 “loan”; and

21 (ii) in subparagraph (B), by striking
22 “loans and loan guarantees provided under
23 this section” and inserting “loans, loan
24 guarantees, and grants provided under the
25 programs”;

1 (D) in paragraph (3), by striking “loan ap-
 2 plication under this section” and inserting “ap-
 3 plication under the programs”;

4 (E) in each of paragraphs (4) and (6), by
 5 striking “this section” and inserting “the pro-
 6 grams”; and

7 (F) in paragraph (5)—

8 (i) by striking “service” and inserting
 9 “technology”; and

10 (ii) by striking “(b)(1)” and inserting
 11 “(e)(1)”; and

12 (2) in subsection (k)(2), in each of subpara-
 13 graphs (A)(i) and (C), by striking “loans” and in-
 14 serting “grants, loans,”.

15 **SEC. 6107. IMPROVING ACCESS BY PROVIDING CERTAINTY**
 16 **TO BROADBAND BORROWERS.**

17 (a) TELEPHONE LOAN PROGRAM.—Title II of the
 18 Rural Electrification Act of 1936 (7 U.S.C. 922–928) is
 19 amended by adding at the end the following:

20 **“SEC. 208. AUTHORITY TO OBLIGATE, BUT NOT DISBURSE,**
 21 **FUNDS BEFORE THE COMPLETION OF RE-**
 22 **VIEWS.**

23 “(a) IN GENERAL.—The Secretary may obligate, but
 24 shall not disburse, funds under this title for a project be-

1 fore the completion of any otherwise required environ-
2 mental, historical, or other review of the project.

3 “(b) AUTHORITY TO DEOBLIGATE FUNDS.—The
4 Secretary may deobligate funds under this title for a
5 project if any such review will not be completed within
6 a reasonable period of time.”.

7 (b) RURAL BROADBAND PROGRAM.—Section 601(d)
8 of the Rural Electrification Act of 1936 (7 U.S.C.
9 950bb(d)) is amended by adding at the end the following:

10 “(11) AUTHORITY TO OBLIGATE, BUT NOT DIS-
11 BURSE, FUNDS BEFORE COMPLETION OF REVIEWS;
12 AUTHORITY TO DEOBLIGATE FUNDS.—The Secretary
13 may obligate, but shall not disburse, funds under
14 this section for a project before the completion of
15 any otherwise required environmental, historical, or
16 other review of the project. The Secretary may
17 deobligate funds under this section for a project if
18 any such review will not be completed within a rea-
19 sonable period of time.”.

20 **SEC. 6108. SIMPLIFIED APPLICATION WINDOW.**

21 Section 601(c)(2)(A) of the Rural Electrification Act
22 of 1936 (7 U.S.C. 950bb(c)(2)(A)) is amended by striking
23 “not less than 2 evaluation periods” and inserting “1 eval-
24 uation period”.

1 **SEC. 6109. ELIMINATION OF REQUIREMENT TO GIVE PRI-**
2 **ORITY TO CERTAIN APPLICANTS.**

3 Section 601(c)(2) of the Rural Electrification Act of
4 1936 (7 U.S.C. 950bb(c)(2)) is amended—

5 (1) by adding “and” at the end of subpara-
6 graph (B);

7 (2) by striking “; and” at the end of subpara-
8 graph (C) and inserting a period; and

9 (3) by striking subparagraph (D).

10 **SEC. 6110. MODIFICATION OF BUILDOUT REQUIREMENT.**

11 Section 601(d)(1)(A)(iii) of the Rural Electrification
12 Act of 1936 (7 U.S.C. 950bb(d)(1)(A)(iii)) is amended—

13 (1) by striking “service” and inserting “infra-
14 structure”; and

15 (2) by striking “3” and inserting “5”.

16 **SEC. 6111. IMPROVING BORROWER REFINANCING OPTIONS.**

17 (a) **REFINANCING OF BROADBAND LOANS.**—Section
18 201 of the Rural Electrification Act of 1936 (7 U.S.C.
19 922) is amended by inserting “including indebtedness on
20 a loan made under section 601” after “furnishing tele-
21 phone service in rural areas”.

22 (b) **REFINANCING OF OTHER LOANS.**—Section
23 601(i) of such Act (7 U.S.C. 950bb(i)) is amended by in-
24 serting “, or on any other loan if the purpose for which
25 such other loan was made is a telecommunications purpose

1 for which assistance may be provided under this Act,” be-
2 fore “if the use of”.

3 **SEC. 6112. ELIMINATION OF UNNECESSARY REPORTING RE-**
4 **QUIREMENTS.**

5 Section 601(d)(8)(A)(ii) of the Rural Electrification
6 Act of 1936 (7 U.S.C. 950bb(d)(8)(A)(ii)) is amended—

7 (1) in subclause (I), by striking “and location”;
8 and

9 (2) in subclause (IV), by striking “any changes
10 in broadband service adoption rates, including”.

11 **SEC. 6113. ACCESS TO BROADBAND TELECOMMUNICATIONS**
12 **SERVICES IN RURAL AREAS.**

13 Section 601 of the Rural Electrification Act of 1936
14 (7 U.S.C. 950bb) is amended—

15 (1) in subsection (k), by striking paragraph (1)
16 and inserting the following:

17 “(1) LIMITATIONS ON AUTHORIZATION OF AP-
18 PROPRIATIONS.—For loans and loan guarantees
19 under this section, there is authorized to be appro-
20 priated to the Secretary \$150,000,000 for each of
21 fiscal years 2019 through 2023, to remain available
22 until expended.”; and

23 (2) in subsection (l), by striking “2018” and in-
24 serting “2023”.

1 **SEC. 6114. EFFECTIVE DATE.**

2 (a) IN GENERAL.—The amendments made by this
3 subtitle shall not take effect until the Secretary of Agri-
4 culture has issued final regulations to implement the
5 amendments.

6 (b) DEADLINE FOR ISSUING REGULATIONS.—Within
7 90 days after the date of the enactment of this Act, the
8 Secretary of Agriculture shall prescribe final regulations
9 to implement the amendments made by sections 6101 and
10 6102.

11 **Subtitle C—Consolidated Farm and**
12 **Rural Development Act**

13 **SEC. 6201. STRENGTHENING REGIONAL ECONOMIC DEVEL-**
14 **OPMENT INCENTIVES.**

15 Section 379H of the Consolidated Farm and Rural
16 Development Act (7 U.S.C. 2008v) is amended to read
17 as follows:

18 **“SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DE-**
19 **VELOPMENT.**

20 “(a) IN GENERAL.—In the case of any program as
21 determined by the Secretary, the Secretary shall give pri-
22 ority to an application for a project that, as determined
23 and approved by the Secretary—

24 “(1) meets the applicable eligibility require-
25 ments of this title or other applicable authorizing
26 law;

1 “(2) will be carried out in a rural area; and

2 “(3) supports the implementation of a strategic
3 community investment plan described in subsection
4 (d) on a multisectoral and multijurisdictional basis.

5 “(b) RESERVE.—

6 “(1) IN GENERAL.—Subject to paragraph (2),
7 the Secretary shall reserve a portion of the funds
8 made available for a fiscal year for programs as de-
9 termined by the Secretary, for projects that support
10 the implementation of a strategic community invest-
11 ment plan described in subsection (d) on a multise-
12 ctoral and multijurisdictional basis.

13 “(2) PERIOD.—The reservation of funds de-
14 scribed in paragraph (1) may only extend through a
15 date of the fiscal year in which the funds were first
16 made available, as determined by the Secretary.

17 “(c) APPROVED APPLICATIONS.—

18 “(1) IN GENERAL.—Any applicant who sub-
19 mitted a funding application that was approved be-
20 fore the date of enactment of this section may
21 amend the application to qualify for the funds re-
22 served under subsection (b).

23 “(2) RURAL UTILITIES.—Any rural development
24 application authorized under section 306(a)(2),
25 306(a)(14), 306(a)(24), 306A, or 310B(b) and ap-

1 proved by the Secretary before the date of enact-
2 ment of this section shall be eligible for the funds
3 reserved under subsection (b) on the same basis as
4 the applications submitted under this section, until
5 September 30, 2019.

6 “(d) STRATEGIC COMMUNITY INVESTMENT PLANS.—

7 “(1) IN GENERAL.—The Secretary shall provide
8 assistance to rural communities for developing stra-
9 tegic community investment plans.

10 “(2) PLANS.—A strategic community invest-
11 ment plan described in paragraph (1) shall include—

12 “(A) a variety of activities designed to fa-
13 cilitate a rural community’s vision for its fu-
14 ture;

15 “(B) participation by multiple stake-
16 holders, including local and regional partners;

17 “(C) leverage of applicable regional re-
18 sources;

19 “(D) investment from strategic partners,
20 such as—

21 “(i) private organizations;

22 “(ii) cooperatives;

23 “(iii) other government entities;

24 “(iv) tribes; and

25 “(v) philanthropic organizations;

1 “(E) clear objectives with the ability to es-
 2 tablish measurable performance metrics;

3 “(F) action steps for implementation; and

4 “(G) any other elements necessary to en-
 5 sure that the plan results in a comprehensive
 6 and strategic approach to rural economic devel-
 7 opment, as determined by the Secretary.

8 “(3) COORDINATION.—The Secretary shall co-
 9 ordinate with tribes and local, State, regional, and
 10 Federal partners to develop strategic community in-
 11 vestment plans under this subsection.

12 “(4) LIMITATIONS ON AUTHORIZATION OF AP-
 13 PROPRIATIONS.—

14 “(A) IN GENERAL.—There is authorized to
 15 be appropriated \$5,000,000 for fiscal years
 16 2018 through 2023 to carry out this subsection.

17 “(B) AVAILABILITY.—The amounts made
 18 available to carry out this subsection are au-
 19 thorized to remain available until expended.”.

20 **SEC. 6202. EXPANDING ACCESS TO CREDIT FOR RURAL**
 21 **COMMUNITIES.**

22 (a) CERTAIN PROGRAMS UNDER THE CONSOLI-
 23 DATED FARM AND RURAL DEVELOPMENT ACT.—Section
 24 343(a)(13) of the Consolidated Farm and Rural Develop-
 25 ment Act (7 U.S.C. 1991(a)(13)) is amended—

1 (1) in subparagraph (B)—

2 (A) in the heading, by striking “AND
3 GUARANTEED”; and

4 (B) in the text—

5 (i) by striking “and guaranteed”; and

6 (ii) by striking “(1), (2), and (24)”

7 and inserting “(1) and (2)”; and

8 (2) in subparagraph (C)—

9 (A) by striking “and guaranteed”; and

10 (B) by striking “(21), and (24)” and in-
11 serting “and (21)”.

12 (b) RURAL BROADBAND PROGRAM.—Section
13 601(b)(3)(A)(ii) of the Rural Electrification Act of 1936
14 (7 U.S.C. 950bb(b)(3)(A)(ii)) is amended by inserting “in
15 the case of a direct loan,” before “a city”.

16 **SEC. 6203. PROVIDING FOR ADDITIONAL FEES FOR GUAR-**
17 **ANTEED LOANS.**

18 (a) CERTAIN PROGRAMS UNDER THE CONSOLI-
19 DATED FARM AND RURAL DEVELOPMENT ACT.—Section
20 333 of the Consolidated Farm and Rural Development Act
21 (7 U.S.C. 1983) is amended—

22 (1) by striking “and” at the end of paragraph
23 (5);

24 (2) by striking the period at the end of para-
25 graph (6) and inserting “; and”; and

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

2 “(7) in the case of an insured or guaranteed
3 loan issued or modified under section 306(a), charge
4 and collect from the recipient of the insured or guar-
5 anteed loan fees in such amounts as are necessary
6 so that the sum of the total amount of fees so
7 charged in each fiscal year and the total of the
8 amounts appropriated for all such insured or guar-
9 anteed loans for the fiscal year equals the subsidy
10 cost for the insured or guaranteed loans in the fiscal
11 year.”.

12 (b) RURAL BROADBAND PROGRAM.—Section 601(c)
13 of the Rural Electrification Act of 1936 (7 U.S.C.
14 950bb(c)) is amended by adding at the end the following:

15 “(3) FEES.—In the case of a loan guarantee
16 issued or modified under this section, the Secretary
17 shall charge and collect from the recipient of the
18 guarantee fees in such amounts as are necessary so
19 that the sum of the total amount of fees so charged
20 in each fiscal year and the total of the amounts ap-
21 propriated for all such loan guarantees for the fiscal
22 year equals the subsidy cost for the loan guarantees
23 in the fiscal year.”.

1 **SEC. 6204. WATER, WASTE DISPOSAL, AND WASTEWATER**
2 **FACILITY GRANTS.**

3 Section 306(a)(2)(B) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 1926(a)(2)(B)) is
5 amended—

6 (1) in clause (iii), by striking “\$100,000” each
7 place it appears and inserting “\$200,000”; and

8 (2) in clause (vii), by striking “\$30,000,000 for
9 each of fiscal years 2008 through 2018” and insert-
10 ing “\$15,000,000 for each of fiscal years 2019
11 through 2023”.

12 **SEC. 6205. RURAL WATER AND WASTEWATER TECHNICAL**
13 **ASSISTANCE AND TRAINING PROGRAMS.**

14 (a) Section 306(a)(14)(A) of the Consolidated Farm
15 and Rural Development Act (7 U.S.C. 1926(a)(14)(A)) is
16 amended—

17 (1) by striking “and” at the end of clause (ii);

18 (2) by striking the period at the end of clause
19 (iii) and inserting “; and”; and

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

21 “(iv) identify options to enhance long
22 term sustainability of rural water and
23 waste systems to include operational prac-
24 tices, revenue enhancements, policy revi-
25 sions, partnerships, consolidation, regional-
26 ization, or contract services.”.

1 (b) Section 306(a)(14)(C) of such Act (7 U.S.C.
2 1926(a)(14)(C)) is amended by striking “1 nor more than
3 3” and inserting “3 nor more than 5”.

4 **SEC. 6206. RURAL WATER AND WASTEWATER CIRCUIT**
5 **RIDER PROGRAM.**

6 Section 306(a)(22)(B) of the Consolidated Farm and
7 Rural Development Act (7 U.S.C. 1926(a)(22)(B)) is
8 amended by striking “\$20,000,000 for fiscal year 2014”
9 and inserting “\$25,000,000 for fiscal year 2018”.

10 **SEC. 6207. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL**
11 **COMMUNITY FACILITIES.**

12 Section 306(a)(25)(C) of the Consolidated Farm and
13 Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is
14 amended by striking “\$10,000,000 for each of fiscal years
15 2008 through 2018” and inserting “\$5,000,000 for each
16 of fiscal years 2019 through 2023”.

17 **SEC. 6208. EMERGENCY AND IMMINENT COMMUNITY**
18 **WATER ASSISTANCE GRANT PROGRAM.**

19 Section 306A(i) of the Consolidated Farm and Rural
20 Development Act (7 U.S.C. 1926a(i)) is amended—

21 (1) in paragraph (1), by striking subparagraph
22 (B) and inserting the following:

23 “(B) RELEASE.—

24 “(i) IN GENERAL.—Except as pro-
25 vided in clause (ii), funds reserved under

1 subparagraph (A) for a fiscal year shall be
 2 reserved only until July 1 of the fiscal
 3 year.

4 “(ii) EXCEPTION.—In response to an
 5 eligible community where the drinking
 6 water supplies are inadequate due to a nat-
 7 ural disaster, as determined by the Sec-
 8 retary, including drought or severe weath-
 9 er, the Secretary may provide potable
 10 water under this section for an additional
 11 period not to exceed 120 days beyond the
 12 established period otherwise provided
 13 under this section, in order to protect pub-
 14 lic health.”; and

15 (2) in paragraph (2), by striking “\$35,000,000
 16 for each of fiscal years 2008 through 2018” and in-
 17 serting “\$27,000,000 for each of fiscal years 2019
 18 through 2023”.

19 **SEC. 6209. WATER SYSTEMS FOR RURAL AND NATIVE VIL-**
 20 **LAGES IN ALASKA.**

21 Section 306D(d)(1) of the Consolidated Farm and
 22 Rural Development Act (7 U.S.C. 1926d(d)(1)) is amend-
 23 ed by striking “2018” and inserting “2023”.

1 **SEC. 6210. HOUSEHOLD WATER WELL SYSTEMS.**

2 Section 306E(d) of the Consolidated Farm and Rural
3 Development Act (7 U.S.C. 1926e(d)) is amended by
4 striking “2018” and inserting “2023”.

5 **SEC. 6211. SOLID WASTE MANAGEMENT GRANTS.**

6 Section 310B(b)(2) of the Consolidated Farm and
7 Rural Development Act (7 U.S.C. 1932(b)(2)) is amended
8 by striking “2018” and inserting “2023”.

9 **SEC. 6212. RURAL BUSINESS DEVELOPMENT GRANTS.**

10 Section 310B(c)(4)(A) of the Consolidated Farm and
11 Rural Development Act (7 U.S.C. 1932(c)(4)(A)) is
12 amended by striking “2018” and inserting “2023”.

13 **SEC. 6213. RURAL COOPERATIVE DEVELOPMENT GRANTS.**

14 Section 310B(e)(13) of the Consolidated Farm and
15 Rural Development Act (7 U.S.C. 1932(e)(13)) is amend-
16 ed by striking “2018” and inserting “2023”.

17 **SEC. 6214. LOCALLY OR REGIONALLY PRODUCED AGRICUL-**
18 **TURAL FOOD PRODUCTS.**

19 Section 310B(g)(9)(B)(iv)(I) of the Consolidated
20 Farm and Rural Development Act (7 U.S.C.
21 1932(g)(9)(B)(iv)(I)) is amended by striking “2018” and
22 inserting “2023”.

1 **SEC. 6215. APPROPRIATE TECHNOLOGY TRANSFER FOR**
2 **RURAL AREAS PROGRAM.**

3 Section 310B(i)(4) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 1932(i)(4)) is amended
5 by striking “2018” and inserting “2023”.

6 **SEC. 6216. RURAL ECONOMIC AREA PARTNERSHIP ZONES.**

7 Section 310B(j) of the Consolidated Farm and Rural
8 Development Act (7 U.S.C. 1932(j)) is amended by strik-
9 ing “2018” and inserting “2023”.

10 **SEC. 6217. INTERMEDIARY RELENDING PROGRAM.**

11 Section 310H(e) of the Consolidated Farm and Rural
12 Development Act (7 U.S.C. 1936b(e)) is amended by
13 striking “\$25,000,000 for each of fiscal years 2014
14 through 2018” and inserting “\$10,000,000 for each of fis-
15 cal years 2019 through 2023”.

16 **SEC. 6218. EXCLUSION OF PRISON POPULATIONS FROM**
17 **DEFINITION OF RURAL AREA.**

18 Section 343(a)(13) of the Consolidated Farm and
19 Rural Development Act (7 U.S.C. 1991(a)(13)) is amend-
20 ed—

21 (1) in subparagraph (A), by striking “(G)” and
22 inserting “(H)”; and

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

24 “(H) EXCLUSION OF PRISON POPULATIONS.—
25 Incarcerated prison populations shall not be included

1 in determining whether an area is ‘rural’ or a ‘rural
2 area’.”.

3 **SEC. 6219. NATIONAL RURAL DEVELOPMENT PARTNER-**
4 **SHIP.**

5 Section 378 of the Consolidated Farm and Rural De-
6 velopment Act (7 U.S.C. 2008m) is amended—

7 (1) in subsection (g)(1), by striking “2018”
8 and inserting “2023”; and

9 (2) in subsection (h), by striking “2018” and
10 inserting “2023”.

11 **SEC. 6220. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-**
12 **TERS.**

13 Section 379B(d) of the Consolidated Farm and Rural
14 Development Act (7 U.S.C. 2008p(d)) is amended by
15 striking “2018” and inserting “2023”.

16 **SEC. 6221. RURAL MICROENTREPRENEUR ASSISTANCE**
17 **PROGRAM.**

18 Section 379E(d) of the Consolidated Farm and Rural
19 Development Act (7 U.S.C. 2008s(d)) is amended to read
20 as follows:

21 “(d) FUNDING.—There are authorized to be appro-
22 priated to carry out this section \$4,000,000 for each of
23 fiscal years 2019 through 2023.”.

1 **SEC. 6222. HEALTH CARE SERVICES.**

2 Section 379G(e) of the Consolidated Farm and Rural
3 Development Act (7 U.S.C. 2008u(e)) is amended by
4 striking “2018” and inserting “2023”.

5 **SEC. 6223. DELTA REGIONAL AUTHORITY.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
7 382M(a) of the Consolidated Farm and Rural Develop-
8 ment Act (7 U.S.C. 2009aa–12(a)) is amended by striking
9 “\$30,000,000 for each of fiscal years 2008 through 2018”
10 and inserting “\$12,000,000 for each of fiscal years 2019
11 through 2023”.

12 (b) TERMINATION OF AUTHORITY.—Section 382N of
13 such Act (7 U.S.C. 2009aa–13) is amended by striking
14 “2018” and inserting “2023”.

15 **SEC. 6224. NORTHERN GREAT PLAINS REGIONAL AUTHOR-**
16 **ITY.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
18 383N(a) of the Consolidated Farm and Rural Develop-
19 ment Act (7 U.S.C. 2009bb–12(a)) is amended by striking
20 “\$30,000,000 for each of fiscal years 2008 through 2018”
21 and inserting “\$2,000,000 for each of fiscal years 2019
22 through 2023”.

23 (b) TERMINATION OF AUTHORITY.—Section 383O of
24 such Act (7 U.S.C. 2009bb–13) is amended by striking
25 “2018” and inserting “2023”.

1 **SEC. 6225. RURAL BUSINESS INVESTMENT PROGRAM.**

2 Section 384S of the Consolidated Farm and Rural
3 Development Act (7 U.S.C. 2009cc–18) is amended by
4 striking “2018” and inserting “2023”.

5 **Subtitle D—Rural Electrification**
6 **Act of 1936**

7 **SEC. 6301. GUARANTEES FOR BONDS AND NOTES ISSUED**
8 **FOR ELECTRIFICATION OR TELEPHONE PUR-**
9 **POSES.**

10 Section 313A(f) of the Rural Electrification Act of
11 1936 (7 U.S.C. 940c–1(f)) is amended by striking “2018”
12 and inserting “2023”.

13 **SEC. 6302. EXPANSION OF 911 ACCESS.**

14 Section 315(d) of the Rural Electrification Act of
15 1936 (7 U.S.C. 940e(d)) is amended by striking “2018”
16 and inserting “2023”.

17 **SEC. 6303. IMPROVEMENTS TO THE GUARANTEED UNDER-**
18 **WRITER PROGRAM.**

19 (a) Section 313A of the Rural Electrification Act of
20 1936 (7 U.S.C. 940c–1) is amended—

21 (1) by striking subsection (a) and inserting the
22 following:

23 “(a) GUARANTEES.—

24 “(1) IN GENERAL.—Subject to subsection (b),
25 the Secretary shall guarantee payments on bonds or
26 notes issued by cooperative or other lenders orga-

1 nized on a not-for-profit basis, if the proceeds of the
 2 bonds or notes are used to make utility infrastruc-
 3 ture loans, or refinance bonds or notes issued for
 4 such purposes, to a borrower that has at any time
 5 received, or is eligible to receive, a loan under this
 6 Act.

7 “(2) TERMS.—A bond or note guaranteed
 8 under this section shall—

9 “(A) have a term of 35 years; and

10 “(B) by agreement between the Secretary
 11 and the borrower, be repaid by the borrower
 12 by—

13 “(i) periodic installments of principal
 14 and interest;

15 “(ii) periodic installments of interest
 16 and, at the end of the term of the bond or
 17 note, by the repayment of the outstanding
 18 principal; or

19 “(iii) a combination of the methods
 20 for repayment provided under clauses (i)
 21 and (ii).”; and

22 (2) in subsection (b)—

23 (A) in paragraph (1), by striking “for eli-
 24 gible electrification or telephone purposes con-

1 sistent with this Act” and inserting “to bor-
2 rowers described in subsection (a)”;

3 (B) in paragraph (3)—

4 (i) in subparagraph (A), by striking
5 “for electrification or telephone purposes”
6 and inserting “to borrowers under this
7 Act”; and

8 (ii) in subparagraph (C), by striking
9 “for eligible purposes described in sub-
10 section (a)” and inserting “to borrowers
11 described in subsection (a)”.

12 (b)(1) The Secretary shall carry out section 313A of
13 the Rural Electrification Act of 1936 (7 U.S.C. 940c-1),
14 including the amendments made by this section, under a
15 Notice of Solicitation of Applications until all regulations
16 necessary to carry out the amendments made by this sec-
17 tion are fully implemented.

18 (2) Paragraph (1) shall take effect on the date of the
19 enactment of this Act.

20 **SEC. 6304. EXTENSION OF THE RURAL ECONOMIC DEVEL-**
21 **OPMENT LOAN AND GRANT PROGRAM.**

22 (a) Section 12(b)(3)(D) of such Act (7 U.S.C.
23 912(b)(3)(D)) is amended by striking “313(b)(2)(A)” and
24 inserting “313(b)(2)”.

1 (b) Section 313(b)(2) of such Act (7 U.S.C.
2 940c(b)(2)) is amended—

3 (1) by striking all that precedes “shall main-
4 tain” and inserting the following:

5 “(2) RURAL ECONOMIC DEVELOPMENT SUB-
6 ACCOUNT.—The Secretary”; and

7 (2) by striking subparagraphs (B) through (E).

8 (c) Title III of such Act (7 U.S.C. 931–940h) is
9 amended by inserting after section 313A the following:

10 **“SEC. 313B. RURAL DEVELOPMENT LOANS AND GRANTS.**

11 “(a) IN GENERAL.—The Secretary shall provide
12 grants or zero interest loans to borrowers under this Act
13 for the purpose of promoting rural economic development
14 and job creation projects, including funding for project
15 feasibility studies, start-up costs, incubator projects, and
16 other reasonable expenses for the purpose of fostering
17 rural development.

18 “(b) REPAYMENTS.—In the case of zero interest
19 loans, the Secretary shall establish such reasonable repay-
20 ment terms as will encourage borrower participation.

21 “(c) PROCEEDS.—All proceeds from the repayment
22 of such loans made under this section shall be returned
23 to the subaccount that the Secretary shall maintain in ac-
24 cordance with sections 313(b)(2) and 313B(f).

1 “(d) NUMBER OF GRANTS.—Loans and grants re-
2 quired under this section shall be made during each fiscal
3 year to the full extent of the amounts made available
4 under subsection (e).

5 “(e) FUNDING.—

6 “(1) DISCRETIONARY FUNDING.—In addition to
7 other funds that are available to carry out this sec-
8 tion, there is authorized to be appropriated not more
9 than \$10,000,000 for each of fiscal years 2019
10 through 2023 to carry out this section, to remain
11 available until expended.

12 “(2) OTHER FUNDS.—In addition to the funds
13 described in paragraph (1), the Secretary shall use
14 to provide grants and loans under this section—

15 “(A) the interest differential sums credited
16 to the subaccount described in subsection (c);
17 and

18 “(B) subject to section 313A(e)(2), the
19 fees described in subsection (c)(4) of such sec-
20 tion.

21 “(f) MAINTENANCE OF ACCOUNT.—The Secretary
22 shall maintain the subaccount described in section
23 313(b)(2), as in effect in fiscal year 2017, for purposes
24 of carrying out this section.”.

1 (d) Section 313A of the Rural Electrification Act of
2 1936 (7 U.S.C. 940c-1) is amended—

3 (1) in subsection (c)(4)—

4 (A) in subparagraph (A), by striking
5 “maintained under section 313(b)(2)(A)” and
6 inserting “that shall be maintained as required
7 by sections 313(b)(2) and 313B(f)”; and

8 (B) in subparagraph (B), by striking
9 “313(b)(2)(A)” and inserting “313(b)(2)”; and
10 (2) in subsection (e)(2), by striking “main-
11 tained under section 313(b)(2)(A)” and inserting
12 “required to be maintained by sections 313(b)(2)
13 and 313B(f)”.

14 (e)(1) Subject to section 313B(e) of the Rural Elec-
15 trification Act of 1936 (as added by this section), the Sec-
16 retary of Agriculture shall carry out the loan and grant
17 program required under such section in the same manner
18 as the loan and grant program under section 313(b)(2)
19 of such Act is carried out on the day before the date of
20 the enactment of this Act, until such time as any regula-
21 tions necessary to carry out the amendments made by this
22 section are fully implemented.

23 (2) Paragraph (1) shall take effect on the date of the
24 enactment of this Act.

**Subtitle E—Farm Security and
Rural Investment Act of 2002**

SEC. 6401. RURAL ENERGY SAVINGS PROGRAM.

Section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a) is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

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

“(4) ELIGIBILITY FOR OTHER LOANS.—The Secretary shall not include any debt incurred under this section in the calculation of a borrower’s debt-equity ratio for purposes of eligibility for loans made pursuant to the Rural Electrification Act of 1936 (7 U.S.C. 901 et. seq.).”; and

(C) by adding at the end the following:

“(9) ACCOUNTING.—The Secretary shall take appropriate steps to streamline the accounting requirements imposed on borrowers under this section while maintaining adequate assurances of repayment of the loan.”;

(2) in subsection (d)(1)(A), by striking “3 percent” and inserting “5 percent”;

1 (3) by redesignating subsection (h) as sub-
2 section (i);

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

5 “(h) REPORT TO CONGRESS.—Not later than 120
6 days after the end of each fiscal year, the Secretary shall
7 submit to the Committees on Agriculture and Appropria-
8 tions of the House of Representatives and the Committees
9 on Agriculture, Nutrition, and Forestry and Appropria-
10 tions of the Senate a report that describes—

11 “(1) the number of applications received under
12 this section in such fiscal year;

13 “(2) the number of loans made to eligible enti-
14 ties under this section in such fiscal year; and

15 “(3) the recipients of such loans.”; and

16 (5) in subsection (i), as so redesignated, by
17 striking “2018” and inserting “2023”.

18 **SEC. 6402. BIOBASED MARKETS PROGRAM.**

19 Section 9002 of the Farm Security and Rural Invest-
20 ment Act of 2002 (7 U.S.C. 8102) is amended—

21 (1) by amending subsection (i) to read as fol-
22 lows:

23 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this section

1 \$2,000,000 for each of fiscal years 2014 through 2023.”;

2 and

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

4 “(k) WOOD AND WOOD-BASED PRODUCTS.—Not-
5 withstanding any other provision of law, a Federal agency
6 may not place limitations on the procurement of wood and
7 wood-based products that are more limiting than those in
8 this section.”.

9 **SEC. 6403. BIOREFINERY, RENEWABLE, CHEMICAL, AND**
10 **BIOBASED PRODUCT MANUFACTURING AS-**
11 **SISTANCE.**

12 Section 9003 of the Farm Security and Rural Invest-
13 ment Act of 2002 (7 U.S.C. 8103) is amended—

14 (1) in subsection (b)(3)(A), by striking “and”
15 at the end and inserting “or”; and

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

18 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to carry out this section
20 \$75,000,000 for each of fiscal years 2014 through 2023.”.

21 **SEC. 6404. REPOWERING ASSISTANCE PROGRAM.**

22 Section 9004(d) of the Farm Security and Rural In-
23 vestment Act of 2002 (7 U.S.C. 8104(d)) is amended to
24 read as follows:

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated to carry out this section
 3 \$10,000,000 for each of fiscal years 2014 through 2023.”.

4 **SEC. 6405. BIOENERGY PROGRAM FOR ADVANCED**
 5 **BIOFUELS.**

6 Section 9005 of the Farm Security and Rural Invest-
 7 ment Act of 2002 (7 U.S.C. 8105) is amended—

8 (1) in subsection (e)—

9 (A) by striking “The Secretary may” and
 10 inserting the following new paragraph:

11 “(1) AMOUNT.—The Secretary shall”; and

12 (B) by adding at the end the following new
 13 paragraph:

14 “(2) FEEDSTOCK.—The total amount of pay-
 15 ments made in a fiscal year under this section to one
 16 or more eligible producers for the production of ad-
 17 vanced biofuels derived from a single eligible com-
 18 modity shall not exceed one-third of the total
 19 amount of funds made available under subsection
 20 (g).”; and

21 (2) in subsection (g)—

22 (A) by striking paragraphs (1) and (2) and
 23 inserting the following new paragraph:

24 “(1) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1 this section \$50,000,000 for each of fiscal years
2 2019 through 2023.”; and

3 (B) by redesignating paragraph (3) as
4 paragraph (2).

5 **SEC. 6406. BIODIESEL FUEL EDUCATION PROGRAM.**

6 Section 9006(d) of the Farm Security and Rural In-
7 vestment Act of 2002 (7 U.S.C. 8106(d)) is amended to
8 read as follows:

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to carry out this section
11 \$2,000,000 for each of fiscal years 2019 through 2023.”.

12 **SEC. 6407. RURAL ENERGY FOR AMERICA PROGRAM.**

13 Section 9007(g) of the Farm Security and Rural In-
14 vestment Act of 2002 (7 U.S.C. 8107(g)) is amended—

15 (1) in paragraph (1)(E), by striking “for fiscal
16 year 2014 and each fiscal year thereafter” and in-
17 serting “for each of the fiscal years 2014 through
18 2018”; and

19 (2) in paragraph (3), by striking “2018” and
20 inserting “2023”.

21 **SEC. 6408. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.**

22 Section 9009 of the Farm Security and Rural Invest-
23 ment Act of 2002 (7 U.S.C. 8109) is repealed.

1 **SEC. 6409. FEEDSTOCK FLEXIBILITY.**

2 Section 9010(b) of the Farm Security and Rural In-
3 vestment Act of 2002 (7 U.S.C. 8110(b)) is amended—

4 (1) in paragraph (1)(A), by striking “2018”
5 and inserting “2023”; and

6 (2) in paragraph (2)(A), by striking “2018”
7 and inserting “2023”.

8 **SEC. 6410. BIOMASS CROP ASSISTANCE PROGRAM.**

9 Section 9011(f) of the Farm Security and Rural In-
10 vestment Act of 2002 (7 U.S.C. 8111(f)) is amended by
11 striking paragraph (1) and inserting the following new
12 paragraph:

13 “(1) AUTHORIZATION OF APPROPRIATIONS.—
14 There is authorized to be appropriated to carry out
15 this section \$25,000,000 for each of fiscal years
16 2019 through 2023.”.

17 **Subtitle F—Miscellaneous**

18 **SEC. 6501. VALUE-ADDED AGRICULTURAL PRODUCT MAR-**
19 **KET DEVELOPMENT GRANTS.**

20 Section 231(b)(7) of the Agricultural Risk Protection
21 Act of 2000 (7 U.S.C. 1632a(b)(7)) is amended—

22 (1) in subparagraph (B), by striking
23 “\$40,000,000 for each of fiscal years 2008 through
24 2018” and inserting “\$50,000,000 for each of fiscal
25 years 2019 through 2023”; and

1 (2) by striking subparagraph (A) and redesignig-
2 nating subparagraphs (B) and (C) as subparagraphs
3 (A) and (B), respectively.

4 **SEC. 6502. AGRICULTURE INNOVATION CENTER DEM-**
5 **ONSTRATION PROGRAM.**

6 Section 6402(i) of the Farm Security and Rural In-
7 vestment Act of 2002 (7 U.S.C. 1632b(i)) is amended by
8 striking “2018” and inserting “2023”.

9 **SEC. 6503. REGIONAL ECONOMIC AND INFRASTRUCTURE**
10 **DEVELOPMENT COMMISSIONS.**

11 Section 15751(a) of title 40, United States Code, is
12 amended by striking “2018” and inserting “2023”.

13 **SEC. 6504. DEFINITION OF RURAL AREA FOR PURPOSES OF**
14 **THE HOUSING ACT OF 1949.**

15 The second sentence of section 520 of the Housing
16 Act of 1949 (42 U.S.C. 1490) is amended—

17 (1) by striking “or 2010 decennial census” and
18 inserting “2010, or 2020 decennial census”;

19 (2) by striking “December 31, 2010,” and in-
20 serting “December 31, 2020” ; and

21 (3) by striking “year 2020” and inserting “year
22 2030”.

1 **Subtitle G—Program Repeals**

2 **SEC. 6601. ELIMINATION OF UNFUNDED PROGRAMS.**

3 (a) CONSOLIDATED FARM AND RURAL DEVELOP-
4 MENT ACT.—

5 (1) REPEALERS.—The following provisions of
6 the Consolidated Farm and Rural Development Act
7 are hereby repealed:

8 (A) Section 306(a)(23) (7 U.S.C.
9 1926(a)(23)).

10 (B) Section 310B(f) (7 U.S.C. 1932(f)).

11 (C) Section 379 (7 U.S.C. 2008n).

12 (D) Section 379A (7 U.S.C. 2008o).

13 (E) Section 379C (7 U.S.C. 2008q).

14 (F) Section 379D (7 U.S.C. 2008r).

15 (G) Section 379F (7 U.S.C. 2008t).

16 (H) Subtitle I (7 U.S.C. 2009dd–2009dd–
17 7).

18 (2) CONFORMING AMENDMENT.—Section
19 333A(h) of such Act (7 U.S.C. 1983a(h)) is amend-
20 ed by striking “310B(f),”.

21 (b) RURAL ELECTRIFICATION ACT OF 1936.—

22 (1) IN GENERAL.—The following provisions of
23 the Rural Electrification Act of 1936 are hereby re-
24 pealed:

25 (A) Section 314 (7 U.S.C. 940d).

1 (B) Section 602 (7 U.S.C. 950bb–1).

2 (2) CONFORMING AMENDMENT.—Section 604
3 of such Act, as added by section 6102 of this Act,
4 is redesignated as section 602, and transferred to
5 just after section 601 of the Rural Electrification
6 Act of 1936.

7 **SEC. 6602. REPEAL OF RURAL TELEPHONE BANK.**

8 (a) REPEAL.—Title IV of the Rural Electrification
9 Act of 1936 (7 U.S.C. 941–950b) is repealed.

10 (b) CONFORMING AMENDMENTS.—

11 (1) Section 18 of such Act (7 U.S.C. 918) is
12 amended in each of subsections (a) and (b) by strik-
13 ing “and the Governor of the telephone bank”.

14 (2) Section 204 of such Act (7 U.S.C. 925) is
15 amended by striking “and the Governor of the tele-
16 phone bank”.

17 (3) Section 205(a) of such Act (7 U.S.C. 926)
18 is amended—

19 (A) in the matter preceding paragraph (1),
20 by striking “and the Governor of the telephone
21 bank”; and

22 (B) in paragraph (2), by striking “or the
23 Governor of the telephone bank”.

24 (4) Section 206(a) of such Act (7 U.S.C.
25 927(a)) is amended—

1 (A) in the matter preceding paragraph (1),
2 by striking “and the Governor of the telephone
3 bank”; and

4 (B) in paragraph (4), by striking “or
5 408”.

6 (5) Section 206(b) of such Act (7 U.S.C.
7 927(b)) is amended—

8 (A) in the matter preceding paragraph (1),
9 by striking “and the Governor of the telephone
10 bank”;

11 (B) in paragraph (1), by striking “, or a
12 Rural Telephone Bank loan,”; and

13 (C) in paragraph (2), by striking “, the
14 Rural Telephone Bank,”.

15 (6) Section 207(1) of such Act (7 U.S.C.
16 928(1)) is amended—

17 (A) by striking “305,” and inserting “ 305
18 or”; and

19 (B) by striking “, or a loan under section
20 408,”.

21 (7) Section 301 of such Act (7 U.S.C. 931) is
22 amended—

23 (A) in paragraph (3), by striking “except
24 for net collection proceeds previously appro-

1 pried for the purchase of class A stock in the
2 Rural Telephone Bank,”;

3 (B) by adding “or” at the end of para-
4 graph (4);

5 (C) by striking “; and” at the end of para-
6 graph (5) and inserting a period; and

7 (D) by striking paragraph (6).

8 (8) Section 305(d)(2)(B) of such Act (7 U.S.C.
9 935(d)(2)(B)) is amended—

10 (A) in clause (i), by striking “and a loan
11 under section 408”; and

12 (B) in clause (ii), by striking “and under
13 section 408” each place it appears.

14 (9) Section 305(d)(3)(C) of such Act (7 U.S.C.
15 935(d)(3)(C)) is amended by striking “and section
16 408(b)(4)(C), the Secretary and the Governor of the
17 telephone bank” and inserting “the Secretary”.

18 (10) Section 306 of such Act (7 U.S.C. 936) is
19 amended by striking “the Rural Telephone Bank,
20 National Rural Utilities Cooperative Finance Cor-
21 poration,” and inserting “the National Rural Utili-
22 ties Cooperative Finance Corporation”.

23 (11) Section 309 of such Act (7 U.S.C. 739) is
24 amended by striking the last sentence.

1 (12) Section 2352(b) of the Food, Agriculture,
2 Conservation, and Trade Act of 1990 (7 U.S.C. 901
3 note) is amended by striking “the Rural Telephone
4 Bank and”.

5 (13) The first section of Public Law 92–12 (7
6 U.S.C. 921a) is repealed.

7 (14) The first section 1 of Public Law 92–324
8 (7 U.S.C. 921b) is repealed.

9 (15) Section 1414 of the Omnibus Budget Rec-
10 onciliation Act of 1987 (7 U.S.C. 944a) is repealed.

11 (16) Section 1411 of the Omnibus Budget Rec-
12 onciliation Act of 1987 (7 U.S.C. 948 notes) is
13 amended by striking subsections (a) and (b).

14 (17) Section 3.8(b)(1)(A) of the Farm Credit
15 Act of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended
16 by striking “or a loan or loan commitment from the
17 Rural Telephone Bank,”.

18 (18) Section 105(d) of the National Consumer
19 Cooperative Bank Act (12 U.S.C. 3015(d)) is
20 amended by striking “the Rural Telephone Bank,”.

21 (19) Section 9101 of title 31, United States
22 Code, is amended—

23 (A) in paragraph (2), by striking subpara-
24 graph (H) and redesignating subparagraphs (I),

1 (J), and (K) as subparagraphs (H), (I), and
 2 (J), respectively; and

3 (B) in paragraph (3), by striking subpara-
 4 graph (K) and redesignating subparagraphs (L)
 5 through (R) as subparagraphs (K) through (P),
 6 respectively.

7 (20) Section 9108(d)(2) of title 31, United
 8 States Code, is amended by striking “the Rural
 9 Telephone Bank (when the ownership, control, and
 10 operation of the Bank are converted under section
 11 410(a) of the Rural Electrification Act of 1936 (7
 12 U.S.C. 950(a))),”.

13 **SEC. 6603. AMENDMENTS TO LOCAL TV ACT.**

14 The Launching Our Communities’ Access to Local
 15 Television Act of 2000 (title X of H.R. 5548 of the 106th
 16 Congress, as enacted by section 1(a)(2) of Public Law
 17 106–553; 114 Stat. 2762A–128) is amended—

18 (1) by striking the title heading and inserting
 19 the following:

20 **“TITLE X—SATELLITE CARRIER**
 21 **RETRANSMISSION ELIGIBILITY”;**

22 (2) by striking sections 1001 through 1007 and
 23 1009 through 1012; and

24 (3) by redesignating section 1008 as section
 25 1001.

1 **Subtitle H—Technical Corrections**

2 **SEC. 6701. CORRECTIONS RELATING TO THE CONSOLI-** 3 **DATED FARM AND RURAL DEVELOPMENT** 4 **ACT.**

5 (a)(1) Section 306(a)(19)(A) of the Consolidated
6 Farm and Rural Development Act (7 U.S.C.
7 1926(a)(19)(A)) is amended by inserting after “nonprofit
8 corporations” the following: “, Indian tribes (as defined
9 in section 4(e) of the Indian Self-Determination and Edu-
10 cation Assistance Act)”.

11 (2) The amendment made by this subsection shall
12 take effect as if included in section 773 of the Agriculture,
13 Rural Development, Food and Drug Administration, and
14 Related Agencies Appropriations Act, 2001 (H.R. 5426 of
15 the 106th Congress, as enacted by Public Law 106–387
16 (114 Stat. 1549A–45)) in lieu of the amendment made
17 by such section.

18 (b)(1) Section 309A(b) of the Consolidated Farm and
19 Rural Development Act (7 U.S.C. 1929a(b)) is amended
20 by striking “and section 308”.

21 (2) The amendment made by this subsection shall
22 take effect as if included in the enactment of section
23 661(c)(2) of the Federal Agricultural Improvement and
24 Reform Act of 1996 (Public Law 104–127).

1 (c) Section 310B(c)(3)(A)(v) of the Consolidated
2 Farm and Rural Development Act (7 U.S.C.
3 1932(c)(3)(A)(v)) is amended by striking “and” after the
4 semicolon and inserting “or”.

5 (d)(1) Section 310B(e)(5)(F) of the Consolidated
6 Farm and Rural Development Act (7 U.S.C.
7 1932(e)(5)(F)) is amended by inserting “, except that the
8 Secretary shall not require non-Federal financial support
9 in an amount that is greater than 5 percent in the case
10 of a 1994 institution (as defined in section 532 of the Eq-
11 uity in Educational Land-Grant Status Act of 1994 (7
12 U.S.C. 301 note; Public Law 103–382))” before the pe-
13 riod.

14 (2) The amendment made by this subsection shall
15 take effect as if included in the enactment of section 6015
16 of the Farm Security and Rural Investment Act of 2002
17 (Public Law 107–171).

18 (e)(1) Section 310E(d)(3) of the Consolidated Farm
19 and Rural Development Act (7 U.S.C. 1935(d)(3)) is
20 amended by inserting “and socially disadvantaged farmers
21 or ranchers” after “ranchers” the 2nd place it appears.

22 (2) The amendment made by this subsection shall
23 take effect as if included in the enactment of section
24 5004(4)(A)(i) of the Food, Conservation, and Energy Act
25 of 2008 (Public Law 110–246).

1 (f)(1) Section 321(a) of the Consolidated Farm and
2 Rural Development Act (7 U.S.C. 1961(a)) is amended
3 in the 2nd sentence by striking “and limited liability com-
4 panies” and inserting “limited liability companies, and
5 such other legal entities”.

6 (2) The amendment made by this subsection shall
7 take effect as if included in the enactment of section 5201
8 of the Agricultural Act of 2014 (Public Law 113–79).

9 (g)(1) Section 331D(e) of the Consolidated Farm and
10 Rural Development Act (7 U.S.C. 1981d(e)) is amended
11 by inserting after “within 60 days after receipt of the no-
12 tice required in this section” the following: “or, in extraor-
13 dinary circumstances as determined by the applicable
14 State director, after the 60-day period”.

15 (2) The amendment made by this subsection shall
16 take effect as if included in the enactment of section 10
17 of the Agricultural Credit Improvement Act of 1992 (Pub-
18 lic Law 102–554).

19 (h)(1) Section 333A(f)(1)(A) of the Consolidated
20 Farm and Rural Development Act (7 U.S.C.
21 1983a(f)(1)(A)) is amended by striking “114” and insert-
22 ing “339”.

23 (2) The amendment made by this subsection shall
24 take effect as if included in the enactment of section 14

1 of the Agricultural Credit Improvement Act of 1992 (Pub-
2 lic Law 102–554).

3 (i) Section 339(d)(3) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 1989(d)(3)) is amended
5 by striking “preferred certified lender” and inserting
6 “Preferred Certified Lender”.

7 (j)(1) Section 343(a)(11) of the Consolidated Farm
8 and Rural Development Act (7 U.S.C. 1991(a)(11)) is
9 amended by striking “or joint operators” and inserting
10 “joint operator, or owners”.

11 (2) The amendment made by this subsection shall
12 take effect as of the effective date of section 5303(a)(2)
13 of the Agricultural Act of 2014.

14 (k)(1) Section 343(b) of the Consolidated Farm and
15 Rural Development Act (7 U.S.C. 1991(b)) is amended
16 by striking “307(e)” and inserting “307(d)”.

17 (2) The amendment made by paragraph (1) shall
18 take effect as if included in the enactment of section 5004
19 of the Agricultural Act of 2014 (Public Law 113–79).

20 (l) Section 346 of the Consolidated Farm and Rural
21 Development Act (7 U.S.C. 1994) is amended by striking
22 the last comma.

23 (m)(1) Section 381E(d)(3) of the Consolidated Farm
24 and Rural Development Act (7 U.S.C. 2009d(d)(3)) is
25 amended by striking subparagraph (A) and redesignating

1 subparagraphs (B) and (C) as subparagraphs (A) and
2 (B), respectively.

3 (2) The amendment made by paragraph (1) shall
4 take effect as if included in the enactment of section
5 6012(b) of the Agricultural Act of 2014 (Public Law 113–
6 79).

7 (n)(1) Section 382A of the Consolidated Farm and
8 Rural Development Act (7 U.S.C. 2009aa) is amended by
9 adding at the end the following:

10 “(4) Notwithstanding any other provision of
11 law, the State of Alabama shall be a full member of
12 the Delta Regional Authority and shall be entitled to
13 all rights and privileges that said membership af-
14 fords to all other participating States in the Delta
15 Regional Authority.”.

16 (2) The amendment made by this subsection shall
17 take effect as if included in the enactment of section
18 153(b) of division B of H.R. 5666, as introduced in the
19 106th Congress, and as enacted by section 1(4) of the
20 Consolidated Appropriations Act, 2001 (Appendix D of
21 Public Law 106–554; 114 Stat. 2763A–252).

22 (o) Section 382E(a)(1)(B) of the Consolidated Farm
23 and Rural Development Act (7 U.S.C.2009aa–4(a)(1)(B))
24 is amended by moving clause (iv) 2 ems to the right.

1 (p) Section 383G(c) of the Consolidated Farm and
2 Rural Development Act (7 U.S.C. 2009bb–5(c)) is amend-
3 ed—

4 (1) in the subsection heading by striking
5 “TELECOMMUNICATION RENEWABLE ENERGY,”
6 and inserting “TELECOMMUNICATION, RENEWABLE
7 ENERGY,”; and

8 (2) in the text, by striking “,” and inserting a
9 comma.

10 **SEC. 6702. CORRECTIONS RELATING TO THE RURAL ELEC-**
11 **TRIFICATION ACT OF 1936.**

12 (a) Section 201 of the Rural Electrification Act of
13 1936 (7 U.S.C. 922) is amended in the 3rd sentence by
14 striking “wildest” and inserting “widest”.

15 (b) Section 408(b)(3)(E) of such Act (7 U.S.C.
16 948(b)(3)(E)) is amended by striking “(D)(II)” and in-
17 serting “(D)(v)(II)”.

18 (c)(1) Section 601(d)(8)(A)(ii)(V) of such Act (7
19 U.S.C. 950bb(d)(8)(A)(ii)(V)) is amended by striking the
20 semicolon and inserting a period.

21 (2) The amendment made by paragraph (1) shall
22 take effect as if included in the enactment of section
23 6104(a)(2)(E) of the Agricultural Act of 2014 (Public
24 Law 113–79).

1 **TITLE VII—RESEARCH, EXTEN-**
2 **SION, AND RELATED MAT-**
3 **TERS**

4 **Subtitle A—National Agricultural**
5 **Research, Extension, and Teach-**
6 **ing Policy Act of 1977**

7 **SEC. 7101. INTERNATIONAL AGRICULTURE RESEARCH.**

8 Section 1402 of the National Agricultural Research,
9 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
10 3101) is amended—

11 (1) in paragraph (7), by striking “and” at the
12 end;

13 (2) in paragraph (8), by striking the period at
14 the end and inserting “; and”; and

15 (3) by adding at the end the following new
16 paragraph:

17 “(9) support international scientific col-
18 laboration that leverages resources and ad-
19 vances the food and agricultural interests of the
20 United States”.

21 **SEC. 7102. MATTERS RELATED TO CERTAIN SCHOOL DES-**
22 **IGNATIONS AND DECLARATIONS.**

23 (a) STUDY OF FOOD AND AGRICULTURAL
24 SCIENCES.—

(1) AMENDMENT.—Section 1404(14)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A)) is amended to read as follows:

“(A) IN GENERAL.—

“(i) DEFINITION.—The terms ‘NLGCA Institution’ and ‘non-land-grant college of agriculture’ mean a public college or university offering a baccalaureate or higher degree in the study of agricultural sciences, forestry, or both in any area of study specified in clause (ii).

“(ii) CLARIFICATION.—For purposes of clause (i), an area of study specified in this clause is any of the following:

“(I) Agriculture.

“(II) Agricultural business and management.

“(III) Agricultural economics.

“(IV) Agricultural mechanization.

“(V) Agricultural production operations.

“(VI) Aquaculture.

1 “(VII) Agricultural and food
2 products processing.

3 “(VIII) Agricultural and domes-
4 tic animal services.

5 “(IX) Equestrian or equine stud-
6 ies.

7 “(X) Applied horticulture or hor-
8 ticulture operations.

9 “(XI) Ornamental horticulture.

10 “(XII) Greenhouse operations
11 and management.

12 “(XIII) Turf and turfgrass man-
13 agement.

14 “(XIV) Plant nursery operations
15 and management.

16 “(XV) Floriculture or floristry
17 operations and management.

18 “(XVI) International agriculture.

19 “(XVII) Agricultural public serv-
20 ices.

21 “(XVIII) Agricultural and exten-
22 sion education services.

23 “(XIX) Agricultural communica-
24 tion or agricultural journalism.

25 “(XX) Animal sciences.

- 1 “(XXI) Food science.
- 2 “(XXII) Plant sciences.
- 3 “(XXIII) Soil sciences.
- 4 “(XXIV) Forestry.
- 5 “(XXV) Forest sciences and biol-
- 6 ogy.
- 7 “(XXVI) Natural resources or
- 8 conservation.
- 9 “(XXVII) Natural resources
- 10 management and policy.
- 11 “(XXVIII) Natural resource eco-
- 12 nomics.
- 13 “(XXIX) Urban forestry.
- 14 “(XXX) Wood science and wood
- 15 products or pulp or paper technology.
- 16 “(XXXI) Range science and
- 17 management.
- 18 “(XXXII) Agricultural engineer-
- 19 ing.”.

20 (2) DESIGNATION REVIEW.—

21 (A) IN GENERAL.—Not later than 90 days
 22 after the date of the enactment of this Act, the
 23 Secretary shall establish a process to review
 24 each designated NLGCA Institution (as defined
 25 in section 1404(14)(A) of the National Agricul-

tural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A))) to ensure compliance with such section, as amended by this subsection.

(B) VIOLATION.—An NLGCA Institution that the Secretary determines under subparagraph (A) to be not in compliance shall have the designation of such institution revoked.

(b) TERMINATION OF CERTAIN DECLARATIONS OF INTENT.—Section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103) is amended—

(1) in paragraph (5)(B), by striking “2018” and inserting “2023”; and

(2) in paragraph (10)(C), by striking “2018” and inserting “2023”.

SEC. 7103. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

Section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “25” and inserting “15”; and

1 (B) by amending paragraph (3) to read as
2 follows:

3 “(3) MEMBERSHIP CATEGORIES.—The Advisory
4 Board shall consist of members from each of the fol-
5 lowing categories:

6 “(A) 3 members representing national
7 farm or producer organizations, which may in-
8 clude members—

9 “(i) representing farm cooperatives;

10 “(ii) who are producers actively en-
11 gaged in the production of a food animal
12 commodity and who are recommended by a
13 coalition of national livestock organiza-
14 tions;

15 “(iii) who are producers actively en-
16 gaged in the production of a plant com-
17 modity and who are recommended by a co-
18 alition of national crop organizations; or

19 “(iv) who are producers actively en-
20 gaged in aquaculture and who are rec-
21 ommended by a coalition of national
22 aquacultural organizations.

23 “(B) 2 members representing academic or
24 research societies, which may include members
25 representing—

1 “(i) a national food animal science so-
2 ciety;

3 “(ii) a national crop, soil, agronomy,
4 horticulture, plant pathology, or weed
5 science society;

6 “(iii) a national food science organiza-
7 tion;

8 “(iv) a national human health associa-
9 tion; or

10 “(v) a national nutritional science so-
11 ciety.

12 “(C) 5 members representing agricultural
13 research, extension, and education, which shall
14 include each of the following:

15 “(i) 1 member representing the land-
16 grant colleges and universities eligible to
17 receive funds under the Act of July 2,
18 1862 (7 U.S.C. 301 et seq.).

19 “(ii) 1 member representing the land-
20 grant colleges and universities eligible to
21 receive funds under the Act of August 30,
22 1890 (7 U.S.C. 321 et seq.), including
23 Tuskegee University.

24 “(iii) 1 member representing the 1994
25 Institutions (as defined in section 532 of

1 the Equity in Educational Land-Grant
2 Status Act of 1994 (7 U.S.C. 301 note;
3 Public Law 103–382)).

4 “(iv) 1 member representing NLGCA
5 Institutions or Hispanic-serving institu-
6 tions.

7 “(v) 1 member representing the
8 American Colleges of Veterinary Medicine.

9 “(D) 5 members representing industry,
10 consumer, or rural interests, including members
11 representing—

12 “(i) transportation of food and agri-
13 cultural products to domestic and foreign
14 markets;

15 “(ii) food retailing and marketing in-
16 terests;

17 “(iii) food and fiber processors;

18 “(iv) rural economic development;

19 “(v) a national consumer interest
20 group;

21 “(vi) a national forestry group;

22 “(vii) a national conservation or nat-
23 ural resource group;

24 “(viii) a national social science asso-
25 ciation; or

1 “(ix) private sector organizations in-
2 volved in international development.”;

3 (2) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) in the matter preceding subpara-
6 graph (A), by striking “review and” and
7 inserting “make recommendations, review,
8 and”; and

9 (ii) by striking subparagraph (A) and
10 inserting the following new subparagraph:

11 “(A) long-term and short-term national
12 policies and priorities consistent with the—

13 “(i) purposes specified in section 1402
14 for agricultural research, extension, edu-
15 cation, and economics; and

16 “(ii) priority areas of the Agriculture
17 and Food Research Initiative specified in
18 subsection (b)(2) of the Competitive, Spe-
19 cial, and Facilities Research Grant Act (7
20 U.S.C. 3157(b)(2));”;

21 (iii) in subparagraph (B), by striking
22 clause (i) and inserting the following new
23 clause:

24 “(i) are in accordance with the—

1 “(I) purposes specified in a pro-
 2 vision of a covered law (as defined in
 3 subsection (d) of section 1492) under
 4 which competitive grants (described in
 5 subsection (c) of such section) are
 6 awarded; and

7 “(II) priority areas of the Agri-
 8 culture and Food Research Initiative
 9 specified in subsection (b)(2) of the
 10 Competitive, Special, and Facilities
 11 Research Grant Act (7 U.S.C.
 12 3157(b)(2)); and”;

13 (B) in paragraph (2), by inserting “and
 14 make recommendations to the Secretary based
 15 on such evaluation” after “priorities”; and

16 (C) in paragraph (4), by inserting “and
 17 make recommendations on” after “review”; and

18 (3) in subsection (h), by striking “2018” and
 19 inserting “2023”.

20 **SEC. 7104. SPECIALTY CROP COMMITTEE.**

21 Section 1408A(a)(2) of the National Agricultural Re-
 22 search, Extension, and Teaching Policy Act of 1977 (7
 23 U.S.C. 3123a(a)(2)) is amended—

24 (1) in subparagraph (A), by striking “spe-
 25 ciality” and inserting “specialty”;

1 (2) in subparagraph (B)—

2 (A) in the matter preceding clause (i), by
3 striking “9” and inserting “11”; and

4 (B) in clause (i), by striking “Three” and
5 inserting “Five”; and

6 (3) in subparagraph (D), by striking “2018”
7 and inserting “2023”.

8 **SEC. 7105. RENEWABLE ENERGY COMMITTEE DISCON-**
9 **TINUED.**

10 Subtitle B of the National Agricultural Research, Ex-
11 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3121
12 et seq.) is amended by striking section 1408B.

13 **SEC. 7106. REPORT ON ALLOCATIONS AND MATCHING**
14 **FUNDS FOR 1890 INSTITUTIONS.**

15 The Secretary of Agriculture shall annually transmit
16 to Congress a report on the allocations made to, and
17 matching funds received by, eligible institutions pursuant
18 to sections 1444 and 1445 of the National Agricultural
19 Research, Extension, and Teaching Policy Act of 1977 (7
20 U.S.C. 3221, 3222).

21 **SEC. 7107. GRANTS AND FELLOWSHIPS FOR FOOD AND AG-**
22 **RICULTURE SCIENCES EDUCATION.**

23 Section 1417(m)(2) of the National Agricultural Re-
24 search, Extension, and Teaching Policy Act of 1977 (7

1 U.S.C. 3152(m)(2)) is amended by striking “2018” and
2 inserting “2023”.

3 **SEC. 7108. AGRICULTURAL AND FOOD POLICY RESEARCH**
4 **CENTERS.**

5 Section 1419A(e) of the National Agricultural Re-
6 search, Extension, and Teaching Policy Act of 1977 (7
7 U.S.C. 3155(e)) is amended by striking “2018” and in-
8 serting “2023”.

9 **SEC. 7109. EDUCATION GRANTS TO ALASKA NATIVE SERV-**
10 **ING INSTITUTIONS AND NATIVE HAWAIIAN**
11 **SERVING INSTITUTIONS.**

12 Section 1419B of the National Agricultural Research,
13 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
14 3156) is amended—

15 (1) in subsection (a)(3), by striking “2018” and
16 inserting “2023”; and

17 (2) in subsection (b)(3), by striking “2018”
18 and inserting “2023”.

19 **SEC. 7110. REPEAL OF NUTRITION EDUCATION PROGRAM.**

20 The National Agricultural Research, Extension, and
21 Teaching Policy Act of 1977 is amended by striking sec-
22 tion 1425 (7 U.S.C. 3175).

1 **SEC. 7111. CONTINUING ANIMAL HEALTH AND DISEASE RE-**
2 **SEARCH PROGRAMS.**

3 Section 1433(c)(1) of the National Agricultural Re-
4 search, Extension, and Teaching Policy Act of 1977 (7
5 U.S.C. 3195(c)(1)) is amended by striking “2018” and
6 inserting “2023”.

7 **SEC. 7112. EXTENSION CARRYOVER AT 1890 LAND-GRANT**
8 **COLLEGES, INCLUDING TUSKEGEE UNIVER-**
9 **SITY.**

10 Effective on October 1, 2018, section 1444(a) of the
11 National Agricultural Research, Extension, and Teaching
12 Policy Act of 1977 (7 U.S.C. 3221(a)) is amended by
13 striking paragraph (4).

14 **SEC. 7113. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTITU-**
15 **TIONS.**

16 Subtitle G of the National Agricultural Research, Ex-
17 tension, and Teaching Policy Act of 1977 is amended by
18 inserting after section 1445 (7 U.S.C. 3222) the following
19 new section:

20 **“SEC. 1446. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTI-**
21 **TUTIONS.**

22 “(a) IN GENERAL.—

23 “(1) SCHOLARSHIP GRANT PROGRAM ESTAB-
24 LISHED.—The Secretary shall establish and carry
25 out a grant program to make grants to each college
26 or university eligible to receive funds under the Act

1 of August 30, 1890 (commonly known as the Second
2 Morrill Act; 7 U.S.C. 322 et seq.), including
3 Tuskegee University, for purposes of awarding schol-
4 arships to individuals who—

5 “(A) have been accepted for admission at
6 such college or university;

7 “(B) will be so enrolled not later than one
8 year after the date of such acceptance; and

9 “(C) intend to pursue a career in the food
10 and agricultural sciences, including a career
11 in—

12 “(i) agribusiness;

13 “(ii) energy and renewable fuels; or

14 “(iii) financial management.

15 “(2) AMOUNT OF GRANT.—Each grant made
16 under this section shall be in the amount of
17 \$1,000,000.

18 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to carry out this section
20 \$19,000,000 for each of fiscal years 2019 through 2023.”.

1 **SEC. 7114. GRANTS TO UPGRADE AGRICULTURAL AND**
2 **FOOD SCIENCES FACILITIES AT 1890 LAND-**
3 **GRANT COLLEGES, INCLUDING TUSKEGEE**
4 **UNIVERSITY.**

5 Section 1447(b) of the National Agricultural Re-
6 search, Extension, and Teaching Policy Act of 1977 (7
7 U.S.C. 3222b(b)) is amended by striking “2018” and in-
8 serting “2023”.

9 **SEC. 7115. GRANTS TO UPGRADE AGRICULTURE AND FOOD**
10 **SCIENCES FACILITIES AND EQUIPMENT AT**
11 **INSULAR AREA LAND-GRANT INSTITUTIONS.**

12 Section 1447B(d) of the National Agricultural Re-
13 search, Extension, and Teaching Policy Act of 1977 (7
14 U.S.C. 3222b–2(d)) is amended by striking “2018” and
15 inserting “2023”.

16 **SEC. 7116. HISPANIC-SERVING INSTITUTIONS.**

17 Section 1455(c) of the National Agricultural Re-
18 search, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3241(c)) is amended by striking “2018” and in-
20 serting “2023”.

21 **SEC. 7117. LAND-GRANT DESIGNATION.**

22 Subtitle C of the National Agricultural Research, Ex-
23 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3151
24 et seq.) is amended by adding at the end the following
25 new section:

1 **“SEC. 1419C. LAND-GRANT DESIGNATION.**

2 “(a) IN GENERAL.—Notwithstanding any other pro-
3 vision of law, beginning on the date of the enactment of
4 this section, no additional entity may be designated as eli-
5 gible to receive funds under a covered program.

6 “(b) STATE FUNDING.—No State shall receive an in-
7 crease in funding under a covered program as a result of
8 the State’s designation of additional entities as eligible to
9 receive such funding.

10 “(c) COVERED PROGRAM DEFINED.—For purposes
11 of this section, the term ‘covered program’ means agricul-
12 tural research, extension, education, and related programs
13 or grants established or available under any of the fol-
14 lowing:

15 “(1) Subsections (b), (c), and (d) of section 3
16 of the Smith-Lever Act (7 U.S.C. 343).

17 “(2) The Hatch Act of 1887 (7 U.S.C. 361a et
18 seq.).

19 “(3) Sections 1444, 1445, and 1447 of the Na-
20 tional Agricultural Research, Extension, and Teach-
21 ing Policy Act of 1977 (7 U.S.C. 3221; 3222;
22 3222b).

23 “(4) Public Law 87–788 (commonly known as
24 the McIntire-Stennis Cooperative Forestry Act; 16
25 U.S.C. 582a et seq.).

1 “(d) EXCEPTION.—Nothing in this section shall limit
 2 eligibility for a capacity and infrastructure program speci-
 3 fied in section 251(f)(1)(C) of the Department of Agri-
 4 culture Reorganization Act of 1994 (7 U.S.C.
 5 6971(f)(1)(C)) that is not a covered program.”.

6 **SEC. 7118. COMPETITIVE GRANTS FOR INTERNATIONAL AG-**
 7 **RICULTURAL SCIENCE AND EDUCATION PRO-**
 8 **GRAMS.**

9 Section 1459A(c)(2) of the National Agricultural Re-
 10 search, Extension, and Teaching Policy Act of 1977 (7
 11 U.S.C. 3292b(c)(2)) is amended by striking “2018” and
 12 inserting “2023”.

13 **SEC. 7119. LIMITATION ON INDIRECT COSTS FOR AGRICUL-**
 14 **TURAL RESEARCH, EDUCATION, AND EXTEN-**
 15 **SION PROGRAMS.**

16 Section 1462 of the National Agricultural Research,
 17 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
 18 3310) is amended—

19 (1) in subsection (a), by striking “22 percent”
 20 and inserting “30 percent”;

21 (2) in subsection (b), by striking “Subsection
 22 (a)” and inserting “Subsections (a) and (c)”; and

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

24 “(c) TREATMENT OF SUBGRANTS.—In the case of a
 25 grant described in subsection (a), the limitation on indi-

1 rect costs specified in such subsection shall be applied to
2 both the initial grant award and any subgrant of the Fed-
3 eral funds provided under the initial grant award so that
4 the total of all indirect costs charged against the total of
5 the Federal funds provided under the initial grant award
6 does not exceed such limitation.”.

7 **SEC. 7120. RESEARCH EQUIPMENT GRANTS.**

8 The National Agricultural Research, Extension, and
9 Teaching Policy Act of 1977 is amended by inserting after
10 section 1462 (7 U.S.C. 3310) the following new section:

11 **“SEC. 1462A. RESEARCH EQUIPMENT GRANTS.**

12 “(a) IN GENERAL.—The Secretary may make com-
13 petitive grants for the acquisition of special purpose sci-
14 entific research equipment for use in the food and agricul-
15 tural sciences programs of eligible institutions.

16 “(b) MAXIMUM AMOUNT.—The amount of a grant
17 made to an eligible institution under this section may not
18 exceed \$500,000.

19 “(c) PROHIBITION ON CHARGE OR EQUIPMENT AS
20 INDIRECT COSTS.—The cost of acquisition or depreciation
21 of equipment purchased with a grant under this section
22 shall not be—

23 “(1) charged as an indirect cost against another
24 Federal grant; or

1 “(2) included as part of the indirect cost pool
 2 for purposes of calculating the indirect cost rate of
 3 an eligible institution.

4 “(d) ELIGIBLE INSTITUTIONS DEFINED.—In this
 5 section, the term ‘eligible institution’ means—

6 “(1) a college or university; or

7 “(2) a State cooperative institution.

8 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 9 is authorized to be appropriated to carry out this section
 10 \$5,000,000 for each of fiscal years 2019 through 2023.”.

11 **SEC. 7121. UNIVERSITY RESEARCH.**

12 Section 1463 of the National Agricultural Research,
 13 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
 14 3311) is amended by striking “2018” each place it ap-
 15 pears in subsections (a) and (b) and inserting “2023”.

16 **SEC. 7122. EXTENSION SERVICE.**

17 Section 1464 of the National Agricultural Research,
 18 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
 19 3312) is amended by striking “2018” and inserting
 20 “2023”.

21 **SEC. 7123. SUPPLEMENTAL AND ALTERNATIVE CROPS.**

22 Section 1473D of the National Agricultural Re-
 23 search, Extension, and Teaching Policy Act of 1977 (7
 24 U.S.C. 3319d) is amended—

25 (1) in subsection (a)—

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

3 (B) by striking “crops,” and inserting
4 “crops (including canola),”;
5 (2) in subsection (b)—

6 (A) by inserting “for agronomic rotational
7 purposes and for use as a habitat for honey
8 bees and other pollinators” after “alternative
9 crops”; and

10 (B) by striking “commodities whose” and
11 all that follows through the period at the end
12 and inserting “commodities.”; and

13 (3) in subsection (e)(2), by striking “2018” and
14 inserting “2023”.

15 **SEC. 7124. CAPACITY BUILDING GRANTS FOR NLGCA INSTI-**
16 **TUTIONS.**

17 Section 1473F(b) of the National Agricultural Re-
18 search, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3319i(b)) is amended by striking “2018” and in-
20 serting “2023”.

21 **SEC. 7125. AQUACULTURE ASSISTANCE PROGRAMS.**

22 Section 1477(a)(2) of the National Agricultural Re-
23 search, Extension, and Teaching Policy Act of 1977 (7
24 U.S.C. 3324(a)(2)) is amended by striking “2018” and
25 inserting “2023”.

1 **SEC. 7126. RANGELAND RESEARCH PROGRAMS.**

2 Section 1483(a)(2) of the National Agricultural Re-
3 search, Extension, and Teaching Policy Act of 1977 (7
4 U.S.C. 3336(a)(2)) is amended by striking “2018” and
5 inserting “2023”.

6 **SEC. 7127. SPECIAL AUTHORIZATION FOR BIOSECURITY**
7 **PLANNING AND RESPONSE.**

8 Section 1484 of the National Agricultural Research,
9 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
10 3351) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1), by striking “and” at
13 the end;

14 (B) in paragraph (2), by striking the pe-
15 riod at the end and inserting “; and”; and

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

18 “(3) \$30,000,000 for each of fiscal years 2019
19 through 2023.”; and

20 (2) in subsection (b)—

21 (A) in the matter preceding paragraph (1),
22 by inserting “and cooperative agreements” after
23 “competitive grants”;

24 (B) in paragraph (3), by striking “make
25 competitive grants” and inserting “award com-

1 petitive grants and cooperative agreements”;
2 and

3 (C) by adding at the end the following new
4 paragraph:

5 “(5) To coordinate the tactical science activities
6 of the Research, Education, and Economics mission
7 area of the Department that protect the integrity,
8 reliability, sustainability, and profitability of the food
9 and agricultural system of the United States against
10 biosecurity threats from pests, diseases, contami-
11 nants, and disasters.”.

12 **SEC. 7128. DISTANCE EDUCATION AND RESIDENT INSTRU-**
13 **CTION GRANTS PROGRAM FOR INSULAR AREA**
14 **INSTITUTIONS OF HIGHER EDUCATION.**

15 (a) DISTANCE EDUCATION GRANTS FOR INSULAR
16 AREAS.—Section 1490(f)(2) of the National Agricultural
17 Research, Extension, and Teaching Policy Act of 1977 (7
18 U.S.C. 3362(f)(2)) is amended by striking “2018” and in-
19 serting “2023”.

20 (b) RESIDENT INSTRUCTION GRANTS FOR INSULAR
21 AREAS.—Section 1491(c)(2) of the National Agricultural
22 Research, Extension, and Teaching Policy Act of 1977 (7
23 U.S.C. 3363(c)(2)) is amended by striking “2018” and
24 inserting “2023”.

1 **SEC. 7129. REMOVAL OF MATCHING FUNDS REQUIREMENT**
2 **FOR CERTAIN GRANTS.**

3 Section 1492(d) of the National Agricultural Re-
4 search, Extension, and Teaching Policy Act of 1977 (7
5 U.S.C. 3371(d)) is amended by striking paragraph (5).

6 **Subtitle B—Food, Agriculture, Con-**
7 **servation, and Trade Act of 1990**

8 **SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICA-**
9 **TIONS.**

10 Section 1624 of the Food, Agriculture, Conservation,
11 and Trade Act of 1990 (7 U.S.C. 5814) is amended in
12 the first sentence by striking “2018” and inserting
13 “2023”.

14 **SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.**

15 Section 1627(d) of the Food, Agriculture, Conserva-
16 tion, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amend-
17 ed by striking “2018” and inserting “2023”.

18 **SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**
19 **VELOPMENT AND TRANSFER PROGRAM.**

20 Section 1628(f)(2) of the Food, Agriculture, Con-
21 servation, and Trade Act of 1990 (7 U.S.C. 5831(f)(2))
22 is amended by striking “2018” and inserting “2023”.

23 **SEC. 7204. NATIONAL TRAINING PROGRAM.**

24 Section 1629(i) of the Food, Agriculture, Conserva-
25 tion, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amend-
26 ed by striking “2018” and inserting “2023”.

1 **SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.**

2 Section 1635(b)(2) of the Food, Agriculture, Con-
3 servation, and Trade Act of 1990 (7 U.S.C. 5844(b)(2))
4 is amended by striking “2018” and inserting “2023”.

5 **SEC. 7206. NATIONAL AGRICULTURAL WEATHER INFORMA-**
6 **TION SYSTEM.**

7 Section 1641(c) of the Food, Agriculture, Conserva-
8 tion, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amend-
9 ed by striking “2018” and inserting “2023”.

10 **SEC. 7207. AGRICULTURAL GENOME TO PHENOME INITIA-**
11 **TIVE.**

12 Section 1671 of the Food, Agriculture, Conservation,
13 and Trade Act of 1990 (7 U.S.C. 5924) is amended—

14 (1) in the section heading, by inserting “**TO**
15 **PHENOME**” after “**GENOME**”;

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

18 “(a) GOALS.—The goals of this section are—

19 “(1) to expand knowledge concerning genomes
20 and phenomes of crops of importance to United
21 States agriculture;

22 “(2) to understand how variable weather, envi-
23 ronments, and production systems impact the
24 growth and productivity of specific varieties of crops,
25 thereby providing greater accuracy in predicting
26 crop performance under variable growing conditions;

1 “(3) to support research that leverages plant
2 genomic information with phenotypic and environ-
3 mental data through an interdisciplinary framework,
4 leading to a novel understanding of plant processes
5 that affect crop growth, productivity, and the ability
6 to predict crop performance, resulting in the deploy-
7 ment of superior varieties to growers and improved
8 crop management recommendations for farmers;

9 “(4) to promote and coordinate research linking
10 genomics and predictive phenomics at different sites
11 nationally to achieve advances in crops that generate
12 societal benefits;

13 “(5) to combine fields such as genetics,
14 genomics, plant physiology, agronomy, climatology,
15 and crop modeling with computation and
16 informatics, statistics, and engineering;

17 “(6) to focus on crops that will yield scientif-
18 ically important results that will enhance the useful-
19 ness of many other crops;

20 “(7) to build on genomic research, such as the
21 Plant Genome Research Project, to understand gene
22 function in production environments that are ex-
23 pected to have considerable payoffs for crops of im-
24 portance to United States agriculture;

1 “(8) to develop improved data analytics to en-
2 hance understanding of the biological function of
3 crop genes;

4 “(9) to allow resources developed under this
5 section, including data, software, germplasm, and
6 other biological materials, to be openly accessible to
7 all persons, subject to any confidentiality require-
8 ments imposed by law; and

9 “(10) to encourage international partnerships
10 with each partner country responsible for financing
11 its own research.”;

12 (3) by amending subsection (b) to read as fol-
13 lows:

14 “(b) DUTIES OF SECRETARY.—The Secretary of Ag-
15 riculture shall conduct a research initiative (to be known
16 as the ‘Agricultural Genome to Phenome Initiative’) for
17 the purpose of—

18 “(1) studying agriculturally significant crops in
19 production environments to achieve sustainable and
20 secure agricultural production;

21 “(2) ensuring that current gaps in existing
22 knowledge of agricultural crop genetics and
23 phenomics knowledge are filled;

1 “(3) identifying and developing a functional un-
2 derstanding of agronomically relevant genes from
3 crops of importance to United States agriculture;

4 “(4) ensuring future genetic improvement of
5 crops of importance to United States agriculture;

6 “(5) studying the relevance of diverse
7 germplasm as a source of unique genes that may be
8 of importance to United States agriculture in the fu-
9 ture;

10 “(6) enhancing crop genetics to reduce the eco-
11 nomic impact of plant pathogens on crops of impor-
12 tance to United States agriculture; and

13 “(7) disseminating findings to relevant audi-
14 ences.”;

15 (4) in subsection (c)(1), by inserting “, acting
16 through the National Institute of Food and Agri-
17 culture,” after “The Secretary”;

18 (5) in subsection (e), by inserting “to
19 Phenome” after “Genome”; and

20 (6) by adding at the end the following new sub-
21 section:

22 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 \$30,000,000 for each of fiscal years 2019 through 2023.”.

1 **SEC. 7208. HIGH-PRIORITY RESEARCH AND EXTENSION INI-**
2 **TIATIVES.**

3 Section 1672 of the Food, Agriculture, Conservation,
4 and Trade Act of 1990 (7 U.S.C. 5925) is amended—

5 (1) in subsection (d)—

6 (A) in paragraph (8)—

7 (i) in the heading, by striking “AL-
8 FALFA AND FORAGE” and inserting “AL-
9 FALFA SEED AND ALFALFA FORAGE SYS-
10 TEMS”;

11 (ii) by striking “alfalfa and forage”
12 and inserting “alfalfa seed and alfalfa for-
13 age systems”; and

14 (iii) by striking “alfalfa and other for-
15 ages, and” and inserting “alfalfa seed and
16 other alfalfa forage”; and

17 (B) by adding at the end the following new
18 paragraphs:

19 “(11) MACADAMIA TREE HEALTH INITIATIVE.—
20 Research and extension grants may be made under
21 this section for the purposes of—

22 “(A) developing and disseminating science-
23 based tools and treatments to combat the maca-
24 damia felted coccid (*Eriococcus ironsidei*); and

25 “(B) establishing an areawide integrated
26 pest management program in areas affected by,

1 or areas at risk of being affected by, the maca-
2 damia felted coccid.

3 “(12) NATIONAL TURFGRASS RESEARCH INITIA-
4 TIVE.—Research and extension grants may be made
5 under this section for the purposes of—

6 “(A) carrying out or enhancing research
7 related to turfgrass and sod issues;

8 “(B) enhancing production and uses of
9 turfgrass for the general public;

10 “(C) identifying new turfgrass varieties
11 with superior drought, heat, cold, and pest tol-
12 erance to reduce water, fertilizer, and pesticide
13 use;

14 “(D) selecting genetically superior
15 turfgrasses and developing improved tech-
16 nologies for managing commercial, residential,
17 and recreational turfgrass areas;

18 “(E) producing turfgrasses that—

19 “(i) aid in mitigating soil erosion;

20 “(ii) protect against pollutant runoff
21 into waterways; or

22 “(iii) provide other environmental ben-
23 efits;

1 “(F) investigating, preserving, and pro-
2 tecting native plant species, including grasses
3 not currently utilized in turfgrass systems;

4 “(G) creating systems for more economical
5 and viable turfgrass seed and sod production
6 throughout the United States; and

7 “(H) investigating the turfgrass
8 phytobiome and developing biologic products to
9 enhance soil, enrich plants, and mitigate pests.

10 “(13) FERTILIZER MANAGEMENT INITIATIVE.—

11 “(A) IN GENERAL.—Research and exten-
12 sion grants may be made under this section for
13 the purpose of carrying out research to improve
14 fertilizer use efficiency in crops—

15 “(i) to maximize crop yield; and

16 “(ii) to minimize nutrient losses to
17 surface and groundwater and the atmos-
18 phere.

19 “(B) PRIORITY.—In awarding grants
20 under subparagraph (A), the Secretary shall
21 give priority to research examining the impact
22 of the source, rate, timing, and placement of
23 plant nutrients.

1 “(14) CATTLE FEVER TICK PROGRAM.—Re-
2 search and extension grants may be made under this
3 section to study cattle fever ticks—

4 “(A) to facilitate the understanding of the
5 role of wildlife in the persistence and spread of
6 cattle fever ticks;

7 “(B) to develop advanced methods for
8 eradication of cattle fever ticks, including—

9 “(i) alternative treatment methods for
10 cattle and other susceptible species;

11 “(ii) field treatment for premises, in-
12 cluding corral pens and pasture loafing
13 areas;

14 “(iii) methods for treatment and con-
15 trol on infested wildlife;

16 “(iv) biological control agents; and

17 “(v) new and improved vaccines;

18 “(C) to evaluate rangeland vegetation that
19 impacts the survival of cattle fever ticks;

20 “(D) to improve management of diseases
21 relating to cattle fever ticks that are associated
22 with wildlife, livestock, and human health;

23 “(E) to improve diagnostic detection of
24 tick-infested or infected animals and pastures;
25 and

1 “(F) to conduct outreach to impacted
2 ranchers, hunters, and landowners to integrate
3 tactics and document sustainability of best
4 practices.

5 “(15) LAYING HEN AND TURKEY RESEARCH
6 PROGRAM.—Research grants may be made under
7 this section for the purpose of improving the effi-
8 ciency and sustainability of laying hen and turkey
9 production through integrated, collaborative research
10 and technology transfer. Emphasis may be placed on
11 laying hen and turkey disease prevention, anti-
12 microbial resistance, nutrition, gut health, and alter-
13 native housing systems under extreme seasonal
14 weather conditions.”;

15 (2) in subsection (e)(5), by striking “2018” and
16 inserting “2023”;

17 (3) in subsection (f)(5), by striking “2018” and
18 inserting “2023”;

19 (4) in subsection (g), by striking “2018” each
20 place it appears and inserting “2023”; and

21 (5) in subsection (h), by striking “2018” and
22 inserting “2023”.

1 **SEC. 7209. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**
2 **SION INITIATIVE.**

3 Section 1672B of the Food, Agriculture, Conserva-
4 tion, and Trade Act of 1990 (7 U.S.C. 5925b) is amend-
5 ed—

6 (1) in subsection (a)(7), by inserting “, soil
7 health,” after “conservation”; and

8 (2) in subsection (e)—

9 (A) in paragraph (1)—

10 (i) in subparagraph (B), by striking
11 “and” at the end;

12 (ii) in subparagraph (C), by striking
13 the period at the end and inserting “;
14 and”; and

15 (iii) by adding at the end the fol-
16 lowing new subparagraph:

17 “(D) \$30,000,000 for each of fiscal years
18 2019 through 2023.”; and

19 (B) in paragraph (2)—

20 (i) in the paragraph heading, by strik-
21 ing “FOR FISCAL YEARS 2014 THROUGH
22 2018”; and

23 (ii) by striking “2018” and inserting
24 “2023”.

1 **SEC. 7210. FARM BUSINESS MANAGEMENT.**

2 Section 1672D of the Food, Agriculture, Conserva-
3 tion, and Trade Act of 1990 (7 U.S.C. 5925f) is amend-
4 ed—

5 (1) by amending subsection (a) to read as fol-
6 lows:

7 “(a) IN GENERAL.—The Secretary may make com-
8 petitive research and extension grants for the purpose of
9 improving the farm management knowledge and skills of
10 agricultural producers by maintaining and expanding a
11 national, publicly available farm financial management
12 database to support improved farm management.”;

13 (2) in subsection (b)—

14 (A) in paragraph (2), by striking “and
15 producer” and inserting “educational programs
16 and”; and

17 (B) in paragraph (4), by striking “use and
18 support” and inserting “contribute data to”;
19 and

20 (3) in subsection (d)(2), by striking “2018”
21 and inserting “2023”.

22 **SEC. 7211. CLARIFICATION OF VETERAN ELIGIBILITY FOR**
23 **ASSISTIVE TECHNOLOGY PROGRAM FOR**
24 **FARMERS WITH DISABILITIES.**

25 Section 1680 of the Food, Agriculture, Conservation,
26 and Trade Act of 1990 (7 U.S.C. 5933) is amended—

1 (1) in subsection (a), by adding at the end the
2 following new paragraph:

3 “(7) CLARIFICATION OF APPLICATION OF PRO-
4 VISIONS TO VETERANS WITH DISABILITIES.—This
5 subsection shall apply with respect to veterans with
6 disabilities, and their families, who—

7 “(A) are engaged in farming or farm-re-
8 lated occupations; or

9 “(B) are pursuing new farming opportuni-
10 ties.”;

11 (2) in subsection (b)—

12 (A) by inserting “(including veterans)”
13 after “individuals”; and

14 (B) by inserting “or, in the case of vet-
15 erans with disabilities, who are pursuing new
16 farming opportunities” before the period at the
17 end; and

18 (3) in subsection (c)(1)(B), by striking “2018”
19 and inserting “2023”.

20 **SEC. 7212. NATIONAL RURAL INFORMATION CENTER**
21 **CLEARINGHOUSE.**

22 Section 2381(e) of the Food, Agriculture, Conserva-
23 tion, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is
24 amended by striking “2018” and inserting “2023”.

1 **Subtitle C—Agricultural Research,**
2 **Extension, and Education Re-**
3 **form Act of 1998**

4 **SEC. 7301. NATIONAL FOOD SAFETY TRAINING, EDUCATION,**
5 **EXTENSION, OUTREACH, AND TECHNICAL AS-**
6 **SISTANCE PROGRAM.**

7 Section 405(j) of the Agricultural Research, Exten-
8 sion, and Education Reform Act of 1998 (7 U.S.C.
9 7625(j)) is amended by striking “2011 through 2015” and
10 inserting “2019 through 2023”.

11 **SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EX-**
12 **TENSION COMPETITIVE GRANTS PROGRAM.**

13 Section 406(e) of the Agricultural Research, Exten-
14 sion, and Education Reform Act of 1998 (7 U.S.C.
15 7626(e)) is amended by striking “2018” and inserting
16 “2023”.

17 **SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES**
18 **OF WHEAT, TRITICALE, AND BARLEY CAUSED**
19 **BY FUSARIUM GRAMINEARUM OR BY**
20 **TILLETIA INDICA.**

21 Section 408(e)(2) of the Agricultural Research, Ex-
22 tension, and Education Reform Act of 1998 (7 U.S.C.
23 7628(e)(2)) is amended by striking “2018” and inserting
24 “2023”.

1 **SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.**

2 Section 410(d)(2) of the Agricultural Research, Ex-
3 tension, and Education Reform Act of 1998 (7 U.S.C.
4 7630(d)(2)) is amended by striking “2018” and inserting
5 “2023”.

6 **SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.**

7 (a) ELEMENTS OF INITIATIVE.—Section 412(b) of
8 the Agricultural Research, Extension, and Education Re-
9 form Act of 1998 (7 U.S.C. 7632(b)) is amended—

10 (1) in paragraph (1)—

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

13 (B) in subparagraph (E), by adding “and”
14 at the end; and

15 (C) by adding at the end the following new
16 subparagraph:

17 “(F) size-controlling rootstock systems for
18 perennial crops;”;

19 (2) in paragraph (2)—

20 (A) by striking “including threats to spe-
21 cialty crop pollinators;” and inserting the fol-
22 lowing: “including—

23 “(A) threats to specialty crop pollinators;
24 and”; and

25 (B) by adding at the end the following new
26 subparagraph:

1 “(B) emerging and invasive species;”;
2 (3) in paragraph (3), by striking “marketing);”
3 and inserting the following: “marketing) and a bet-
4 ter understanding of the soil rhizosphere
5 microbiome, including—

6 “(A) pesticide application systems and cer-
7 tified drift-reduction technologies; and

8 “(B) systems to improve and extend stor-
9 age life of specialty crops;”;

10 (4) by redesignating paragraphs (4) and (5) as
11 paragraphs (5) and (6), respectively;

12 (5) by inserting after paragraph (3) the fol-
13 lowing new paragraph:

14 “(4) efforts to promote a more effective under-
15 standing and use of existing natural enemy com-
16 plexes;”;

17 (6) in paragraph (5) (as redesignated by para-
18 graph (4))—

19 (A) by striking “including improved mech-
20 anization and technologies that delay or inhibit
21 ripening; and” and inserting the following: “in-
22 cluding—

23 “(A) technologies that delay or inhibit rip-
24 ening;”;

1 (B) by adding at the end the following new
2 subparagraphs:

3 “(B) mechanization and automation of
4 labor-intensive tasks on farms and in packing
5 facilities;

6 “(C) decision support systems driven by
7 phenology and environmental factors;

8 “(D) improved monitoring systems for ag-
9 ricultural pests; and

10 “(E) effective systems for pre- and post-
11 harvest management of quarantine pests; and”.

12 (b) EMERGENCY CITRUS DISEASE RESEARCH AND
13 EXTENSION PROGRAM.—Section 412 of the Agricultural
14 Research, Extension, and Education Reform Act of 1998
15 (7 U.S.C. 7632) is amended—

16 (1) in subsection (j)(5), by striking “2018” and
17 inserting “2023”; and

18 (2) in subsection (k)(1)(C), by striking “2018”
19 and inserting “2023”.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
21 412(k)(2) of the Agricultural Research, Extension, and
22 Education Reform Act of 1998 (7 U.S.C. 7632(k)(2)) is
23 amended—

24 (1) in the subsection heading, by striking
25 “2018” and inserting “2023”; and

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

2 **SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE**
3 **PROGRAM.**

4 Section 604(e) of the Agricultural Research, Exten-
5 sion, and Education Reform Act of 1998 (7 U.S.C.
6 7642(e)) is amended by striking “2018” and inserting
7 “2023”.

8 **SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.**

9 Section 614(f)(2) of the Agricultural Research, Ex-
10 tension, and Education Reform Act of 1998 (7 U.S.C.
11 7653(f)(2)) is amended by striking “2018” and inserting
12 “2023”.

13 **SEC. 7308. FORESTRY PRODUCTS ADVANCED UTILIZATION**
14 **RESEARCH.**

15 Section 617(f)(1) of the Agricultural Research, Ex-
16 tension, and Education Reform Act of 1998 (7 U.S.C.
17 7655b(f)(1)) is amended by striking “2018” and inserting
18 “2023”.

1 **Subtitle D—Food, Conservation,**
2 **and Energy Act of 2008**

3 **PART I—AGRICULTURAL SECURITY**

4 **SEC. 7401. AGRICULTURAL BIOSECURITY COMMUNICATION**
5 **CENTER.**

6 Section 14112(c)(2) of the Food, Conservation, and
7 Energy Act of 2008 (7 U.S.C. 8912(c)(2)) is amended by
8 striking “2018” and inserting “2023”.

9 **SEC. 7402. ASSISTANCE TO BUILD LOCAL CAPACITY IN AG-**
10 **RICULTURAL BIOSECURITY PLANNING, PREP-**
11 **ARATION, AND RESPONSE.**

12 Section 14113 of the Food, Conservation, and En-
13 ergy Act of 2008 (7 U.S.C. 8913) is amended—

14 (1) in subsection (a)(2)(B), by striking “2018”
15 and inserting “2023”; and

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

18 **SEC. 7403. RESEARCH AND DEVELOPMENT OF AGRICUL-**
19 **TURAL COUNTERMEASURES.**

20 Section 14121(b)(2) of the Food, Conservation, and
21 Energy Act of 2008 (7 U.S.C. 8921(b)(2)) is amended by
22 striking “2018” and inserting “2023”.

1 **SEC. 7404. AGRICULTURAL BIOSECURITY GRANT PROGRAM.**

2 Section 14122(e)(2) of the Food, Conservation, and
3 Energy Act of 2008 (7 U.S.C. 8922(e)(2)) is amended by
4 striking “2018” and inserting “2023”.

5 **PART II—MISCELLANEOUS**

6 **SEC. 7411. GRAZINGLANDS RESEARCH LABORATORY.**

7 Section 7502 of the Food, Conservation, and Energy
8 Act of 2008 (Public Law 110–246; 122 Stat. 2019) is
9 amended by striking “10-year period” and inserting “15-
10 year period”.

11 **SEC. 7412. NATURAL PRODUCTS RESEARCH PROGRAM.**

12 Section 7525(e) of the Food, Conservation, and En-
13 ergy Act of 2008 (7 U.S.C. 5937(e)) is amended by strik-
14 ing “2018” and inserting “2023”.

15 **SEC. 7413. SUN GRANT PROGRAM.**

16 Section 7526(g) of the Food, Conservation, and En-
17 ergy Act of 2008 (7 U.S.C. 8114(g)) is amended by strik-
18 ing “2018” and inserting “2023”.

19 **Subtitle E—Amendments to Other**
20 **Laws**

21 **SEC. 7501. CRITICAL AGRICULTURAL MATERIALS ACT.**

22 Section 16(a)(2) of the Critical Agricultural Mate-
23 rials Act (7 U.S.C. 178n(a)(2)) is amended by striking
24 “2018” and inserting “2023”.

1 **SEC. 7502. EQUITY IN EDUCATIONAL LAND-GRANT STATUS**
2 **ACT OF 1994.**

3 (a) 1994 INSTITUTION DEFINED.—Section 532 of
4 the Equity in Educational Land-Grant Status Act of 1994
5 (7 U.S.C. 301 note; Public Law 103–382) is amended to
6 read as follows:

7 **“SEC. 532. DEFINITION OF 1994 INSTITUTION.**

8 “In this part, the term ‘1994 Institution’ means any
9 of the following colleges:

- 10 “(1) Aaniiih Nakoda College.
11 “(2) Bay Mills Community College.
12 “(3) Blackfeet Community College.
13 “(4) Cankdeska Cikana Community College.
14 “(5) Chief Dull Knife College.
15 “(6) College of Menominee Nation.
16 “(7) College of the Muscogee Nation.
17 “(8) D–Q University.
18 “(9) Dine College.
19 “(10) Fond du Lac Tribal and Community Col-
20 lege.
21 “(11) Fort Peck Community College.
22 “(12) Haskell Indian Nations University.
23 “(13) Ilisagvik College.
24 “(14) Institute of American Indian and Alaska
25 Native Culture and Arts Development.

1 “(15) Keweenaw Bay Ojibwa Community Col-
2 lege.

3 “(16) Lac Courte Oreilles Ojibwa Community
4 College.

5 “(17) Leech Lake Tribal College.

6 “(18) Little Big Horn College.

7 “(19) Little Priest Tribal College.

8 “(20) Navajo Technical University.

9 “(21) Nebraska Indian Community College.

10 “(22) Northwest Indian College.

11 “(23) Nueta Hidatsa Sahnish College.

12 “(24) Oglala Lakota College.

13 “(25) Red Lake Nation College.

14 “(26) Saginaw Chippewa Tribal College.

15 “(27) Salish Kootenai College.

16 “(28) Sinte Gleska University.

17 “(29) Sisseton Wahpeton College.

18 “(30) Sitting Bull College.

19 “(31) Southwestern Indian Polytechnic Insti-
20 tute.

21 “(32) Stone Child College.

22 “(33) Tohono O’odham Community College.

23 “(34) Turtle Mountain Community College.

24 “(35) United Tribes Technical College.

1 “(36) White Earth Tribal and Community Col-
2 lege.”.

3 (b) ENDOWMENT FOR 1994 INSTITUTIONS.—Section
4 533(b) of the Equity in Educational Land-Grant Status
5 Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)
6 is amended in the first sentence by striking “2018” and
7 inserting “2023”.

8 (c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—
9 Section 535 of the Equity in Educational Land-Grant Sta-
10 tus Act of 1994 (7 U.S.C. 301 note; Public Law 103–
11 382) is amended by striking “2018” each place it appears
12 in subsections (b)(1) and (c) and inserting “2023”.

13 (d) RESEARCH GRANTS.—Section 536(c) of the Eq-
14 uity in Educational Land-Grant Status Act of 1994 (7
15 U.S.C. 301 note; Public Law 103–382) is amended in the
16 first sentence by striking “2018” and inserting “2023”.

17 **SEC. 7503. RESEARCH FACILITIES ACT.**

18 (a) AGRICULTURAL RESEARCH FACILITY DE-
19 FINED.—The Research Facilities Act is amended—

20 (1) in section 2(1) (7 U.S.C. 390(1)) by strik-
21 ing “a college, university, or nonprofit institution”
22 and inserting “an entity eligible to receive funds
23 under a capacity and infrastructure program (as de-
24 fined in section 251(f)(1)(C) of the Department of

1 Agriculture Reorganization Act of 1994 (7 U.S.C.
2 6971(f)(1)(C)))”; and

3 (2) in section 3(c)(2)(D) (7 U.S.C.
4 390a(c)(2)(D)), by striking “recipient college, uni-
5 versity, or nonprofit institution” and inserting “re-
6 cipient entity”.

7 (b) LONG-TERM SUPPORT.—Section 3(c)(2)(D) of
8 the Research Facilities Act (7 U.S.C. 390a(c)(2)(D)), as
9 amended by subsection (a), is further amended by striking
10 “operating costs” and inserting “operating and mainte-
11 nance costs”.

12 (c) COMPETITIVE GRANT PROGRAM.—The Research
13 Facilities Act is amended by inserting after section 3 (7
14 U.S.C. 390a) the following new section:

15 **“SEC. 4. COMPETITIVE GRANT PROGRAM.**

16 “The Secretary shall establish a program to make
17 competitive grants to assist in the construction, alteration,
18 acquisition, modernization, renovation, or remodeling of
19 agricultural research facilities.”.

20 (d) AUTHORIZATION OF APPROPRIATIONS AND
21 FUNDING LIMITATIONS.—Section 6 of the Research Fa-
22 cilities Act (7 U.S.C. 390d) is amended—

23 (1) in subsection (a)—

24 (A) by striking “subsection (b),” and in-
25 serting “subsections (b), (c), and (d),”;

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

3 (C) by adding at the end the following new
 4 sentence: “Funds appropriated pursuant to the
 5 preceding sentence shall be available until ex-
 6 pended.”; and

7 (2) by adding at the end the following new sub-
 8 sections:

9 “(c) MAXIMUM AMOUNT.—Not more than 25 percent
 10 of the funds made available pursuant to subsection (a) for
 11 any fiscal year shall be used for any single agricultural
 12 research facility project.

13 “(d) PROJECT LIMITATION.—An entity eligible to re-
 14 ceive funds under this Act may receive funds for only one
 15 project at a time.”.

16 **SEC. 7504. COMPETITIVE, SPECIAL, AND FACILITIES RE-**
 17 **SEARCH GRANT ACT.**

18 Subsection (b) of the Competitive, Special, and Fa-
 19 cilities Research Grant Act (7 U.S.C. 3157(b)) is amend-
 20 ed—

21 (1) in paragraph (2)—

22 (A) in subparagraph (D)—

23 (i) by redesignating clauses (iii)
 24 through (vii) as clauses (iv) through (viii),
 25 respectively; and

1 (ii) by inserting after clause (ii) the
2 following new clause:

3 “(iii) soil health;”;

4 (B) in subparagraph (E)—

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

7 (ii) in clause (iv), by striking the pe-
8 riod at the end and inserting “; and”; and

9 (iii) by adding at the end the fol-
10 lowing new clause:

11 “(v) tools that accelerate the use of
12 automation or mechanization for labor-in-
13 tensive tasks in the production and dis-
14 tribution of crops.”; and

15 (C) in subparagraph (F)—

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

18 (ii) in clause (vii), by striking the pe-
19 riod at the end and inserting “; and”; and

20 (iii) by adding at the end the fol-
21 lowing new clause:

22 “(viii) barriers and bridges to entry
23 and farm viability for young, beginning, so-
24 cially disadvantaged, veteran, and immi-
25 grant farmers and ranchers, including

1 farm succession, transition, transfer, entry,
2 and profitability issues.”;

3 (2) in paragraph (5)—

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

6 (B) in subparagraph (B), by striking the
7 period at the end and inserting the following:
8 “that—

9 “(i) is of national scope; or

10 “(ii) is commodity-specific, so long as
11 any such funds allocated for commodity-
12 specific research are matched with funds
13 from a non-Federal source at least equal to
14 the amount of such funds so allocated.”;

15 (3) in paragraph (9)—

16 (A) in subparagraph (A), by striking
17 clause (iii); and

18 (B) in subparagraph (B)—

19 (i) in clause (i), by striking “clauses

20 (ii) and (iii)” and inserting “clause (ii)”;

21 and

22 (ii) by striking clause (iii); and

23 (4) in paragraph (11)(A)—

24 (A) in the matter preceding clause (i), by
25 striking “2018” and inserting “2023”; and

1 (B) in clause (ii), by striking “4” and in-
2 serting “5”.

3 **SEC. 7505. RENEWABLE RESOURCES EXTENSION ACT OF**
4 **1978.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
6 6 of the Renewable Resources Extension Act of 1978 (16
7 U.S.C. 1675) is amended in the first sentence by striking
8 “2018” and inserting “2023”.

9 (b) TERMINATION DATE.—Section 8 of the Renew-
10 able Resources Extension Act of 1978 (16 U.S.C. 1671
11 note; Public Law 95–306) is amended by striking “2018”
12 and inserting “2023”.

13 **SEC. 7506. NATIONAL AQUACULTURE ACT OF 1980.**

14 Section 10 of the National Aquaculture Act of 1980
15 (16 U.S.C. 2809) is amended by striking “2018” each
16 place it appears and inserting “2023”.

17 **SEC. 7507. BEGINNING FARMER AND RANCHER DEVELOP-**
18 **MENT PROGRAM.**

19 Section 7405 of the Farm Security and Rural Invest-
20 ment Act of 2002 (7 U.S.C. 3319f) is amended—

21 (1) by striking subsection (b) and redesignating
22 subsection (c) as subsection (b);

23 (2) in subsection (b), as so redesignated—

24 (A) in the heading, by striking “GRANTS”
25 and inserting “PROGRAMS”;

1 (B) by amending paragraph (1) to read as
2 follows:

3 “(1) IN GENERAL.—The Secretary shall estab-
4 lish a beginning farmer and rancher development
5 program to provide training, education, outreach,
6 and technical assistance initiatives to increase oppor-
7 tunities for beginning farmers or ranchers.”;

8 (C) by inserting “or cooperative agree-
9 ments” after “grants” each place it appears;

10 (D) by inserting “or cooperative agree-
11 ment” after “grant” each place it appears;

12 (E) by striking “subsection” each place it
13 appears and inserting “section”;

14 (F) by amending paragraph (4) to read as
15 follows:

16 “(4) MATCHING REQUIREMENT.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), to be eligible to receive a
19 grant under this subsection, a recipient shall
20 provide a match in the form of cash or in-kind
21 contributions in an amount equal to 25 percent
22 of the funds provided by the grant.

23 “(B) EXCEPTION.—The Secretary may
24 waive or reduce the matching requirement in
25 subparagraph (A) if the Secretary determines

1 such a waiver or modification is necessary to ef-
2 fectively reach an underserved area or popu-
3 lation.”; and

4 (G) by striking paragraph (8), and redesign-
5 nating paragraphs (9), (10), (11), and (12) as
6 paragraphs (8), (9), (10), and (11), respec-
7 tively;

8 (3) by inserting after subsection (b), as so re-
9 designated, the following new subsection:

10 “(c) GRANT REQUIREMENTS.—

11 “(1) IN GENERAL.—In carrying out this sub-
12 section, the Secretary shall make competitive grants
13 to support new and established local and regional
14 training, education, outreach, and technical assist-
15 ance initiatives to increase opportunities for begin-
16 ning farmers or ranchers, including programs and
17 services (as appropriate) relating to—

18 “(A) basic livestock, forest management,
19 and crop farming practices;

20 “(B) innovative farm, ranch, and private
21 nonindustrial forest land access, and transfer
22 and succession strategies and programs;

23 “(C) entrepreneurship and business train-
24 ing;

1 “(D) financial and risk management train-
2 ing (including the acquisition and management
3 of agricultural credit);

4 “(E) natural resource management and
5 planning;

6 “(F) diversification and marketing strate-
7 gies;

8 “(G) curriculum development;

9 “(H) mentoring, apprenticeships, and in-
10 ternships;

11 “(I) resources and referral;

12 “(J) farm financial benchmarking;

13 “(K) technical assistance to help beginning
14 farmers or ranchers acquire land from retiring
15 farmers and ranchers;

16 “(L) agricultural rehabilitation and voca-
17 tional training for veterans;

18 “(M) food safety (including good agricul-
19 tural practices training);

20 “(N) farm safety and awareness; and

21 “(O) other similar subject areas of use to
22 beginning farmers or ranchers.

23 “(2) SET-ASIDE.—

24 “(A) IN GENERAL.—Not less than 5 per-
25 cent of the funds used to carry out this sub-

1 section for a fiscal year shall be used to support
2 programs and services that address the needs
3 of—

4 “(i) limited resource beginning farm-
5 ers or ranchers (as defined by the Sec-
6 retary);

7 “(ii) socially disadvantaged farmers or
8 ranchers (as defined in section 355(e) of
9 the Consolidated Farm and Rural Develop-
10 ment Act (7 U.S.C. 2003(e))) who are be-
11 ginning farmers and ranchers; and

12 “(iii) farmworkers desiring to become
13 farmers or ranchers.

14 “(B) VETERAN FARMERS AND RANCH-
15 ERS.—Not less than 5 percent of the funds
16 used to carry out this subsection for a fiscal
17 year shall be used to support programs and
18 services that address the needs of veteran farm-
19 ers and ranchers (as defined in section 2501(e)
20 of the Food, Agriculture, Conservation, and
21 Trade Act of 1990 (7 U.S.C. 2279(e))).”;

22 (4) in subsection (d)—

23 (A) in paragraph (1)—

24 (i) by striking “and conduct” and in-
25 serting “, conduct”; and

1 (ii) by striking the period at the end
2 and inserting “, or provide training and
3 technical assistance initiatives for begin-
4 ning farmers or ranchers or for trainers
5 and service providers that work with begin-
6 ning farmers or ranchers.”; and

7 (B) in paragraph (2)—

8 (i) by inserting “, educational pro-
9 grams and workshops, or training and
10 technical assistance initiatives” after “cur-
11 ricula”; and

12 (ii) by striking “modules” and insert-
13 ing “content”;

14 (5) in subsection (g)—

15 (A) by inserting “(including retiring farm-
16 ers and nonfarming landowners)” before “from
17 participating in programs”; and

18 (B) by striking “educating” and inserting
19 “increasing opportunities for”; and

20 (6) in subsection (h)—

21 (A) in paragraph (1)—

22 (i) in the heading, by striking “FOR
23 FISCAL YEARS 2009 THROUGH 2018”; and

24 (ii) in subparagraph (C), by striking
25 “2018” and inserting “2023”;

1 (B) in paragraph (2)—

2 (i) in the paragraph heading, by strik-
 3 ing “FOR FISCAL YEARS 2014 THROUGH
 4 2018”; and

5 (ii) by striking “2018” and inserting
 6 “2023”; and

7 (C) by striking paragraph (3).

8 **SEC. 7508. FEDERAL AGRICULTURE RESEARCH FACILITIES.**

9 Section 1431 of the National Agricultural Research,
 10 Extension, and Teaching Policy Act Amendments of 1985
 11 (title XIV of Public Law 99–198; 99 Stat. 1556) is
 12 amended by striking “2018” and inserting “2023”.

13 **SEC. 7509. BIOMASS RESEARCH AND DEVELOPMENT.**

14 Section 9008(h) of the Farm Security and Rural In-
 15 vestment Act of 2002 (7 U.S.C. 8108(h)) is amended to
 16 read as follows:

17 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
 18 is authorized to be appropriated to carry out this section
 19 \$20,000,000 for each of fiscal years 2019 through 2023.”.

20 **Subtitle F—Other Matters**

21 **SEC. 7601. ENHANCED USE LEASE AUTHORITY PROGRAM.**

22 (a) TRANSITION TO PERMANENT PROGRAM.—Sec-
 23 tion 308(a) of the Department of Agriculture Reorganiza-
 24 tion Act of 1994 (7 U.S.C. 3125a note) is amended—

25 (1) in the heading, by striking “PILOT”; and

1 (2) by striking “pilot”.

2 (b) NO ONSITE SALES.—Section 308(b)(1)(C) of the
3 Department of Agriculture Reorganization Act of 1994 is
4 amended by inserting “onsite” before “public”.

5 (c) TERMINATION OF AUTHORITY EXTENDED.—Sec-
6 tion 308(b)(6) of the Department of Agriculture Reorga-
7 nization Act of 1994 (7 U.S.C. 3125a note) is amended
8 by striking “on the date that is 10 years after the date
9 of enactment of this section” and inserting “on June 18,
10 2023”.

11 (d) REPORTS.—Section 308(d)(2) of the Department
12 of Agriculture Reorganization Act of 1994 (7 U.S.C.
13 3125a note) is amended by striking “Not later than 6,
14 8, and 10 years after the date of enactment of this sec-
15 tion” and inserting “Not later than June 18, 2019, June
16 18, 2021, and June 18, 2023”.

17 **SEC. 7602. FUNCTIONS AND DUTIES OF THE UNDER SEC-**
18 **RETARY.**

19 Subparagraph (B) of section 251(d)(2) of the De-
20 partment of Agriculture Reorganization Act of 1994 (7
21 U.S.C. 6971(d)(2)) is amended to read as follows:

22 “(B) ensure that agricultural research,
23 education, extension, economics, and statistical
24 programs—

1 “(i) are effectively coordinated and in-
2 tegrated—

3 “(I) across disciplines, agencies,
4 and institutions; and

5 “(II) among applicable partici-
6 pants, grantees, and beneficiaries; and

7 “(ii) address the priority areas of the
8 Agriculture and Food Research Initiative
9 specified in subsection (b)(2) of the Com-
10 petitive, Special, and Facilities Research
11 Grant Act (7 U.S.C. 3157(b)(2)).”.

12 **SEC. 7603. REINSTATEMENT OF DISTRICT OF COLUMBIA**
13 **MATCHING REQUIREMENT FOR CERTAIN**
14 **LAND-GRANT UNIVERSITY ASSISTANCE.**

15 (a) IN GENERAL.—Section 209(c) of the District of
16 Columbia Public Postsecondary Education Reorganization
17 Act (Public Law 93–471; sec. 38–1202.09(c), D.C. Offi-
18 cial Code) is amended in the first sentence, by striking
19 the period at the end and inserting “, which may be used
20 to pay no more than one-half of the total cost of providing
21 such extension work.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 this section shall take effect on October 1, 2018.

1 **SEC. 7604. FARMLAND TENURE, TRANSITION, AND ENTRY**

2 **DATA INITIATIVE.**

3 (a) IN GENERAL.—The Secretary shall collect and re-
4 port data and analysis on farmland ownership, tenure,
5 transition, and entry of beginning farmers.

6 (b) REQUIREMENTS.—In carrying out subsection (a),
7 the Secretary shall—

8 (1) collect and distribute comprehensive annual
9 reporting of trends in farmland ownership, tenure,
10 transition, barriers to entry, profitability, and viabil-
11 ity of beginning farmers; and

12 (2) develop surveys and report statistical and
13 economic analysis on farmland ownership, tenure,
14 transition, barriers to entry, profitability, and viabil-
15 ity of beginning farmers.

16 (c) FUNDING.—There are authorized to be appro-
17 priated to carry out this section \$2,000,000 for each of
18 fiscal years 2019 through 2023, to remain available until
19 expended.

20 (d) CONFORMING AMENDMENT REGARDING CON-
21 FIDENTIALITY OF INFORMATION.—Section 1770(d) of the
22 Food Security Act of 1985 (7 U.S.C. 2276(d)) is amend-
23 ed—

24 (1) in paragraph (11), by striking “or” at the
25 end;

1 (2) in paragraph (12), by striking the period at
2 the end and inserting “; or”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(13) section 7605 of the Agriculture and Nu-
6 trition Act of 2018.”.

7 **SEC. 7605. TRANSFER OF ADMINISTRATIVE JURISDICTION,**
8 **PORTION OF HENRY A. WALLACE BELTS-**
9 **VILLE AGRICULTURAL RESEARCH CENTER,**
10 **BELTSVILLE, MARYLAND.**

11 (a) **TRANSFER AUTHORIZED.**—The Secretary of Ag-
12 riculture may transfer to the administrative jurisdiction
13 of the Secretary of the Treasury a parcel of real property
14 at the Henry A. Wallace Beltsville Agricultural Research
15 Center consisting of approximately 100 acres, which was
16 originally acquired by the United States through land ac-
17 quisitions in 1910 and 1925 and is generally located off
18 of Poultry Road lying between Powder Mill Road and
19 Odell Road in Beltsville, Maryland, for the purpose of fa-
20 cilitating the establishment of Bureau of Engraving and
21 Printing facilities on the parcel.

22 (b) **LEGAL DESCRIPTION AND MAP.**—

23 (1) **PREPARATION.**—The Secretary of Agri-
24 culture shall prepare a legal description and map of

1 the parcel of real property to be transferred under
2 subsection (a).

3 (2) FORCE OF LAW.—The legal description and
4 map prepared under paragraph (1) shall have the
5 same force and effect as if included in this Act, ex-
6 cept that the Secretary of Agriculture may correct
7 errors in the legal description and map.

8 (c) RETENTION OF INTERESTS.—The transfer of ad-
9 ministrative jurisdiction under subsection (a) shall be sub-
10 ject to easements and rights of record and such other res-
11 ervations, terms, and conditions as the Secretary of Agri-
12 culture considers to be necessary.

13 (d) WAIVER.—The parcel of real property to be
14 transferred under subsection (a) is exempt from Federal
15 screening for other possible use as there is an identified
16 Federal need for the parcel as the site for Bureau of En-
17 graving and Printing facilities.

18 (e) CONDITION ON TRANSFER.—As a condition of the
19 transfer of administrative jurisdiction under subsection
20 (a), the Secretary of the Treasury shall agree to pay the
21 Secretary of Agriculture the following costs:

22 (1) The appraisal required under subsection (f).

23 (2) Any environmental or administrative anal-
24 ysis required by Federal law with respect to the real
25 property so transferred.

1 (3) Any necessary survey of such real property.

2 (4) Any hazardous substances assessment of
3 such real property.

4 (f) APPRAISAL.—To determine the fair market value
5 of the parcel of real property to be transferred under sub-
6 section (a), the Secretary of the Treasury shall have the
7 parcel appraised for its highest and best use in conformity
8 with the Uniform Appraisal Standards for Federal Land
9 Acquisitions developed by the Interagency Land Acquisi-
10 tion Conference. The appraisal shall be subject to the re-
11 view and approval by the Secretary of Agriculture.

12 (g) HAZARDOUS MATERIALS.—For the parcel of real
13 property to be transferred under subsection (a), the Sec-
14 retary of Agriculture shall meet disclosure requirements
15 for hazardous substances, but shall otherwise not be re-
16 quired to remediate or abate those substances or any other
17 hazardous pollutants, contaminants, or waste that might
18 be present on the parcel at the time of transfer of adminis-
19 trative jurisdiction.

20 **SEC. 7606. SIMPLIFIED PLAN OF WORK.**

21 (a) SMITH-LEVER ACT.—The Smith-Lever Act is
22 amended—

23 (1) in section 3(h)(2) (7 U.S.C. 343(h)(2)), by
24 striking subparagraph (D); and

25 (2) in section 4 (7 U.S.C. 344)—

1 (A) in subsection (c), by striking para-
2 graphs (1) through (5) and inserting the fol-
3 lowing new paragraphs:

4 “(1) A summary of planned projects or pro-
5 grams in the State using formula funds.

6 “(2) A description of the manner in which the
7 State will meet the requirements of section 3(h).

8 “(3) A description of the manner in which the
9 State will meet the requirements of section 3(i)(2) of
10 the Hatch Act of 1887.

11 “(4) A description of matching funds provided
12 by the State with respect to the previous fiscal
13 year.”; and

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

16 “(f) RELATIONSHIP TO AUDITS.—Notwithstanding
17 any other provision of law, the procedures established pur-
18 suant to subsection (c) shall not be subject to audit to
19 determine the sufficiency of such procedures.”.

20 (b) HATCH ACT.—The Hatch Act of 1887 is amend-
21 ed—

22 (1) in section 3 (7 U.S.C. 361c)—

23 (A) by amending subsection (h) to read as
24 follows:

1 “(h) PEER REVIEW.—Research carried out under
2 subsection (c)(3) shall be subject to scientific peer review.
3 The review of a project conducted under this subsection
4 shall be considered to satisfy the merit review require-
5 ments of section 103(e) of the Agricultural Research, Ex-
6 tension, and Education Reform Act of 1998.”; and

7 (B) in subsection (i)(2), by striking sub-
8 paragraph (D); and

9 (2) in section 7 (7 U.S.C. 361g)—

10 (A) in subsection (e), by striking para-
11 graphs (1) through (4) and inserting the fol-
12 lowing new paragraphs:

13 “(1) A summary of planned projects or pro-
14 grams in the State using formula funds.

15 “(2) A description of the manner in which the
16 State will meet the requirements of subsections
17 (c)(3) and (i)(2) of section 3.

18 “(3) A description of matching funds provided
19 by the State with respect to the previous fiscal
20 year.”; and

21 (B) by adding at the end the following sub-
22 section:

23 “(h) RELATIONSHIP TO AUDITS.—Notwithstanding
24 any other provision of law, the procedures established pur-

1 suant to subsection (e) shall not be subject to audit to
2 determine the sufficiency of such procedures.”.

3 (c) EXTENSION AND RESEARCH AT 1890 INSTITU-
4 TIONS.—

5 (1) EXTENSION.—Section 1444(d) of the Na-
6 tional Agricultural Research, Extension, and Teach-
7 ing Policy Act of 1977 (7 U.S.C. 3221(d)) is amend-
8 ed—

9 (A) in paragraph (3), by striking subpara-
10 graphs (A) through (E) and inserting the fol-
11 lowing new subparagraphs:

12 “(A) A summary of planned projects or
13 programs in the State using formula funds.

14 “(B) A description of matching funds pro-
15 vided by the State with respect to the previous
16 fiscal year.”; and

17 (B) by adding at the end the following new
18 paragraph:

19 “(6) RELATIONSHIP TO AUDITS.—Notwith-
20 standing any other provision of law, the procedures
21 established pursuant to paragraph (3) shall not be
22 subject to audit to determine the sufficiency of such
23 procedures.”.

24 (2) RESEARCH.—Section 1445(c) of the Na-
25 tional Agricultural Research, Extension, and Teach-

1 ing Policy Act of 1977 (7 U.S.C. 3222(c)) is amend-
2 ed—

3 (A) in paragraph (3), by striking subpara-
4 graphs (A) through (E) and inserting the fol-
5 lowing new subparagraphs:

6 “(A) A summary of planned projects or
7 programs in the State using formula funds.

8 “(B) A description of matching funds pro-
9 vided by the State with respect to the previous
10 fiscal year.”; and

11 (B) by adding at the end the following new
12 paragraph:

13 “(6) RELATIONSHIP TO AUDITS.—Notwith-
14 standing any other provision of law, the procedures
15 established pursuant to paragraph (3) shall not be
16 subject to audit to determine the sufficiency of such
17 procedures.”.

18 **SEC. 7607. TIME AND EFFORT REPORTING EXEMPTION.**

19 Any entity receiving funds under a program referred
20 to in clause (iii), (iv), (vii), (viii), or (xii) of section
21 251(f)(1)(C) of the Department of Agriculture Reorga-
22 nization Act of 1994 (7 U.S.C. 6971(f)(1)(C)) shall be ex-
23 empt from the time and effort reporting requirements
24 under part 200 of title 2, Code of Federal Regulations

1 (or successor regulations), with respect to the use of such
 2 funds.

3 **TITLE VIII—FORESTRY**
 4 **Subtitle A—Reauthorization and**
 5 **Modification of Certain Forestry**
 6 **Programs**

7 **SEC. 8101. SUPPORT FOR STATE ASSESSMENTS AND STRAT-**
 8 **EGIES FOR FOREST RESOURCES.**

9 Section 2A(f)(1) of the Cooperative Forestry Assist-
 10 ance Act of 1978 (16 U.S.C. 2101a(f)(1)) is amended by
 11 striking “2018” and inserting “2023”.

12 **SEC. 8102. FOREST LEGACY PROGRAM.**

13 Subsection (m) of section 7 of the Cooperative For-
 14 estry Assistance Act of 1978 (16 U.S.C. 2103c) is amend-
 15 ed to read as follows:

16 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
 17 are authorized to be appropriated to carry out this section
 18 \$35,000,000 for each of fiscal years 2019 through 2023.”.

19 **SEC. 8103. COMMUNITY FOREST AND OPEN SPACE CON-**
 20 **SERVATION PROGRAM.**

21 Subsection (g) of section 7A of the Cooperative For-
 22 estry Assistance Act of 1978 (16 U.S.C. 2103d) is amend-
 23 ed to read as follows:

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated to carry out this section
 3 \$5,000,000 for each of fiscal years 2019 through 2023.”.

4 **SEC. 8104. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**
 5 **RESTORATION PROGRAM.**

6 Section 13A of the Cooperative Forestry Assistance
 7 Act of 1978 (16 U.S.C. 2109a) is amended to read as
 8 follows:

9 **“SEC. 13A. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**
 10 **RESTORATION PROGRAM.**

11 “(a) PURPOSE.—The purpose of this section is to es-
 12 tablish a landscape-scale restoration program to support
 13 landscape-scale restoration and management that results
 14 in measurable improvements to public benefits derived
 15 from State and private forest land, as identified in—

16 “(1) a State-wide assessment described in sec-
 17 tion 2A(a)(1); and

18 “(2) a long-term State-wide forest resource
 19 strategy described in section 2A(a)(2).

20 “(b) DEFINITIONS.—In this section:

21 “(1) PRIVATE FOREST LAND.—The term ‘pri-
 22 vate forest land’ means land that—

23 “(A)(i) has existing tree cover; or

24 “(ii) is suitable for growing trees; and

25 “(B) is owned by—

1 “(i) an Indian Tribe (as defined in
2 section 4 of the Indian Self-Determination
3 and Education Assistance Act (25 U.S.C.
4 5304)); or

5 “(ii) any private individual or entity.

6 “(2) REGIONAL.—The term ‘regional’ means of
7 any region of the National Association of State For-
8 esters.

9 “(3) SECRETARY.—The term ‘Secretary’ means
10 the Secretary of Agriculture, acting through the
11 Chief of the Forest Service.

12 “(4) STATE FOREST LAND.—The term ‘State
13 forest land’ means land that is owned by a State or
14 unit of local government.

15 “(5) STATE FORESTER.—The term ‘State For-
16 ester’ means a State Forester or equivalent State of-
17 ficial.

18 “(c) ESTABLISHMENT.—The Secretary, in consulta-
19 tion with State Foresters or other appropriate State agen-
20 cies, shall establish a landscape-scale restoration pro-
21 gram—

22 “(1) to provide financial and technical assist-
23 ance for landscape-scale restoration projects on
24 State forest land or private forest land; and

1 “(2) that maintains or improves benefits from
2 trees and forests on such land.

3 “(d) REQUIREMENTS.—The landscape-scale restora-
4 tion program established under subsection (c) shall—

5 “(1) measurably address the national private
6 forest conservation priorities described in section
7 2(c);

8 “(2) enhance public benefits from trees and for-
9 ests, as identified in—

10 “(A) a State-wide assessment described in
11 section 2A(a)(1); and

12 “(B) a long-term State-wide forest re-
13 source strategy described in section 2A(a)(2);
14 and

15 “(3) in accordance with the purposes described
16 in section 2(b), include one or more of the following
17 objectives—

18 “(A) protecting or improving water quality
19 or quantity;

20 “(B) reducing wildfire risk, including
21 through hazardous fuels treatment;

22 “(C) protecting or enhancing wildlife habi-
23 tat, consistent with wildlife objectives estab-
24 lished by the applicable State fish and wildlife
25 agency;

1 “(D) improving forest health and forest
2 ecosystems, including addressing native, non-
3 native, and invasive pests; or

4 “(E) enhancing opportunities for new and
5 existing markets in which the production and
6 use of wood products strengthens local and re-
7 gional economies.

8 “(e) MEASUREMENT.—The Secretary, in consultation
9 with State Foresters, shall establish a measurement sys-
10 tem (including measurement tools) that—

11 “(1) consistently measures the results of land-
12 scape-scale restoration projects described in sub-
13 section (c); and

14 “(2) is consistent with the measurement sys-
15 tems of other Federal programs delivered by State
16 Foresters.

17 “(f) USE OF AMOUNTS.—

18 “(1) ALLOCATION.—Of the amounts made
19 available for the landscape-scale restoration program
20 established under subsection (c), the Secretary shall
21 allocate to State Foresters—

22 “(A) 50 percent for the competitive process
23 in accordance with subsection (g); and

24 “(B) 50 percent proportionally to States,
25 in consultation with State Foresters—

1 “(i) to maximize the achievement of
2 the objectives described in subsection
3 (d)(3); and

4 “(ii) to address the highest national
5 priorities, as identified in—

6 “(I) State-wide assessments de-
7 scribed in section 2A(a)(1); and

8 “(II) long-term State-wide forest
9 resource strategies described in sec-
10 tion 2A(a)(2).

11 “(2) MULTIYEAR PROJECTS.—The Secretary
12 may provide amounts under this section for
13 multiyear projects.

14 “(g) COMPETITIVE PROCESS.—

15 “(1) IN GENERAL.—The Secretary shall dis-
16 tribute amounts described in subsection (f)(1)(A)
17 through a competitive process for landscape-scale
18 restoration projects described in subsection (c) to
19 maximize the achievement of the objectives described
20 in subsection (d)(3).

21 “(2) ELIGIBILITY.—To be eligible for funding
22 through the competitive process under paragraph
23 (1), a State Forester, or another entity on approval
24 of the State Forester, shall submit to the Secretary

1 one or more landscape-scale restoration proposals
2 that—

3 “(A) in accordance with paragraph (3)(A),
4 include priorities identified in—

5 “(i) State-wide assessments described
6 in section 2A(a)(1); and

7 “(ii) long-term State-wide forest re-
8 source strategies described in section
9 2A(a)(2);

10 “(B) identify one or more measurable re-
11 sults to be achieved through the project;

12 “(C) to the maximum extent practicable,
13 include activities on all land necessary to ac-
14 complish the measurable results in the applica-
15 ble landscape;

16 “(D) to the maximum extent practicable,
17 are developed in collaboration with other public
18 and private sector organizations and local com-
19 munities; and

20 “(E) derive not less than 50 percent of the
21 funding for the project from non-Federal
22 sources, unless the Secretary determines—

23 “(i) the applicant is unable to derive
24 not less than 50 percent of the funding for
25 the project from non-Federal sources; and

1 “(ii) the benefits of the project justify
2 pursuing the project.

3 “(3) PRIORITIZATION.—In carrying out the
4 competitive process under paragraph (1), the Sec-
5 retary—

6 “(A) shall give priority to projects that, as
7 determined by the Secretary, best carry out pri-
8 orities identified in State-wide assessments de-
9 scribed in section 2A(a)(1) and long-term
10 State-wide forest resource strategies described
11 in section 2A(a)(2), including—

12 “(i) involvement of public and private
13 partnerships;

14 “(ii) inclusion of cross-boundary ac-
15 tivities on—

16 “(I) Federal forest land;

17 “(II) State forest land; or

18 “(III) private forest land;

19 “(iii) involvement of areas also identi-
20 fied for cost-share funding by the Natural
21 Resources Conservation Service or any
22 other relevant Federal agency;

23 “(iv) protection or improvement of
24 water quality or quantity;

25 “(v) reduction of wildfire risk; and

1 “(vi) otherwise addressing the na-
2 tional private forest conservation priorities
3 described in section 2(c); and

4 “(B) may give priority to projects in prox-
5 imity to other landscape-scale projects on other
6 land under the jurisdiction of the Secretary, the
7 Secretary of the Interior, or a Governor of a
8 State, including—

9 “(i) ecological restoration treatments
10 under the Collaborative Forest Landscape
11 Restoration Program established under
12 section 4003 of the Omnibus Public Land
13 Management Act of 2009 (16 U.S.C.
14 7303);

15 “(ii) projects on landscape-scale areas
16 designated for insect and disease treatment
17 under section 602 of the Healthy Forests
18 Restoration Act of 2003 (16 U.S.C.
19 6591a);

20 “(iii) authorized restoration services
21 under section 8206 of the Agricultural Act
22 of 2014 (16 U.S.C. 2113a);

23 “(iv) watershed restoration and pro-
24 tection services under section 331 of the
25 Department of the Interior and Related

1 Agencies Appropriations Act, 2001 (Public
2 Law 106–291; 16 U.S.C. 1011 note);

3 “(v) stewardship end result con-
4 tracting projects under section 604 of the
5 Healthy Forests Restoration Act of 2003
6 (16 U.S.C. 6591c); or

7 “(vi) projects under other relevant
8 programs, as determined by the Secretary.

9 “(4) PROPOSAL REVIEW.—

10 “(A) IN GENERAL.—The Secretary shall
11 establish a process for the review of proposals
12 submitted under paragraph (2) that ranks each
13 proposal based on—

14 “(i) the extent to which the proposal
15 would achieve the requirements described
16 in subsection (d); and

17 “(ii) the priorities described in para-
18 graph (3)(A).

19 “(B) REGIONAL REVIEW.—The Secretary
20 may carry out the process described in subpara-
21 graph (A) at a regional level.

22 “(5) COMPLIANCE WITH NEPA.—Financial and
23 technical assistance carried out under this section
24 for landscape restoration projects on State forest
25 land or private forest land shall not constitute a

1 major Federal action for the purposes of section
2 102(2)(C) of the National Environmental Policy Act
3 of 1969 (42 U.S.C. 4332(2)(C)).

4 “(h) REPORT.—Not later than 3 years after the date
5 of the enactment of the Agriculture and Nutrition Act of
6 2018, the Secretary shall submit to the Committee on Ag-
7 riculture of the House of Representatives and the Com-
8 mittee on Agriculture, Nutrition, and Forestry of the Sen-
9 ate a report that includes—

10 “(1) a description of the status of the develop-
11 ment, execution, and administration of landscape-
12 scale projects selected under the program under this
13 section;

14 “(2) an accounting of expenditures under such
15 program; and

16 “(3) specific accomplishments that have re-
17 sulted from landscape-scale projects under such pro-
18 gram.

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to the Secretary for the
21 landscape-scale restoration program established under
22 subsection (c) \$10,000,000 for each of fiscal years 2019
23 through 2023, to remain available until expended.”.

1 **SEC. 8105. RURAL REVITALIZATION TECHNOLOGIES.**

2 Section 2371(d)(2) of the Food, Agriculture, Con-
3 servation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2))
4 is amended by striking “2018” and inserting “2023”.

5 **SEC. 8106. COMMUNITY WOOD ENERGY AND WOOD INNOVA-**
6 **TION PROGRAM.**

7 Section 9013 of the Farm Security and Rural Invest-
8 ment Act of 2002 (7 U.S.C. 8113) is amended to read
9 as follows:

10 **“SEC. 9013. COMMUNITY WOOD ENERGY AND WOOD INNO-**
11 **VATION PROGRAM.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) COMMUNITY WOOD ENERGY SYSTEM.—

14 “(A) IN GENERAL.—The term ‘community
15 wood energy system’ means an energy system
16 that—

17 “(i) produces thermal energy or com-
18 bined thermal energy and electricity where
19 thermal is the primary energy output;

20 “(ii) services public facilities owned or
21 operated by State or local governments (in-
22 cluding schools, town halls, libraries, and
23 other public buildings) or private or non-
24 profit facilities (including commercial and
25 business facilities, such as hospitals, office

1 buildings, apartment buildings, and manu-
2 facturing and industrial buildings); and

3 “(iii) uses woody biomass, including
4 residuals from wood processing facilities,
5 as the primary fuel.

6 “(B) INCLUSIONS.—The term ‘community
7 wood energy system’ includes single-facility cen-
8 tral heating, district heating systems serving
9 multiple buildings, combined heat and electric
10 systems where thermal energy is the primary
11 energy output, and other related biomass en-
12 ergy systems.

13 “(2) INNOVATIVE WOOD PRODUCT FACILITY.—
14 The term ‘innovative wood product facility’ means a
15 manufacturing or processing plant or mill that pro-
16 duces—

17 “(A) building components or systems that
18 use large panelized wood construction, including
19 mass timber;

20 “(B) wood products derived from nano-
21 technology or other new technology processes,
22 as determined by the Secretary; or

23 “(C) other innovative wood products that
24 use low-value, low-quality wood, as determined
25 by the Secretary.

1 “(3) MASS TIMBER.—The term ‘mass timber’
2 includes—

3 “(A) cross-laminated timber;

4 “(B) nail-laminated timber;

5 “(C) glue-laminated timber;

6 “(D) laminated strand lumber; and

7 “(E) laminated veneer lumber.

8 “(4) PROGRAM.—The term ‘Program’ means
9 the Community Wood Energy and Wood Innovation
10 Program established under subsection (b).

11 “(b) COMPETITIVE GRANT PROGRAM.—The Sec-
12 retary, acting through the Chief of the Forest Service,
13 shall establish a competitive grant program to be known
14 as the ‘Community Wood Energy and Wood Innovation
15 Program’.

16 “(c) MATCHING GRANTS.—

17 “(1) IN GENERAL.—Under the Program, the
18 Secretary shall make grants to cover not more than
19 35 percent of the capital cost for installing a com-
20 munity wood energy system or building an innova-
21 tive wood product facility.

22 “(2) SPECIAL CIRCUMSTANCES.—The Secretary
23 may establish special circumstances, such as in the
24 case of a community wood energy system project or
25 innovative wood product facility project involving a

1 school or hospital in a low-income community, under
2 which grants under the Program may cover up to 50
3 percent of the capital cost.

4 “(3) SOURCE OF MATCHING FUNDS.—Matching
5 funds required pursuant to this subsection from a
6 grant recipient must be derived from non-Federal
7 funds.

8 “(d) PROJECT CAP.—The total amount of grants
9 under the Program for a community wood energy system
10 project or innovative wood product facility project may not
11 exceed—

12 “(1) in the case of grants under the general au-
13 thority provided under subsection (c)(1),
14 \$1,000,000; and

15 “(2) in the case of grants for which the special
16 circumstances apply under subsection (c)(2),
17 \$1,500,000.

18 “(e) SELECTION CRITERIA.—In selecting applicants
19 for grants under the Program, the Secretary shall consider
20 the following:

21 “(1) The energy efficiency of the proposed com-
22 munity wood energy system or innovative wood prod-
23 uct facility.

1 “(2) The cost effectiveness of the proposed
2 community wood energy system or innovative wood
3 product facility.

4 “(3) The extent to which the proposed commu-
5 nity wood energy system or innovative wood product
6 facility represents the best available commercial
7 technology.

8 “(4) The extent to which the applicant has
9 demonstrated a high likelihood of project success by
10 completing detailed engineering and design work in
11 advance of the grant application.

12 “(5) Other technical, economic, conservation,
13 and environmental criteria that the Secretary con-
14 siders appropriate.

15 “(f) GRANT PRIORITIES.—In selecting applicants for
16 grants under the Program, the Secretary shall give pri-
17 ority to proposals that—

18 “(1) would be carried out in a location where
19 markets are needed for the low-value, low-quality
20 wood;

21 “(2) would be carried out in a location with
22 limited access to natural gas pipelines;

23 “(3) would include the use or retrofitting (or
24 both) of existing sawmill facilities located in a loca-
25 tion where the average annual unemployment rate

1 exceeded the national average unemployment rate by
 2 more than 1 percent during the previous calendar
 3 year; or

4 “(4) would be carried out in a location where
 5 the project will aid with forest restoration.

6 “(g) LIMITATIONS.—

7 “(1) CAPACITY OF COMMUNITY WOOD ENERGY
 8 SYSTEMS.—A community wood energy system ac-
 9 quired with grant funds under the Program shall not
 10 exceed nameplate capacity of 10 megawatts of ther-
 11 mal energy or combined thermal and electric energy.

12 “(2) FUNDING FOR INNOVATIVE WOOD PROD-
 13 UCT FACILITIES.—Not more than 25 percent of
 14 funds provided as grants under the Program for a
 15 fiscal year may go to applicants proposing innovative
 16 wood product facilities, unless the Secretary has re-
 17 ceived an insufficient number of qualified proposals
 18 for community wood energy systems.

19 “(h) FUNDING.—There is authorized to be appro-
 20 priated to carry out the Program \$25,000,000 for each
 21 of fiscal years 2019 through 2023.”.

22 **SEC. 8107. HEALTHY FORESTS RESTORATION ACT OF 2003**
 23 **AMENDMENTS.**

24 (a) HEALTHY FORESTS RESERVE PROGRAM.—

1 (1) ADDITIONAL PURPOSE OF PROGRAM.—Sec-
2 tion 501(a) of the Healthy Forests Restoration Act
3 of 2003 (16 U.S.C. 6571(a)) is amended—

4 (A) by striking “and” at the end of para-
5 graph (2);

6 (B) by redesignating paragraph (3) as
7 paragraph (4); and

8 (C) by inserting after paragraph (2) the
9 following new paragraph:

10 “(3) to conserve forest land that provides habi-
11 tat for species described in section 502(b)(1); and”.

12 (2) ELIGIBILITY FOR ENROLLMENT.—Sub-
13 section (b) of section 502 of the Healthy Forests
14 Restoration Act of 2003 (16 U.S.C. 6572) is amend-
15 ed to read as follows:

16 “(b) ELIGIBILITY.—To be eligible for enrollment in
17 the healthy forests reserve program, land shall be private
18 forest land, or private land being restored to forest land,
19 the enrollment of which will maintain, restore, enhance,
20 or otherwise measurably—

21 “(1) increase the likelihood of recovery of a spe-
22 cies that is listed as endangered or threatened under
23 section 4 of the Endangered Species Act of 1973 (16
24 U.S.C. 1533); or

25 “(2) improve the well-being of a species that—

1 “(A) is—

2 “(i) not listed as endangered or
3 threatened under such section; and

4 “(ii) a candidate for such listing, a
5 State-listed species, or a special concern
6 species; or

7 “(B) is deemed a species of greatest con-
8 servation need by a State wildlife action plan.”.

9 (3) OTHER ENROLLMENT CONSIDERATIONS.—
10 Section 502(c) of the Healthy Forests Restoration
11 Act of 2003 (16 U.S.C. 6572(c)) is amended—

12 (A) by striking “and” at the end of para-
13 graph (1);

14 (B) by redesignating paragraph (2) as
15 paragraph (3); and

16 (C) by inserting after paragraph (1) the
17 following new paragraph:

18 “(2) conserve forest lands that provide habitat
19 for species described in subsection (b)(1); and”.

20 (4) ELIMINATION OF LIMITATION ON USE OF
21 EASEMENTS.—Section 502(e) of the Healthy Forests
22 Restoration Act of 2003 (16 U.S.C. 6572(e)) is
23 amended by striking paragraph (2) and redesign-
24 ating paragraph (3) as paragraph (2).

1 (5) ENROLLMENT OF ACREAGE OWNED BY AN
2 INDIAN TRIBE.—Section 502(e)(2)(B) of the
3 Healthy Forests Restoration Act of 2003 (16 U.S.C.
4 6572(e)(3)(B)), as redesignated under paragraph
5 (4), is amended by striking clauses (ii) and (iii) and
6 inserting the following new clauses:

7 “(ii) a 10-year, cost-share agreement;
8 “(iii) a permanent easement; or
9 “(iv) any combination of the options
10 described in clauses (i) through (iii).”.

11 (6) SPECIES-RELATED ENROLLMENT PRI-
12 ORITY.—Subparagraph (B) of section 502(f)(1) of
13 the Healthy Forests Restoration Act of 2003 (16
14 U.S.C. 6572(f)(1)) is amended to read as follows:

15 “(B) secondarily, species that—
16 “(i) are—
17 “(I) not listed as endangered or
18 threatened under section 4 of the En-
19 dangered Species Act of 1973 (16
20 U.S.C. 1533); and
21 “(II) candidates for such listing,
22 State-listed species, or special concern
23 species; or

1 “(ii) are species of greatest conserva-
 2 tion need, as identified in State wildlife ac-
 3 tion plans.”.

4 (7) RESTORATION PLANS.—Subsection (b) of
 5 section 503 of the Healthy Forests Restoration Act
 6 of 2003 (16 U.S.C. 6573) is amended to read as fol-
 7 lows:

8 “(b) PRACTICES.—The restoration plan shall require
 9 such restoration practices and measures, as are necessary
 10 to restore and enhance habitat for species described in sec-
 11 tion 502(b), including the following:

12 “(1) Land management practices.

13 “(2) Vegetative treatments.

14 “(3) Structural practices and measures.

15 “(4) Other practices and measures.”.

16 (8) FUNDING.—Section 508(b) of the Healthy
 17 Forests Restoration Act of 2003 (16 U.S.C.
 18 6578(b)) is amended—

19 (A) in the subsection heading, by striking
 20 “FISCAL YEARS 2014 THROUGH 2018” and in-
 21 serting “AUTHORIZATION OF APPROPRIA-
 22 TIONS”; and

23 (B) by striking “2018” and inserting
 24 “2023”.

1 (9) TECHNICAL CORRECTION.—Section 503(a)
2 of the Healthy Forests Restoration Act of 2003 (16
3 U.S.C. 6573(a)) is amended by striking “Secretary
4 of Interior” and inserting “Secretary of the Inte-
5 rior”.

6 (b) INSECT AND DISEASE INFESTATION.—

7 (1) TREATMENT OF AREAS.—Section 602(d)(1)
8 of the Healthy Forests Restoration Act of 2003 (16
9 U.S.C. 6591a(d)(1)) is amended by striking “sub-
10 section (b) to reduce the risk or extent of, or in-
11 crease the resilience to, insect or disease infestation
12 in the areas.” and inserting the following: “sub-
13 section (b)—

14 “(A) to reduce the risk or extent of, or in-
15 crease the resilience to, insect or disease infes-
16 tation; or

17 “(B) to reduce hazardous fuels.”.

18 (2) PERMANENT AUTHORITY.—Section
19 602(d)(2) of the Healthy Forests Restoration Act of
20 2003 (16 U.S.C. 6591a(d)(2)) is amended by strik-
21 ing “for which a public notice to initiate scoping is
22 issued on or before September 30, 2018,”.

23 (c) ADMINISTRATIVE REVIEW.—

24 (1) CLARIFICATION OF TREATMENT OF
25 AREAS.—Section 603(a) of the Healthy Forests Res-

1 toration Act of 2003 (16 U.S.C. 6591b(a)) is
2 amended by striking “in accordance with section
3 602(d)” and inserting “in accordance with section
4 602(d)(1)”.

5 (2) PROJECT SIZE AND LOCATION.—Section
6 603(c) of the Healthy Forests Restoration Act of
7 2003 (16 U.S.C. 6591b(c)) is amended—

8 (A) in paragraph (1), by striking “3000”
9 and inserting “6,000”;

10 (B) by striking paragraph (2); and

11 (C) by redesignating paragraph (3) as
12 paragraph (2).

13 **SEC. 8108. NATIONAL FOREST FOUNDATION ACT AUTHORI-**
14 **TIES.**

15 (a) EXTENSION OF AUTHORITY TO PROVIDE MATCH-
16 ING FUNDS FOR ADMINISTRATIVE AND PROJECT EX-
17 PENSES.—Section 405(b) of the National Forest Founda-
18 tion Act (16 U.S.C. 583j–3(b)) is amended by striking
19 “2018” and inserting “2023”.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
21 410(b) of the National Forest Foundation Act (16 U.S.C.
22 583j–8(b)) is amended by striking “2018” and inserting
23 “2023”.

1 **Subtitle B—Secure Rural Schools**
 2 **and Community Self-Determina-**
 3 **tion Act of 2000 Amendments**

4 **SEC. 8201. USE OF RESERVED FUNDS FOR TITLE II**
 5 **PROJECTS ON FEDERAL LAND AND CERTAIN**
 6 **NON-FEDERAL LAND.**

7 Section 204(f) of the Secure Rural Schools and Com-
 8 munity Self-Determination Act of 2000 (16 U.S.C.
 9 7124(f)) is amended to read as follows:

10 “(f) REQUIREMENTS FOR PROJECT FUNDS.—

11 “(1) IN GENERAL.—Subject to paragraph (2),
 12 the Secretary concerned shall ensure that at least 50
 13 percent of the project funds reserved under section
 14 102(d) by a participating county shall be available
 15 only for projects that—

16 “(A) include—

17 “(i) the sale of timber or other forest
 18 products;

19 “(ii) reduce fire risks; or

20 “(iii) improve water supplies; and

21 “(B) implement stewardship objectives
 22 that enhance forest ecosystems or restore and
 23 improve land health and water quality.

24 “(2) APPLICABILITY.—The requirement in
 25 paragraph (1) shall apply only to project funds re-

1 served by a participating county whose boundaries
 2 include Federal land that the Secretary concerned
 3 determines has been subject to a timber or other for-
 4 est products program within 5 fiscal years before the
 5 fiscal year in which the funds are reserved.”.

6 **SEC. 8202. RESOURCE ADVISORY COMMITTEES.**

7 (a) RECOGNITION OF RESOURCE ADVISORY COMMIT-
 8 TEES.—Section 205(a)(4) of the Secure Rural Schools
 9 and Community Self-Determination Act of 2000 (16
 10 U.S.C. 7125(a)(4)) is amended by striking “2018” each
 11 place it appears and inserting “2023”.

12 (b) REDUCTION IN COMPOSITION OF COMMITTEES.—
 13 Section 205(d) of the Secure Rural Schools and Commu-
 14 nity Self-Determination Act of 2000 (16 U.S.C. 7125(d))
 15 is amended—

16 (1) in paragraph (1), by striking “15 members”
 17 and inserting “9 members”; and

18 (2) by striking “5 persons” each place it ap-
 19 pears and inserting “3 persons”.

20 (c) EXPANDING LOCAL PARTICIPATION ON COMMIT-
 21 TEES.—Section 205(d) of the Secure Rural Schools and
 22 Community Self-Determination Act of 2000 (16 U.S.C.
 23 7125(d)) is further amended—

1 (1) in paragraph (3), by inserting before the pe-
 2 riod at the end the following: “, consistent with the
 3 requirements of paragraph (4)”;

4 (2) by striking paragraph (4) and inserting the
 5 following new paragraph:

6 “(4) GEOGRAPHIC DISTRIBUTION.—The mem-
 7 bers of a resource advisory committee shall reside
 8 within the county or counties in which the committee
 9 has jurisdiction, or an adjacent county.”.

10 (d) APPOINTMENT OF RESOURCE ADVISORY COM-
 11 MITTEES BY APPLICABLE DESIGNEE.—

12 (1) IN GENERAL.—Section 205 of the Secure
 13 Rural Schools and Community Self-Determination
 14 Act of 2000 (16 U.S.C. 7125) is further amended—

15 (A) in subsection (a)—

16 (i) in paragraph (1), by inserting “(or
 17 applicable designee)” after “The Secretary
 18 concerned”;

19 (ii) in paragraph (3), by inserting
 20 “(or applicable designee)” after “the Sec-
 21 retary concerned”; and

22 (iii) in paragraph (4), by inserting
 23 “(or applicable designee)” after “the Sec-
 24 retary concerned” both places it appears;

1 (B) in subsection (b)(6), by inserting “(or
2 applicable designee)” after “the Secretary con-
3 cerned”;

4 (C) in subsection (c)—

5 (i) in the subsection heading, by in-
6 serting “OR APPLICABLE DESIGNEE” after
7 “BY THE SECRETARY”;

8 (ii) in paragraph (1), by inserting
9 “(or applicable designee)” after “The Sec-
10 retary concerned” both places it appears;

11 (iii) in paragraph (2), by inserting
12 “(or applicable designee)” after “The Sec-
13 retary concerned”;

14 (iv) in paragraph (4), by inserting
15 “(or applicable designee)” after “The Sec-
16 retary concerned”; and

17 (v) by adding at the end the following
18 new paragraph:

19 “(6) APPLICABLE DESIGNEE.—In this section,
20 the term ‘applicable designee’ means—

21 “(A) with respect to Federal land de-
22 scribed in section 3(7)(A), the applicable Re-
23 gional Forester; and

1 “(B) with respect to Federal land de-
 2 scribed in section 3(7)(B), the applicable Bu-
 3 reau of Land Management State Director.”;

4 (D) in subsection (d)(3), by inserting “(or
 5 applicable designee)” after “the Secretary con-
 6 cerned”; and

7 (E) in subsection (f)(1)—

8 (i) by inserting “(or applicable des-
 9 ignee)” after “the Secretary concerned”;
 10 and

11 (ii) by inserting “(or applicable des-
 12 ignee)” after “of the Secretary”.

13 (2) CONFORMING AMENDMENT.—Section
 14 201(3) of the Secure Rural Schools and Community
 15 Self-Determination Act of 2000 (16 U.S.C. 7121(3))
 16 is amended by inserting “(or applicable designee (as
 17 defined in section 205(c)(6)))” after “Secretary con-
 18 cerned” both places it appears.

19 **SEC. 8203. PROGRAM FOR TITLE II SELF-SUSTAINING RE-**
 20 **SOURCE ADVISORY COMMITTEE PROJECTS.**

21 (a) SELF-SUSTAINING RESOURCE ADVISORY COM-
 22 MITTEE PROJECTS.—Title II of the Secure Rural Schools
 23 and Community Self-Determination Act of 2000 (16
 24 U.S.C. 7121 et seq.) is amended by adding at the end
 25 the following new section:

1 **“SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE AD-**
2 **VISORY COMMITTEE PROJECTS.**

3 “(a) RAC PROGRAM.—The Chief of the Forest Serv-
4 ice shall conduct a program (to be known as the ‘self-sus-
5 taining resource advisory committee program’ or ‘RAC
6 program’) under which 10 resource advisory committees
7 will propose projects authorized by subsection (c) to be
8 carried out using project funds reserved by a participating
9 county under section 102(d).

10 “(b) SELECTION OF PARTICIPATING RESOURCE AD-
11 VISORY COMMITTEES.—The selection of resource advisory
12 committees to participate in the RAC program is in the
13 sole discretion of the Chief of the Forest Service.

14 “(c) AUTHORIZED PROJECTS.—Notwithstanding the
15 project purposes specified in sections 202(b), 203(c), and
16 204(a)(5), projects under the RAC program are intended
17 to—

18 “(1) accomplish forest management objectives
19 or support community development; and

20 “(2) generate receipts.

21 “(d) DEPOSIT AND AVAILABILITY OF REVENUES.—
22 Any revenue generated by a project conducted under the
23 RAC program, including any interest accrued from the
24 revenues, shall be—

1 “(1) deposited in the special account in the
2 Treasury established under section 102(d)(2)(A);
3 and

4 “(2) available, in such amounts as may be pro-
5 vided in advance in appropriation Acts, for addi-
6 tional projects under the RAC program.

7 “(e) TERMINATION OF AUTHORITY.—

8 “(1) IN GENERAL.—The authority to initiate a
9 project under the RAC program shall terminate on
10 September 30, 2023.

11 “(2) DEPOSITS IN TREASURY.—Any funds
12 available for projects under the RAC program and
13 not obligated by September 30, 2024, shall be depos-
14 ited in the Treasury of the United States.”.

15 (b) EXCEPTION TO GENERAL RULE REGARDING
16 TREATMENT OF RECEIPTS.—Section 403(b) of the Secure
17 Rural Schools and Community Self-Determination Act of
18 2000 (16 U.S.C. 7153(b)) is amended by striking “All rev-
19 enues” and inserting “Except as provided in section 209,
20 all revenues”.

1 **Subtitle C—Availability of Categorical Exclusions To Expedite Forest Management Activities**

4 **PART I—GENERAL PROVISIONS**

5 **SEC. 8301. DEFINITIONS.**

6 In this subtitle:

7 (1) CATASTROPHIC EVENT.—The term “catastrophic event” means any natural disaster (such as
8 hurricane, tornado, windstorm, snow or ice storm,
9 rain storm, high water, wind-driven water, tidal
10 wave, earthquake, volcanic eruption, landslide,
11 mudslide, drought, or insect or disease outbreak) or
12 any fire, flood, or explosion, regardless of cause.
13

14 (2) COOS BAY WAGON ROAD GRANT LANDS.—
15 The term “Coos Bay Wagon Road Grant lands”
16 means the lands reconveyed to the United States
17 pursuant to the first section of the Act of February
18 26, 1919 (40 Stat. 1179).

19 (3) FOREST MANAGEMENT ACTIVITY.—The
20 term “forest management activity” means a project
21 or activity carried out by the Secretary concerned on
22 National Forest System lands or public lands con-
23 sistent with the forest plan covering the lands.

24 (4) FOREST PLAN.—The term “forest plan”
25 means—

1 (A) a land use plan prepared by the Bu-
2 reau of Land Management for public lands pur-
3 suant to section 202 of the Federal Land Policy
4 and Management Act of 1976 (43 U.S.C.
5 1712); or

6 (B) a land and resource management plan
7 prepared by the Forest Service for a unit of the
8 National Forest System pursuant to section 6
9 of the Forest and Rangeland Renewable Re-
10 sources Planning Act of 1974 (16 U.S.C.
11 1604).

12 (5) NATIONAL FOREST SYSTEM.—The term
13 “National Forest System” has the meaning given
14 that term in section 11(a) of the Forest and Range-
15 land Renewable Resources Planning Act of 1974 (16
16 U.S.C. 1609(a)).

17 (6) OREGON AND CALIFORNIA RAILROAD GRANT
18 LANDS.—The term “Oregon and California Railroad
19 Grant lands” means the following lands:

20 (A) All lands in the State of Oregon re-
21 vested in the United States under the Act of
22 June 9, 1916 (39 Stat. 218), that are adminis-
23 tered by the Secretary of the Interior, acting
24 through the Bureau of Land Management, pur-

1 suant to the first section of the Act of August
2 28, 1937 (43 U.S.C. 1181a).

3 (B) All lands in that State obtained by the
4 Secretary of the Interior pursuant to the land
5 exchanges authorized and directed by section 2
6 of the Act of June 24, 1954 (43 U.S.C. 1181h).

7 (C) All lands in that State acquired by the
8 United States at any time and made subject to
9 the provisions of title II of the Act of August
10 28, 1937 (43 U.S.C. 1181f).

11 (7) PUBLIC LANDS.—The term “public lands”
12 has the meaning given that term in section 103 of
13 the Federal Land Policy and Management Act of
14 1976 (43 U.S.C. 1702), except that the term in-
15 cludes Coos Bay Wagon Road Grant lands and Or-
16 egon and California Railroad Grant lands.

17 (8) REFORESTATION ACTIVITY.—The term “re-
18 forestation activity” means a forest management ac-
19 tivity carried out by the Secretary concerned where
20 the primary purpose is the reforestation of impacted
21 lands following a catastrophic event. The term in-
22 cludes planting, evaluating and enhancing natural
23 regeneration, clearing competing vegetation, and
24 other activities related to reestablishment of forest
25 species on the impacted lands.

1 (9) RESOURCE ADVISORY COMMITTEE.—The
2 term “resource advisory committee” has the mean-
3 ing given that term in section 201 of the Secure
4 Rural Schools and Community Self-Determination
5 Act of 2000 (16 U.S.C. 7121).

6 (10) SALVAGE OPERATION.—The term “salvage
7 operation” means a forest management activity car-
8 ried out in response to a catastrophic event where
9 the primary purpose is—

10 (A) to prevent wildfire as a result of the
11 catastrophic event, or, if the catastrophic event
12 was wildfire, to prevent a re-burn of the fire-im-
13 pacted area;

14 (B) to provide an opportunity for utiliza-
15 tion of forest materials damaged as a result of
16 the catastrophic event; or

17 (C) to provide a funding source for refor-
18 estation for the National Forest System lands
19 or public lands impacted by the catastrophic
20 event.

21 (11) SECRETARY CONCERNED.—The term
22 “Secretary concerned” means—

23 (A) the Secretary of Agriculture, with re-
24 spect to National Forest System lands; and

1 (B) the Secretary of the Interior, with re-
2 spect to public lands.

3 **SEC. 8302. RULE OF APPLICATION FOR NATIONAL FOREST**
4 **SYSTEM LANDS AND PUBLIC LANDS.**

5 Unless specifically provided by a provision of this sub-
6 title, the authorities provided by this subtitle do not apply
7 with respect to any National Forest System lands or pub-
8 lic lands—

9 (1) that are included in the National Wilderness
10 Preservation System;

11 (2) that are located within a national or State-
12 specific inventoried roadless area established by the
13 Secretary of Agriculture through regulation, un-
14 less—

15 (A) the forest management activity to be
16 carried out under such authority is consistent
17 with the forest plan applicable to the area; or

18 (B) the Secretary of Agriculture deter-
19 mines the forest management activity is permis-
20 sible under the applicable roadless rule gov-
21 erning such lands; or

22 (3) on which timber harvesting for any purpose
23 is prohibited by Federal statute.

1 **SEC. 8303. CONSULTATION UNDER THE ENDANGERED SPE-**
2 **CIES ACT.**

3 (a) NO CONSULTATION IF ACTION NOT LIKELY TO
4 ADVERSELY AFFECT A LISTED SPECIES OR DESIGNATED
5 CRITICAL HABITAT.—With respect to a forest manage-
6 ment activity carried out pursuant to this subtitle, con-
7 sultation under section 7 of the Endangered Species Act
8 of 1973 (16 U.S.C. 1536) shall not be required if the Sec-
9 retary concerned determines that such forest management
10 activity is not likely to adversely affect a listed species or
11 designated critical habitat.

12 (b) EXPEDITED CONSULTATION.—With respect to a
13 forest management activity carried out pursuant to this
14 subtitle, consultation required under section 7 of the En-
15 dangered Species Act of 1973 (16 U.S.C. 1536) shall be
16 concluded within the 90-day period beginning on the date
17 on which such consultation was requested by the Secretary
18 concerned.

19 **SEC. 8304. SECRETARIAL DISCRETION IN THE CASE OF TWO**
20 **OR MORE CATEGORICAL EXCLUSIONS.**

21 To the extent that a forest management activity may
22 be categorically excluded under more than one of the sec-
23 tions of this subtitle, the Secretary concerned shall have
24 full discretion to determine which categorical exclusion to
25 use.

PART II—CATEGORICAL EXCLUSIONS

SEC. 8311. CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.

(a) CATEGORICAL EXCLUSION ESTABLISHED.—Forest management activities described in subsection (b) are a category of actions hereby designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(b) FOREST MANAGEMENT ACTIVITIES DESIGNATED FOR CATEGORICAL EXCLUSION.—The category of forest management activities designated under this section for a categorical exclusion are forest management activities carried out by the Secretary concerned on National Forest System lands or public lands where the primary purpose of such activity is—

- (1) to address an insect or disease infestation;
- (2) to reduce hazardous fuel loads;
- (3) to protect a municipal water source;
- (4) to maintain, enhance, or modify critical habitat to protect it from catastrophic disturbances;
- (5) to increase water yield; or
- (6) any combination of the purposes specified in paragraphs (1) through (5).

1 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

2 On and after the date of the enactment of this Act, the
3 Secretary concerned may use the categorical exclusion es-
4 tablished under subsection (a) in accordance with this sec-
5 tion.

6 (d) ACREAGE LIMITATIONS.—A forest management
7 activity covered by the categorical exclusion established
8 under subsection (a) may not contain treatment units ex-
9 ceeding a total of 6,000 acres.

10 **SEC. 8312. CATEGORICAL EXCLUSION TO EXPEDITE SAL-**
11 **VAGE OPERATIONS IN RESPONSE TO CATA-**
12 **STROPHIC EVENTS.**

13 (a) CATEGORICAL EXCLUSION ESTABLISHED.—Sal-
14 vage operations carried out by the Secretary concerned on
15 National Forest System lands or public lands are a cat-
16 egory of actions hereby designated as being categorically
17 excluded from the preparation of an environmental assess-
18 ment or an environmental impact statement under section
19 102 of the National Environmental Policy Act of 1969 (42
20 U.S.C. 4332).

21 (b) AVAILABILITY OF CATEGORICAL EXCLUSION.—

22 On and after the date of the enactment of this Act, the
23 Secretary concerned may use the categorical exclusion es-
24 tablished under subsection (a) in accordance with this sec-
25 tion.

1 (c) ACREAGE LIMITATION.—A salvage operation cov-
 2 ered by the categorical exclusion established under sub-
 3 section (a) may not contain treatment units exceeding a
 4 total of 6,000 acres.

5 (d) ADDITIONAL REQUIREMENTS.—

6 (1) STREAM BUFFERS.—A salvage operation
 7 covered by the categorical exclusion established
 8 under subsection (a) shall comply with the standards
 9 and guidelines for stream buffers contained in the
 10 applicable forest plan, except that the Regional For-
 11 ester, in the case of National Forest System lands,
 12 or the State Director of the Bureau of Land Man-
 13 agement, in the case of public lands, may, on a case-
 14 by-case basis, waive the standards and guidelines.

15 (2) REFORESTATION PLAN.—A reforestation
 16 plan shall be developed under section 3 of the Act
 17 of June 9, 1930 (commonly known as the Knutson-
 18 Vandenberg Act; (16 U.S.C. 576b)), as part of a sal-
 19 vage operation covered by the categorical exclusion
 20 established under subsection (a).

21 **SEC. 8313. CATEGORICAL EXCLUSION TO MEET FOREST**
 22 **PLAN GOALS FOR EARLY SUCCESSIONAL**
 23 **FORESTS.**

24 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
 25 est management activities described in subsection (b) are

1 a category of actions hereby designated as being categori-
2 cally excluded from the preparation of an environmental
3 assessment or an environmental impact statement under
4 section 102 of the National Environmental Policy Act of
5 1969 (42 U.S.C. 4332).

6 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
7 FOR CATEGORICAL EXCLUSION.—The category of forest
8 management activities designated under this section for
9 a categorical exclusion are forest management activities
10 carried out by the Secretary concerned on National Forest
11 System lands or public lands where the primary purpose
12 of such activity is to improve, enhance, or create early suc-
13 cessional forests for wildlife habitat improvement and
14 other purposes, consistent with the applicable forest plan.

15 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—
16 On and after the date of the enactment of this Act, the
17 Secretary concerned may use the categorical exclusion es-
18 tablished under subsection (a) in accordance with this sec-
19 tion.

20 (d) PROJECT GOALS.—To the maximum extent prac-
21 ticable, the Secretary concerned shall design a forest man-
22 agement activity under this section to meet early succes-
23 sional forest goals in such a manner so as to maximize
24 production and regeneration of priority species, as identi-

1 fied in the forest plan and consistent with the capability
2 of the activity site.

3 (e) ACREAGE LIMITATIONS.—A forest management
4 activity covered by the categorical exclusion established
5 under subsection (a) may not contain treatment units ex-
6 ceeding a total of 6,000 acres.

7 **SEC. 8314. CATEGORICAL EXCLUSION FOR HAZARD TREES.**

8 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
9 est management activities carried out by the Secretary
10 concerned to remove hazard trees for purposes of the pro-
11 tection of public health or safety, water supply, or public
12 infrastructure are a category of actions hereby designated
13 as being categorically excluded from the preparation of an
14 environmental assessment or an environmental impact
15 statement under section 102 of the National Environ-
16 mental Policy Act of 1969 (42 U.S.C. 4332).

17 (b) AVAILABILITY OF CATEGORICAL EXCLUSION.—
18 On and after the date of the enactment of this Act, the
19 Secretary concerned may use the categorical exclusion es-
20 tablished under subsection (a) in accordance with this sec-
21 tion.

1 **SEC. 8315. CATEGORICAL EXCLUSION TO IMPROVE OR RE-**
2 **STORE NATIONAL FOREST SYSTEM LANDS OR**
3 **PUBLIC LAND OR REDUCE THE RISK OF**
4 **WILDFIRE.**

5 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
6 est management activities described in subsection (b) are
7 a category of actions hereby designated as being categori-
8 cally excluded from the preparation of an environmental
9 assessment or an environmental impact statement under
10 section 102 of the National Environmental Policy Act of
11 1969 (42 U.S.C. 4332).

12 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
13 FOR CATEGORICAL EXCLUSION.—

14 (1) DESIGNATION.—The category of forest
15 management activities designated under this section
16 for a categorical exclusion are forest management
17 activities described in paragraph (2) that are carried
18 out by the Secretary concerned on National Forest
19 System lands or public lands where the primary pur-
20 pose of such activity is to improve or restore such
21 lands or reduce the risk of wildfire on those lands.

22 (2) ACTIVITIES AUTHORIZED.—The following
23 forest management activities may be carried out
24 pursuant to the categorical exclusion established
25 under subsection (a):

1 (A) Removal of juniper trees, medusahead
2 rye, conifer trees, piñon pine trees, cheatgrass,
3 and other noxious or invasive weeds specified on
4 Federal or State noxious weeds lists through
5 late-season livestock grazing, targeted livestock
6 grazing, prescribed burns, and mechanical
7 treatments.

8 (B) Performance of hazardous fuels man-
9 agement.

10 (C) Creation of fuel and fire breaks.

11 (D) Modification of existing fences in order
12 to distribute livestock and help improve wildlife
13 habitat.

14 (E) Stream restoration and erosion con-
15 trol, including the installation of erosion control
16 devices.

17 (F) Construction of new and maintenance
18 of permanent infrastructure, including stock
19 ponds, water catchments, and water spring
20 boxes used to benefit livestock and improve
21 wildlife habitat.

22 (G) Performance of soil treatments, native
23 and non-native seeding, and planting of and
24 transplanting sagebrush, grass, forb, shrub, and
25 other species.

1 (H) Use of herbicides, so long as the Sec-
2 retary concerned determines that the activity is
3 otherwise conducted consistently with agency
4 procedures, including any forest plan applicable
5 to the area covered by the activity.

6 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—
7 On and after the date of the enactment of this Act, the
8 Secretary concerned may use the categorical exclusion es-
9 tablished under subsection (a) in accordance with this sec-
10 tion.

11 (d) ACREAGE LIMITATIONS.—A forest management
12 activity covered by the categorical exclusion established
13 under subsection (a) may not contain treatment units ex-
14 ceeding a total of 6,000 acres.

15 (e) DEFINITIONS.—In this section:

16 (1) HAZARDOUS FUELS MANAGEMENT.—The
17 term “hazardous fuels management” means any
18 vegetation management activities that reduce the
19 risk of wildfire.

20 (2) LATE-SEASON GRAZING.—The term “late-
21 season grazing” means grazing activities that occur
22 after both the invasive species and native perennial
23 species have completed their current-year annual
24 growth cycle until new plant growth begins to ap-
25 pear in the following year.

1 (3) TARGETED LIVESTOCK GRAZING.—The
2 term “targeted livestock grazing” means grazing
3 used for purposes of hazardous fuels management.

4 **SEC. 8316. CATEGORICAL EXCLUSION FOR FOREST RES-**
5 **TORATION.**

6 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
7 est management activities described in subsection (b) are
8 a category of actions hereby designated as being categori-
9 cally excluded from the preparation of an environmental
10 assessment or an environmental impact statement under
11 section 102 of the National Environmental Policy Act of
12 1969 (42 U.S.C. 4332).

13 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
14 FOR CATEGORICAL EXCLUSION.—

15 (1) DESIGNATION.—The category of forest
16 management activities designated under this section
17 for categorical exclusion are forest management ac-
18 tivities described in paragraph (2) that are carried
19 out by the Secretary concerned on National Forest
20 System lands or public lands where the primary pur-
21 pose of such activity is—

22 (A) to improve forest health and resiliency
23 to disturbances;

24 (B) to reduce hazardous fuels; or

25 (C) to improve wildlife and aquatic habitat.

1 (2) ACTIVITIES AUTHORIZED.—The following
2 forest management activities may be carried out
3 pursuant the categorical exclusion established under
4 subsection (a):

5 (A) Timber harvests, including commercial
6 and pre-commercial timber harvest, salvage har-
7 vest, and regeneration harvest.

8 (B) Hazardous fuels reduction.

9 (C) Prescribed burning.

10 (D) Improvement or establishment of wild-
11 life and aquatic habitat.

12 (E) Stream restoration and erosion con-
13 trol.

14 (F) Road and trail decommissioning.

15 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

16 On and after the date of the enactment of this Act, the
17 Secretary concerned may use the categorical exclusion es-
18 tablished under subsection (a) in accordance with this sec-
19 tion.

20 (d) ACREAGE LIMITATIONS.—A forest management
21 activity covered by the categorical exclusion established
22 under subsection (a) may not contain treatment units ex-
23 ceeding a total of 6,000 acres.

24 (e) LIMITATIONS ON ROAD BUILDING.—

1 (1) PERMANENT ROADS.—A forest management
2 activity covered by the categorical exclusion estab-
3 lished by subsection (a) may include—

4 (A) the construction of permanent roads
5 not to exceed 3 miles; and

6 (B) the maintenance and reconstruction of
7 existing permanent roads and trails, including
8 the relocation of segments of existing roads and
9 trails to address resource impacts.

10 (2) TEMPORARY ROADS.—Any temporary road
11 constructed for a forest management activity covered
12 by the categorical exclusion established by subsection
13 (a) shall be decommissioned not later than 3 years
14 after the date on which the project is completed.

15 **SEC. 8317. CATEGORICAL EXCLUSION FOR INFRASTRUC-**
16 **TURE FOREST MANAGEMENT ACTIVITIES.**

17 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
18 est management activities described in subsection (b) are
19 a category of actions hereby designated as being categori-
20 cally excluded from the preparation of an environmental
21 assessment or an environmental impact statement under
22 section 102 of the National Environmental Policy Act of
23 1969 (42 U.S.C. 4332).

24 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
25 FOR CATEGORICAL EXCLUSION.—The category of forest

1 management activities designated under this section for
2 categorical exclusion are forest management activities car-
3 ried out by the Secretary of Agriculture on National For-
4 est System lands where the primary purpose of such activ-
5 ity is—

6 (1) constructing, reconstructing, or decommis-
7 sioning National Forest System roads not exceeding
8 3 miles;

9 (2) adding an existing road to the forest trans-
10 portation system;

11 (3) reclassifying a National Forest System road
12 at a different maintenance level;

13 (4) reconstructing, rehabilitating, or decommis-
14 sioning bridges;

15 (5) removing dams; or

16 (6) maintaining facilities through the use of
17 pesticides as authorized by applicable Federal and
18 State law and as applied in accordance with label in-
19 structions.

20 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

21 On and after the date of the enactment of this Act, the
22 Secretary of Agriculture may use the categorical exclusion
23 established under subsection (a) in accordance with this
24 section.

1 **SEC. 8318. CATEGORICAL EXCLUSION FOR DEVELOPED**
2 **RECREATION SITES.**

3 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
4 est management activities described in subsection (b) are
5 a category of actions hereby designated as being categori-
6 cally excluded from the preparation of an environmental
7 assessment or an environmental impact statement under
8 section 102 of the National Environmental Policy Act of
9 1969 (42 U.S.C. 4332).

10 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
11 FOR CATEGORICAL EXCLUSION.—

12 (1) DESIGNATION.—The category of forest
13 management activities designated under this section
14 for a categorical exclusion are forest management
15 activities described in paragraph (2) carried out by
16 the Secretary of Agriculture on National Forest Sys-
17 tem lands where the primary purpose of such activ-
18 ity is to operate, maintain, modify, reconstruct, or
19 decommission existing developed recreation sites.

20 (2) ACTIVITIES AUTHORIZED.—The following
21 forest management activities may be carried out
22 pursuant to the categorical exclusion under sub-
23 section (a):

24 (A) Constructing, modifying, or recon-
25 structing toilet or shower facilities.

1 (B) Constructing, modifying, or recon-
2 structing fishing piers, wildlife viewing plat-
3 forms, docks, or other constructed recreation
4 sites or facilities.

5 (C) Constructing, reconstructing, or main-
6 taining, parking areas, National Forest System
7 roads, or National Forest System trails within
8 or connecting to recreation sites, including pav-
9 ing and road and trail rerouting, except that—

10 (i) permanent roads constructed
11 under this section may not exceed 3 miles;
12 and

13 (ii) temporary roads constructed for
14 projects covered by this section shall be de-
15 commissioned within 3 years of completion
16 of the project.

17 (D) Modifying or reconstructing existing
18 water or waste disposal systems.

19 (E) Constructing, modifying, or recon-
20 structing single or group use sites.

21 (F) Decommissioning recreation facilities
22 or portions of recreation facilities.

23 (G) Decommissioning National Forest Sys-
24 tem roads or National Forest System trails not

1 exceeding 3 miles within or connecting to devel-
2 oped recreation sites.

3 (H) Constructing, modifying, or recon-
4 structing boat landings.

5 (I) Reconstructing existing ski lifts.

6 (J) Modifying or reconstructing a recre-
7 ation lodging rental.

8 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

9 On and after the date of the enactment of this Act, the
10 Secretary of Agriculture may use the categorical exclusion
11 established under subsection (a) in accordance with this
12 section.

13 **SEC. 8319. CATEGORICAL EXCLUSION FOR ADMINISTRA-**
14 **TIVE SITES.**

15 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
16 est management activities described in subsection (b) are
17 a category of actions hereby designated as being categori-
18 cally excluded from the preparation of an environmental
19 assessment or an environmental impact statement under
20 section 102 of the National Environmental Policy Act of
21 1969 (42 U.S.C. 4332).

22 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
23 FOR CATEGORICAL EXCLUSION.—The category of forest
24 management activities designated under this section for
25 a categorical exclusion are forest management activities

1 carried out by the Secretary of Agriculture on National
2 Forest System lands where the primary purpose of such
3 activity is to construct, reconstruct, maintain, decommis-
4 sion, relocate, or dispose of an administrative site.

5 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—
6 On and after the date of the enactment of this Act, the
7 Secretary of Agriculture may use the categorical exclusion
8 established under subsection (a) in accordance with this
9 section.

10 (d) LIMITATIONS.—

11 (1) PERMANENT ROADS.—A project covered by
12 the categorical exclusion established by subsection
13 (a) may include—

14 (A) the construction of permanent roads
15 not to exceed 3 miles; and

16 (B) the maintenance and reconstruction of
17 existing permanent roads and trails, including
18 the relocation of segments of existing roads and
19 trails to address resource impacts.

20 (2) TEMPORARY ROADS.—Any temporary road
21 constructed for a project covered by the categorical
22 exclusion established by subsection (a) shall be de-
23 commissioned not later than 3 years after the date
24 on which the project is completed.

1 (3) PESTICIDES.—Pesticides may only be used
2 to carry out a project covered by the categorical ex-
3 clusion established by subsection (a) as authorized
4 by applicable Federal and State law and as applied
5 in accordance with label instructions.”

6 (e) DEFINITION OF ADMINISTRATIVE SITE.—In this
7 section, the term “administrative site” has the meaning
8 given the term in section 502(1) of the Forest Service Fa-
9 cility Realignment and Enhancement Act of 2005 (16
10 U.S.C. 580d note).

11 **SEC. 8320. CATEGORICAL EXCLUSION FOR SPECIAL USE AU-**
12 **THORIZATIONS.**

13 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
14 est management activities described in subsection (b) are
15 a category of actions hereby designated as being categori-
16 cally excluded from the preparation of an environmental
17 assessment or an environmental impact statement under
18 section 102 of the National Environmental Policy Act of
19 1969 (42 U.S.C. 4332).

20 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
21 FOR CATEGORICAL EXCLUSION.—The category of forest
22 management activities designated under this section for
23 a categorical exclusion are forest management activities
24 carried out by the Secretary of Agriculture on National

1 Forest System lands where the primary purpose of such
2 activity is:

3 (1) Issuance of a new special use authorization
4 for an existing or expired special use authorization,
5 without any substantial change in the scope and
6 scale of the authorized use and occupancy when—

7 (A) the issuance is a purely ministerial ac-
8 tion to account for administrative changes, such
9 as a change in ownership or expiration of the
10 current authorization; and

11 (B) the applicant or holder is in compli-
12 ance with the terms and conditions of the exist-
13 ing or expired special use authorization.

14 (2) Modification, removal, repair, maintenance,
15 reconstruction, or replacement of a facility or im-
16 provement for an existing special use authorization.

17 (3) Issuance of a new special use authorization
18 or amendment to an existing special use authoriza-
19 tion for activities that will occur on existing roads,
20 trails, facilities, or areas approved for use in a land
21 management plan or other documented decision.

22 (4) Approval, modification, or continuation of
23 minor, short-term (5 years or less) special uses of
24 National Forest System lands or public lands.

1 (5) Issuance of a special use authorization for
2 an existing unauthorized use or occupancy that has
3 not been deemed in trespass where no new ground
4 disturbance is proposed.

5 (6) Approval or modification of minor special
6 uses of National Forest System lands or public lands
7 that require less than 20 contiguous acres.

8 (7) Approval of vegetative management plans,
9 and vegetation management activities in accordance
10 with an approved vegetation management plan,
11 under a special use authorization for an electric
12 transmission and distribution facility right-of-way.

13 (c) AVAILABILITY OF EXCLUSION.—On and after the
14 date of the enactment of this Act, the Secretary of Agri-
15 culture may use the categorical exclusion established
16 under subsection (a) in accordance with this section.

17 (d) DOCUMENT REQUIREMENTS.—The Secretary of
18 Agriculture shall not be required to prepare a project file
19 or decision memorandum to categorically exclude a forest
20 management activity described under paragraphs (1)
21 through (4) of subsection (b).

1 **SEC. 8321. CLARIFICATION OF EXISTING CATEGORICAL EX-**
2 **CLUSION AUTHORITY RELATED TO INSECT**
3 **AND DISEASE INFESTATION.**

4 Section 603(c)(2)(B) of the Healthy Forests Restora-
5 tion Act of 2003 (16 U.S.C. 6591b(c)(2)(B)) is amended
6 by striking “Fire Regime Groups I, II, or III” and insert-
7 ing “Fire Regime I, Fire Regime II, Fire Regime III, Fire
8 Regime IV, or Fire Regime V”.

9 **PART III—MISCELLANEOUS FOREST**
10 **MANAGEMENT ACTIVITIES**

11 **SEC. 8331. GOOD NEIGHBOR AGREEMENTS.**

12 Section 8206 of the Agricultural Act of 2014 (16
13 U.S.C. 2113a) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1)(B), by striking “Sec-
16 retary or a Governor” and inserting “Secretary,
17 Governor, or Indian Tribe”;

18 (B) in paragraph (4) by striking “Sec-
19 retary and a Governor” and inserting “Sec-
20 retary and either a Governor or an Indian
21 Tribe”;

22 (C) by redesignating paragraphs (6), (7),
23 and (8) as paragraphs (7), (8), and (9), respec-
24 tively; and

25 (D) by inserting after paragraph (5) the
26 following new paragraph:

1 “(6) INDIAN TRIBE.—The term ‘Indian Tribe’
2 has the meaning given the term in section 4 of the
3 Indian Self-Determination and Education Assistance
4 Act (25 U.S.C. 5304));” and

5 (2) in subsection (b)—

6 (A) in paragraph (1)(A), by inserting “or
7 an Indian Tribe” after “Governor”; and

8 (B) in paragraph (3), by inserting “or an
9 Indian Tribe” after “Governor”.

10 **SEC. 8332. PROMOTING CROSS-BOUNDARY WILDFIRE MITI-**
11 **GATION.**

12 Section 103 of the Healthy Forests Restoration Act
13 of 2003 (16 U.S.C. 6513) is amended—

14 (1) in subsection (d), by adding at the end the
15 following new paragraph:

16 “(3) CROSS-BOUNDARY CONSIDERATIONS.—For
17 any fiscal year for which the amount appropriated to
18 the Secretary for hazardous fuels reduction is in ex-
19 cess of \$300,000,000, the Secretary—

20 “(A) is encouraged to use the excess
21 amounts for hazardous fuels reduction projects
22 that incorporate cross-boundary treatments of
23 landscapes on Federal land and non-Federal
24 land; and

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

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

8 and

9 “(ii) \$20,000,000.”; and

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

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

14 “(1) IN GENERAL.—To the maximum extent
15 practicable, the Secretary shall use the excess funds
16 described in subsection (d)(3) to support hazardous
17 fuels reduction projects that incorporate treatments
18 for hazardous fuels reduction in landscapes across
19 ownership boundaries on Federal, State, county, or
20 Tribal land, private land, and other non-Federal
21 land, particularly in areas identified as priorities in
22 applicable State-wide forest resource assessments or
23 strategies under section 2A(a) of the Cooperative
24 Forestry Assistance Act of 1978 (16 U.S.C.

1 2101a(a)), as mutually agreed to by the State For-
2 ester and the Regional Forester.

3 “(2) LAND TREATMENTS.—To conduct and
4 fund treatments for projects that include Federal
5 and non-Federal land, the Secretary may—

6 “(A) use the authorities of the Secretary
7 relating to cooperation and technical and finan-
8 cial assistance, including the good neighbor au-
9 thority under—

10 “(i) section 8206 of the Agricultural
11 Act of 2014 (16 U.S.C. 2113a); and

12 “(ii) section 331 of the Department of
13 the Interior and Related Agencies Appro-
14 priations Act, 2001 (16 U.S.C. 1011 note;
15 Public Law 106–291); and

16 “(B) allocate excess funds under sub-
17 section (d)(3) for projects carried out pursuant
18 to section 8206 of the Agricultural Act of 2014
19 (16 U.S.C. 2113a).

20 “(3) COOPERATION.—In carrying out this sub-
21 section, the State Forester, in consultation with the
22 Secretary (or a designee)—

23 “(A) shall consult with the owners of
24 State, county, Tribal, and private land and

1 other non-Federal land with respect to haz-
 2 ardous fuels reduction projects; and

3 “(B) shall not implement any project on
 4 non-Federal land without the consent of the
 5 owner of the non-Federal land.

6 “(4) EXISTING LAWS.—Regardless of the indi-
 7 vidual or entity implementing a project on non-Fed-
 8 eral land under this subsection, only the laws and
 9 regulations that apply to non-Federal land shall be
 10 applicable with respect to the project.”.

11 **SEC. 8333. REGULATIONS REGARDING DESIGNATION OF**
 12 **DEAD OR DYING TREES OF CERTAIN TREE**
 13 **SPECIES ON NATIONAL FOREST SYSTEM**
 14 **LANDS IN CALIFORNIA AS EXEMPT FROM**
 15 **PROHIBITION ON EXPORT OF UNPROCESSED**
 16 **TIMBER ORIGINATING FROM FEDERAL**
 17 **LANDS.**

18 (a) ISSUANCE OF REGULATIONS.—Consistent with
 19 the rulemaking procedures specified in paragraph (2) of
 20 subsection (b) of section 489 of the Forest Resources Con-
 21 servation and Shortage Relief Act of 1990 (16 U.S.C.
 22 620a), the Secretary of Agriculture shall make a deter-
 23 mination under paragraph (1) of such subsection that un-
 24 processed timber derived from dead or dying trees of a
 25 covered tree species originating on National Forest Sys-

1 tem lands in the State of California are surplus to domes-
2 tic manufacturing needs and therefore exempt from the
3 export prohibition contained in subsection (a) of such sec-
4 tion.

5 (b) ELIMINATION OF ADVERSE EFFECTS.—In mak-
6 ing the determination under subsection (a) and in imple-
7 menting any regulations issued under such subsection, the
8 Secretary of Agriculture shall—

9 (1) consult with representatives of sawmills in
10 the State of California and other interested persons;
11 and

12 (2) make reasonable efforts to avoid adversely
13 impacting the domestic sawmill industry in the State
14 of California.

15 (c) SPECIAL CONTRACT PROVISIONS.—The Secretary
16 of Agriculture may adjust contract provisions for Forest
17 Service contracts in region 5 of the National Forest Sys-
18 tem as the Secretary considers appropriate to ensure suc-
19 cessful implementation of, and compliance with, the regu-
20 lations issued under subsection (a).

21 (d) RELATION TO LIMITATIONS ON TIMBER SUBSTI-
22 TUTION.—Section 490 of the Forest Resources Conserva-
23 tion and Shortage Relief Act of 1990 (16 U.S.C. 620b)
24 shall not apply to unprocessed timber designated as sur-

1 plus pursuant to the regulations issued under subsection
2 (a).

3 (e) ADDITIONAL STAFF FOR IMPLEMENTATION.—
4 Using funds otherwise available to the Forest Service for
5 management, protection, improvement, and utilization of
6 the National Forest System, the Secretary of Agriculture
7 may hire additional Forest Service employees to imple-
8 ment the regulations issued under subsection (a).

9 (f) DURATION OF REGULATIONS; PERIODIC RE-
10 VIEW.—The regulations issued under subsection (a) shall
11 remain in effect for a 10-year period beginning on the date
12 of the issuance of the regulations, except that the contin-
13 ued need for the regulations shall be subject to the peri-
14 odic review required by the second sentence of section
15 489(b)(2) of the Forest Resources Conservation and
16 Shortage Relief Act of 1990 (16 U.S.C. 620a(b)(2)).

17 (g) DEFINITIONS.—In this section:

18 (1) COVERED TREE SPECIES.—The term “cov-
19 ered tree species” means the following pine species:

20 (A) Ponderosa pine (*Pinus ponderosa*).

21 (B) Sugar pine (*Pinus lambertiana*).

22 (C) Jeffrey pine (*Pinus jefferyi*).

23 (D) Lodgepole pine (*Pinus contorta*).

24 (2) DIED OR DYING.—The term “died or
25 dying”, with respect to a covered tree species, shall

1 be determined in a manner consistent with applica-
 2 ble Forest Service standards.

3 **Subtitle D—Tribal Forestry** 4 **Participation and Protection**

5 **SEC. 8401. PROTECTION OF TRIBAL FOREST ASSETS**
 6 **THROUGH USE OF STEWARDSHIP END RE-**
 7 **SULT CONTRACTING AND OTHER AUTHORI-**
 8 **TIES.**

9 (a) PROMPT CONSIDERATION OF TRIBAL RE-
 10 QUESTS.—Section 2(b) of the Tribal Forest Protection
 11 Act of 2004 (25 U.S.C. 3115a(b)) is amended—

12 (1) in paragraph (1), by striking “Not later
 13 than 120 days after the date on which an Indian
 14 tribe submits to the Secretary” and inserting “In re-
 15 sponse to the submission by an Indian Tribe of”;
 16 and

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

19 “(4) TIME PERIODS FOR CONSIDERATION.—

20 “(A) INITIAL RESPONSE.—Not later than
 21 120 days after the date on which the Secretary
 22 receives a Tribal request under paragraph (1),
 23 the Secretary shall provide an initial response
 24 to the Indian Tribe regarding—

1 “(i) whether the request may meet the
2 selection criteria described in subsection
3 (c); and

4 “(ii) the likelihood of the Secretary
5 entering into an agreement or contract
6 with the Indian Tribe under paragraph (2)
7 for activities described in paragraph (3).

8 “(B) NOTICE OF DENIAL.—Notice under
9 subsection (d) of the denial of a Tribal request
10 under paragraph (1) shall be provided not later
11 than 1 year after the date on which the Sec-
12 retary received the request.

13 “(C) COMPLETION.—Not later than 2
14 years after the date on which the Secretary re-
15 ceives a Tribal request under paragraph (1),
16 other than a Tribal request denied under sub-
17 section (d), the Secretary shall—

18 “(i) complete all environmental re-
19 views necessary in connection with the
20 agreement or contract and proposed activi-
21 ties under the agreement or contract; and

22 “(ii) enter into the agreement or con-
23 tract with the Indian Tribe under para-
24 graph (2).”.

1 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

2 Section 2 of the Tribal Forest Protection Act of 2004 (25
3 U.S.C. 3115a) is amended—

4 (1) in subsections (b)(1) and (f)(1), by striking
5 “section 347 of the Department of the Interior and
6 Related Agencies Appropriations Act, 1999 (16
7 U.S.C. 2104 note; Public Law 105–277) (as amend-
8 ed by section 323 of the Department of the Interior
9 and Related Agencies Appropriations Act, 2003 (117
10 Stat. 275))” and inserting “section 604 of the
11 Healthy Forests Restoration Act of 2003 (16 U.S.C.
12 6591c)”; and

13 (2) in subsection (d), by striking “subsection
14 (b)(1), the Secretary may” and inserting “para-
15 graphs (1) and (4)(B) of subsection (b), the Sec-
16 retary shall”.

17 **SEC. 8402. MANAGEMENT OF INDIAN FOREST LAND AU-**
18 **THORIZED TO INCLUDE RELATED NATIONAL**
19 **FOREST SYSTEM LANDS AND PUBLIC LANDS.**

20 Section 305 of the National Indian Forest Resources
21 Management Act (25 U.S.C. 3104) is amended by adding
22 at the end the following new subsection:

23 “(c) INCLUSION OF CERTAIN NATIONAL FOREST
24 SYSTEM LAND AND PUBLIC LAND.—

1 “(1) AUTHORITY.—At the request of an Indian
2 Tribe, the Secretary concerned may agree to treat
3 Federal forest land as Indian forest land for pur-
4 poses of planning and conducting forest land man-
5 agement activities under this section if the Federal
6 forest land is located within, or mostly within, a geo-
7 graphic area that presents a feature or involves cir-
8 cumstances principally relevant to that Indian Tribe,
9 such as Federal forest land ceded to the United
10 States by treaty, Federal forest land within the
11 boundaries of a current or former reservation, or
12 Federal forest land adjudicated to be Tribal home-
13 lands.

14 “(2) REQUIREMENTS.—As part of the agree-
15 ment to treat Federal forest land as Indian forest
16 land under paragraph (1), the Secretary concerned
17 and the Indian Tribe making the request shall—

18 “(A) provide for continued public access
19 applicable to the Federal forest land prior to
20 the agreement, except that the Secretary con-
21 cerned may limit or prohibit such access as
22 needed;

23 “(B) continue sharing revenue generated
24 by the Federal forest land with State and local
25 governments either—

1 “(i) on the terms applicable to the
2 Federal forest land prior to the agreement,
3 including, where applicable, 25-percent
4 payments or 50-percent payments; or

5 “(ii) at the option of the Indian Tribe,
6 on terms agreed upon by the Indian Tribe,
7 the Secretary concerned, and State and
8 county governments participating in a rev-
9 enue-sharing agreement for the Federal
10 forest land;

11 “(C) comply with applicable prohibitions
12 on the export of unprocessed logs harvested
13 from the Federal forest land;

14 “(D) recognize all right-of-way agreements
15 in place on Federal forest land prior to com-
16 mencement of Tribal management activities;

17 “(E) ensure that all commercial timber re-
18 moved from the Federal forest land is sold on
19 a competitive bid basis; and

20 “(F) cooperate with the appropriate State
21 fish and wildlife agency to achieve mutual
22 agreement on the management of fish and wild-
23 life.

24 “(3) LIMITATION.—Treating Federal forest
25 land as Indian forest land for purposes of planning

1 and conducting management activities pursuant to
2 paragraph (1) shall not be construed to designate
3 the Federal forest land as Indian forest lands for
4 any other purpose.

5 “(4) DEFINITIONS.—In this subsection:

6 “(A) FEDERAL FOREST LAND.—The term
7 ‘Federal forest land’ means—

8 “(i) National Forest System lands;
9 and

10 “(ii) public lands (as defined in sec-
11 tion 103(e) of the Federal Land Policy and
12 Management Act of 1976 (43 U.S.C.
13 1702(e))), including Coos Bay Wagon
14 Road Grant lands reconveyed to the
15 United States pursuant to the first section
16 of the Act of February 26, 1919 (40 Stat.
17 1179), and Oregon and California Railroad
18 Grant lands.

19 “(B) SECRETARY CONCERNED.—The term
20 ‘Secretary concerned’ means—

21 “(i) the Secretary of Agriculture, with
22 respect to the Federal forest land referred
23 to in subparagraph (A)(i); and

1 “(ii) the Secretary of the Interior,
 2 with respect to the Federal forest land re-
 3 ferred to in subparagraph (A)(ii).”.

4 **SEC. 8403. TRIBAL FOREST MANAGEMENT DEMONSTRA-**
 5 **TION PROJECT.**

6 The Secretary of the Interior and the Secretary of
 7 Agriculture may carry out demonstration projects by
 8 which federally recognized Indian Tribes or Tribal organi-
 9 zations may contract to perform administrative, manage-
 10 ment, and other functions of programs of the Tribal For-
 11 est Protection Act of 2004 (25 U.S.C. 3115a et seq.)
 12 through contracts entered into under the Indian Self-De-
 13 termination and Education Assistance Act (25 U.S.C.
 14 5304 et seq.).

15 **Subtitle E—Other Matters**

16 **SEC. 8501. CLARIFICATION OF RESEARCH AND DEVELOP-**
 17 **MENT PROGRAM FOR WOOD BUILDING CON-**
 18 **STRUCTION.**

19 (a) IN GENERAL.—The Secretary shall conduct per-
 20 formance-driven research and development, education, and
 21 technical assistance for the purpose of facilitating the use
 22 of innovative wood products in wood building construction
 23 in the United States.

24 (b) ACTIVITIES.—In carrying out subsection (a), the
 25 Secretary shall—

1 (1) after receipt of input and guidance from,
2 and collaboration with, the wood products industry,
3 conservation organizations, and institutions of high-
4 er education, conduct research and development,
5 education, and technical assistance that meets meas-
6 urable performance goals for the achievement of the
7 priorities described in subsection (c); and

8 (2) after coordination and collaboration with
9 the wood products industry and conservation organi-
10 zations, make competitive grants to institutions of
11 higher education to conduct research and develop-
12 ment, education, and technical assistance that meets
13 measurable performance goals for the achievement
14 of the priorities described in subsection (c).

15 (c) PRIORITIES.—The research and development,
16 education, and technical assistance conducted under sub-
17 section (a) shall give priority to—

18 (1) ways to improve the commercialization of
19 innovative wood products;

20 (2) analyzing the safety of tall wood building
21 materials;

22 (3) calculations by the Secretary of the life
23 cycle environmental footprint, from extraction of raw
24 materials through the manufacturing process, of tall
25 wood building construction;

1 (4) analyzing methods to reduce the life cycle
2 environmental footprint of tall wood building con-
3 struction;

4 (5) analyzing the potential implications of the
5 use of innovative wood products in building con-
6 struction on wildlife; and

7 (6) one or more other research areas identified
8 by the Secretary, in consultation with conservation
9 organizations, institutions of higher education, and
10 the wood products industry.

11 (d) TIMEFRAME.—To the maximum extent prac-
12 ticable, the measurable performance goals for the research
13 and development, education, and technical assistance con-
14 ducted under subsection (a) shall be achievable within a
15 5-year period.

16 (e) DEFINITIONS.—In this section:

17 (1) INNOVATIVE WOOD PRODUCT.—The term
18 “innovative wood product” means a type of building
19 component or system that uses large panelized wood
20 construction, including mass timber.

21 (2) MASS TIMBER.—The term “mass timber”
22 includes—

23 (A) cross-laminated timber;

24 (B) nail-laminated timber;

25 (C) glue-laminated timber;

1 (D) laminated strand lumber; and

2 (E) laminated veneer lumber.

3 (3) SECRETARY.—The term “Secretary” means
4 the Secretary of Agriculture, acting through the Re-
5 search and Development deputy area and the State
6 and Private Forestry deputy area of the Forest
7 Service.

8 (4) TALL WOOD BUILDING.—The term “tall
9 wood building” means a building designed to be—

10 (A) constructed with mass timber; and

11 (B) more than 85 feet in height.

12 **SEC. 8502. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY**
13 **VEGETATION MANAGEMENT PILOT PRO-**
14 **GRAM.**

15 (a) PILOT PROGRAM REQUIRED.—To encourage
16 owners or operators of rights-of-way on National Forest
17 System land to partner with the Forest Service to volun-
18 tarily perform vegetation management on a proactive basis
19 to better protect utility infrastructure from potential pass-
20 ing wildfires, the Secretary shall conduct a limited, vol-
21 untary pilot program, in the manner described in this sec-
22 tion, to permit vegetation management projects on Na-
23 tional Forest System land adjacent to or near such rights-
24 of-way.

1 (b) ELIGIBLE PARTICIPANTS.—A participant in the
2 pilot program must have a right-of-way on National For-
3 est System land. In selecting participants, the Secretary
4 shall give priority to holders of a right-of-way who have
5 worked with Forest Service fire scientists and used tech-
6 nologies, such as Light Detection and Ranging surveys,
7 to improve utility infrastructure protection prescriptions.

8 (c) PROJECT ELEMENTS.—A vegetation management
9 project under the pilot program involves limited and selec-
10 tive vegetation management activities, which—

11 (1) shall create the least amount of disturbance
12 reasonably necessary to protect utility infrastructure
13 from passing wildfires based on applicable models,
14 including Forest Service fuel models;

15 (2) may include thinning, fuel reduction, cre-
16 ation and treatment of shaded fuel breaks, and other
17 measures as appropriate;

18 (3) shall only take place adjacent to the partici-
19 pant's right-of-way or within 75 feet of the partici-
20 pant's right-of-way;

21 (4) shall not take place in any designated wil-
22 derness area, wilderness study area, or inventoried
23 roadless area; and

24 (5) shall be subject to approval by the Forest
25 Service in accordance with this section.

1 (d) PROJECT COSTS.—A participant in the pilot pro-
2 gram shall be responsible for all costs, as determined by
3 the Secretary, incurred in participating in the pilot pro-
4 gram, unless the Secretary determines that it is in the
5 public interest for the Forest Service to contribute funds
6 for a vegetation management project conducted under the
7 pilot program.

8 (e) LIABILITY.—

9 (1) IN GENERAL.—Participation in the pilot
10 program does not affect any existing legal obliga-
11 tions or liability standards that—

12 (A) arise under the right-of-way for activi-
13 ties in the right-of-way; or

14 (B) apply to fires resulting from causes
15 other than activities conducted pursuant to an
16 approved vegetation management project.

17 (2) PROJECT WORK.—A participant shall not be
18 liable to the United States for damage proximately
19 caused by activities conducted pursuant to an ap-
20 proved vegetation management project unless—

21 (A) such activities were carried out in a
22 manner that was grossly negligent or that vio-
23 lated criminal law; or

24 (B) the damage was caused by the failure
25 of the participant to comply with specific safety

1 requirements expressly imposed by the Forest
2 Service as a condition of participating in the
3 pilot program.

4 (f) IMPLEMENTATION.—The Secretary shall utilize
5 existing laws and regulations in the conduct of the pilot
6 program and, in order to implement the pilot program in
7 an efficient and expeditious manner, may waive or modify
8 specific provisions of the Federal Acquisition Regulation,
9 including modifications to allow for formation of contracts
10 or agreements on a noncompetitive basis.

11 (g) TREATMENT OF PROCEEDS.—Notwithstanding
12 any other provision of law, the Secretary may—

13 (1) retain any funds provided to the Forest
14 Service by a participant in the pilot program; and

15 (2) use such funds, in such amounts as may be
16 appropriated, in the conduct of the pilot program.

17 (h) DEFINITIONS.—In this section:

18 (1) NATIONAL FOREST SYSTEM LAND.—The
19 term “National Forest System land” means land
20 within the National Forest System, as defined in
21 section 11(a) of the Forest and Rangeland Renew-
22 able Resources Planning Act of 1974 (16 U.S.C.
23 1609(a)) exclusive of the National Grasslands and
24 land utilization projects designated as National

1 Grasslands administered pursuant to the Act of July
2 22, 1937 (7 U.S.C. 1010–1012).

3 (2) PASSING WILDFIRE.—The term “passing
4 wildfire” means a wildfire that originates outside the
5 right-of-way.

6 (3) RIGHT-OF-WAY.—The term “right-of-way”
7 means a special use authorization issued by the For-
8 est Service allowing the placement of utility infra-
9 structure.

10 (4) UTILITY INFRASTRUCTURE.—The term
11 “utility infrastructure” means electric transmission
12 lines, natural gas infrastructure, or related struc-
13 tures.

14 (i) DURATION.—The authority to conduct the pilot
15 program, and any vegetation management project under
16 the pilot program, expires December 21, 2027.

17 (j) REPORT TO CONGRESS.—Not later than Decem-
18 ber 31, 2019, and every two years thereafter, the Sec-
19 retary shall issue a report to the Committee on Energy
20 and Natural Resources of the Senate, the Committee on
21 Agriculture, Nutrition, and Forestry of the Senate, the
22 Committee on Natural Resources of the House of Rep-
23 resentatives, and the Committee on Agriculture of the
24 House of Representatives on the status of the program
25 and any projects established under this section.

1 **SEC. 8503. REVISION OF EXTRAORDINARY CIRCUMSTANCES**
2 **REGULATIONS.**

3 (a) DETERMINATIONS OF EXTRAORDINARY CIR-
4 CUMSTANCES.—In determining whether extraordinary cir-
5 cumstances related to a proposed action preclude use of
6 a categorical exclusion, the Forest Service shall not be re-
7 quired to—

8 (1) consider whether a proposed action is within
9 a potential wilderness area;

10 (2) consider whether a proposed action affects
11 a Forest Service sensitive species;

12 (3) conduct an analysis under section 220.4(f)
13 of title 36, Code of Federal Regulations, of the pro-
14 posed action's cumulative impact (as the term is de-
15 fined in section 1508.7 of title 40, Code of Federal
16 Regulations);

17 (4) consider a determination under section 7 of
18 the Endangered Species Act of 1973 (16 U.S.C.
19 1536) that a proposed action may affect, but is not
20 likely to adversely affect, threatened, endangered, or
21 candidate species, or designated critical habitats; or

22 (5) consider a determination under section 7 of
23 the Endangered Species Act of 1973 (16 U.S.C.
24 1536) that a proposed action may affect, and is like-
25 ly to adversely affect threatened, endangered, can-
26 didate species, or designated critical habitat if the

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

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

9 (c) ADDITIONAL REVISION.—As part of the proposed
10 rulemaking described in subsection (b), the Secretary of
11 Agriculture shall revise section 220.5(a)(2) of title 36,
12 Code of Federal Regulations, to provide that the Forest
13 Service shall not be required to consider proposals that
14 would substantially alter a potential wilderness area as a
15 class of actions normally requiring environmental impact
16 statements.

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

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

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

1 **SEC. 8505. TECHNICAL CORRECTIONS.**

2 (a) WILDFIRE SUPPRESSION FUNDING AND FOREST
3 MANAGEMENT ACTIVITIES ACT.—

4 (1) IN GENERAL.—The Wildfire Suppression
5 Funding and Forest Management Activities Act
6 (Public Law 115–141) is amended—

7 (A) in section 102(a)(2), by striking “the
8 date of enactment” and inserting “the date of
9 the enactment”; and

10 (B) in section 401(a)(1), by inserting “of
11 2000” after “Self-Determination”.

12 (2) EFFECTIVE DATE.—The amendments made
13 by paragraph (1) shall take effect as if enacted as
14 part of the Wildfire Suppression Funding and For-
15 est Management Activities Act (Public Law 115–
16 141).

17 (b) AGRICULTURAL ACT OF 2014.—Section 8206(a)
18 of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is
19 amended—

20 (1) in paragraph (3)(B)(i)(II), by striking
21 “Good Neighbor Authority Improvement Act” and
22 inserting “Wildfire Suppression Funding and Forest
23 Management Activities Act”; and

24 (2) in paragraph (7), as redesignated by section
25 8331, by striking “Good Neighbor Authority Im-

provement Act” and inserting “Wildfire Suppression
Funding and Forest Management Activities Act”.

TITLE IX—HORTICULTURE

Subtitle A—Horticulture Marketing and Information

SEC. 9001. SPECIALTY CROPS MARKET NEWS ALLOCATION.

Section 10107(b) of the Food, Conservation, and En-
ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by strik-
ing “2018” and inserting “2023”.

SEC. 9002. FARMERS’ MARKET AND LOCAL FOOD PRO- MOTION PROGRAM.

Section 6(g) of the Farmer-to-Consumer Direct Mar-
keting Act of 1976 (7 U.S.C. 3005(g)) is amended—

(1) in paragraph (3), by striking “this section”
and all that follows through “2018.” and inserting
the following: “this section—

“(A) \$10,000,000 for each of fiscal years
2014 through 2018; and

“(B) \$30,000,000 for each of fiscal years
2019 through 2023.”;

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3), (4), (5),
and (6) as paragraphs (2), (3), (4), and (5), respec-
tively.

1 **SEC. 9003. FOOD SAFETY EDUCATION INITIATIVES.**

2 Section 10105(c) of the Food, Conservation, and En-
3 ergy Act of 2008 (7 U.S.C. 7655a(c)) is amended by strik-
4 ing “2018” and inserting “2023”.

5 **SEC. 9004. SPECIALTY CROP BLOCK GRANTS.**

6 Section 101 of the Specialty Crops Competitiveness
7 Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465)
8 is amended—

9 (1) in subsection (a)—

10 (A) by striking “2018” and inserting
11 “2023”; and

12 (B) by striking “agriculture solely to en-
13 hance the competitiveness of specialty crops.”
14 and inserting the following: “agriculture to—

15 “(1) enhance the competitiveness of specialty
16 crops;

17 “(2) leverage efforts to market and promote
18 specialty crops;

19 “(3) assist producers with research and devel-
20 opment;

21 “(4) expand availability and access to specialty
22 crops;

23 “(5) address local, regional, and national chal-
24 lenges confronting specialty crop producers; and

1 “(6) other priorities as determined by the Sec-
 2 retary in consultation with relevant State depart-
 3 ments of agriculture.”;

4 (2) in subsection (k), by adding at the end the
 5 following new paragraph:

6 “(3) EVALUATION OF PERFORMANCE.—The
 7 Secretary shall enter into a cooperative agreement
 8 with relevant State departments of agriculture and
 9 specialty crop industry stakeholders that agree to—

10 “(A) develop, in consultation with the Sec-
 11 retary, performance measures to be used as the
 12 sole means for performing an evaluation under
 13 subparagraph (B); and

14 “(B) periodically evaluate the performance
 15 of the program established under this section.”;
 16 and

17 (3) in subsection (l)(2)(E), by striking “fiscal
 18 year 2018” and inserting “each of fiscal years 2018
 19 through 2023”.

20 **SEC. 9005. AMENDMENTS TO THE PLANT VARIETY PROTEC-**
 21 **TION ACT.**

22 (a) ASEXUALLY REPRODUCED DEFINED.—Section
 23 41(a) of the Plant Variety Protection Act (7 U.S.C.
 24 2401(a)) is amended—

1 (1) by redesignating paragraphs (1), (2), (3),
2 (4), (5), (6), (7), (8), and (9) as paragraphs (2),
3 (3), (4), (5), (6), (7), (8), (9), and (10), respectively;
4 and

5 (2) by inserting before paragraph (2), as so re-
6 designated, the following new paragraph:

7 “(1) ASEXUALLY REPRODUCED.—The term
8 ‘asexually reproduced’ means produced by a method
9 of plant propagation using vegetative material (other
10 than seed) from a single parent, including cuttings,
11 grafting, tissue culture, and propagation by root di-
12 vision.”.

13 (b) RIGHT TO PLANT VARIETY PROTECTION; PLANT
14 VARIETIES PROTECTABLE.—Section 42(a) of the Plant
15 Variety Protection Act (7 U.S.C. 2402(a)) is amended by
16 striking “or tuber propagated” and inserting “, tuber
17 propagated, or asexually reproduced”.

18 (c) INFRINGEMENT OF PLANT VARIETY PROTEC-
19 TION.—Section 111(a)(3) of the Plant Variety Protection
20 Act (7 U.S.C. 2541(a)(3)) is amended by inserting “or
21 asexually” after “sexually”.

22 (d) FALSE MARKETING; CEASE AND DESIST OR-
23 DERS.—Section 128(a) of the Plant Variety Protection
24 Act (7 U.S.C. 2568(a)) is amended by inserting “or
25 asexually” after “sexually”.

1 **SEC. 9006. ORGANIC PROGRAMS.**

2 (a) **ADDITIONAL ACCREDITATION AUTHORITY.**—Sec-
3 tion 2115 of the Organic Foods Production Act of 1990
4 (7 U.S.C. 6514) is amended—

5 (1) by redesignating subsection (c) as sub-
6 section (d); and

7 (2) by inserting after subsection (b) the fol-
8 lowing new subsection:

9 “(c) **SATELLITE OFFICES AND OVERSEAS OPER-**
10 **ATIONS.**—The Secretary—

11 “(1) has oversight and approval authority with
12 respect to a certifying agent accredited under this
13 section who is operating as a certifying agent in a
14 foreign country for the purpose of certifying a farm
15 or handling operation in such foreign country as a
16 certified organic farm or handling operation; and

17 “(2) shall require that each certifying agent
18 that intends to operate in any foreign country as de-
19 scribed in paragraph (1) is authorized by the Sec-
20 retary to so operate on an annual basis.”.

21 (b) **NATIONAL LIST OF APPROVED AND PROHIBITED**
22 **SUBSTANCES FOR ORGANIC FARMING OR HANDLING OP-**
23 **ERATIONS.**—Section 2118(d) of the Organic Foods Pro-
24 duction Act of 1990 (7 U.S.C. 6517(d)) is amended by
25 adding at the end the following new paragraph:

1 “(7) EXPEDITED PETITIONS FOR NATIONAL
2 LIST SUBSTANCES RELATED TO FOOD SAFETY.—The
3 Secretary shall develop—

4 “(A) expedited procedures for petitions
5 seeking to add crop protection and post-harvest
6 handling substances, or a class of such sub-
7 stances, related to food safety for placement on
8 the National List; and

9 “(B) emergency procedures for designating
10 substances described in subparagraph (A) for
11 placement on the National List in the event of
12 a threat to crop or human safety that cannot
13 be addressed with listed substances for a period
14 not to exceed 12 months.”.

15 (c) CERTAIN EMPLOYEES ELIGIBLE TO SERVE AS
16 NATIONAL ORGANICS STANDARDS BOARD MEMBERS.—
17 Section 2119(b) of the Organic Foods Production Act of
18 1990 (7 U.S.C. 6518(b)) is amended—

19 (1) in paragraph (1), by inserting “, or employ-
20 ees of such individuals” after “operation”;

21 (2) in paragraph (2), by inserting “, or employ-
22 ees of such individuals” after “operation”; and

23 (3) in paragraph (3), by inserting “, or an em-
24 ployee of such individual” after “products”.

1 (d) NATIONAL ORGANIC STANDARDS BOARD CON-
2 SULTATION REQUIREMENTS.—Section 2119(l) of the Or-
3 ganic Foods Production Act of 1990 (7 U.S.C. 6518(l))
4 is amended—

5 (1) in paragraph (2), by striking “; and” at the
6 end and inserting a semicolon;

7 (2) in paragraph (3)—

8 (A) by striking “and the evaluation of the
9 technical advisory panel” and inserting “, the
10 evaluation of the technical advisory panel, and
11 the determinations of the task force required
12 under paragraph (4)”;

13 (B) by striking the period at the end and
14 inserting “; and”;

15 (3) by adding at the end the following new
16 paragraph:

17 “(4) in the case of a substance not included in
18 the National List that the Commissioner of Food
19 and Drugs has determined to be safe for use within
20 the meaning of section 201(s) of the Federal Food,
21 Drug, and Cosmetic Act (21 U.S.C. 321(s)) or the
22 Administrator of the Environmental Protection
23 Agency has determined there is a reasonable cer-
24 tainty that no harm will result from aggregate expo-
25 sure to the pesticide chemical residue, including all

1 anticipated dietary exposures and all other exposures
2 for which there is reliable information, convene a
3 task force to consult with the Commissioner or Ad-
4 ministrator (or the designees thereof), as applicable,
5 to determine if such substance should be included in
6 the National List.”.

7 (e) RECORDKEEPING, INVESTIGATION, AND EN-
8 FORCEMENT.—

9 (1) COLLABORATIVE INVESTIGATIONS AND EN-
10 FORCEMENT.—Section 2120 of the Organic Foods
11 Production Act of 1990 (7 U.S.C. 6519) is amended
12 by adding at the end the following new subsection:

13 “(d) COLLABORATIVE INVESTIGATIONS AND EN-
14 FORCEMENT.—

15 “(1) INFORMATION SHARING DURING ACTIVE
16 INVESTIGATION.—In carrying out this title, all par-
17 ties to an active investigation (including certifying
18 agents, State organic certification programs, and the
19 national organic program) may share confidential
20 business information with Federal and State govern-
21 ment officers and employees and certifying agents
22 involved in the investigation as necessary to fully in-
23 vestigate and enforce potential violations of this title.

24 “(2) ACCESS TO DATA DOCUMENTATION SYS-
25 TEMS.—The Secretary shall have access to available

1 data from cross-border documentation systems ad-
2 ministered by other Federal agencies, including—

3 “(A) the Automated Commercial Environ-
4 ment system of the U.S. Customs and Border
5 Protection; and

6 “(B) the Phytosanitary Certificate
7 Issuance and Tracking system of the Animal
8 and Plant Health Inspection Service.

9 “(3) ADDITIONAL DOCUMENTATION AND
10 VERIFICATION.—The Secretary, acting through the
11 Deputy Administrator of the national organic pro-
12 gram under this title, has the authority, and shall
13 grant an accredited certifying agent the authority, to
14 require producers and handlers to provide additional
15 documentation or verification before granting certifi-
16 cation under section 2104, in the case of a known
17 area of risk or when there is a specific area of con-
18 cern, with respect to meeting the national standards
19 for organic production established under section
20 2105, as determined by the Secretary or the certi-
21 fying agent.”.

22 (2) MODIFICATION OF REGULATIONS ON EX-
23 CLUSIONS FROM CERTIFICATION.—Not later than 1
24 year after the date of the enactment of this Act, the
25 Secretary of Agriculture shall issue regulations to

1 limit the type of operations that are excluded from
2 certification under section 205.101 of title 7, Code
3 of Federal Regulations (or a successor regulation).

4 (f) REPORTING REQUIREMENT.—Section 2122 of the
5 Organic Foods Production Act of 1990 (7 U.S.C. 6521)
6 is amended by adding at the end the following new sub-
7 section:

8 “(c) REPORTING REQUIREMENT.—Not later than
9 March 1, 2019, and annually thereafter through March
10 1, 2023, the Secretary shall submit to Congress a report
11 describing national organic program activities with respect
12 to all domestic and overseas investigations and compliance
13 actions taken pursuant to this title during the preceding
14 year.”.

15 (g) AUTHORIZATION OF APPROPRIATIONS FOR NA-
16 TIONAL ORGANIC PROGRAM.—Subsection (b) of section
17 2123 of the Organic Foods Production Act of 1990 (7
18 U.S.C. 6522) is amended to read as follows:

19 “(b) NATIONAL ORGANIC PROGRAM.—Notwith-
20 standing any other provision of law, in order to carry out
21 activities under the national organic program established
22 under this title, there are authorized to be appropriated—

23 “(1) \$15,000,000 for fiscal year 2018;

24 “(2) \$16,500,000 for fiscal year 2019;

25 “(3) \$18,000,000 for fiscal year 2020;

1 “(4) \$20,000,000 for fiscal year 2021;
2 “(5) \$22,000,000 for fiscal year 2022; and
3 “(6) \$24,000,000 for fiscal year 2023.”.

4 (h) INTERNATIONAL TRADE TECHNOLOGY SYSTEMS
5 AND DATA COLLECTION.—Subsection (c) of section 2123
6 of the Organic Foods Production Act of 1990 (7 U.S.C.
7 6522) is amended to read as follows:

8 “(c) MODERNIZATION AND IMPROVEMENT OF INTER-
9 NATIONAL TRADE TECHNOLOGY SYSTEMS AND DATA
10 COLLECTION.—

11 “(1) IN GENERAL.—The Secretary shall mod-
12 ernize international trade tracking and data collec-
13 tion systems of the national organic program.

14 “(2) ACTIVITIES.—In carrying out paragraph
15 (1), the Secretary shall modernize trade and trans-
16 action certificates to ensure full traceability without
17 unduly hindering trade, such as through an elec-
18 tronic trade document exchange system.

19 “(3) FUNDING.—Of the funds of the Com-
20 modity Credit Corporation, the Secretary shall make
21 available \$5,000,000 for fiscal year 2019 for the
22 purposes of—

23 “(A) carrying out this subsection; and

24 “(B) maintaining the database and tech-
25 nology upgrades previously carried out under

1 this subsection, as in effect on the day before
2 the date of the enactment of the Agriculture
3 and Nutrition Act of 2018.

4 “(4) AVAILABILITY.—The amounts made avail-
5 able under paragraph (3) are in addition to any
6 other funds made available for the purposes speci-
7 fied in such paragraph and shall remain available
8 until expended.”.

9 (i) ORGANIC PRODUCTION AND MARKET DATA INI-
10 TIATIVES.—Section 7407(d) of the Farm Security and
11 Rural Investment Act of 2002 (7 U.S.C. 5925c(d)) is
12 amended—

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

15 “(1) MANDATORY FUNDING FOR FISCAL YEAR
16 2019.—Of the funds of the Commodity Credit Cor-
17 poration, the Secretary shall use to carry out this
18 section \$5,000,000 for fiscal year 2019, to remain
19 available until expended.”;

20 (2) in paragraph (3)—

21 (A) by striking “paragraphs (1) and (2)”
22 and inserting “paragraph (1)”; and

23 (B) by striking “2018” and inserting
24 “2023”; and

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

3 **Subtitle B—Regulatory Reform**

4 **PART I—STATE LEAD AGENCIES UNDER FED-** 5 **ERAL INSECTICIDE, FUNGICIDE, AND** 6 **RODENTICIDE ACT**

7 **SEC. 9101. RECOGNITION AND ROLE OF STATE LEAD AGEN-** 8 **CIES.**

9 (a) STATE LEAD AGENCY DEFINED.—Section 2(aa)
10 of the Federal Insecticide, Fungicide, and Rodenticide Act
11 (7 U.S.C. 136(aa)) is amended—

12 (1) by striking “(aa)STATE.—The term” and
13 inserting the following:

14 “(aa) STATE; STATE LEAD AGENCY.—

15 “(1) STATE.—The term”; and

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

17 “(2) STATE LEAD AGENCY.—The term ‘State
18 lead agency’ means a statewide department, agency,
19 board, bureau, or other entity in a State that is au-
20 thorized to regulate, in a manner consistent with
21 section 24(a), the sale or use of any federally reg-
22 istered pesticide or device in such State.”.

23 (b) UNIFORM REGULATION OF PESTICIDES.—

24 (1) COOPERATION WITH AND ROLE OF STATE
25 LEAD AGENCY.—Section 22(b) of the Federal Insec-

1 ticide, Fungicide, and Rodenticide Act (7 U.S.C.
 2 136t(b)) is amended by inserting before the period
 3 at the end the following: “promulgated by the Ad-
 4 ministrator or, when authorized pursuant to a coop-
 5 erative agreement entered into under section
 6 23(a)(1), by a State lead agency for a State”.

7 (2) AUTHORITY TO ESTABLISH AND MAINTAIN
 8 UNIFORM REGULATIONS.—Section 23(a)(1) of the
 9 Federal Insecticide, Fungicide, and Rodenticide Act
 10 (7 U.S.C. 136u(a)(1)) is amended by inserting after
 11 “enforcement of this Act,” the following: “to author-
 12 ize the State or Indian tribe to establish and main-
 13 tain uniform regulation of pesticides within the
 14 State or for the Indian tribe,”.

15 (3) CONDITION ON MORE RESTRICTIVE REGU-
 16 LATION.—Section 24(a) of the Federal Insecticide,
 17 Fungicide, and Rodenticide Act (7 U.S.C. 136v(a))
 18 is amended by striking “A State may” and inserting
 19 “A State, but not a political subdivision of a State,
 20 may”.

21 (c) ROLE OF STATE LEAD AGENCIES IN PROMULGA-
 22 TION OF REGULATIONS.—Section 25(a)(2) of the Federal
 23 Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.
 24 136w(a)(2)) is amended—

25 (1) in subparagraph (A)—

1 (A) in the first sentence, by inserting “and
2 each State lead agency” after “Agriculture”;

3 (B) by striking the second sentence and in-
4 serting the following: “If the Secretary or any
5 State lead agency comments in writing to the
6 Administrator regarding any such regulation
7 within 30 days after receiving the copy of the
8 regulation, the Administrator shall publish in
9 the Federal Register (with the proposed regula-
10 tion) all such comments and the response of the
11 Administrator to the comments.”; and

12 (C) in the third sentence, by inserting “or
13 any State lead agency” after “Secretary”;

14 (2) in subparagraph (B)—

15 (A) in the first sentence, by inserting “and
16 each State lead agency” after “Agriculture”;

17 (B) by striking the second sentence and in-
18 serting the following: “If the Secretary or any
19 State lead agency comments in writing to the
20 Administrator regarding any such regulation
21 within 15 days after receiving the copy of the
22 regulation, the Administrator shall publish in
23 the Federal Register (with the final regulation)
24 the comments of the Secretary or State lead
25 agency, if requested by the Secretary or State

1 lead agency, and the response of the Adminis-
2 trator to the comments.”; and

3 (C) in the third sentence, by inserting “or
4 any State lead agency” after “Secretary”; and

5 (3) in subparagraph (C), by inserting before the
6 period at the end the following: “, in consultation
7 with the State lead agencies”.

8 **PART II—PESTICIDE REGISTRATION AND USE**

9 **SEC. 9111. REGISTRATION OF PESTICIDES.**

10 (a) APPROVAL OF REGISTRATION.—Section 3(c)(5)
11 of the Federal Insecticide, Fungicide, and Rodenticide Act
12 (7 U.S.C. 136a(c)(5)) is amended—

13 (1) by redesignating subparagraphs (A) through
14 (D) as clauses (i) through (iv), respectively and mov-
15 ing the margins of such clauses (as so redesignated)
16 2 ems to the right;

17 (2) by striking “REGISTRATION.—The Adminis-
18 trator” and inserting the following: “REGISTRA-
19 TION.—

20 “(A) IN GENERAL.—The Administrator;”;

21 (3) in clause (iii), as so redesignated, by strik-
22 ing “; and” at the end and inserting a semicolon;

23 (4) in clause (iv), as so redesignated, by strik-
24 ing the period at the end and inserting “; and”;

1 (5) in the matter following clause (iv), as so re-
2 designated, by striking “The Administrator shall not
3 make any lack” and all that follows through “for use
4 of the pesticide in such State.”;

5 (6) in subparagraph (A), as amended, by add-
6 ing at the end the following new clause:

7 “(v) when used in accordance with
8 widespread and commonly recognized prac-
9 tice it is not likely to jeopardize the sur-
10 vival of a federally listed threatened or en-
11 dangered species or directly or indirectly
12 alter, in a manner that is likely to appre-
13 ciably diminish its value, critical habitat
14 for both the survival and recovery of such
15 species.”; and

16 (7) by adding at the end the following new sub-
17 paragraphs:

18 “(B) PRINCIPLES TO BE APPLIED TO CER-
19 TAIN DETERMINATIONS.—In determining
20 whether the condition specified in subparagraph
21 (A)(v) is met, the Administrator shall take into
22 account the best scientific and commercial in-
23 formation and data available, and shall consider
24 all directions for use and restrictions on use
25 specified by the registration. In making such

determination, the Administrator shall use an economical and effective screening process that includes higher-tiered probabilistic ecological risk assessments, as appropriate. Notwithstanding any other provision of law, the Administrator shall not be required to consult or otherwise communicate with the Secretary of the Interior and the Secretary of Commerce except to the extent specified in subparagraphs (C) and (D).

“(C) SPECIES INFORMATION AND DATA.—

“(i) REQUEST.—Not later than 30 days after the Administrator begins any determination under subparagraph (A)(v) with respect to the registration of a pesticide, the Administrator shall request that the Secretary of the Interior and the Secretary of Commerce transmit, with respect to any federally listed threatened and endangered species involved in such determination, the Secretaries’ best available and authoritative information and data on—

“(I) the location, life history, habitat needs, distribution, threats,

1 population trends and conservation
2 needs of such species; and

3 “(II) relevant physical and bio-
4 logical features of designated critical
5 habitat for such species.

6 “(ii) TRANSMISSION OF DATA.—After
7 receiving a request under clause (i), the
8 Secretary of the Interior and the Secretary
9 of Commerce shall transmit the informa-
10 tion described in such clause to the Admin-
11 istrator on a timely basis, unless the Sec-
12 retary of the Interior and the Secretary of
13 Commerce have made such information
14 available through a web-based platform
15 that is updated on at least a quarterly
16 basis.

17 “(iii) FAILURE TO TRANSMIT DATA.—
18 The failure of the Secretary of the Interior
19 or the Secretary of Commerce to provide
20 information to the Administrator under
21 clause (ii) shall not constitute grounds for
22 extending any deadline for action under
23 section 33(f).

24 “(D) CONSULTATION.—

1 “(i) IN GENERAL.—At the request of
2 an applicant, the Administrator shall re-
3 quest consultation with the Secretary of
4 the Interior and the Secretary of Com-
5 merce.

6 “(ii) REQUIREMENTS.—With respect
7 to a consultation under this subparagraph,
8 the Administrator and the Secretary of the
9 Interior and the Secretary of Commerce
10 shall comply with subpart D of part 402 of
11 title 50, Code of Federal Regulations (com-
12 monly known as the Joint Counterpart En-
13 dangered Species Act Section 7 Consulta-
14 tion), or successor regulations.

15 “(E) FAILURE TO CONSULT.—

16 “(i) NOT ACTIONABLE.—Notwith-
17 standing any other provision of law, begin-
18 ning on the date of the enactment of this
19 subparagraph, the failure of the Adminis-
20 trator to consult with the Secretary of the
21 Interior and the Secretary of Commerce,
22 except as provided by this section, is not
23 actionable in any Federal court.

24 “(ii) REMEDY.—In any action pend-
25 ing in Federal court on the date of the en-

1 actment of this subparagraph or any ac-
2 tion brought in Federal court after such
3 date, with respect to the Administrator's
4 failure to consult with the Secretary of the
5 Interior and the Secretary of Commerce,
6 the sole and exclusive remedy for any such
7 action , other than as otherwise specified
8 in this Act, shall be scheduling the deter-
9 minations required by section 3(c)(5)(E)
10 for an active ingredient consistent with the
11 periodic review of registrations established
12 by this section.

13 “(F) ESSENTIALITY AND EFFICACY.—The
14 Administrator shall not make any lack of essen-
15 tiality a criterion for denying registration of
16 any pesticide. Where two pesticides meet the re-
17 quirements of this paragraph, one should not be
18 registered in preference to the other. In consid-
19 ering an application for the registration of a
20 pesticide, the Administrator may waive data re-
21 quirements pertaining to efficacy, in which
22 event the Administrator may register the pes-
23 ticide without determining that the pesticide's
24 composition is such as to warrant proposed
25 claims of efficacy. If a pesticide is found to be

1 efficacious by any State under section 24(c), a
2 presumption is established that the Adminis-
3 trator shall waive data requirements pertaining
4 to efficacy for use of the pesticide in such
5 State.”.

6 (b) REGISTRATION UNDER SPECIAL CIR-
7 CUMSTANCES.—Section 3(c)(7) of the Federal Insecticide,
8 Fungicide, and Rodenticide Act (7 U.S.C. 136a(c)(7)) is
9 amended—

10 (1) in subparagraph (A)—

11 (A) by inserting “and when used in accord-
12 ance with widespread and commonly recognized
13 practice, it is not likely to jeopardize the sur-
14 vival of a federally listed threatened or endan-
15 gered species or appreciably diminish the value
16 of critical habitat for both the survival and re-
17 covery of the listed species,” after “or differ
18 only in ways that would not significantly in-
19 crease the risk of unreasonable adverse effects
20 on the environment,”; and

21 (B) by inserting “and it is not likely to
22 jeopardize the survival of a federally listed
23 threatened or endangered species or appreciably
24 diminish the value of critical habitat for both
25 the survival and recovery of the listed species”

1 before “. An applicant seeking conditional reg-
2 istration”; and

3 (2) in subparagraph (B), by inserting “and it
4 is not likely to jeopardize the survival of a federally
5 listed threatened or endangered species or directly or
6 indirectly appreciably diminish the value of critical
7 habitat for both the survival and recovery of the list-
8 ed species” before “. Notwithstanding the foregoing
9 provisions”.

10 (c) REGISTRATION REVIEW.—Section 3(g)(1)(A) of
11 the Federal Insecticide, Fungicide, and Rodenticide Act
12 (7 U.S.C. 136a(g)(1)(A)) is amended by adding at the end
13 the following new clause:

14 “(vi) ENSURING PROTECTION OF SPECIES
15 AND HABITAT.—The Administrator shall com-
16 plete the determination required under sub-
17 section (c)(5)(A)(v) for an active ingredient
18 consistent with the periodic review of registra-
19 tions under clauses (ii) and (iii) in accordance
20 with the following schedule:

21 “(I) With respect to any active ingre-
22 dient first registered on or before October
23 1, 2007, not later than October 1, 2026.

24 “(II) With respect to any active ingre-
25 dient first registered between October 1,

1 2007, and the day before the date of the
2 enactment of this clause, not later than
3 October 1, 2033.

4 “(III) With respect to any active in-
5 gredient first registered on or after the
6 date of the enactment of this clause, not
7 later than 48 months after the effective
8 date of registration.”.

9 **SEC. 9112. EXPERIMENTAL USE PERMITS.**

10 Section 5(a) of the Federal Insecticide, Fungicide,
11 and Rodenticide Act (7 U.S.C. 136c(a)) is amended by
12 inserting “and that the issuance of such a permit is not
13 likely to jeopardize the survival of a federally listed threat-
14 ened or endangered species or diminish the value of crit-
15 ical habitat for both the survival and recovery of the listed
16 species” after “section 3 of this Act”.

17 **SEC. 9113. ADMINISTRATIVE REVIEW; SUSPENSION.**

18 Section 6(b) of the Federal Insecticide, Fungicide,
19 and Rodenticide Act (7 U.S.C. 136d(b)) is amended by
20 inserting “or does not meet the criteria specified in section
21 3(c)(5)(A)(v)” after “adverse effects on the environment”.

22 **SEC. 9114. UNLAWFUL ACTS.**

23 Section 12 of the Federal Insecticide, Fungicide, and
24 Rodenticide Act (7 U.S.C. 136j) is amended by adding at
25 the end the following new subsection:

1 “(c) **LAWFUL USE OF PESTICIDE RESULTING IN IN-**
2 **CIDENTAL TAKING OF CERTAIN SPECIES.**—If the Admin-
3 istrator determines, with respect to a pesticide that is reg-
4 istered under this Act, that the pesticide meets the criteria
5 specified in section 3(c)(5)(A)(v), any taking of a federally
6 listed threatened or endangered species that is incidental
7 to an otherwise lawful use of such pesticide pursuant to
8 this Act shall not be considered unlawful under—

9 “(1) section 4(d) of the Endangered Species
10 Act of 1973 (16 U.S.C. 1533(d)); or

11 “(2) section 9(a)(1)(B) of the Endangered Spe-
12 cies Act of 1973 (16 U.S.C. 1538(a)(1)(B)) of such
13 Act.”.

14 **SEC. 9115. AUTHORITY OF STATES.**

15 Section 24(c) of the Federal Insecticide, Fungicide,
16 and Rodenticide Act (7 U.S.C. 136v(c)) is amended—

17 (1) in paragraph (2), in the second sentence, by
18 inserting “and the State registration is not likely to
19 jeopardize the survival of a federally listed threat-
20 ened or endangered species or directly or indirectly
21 alter in a manner that is likely to appreciably dimin-
22 ish the value of critical habitat for both the survival
23 and recovery of the listed species” before the period
24 at the end; and

25 (2) by striking paragraph (4).

1 **SEC. 9116. REGULATIONS.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Administrator of the Environmental
4 Protection Agency shall publish, and revise thereafter as
5 appropriate, a work plan and processes for completing the
6 determinations required by clause (v) of section 3(c)(5)(A)
7 of the Federal Insecticide, Fungicide, and Rodenticide Act
8 (7 U.S.C. 136a(c)(5)(A)), as added by section 9111(a),
9 and implementing and enforcing standards of registration
10 consistent with such clause and consistent with registra-
11 tion reviews and other periodic reviews.

12 **SEC. 9117. USE OF AUTHORIZED PESTICIDES.**

13 Section 3(f) of the Federal Insecticide, Fungicide,
14 and Rodenticide Act (7 U.S.C. 136a(f)) is amended by
15 adding at the end the following:

16 “(5) USE OF AUTHORIZED PESTICIDES.—Ex-
17 cept as provided in section 402(s) of the Federal
18 Water Pollution Control Act, the Administrator or a
19 State may not require a permit under such Act for
20 a discharge from a point source into navigable
21 waters of a pesticide authorized for sale, distribu-
22 tion, or use under this Act, or the residue of such
23 a pesticide, resulting from the application of such
24 pesticide.”.

1 **SEC. 9118. DISCHARGES OF PESTICIDES.**

2 Section 402 of the Federal Water Pollution Control
3 Act (33 U.S.C. 1342) is amended by adding at the end
4 the following:

5 “(s) DISCHARGES OF PESTICIDES.—

6 “(1) NO PERMIT REQUIREMENT.—Except as
7 provided in paragraph (2), a permit shall not be re-
8 quired by the Administrator or a State under this
9 Act for a discharge from a point source into navi-
10 gable waters of a pesticide authorized for sale, dis-
11 tribution, or use under the Federal Insecticide, Fun-
12 gicide, and Rodenticide Act, or the residue of such
13 a pesticide, resulting from the application of such
14 pesticide.

15 “(2) EXCEPTIONS.—Paragraph (1) shall not
16 apply to the following discharges of a pesticide or
17 pesticide residue:

18 “(A) A discharge resulting from the appli-
19 cation of a pesticide in violation of a provision
20 of the Federal Insecticide, Fungicide, and
21 Rodenticide Act that is relevant to protecting
22 water quality, if—

23 “(i) the discharge would not have oc-
24 curred but for the violation; or

25 “(ii) the amount of pesticide or pes-
26 ticide residue in the discharge is greater

1 than would have occurred without the vio-
2 lation.

3 “(B) Stormwater discharges subject to reg-
4 ulation under subsection (p).

5 “(C) The following discharges subject to
6 regulation under this section:

7 “(i) Manufacturing or industrial efflu-
8 ent.

9 “(ii) Treatment works effluent.

10 “(iii) Discharges incidental to the nor-
11 mal operation of a vessel, including a dis-
12 charge resulting from ballasting operations
13 or vessel biofouling prevention.”.

14 **SEC. 9119. ENACTMENT OF PESTICIDE REGISTRATION IM-**
15 **PROVEMENT ENHANCEMENT ACT OF 2017.**

16 H.R. 1029 of the 115th Congress, entitled the “Pes-
17 ticide Registration Improvement Enhancement Act of
18 2017”, as passed by the House of Representatives on
19 March 20, 2017, is hereby enacted into law.

20 **PART III—AMENDMENTS TO THE PLANT**
21 **PROTECTION ACT**

22 **SEC. 9121. METHYL BROMIDE.**

23 Section 419 of the Plant Protection Act (7 U.S.C.
24 7719) is amended to read as follows:

1 **“SEC. 419. METHYL BROMIDE.**

2 “(a) AUTHORIZATION.—

3 “(1) IN GENERAL.—Subject to paragraphs (2)
4 and (3), a State, local, or Tribal authority may au-
5 thorize the use of methyl bromide for a qualified use
6 if the authority determines the use is required to re-
7 spond to an emergency event. The Secretary may
8 authorize such a use if the Secretary determines
9 such a use is required to respond to an emergency
10 event.

11 “(2) NOTIFICATION.—Not later than 5 days
12 after the date on which a State, local, or tribal au-
13 thority makes the determination described in para-
14 graph (1), the State, local, or Tribal authority in-
15 tending to authorize the use of methyl bromide for
16 a qualified use shall submit to the Secretary a notifi-
17 cation that contains the information described in
18 subsection (b).

19 “(3) OBJECTION.—A State, local, or Tribal au-
20 thority may not authorize the use of methyl bromide
21 under paragraph (1) if the Secretary objects to such
22 use under subsection (c) within the 5-day period
23 specified in such subsection.

24 “(b) NOTIFICATION CONTENTS.—A notification sub-
25 mitted under subsection (a)(2) by a State, local, or tribal
26 authority shall contain—

1 “(1) a certification that the State, local, or trib-
2 al authority requires the use of methyl bromide to
3 respond to an emergency event;

4 “(2) a description of the emergency event and
5 the economic loss that would result from such emer-
6 gency event;

7 “(3) the identity and contact information for
8 the responsible individual of the authority; and

9 “(4) with respect to the qualified use of methyl
10 bromide that is the subject of the notification—

11 “(A) the specific location in which the
12 methyl bromide is to be used and the total acre-
13 age of such location;

14 “(B) the identity of the pest or pests to be
15 controlled by such use;

16 “(C) the total volume of methyl bromide to
17 be used; and

18 “(D) the anticipated date of such use.

19 “(c) OBJECTION.—

20 “(1) IN GENERAL.—The Secretary, not later
21 than 5 days after the receipt of a notification sub-
22 mitted under subsection (a)(2), may object to the
23 authorization of the use of methyl bromide under
24 such subsection by a State, local, or tribal authority

1 by sending the State, local, or tribal authority a no-
2 tification in writing of such objection that—

3 “(A) states the reasons for such objection;

4 and

5 “(B) specifies any additional information
6 that the Secretary would require to withdraw
7 the objection.

8 “(2) REASONS FOR OBJECTION.—The Secretary
9 may object to an authorization described in para-
10 graph (1) if the Secretary determines that—

11 “(A) the notification submitted under sub-
12 section (a)(2) does not—

13 “(i) contain all of the information
14 specified in paragraphs (1) through (4) of
15 subsection (b); or

16 “(ii) demonstrate the existence of an
17 emergency event; or

18 “(B) the qualified use specified in the noti-
19 fication does not comply with the limitations
20 specified in subsection (e).

21 “(3) WITHDRAWAL OF OBJECTION.—The Sec-
22 retary shall withdraw an objection under this sub-
23 section if—

24 “(A) not later than 14 days after the date
25 on which the Secretary sends the notification

1 under paragraph (1) to the State, local, or trib-
2 al authority involved, the State, local, or tribal
3 authority submits to the Secretary the addi-
4 tional information specified in such notification;
5 and

6 “(B) such additional information is sub-
7 mitted to the satisfaction of the Secretary.

8 “(4) EFFECT OF WITHDRAWAL.—Upon the
9 issuance of a withdrawal under paragraph (3), the
10 State, local, or tribal authority involved may author-
11 ize the use of methyl bromide for the qualified use
12 specified in the notification submitted under sub-
13 section (a)(2).

14 “(d) USE FOR EMERGENCY EVENTS CONSISTENT
15 WITH FIFRA.—The production, distribution, sale, ship-
16 ment, application, or use of a pesticide product containing
17 methyl bromide in accordance with an authorization for
18 a use under subsection (a) shall be deemed an authorized
19 production, distribution, sale, shipment, application, or
20 use of such product under the Federal Insecticide, Fun-
21 gicide, and Rodenticide Act, regardless of whether the in-
22 tended use is registered and included in the label approved
23 for the product by the Administrator of the Environmental
24 Protection Agency under such Act.

25 “(e) LIMITATIONS ON USE.—

1 “(1) LIMITATIONS ON USE PER EMERGENCY
2 EVENT.—The amount of methyl bromide that may
3 be used per emergency event at a specific location
4 shall not exceed 20 metric tons.

5 “(2) LIMITS ON AGGREGATE AMOUNT.—The
6 aggregate amount of methyl bromide allowed pursu-
7 ant to this section for use in the United States in
8 a calendar year shall not exceed the total amount
9 authorized by the Parties to the Montreal Protocol
10 pursuant to the Montreal Protocol process for crit-
11 ical uses in the United States in calendar year 2011.

12 “(f) ENSURING ADEQUATE SUPPLY OF METHYL
13 BROMIDE.—Notwithstanding any other provision of law,
14 it shall not be unlawful for any person or entity to produce
15 or import methyl bromide, or otherwise supply methyl bro-
16 mide from inventories (produced or imported pursuant to
17 the Clean Air Act for other purposes) in response to an
18 emergency event in accordance with subsection (a).

19 “(g) EXCLUSIVE AUTHORITY OF THE SECRETARY.—
20 Nothing in this section shall be construed to alter or mod-
21 ify the authority of the Secretary to use methyl bromide
22 for quarantine and pre-shipment, without limitation,
23 under the Clean Air Act.

24 “(h) DEFINITIONS.—

1 “(1) EMERGENCY EVENT.—The term ‘emer-
2 gency event’ means a situation—

3 “(A) that occurs at a location on which a
4 plant or commodity is grown or produced or a
5 facility providing for the storage of, or other
6 services with respect to, a plant or commodity;

7 “(B) for which the lack of availability of
8 methyl bromide for a particular use would re-
9 sult in significant economic loss to the owner,
10 lessee, or operator of such a location or facility
11 or the owner, grower, or purchaser of such a
12 plant or commodity; and

13 “(C) that, in light of the specific agricul-
14 tural, meteorological, or other conditions pre-
15 sented, requires the use of methyl bromide to
16 control a pest or disease in such location or fa-
17 cility because there are no technically or eco-
18 nomically feasible alternatives to methyl bro-
19 mide easily accessible by an entity referred to
20 in subparagraph (B) at the time and location of
21 the event that—

22 “(i) are registered under the Federal
23 Insecticide, Fungicide, and Rodenticide Act
24 (7 U.S.C. 136 et seq.) for the intended use
25 or pest to be so controlled; and

1 “(ii) would adequately control the pest
2 or disease presented at such location or fa-
3 cility.

4 “(2) PEST.—The term ‘pest’ has the meaning
5 given such term in section 2 of the Federal Insecti-
6 cide, Fungicide, and Rodenticide Act (7 U.S.C.
7 136).

8 “(3) QUALIFIED USE.—The term ‘qualified use’
9 means, with respect to methyl bromide, a methyl
10 bromide treatment or application in an amount not
11 to exceed the limitations specified in subsection (e)
12 in response to an emergency event.”.

13 **PART IV—AMENDMENTS TO OTHER LAWS**

14 **SEC. 9131. DEFINITION OF RETAIL FACILITIES.**

15 Not later than 180 days of the date of enactment of
16 this Act, the Secretary of Labor shall revise the process
17 safety management of highly hazardous chemicals stand-
18 ard under section 1910.119 of title 29, Code of Federal
19 Regulations, promulgated pursuant to section 6 of the Oc-
20 cupational Safety and Health Act of 1970 (29 U.S.C.
21 655), to provide that the definition of the term “retail fa-
22 cility”, when used with respect to a facility that provides
23 direct sales of highly hazardous chemicals to end users or
24 consumers (including farmers or ranchers), means a facil-
25 ity that is exempt from such standard because such facil-

1 ity has obtained more than half of its income during the
2 most recent 12-month period from such direct sales.

3 **Subtitle C—Other Matters**

4 **SEC. 9201. REPORT ON REGULATION OF PLANT BIOSTIMU-** 5 **LANTS.**

6 (a) REPORT.—Not later than 1 year after the date
7 of the enactment of this Act, the Secretary of Agriculture
8 shall submit a report to the President and Congress that
9 identifies potential regulatory and legislative reforms to
10 ensure the expeditious and appropriate review, approval,
11 uniform national labeling, and availability of plant bio-
12 stimulant products to agricultural producers.

13 (b) CONSULTATION.—The Secretary of Agriculture
14 shall prepare the report required by subsection (a) in con-
15 sultation with the Administrator of the Environmental
16 Protection Agency, the several States, industry stake-
17 holders, and such other stakeholders as the Secretary de-
18 termines necessary.

19 (c) PLANT BIOSTIMULANT DEFINED.—In this sec-
20 tion, the term “plant biostimulant” means a substance or
21 micro-organism that, when applied to seeds, plants, or the
22 rhizosphere, stimulates natural processes to enhance or
23 benefit nutrient uptake, nutrient efficiency, tolerance to
24 abiotic stress, or crop quality and yield.

1 **SEC. 9202. PECAN MARKETING ORDERS.**

2 Section 8e(a) of the Agricultural Adjustment Act, re-
 3 enacted with amendments by the Agricultural Marketing
 4 Agreement Act of 1937 (7 U.S.C. 608e–1(a)), is amended
 5 in the first sentence, by inserting “pecans,” after “wal-
 6 nuts,”.

7 **SEC. 9203. REPORT ON HONEY AND MAPLE SYRUP.**

8 Not later than 60 days after the date of the enact-
 9 ment of this Act, the Secretary of Agriculture shall submit
 10 to the Committee on Agriculture of the House of Rep-
 11 resentatives and the Committee on Agriculture, Nutrition,
 12 and Forestry of the Senate a report examining the effect
 13 of the final rule entitled “Food Labeling: Revision of the
 14 Nutrition and Supplement Facts Labels”, published in the
 15 Federal Register by the Department of Agriculture on
 16 May 27, 2016 (81 Fed. Reg. 33742), and providing for
 17 updates to the nutrition facts panel on the labeling of
 18 packaged food has on consumer perception regarding the
 19 “added sugar” statement required to be included on such
 20 panel by such final rule with respect to packaged food in
 21 which no sugar is added during processing, including pure
 22 honey and maple syrup.

23 **TITLE X—CROP INSURANCE**

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

25 (a) AVAILABILITY OF CATASTROPHIC RISK PROTEC-
 26 TION FOR CROPS AND GRASSES USED FOR GRAZING.—

1 Section 508(b)(1) of the Federal Crop Insurance Act (7
2 U.S.C. 1508(b)(1)) is amended—

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

6 (2) by striking subparagraph (B).

7 (b) LIMITATION ON MULTIPLE BENEFITS FOR SAME
8 LOSS.—Section 508(n)(2) of the Federal Crop Insurance
9 Act (7 U.S.C. 1508(n)(2)) is amended by inserting before
10 the period the following: “or to coverage described in sec-
11 tion 508D”.

12 (c) COVERAGE FOR FORAGE AND GRAZING.—The
13 Federal Crop Insurance Act is amended by inserting after
14 section 508C (7 U.S.C. 1508C) the following new section:
15 **“SEC. 508D. COVERAGE FOR FORAGE AND GRAZING.**

16 “Notwithstanding section 508A, and in addition to
17 any other available coverage, for crops that can be both
18 grazed and mechanically harvested on the same acres dur-
19 ing the same growing season, producers shall be allowed
20 to purchase, and be independently indemnified on, sepa-
21 rate policies for each intended use, as determined by the
22 Corporation.”.

1 **SEC. 10002. ADMINISTRATIVE BASIC FEE.**

2 Section 508(b)(5)(A) of the Federal Crop Insurance
3 Act (7 U.S.C. 1508(b)(5)(A)) is amended by striking
4 “\$300” and inserting “\$500”.

5 **SEC. 10003. PREVENTION OF DUPLICATIVE COVERAGE.**

6 (a) IN GENERAL.—Section 508(c)(1) of the Federal
7 Crop Insurance Act (7 U.S.C. 1508(c)(1)) is amended by
8 adding at the end the following new subparagraph:

9 “(C) INELIGIBLE CROPS AND ACRES.—
10 Crops for which the producer has elected under
11 section 1117 of the Agriculture and Nutrition
12 Act of 2018 to receive agriculture risk coverage
13 and acres that are enrolled in the stacked in-
14 come protection plan under section 508B shall
15 not be eligible for—

16 “(i) coverage based on an area yield
17 and loss basis under paragraph (3)(A)(ii);

18 “(ii) coverage based on a margin basis
19 under paragraph (3)(C); or

20 “(iii) supplemental coverage under
21 paragraph (4)(C).”.

22 (b) CONFORMING AMENDMENTS.—Section
23 508(c)(4)(C) of the Federal Crop Insurance Act (7 U.S.C.
24 1508(c)(4)(C)) is amended—

25 (1) by striking clause (iv); and

26 (2) by redesignating clause (v) as clause (iv).

1 **SEC. 10004. REPEAL OF UNUSED AUTHORITY.**

2 (a) IN GENERAL.—Section 508(d) of the Federal
3 Crop Insurance Act (7 U.S.C. 1508(d)) is amended—

4 (1) by striking paragraph (3); and

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

7 (b) CONFORMING AMENDMENTS.—Section
8 508(a)(9)(B) of the Federal Crop Insurance Act (7 U.S.C.
9 1508(a)(9)(B)) is amended—

10 (1) in clause (i), by inserting “or” after the
11 semicolon;

12 (2) by striking clause (ii); and

13 (3) by redesignating clause (iii) as clause (ii).

14 **SEC. 10005. CONTINUED AUTHORITY.**

15 Section 508(g) of the Federal Crop Insurance Act (7
16 U.S.C. 1508(g)) is amended by adding at the end the fol-
17 lowing new paragraph:

18 “(6) CONTINUED AUTHORITY.—

19 “(A) IN GENERAL.—The Corporation shall
20 establish—

21 “(i) underwriting rules that limit the
22 decrease in the actual production history of
23 a producer, at the election of the producer,
24 to not more than 10 percent of the actual
25 production history of the previous crop
26 year provided that the production decline

1 was the result of drought, flood, natural
 2 disaster, or other insurable loss (as deter-
 3 mined by the Corporation); and

4 “(ii) actuarially sound premiums to
 5 cover additional risk.

6 “(B) OTHER AUTHORITY.—The authority
 7 provided under subparagraph (A) is in addition
 8 to any other authority that adjusts the actual
 9 production history of the producer under this
 10 Act.

11 “(C) EFFECT.—Nothing in this paragraph
 12 shall be construed to require a change in the
 13 carrying out of any provision of this Act as the
 14 Act was carried out for the 2018 reinsurance
 15 year.”.

16 **SEC. 10006. PROGRAM ADMINISTRATION.**

17 Section 516(b)(2)(C)(i) of the Federal Crop Insur-
 18 ance Act (7 U.S.C. 1516(b)(2)(C)(i)) is amended by strik-
 19 ing “\$9,000,000” and inserting “\$7,000,000”.

20 **SEC. 10007. MAINTENANCE OF POLICIES.**

21 (a) Section 522(b) of the Federal Crop Insurance Act
 22 (7 U.S.C. 1522(b)) is amended—

23 (1) in paragraph (1), by amending subpara-
 24 graph (B) to read as follows:

25 “(B) REIMBURSEMENT.—

1 “(i) IN GENERAL.—An applicant who
2 submits a policy under section 508(h) shall
3 be eligible for the reimbursement of rea-
4 sonable and actual research and develop-
5 ment costs directly related to the policy if
6 the policy is approved by the Board for
7 sale to producers.

8 “(ii) REASONABLE COSTS.—For the
9 purpose of reimbursing research and devel-
10 opment and maintenance costs under this
11 section, costs of the applicant shall be con-
12 sidered reasonable and actual costs if the
13 costs are based on—

14 “(I) wage rates equal to 2 times
15 the hourly wage rate plus benefits, as
16 provided by the Bureau of Labor Sta-
17 tistics for the year in which such costs
18 are incurred, calculated using the for-
19 mula applied to an applicant by the
20 Corporation in reviewing proposed
21 project budgets under this section on
22 October 1, 2016; or

23 “(II) actual documented costs in-
24 curred by the applicant.”; and

25 (2) in paragraph (4)—

1 (A) in subparagraph (C), by striking “ap-
2 proved insurance provider” and inserting “ap-
3 plicant”; and

4 (B) in subparagraph (D)—

5 (i) in clause (i), by striking “deter-
6 mined by the approved insurance provider”
7 and inserting “determined by the appli-
8 cant”;

9 (ii) by striking clause (ii) and insert-
10 ing the following new clauses:

11 “(ii) APPROVAL.—Subject to clause
12 (iii), the Board shall approve the amount
13 of a fee determined under clause (i) unless
14 the Board determines, based on substantial
15 evidence in the record, that the amount of
16 the fee unnecessarily inhibits the use of the
17 policy.

18 “(iii) CONSIDERATION.—The Board
19 shall not disapprove a fee on the basis of—

20 “(I) a comparison to mainte-
21 nance fees paid with respect to the
22 policy; or

23 “(II) the potential for the fee to
24 result in a financial gain or loss to the

1 applicant based on the number of poli-
2 cies sold.”.

3 (b) APPLICABILITY.—

4 (1) IN GENERAL.—The amendments made by
5 this section shall apply to reimbursement requests
6 made on or after October 1, 2016.

7 (2) RESUBMISSION OF DENIED REQUEST.—An
8 applicant that was denied all or a portion of a reim-
9 bursement request under paragraph (1) of section
10 522(b) of the Federal Crop Insurance Act (7 U.S.C.
11 1522(b)) during the period between October 1, 2016
12 and the date of the enactment of this Act shall be
13 given an opportunity to resubmit such request.

14 **SEC. 10008. RESEARCH AND DEVELOPMENT PRIORITIES.**

15 (a) REPEAL OF CERTAIN RESEARCH AND DEVELOP-
16 MENT ACTIVITIES.—Section 522(c) of the Federal Crop
17 Insurance Act (7 U.S.C. 1522(c)) is amended—

18 (1) by striking paragraphs (7) through (18);

19 (2) by striking paragraphs (20) through (23);

20 and

21 (3) by redesignating paragraphs (19) and (24)
22 as paragraphs (7) and (8), respectively.

23 (b) WHOLE FARM APPLICATION TO BEGINNING
24 FARMERS AND RANCHERS.—Paragraph (7) of section
25 522(c) of the Federal Crop Insurance Act (7 U.S.C.

1 1522(c)), as redesignated by subsection (a), is amended
2 by adding at the end the following new subparagraph:

3 “(E) BEGINNING FARMER OR RANCHER DE-
4 FINED.—Notwithstanding section 502(b)(3), with re-
5 spect to plans described under this paragraph, the
6 term ‘beginning farmer or rancher’ means a farmer
7 or rancher who has not actively operated and man-
8 aged a farm or ranch with a bona fide insurable in-
9 terest in a crop or livestock as an owner-operator,
10 landlord, tenant, or sharecropper for more than 10
11 crop years.”.

12 (c) RESEARCH AND DEVELOPMENT PRIORITIES.—
13 Section 522(c) of the Federal Crop Insurance Act (7
14 U.S.C. 1522(c)) as amended by subsection (a), is further
15 amended by adding at the end the following new para-
16 graphs:

17 “(9) TROPICAL STORM OR HURRICANE INSUR-
18 ANCE.—

19 “(A) IN GENERAL.—The Corporation shall
20 offer to enter into 1 or more contracts with
21 qualified entities to carry out research and de-
22 velopment regarding a policy to insure crops,
23 including tomatoes, peppers, and citrus, against
24 losses due to a tropical storm or hurricane.

1 “(B) RESEARCH AND DEVELOPMENT.—

2 Research and development with respect to the
3 policy required under subparagraph (A) shall—

4 “(i) evaluate the effectiveness of a
5 risk management tool for a low frequency,
6 catastrophic loss weather event; and

7 “(ii) provide protection for production
8 or revenue losses, or both.

9 “(10) SUBSURFACE IRRIGATION PRACTICES.—

10 The Corporation shall offer to enter into a contract
11 with a qualified entity to conduct research and de-
12 velopment regarding the creation of a separate prac-
13 tice for subsurface irrigation, including the establish-
14 ment of a separate transitional yield within the
15 county that is reflective of the average gain in pro-
16 ductivity and yield associated with the installation of
17 a subsurface irrigation system.

18 “(11) STUDY AND REPORT ON GRAIN SORGHUM
19 RATES AND YIELDS.—

20 “(A) STUDY.—The Corporation shall con-
21 tract with a qualified entity to conduct a study
22 to assess the difference in rates, average yields,
23 and coverage levels of grain sorghum policies as
24 compared to other feed grains within a county.

1 “(B) REPORT.—Not later than 1 year
2 after the date of enactment of this paragraph,
3 the Corporation shall submit to the Committee
4 on Agriculture of the House of Representatives
5 and the Committee on Agriculture, Nutrition,
6 and Forestry of the Senate a report that de-
7 scribes the results of the study conducted under
8 subparagraph (A).

9 “(12) QUALITY LOSSES.—

10 “(A) IN GENERAL.—The Corporation shall
11 offer to enter into a contract with a qualified
12 entity to conduct research and development re-
13 garding the establishment of an alternative
14 method of adjusting for quality losses that does
15 not impact the average production history of
16 producers.

17 “(B) REQUIREMENTS.—Notwithstanding
18 subsections (g) and (m) of section 508, if the
19 Corporation uses any method developed as a re-
20 sult of the contract described in subparagraph
21 (A) to adjust for quality losses, such method
22 shall be—

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

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

3 **SEC. 10009. EXTENSION OF FUNDING FOR RESEARCH AND**
4 **DEVELOPMENT.**

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

7 (1) by striking subsection (d);

8 (2) in subsection (e)(2)(A)—

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

11 (B) by striking “not more than
12 \$12,500,000 for fiscal year 2008 and each sub-
13 sequent fiscal year.” and inserting the fol-
14 lowing: “not more than—

15 “(i) \$12,500,000 for fiscal year 2008
16 through 2018; and”; and

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

18 “(ii) \$8,000,000 for fiscal year 2019
19 and each fiscal year thereafter.”; and

20 (3) by redesignating subsection (e), as so
21 amended, as subsection (d).

22 **SEC. 10010. EDUCATION AND RISK MANAGEMENT ASSIST-**
23 **ANCE.**

24 Section 524 of the Federal Crop Insurance Act (7
25 U.S.C. 1524) is amended to read as follows:

1 **“SEC. 524. EDUCATION AND RISK MANAGEMENT ASSIST-**
2 **ANCE.**

3 “(a) EDUCATION ASSISTANCE.—Subject to the
4 amounts made available under subsection (d), the Sec-
5 retary, acting through the National Institute of Food and
6 Agriculture, shall carry out the program established under
7 subsection (b).

8 “(b) PARTNERSHIPS FOR RISK MANAGEMENT EDU-
9 CATION.—

10 “(1) AUTHORITY.—The Secretary, acting
11 through the National Institute of Food and Agri-
12 culture, shall establish a program under which com-
13 petitive grants are made to qualified public and pri-
14 vate entities (including land-grant colleges, coopera-
15 tive extension services, and colleges or universities),
16 as determined by the Secretary, for the purpose of
17 educating agricultural producers about the full range
18 of risk management activities, including futures, op-
19 tions, agricultural trade options, crop insurance,
20 cash forward contracting, debt reduction, production
21 diversification, farm resources risk reduction, farm
22 financial benchmarking, and other risk management
23 strategies.

24 “(2) BASIS FOR GRANTS.—A grant under this
25 subsection shall be awarded on the basis of merit
26 and shall be subject to peer or merit review.

1 “(3) OBLIGATION PERIOD.—Funds for a grant
2 under this subsection shall be available to the Sec-
3 retary for obligation for a 2-year period.

4 “(4) ADMINISTRATIVE COSTS.—The Secretary
5 may use not more than 4 percent of the funds made
6 available for grants under this subsection for admin-
7 istrative costs incurred by the Secretary in carrying
8 out this subsection.

9 “(c) REQUIREMENTS.—In carrying out the program
10 established under subsection (b), the Secretary shall place
11 special emphasis on risk management strategies (including
12 farm financial benchmarking), education, and outreach
13 specifically targeted at—

14 “(1) beginning farmers or ranchers;

15 “(2) legal immigrant farmers or ranchers that
16 are attempting to become established producers in
17 the United States;

18 “(3) socially disadvantaged farmers or ranch-
19 ers; and

20 “(4) farmers or ranchers that—

21 “(A) are preparing to retire;

22 “(B) are using transition strategies to help
23 new farmers or ranchers get started; and

1 “(C) new or established farmers or ranch-
 2 ers that are converting production and mar-
 3 keting systems to pursue new markets.

4 “(d) FUNDING.—From the insurance fund estab-
 5 lished under section 516(c), there is transferred for the
 6 partnerships for risk management education program es-
 7 tablished under subsection (b) \$5,000,000 for fiscal year
 8 2018 and each subsequent fiscal year.”.

9 **TITLE XI—MISCELLANEOUS**

10 **Subtitle A—Livestock**

11 **SEC. 11101. ANIMAL DISEASE PREPAREDNESS AND RE-**
 12 **SPONSE.**

13 (a) NATIONAL ANIMAL DISEASE PREPAREDNESS
 14 AND RESPONSE PROGRAM.—The Animal Health Protec-
 15 tion Act is amended by inserting after section 10409A (7
 16 U.S.C. 8308A) the following new section:

17 **“SEC. 10409B. NATIONAL ANIMAL DISEASE PREPAREDNESS**
 18 **AND RESPONSE PROGRAM.**

19 “(a) PROGRAM REQUIRED.—The Secretary shall es-
 20 tablish a program, to be known as the ‘National Animal
 21 Disease Preparedness and Response Program’, to address
 22 the increasing risk of the introduction and spread of ani-
 23 mal pests and diseases affecting the economic interests of
 24 the livestock and related industries of the United States,

1 including the maintenance and expansion of export mar-
2 kets.

3 “(b) ELIGIBLE ENTITIES.—To carry out the Na-
4 tional Animal Disease Preparedness and Response Pro-
5 gram, the Secretary shall offer to enter into cooperative
6 agreements, or other legal instruments, with eligible enti-
7 ties, to be selected by the Secretary, which may include
8 any of the following entities, either individually or in com-
9 bination:

10 “(1) A State department of agriculture.

11 “(2) The office of the chief animal health offi-
12 cial of a State.

13 “(3) A land-grant college or university or
14 NLGCA Institution (as those terms are defined in
15 section 1404 of the National Agricultural Research,
16 Extension, and Teaching Policy Act of 1977 (7
17 U.S.C. 3103)).

18 “(4) A college of veterinary medicine, including
19 a veterinary emergency team at such college.

20 “(5) A State or national livestock producer or-
21 ganization with direct and significant economic in-
22 terest in livestock production.

23 “(6) A State emergency agency.

1 “(7) A State, national, allied, or regional veteri-
2 nary organization or specialty board recognized by
3 the American Veterinary Medical Association.

4 “(8) An Indian tribe (as defined in section 4 of
5 the Indian Self-Determination and Education Assist-
6 ance Act (25 U.S.C. 5304)).

7 “(9) A Federal agency.

8 “(c) ACTIVITIES.—

9 “(1) PROGRAM ACTIVITIES.—Activities under
10 the National Animal Disease Preparedness and Re-
11 sponse Program shall include, to the extent prac-
12 ticable, the following:

13 “(A) Enhancing animal pest and disease
14 analysis and surveillance.

15 “(B) Expanding outreach and education.

16 “(C) Targeting domestic inspection activi-
17 ties at vulnerable points in the safeguarding
18 continuum.

19 “(D) Enhancing and strengthening threat
20 identification and technology.

21 “(E) Improving biosecurity.

22 “(F) Enhancing emergency preparedness
23 and response capabilities, including training ad-
24 ditional emergency response personnel.

1 “(G) Conducting technology development
2 and enhancing electronic sharing of animal
3 health data for risk analysis between State and
4 Federal animal health officials.

5 “(H) Enhancing the development and ef-
6 fectiveness of animal health technologies to
7 treat and prevent animal disease, including—

8 “(i) veterinary biologies and
9 diagnostics;

10 “(ii) animal drugs for minor use and
11 minor species; and

12 “(iii) animal medical devices.

13 “(I) Such other activities as determined
14 appropriate by the Secretary, in consultation
15 with eligible entities specified in subsection (b).

16 “(2) PRIORITIES.—In entering into cooperative
17 agreements or other legal instruments under sub-
18 section (b), the Secretary shall give priority to appli-
19 cations submitted by—

20 “(A) a State department of agriculture or
21 an office of the chief animal health official of a
22 State; or

23 “(B) an eligible entity that will carry out
24 program activities in a State or region—

1 “(i) in which an animal pest or dis-
2 ease is a Federal concern; or

3 “(ii) which the Secretary determines
4 has potential for the spread of an animal
5 pest or disease after taking into consider-
6 ation—

7 “(I) the agricultural industries in
8 the State or region;

9 “(II) factors contributing to ani-
10 mal disease or pest in the State or re-
11 gion, such as the climate, natural re-
12 sources, and geography of, and native
13 and exotic wildlife species and other
14 disease vectors in, the State or region;
15 and

16 “(III) the movement of animals
17 in the State or region.

18 “(3) CONSULTATION.—For purposes of setting
19 priorities under this subsection, the Secretary shall
20 consult with eligible entities specified in subsection
21 (b). The Federal Advisory Committee Act (5 U.S.C.
22 App.) shall not apply to consultation carried out
23 under this paragraph.

24 “(d) APPLICATION.—

1 “(1) IN GENERAL.—An eligible entity specified
2 in subsection (b) seeking to enter into a cooperative
3 agreement, or other legal instrument, under the Na-
4 tional Animal Disease Preparedness and Response
5 Program shall submit to the Secretary an applica-
6 tion containing such information as the Secretary
7 may require.

8 “(2) NOTIFICATION.—The Secretary shall no-
9 tify each applicant of—

10 “(A) the requirements to be imposed on
11 the recipient of funds under the Program for
12 auditing of, and reporting on, the use of such
13 funds; and

14 “(B) the criteria to be used to ensure ac-
15 tivities supported using such funds are based on
16 sound scientific data or thorough risk assess-
17 ments.

18 “(3) NON-FEDERAL CONTRIBUTIONS.—With re-
19 spect to an eligible entity described in subsection
20 (b), the Secretary—

21 “(A) may take into consideration an eligi-
22 ble entity’s ability to contribute non-Federal
23 funds to carry out a cooperative agreement or
24 other legal instrument under the Program when

1 deciding whether to enter into an agreement or
2 other legal instrument under the Program; and

3 “(B) shall not require such an entity to
4 make such a contribution.

5 “(e) USE OF FUNDS.—

6 “(1) USE CONSISTENT WITH TERMS OF COOP-
7 ERATIVE AGREEMENT.—The recipient of funds
8 under the National Animal Disease Preparedness
9 and Response Program shall use the funds for the
10 purposes and in the manner provided in the coopera-
11 tive agreement, or other legal instrument, under
12 which the funds are provided.

13 “(2) SUB-AGREEMENT.—Nothing in this section
14 prevents an eligible entity from using funds received
15 under the Program to enter into sub-agreements
16 with political subdivisions of the State that have
17 legal responsibilities relating to animal disease pre-
18 vention, surveillance, or rapid response.

19 “(f) REPORTING REQUIREMENT.—Not later than 90
20 days after the date of completion of an activity conducted
21 using funds provided under the National Animal Disease
22 Preparedness and Response Program, the recipient of
23 such funds shall submit to the Secretary a report that de-
24 scribes the purposes and results of the activities.”.

1 (b) NATIONAL ANIMAL HEALTH VACCINE BANK.—
2 The Animal Health Protection Act (7 U.S.C. 8301 et seq.)
3 is amended by inserting after section 10409B, as added
4 by subsection (a), the following new section:

5 **“SEC. 10409C. NATIONAL ANIMAL HEALTH VACCINE BANK.**

6 “(a) ESTABLISHMENT.—The Secretary shall estab-
7 lish a national vaccine bank (to be known as the ‘National
8 Animal Health Vaccine Bank’) for the benefit of the do-
9 mestic interests of the United States and to help protect
10 the United States agriculture and food system against ter-
11 rorist attack, major disaster, and other emergencies.

12 “(b) ELEMENTS OF VACCINE BANK.—Through the
13 National Animal Health Vaccine Bank, the Secretary
14 shall—

15 “(1) maintain sufficient quantities of animal
16 vaccine, antiviral, therapeutic, or diagnostic products
17 to appropriately and rapidly respond to an outbreak
18 of those animal diseases that would have the most
19 damaging effect on human health or the United
20 States economy; and

21 “(2) leverage, when appropriate, the mecha-
22 nisms and infrastructure that have been developed
23 for the management, storage, and distribution of the
24 National Veterinary Stockpile of the Animal and
25 Plant Health Inspection Service.

1 “(c) PRIORITY FOR RESPONSE TO FOOT AND MOUTH
2 DISEASE.—The Secretary shall prioritize the acquisition
3 of sufficient quantities of foot and mouth disease vaccine,
4 and accompanying diagnostic products, for the National
5 Animal Health Vaccine Bank. As part of such
6 prioritization, the Secretary shall consider contracting
7 with one or more entities that are capable of producing
8 foot and mouth disease vaccine and that have surge pro-
9 duction capacity of the vaccine.”.

10 (c) FUNDING.—

11 (1) IN GENERAL.—Section 10417 of the Animal
12 Health Protection Act (7 U.S.C. 8316) is amended
13 by adding at the end the following new subsection:

14 “(d) AVAILABILITY OF FUNDS FOR SPECIFIED PUR-
15 POSES.—

16 “(1) MANDATORY FUNDING.—

17 “(A) FISCAL YEAR 2019.—Of the funds of
18 the Commodity Credit Corporation, the Sec-
19 retary shall make available for fiscal year 2019
20 \$250,000,000 to carry out sections 10409A,
21 10409B, and 10409C, of which—

22 “(i) \$30,000,000 shall be made avail-
23 able to carry out the National Animal
24 Health Laboratory Network under section
25 10409A;

1 “(ii) \$70,000,000 shall be made avail-
2 able to carry out the National Animal Dis-
3 ease Preparedness and Response Program
4 under section 10409B; and

5 “(iii) \$150,000,000 shall be made
6 available to establish and maintain the Na-
7 tional Animal Health Vaccine Bank under
8 section 10409C.

9 “(B) SUBSEQUENT FISCAL YEARS.—Of the
10 funds of the Commodity Credit Corporation, the
11 Secretary shall make available to carry out sec-
12 tions 10409A, 10409B, and 10409C,
13 \$50,000,000 for each of fiscal years 2020
14 through 2023, of which not less than
15 \$30,000,000 shall be made available for each of
16 those fiscal years to carry out the National Ani-
17 mal Disease Preparedness and Response Pro-
18 gram under section 10409B.

19 “(2) ADDITIONAL AUTHORIZATION OF APPRO-
20 PRIATIONS.—In addition to the funds made available
21 under subparagraphs (A)(i) and (B)(i) of paragraph
22 (1) and funds authorized to be appropriated by sub-
23 section (a), there are authorized to be appropriated
24 \$15,000,000 for each of fiscal years 2019 through

1 2023 to carry out the National Animal Health Lab-
2 oratory Network under section 10409A.

3 “(3) ADMINISTRATIVE COSTS.—Of the funds
4 made available under clauses (i) and (ii) of subpara-
5 graph (A) and subparagraph (B) of paragraph (1),
6 not more than four percent may be retained by the
7 Secretary to pay administrative costs incurred by the
8 Secretary to carry out the National Animal Health
9 Laboratory Network under section 10409A and the
10 National Animal Disease Preparedness and Re-
11 sponse Program under section 10409B. Of the funds
12 made available under clause (ii) of subparagraphs
13 (A) and (B) of such paragraph, not more than ten
14 percent may be retained by an eligible entity to pay
15 administrative costs incurred by the eligible entity to
16 carry out any such program.

17 “(4) DURATION OF AVAILABILITY.—Funds
18 made available under this subsection, including any
19 proceeds credited under paragraph (5), shall remain
20 available until expended.

21 “(5) PROCEEDS FROM VACCINE SALES.—Any
22 proceeds of a sale of vaccine or antigen from the Na-
23 tional Animal Health Vaccine Bank shall be—

24 “(A) deposited into the Treasury of the
25 Unites States; and

1 “(B) credited to the account for the oper-
2 ation of the National Vaccine Animal Health
3 Bank.

4 “(6) LIMITATIONS ON USE OF FUNDS FOR CER-
5 TAIN PURPOSES.—Funds made available under the
6 National Animal Health Laboratory Network, the
7 National Animal Disease Preparedness and Re-
8 sponse Program, and the National Animal Health
9 Vaccine Bank shall not be used for the construction
10 of a new building or facility or the acquisition or ex-
11 pansion of an existing building or facility, including
12 site grading and improvement and architect fees.”.

13 (2) CONFORMING AMENDMENTS.—

14 (A) SECTION HEADING.—The heading of
15 section 10417 of the Animal Health Protection
16 Act (7 U.S.C. 8316) is amended to read as fol-
17 lows:

18 **“SEC. 10417. FUNDING.”.**

19 (B) OTHER AMENDMENTS.—Section 10417
20 of the Animal Health Protection Act (7 U.S.C.
21 8316) is further amended—

22 (i) in subsection (a), by striking “IN
23 GENERAL” and inserting “GENERAL AU-
24 THORIZATION OF APPROPRIATIONS”; and

1 (ii) in subsection (c), by striking “to
2 carry out this subtitle” and inserting “pur-
3 suant to the authorization of appropria-
4 tions in subsection (a)”.

5 (3) REPEAL OF SEPARATE AUTHORIZATION OF
6 NATIONAL ANIMAL HEALTH LABORATORY NET-
7 WORK.—Section 10409A of the Animal Health Pro-
8 tection Act (7 U.S.C. 8308A(d)) is amended by
9 striking subsection (d).

10 **SEC. 11102. NATIONAL AQUATIC ANIMAL HEALTH PLAN.**

11 Section 11013(d) of the Food, Conservation, and En-
12 ergy Act of 2008 (7 U.S.C. 8322(d)) is amended by strik-
13 ing “2018” and inserting “2023”.

14 **SEC. 11103. VETERINARY TRAINING.**

15 Section 10504 of the Farm Security and Rural In-
16 vestment Act of 2002 (7 U.S.C. 8318) is amended—

17 (1) by inserting “and veterinary teams, includ-
18 ing those based at colleges of veterinary medicine,”
19 after “veterinarians”; and

20 (2) by inserting before the period at the end the
21 following: “and who are capable of providing effec-
22 tive services before, during, and after emergencies”.

1 **SEC. 11104. REPORT ON FSIS GUIDANCE AND OUTREACH TO**
2 **SMALL MEAT PROCESSORS.**

3 Not later than one year after the date of the enact-
4 ment of this Act, the Inspector General of the Department
5 of Agriculture shall submit to the Secretary of Agriculture
6 a report on the effectiveness of existing Food Safety and
7 Inspection Service guidance materials and other tools used
8 by small and very small establishments, as defined by reg-
9 ulations issued by the Food Safety and Inspection Service,
10 as in effect on such date of enactment, including—

11 (1) an evaluation of the effectiveness of the out-
12 reach conducted by the Food Safety and Inspection
13 Service to small and very small establishments;

14 (2) an evaluation of the effectiveness of the
15 guidance materials and other tools used by the Food
16 Safety and Inspection Service to assist small and
17 very small establishments;

18 (3) an evaluation of the responsiveness of the
19 Food Safety and Inspection Service personnel to in-
20 quiries and issues from small and very small estab-
21 lishments; and

22 (4) recommendations on measures the Food
23 Safety and Inspection Service should take to im-
24 prove regulatory clarity and consistency and ensure
25 all guidance materials and other tools take into ac-
26 count small and very small establishments.

1 **Subtitle B—Beginning, Socially**
 2 **Disadvantaged, and Veteran**
 3 **Producers**

4 **SEC. 11201. OUTREACH AND ASSISTANCE FOR SOCIALLY**
 5 **DISADVANTAGED FARMERS AND RANCHERS**
 6 **AND VETERAN FARMERS AND RANCHERS.**

7 Section 2501(a)(4) of the Food, Agriculture, Con-
 8 servation, and Trade Act of 1990 (7 U.S.C. 2279(a)(4))
 9 is amended—

10 (1) in subparagraph (A)—

11 (A) in the heading, by striking “2018” and
 12 inserting “2023”; and

13 (B) in clause (iii), by striking “2018” and
 14 inserting “2023”;

15 (2) by redesignating subparagraph (E) as sub-
 16 paragraph (F);

17 (3) by inserting after subparagraph (D) the fol-
 18 lowing new subparagraph:

19 “(E) PRIORITY.—In making grants and
 20 entering into contracts and other agreements
 21 under this section, the Secretary shall give pri-
 22 ority to projects that—

23 “(i) deliver agricultural education to
 24 youth under the age of 18 in underserved
 25 and underrepresented communities;

1 “(ii) provide youth under the age of
 2 18 with agricultural employment or volun-
 3 teer opportunities, or both; and

4 “(iii) demonstrate experience in pro-
 5 viding such education or opportunities to
 6 socially disadvantaged youth.”; and

7 (4) in subparagraph (F), as so redesignated, by
 8 striking “2018” and inserting “2023”.

9 **SEC. 11202. OFFICE OF PARTNERSHIPS AND PUBLIC EN-**
 10 **GAGEMENT.**

11 (a) CHANGING NAME OF OFFICE.—

12 (1) IN GENERAL.—Section 226B of the Depart-
 13 ment of Agriculture Reorganization Act of 1994 (7
 14 U.S.C. 6934) is amended—

15 (A) in the section heading, by striking
 16 “**ADVOCACY AND OUTREACH**” and inserting
 17 “**PARTNERSHIPS AND PUBLIC ENGAGE-**
 18 **MENT**”;

19 (B) by striking “Advocacy and Outreach”
 20 each place it appears in subsections (a)(2),
 21 (b)(1), and (d)(4)(B) and inserting “Partner-
 22 ships and Public Engagement”;

23 (2) REFERENCES.—Beginning on the date of
 24 the enactment of this Act, any reference to the Of-
 25 fice of Advocacy and Outreach established under sec-

1 tion 226B of the Department of Agriculture Reorga-
2 nization Act of 1994 (7 U.S.C. 6934) in any other
3 provision of Federal law shall be deemed to be a ref-
4 erence to the Office of Partnerships and Public En-
5 gagement.

6 (b) INCREASING OUTREACH.—Section 226B of the
7 Department of Agriculture Reorganization Act of 1994 (7
8 U.S.C. 6934), as amended by subsection (a), is further
9 amended—

10 (1) in subsection (b)(1)—

11 (A) in subparagraph (A), by striking
12 “and” at the end;

13 (B) in subparagraph (B)—

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

16 (ii) in clause (iii), by striking the pe-
17 riod at the end and inserting “; and”; and

18 (iii) by adding at the end the fol-
19 lowing new clauses:

20 “(iv) limited resource producers;

21 “(v) veteran farmers and ranchers;

22 and

23 “(vi) tribal farmers and ranchers;

24 and”; and

1 (C) by adding at the end the following new
2 subparagraph:

3 “(C) to promote youth outreach.”; and
4 (2) in subsection (c)—

5 (A) in the matter preceding paragraph (1),
6 by inserting “veteran farmers and ranchers,
7 tribal farmers and ranchers,” after “beginning
8 farmers and ranchers,”;

9 (B) in paragraph (1), by striking “or so-
10 cially disadvantaged” and inserting “socially
11 disadvantaged, veteran, or tribal”; and

12 (C) in paragraph (5), by inserting “veteran
13 farmers or ranchers, tribal farmers or ranch-
14 ers,” after “beginning farmers or ranchers,”.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
16 226B(f)(3)(B) of the Department of Agriculture Reorga-
17 nization Act of 1994 (7 U.S.C. 6934(f)(3)(B)) is amended
18 by striking “2018” and inserting “2023”.

19 (d) OFFICE OF TRIBAL RELATIONS.—Section 309 of
20 the Federal Crop Insurance Reform and Department of
21 Agriculture Reorganization Act of 1994 (7 U.S.C. 6921)
22 is amended by striking “of the Secretary” and inserting
23 “of Partnerships and Public Engagement established
24 under section 226B”.

1 **SEC. 11203. COMMISSION ON FARM TRANSITIONS-NEEDS**
2 **FOR 2050.**

3 (a) ESTABLISHMENT.—There is established a com-
4 mission to be known as the “Commission on Farm Transi-
5 tions–Needs for 2050” (referred to in this section as the
6 “Commission”).

7 (b) STUDY.—The Commission shall conduct a study
8 on issues impacting the transition of agricultural oper-
9 ations from established farmers and ranchers to the next
10 generation of farmers and ranchers, including—

11 (1) access to, and availability of—

12 (A) quality land and necessary infrastruc-
13 ture;

14 (B) affordable credit; and

15 (C) adequate risk management tools;

16 (2) agricultural asset transfer strategies in use
17 as of the date of the enactment of this Act and im-
18 provements to such strategies;

19 (3) incentives that may facilitate agricultural
20 asset transfers to the next generation of farmers and
21 ranchers, including recommendations for new Fed-
22 eral tax policies to facilitate lifetime and estate
23 transfers;

24 (4) the causes of the failures of such transi-
25 tions, if any; and

1 (5) the status of programs and incentives pro-
2 viding assistance with respect to such transitions in
3 effect on the date of the enactment of this Act, and
4 opportunities for the revision or modernization of
5 such programs.

6 (c) MEMBERSHIP.—

7 (1) COMPOSITION.—The Commission shall be
8 composed of 10 members as follows:

9 (A) 3 members appointed by the Secretary.

10 (B) 3 members appointed by the Com-
11 mittee on Agriculture, Nutrition, and Forestry
12 of the Senate.

13 (C) 3 members appointed by the Com-
14 mittee on Agriculture of the House of Rep-
15 resentatives.

16 (D) The Chief Economist of the Depart-
17 ment of Agriculture.

18 (2) FEDERAL GOVERNMENT EMPLOYMENT.—In
19 addition to the Chief Economist of the Department
20 of Agriculture, the membership of the Commission
21 may include 1 or more employees of the Department
22 of Agriculture or other Federal agencies.

23 (3) DATE OF APPOINTMENTS.—The appoint-
24 ment of a member of the Commission shall be made

1 not later than 60 days after the date of enactment
2 of this Act.

3 (4) TERM; VACANCIES.—

4 (A) TERM.—A member shall be appointed
5 for the life of the Commission.

6 (B) VACANCIES.—A vacancy on the Com-
7 mission—

8 (i) shall not affect the powers of the
9 Commission; and

10 (ii) shall be filled in the same manner
11 as the original appointment was made.

12 (5) INITIAL MEETING.—Not later than 30 days
13 after the date on which all members of the Commis-
14 sion have been appointed, the Commission shall hold
15 the initial meeting of the Commission.

16 (d) QUORUM.—A majority of the members of the
17 Commission shall constitute a quorum for the transaction
18 of business, but a lesser number of members may hold
19 hearings.

20 (e) CHAIRPERSON.—The Secretary shall appoint 1 of
21 the members of the Commission to serve as Chairperson
22 of the Commission.

23 (f) REPORT.—Not later than 1 year after the date
24 of enactment of this Act, the Commission shall submit to
25 the President, the Committee on Agriculture of the House

1 of Representatives, and the Committee on Agriculture,
2 Nutrition, and Forestry of the Senate a report containing
3 the results of the study required by subsection (b), includ-
4 ing such recommendations as the Commission considers
5 appropriate.

6 (g) HEARINGS.—The Commission may hold such
7 hearings, meet and act at such times and places, take such
8 testimony, and receive such evidence as the Commission
9 considers advisable to carry out this section.

10 (h) INFORMATION FROM FEDERAL AGENCIES.—The
11 Commission may secure directly from a Federal agency
12 such information as the Commission considers necessary
13 to carry out this section. On request of the Chairperson
14 of the Commission, the head of the agency shall provide
15 the information to the Commission.

16 (i) POSTAL SERVICES.—The Commission may use
17 the United States mail in the same manner and under the
18 same conditions as other agencies of the Federal Govern-
19 ment.

20 (j) ASSISTANCE FROM SECRETARY.—The Secretary
21 may provide to the Commission appropriate office space
22 and such reasonable administrative and support services
23 as the Commission may request.

24 (k) COMPENSATION OF MEMBERS.—

1 (1) NON-FEDERAL EMPLOYEES.—A member of
2 the Commission who is not an officer or employee of
3 the Federal Government shall be compensated at a
4 rate equal to the daily equivalent of the annual rate
5 of basic pay prescribed for level IV of the Executive
6 Schedule under section 5315 of title 5, United
7 States Code, for each day (including travel time)
8 during which the member is engaged in the perform-
9 ance of the duties of the Commission.

10 (2) FEDERAL EMPLOYEES.—A member of the
11 Commission who is an officer or employee of the
12 Federal Government shall serve without compensa-
13 tion in addition to the compensation received for the
14 services of the member as an officer or employee of
15 the Federal Government.

16 (3) TRAVEL EXPENSES.—A member of the
17 Commission shall be allowed travel expenses, includ-
18 ing per diem in lieu of subsistence, at rates author-
19 ized for an employee of an agency under subchapter
20 I of chapter 57 of title 5, United States Code, while
21 away from the home or regular place of business of
22 the member in the performance of the duties of the
23 Commission.

24 (4) FEDERAL ADVISORY COMMITTEE ACT.—The Fed-
25 eral Advisory Committee Act (5 U.S.C. App.) shall not

1 apply to the Commission or any proceeding of the Com-
2 mission.

3 **SEC. 11204. AGRICULTURAL YOUTH ORGANIZATION COOR-**
4 **DINATOR.**

5 Subtitle A of the Department of Agriculture Reorga-
6 nization Act of 1994 is amended by inserting after section
7 220 (7 U.S.C. 6920) the following new section:

8 **“SEC. 221. AGRICULTURAL YOUTH ORGANIZATION COORDI-**
9 **NATOR.**

10 “(a) AUTHORIZATION.—The Secretary shall establish
11 in the Department the position of Agricultural Youth Or-
12 ganization Coordinator.

13 “(b) DUTIES.—The Agricultural Youth Organization
14 Coordinator shall—

15 “(1) promote the role of youth-serving organiza-
16 tions and school-based agricultural education in mo-
17 tivating and preparing young people to pursue ca-
18 reers in the agriculture, food, and natural resources
19 systems;

20 “(2) work to help build awareness of the reach
21 and importance of agriculture, across a diversity of
22 fields and disciplines;

23 “(3) identify short-term and long-term interests
24 of the Department and provide opportunities, re-
25 sources, input, and coordination with programs and

1 agencies of the Department to youth-serving organi-
2 zations and school-based agricultural education, in-
3 cluding the development of internship opportunities;

4 “(4) share, internally and externally, the extent
5 to which active steps are being taken to encourage
6 collaboration with, and support of, youth-serving or-
7 ganizations and school-based agricultural education;

8 “(5) provide information to young farmers con-
9 cerning the availability of, and eligibility require-
10 ments for, participation in agricultural programs,
11 with particular emphasis on beginning farmer and
12 rancher programs;

13 “(6) serve as a resource for assisting young
14 farmers in applying for participation in agricultural
15 programs; and

16 “(7) advocate on behalf of young farmers in
17 interactions with employees of the Department.

18 “(c) CONTRACTS AND COOPERATIVE AGREE-
19 MENTS.—For purposes of carrying out the duties under
20 subsection (b), the Agricultural Youth Organization Coor-
21 dinator shall consult with the cooperative extension and
22 the land-grant university systems, and may enter into con-
23 tracts or cooperative agreements with the research centers
24 of the Agricultural Research Service, cooperative extension

1 and the land-grant university systems, non-land-grant col-
 2 leges of agriculture, or nonprofit organizations for—

3 “(1) the conduct of regional research on the
 4 profitability of small farms;

5 “(2) the development of educational materials;

6 “(3) the conduct of workshops, courses, and
 7 certified vocational training;

8 “(4) the conduct of mentoring activities; or

9 “(5) the provision of internship opportunities.”.

10 **Subtitle C—Textiles**

11 **SEC. 11301. REPEAL OF PIMA AGRICULTURE COTTON** 12 **TRUST FUND.**

13 Effective December 31, 2018, the Agricultural Act of
 14 2014 (7 U.S.C. 2101 note; Public Law 113–79) is amend-
 15 ed by striking section 12314 (and by conforming the items
 16 relating to such section in the table of sections accord-
 17 ingly).

18 **SEC. 11302. REPEAL OF AGRICULTURE WOOL APPAREL** 19 **MANUFACTURERS TRUST FUND.**

20 Effective December 31, 2018, the Agricultural Act of
 21 2014 (7 U.S.C. 2101 note; Public Law 113–79) is amend-
 22 ed by striking section 12315 (and by conforming the items
 23 relating to such section in the table of sections accord-
 24 ingly).

1 **SEC. 11303. REPEAL OF WOOL RESEARCH AND PROMOTION**
2 **GRANTS FUNDING.**

3 Effective December 31, 2018, the Agricultural Act of
4 2014 (7 U.S.C. 2101 note; Public Law 113–79) is amend-
5 ed by striking section 12316 (and by conforming the items
6 relating to such section in the table of sections accord-
7 ingly).

8 **SEC. 11304. TEXTILE TRUST FUND.**

9 (a) ESTABLISHMENT.—There is established in the
10 Treasury of the United States a trust fund, to be known
11 as the “Textile Trust Fund”, consisting of such amounts
12 as may be transferred to the Textile Trust Fund pursuant
13 to subsection (e), and to be used for the purposes of—

14 (1) reducing the injury to domestic manufactur-
15 ers resulting from tariffs on cotton fabric that are
16 higher than tariffs on certain apparel articles made
17 of cotton fabric;

18 (2) reducing the injury to domestic manufactur-
19 ers resulting from tariffs on wool products that are
20 higher than tariffs on certain apparel articles made
21 of wool products; and

22 (3) wool research and promotion.

23 (b) DISTRIBUTION OF FUNDS.—From amounts in
24 the Textile Trust Fund, the Secretary of Agriculture shall
25 make payments annually, beginning in calendar year

1 2019, for each of calendar years 2019 through 2023 as
2 follows:

3 (1) PIMA COTTON.—From amounts specified in
4 subsection (e)(2)(A), the Secretary shall make pay-
5 ments as follows:

6 (A) Twenty-five percent of such amounts
7 for a calendar year shall be paid to one or more
8 nationally recognized associations established
9 for the promotion of pima cotton for use in tex-
10 tile and apparel goods.

11 (B) Twenty-five percent of such amounts
12 for a calendar year shall be paid to yarn spin-
13 ners of pima cotton that produce ring spun cot-
14 ton yarns in the United States, to be allocated
15 to each spinner in an amount that bears the
16 same ratio as—

17 (i) the spinner's production of ring
18 spun cotton yarns, measuring less than
19 83.33 decitex (exceeding 120 metric num-
20 ber) from pima cotton in single and plied
21 form during the previous calendar year (as
22 evidenced by an affidavit provided by the
23 spinner that meets the requirements of
24 subsection (c)(1)); bears to

1 (ii) the production of the yarns de-
2 scribed in clause (i) during the previous
3 calendar year for all spinners who qualify
4 under this subparagraph.

5 (C) Fifty percent of such amounts for a
6 calendar year shall be paid to manufacturers
7 who cut and sew cotton shirts in the United
8 States who certify that they used imported cot-
9 ton fabric during the previous calendar year, to
10 be allocated to each such manufacturer in an
11 amount that bears the same ratio as—

12 (i) the dollar value (excluding duty,
13 shipping, and related costs) of imported
14 woven cotton shirting fabric of 80s or
15 higher count and 2-ply in warp purchased
16 by the manufacturer during the previous
17 calendar year (as evidenced by an affidavit
18 provided by the manufacturer that meets
19 the requirements of subsection (c)(2)) used
20 in the manufacturing of men's and boys'
21 cotton shirts; bears to

22 (ii) the dollar value (excluding duty,
23 shipping, and related costs) of the fabric
24 described in clause (i) purchased during
25 the previous calendar year by all manufac-

1 turers who qualify under this subpara-
2 graph.

3 (2) WOOL MANUFACTURERS.—From amounts
4 specified in subsection (e)(2)(B), the Secretary shall
5 make payments as follows:

6 (A) To each eligible manufacturer under
7 paragraph (3) of section 4002(c) of the Wool
8 Suit and Textile Trade Extension Act of 2004
9 (Public Law 108–429; 118 Stat. 2600), as
10 amended by section 1633(c) of the Miscella-
11 neous Trade and Technical Corrections Act of
12 2006 (Public Law 109– 280; 120 Stat. 1166)
13 and section 325(b) of the Tax Extenders and
14 Alternative Minimum Tax Relief Act of 2008
15 (division C of Public Law 110–343; 122 Stat.
16 3875), and any successor-in-interest to such a
17 manufacturer as provided for under paragraph
18 (4) of such section 4002(c), that submits an af-
19 fidavit in accordance with subsection (c)(3) for
20 the year of the payment for calendar years
21 2019 through 2023, payments in amounts au-
22 thorized under that paragraph.

23 (B) To each eligible manufacturer under
24 paragraph (6) of such section 4002(c) for cal-

1 endar years 2019 through 2023, payments in
2 amounts authorized under that paragraph.

3 (c) AFFIDAVITS.—

4 (1) YARN SPINNERS.—The affidavit required by
5 subsection (b)(1)(B)(i) for a calendar year is a nota-
6 rized affidavit provided by an officer of a producer
7 of ring spun yarns that affirms—

8 (A) that the producer used pima cotton
9 during the year in which the affidavit is filed
10 and during the previous calendar year to
11 produce ring spun cotton yarns in the United
12 States, measuring less than 83.33 decitex (ex-
13 ceeding 120 metric number), in single and plied
14 form;

15 (B) the quantity, measured in pounds, of
16 ring spun cotton yarns, measuring less than
17 83.33 decitex (exceeding 120 metric number),
18 in single and plied form during the previous cal-
19 endar year; and

20 (C) that the producer maintains sup-
21 porting documentation showing the quantity of
22 such yarns produced, and evidencing the yarns
23 as ring spun cotton yarns, measuring less than
24 83.33 decitex (exceeding 120 metric number),

1 in single and plied form during the previous cal-
2 endar year.

3 (2) SHIRTING MANUFACTURERS.—

4 (A) IN GENERAL.—The affidavit required
5 by subsection (b)(1)(C)(i) for a calendar year is
6 a notarized affidavit provided by an officer of a
7 manufacturer of men’s and boys’ shirts that af-
8 firms—

9 (i) that the manufacturer used im-
10 ported cotton fabric during the year in
11 which the affidavit is filed and during the
12 previous calendar year, to cut and sew
13 men’s and boys’ woven cotton shirts in the
14 United States;

15 (ii) the dollar value of imported woven
16 cotton shirting fabric of 80s or higher
17 count and 2-ply in warp purchased by the
18 manufacturer during the previous calendar
19 year;

20 (iii) that the manufacturer maintains
21 invoices along with other supporting docu-
22 mentation (such as price lists and other
23 technical descriptions of the fabric quali-
24 ties) showing the dollar value of such fab-
25 ric purchased, the date of purchase, and

1 evidencing the fabric as woven cotton fab-
2 ric of 80s or higher count and 2-ply in
3 warp; and

4 (iv) that the fabric was suitable for
5 use in the manufacturing of men's and
6 boys' cotton shirts.

7 (B) DATE OF PURCHASE.—For purposes
8 of the affidavit under subparagraph (A), the
9 date of purchase shall be the invoice date, and
10 the dollar value shall be determined excluding
11 duty, shipping, and related costs.

12 (3) FILING DATE FOR AFFIDAVITS.—Any per-
13 son required to provide an affidavit under this sec-
14 tion shall file the affidavit with the Secretary or as
15 directed by the Secretary for any of calendar years
16 2019 through 2023, not later than March 15 of that
17 calendar year.

18 (4) INCREASE IN PAYMENTS TO WOOL MANU-
19 FACTURERS IN CASE OF EXPIRATION OF DUTY SUS-
20 PENSIONS.—

21 (A) IN GENERAL.—In any calendar year in
22 which the suspension of duty on wool products
23 described in subparagraphs (B) and (C) is not
24 in effect, the amount of any payment described
25 in subsection (b)(2) to a manufacturer or suc-

cessor-in-interest shall be increased by an amount the Secretary, after consultation with the Secretary of Commerce, determines is equal to the amount the manufacturer or successor-in-interest would have saved during the calendar year of the payment if the suspension of duty on such wool products were in effect.

(B) SPECIAL RULE FOR CERTAIN FABRICS OF WORSTED WOOL.—

(i) IN GENERAL.—With respect to fabrics of worsted wool described in clause (ii), subparagraph (A) shall be applied by substituting “rate of duty on such wool products was 10 percent” for “suspension of duty on such wool products were in effect”.

(ii) FABRICS OF WORSTED WOOL DESCRIBED.—Fabrics of worsted wool described in this paragraph are fabrics of worsted wool—

(I) with average fiber diameters greater than 18.5 micron; and

(II) containing 85 percent or more by weight of wool.

1 (C) COVERED WOOL PRODUCTS.—Sub-
2 paragraph (A) applies with respect to the fol-
3 lowing:

4 (i) Yarn, of combed wool, not put up
5 for retail sale, containing 85 percent or
6 more by weight of wool, formed with wool
7 fibers having average diameters of 18.5
8 micron or less.

9 (ii) Wool fiber, waste, garnetted stock,
10 combed wool, or wool top, the foregoing
11 having average fiber diameters of 18.5 mi-
12 cron or less.

13 (iii) Fabrics of combed wool, con-
14 taining 85 percent or more by weight of
15 wool, with wool yarns of average fiber di-
16 ameters of 18.5 micron or less, certified by
17 the importer as suitable for use in making
18 men's and boy's suits, suit-type jackets, or
19 trousers and must be imported for the ben-
20 efit of persons who cut and sew such cloth-
21 ing in the United States.

22 (iv) Fabrics of combed wool, con-
23 taining 85 percent or more by weight of
24 wool, with wool yarns of average fiber di-
25 ameters of 18.5 micron or less, certified by

1 the importer as suitable for use in making
2 men's and boy's suits, suit-type jackets, or
3 trousers and must be imported for the ben-
4 efit of persons who weave worsted wool
5 fabric suitable for use in such clothing in
6 the United States.

7 (D) NO APPEAL OF DETERMINATIONS.—A
8 determination of the Secretary under this para-
9 graph shall be final and not subject to appeal
10 or protest.

11 (d) TIMING FOR DISTRIBUTIONS.—The Secretary
12 shall make a payment under subsection (b) for each of
13 calendar years 2019 through 2023, not later than April
14 15 of the year of the payment.

15 (e) FUNDING.—

16 (1) TRANSFER REQUIRED.—Of the funds of the
17 Commodity Credit Corporation, the Secretary shall
18 transfer to the Textile Trust Fund \$25,250,000 for
19 each of calendar years 2019 through 2023.

20 (2) ALLOCATION OF FUNDS.—Of the funds
21 transferred under paragraph (1) for a calendar
22 year—

23 (A) \$8,000,000 shall be available for dis-
24 tribution under subsection (b)(1);

1 (B) \$15,000,000 shall be available for dis-
 2 tribution under subsection (b)(2); and

3 (C) notwithstanding subsection (f) of sec-
 4 tion 506 of the Trade and Development Act of
 5 2000 (7 U.S.C. 7101 note; Public Law 106–
 6 200), \$2,250,000 shall be available to provide
 7 grants described in subsection (d) of such sec-
 8 tion.

9 (3) SHEEP PRODUCTION AND MARKETING.—In
 10 addition to funds made available under paragraph
 11 (1), of the funds of the Commodity Credit Corpora-
 12 tion, the Secretary shall use to carry out section 209
 13 of the Agricultural Marketing Act of 1946 (7 U.S.C.
 14 1627a), \$2,000,000 for fiscal year 2019, to remain
 15 available until expended.

16 (4) DURATION OF AVAILABILITY.—Amounts
 17 transferred to the Textile Trust Fund pursuant to
 18 this subsection shall remain available until expended.

19 **Subtitle D—United States Grain** 20 **Standards Act**

21 **SEC. 11401. RESTORING CERTAIN EXCEPTIONS TO UNITED** 22 **STATES GRAIN STANDARDS ACT.**

23 (a) IN GENERAL.—Grain handling facilities described
 24 in subsection (b) may, on or before the date that is 180
 25 days after the date of the enactment of this Act, restore

1 a prior exception with an official agency designated under
2 the rule entitled “Exceptions to Geographic Areas for Offi-
3 cial Agencies Under the USGSA” published by the De-
4 partment of Agriculture in the Federal Register on April
5 18, 2003 (68 Fed. Reg. 19137) if—

6 (1) such grain handling facility and official
7 agency agree to restore such prior exception; and

8 (2) such grain handling facility notifies the Sec-
9 retary of Agriculture of—

10 (A) the exception described in paragraph
11 (1); and

12 (B) the effective date of such exception.

13 (b) ELIGIBLE GRAIN HANDLING FACILITIES.—Sub-
14 section (a) shall apply with respect to grain handling fa-
15 cilities that were—

16 (1) granted exceptions pursuant to the rule
17 specified in subsection (a); and

18 (2) had such exceptions revoked on or after
19 September 30, 2015.

20 (c) NO UNILATERAL TERMINATION ALLOWED.—Be-
21 ginning on the date of the enactment of this Act, a nonuse
22 of service exception may only be terminated if two or more
23 parties to such exception, including the grain handling fa-
24 cility, are in joint agreement with respect to such termi-
25 nation.

1 **Subtitle E—Noninsured Crop**
2 **Disaster Assistance Program**

3 **SEC. 11501. ELIGIBLE CROPS.**

4 Section 196(a)(2) of the Federal Agriculture Im-
5 provement and Reform Act of 1996 (7 U.S.C. 7333(a)(2))
6 is amended by striking subparagraph (A) and inserting
7 the following new subparagraph:

8 “(A) IN GENERAL.—Subject to subpara-
9 graph (B), in this section, the term ‘eligible
10 crop’ means each commercial crop or other ag-
11 ricultural commodity that is produced for food
12 or fiber (except livestock) for which catastrophic
13 risk protection under subsection (b) of section
14 508 of the Federal Crop Insurance Act (7
15 U.S.C. 1508) and additional coverage under
16 subsections (c) and (h) of such section are not
17 available or, if such coverage is available, it is
18 only available under a policy that provides cov-
19 erage for specific intervals based on weather in-
20 dexes or under a whole farm plan of insur-
21 ance.”.

22 **SEC. 11502. SERVICE FEE.**

23 Section 196(k)(1) of the Federal Agriculture Im-
24 provement and Reform Act of 1996 (7 U.S.C. 7333(k)(1))
25 is amended—

1 (1) in subparagraph (A), by striking “\$250”
 2 and inserting “\$350”; and

3 (2) in subparagraph (B)—

4 (A) by striking “\$750” and inserting
 5 “\$1,050”; and

6 (B) by striking “\$1,875” and inserting
 7 “\$2,100”.

8 **SEC. 11503. PAYMENTS EQUIVALENT TO ADDITIONAL COV-**
 9 **ERAGE.**

10 (a) **PREMIUMS.**—Section 196(l)(2)(B)(i) of the Fed-
 11 eral Agriculture Improvement and Reform Act of 1996 (7
 12 U.S.C. 7333(l)(2)(B)(i)) is amended—

13 (1) by striking “and” at the end of subclause
 14 (IV);

15 (2) by striking “or” at the end of subclause (V)
 16 and inserting “and”; and

17 (3) by adding at the end the following new sub-
 18 clause:

19 “(VI) the producer’s share of the
 20 crop; or”.

21 (b) **ADDITIONAL AVAILABILITY OF COVERAGE.**—Sec-
 22 tion 196(l) of the Federal Agriculture Improvement and
 23 Reform Act of 1996 (7 U.S.C. 7333(l)) is amended—

24 (1) by striking paragraph (3); and

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

3 (c) PERIOD OF AVAILABILITY.—Paragraph (4) of
4 section 196(l) of the Federal Agriculture Improvement
5 and Reform Act of 1996 (7 U.S.C. 7333(l)), as redesign-
6 nated by subsection (b)(2), is amended—

7 (1) by striking “Except as provided in para-
8 graph (3)(A), additional” and inserting “Addi-
9 tional”; and

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

11 **Subtitle F—Other Matters**

12 **SEC. 11601. UNDER SECRETARY OF AGRICULTURE FOR** 13 **FARM PRODUCTION AND CONSERVATION.**

14 (a) REFERENCES TO FORMER UNDER SECRETARY
15 OF AGRICULTURE FOR FARM AND FOREIGN AGRICUL-
16 TURAL SERVICES.—

17 (1) FOOD AID CONSULTATIVE GROUP.—Section
18 205(b) of the Food for Peace Act (7 U.S.C.
19 1725(b)) is amended by striking paragraph (2) and
20 inserting the following new paragraph:

21 “(2) the Under Secretary of Agriculture for
22 Trade and Foreign Agricultural Affairs;”.

23 (2) OFFICE OF RISK MANAGEMENT.—Section
24 226A(d)(1) of the Department of Agriculture Reor-
25 ganization Act of 1994 (7 U.S.C. 6933(d)(1)) is

1 amended by striking “Under Secretary of Agri-
 2 culture for Farm and Foreign Agricultural Services”
 3 and inserting “Under Secretary of Agriculture for
 4 Farm Production and Conservation”.

5 (3) MULTIAGENCY TASK FORCE.—Section
 6 242(b)(3) of the Department of Agriculture Reorga-
 7 nization Act of 1994 (7 U.S.C. 6952(b)(3)) is
 8 amended by striking “Under Secretary for Farm
 9 and Foreign Agricultural Services” and inserting
 10 “Under Secretary of Agriculture for Trade and For-
 11 eign Agricultural Affairs”.

12 (4) INTERAGENCY COMMITTEE ON MINORITY
 13 CAREERS IN INTERNATIONAL AFFAIRS.—Section
 14 625(c)(1)(A) of the Higher Education Act of 1965
 15 (20 U.S.C. 1131c(c)(1)(A)) is amended by striking
 16 “Under Secretary for Farm and Foreign Agricul-
 17 tural Services” and inserting “Under Secretary of
 18 Agriculture for Trade and Foreign Agricultural Af-
 19 fairs”.

20 (b) REFERENCES TO OTHER DESIGNATED DEPART-
 21 MENT OFFICIALS.—

22 (1) DEFINITIONS UNDER CONSOLIDATED FARM
 23 AND RURAL DEVELOPMENT ACT.—Section
 24 343(a)(13)(D) of the Agricultural Act of 1961 (7
 25 U.S.C. 1991(a)(13)(D)) is amended—

1 (A) in clause (ii)—

2 (i) by inserting “(or other official des-
3 ignated by the Secretary)” after “Under
4 Secretary for Rural Development”; and

5 (ii) by inserting “or designated offi-
6 cial” after “Under Secretary” each other
7 place it appears; and

8 (B) in clause (iii)—

9 (i) by inserting “(or other official des-
10 ignated by the Secretary)” after “Under
11 Secretary for Rural Development”; and

12 (ii) in subclauses (III) and (IV), by
13 inserting “or designated official” after
14 “Under Secretary” both places it appears.

15 (2) NATIONAL SHEEP INDUSTRY IMPROVEMENT
16 CENTER.—Section 210(f)(3)(B)(i) of the Agricul-
17 tural Marketing Act of 1946 (7 U.S.C.
18 1627b(f)(3)(B)(i)) is amended by inserting “(or
19 other official designated by the Secretary of Agri-
20 culture)” after “Under Secretary of Agriculture for
21 Rural Development”.

22 (3) INTERTRIBAL TOURISM DEMONSTRATION
23 PROJECTS.—Section 6(a)(2)(A) of the Native Amer-
24 ican Business Development, Trade Promotion, and
25 Tourism Act of 2000 (25 U.S.C. 4305(a)(2)(A)) is

1 amended by inserting “(or other official designated
2 by the Secretary of Agriculture)” after “Under Sec-
3 retary of Agriculture for Rural Development”.

4 (4) STATE PLANS FOR VOCATIONAL REHABILI-
5 TATION SERVICES.—Section 101(a)(11)(C) of the
6 Rehabilitation Act of 1973 (29 U.S.C.
7 721(a)(11)(C)) is amended by inserting “(or other
8 official designated by the Secretary of Agriculture)”
9 after “Under Secretary for Rural Development of
10 the Department of Agriculture”.

11 **SEC. 11602. AUTHORITY OF SECRETARY TO CARRY OUT**
12 **CERTAIN PROGRAMS UNDER DEPARTMENT**
13 **OF AGRICULTURE REORGANIZATION ACT OF**
14 **1994.**

15 Section 296(b)(8) of the Department of Agriculture
16 Reorganization Act of 1994 (7 U.S.C. 7014(b)(8)) is
17 amended by inserting “section 772 of the Agriculture,
18 Rural Development, Food and Drug Administration, and
19 Related Agencies Appropriations Act, 2018, or the Agri-
20 culture and Nutrition Act of 2018” before the period at
21 the end.

1 **SEC. 11603. CONFERENCE REPORT REQUIREMENT THRESH-**
2 **OLD.**

3 Section 14208(a)(3)(A) of the Food, Conservation,
4 and Energy Act of 2008 (7 U.S.C. 2255b(a)(3)(A)) is
5 amended by striking “\$10,000” and inserting “\$75,000”.

6 **SEC. 11604. NATIONAL AGRICULTURE IMAGERY PROGRAM.**

7 (a) IN GENERAL.—The Secretary of Agriculture, act-
8 ing through the Administrator of the Farm Service Agen-
9 cy, shall carry out a national agriculture imagery program
10 to annually acquire aerial imagery during agricultural
11 growing seasons from the continental United States.

12 (b) DATA.—The aerial imagery acquired under this
13 section shall—

14 (1) consist of high resolution processed digital
15 imagery;

16 (2) be made available in a format that can be
17 provided to Federal, State, and private sector enti-
18 ties;

19 (3) be technologically compatible with
20 geospatial information technology; and

21 (4) be consistent with the standards established
22 by the Federal Geographic Data Committee.

23 (c) SUPPLEMENTAL SATELLITE IMAGERY.—The Sec-
24 retary of Agriculture may supplement the aerial imagery
25 collected under this section with satellite imagery.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$23,000,000 for fiscal year 2019 and each fiscal year
4 thereafter.

5 **SEC. 11605. REPORT ON INCLUSION OF NATURAL STONE**
6 **PRODUCTS IN COMMODITY PROMOTION, RE-**
7 **SEARCH, AND INFORMATION ACT OF 1996.**

8 Not later than 180 days after the date of the enact-
9 ment of this Act, the Secretary of Agriculture shall submit
10 to the Committee on Agriculture of the House of Rep-
11 resentatives a report examining the effect the establish-
12 ment of a Natural Stone Research and Promotion Board
13 pursuant to the Commodity Promotion, Research, and In-
14 formation Act of 1996 (7 U.S.C. 7401 et seq.) would have
15 on the natural stone industry, including how such a pro-
16 gram would effect—

17 (1) research conducted on, and the promotion
18 of, natural stone;

19 (2) the development and expansion of domestic
20 markets for natural stone;

21 (3) economic activity of the natural stone indus-
22 try subject to such a Board;

23 (4) economic development in rural areas; and

24 (5) benefits to consumers in the United States
25 of natural stone products.

1 **SEC. 11606. SOUTH CAROLINA INCLUSION IN VIRGINIA/**
2 **CAROLINA PEANUT PRODUCING REGION.**

3 Section 1308(c)(2)(B)(iii) of the Farm Security and
4 Rural Investment Act of 2002 (7 U.S.C.
5 7958(c)(2)(B)(iii)) is amended by striking “Virginia and
6 North Carolina” and inserting “Virginia, North Carolina,
7 and South Carolina”.

8 **SEC. 11607. ESTABLISHMENT OF FOOD LOSS AND WASTE**
9 **REDUCTION LIAISON.**

10 Subtitle A of the Department of Agriculture Reorga-
11 nization Act of 1994 (7 U.S.C. 6901 et seq.), as amended
12 by section 11204, is further amended by adding at the
13 end the following:

14 **“SEC. 222. FOOD LOSS AND WASTE REDUCTION LIAISON.**

15 “(a) ESTABLISHMENT.—The Secretary shall estab-
16 lish within the Office of the Secretary a Food Loss and
17 Waste Reduction Liaison to coordinate Federal programs
18 to measure and reduce the incidence of food loss and waste
19 in accordance with this section.

20 “(b) DUTIES.—The Food Loss and Waste Reduction
21 Liaison shall—

22 “(1) coordinate food loss and waste reduction
23 efforts with other Federal agencies, including the
24 Environmental Protection Agency and the Food and
25 Drug Administration;

1 “(2) support and promote Federal programs to
2 measure and reduce the incidence of food loss and
3 waste and increase food recovery;

4 “(3) provide information to, and serve as a re-
5 source for, entities engaged in food loss and waste
6 reduction and food recovery concerning the avail-
7 ability of, and eligibility requirements for, participa-
8 tion in Federal programs;

9 “(4) raise awareness of the liability protections
10 afforded under the Bill Emerson Good Samaritan
11 Food Donation Act (42 U.S.C. 1791) to persons en-
12 gaged in food loss and waste reduction and food re-
13 covery; and

14 “(5) make recommendations with respect to ex-
15 panding food recovery efforts and reducing the inci-
16 dence of food loss and waste.

17 “(c) COOPERATIVE AGREEMENTS.—For purposes of
18 carrying out the duties under subsection (b), the Food
19 Loss and Waste Reduction Liaison may enter into con-
20 tracts or cooperative agreements with the research centers
21 of the Research, Education, and Economics mission area,
22 institutions of higher education (as defined in section 101
23 of the Higher Education Act of 1965 (20 U.S.C. 1001),
24 or nonprofit organizations for—

25 “(1) the development of educational materials;

1 “(2) the conduct of workshops and courses; or
2 “(3) the conduct of research on best practices
3 with respect to food loss and waste reduction and
4 food recovery.”.

5 **SEC. 11608. COTTON CLASSIFICATION SERVICES.**

6 Section 3a of the Act of March 3, 1927 (7 U.S.C.
7 473a), is amended—

8 (1) by redesignating subsection (g) as sub-
9 section (h); and

10 (2) by inserting after subsection (f) the fol-
11 lowing new subsection:

12 “(g) **HIRING AUTHORITY.**—Notwithstanding any
13 other provision of law, employees hired to provide cotton
14 classification services pursuant to this section may work
15 up to 240 calendar days in a service year and may be
16 rehired non-competitively every year in the same or a suc-
17 cessor position if they meet performance and conduct ex-
18 pectations, as determined by the Secretary.”.

○